



Appeal Decision

Site visit made on 19 August 2020

by S D Castle BSc(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th September 2020

Appeal Ref: APP/U3935/W/20/3251912

2 Capitol Close, Stratton St Margaret, Swindon SN3 4AB

- 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 Christopher Pomphrey against the decision of Swindon Borough Council.
 - The application Ref S/19/1843/TB, dated 11 November 2019, was refused by notice dated 28 February 2020.
 - The development proposed is erection of two bedroom attached bungalow with associated parking & alterations to 2 Capitol Close to form room in roof.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Capitol Close forms part of an estate which is characterised by a mixture of predominantly semi-detached houses and bungalows set back from road frontages, with grass verges and open frontages providing a sense of space. Dwellings in the area are generally arranged in cohesive groupings, along consistent building lines. 2 Capitol Close, a semi-detached bungalow with an open frontage and side garden on a prominent corner plot, significantly contributes to the sense of spaciousness and visual cohesiveness that forms the prevailing character of the area
4. The proposal takes design cues from the surrounding development in terms of its scale, pitched roof and dormer windows. The creation of a row of three terraced properties would, however, appear harmfully discordant with the visually cohesive grouping of semi-detached dwellings on the southern side of Capitol Close. Furthermore, whilst there is some variation in the set-back of built form on the eastern side of Glevum Road, the proximity of the flank elevation of the proposed dwelling to the highway would not be typical of the surrounding area. The dwelling would intrude into part of the open space that characterises the surrounding estate at a visually prominent corner location. The proposal, by virtue of its scale and prominence, would have a significantly more detrimental impact on the prevailing spacious character than the existing high boundary fencing at no 2.

5. The proposal would, therefore, cause material harm to the character and appearance of the area contrary to Policy DE1 of the Swindon Borough Local Plan which requires proposals to demonstrate a high standard of design, including a need for new development to respect the context, character, layout and form of surrounding development. It would also conflict with the Swindon Residential Design Guide which requires, amongst other things, schemes to be designed to harmonise with the character of their surroundings and to make a positive contribution to the local area. Furthermore, the proposal fails to accord with Chapter 12 of the National Planning Policy Framework (the Framework) insofar as it would not add to the overall quality of the area and would not be sympathetic to local character.

Other Considerations

6. I have had regard to the concerns of interested parties regarding loss of privacy and the proper and safe functioning of the highway, but none of these adds to my reasons for dismissing the appeal.
7. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations (including the Framework) indicate otherwise.
8. Paragraph 11(d) of the Framework is engaged because the Council is unable to demonstrate a five year supply of deliverable housing sites. In such circumstances, the Framework indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework policies taken as a whole.
9. The proposed development would contribute a single dwelling in an established residential area with good access to services and facilities. Whilst this would be a benefit, given the very limited scale of the contribution, the adverse impacts of granting permission that I have identified would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework when taken as a whole.
10. Overall, there are no material considerations, either individually or in combination, of sufficient weight to outweigh the identified conflict with the development plan.

Conclusion

11. For the above reasons, the appeal is dismissed.

S D Castle

INSPECTOR