
Appeal Decision

Site visit made on 9 February 2021

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2021

Appeal Ref: APP/U3935/D/20/3261286

101 Clifton Street, Kingshill, Swindon SN1 3QA

- 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 A Burgess against the decision of Swindon Borough Council.
 - The application Ref S/HOU/20/0577/EMMI, dated 13 May 2020, was refused by notice dated 17 July 2020.
 - The development proposed is a detached garage.
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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

Character and appearance

3. Clifton Street is within an established residential area comprising largely of terraced housing with long rear gardens. Many of the properties on the southern side of the street have detached garages or domestic outbuildings situated at the end of the rear garden, access to which is provided by a backway. This results in a distinctive layout to the area whereby a hierarchy is established between the more formal, prominent front elevations of the dwellings presenting to the street, in contrast to the secondary informal appearance of modest outbuildings lining the backway. The backway is at a lower level relative to the housing which enables the ridgeline of the terraced dwellings to be seen, reinforcing the hierarchy of the layout. Overall, this results in a well ordered, pleasant residential character.
4. The appeal site is at the end of the rear garden to 101 Clifton Street. At the time of my visit there was some hardstanding in place with temporary fencing to the backway. Its appearance was commensurate with the generally subordinate qualities of the backway. The site is flanked by detached flat roofed garages of a functional appearance serving the properties either side. In addition, the heights of the outbuildings lining the backway near to the appeal site follow the slope downwards. The layout and appearance of No.101 broadly follows the established ordered layout described and therefore, it contributes positively by reinforcing that character.

5. The proposal would introduce a detached garage with a pitched roof with its gable end facing onto the backway. The roof ridge would attain approximately 5 metres in height in order to provide a store in the roof space, which the appellant indicates would also facilitate working from home. As a result, the overall massing and height of the structure would be greater than the prevailing heights of nearby garages and outbuildings. This would be the case notwithstanding the presence of some other structures with pitched roofs. It would be noticeably higher than the structures either side. Moreover, due to the topography, it would be elevated relative to the garage at 102 Clifton Street which would emphasise the difference in respective heights. Therefore, the proposal would disrupt the prevailing stepped progression of structures lining the backway. Consequently, in this context it would appear disproportionate undermining the subordinate and secondary character of the backway.
6. My concerns are reinforced by the guidance in the Residential Extensions and Alterations Supplementary Planning Document, October 2011 (SPD) which suggests that all detached garages and ancillary buildings should be subordinate to the existing dwelling. Specific reference is made to a maximum ridge height of 4.2m. This represents guidance rather than a mandatory cap. Nevertheless, it is of direct relevance to the nature of the scheme before me and therefore, attracts considerable weight. The additional height proposed in this case over the recommended SPD height would be considerable relative to the normally modest proportions of a domestic ancillary structure.
7. In addition, because the garage would be sited close to the backway and forward of the flanking structures, it would have greater prominence in the foreground in some views to the ridges of the houses behind to a greater extent than is the case with nearby existing outbuildings and garages.
8. Taking these factors together, the proposal would be of a scale at odds with the surrounding outbuildings that would harmfully undermine the hierarchy established in the surrounding area.
9. The appellant asserts that similar garages have been approved not far from the appeal site and it is stated that there is an example of a 5m high structure yards away. However, no specific example is identified which prevents me from undertaking a direct comparison with the circumstances before me. In any event, each application must be considered on its own planning merits. I have formed my view based on the evidence presented and my observations of the surrounding context.
10. Accordingly, I find that the proposal would have a harmful effect on the character and appearance of the area contrary to policy DE1 of the Swindon Borough Local Plan 2026, March 2015 which requires high standards of design for all types of development.

Other matters

11. The proposal would be beneficial to the appellant in providing secure space for cars and storage. In addition, extra space would facilitate occupants of the dwelling to work from home, a practice that in some cases has been necessitated by the Covid 19 pandemic. This in turn may reduce traffic. However, given the modest scale of the proposal, the extent of such benefits

would be limited and therefore, would be insufficient to outweigh the harm I have identified to the character and appearance of the area.

12. Reference is made to the absence of harm to the living conditions of other nearby residents. Be that as it may, as this would be a requirement in any event, it is a neutral factor rather than a benefit of the proposal.
13. The representations received indicate that South Swindon Parish Council did not object to the proposal and the appellant anecdotally refers to support from neighbours. Nevertheless, I am required to form my own view on the information before me and therefore, this would not lead me to a different conclusion.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Helen O'Connor

Inspector