
Appeal Decision

Site visit made on 30 January 2017

by Veronica Bond LLB (Hons), Solicitor (non-practising)

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 February 2017

Appeal Ref: APP/Y3940/W/16/3162881

Land off Butler Close, Rear of 81 Downton Road, Salisbury SP2 8AT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Charter House Planning against the decision of Wiltshire Council.
 - The application Ref 16/08770/FUL, dated 8 September 2016, was refused by notice dated 1 November 2016.
 - The development proposed is described as 'it is proposed that a detached, 2-storey, 3-bedroom home, with associated parking and a first floor terrace is constructed on the land. The existing garage on site would be demolished in order to make way for the new dwelling.'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A revised plan was submitted with the appeal, correcting a previous error to show a hipped rear elevation. Given the minor nature of the variation, no harm would result from my having regard to this, and I have done so.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site fronts Butler Close and previously formed part of the rear garden of 81 Downton Road. Properties on Downton Road are characterised by their long rear gardens, which lends them a spacious character. Many have single storey garages at the end of their gardens, which are accessed from Butler Close.
5. This open character is particularly apparent in views from Butler Close and contrasts with the more limited separation distances between other properties in the area, including those on Milton Road. The presence of a wide grass verge separating Milton Road properties from the road, along with trees and hedges also adds to the sense of spaciousness.
6. The appeal proposal would introduce a new two-storey house onto the plot which would closely front the road at Butler Close. Although a small number of larger outbuildings are present in the street scene, the proposed dwelling would be noticeably taller than even the largest of these. In addition, the

- resultant separation distance between the new dwelling and house at No 81 would be very much out of character with the long rear gardens of other Downton Road properties.
7. The effect would be of harm to the open and spacious character of the immediate area, which would be apparent in views from Butler Close, as well as from the rear garden environment. Sloping ground levels in Downton Road properties' rear gardens would not adequately reduce prominence from this view point given the scale of development proposed.
 8. Whilst there is a two storey garage building adjacent to the appeal site, this does not read as a new dwelling and does not alter the established pattern of the Downton Road properties. Milton Road properties also form part of the character of the area and are of a size more comparable to the proposed dwelling, with similar separation distances and plot to built development ratios also. This does not alter the fact though that the appeal site is primarily seen in the context of having formed part of No 81's rear garden and so is not directly comparable to the Milton Road properties. Although Downton Road properties are elevated above the appeal site, with some partially screened, this does not prevent the appeal site being seen as connected to No 81.
 9. The grass verge referred to above would remain and spacing around the proposed dwelling aims to prevent this from appearing cramped. These aspects do not though alter the harm that would result to the established development pattern. The proposal seeks to improve the streetscene through the innovative use of a redundant plot, providing an active frontage and natural surveillance and a similar design to the adjacent outbuilding. Although the appellant considers the existing street scene to be lacklustre, nonetheless, given the harm found, this is not though appropriate innovation.
 10. The scheme has been altered somewhat from a previous proposal dismissed at appeal¹ including reductions in massing, height and footprint, and in width at first floor level. Given the sensitive location of the site, being perceived as part of the Downton Road rear garden environment and interruption of the pattern of development here, these changes have not overcome the harm found. An increase in garden size compared to the previous proposal and being comparable in total amenity area to other Downton Road properties assists in reducing the cramped nature of development but does not alleviate the harm to the prevailing pattern of development.
 11. As regards the creation of a precedent, I share the view that each proposal must be considered on its merits, and acknowledge the wider plot of No 81 as compared to its neighbours. However, neither this, nor the fact that the site is not in a Conservation Area alters the harm found in respect of the present proposal.
 12. Thus, I conclude on the main issue that the proposal would harm the character and appearance of the area. It would conflict with Core Policy 57 of the Wiltshire Core Strategy (adopted January 2015) which seeks, amongst other things, that all new development is of a high standard of design which draws on local context and responds positively to existing townscape features. It would also fail to accord with the aims of paragraphs 9, 56, 58 and 64 of the National Planning Policy Framework, which include in their aims the seeking of

¹ APP/Y3940/W/15/3049276

positive improvements in the surrounding environment, good design as a key aspect of sustainable development, and development that is responsive to local character and takes the opportunity to improve the character of the area.

Conclusion

13. The proposal would very modestly add to the mix of housing in the area, in an accessible location. This offers modest weight in favour of the scheme. The absence of objection from the Council's Highways and Archaeology departments and absence of living conditions harm are though only neutral matters. The slight benefits of the proposal would be outweighed by the harm found to the character and appearance of the area. For these reasons, the appeal should fail.

Veronica Bond

INSPECTOR