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## Appeal Decision

Site visit made on 22 December 2021

**by Lewis Condé BSc (Hons), MSc, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: Wednesday 12 January 2022**

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**Appeal Ref: APP/U3935/D/21/3284578**

**39 Woodside Avenue, Old Walcot, Swindon, Wiltshire SN3 1DU**

- 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 Ashley Byworth against the decision of Swindon Borough Council.
  - The application Ref S/HOU/21/1209/LZWI, dated 14 July 2021, was refused by notice dated 24 September 2021.
  - The development proposed is 'Proposed side and rear extension with rear dormer window'.
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### Decision

1. The appeal is allowed and planning permission is granted for the proposed side and rear extension with rear dormer window at 39 Woodside Avenue, Old Walcot, Swindon SN3 1DU in accordance with the terms of the application, Ref S/HOU/21/1209L/LZWI, dated 14 July 2021, subject to the following 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: Drawing No. 2203/1 and the location plan.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

### Preliminary Matters

2. The description of development as stated on the application form is set out above. The Council on the decision notice has described the development as the erection of two storey side and single storey rear extensions with rear dormer window. This more accurately describes the proposals as shown on the plans and I have considered the appeal on this basis.

### Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the host property and the surrounding area.

### Reasons

4. The appeal site is a two-storey semi-detached house on Woodside Avenue. Woodside Avenue is a residential street characterised by predominantly semi-

detached properties. Many properties on Woodside Avenue have undergone alteration and extension. Nevertheless, there remains a general consistency in form through properties having dominant hipped roofs, similar material palettes and being set on regular building lines, behind modest front garden areas.

5. The Council has drawn my attention to its Residential Extension & Alterations Supplementary Planning Document 2011 (SPD). The SPD suggests two-storey extensions should incorporate a minimum 900mm set back at first floor level and be set down from the building's existing ridge height by at least half a metre. These design features are sought to allow the original form of the building to remain apparent, to help avoid terracing effects and to retain rhythm in the street.
6. The proposed side extension fails to accord with the design principles established in the SPD. However, it is pertinent to note that the SPD is guidance and specifically sets out that each application will be assessed in relation to its own context.
7. From my site visit it was evident that properties in the area have been extended in a variety of styles. Two-storey extensions of the nature that is proposed are already highly prevalent in the streetscene and surrounding area, such that I was able to see numerous very similar examples within the near vicinity of the site. The high prevalence of similar style developments means that buildings of this form already somewhat characterise the area.
8. The design of the proposed extension takes cues from the existing dwelling and the form and finish of the resultant building would not be dissimilar to others nearby. Given the context that the proposal is viewed within, I consider that the side extension would not result in a dominant or incongruous feature to the existing building, nor would it be at odds with the surrounding area.
9. Furthermore, the proposed side extension maintains a hipped roof and is set off the boundary line. Together these features would provide clear separation and distinction between the appeal property and adjacent 41 Woodside Avenue. It would therefore avoid any terracing effect between the properties and maintain an appropriate rhythm to the street.
10. I acknowledge that an alternative design of the side extension in line with the guidelines in the SPD may result in a more visually pleasing development. However, given the specific context of the site I do not find the current proposal harmful.
11. The Council has not raised any objections to the rear dormer extension or the single storey rear extension. In any case, I am satisfied, given the size, positioning, and design of these elements that the character and appearance of the property and wider surrounding area would not be harmed.
12. For the reasons given above, I conclude that the proposal would not have an adverse effect on the character and appearance of the host property or the surrounding area. Accordingly, I find no conflict with Policy DE1 of the Swindon Borough Local Plan (2026) which seeks, amongst other things, to promote a high standard of design through respecting the context and character of existing site conditions. Although it would not follow certain guidelines set out in the SPD, the proposal is not harmful due to its context. It would also not

conflict with the National Planning Policy Framework (the Framework), which seeks to secure high quality design which takes account of the local character and reflect the local surroundings.

**Conditions**

13. A condition requiring matching materials is necessary in the interests of the appearance of the area. A condition is also needed to secure compliance with the approved plans, for the avoidance of doubt and in the interests of proper planning.

**Conclusion**

14. For the reasons given above, having considered the development plan as a whole, the approach in the Framework and all other relevant considerations, I conclude that the appeal should be allowed.

*Lewis Condé*

INSPECTOR