
Appeal Decision

Site visit made on 26 January 2021

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 February 2021

Appeal Ref: APP/Y3940/W/20/3261388

Land to the rear of 14 Norfolk Road, Salisbury SP2 8HG

- 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 D Rhind Tutt against the decision of Wiltshire Council.
 - The application Ref 20/04836/FUL, dated 12 June 2020, was refused by notice dated 25 August 2020.
 - The development proposed is single 2 bedroom dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. For reasons of precision and clarity, I have taken the site address from the Council's Decision Notice.
3. Subsequent to their decision on the appeal application, the Council have confirmed that they no longer wished to pursue reason for refusal two. Having reviewed the evidence, I have no reason to disagree with this position and I have therefore dealt with the appeal on this basis.

Main Issues

4. The main issues in this appeal are the effect of the proposal upon;
 - The character and appearance of the area; and
 - The living conditions of surrounding residents.

Reasons

Character and appearance

5. The appeal site comprises an open area of land, located between two residential properties. The surrounding area is principally residential, although there a number of commercial properties at the junction of Norfolk Road and Netherhampton Road. Surrounding buildings and dwellings are a mixture of design styles and types. Plot sizes of surrounding dwellings are mixed, but those along Norfolk Road are generally relatively long and regular in size, which gives the area a more open and spacious character.
 6. Policy 57 of the Wiltshire Core Strategy (WCS) requires new development to deliver a high standard of design and to create a strong sense of place through drawing on the local context and being complimentary to the locality.
-

7. The proposed development would introduce a substantial new building into an area that is currently open, which would harm the open and spacious character of the area. Consequently, the addition of the dwelling would be an incongruous feature in the street scene. Furthermore, due to its relationship with and its close proximity to No 69C Netherhampton Road, it would appear as a cramped form of development, indicative of overdevelopment of the site. As a result, the proposal would introduce a form of development which would be out of keeping with, and harmful to the character and appearance of the area.
8. For the above reasons, I therefore conclude that the proposed development would harm the character and appearance of the area and, in this respect, would be contrary to Policy 57 of the WCS and Paragraph 127 of the National Planning Policy Framework (the Framework).

Living conditions

9. Policy 57 of the WCS requires new development to be compatible with surrounding buildings and uses and ensure that appropriate levels of amenity are achievable within the development itself, including, amongst other things, the consideration of privacy and overshadowing.
10. The proposed dwelling would be located close to the western boundary of the site. Whilst the proposal would include no windows in the elevation, other than a high level roof light, due to its scale and bulk, it would appear as a substantial development, clearly visible from the rear windows and the gardens of the properties in Norfolk Road. As a result, due to the position, size and bulk of the proposed dwelling it would have an overbearing and overshadowing effect upon part of the rear gardens of the properties along Norfolk Road. I consider that the impacts would be so great as to harm the living conditions of surrounding residents.
11. Furthermore, associated activity from the noise from vehicles entering/exiting and manoeuvring into the rear parking spaces would be noticeable to the occupants of properties to the rear. Whilst I acknowledge the presence of the local retail units at the junction of Norfolk Road and the associated activity these generate, these existing vehicle movements take place within the highway, as opposed to directly to the rear of the existing properties. As such, I consider that activity associated with the car parking spaces to the rear of the appeal site would harm the living conditions of surrounding residents.
12. Due to the lack of first floor windows, the presence of boundary treatment and the overall separation distance, there would be no material overlooking from the proposed development. This, however, does not overcome the harm caused by the development.
13. For the above reasons, I therefore conclude that the proposed development would harm the living conditions of surrounding residents and, in this respect, would be contrary to Policy 57 of the WCS and Paragraph 127 of the Framework.

Other Matters

14. The appellant has drawn my attention to the development on the opposite side of Norfolk Road and a number of other small infill developments within the area. Whilst there are similarities in relation to the infill nature of the appeal proposal, having reviewed these sites, I find their circumstances to be different

from the appeal proposal. In any event, I am required to consider the appeal scheme on its merits.

Conclusion

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

Adrian Hunter

INSPECTOR