



Appeal Decision

Site visit made on 10 February 2023

by Lewis Condé Msc, Bsc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2023

Appeal Ref: APP/U3935/W/22/3302090

Land to rear of 1 Turner Street, Swindon, Wiltshire SN1 4NJ

- 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 Cliff Jones against the decision of Swindon Borough Council.
 - The application Ref S/22/0495/RACH, dated 21 March 2022, was refused by notice dated 8 June 2022.
 - The development proposed is described as 'Erection of detached bungalow and associated works'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on a) the character and appearance of the area; and b) the living conditions of the occupiers of the existing dwellinghouse with respect to the provision of outdoor amenity space.

Reasons

Character and Appearance

3. The appeal site forms part of the rear garden of 1 Turner Street (no. 1), which backs onto a vehicular access lane that runs to the rear of properties on Turner Street and Wescott Place.
4. Despite its location to the rear of no. 1, the appeal proposal would be in a highly prominent position. This is in part due to its location at the end of the terrace street. Additionally, a footpath runs alongside the appeal site, while immediately to the west lies a car park and open recreation space beyond.
5. The surrounding area has an urban residential character. It predominantly contains traditional two storey terraced properties. The terrace properties have a strong linear arrangement fronting onto their respective streets. Whilst there are several examples of garages and outbuildings to the rear of neighbouring properties, there are no other examples of backland residential dwellings nearby.
6. The position and orientation of the proposed residential development would be at odds with the established layout of dwellings. Additionally, the proposed development would be served by a relatively small plot. It is recognised that the available garden space would not be dissimilar in size to the functional garden areas of other nearby dwellings. However, the scale of the proposed bungalow in comparison to the neighbouring terraced houses, alongside its

rather small plot size and position, would result in the proposal having a cramped and contrived appearance.

7. The appellant puts forward that the scale of the bungalow is subservient in size to the existing dwelling, whilst it would also utilise matching facing materials. However, this does not overcome the above design concerns.
8. Overall, the proposed development would have a harmful effect on the character and appearance of the area. It would therefore conflict with Policy DE1 of the Swindon Borough Local Plan 2026 (adopted 2015) (the Local Plan). The policy seeks to ensure that development proposals are of a high standard of design, which amongst other matters, take account of existing built characteristics. It would also not comply with the aims of the National Planning Policy Framework (the Framework) or the Swindon Residential Design Guide Supplementary Planning Document (adopted 2016) (SPD), which together, amongst other matters, seek to ensure that developments are visually attractive and sympathetic to local character.

Living Conditions

9. A close boarded fence has already been erected that sub-divides the garden of no. 1, separating the proposed plot for the bungalow from the remaining rear garden area of the existing dwelling. I understand that no. 1 has also recently been extended, as part of a separate planning permission, which has therefore reduced the size of its garden.
10. The proposal would further remove much of the remaining garden from the existing dwelling at the site. Accordingly, it would result in the current property having less outdoor amenity space than many of its neighbouring dwellings. Despite this, I consider that no.1 would still retain sufficient space to allow occupiers to sit outside and enjoy leisure time, while also enable them to undertake activities such as drying of clothes. In addition, the site is located adjacent to a large area of public open space. It therefore benefits from very convenient access to further suitable amenity opportunities, albeit not private.
11. Consequently, in this instance, I consider that the existing dwelling would retain adequate levels of outdoor amenity space. I therefore do not consider the proposed development would harm the living conditions of the existing or future occupiers of no. 1 Turner Street. Accordingly, in relation to this main issue, the proposal accords with Policy DE1 of the Local Plan and the SPD. Together the policy and guidance seek to ensure that proposals take account of amenity considerations, including the provision of sufficient amenity space.

Other Matters

12. I am aware that the scheme before me has evolved from previously refused applications at the site. I recognise that the proposed dwelling would not result in harmful impacts to the living conditions of neighbouring residents with respect to privacy, loss of light or outlook. Additionally, the level of floorspace that would be provided within the proposed bungalow would be suitable for a single bedroom dwelling. Nevertheless, these qualities are to be expected of new development. My decision therefore does not turn on these matters.

Conclusion

13. For the reasons outlined above and having regard to the development plan as a whole, and all other material considerations, the appeal is dismissed.

Lewis Condé

INSPECTOR