



Appeal Decision

Site visit made on 29 March 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 April 2023

Appeal Ref: APP/U3935/D/22/3312930

33 Riverdale Close, Swindon, SN1 4ED

- 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 L Davies against the decision of Swindon Borough Council.
 - The application Ref S/HOU/22/1532/JAAB dated 12 October 2022, was refused by notice dated 6 December 2022.
 - The development proposed is single storey extension to rear elevation, loft conversion with rear dormer, garden room.
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Decision

1. The appeal is allowed and planning permission is granted for single storey extension to rear elevation, loft conversion with rear dormer, garden room at 33 Riverdale Close, Swindon, SN1 4ED accordance with the terms of the application ref S/HOU/22/1532/JAAB dated 12 October 2022, subject to the following conditions:
 - 1) The development to which this permission relates must be begun not later than the expiration of three years, beginning with the date of this decision;
 - 2) The development hereby permitted shall be maintained in complete accordance with the following approved plans: Location Plan #00307683-4F8EFF, unreferenced block plan 1:500, 22/069(i) Rev A (Plans and Elevations) and 22/069(ii) Rev A (Sections and Garden Room Details);
 - 3) The materials to be used within the construction of the external surfaces of the approved extension shall match those utilised in the existing building or shall be as stated on the application form and approved plans.

Main Issues

2. The main issue is the impact of the proposal upon the character of the host dwelling and the visual amenity of the area.

Reasons

3. There are several elements to the appeal proposal as outlined in the description at the start of this decision letter. The proposal seeks permission for a single storey rear infill extension (to the side of the existing rear extension), erection of a rear roof box dormer as well as an outbuilding in the rear garden. The refusal reason is specific to the proposed roof box dormer and the Council do not raise any refusal reason based upon other elements of the proposal. Based upon the plans before me, and my site visit, I have no reason to conclude differently on these elements. For the avoidance of doubt, this appeal will

focus upon the proposed roof box dormer with specific regard to character of the host dwelling and the visual amenity of the area.

4. The appeal site is a semi-detached bungalow with the original pair of semi-detached bungalows having been rectangular in shape with no rear additions. The host dwelling has been extended significantly to the rear and, as a result of this, I find the character of the original host dwelling itself has already, to a large extent, been lost. The appellant contends there are many similar flat-roof dormers in the vicinity. It is stated that these can be seen on Google Earth, however, such imagery has not been provided as evidence within this appeal.
5. At the time of my site visit, I walked around both Riverdale Close as well as around the footpath to the south of the appeal site. I noted that there were a notable variety of roof alterations to dwellings within Riverdale Close. I noted a number of dormer roof extensions within the vicinity during my site visit including examples of flat roof dormers to both the front and rear roof plains. Adjacent to where I parked, outside number 24 Riverdale Close, I noted a rear dormer visible from the side elevation within the street scene. There was also a further example of a rear dormer in number 34 Riverdale Close by way of example. I find, therefore, that such roof alterations and extensions are part of the established character of the area.
6. The Residential Extensions and Alterations Supplementary Planning Document (SBP) confirms that box dormers should only be considered on single storey properties where the accepted and established character includes box dormers on that relevant roof plain. As noted above, I saw examples of box dormers in the rear elevations of properties along Riverdale Close and find they are a feature of the character of the area with similar roof alterations being an accepted addition within the townscape. Box dormers do, therefore, feature in the local area. The proposal would not result in a discordant feature to an otherwise uninterrupted roofscape and, whilst it would be visible from the footpath to the south of the appeal site, I do not find that it would result in an impact to visual amenity of the area which would warrant refusal. The proposal would be viewed in conjunction with the existing alterations and extensions and would not impact upon the visual amenity of the area.
7. The SBD is noted to provide guidance as to the size and scale of box dormers. The proposal before me would be contrary to this guidance as it would not be set in from the main edges of the roof by 300mm, nor would it be below 300mm from the main ridge or 500mm above the eaves. On its own a proposal of this scale, contrary to the SBD guidance, would likely look excessive, however, I find that when combined with the already very large rear extension, the proposal would be appropriately scaled and would not appear as a visually dominant addition which is inadequately subservient to the dwelling. It is in-keeping with the overall scale of the already extended and existing property. I find that the character of the host dwelling has already been substantially altered and that the proposal, for a box roof dormer to the rear elevation, would not result in significant detrimental harm to the character of the dwelling.
8. The proposal would be consistent with Swindon Borough Local Plan 2026 Policy DE1, which requires high quality design for all types of development which responds to and respects the character and context of the host dwelling and

the surrounding extensions. The proposal, whilst contrary to some of the guidance within the SBD, would be consistent with the overarching objectives which are that all extensions should be well sited in scale and proportion, with a shape, mass, vertical or horizontal emphasis and roof in character with the existing dwelling. As stated, due to the existing extensions and combination of proposals, I do not find that the proposed roof dormer would be of sufficient detrimental impact to the character of the host dwelling or visual amenity of the area to warrant refusal on this occasion.

Other Matters

9. I note that the appellant contends that the proposal would fall within the parameters of permitted development, however, in this case I have found the proposal to be acceptable on its own merits. It has not been necessary to determine whether or the proposal would be acceptable within permitted development as a fallback position on this occasion.

Conditions

10. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent. A condition requiring materials to match the host dwelling is required to ensure a satisfactory and appropriate finish with regard to the extensions to the dwelling.
11. The Council have suggested a condition regarding parking provision. I find that there is limited justification for the condition requiring surfacing and marking out of the spaces shown on the submitted block plan. At the time of my site visit there was no evidence of parking stress on street which would warrant the condition as suggested. It is stated that the Council's Parking Standards for New Development SPD requires three parking spaces, but no copy of this guidance has been submitted as part of this appeal. I have not, therefore, applied this condition based upon the evidence before me.

Conclusion

12. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR