The Planning Inspectorate

Appeal Decision

Site visit made on 25 July 2017

by R J Marshall LLB DipTP MRTPI

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

Decision date: 30 August 2017

Appeal Ref: APP/Y3940/W/17/3174421
4A/B, The Crescent, Hillview Road, Salisbury, Wiltshire, SP1 1HY

- 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 G Mundy (Mundy Building Contractors Ltd.) against the decision of Wiltshire Council.
- The application Ref 16/09610/FUL, dated 3 October 2016, was refused by notice dated 25 November 2106.
- The development proposed is extension to enlarge existing ground floor flat and create additional flat.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are: **first**, the effect of the proposed development on the character and appearance of the surrounding area which includes the Milford Hill Conservation Area (CA); and **second**, the effect of the proposal on the free flow of traffic on The Crescent and whether the proposed development would be provided with satisfactory vehicle accessing and servicing.

Reasons

Character and appearance

3. The appeal site lies within the Milford Hill CA which covers a large mainly residential area close to Salisbury city centre. The CA has been subdivided into a substantial number of sub areas. The appeal site lies within the Tollgate/Rampart Road area. Most of the housing in this area is comprised of Victorian style terraces of small houses. Some of these terraces contain reasonably unaltered houses, but some have had rather unsympathetic changes made. The Crescent, off which the appeal site lies, is a small development of originally 4 houses. These properties have the appearance of 1930s style semi-detached houses which, along with a more formal and Arcadian feel which is a product of a substantial number of trees in the vicinity, distinguishes The Crescent from other housing in the area. The Crescent is an attractive enclave of housing in the CA as a whole.

4. The Crescent rises steeply from west to east. The appeal site is at the far eastern end of the road. It contains a semi-detached house which has been

converted to create 2 flats. The proposal is to provide a single storey rear extension to create additional living space for one of the existing flats. It is also for a single storey side extension to provide a new flat. Both extensions would have pitched fully hipped roofs.

5. The side extension would fill in the gap between the side of the existing property and a bank, beyond which are the open grounds and buildings of a school. Along the top of the bank is a row of trees. Whilst individually they may be of little merit they have cumulative value and have been identified in the Council's Conservation Area Appraisal as "Other Important Trees". They add to other trees in the vicinity to help create the attractive verdant appearance of this part of the CA. They are visible from the vicinity of the site and also from some more distant locations in the vicinity of the city centre where they assist in providing an attractive wooded backdrop to the area.

6. The proposed side extensions are unobjectionable in their own right. They are reasonably subservient to the existing property and not unalike extensions that may often be found to properties of this kind. However, inserted between the existing property and the higher ground to the east the proposal would seem unduly cramped, albeit when seen from limited viewpoints. In addition it appears as though a fairly substantial retaining wall would be constructed alongside the proposed parking/manoeuvring area. This would introduce an unduly harsh feature where, in the immediate vicinity, there are no such structures. Furthermore, the proposed development would result in the loss of a substantial number of trees on the top of the bank to the east of the site. This would be seriously detrimental to the Arcadian appearance of The Crescent and further open up some unattractive views of a building on the school site. In a previous dismissed appeal decision for a house on the site, APP/Y3940/W/15/3136252, the inspector stated that proposed replacement planting would re-establish a verdant character to the site. However, whilst there is some room for replacement planting it would be many years before it became fully effective. In the previous decision insufficient regard was had to this. Harm to this attractive part of the CA would constitute harm to the CA as a whole.

7. It is concluded that the proposed development would detract from the character and appearance of the surrounding area including the Milford Hill CA. There would be a failure to meet the statutory duty to preserve or enhance the character or appearance of the CA. The proposal would be contrary to Policies 57 and 58 of the Wiltshire Core Strategy (2015) which require new development to respond positively to its setting and which broadly re-state the statutory test for development in CAs.

Free flow of traffic/accessing and servicing

8. The Crescent is a notably narrow cul-de-sac road to one side of which is car parking for the existing properties facing the road. The proposed development would retain 2 car parking spaces for the existing flats and provide a single parking space for the proposed flat.

9. By providing 1 car parking space for the proposed 1-bedroom flat the proposed development would accord with standards in the Wiltshire Local Transport Plan 2011 – 2026. However, the rear extension would enable an additional bedroom to be provided in an existing one bedroom flat. The Council's standards require

2 parking spaces for a 2 bed dwelling. As only 2 car parking spaces would remain for the 2 existing flats there would thus be a parking shortfall looking at the totality of the site.

10. However, small properties of the kind proposed, in quite close vicinity to the city centre, are likely to prove attractive to those without a car. Moreover, it is unlikely that there would be any overspill parking onto The Crescent as due to its width that would so obviously be an obstruction to traffic.

11. Access to the proposed development would be taken from the end of The Crescent. However, although the access road is narrow it should be no more difficult to access or service the proposed development than the existing dwellings in The Crescent. In addition development of the small-scale proposed would be unlikely to significantly increase the volume of traffic using The Crescent and should have little impact on the efficient operation of the road and its surface condition.

12. It is concluded that the proposed development would not be detrimental to the free flow of traffic on The Crescent and that satisfactory vehicle accessing and servicing would be provided.

Other matters and planning balance

Other third-party matters raised against proposal

13. I note concerns that the proposed extensions would appear over-dominant from neighbouring properties and cause overlooking. However, given the orientation of windows and the size of the proposal such harm to living conditions would not arise.

Matters for proposal

14. The proposed development would provide additional housing in a setting well located to existing services in a city identified as a focus for growth. There would be some benefit to the local economy in the construction phase and in support to the local economy. However, given the limited scale of the proposed development such advantages would be small. Removal of the existing rear extension would be of negligible benefit to the adjoining occupier.

Planning balance

15. As outlined above there would be some, albeit limited, social and economic benefits in the proposal. There is no harm in relation to the second issue.

16. The degree of harm I have found to the CA cannot be categorised as substantial in the terms of the Planning Policy Guidance (PPG) on Conserving and enhancing the historic environment as the bar to be reached for such harm is such that it may not arise in many cases. However, considerable weight should be attached to the failure to meet the statutory duty to preserve or enhance the character or appearance of the CA. The limited economic and social benefits would not outweigh this harm which I find to be the determining factor in this appeal. Seen in the round the proposal would not be sustainable development and would be contrary to the development plan when read as a whole.

Conclusion

17. For the reasons given above it is concluded that the appeal should be dismissed.

R J Marshall

INSPECTOR