



Appeal Decision

Site visit made on 21 December 2021

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2022

Appeal Ref: APP/U3935/D/21/3279122

2 Capitol Close, 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 Aaron McNally against the decision of Swindon Borough Council.
 - The application Ref S/HOU/21/0138/TB, dated 30 December 2020, was refused by notice dated 11 May 2021.
 - The development proposed is erection of a single storey side and rear extension (revised).
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Decision

1. The appeal is allowed, and planning permission is granted for the retention of a single storey side and rear extension at 2 Capitol Close, Swindon SN3 4AB, in accordance with the terms of the application Ref S/HOU/21/0138/TB, dated 30 December 2020, and the plans submitted with it.

Preliminary Matters

2. During my side visit I saw that the proposal had already been erected and was substantially complete. These works appeared consistent with details on the drawings submitted. Therefore, I have determined the appeal on the basis that the appellant is seeking permission for what is now in place.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the host property and the area; and the living conditions of occupiers at No 4 Capitol Close (No 4), with particular reference to outlook and light.

Reasons

Character and appearance

4. The appeal dwelling comprises a semi-detached bungalow located on the corner of Capitol Close and Glevum Road. The surrounding area is largely characterised by single and two storey semi-detached dwellings. These are laid out on a consistent building line and are comparable in terms of their design and scale. Given its corner position, the appeal dwelling occupies a prominent location, while having a wider side and rear amenity area compared to other dwellings nearby.

5. Planning permission was granted for a single-storey side and rear extension at the appeal property in 2020¹ (the 2020 consent). According to the appellant this was not pursued as the extension's roof angle would not comply with Building Regulations.
6. The proposed side extension is stepped back several metres from the dwelling's front building line while its ridgeline is set below that of the main roof. Its projection of around 3m from the flank wall is not excessive or disproportionate in relation to the width of the host dwelling. When viewed from Capitol Close the proposed side extension therefore assumes a recessed and subordinate relationship with the dwelling, that will not appear dominant or discordant in relation to it or other properties in the street.
7. The proposed rear addition extends across the width of the bungalow, while also projecting a further 3m into the property's side amenity area. Even though it has a sizeable built footprint, when viewed from the rear and south along Glevum Road, it's profile and scale will be consistent with the roofs of other bungalows nearby. Furthermore, it will be seen to blend into the background of the taller two storey dwellings further to the north. In this context the proposal will not appear dominant or incongruous to the extent that the surroundings will be harmed.
8. From the west on Glevum Road, the side and rear extensions will be seen wrapping around the host dwelling. From this perspective the roof plane of the rear extension will not integrate with the dwelling in the same way as the 2020 consent. However, that view of the proposal will be fleeting to many passers-by while it will not be perceptible from further to the north and south along Glevum Road. In addition, the rear roof will match the profile of the dwelling, while the proposal's recessed position in relation to the roof line and the front elevation will be clearly observed from this viewpoint.
9. Accordingly, I have not found that the proposal will have an unacceptable effect on the character and appearance of the host property and the area. It will comply with Policy DE1 of the Swindon Borough Local Plan and the Residential Extensions and Alteration SPD. These require, amongst other things, that proposals respect the siting, detailing and shape of the host dwelling as well as the local character. The proposal will also meet the requirements of Paragraph 130 of the National Planning Policy Framework (the Framework), insofar as being sympathetic to local character.

Living conditions

10. No 4's rear garden has a shallow depth, and a narrow width. An existing single storey conservatory and boundary fence enclose part of the patio space to the immediate rear of No 4. Running along the common boundary, the 2020 consent would have further enclosed the space and in combination with other structures would result in that portion of the garden being somewhat hemmed in.
11. The proposed rear addition incorporates the same 3m depth as the 2020 consent, as well as the same close position to the side boundary with No 4. It differs in having a steeper roof pitch and increased ridge height that results in a larger structure when viewed from the rear garden and windows of No 4. The

¹ Ref S/HOU/20/1179 in November 2020

roof's upper portion, however, tapers and narrows as it increases in height to the extent that it will not appear unacceptably dominant or overwhelming when viewed from the rear of No 4. Moreover, the extension incorporates an acceptable depth that is not excessive, nor does it unduly enclose the neighbouring garden space.

12. The rear extension's increased height will result in some diminution of sun and daylight to No 4's patio, particularly during the latter part of the day. Moreover, photographs submitted by the neighbouring occupier appear to show a shadow cast by the proposal upon part of No 4's rear garden. However, given the proposed roof's tapering form and slight increase in height, the loss of light will not be significant or excessive over and above what would be experienced if the previously approved scheme was implemented. Furthermore, the rear of No 4 will still be exposed to acceptable levels of daylight and sunlight from the south and east, while large portions of the garden will be unaffected by the proposal.
13. Overall, I am satisfied that the proposal will not result in any material harm to the living conditions of No 4, with particular reference to outlook and light. It will therefore accord with Policy DE1 of the Swindon Borough Local Plan and the Residential Extensions and Alteration SPD, insofar as they require proposals to safeguard amenity. The proposal also meets the aims of the Framework in protecting the amenity of existing users.

Other Matters

14. Neighbouring concerns have been raised regarding the excessive parking at the appeal site. However, there will be no increase in the number of bedrooms at the property, while there have been no highway safety objections raised by the Council's transport advisers. Accordingly, I have no reason to share the concerns of third parties.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

RE Jones

INSPECTOR