
Appeal Decision

Site visit made on 21 December 2021

by Jonathan Manning BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 JANUARY 2022

Appeal Ref: APP/Y3940/W/21/3280173

90 & 92 Bulford Road, Durrington, Salisbury, SP4 8DH

- 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 Saxon Gate Homes Ltd against the decision of Wiltshire Council.
 - The application Ref 21/01208/FUL, dated 28 January 2021, was refused by notice dated 29 June 2021.
 - The development proposed is demolition of 2 dwellings and the erection of a building containing 6 dwellings (4 x 2-bed & 2 x 1-bed), along with the provision of associated parking and hard and soft landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of 2 dwellings and the erection of a building containing 6 dwellings (4 x 2-bed & 2 x 1-bed), along with the provision of associated parking and hard and soft landscaping at 90 & 92 Bulford Road, Durrington, Salisbury, SP4 8DH in accordance with the terms of the application Ref 21/01208/FUL, dated 28 January 2021, subject to the planning conditions in the attached schedule.

Preliminary Matters

2. The Council's hearing statement suggests possible improvements or alternatives schemes for the appeal site. However, I am mindful that I must consider the merits of the case based on the scheme for which planning permission has been sought and I have determined the appeal on this basis.
3. Following the exchange of evidence, the appellant provided details of a planning permission¹ that was granted for a development opposite the appeal site. The Council were given the opportunity to comment on the new evidence and therefore has not been prejudiced.

Main Issues

4. The main issues of the appeal are the effect of the proposal on the character and appearance of the area and whether the scheme would provide for suitable living conditions for future occupants, with regard to on-site amenity space.

Reasons

Character and appearance

5. The appeal site is located on Bulford Road and has been cleared following the demolition of two bungalows. I observed that the surrounding area is

¹ PL/2021/07939.

predominantly residential, although there are retail/commercial units within proximity to the appeal site. There is a range of dwelling types along Bulford Road, including one and two storey properties. Architectural styles also vary and there are examples of hipped and gable roofs. Materials generally consist of brick or render.

6. The scheme would result in the construction of 6 flats that when viewed from Bulford Road would appear similar in scale and proportions to other blocks of terrace dwellings in the vicinity.
7. The rear of the building would accommodate 8 parking spaces, cycle and bin storage and some amenity space. Whilst I accept that other properties in the area generally have more open space to their rear, due to many of the properties being terraced the rear space is not overly evident within the street scene. This is particularly true to the south of the appeal site, where there are only small gaps between each block of terraced properties and the street scene has a somewhat enclosed feel given the terraced properties are located close to the road.
8. Further, the rear space behind the proposed building would back onto the gardens of the relatively new terraced properties behind the appeal site. This would provide further relief between built structures. I consider the level of spacing would be in keeping with the character and appearance of the area. Given the above, I consider that the scheme would integrate with its surroundings and would not appear to have an overly cramped layout.
9. The roofline of the proposed building would sit higher than the neighbouring properties to the south (Nos 84, 86 & 88). However, it can be seen from the elevation plans that this is only slight. It was clear on my site visit that the roofscape in the area is varied with examples of gable, hipped and flat roofs in close proximity to each other. Further, ridge heights also vary, with examples of two-storey and one-storey dwellings standing next to one another. Given this variation, I am not of the view that the slightly higher ridge height of the proposed building would result in any harm to the character and appearance of the area.
10. The Council has suggested that the height of the proposed building and closer proximity to the front boundary than the adjacent properties would result in the proposed development forming the most prominent building in the streetscene. However, it can be seen from the submitted plans that the building line is staggered each side of the appeal site, and the proposed building would sit comfortably within the stagger. The marginal taller ridge height than the neighbouring properties would not, in my view, result in an overly prominent building. The Council has also compared the appeal scheme to the roof height of 40 & 42 Bulford Road. However, these are a significant distance from the appeal site.
11. Having regard to all of the above, I consider that the proposal would not cause harm to the character and appearance of the area and therefore complies with Core Policy 57 of the Wiltshire Core Strategy (the CS), 2015.

Living conditions

12. The proposed flats at ground floor level would benefit from their own private amenity space. The other 4 flats (2x 2 bed and 2x 1 bed) would share a

communal area which is limited in size at 35 square metres. Core Policy 57 of the CS (vii) seeks to ensure that appropriate levels of amenity are achievable within the development itself. I am mindful that the two 2 bed flats could accommodate families with children who would likely have an expectation of a reasonable level of outdoor amenity space. On this basis and having regard to the National Planning Policy Frameworks (NPPF) strong message in terms of delivering good design, I am not of the view that the communal amenity area is sufficient to serve the four flats. Further, the appeal site is currently vacant, following the demolition of two bungalows who themselves benefited from outdoor amenity space and is not constrained by existing buildings or any other obstacles that could make the provision of outdoor amenity space difficult. The scheme therefore runs contrary to Core Policy 57 of the CS.

13. The appellant has provided details of another development opposite the appeal site where permission has been granted for flats without any outdoor amenity space. However, that scheme involves the upward extension of an existing building. The circumstances in that case are therefore clearly different to this appeal scheme.
14. Notwithstanding the above, I am mindful that the NPPF encourages a range of dwellings to meet peoples needs and there may be some potential occupants who might not desire outdoor amenity space. The proposed flats would be market dwellings and therefore the limited level of outdoor amenity space would be evident to any potential purchasers. Given this and that the scheme provides suitable living conditions in all other regards, I am of the view that the identified conflict with Policy 57 of the CS affords a moderate level of weight against the scheme in the planning balance.

Other matters

15. The scheme would result in an increase in vehicle movements associated with the 6 new flats. However, this would not be significant, and I note that the highway authority has not raised an objection to the scheme. As a result of my own observations on the site visit, I see no reason to disagree with the highway authority and consider that there would be no unacceptable harm to highway or pedestrian safety.
16. There has been a suggestion that there could be a covenant on the appeal site restricting development to two dwellings. However, this is not a planning matter for me to consider as part of this appeal.

Planning Balance, Conclusion and Planning Conditions

17. The Council accept that it cannot demonstrate a five-year housing land supply. The tilted balance is therefore engaged. I have found that there would be some harm in terms of the limited communal outdoor amenity space and therefore conflict with Policy 57 of the CS, which carries a moderate level of weight against the scheme.
18. On the other hand, the scheme would contribute 6 new dwellings (a net gain of 4 following the demolition of the bungalows) towards the Council's housing land supply shortfall. Whilst a modest contribution, I consider that it attracts moderate weight. There would also be some minor economic benefits in favour of the scheme that should be afforded limited weight. On balance, the identified harm does not significantly and demonstrably outweigh the benefits

of the scheme and therefore the NPPF sets out that approval should be granted. Given this and having regard to all other matters raised, I conclude that the appeal is allowed, as material considerations indicate that a decision should be made other than in accordance with the development plan.

19. As a result, there is a need to consider what planning conditions are necessary. As well as the standard time limit condition (1), a condition is necessary to ensure the development is undertaken in accordance with the approved plans to secure certainty (2). Condition (3) is needed in the interests of highway safety.

Jonathan Manning

INSPECTOR

Schedule of Planning Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Site & Streetscene Plan (1265/01 Rev D); Proposed Floor Plans (1265/02 Rev A); and Proposed Elevations (1265/03 Rev A).
- 3) No part of the development hereby permitted shall be occupied until the parking spaces have been completed in accordance with the details shown on the approved plan 'Proposed Site & Streetscene Plan' (1265/01 Rev D). The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.