

Appeal Decision

Site visit made on 26 April 2017

by Andy Harwood CMS MSc MRTPI

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

Decision date: 30 May 2017

Appeal Ref: APP/Y3940/W/17/3166500
9 Salisbury Road, Bulford SP4 9DF

- 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 Mr and Mrs Weeks-Smith against the decision of Wiltshire Council.
 - The application Ref 16/08541/FUL, dated 1 September 2016, was refused by notice dated 3 November 2016.
 - The development proposed is described as "proposed new 2 storey dwelling on the grounds of 9 Salisbury Road with parking spaces and rear garden".
-

Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the proposal on the character and appearance of the area and on the setting of the nearby Bulford Conservation Area (CA). The second main issue is the effect of the proposal upon living conditions of neighbouring dwellings with particular reference to privacy and light. Lastly, the third main issue is the effect of the proposals upon highway safety.

Reasons

Character and appearance

3. The appeal site is within a predominantly residential area, on a modern estate. The existing dwelling is semi-detached in a line that includes 3 groups of similar pairs of dwellings. The estate has a spacious layout due to dwellings having good sized gardens, gaps between properties and also due to the inclusion of open spaces alongside the roads. A substantial hedge defines the northern boundary of the site, complementing the position next to the open space and there is a similar hedge along part of the front boundary. The hedge softens the street scene.
 4. To the west on the opposite side of Salisbury Road the CA boundary defines the more historic core of the village where there is greater variety to the layout of buildings. Directly opposite the site and within the CA there is leafier feel with trees and landscaping defining the edge of the CA with Salisbury Road. The road is a clear defining boundary between this area and the CA.
-

5. The proposal would involve the construction of a dwelling to the side of the existing dwelling. The scheme would lengthen the existing hipped roof towards the open space on the northern side of the site. This would match the existing extension to the side of the adjoining dwelling at No 11. When viewed from Salisbury Road to the west, the additional dwelling would create a balance across the front elevations of these properties.
6. The side of the new dwelling that would face onto the open space would be deeper than the existing dwellings and the extension at No 11. However, the roof form would match that on the existing buildings and there would be a substantial gap between the rear elevation and the dwelling at No 54 St Leonards Close. Looking from that direction, the rear of the new dwelling would have a simple form with a hipped end projecting from the dwelling. The rear elevations proposed would fit more comfortably with the existing dwelling than the existing flat roof single storey extension which would be screened by the proposed dwelling.
7. The loss of the existing hedge and its replacement with a fence to the side and front would make a very noticeable change. The appellant has suggested that a hedge could be reinstated along the side boundary. Even if there is space to do this whilst retaining sufficient garden area, in order to achieve the parking spaces at the front it would not be possible to reinstate a hedge along that boundary. This would produce a wide area of hard-surfacing instead of the softer screening of the hedge at the moment that continues further along in front of the adjoining dwelling. This would be to the detriment of the visual qualities of the street-scene and the current sense of place. The parking area would be very prominent within the Salisbury Road street-scene particularly due to its raised position. In these respects the proposal would not respond positively to the existing townscape. There are fences along boundaries within St Leonards Close, but they are less prominently positioned when viewed from Salisbury Road than the appeal site.
8. In relation to the first main issue, the proposal would harm the character and appearance of the area. This would not comply with Core Strategy¹ (CS) Policy CP57 and would not constitute a good design, as required by paragraph 56 of the National Planning Policy Framework (the Framework). Given the width of the road and separation of the site from it, the proposal would not harm the setting of the CA.

Living conditions

9. A large window within the first floor side elevation of No 54 St Leonards Close faces towards the garden of No 9 and is clearly in view from the first floor windows of the existing dwelling. This reflects the close relationships of many dwellings nearby where their rear gardens are not entirely private and where there is some inter-visibility between windows in neighbouring dwellings. The proposed rear elevation would include windows that would be further towards No 54. These would face directly towards the front garden of No 54 and down upon the flat roof to the side of that dwelling. There would however be diagonally angled views from those windows towards the windows at the side of No 54. This would be at a much closer distance than from existing windows in the rear of the dwelling. This would bring about a loss of privacy and a greater sense of being overlooked for those neighbouring residents.

¹ Wiltshire Local Development Framework, Wiltshire Core Strategy, adopted January 2015

10. A side window would be lost within the first floor of the existing dwelling but a window in rear would remain. Light and outlook would not be unreasonably affected by the proposed side wall of the rear projection.
11. In relation to the second main issue, the proposal would have a harmful impact upon the living conditions of adjoining dwellings. This would not comply with CS Policy CP57 or the requirement in paragraph 17 of the Framework to secure a good standard of amenity for all existing and future occupants of land and buildings.

Highway safety

12. The site is accessed from a narrow lane of variable width along the front of this and the adjoining dwellings which runs approximately parallel with Salisbury Road. There is insufficient space to turn vehicles within this lane. Some manoeuvring would be required to use the spaces whether vehicles are parked perpendicularly to the front of the house or at an angle. Furthermore, there is no evidence of heavy pedestrian or vehicular use of the lane. I do not consider that the manoeuvring of vehicles in order to park on the proposed spaces would be unsafe.
13. In relation to this main issue, the proposal would not lead to unsafe highway conditions. This would not breach CS Policy CP62. It is not clear from what the Council has provided, why this would not go against the Wiltshire Local Transport Plan, 2011-2026.

Other Matters

14. The concerns of the appellant relating to the way in which the Council dealt with the application are not considerations of any significant weight in terms of the merits of the case. I do give a moderate amount of weight to the benefit of providing an additional dwelling. However, these matters, the lack of harm in relation to the third main issue and the support for the proposal by Bulford Parish Council do not outweigh the harm in relation to the first and second main issues.

Conclusion

15. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR