

Appeal Decision

Site Visit made on 15 December 2020

by Mr Martin Allen B.Sc (Hons), M.Sc, M.R.T.P.I

an Inspector appointed by the Secretary of State

Decision date: 13 January 2021

Appeal Ref: APP/Y3940/W/20/3257856
45 Seymour Road, Trowbridge, BA14 8LX

- 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 Craig Stone against the decision of Wiltshire Council.
 - The application Ref 20/03166/FUL, dated 12 April 2020, was refused by notice dated 22 July 2020.
 - The development proposed is a proposed new dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a new dwelling at 45 Seymour Road, Trowbridge, BA14 8LX in accordance with the terms of the application, Ref 20/03166/FUL, dated 12 April 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers AH2020/42 Sheet 1 of 3, AH2020/42 Sheet 2 of 3 (Revision A) and AH2020/42 Sheet 3 of 3
 - 3) The external materials to be used in the construction of the development hereby permitted shall match those used in the existing building.
 - 4) No part of the development hereby permitted shall be first brought into use until the access and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter. The surfaced areas shall be so constructed as to prevent the flow of surface water from the site onto the adjacent public highway.

Preliminary Matters

2. I have amended the description of development in the decision above to remove reference to elements that are not development i.e. reference to proposed.

Main Issue

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

Reasons

4. The dwelling would be attached to the side of an existing detached property, lying within a corner plot at the junction of Seymour Road and Palmer Road. It would

occupy what is currently an area of side garden which forms a gap between the dwelling and Palmer Road. Whilst the development would do away with this gap and result in built development closer to the highway, this arrangement would be similar to that which can be seen on the opposite corner plot, where an extended dwelling stretches to within a short distance of the road. As such, the proposal would not result in an uncomfortable proximity to the boundary of the site and it would not appear cramped within its context. This would be particularly so given the retention of the generous setback from Seymour Road. Moreover, it would not result in the loss of an open area that is characteristic of the locality.

5. I accept that the scheme proposes a gable feature to both the front and rear elevations, where generally in the vicinity of the site, dwellings are arranged with roof planes facing the road. However, there is a distinct variety in the form and design of dwellings in the area, which includes both single and two-storey buildings, as well as detached and semi-detached. Given this variety, the inclusion of these gable features would not be harmful, but would introduce additional variety in the streetscape, acceptable at this corner location.
6. Accordingly, I find that the proposal would have an acceptable effect on the character and appearance of the area. Thus, it would accord with policy 57 of the Wiltshire Core Strategy (2015), insofar as it seeks to ensure development is of a high standard of design by drawing on the local context and being complementary to the locality.

Other Matters

7. The proposed vehicular access would be positioned a sufficient distance from the junction of the two roads so as to ensure that the manoeuvring of vehicles would not result in harm to highway safety. Moreover, the addition of the traffic associated with a single dwelling would have a negligible impact on the operation of the highway and the safety of road users.
8. Whilst there would be a first-floor window to the rear of the dwelling, this would allow views only of the rear garden area of the proposed dwelling and its immediate neighbour, in addition to any areas that are already visible from public vantage points. There would be no unacceptable effect on living conditions as a result.
9. Any effect through noise during the construction phase of the development would be for a temporary period only and thus would not be sufficient to warrant dismissing the appeal.

Conditions

10. In addition to ensuring adherence to the approved plans, a condition securing the use of matching materials is necessary in the interests of the character and appearance of the area. Furthermore, in the interests of highway safety a condition is required in respect of the completion of the access and parking area.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

Mr Martin Allen

INSPECTOR