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Your Ref:
Our Ref: APP/Y3940/W/24/3345363

06 September 2024

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Square One Developments Limited
Site Address: Land Rear of 64 & 66 Queen Alexandra Road, Salisbury, SP2 9LA

I enclose for your information a copy of the appellant's final comments on the above appeal(s). Normally, no further comments, from any party, will now be taken into consideration.

Yours faithfully,

Sean Ernsting
Sean Ernsting

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Mr Sean Ernsting
West2@planninginspectorate.gov.uk

29th August 2024

Dear Mr Ernsting,

APP/Y3940/W/24/3345363 –Land Rear of 64 & 66 Queen Alexandra Road, SP2 9LA

A Statement of Case ("SoC") was submitted by the Atlas Planning Group when the appeal was lodged. It is not our intention to re-cover the topics identified in the SoC, but to simply respond to any new or revised arguments put forward in the LPA's SoC. As such, this should not be read as an independent document, but rather as an addendum to our previously submitted full SoC.

Response to LPA Statement of Case

Backland Development and Character of the Area

92 Queen Alexandra Road

The LPA argues that the examples of backland plots, particularly 92 Queen Alexandra Road, do not establish backland development as a characteristic of the area. They emphasise that these properties pre date newer developments and should not be used as a precedent.



Figure 1: No 92 Queen Alexandra Road

While acknowledging the Council's point, we assert that 92 Queen Alexandra Road which predates the surrounding development indicates that backland development has been a part of the area's residential evolution. This historical context demonstrates that such development is not a new or out-of-character feature but rather a part of the area's development history. The subsequent development of Roberts Road and Wellington Way shows that the area has evolved to accommodate various development forms, including backland plots. The proposal is consistent with this historical context and adapts it to meet current design standards.

The proposed development follows accords with Core Policy 57 by ensuring high design standards and compatibility with neighbouring properties. Historical examples in the area support the view that backland development, when designed appropriately, can integrate well with existing residential areas.

Wellington Mews (92a Queen Alexandra Road)

The Council state that the Wellington Mews (92a Queen Alexandra Road) development, approved in 2017 (17/04897/FUL) (appeal reference: APP/Y3940/W/16/3163112), is materially different from the current proposal. Specifically, they highlight that the access to the rear dwellings was created beside a newly constructed property rather than beside an existing one.

We recognise the differences, but argue that the principles applied in Wellington Mews are still pertinent. The Wellington Mews development successfully integrated backland development through careful site planning and design considerations, which minimised the impact on neighbouring properties and maintained the character of the area. Similarly, the proposal has been designed to align with the varying architectural styles and building lines present in the area. This variation has been recognised as acceptable within the context of the area's evolving character.

While the access configuration differs, the key principles of managing backland development remain relevant. Our proposal incorporates similar mitigation measures, such as maintaining existing and planting new vegetation, adopting a single-storey development, ensuring appropriate density and separation distances, and implementing effective boundary treatments and parking arrangements. These measures ensure that the development harmonises with the existing residential character and minimises disruption to the surrounding area.

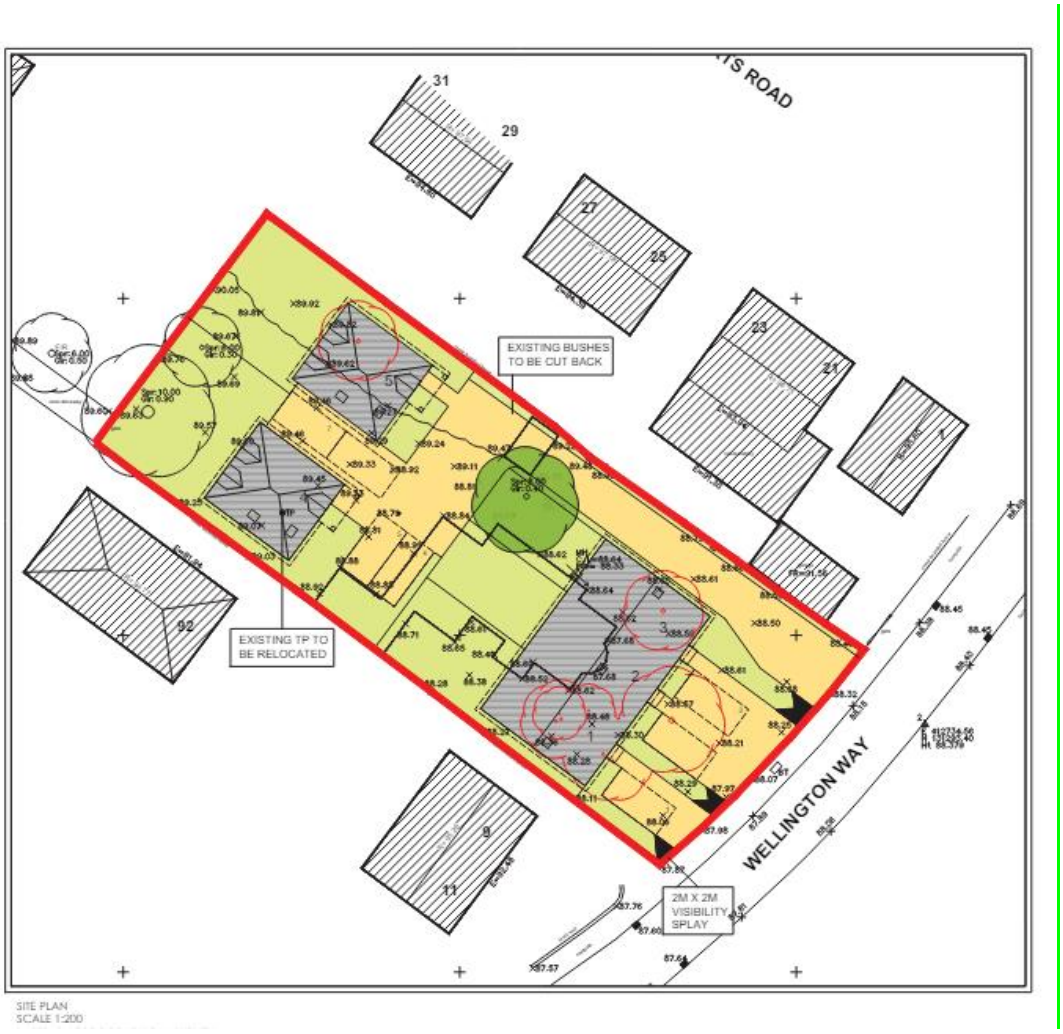

Figure 2: Proposed Site Plan for the backland development at Wellington Mews

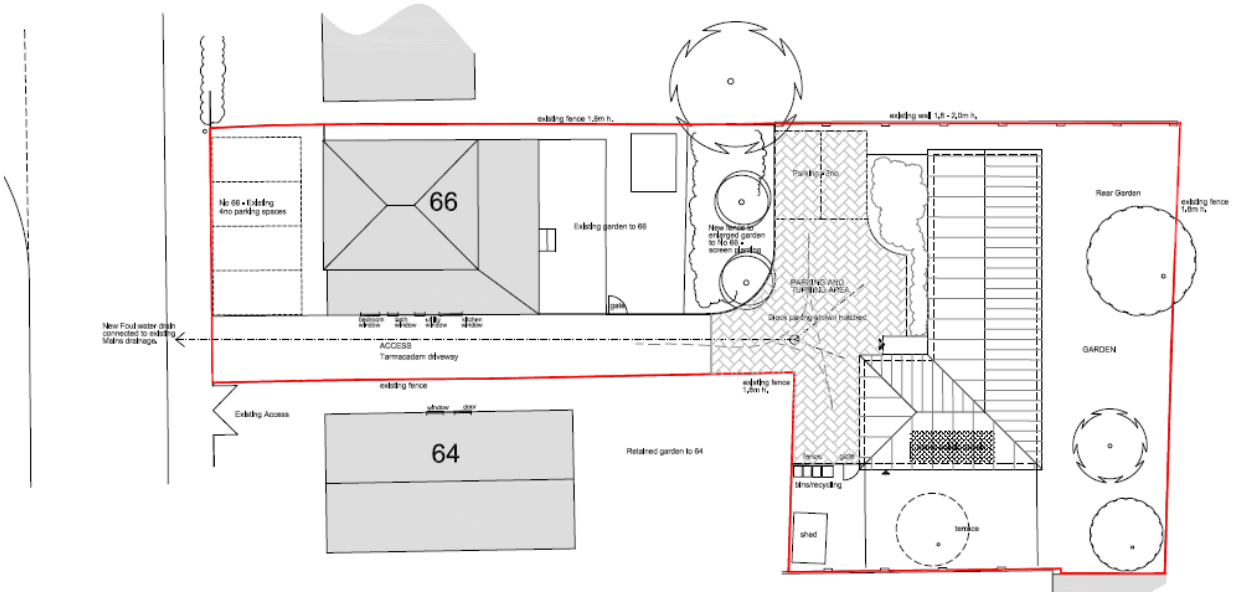

Figure 3: Proposed Site Plan for the appeal site

The success of Wellington Mews in balancing new development with existing context provides a relevant precedent. Our proposal follows a similar approach, ensuring that the integration of a new dwelling is sensitive to the existing residential environment.

The appeal cases may not be specific to our site, but they demonstrate general design principles that can be applied to managing backland development and vehicular impacts. These principles provide valuable insights for evaluating the proposal. The principles from the referenced appeal cases provide a framework for understanding and addressing similar concerns. The proposal follows these principles, showing that it complies with acceptable standards for backland development. These appeal cases highlight successful approaches to managing backland development.

Therefore, we consider that the proposal aligns with the established development pattern of the area, adheres to relevant planning policies, and incorporates proven design principles to ensure that it will integrate seamlessly with the existing residential character.

Core Policy 57

The Council argues that the proposal does not meet the high standards of design required by Core Policy 57, particularly regarding its relationship with neighbouring properties.

We maintain that the proposal meets Core Policy 57 and adheres to high design standards. As stated in our full Statement of Case, the design of the bungalow has been tailored to ensure compatibility with neighbouring properties. The scale, massing, and separation distances are carefully planned to avoid adverse effects. The design complies with Core Policy 57 by maintaining a high quality environment and respecting local character.

Core Policy 57 'Ensuring high quality design and place shaping' addresses design principles and standards for new developments. It is focused on ensuring that new developments contribute positively to the built and natural environment. The policy emphasises high quality design that integrates well with its surroundings, enhancing local character and distinctiveness.

The policy contains a number of detailed criteria that a development must adhere to in order to be considered compliant. To demonstrate how the proposal accords with this policy, a detailed table is prepared below that sets out each individual relevant criterion and explains how the proposed development meets these standards. This structured approach ensures that the proposal is evaluated comprehensively against the policy, providing clear evidence of its compliance.

Core Policy 57 Criterion	How the proposal meets the criterion
i) Enhancing Local Distinctiveness	The proposed development enhances local distinctiveness by responding to the natural and historic environment of the area. The bungalow has been designed with consideration of the local landscape setting, ensuring it aligns with the existing pattern of development. Key views into, within and out of the site have been carefully considered and preserved, with the design aiming to retain and enhance these views where possible. This approach ensures that the development relates positively to the local topography and contributes to the character of the area.
ii) Retention and Enhancement of Existing Landscaping	The proposal retains and enhances existing important landscaping features including mature trees and hedges. These natural elements are integral to the design, contributing to biodiversity and creating a seamless integration of the development into its setting. The landscaping plan includes the addition of native plant species, which will further enhance the site's ecological value and support local wildlife. Any necessary losses of natural features have been justified and mitigated with new landscaping that enhances the overall environment.
iii) Responding positively to townscape and landscape features	The bungalow's design responds positively to existing townscape and landscape features. The building layout, form, height, and mass have been carefully considered to ensure compatibility with the surrounding properties. The scale and materials used in the development have been selected to match the local character, while the roof line/form and plot size are consistent with neighbouring properties. This approach ensures that the development integrates smoothly into its setting, respecting and enhancing the existing streetscape.
iv) Sympathetic to Historic Buildings and Landscapes	Although the site is not adjacent to any listed building or designated historic landscapes, the proposal remains sensitive to the areas overall historic context. The design of the bungalow respects the traditional architectural elements found in the vicinity, ensuring that it conserves the local character.
v) Maximising Opportunities for	The development maximises opportunities for sustainable construction by incorporating energy-efficient building techniques and materials. The building has been oriented to benefit from natural sunlight, reducing the

Sustainable Construction	need for artificial lighting and heating. The use of renewable energy sources such as the proposed PV solar panels accord with Core Policy 41 (Sustainable Construction and Low Carbon Energy). These measures ensure that the development contributes to a sustainable future while maintaining a high standards of design.
vi) Efficient Use of Land	The proposal makes efficient use of land by delivering a development that is appropriate to the site characteristics and the local context. The bungalow is designed to fit within the existing pattern of development, ensuring it relates effectively to the immediate setting and the wider area. The design respects the density and scale of surrounding properties, ensuring that the development is neither overbearing nor out of place.
vii) Compatibility with Adjoining Buildings and Uses	The design carefully considers the adjoining buildings and uses. The scale and massing of the bungalow have been planned to ensure there is no negative impact on the amenity of existing occupants, such as privacy or overshadowing. Adequate separation distances have been maintained to prevent overlooking, and the design includes measures to minimise potential nuisances such as noise or light pollution. This ensures that the development provides appropriate levels of amenity for both existing and future occupants.
viii) Crime Prevention and Safety	The proposal incorporates measures to reduce opportunities for crime and antisocial behaviour. The bungalow features well placed windows and doors that allow for natural surveillance, enhancing the security of the property.
xii) Use of High Quality Materials	High standards of building materials and finishes have been employed in the design of the bungalow. The choice of material reflects the local vernacular, ensuring that the development is in harmony with its surroundings.

In response to the concerns raised in the refusal of the previous application (PL/2023/02913), the current proposal has been carefully redesigned to address the issues identified. The previous design was criticised for being cramped, discordant with the prevailing character of the area, and harmful to the amenity of existing residents due to the proximity of vehicle movements and the lack of relationship with the public domain. To mitigate these concerns, the revised design reduces the scale

and density of the development, ensuring a more appropriate and harmonious integration with the surrounding area. Specific changes include altering the layout to increase the separation distances, reducing potential overlooking, and enhancing landscaping and boundary treatments to minimise noise and disturbance from vehicular access. These amendments create a development that aligns with the high design standards outlined in Core Policy 57 and is more consistent with the character and quality of the surroundings while preserving the amenity of existing residents.

It is notable that the Council make no reference to their newly adopted Design Guide SPD (March, 2024), which sets criteria for development to be assessed against. We do demonstrate this compliance at paras 3.7 – 3.24 of our full Statement of Case, and note that Para 139 of the NPPF states "*significant weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance and* ***supplementary planning documents such as design guides*** *and codes;"* (Emphasis added).

Impact on Residential Amenity Due to Vehicle Movements

The Council has raised concerns regarding the potential impact of increased vehicle movements on residential amenity, referencing previous appeal decisions where vehicular activity played a significant role in determining the outcome. Specifically, the council has cited the two appeal cases APP/Y3940/W/17/3191483 and APP/Y3940/W/23/3324066 to illustrate these concerns. In the following analysis, it is demonstrated how the concerns raised in the cited appeals do not apply to the development.

APP/Y3940/W/17/3191483 (39 Devizes Road, Salisbury SP2 7AA)

The Council has referenced appeal decision APP/Y3940/W/17/3191483 at 39 Devizes Road, Salisbury SP2 7AA, to highlight concerns about the impact on the living conditions of neighbouring properties and the adequacy of car parking. In this appeal, the Inspector found that the development, which involved converting a car workshop into a three-storey building with nine apartments, had a detrimental effect on neighbouring residents. The scale of the development led to a high volume of vehicular movements and parking demands, which exacerbated the impact on residential amenity and highway safety.

However, the context of this appeal is significantly different from our proposal at the rear of 64 & 66 Queen Alexandra Road. The development at 39 Devizes Road was a substantial project, featuring a significant increase in building scale and density, resulting in extensive vehicular movements and parking demands. The constrained site and insufficient parking provision further amplified the impact on residential amenity.

In contrast, the proposal at Queen Alexandra Road involves a single, modest three-bedroom dwelling. This will generate far fewer vehicle movements compared to the nine-apartment development at 39 Devizes Road. Our proposal includes two parking spaces for the three-bedroom dwelling, in line with the standards set out in the Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy. Notably, the highways officer did not raise any concerns about the parking arrangements in the previously approved application (PL/2023/02913) for two dwellings. Thus, the proximity and scale of our proposed development are considerably less intrusive than the development at 39 Devizes Road. Therefore, the appeal decision at 39 Devizes Road, dealing with a larger and more complex development, does not provide a directly relevant comparison for our more modest proposal.

<u>APP/Y3940/W/23/3324066 (Land at the Corner of Pigott Close & Salisbury Road, Netheravon, Salisbury SP4 9QF)</u>

The Council has also referenced appeal decision APP/Y3940/W/23/3324066 at Land at the Corner of Pigott Close & Salisbury Road, Netheravon, Salisbury SP4 9QF, to highlight concerns about the impact on the living conditions of neighbouring properties, highway safety, and more. This appeal dealt with a situation where the proximity and frequency of vehicle movements were significant, resulting in a greater impact on the amenity of nearby residents.

In the Netheravon appeal, the Inspector found that the proposed development would harm neighbouring amenity due to the proximity and orientation of the new dwellings, leading to overlooking and loss of privacy. Additionally, the parking spaces close to the neighbours would lead to noise and disturbance from vehicle movements. This proposal involved one three-bedroom dwelling and one four-bedroom dwelling, resulting in expected vehicular movements more than double that of our Queen Alexandra Road proposal.



Figure 4: Proposed Site Plan for land at the corner of Pigott Close & Salisbury Road, Netheravon

In contrast, our proposal has been carefully designed to mitigate potential impacts on residential amenity. The proposed access arrangements include a tarmac surface between Nos. 64 and 66, reducing noise compared to the current gravel arrangement. A 1.8-metre high fence will provide additional visual and noise mitigation. While the ground-floor windows at No. 66 are close to the proposed driveway, they already experience similar vehicular movements due to the existing parking arrangements of the six-bedroom HMO. The modest increase in vehicle movements from one additional three-bedroom household is unlikely to significantly alter the current situation, and will arguable provide improvements by preventing parking of cars and associated noise from car door slams directly outside of these windows.



Figure 5: Existing parking arrangements at No.66 Queen Alexandra Road (taken from Streetview in 2020)

Overall, the appeal decision at Netheravon does not reflect the specific context of our current proposal. The significant differences in site conditions, layout, and the expected scale of vehicular movements from the Netheravon proposal mean that the concerns raised are not directly applicable to our case. Our development at the rear of 64 & 66 Queen Alexandra Road includes measures to mitigate potential impacts on amenity, making the cited appeal decisions unsuitable for comparison in assessing the current proposal.

Nutrient Neutrality and River Avon SAC Catchment

We acknowledge the LPA's confirmation that the nutrient budget is correct and that a Grampian condition could address nutrient neutrality. We agree that a nutrient neutrality plan can be managed through conditions. Our agreement to purchase credits and implement water efficiency measures demonstrates our commitment to environmental responsibility.

We have reviewed the Appropriate assessment and are aligned with the mitigation strategies outlined. The proposed development scale and the commitment to nutrient neutrality ensure that it will not adversely impact the River Avon SAC.

Suggested Conditions

We acknowledge and accept the conditions suggested by the LPA, including those related to nutrient neutrality, water consumption, and access arrangements. We are committed to adhering to these conditions to ensure that the development meets all regulatory and environmental standards.

For the reasons set out in the submitted Planning Statement, full Statement of Case and the final comments set out above, we commend the appeal to you.

Yours sincerely,

[redacted]

Jamie Alley BA (Hons) AssocRTPI
Senior Planner
[redacted]