



Appeal Decision

Site visit made on 3 October 2023

by J White BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16.10.2023

Appeal Ref: APP/U3935/D/23/3321320

44 Beckhampton Street, Swindon SN1 2JY

- 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 Khalzi against the decision of Swindon Borough Council.
 - The application Ref S/HOU/22/1833/JAAB, dated 27 December 2022, was refused by notice dated 10 February 2023.
 - The development proposed is erection of a two storey side/rear extension and single storey rear extension and erection of a cycle store.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the host dwelling; and,
 - the living conditions of occupiers of 46 Beckhampton Street (No 46), with particular regard to outlook, sunlight and daylight.

Reasons

Character and appearance

3. The existing dwelling is a semi-detached dwelling at the end of a row of similar semi-detached dwellings. The dwellings are set back from the street behind small front gardens and are predominantly two-storey, evenly spaced and follow a consistent building line. The row of dwellings adjacent to the appeal site, on this side of the road, have even proportions and long rear gardens that are at an angle to the dwellings. A service road behind the row of dwellings and their gardens provides access to the rear. There is a playing field further beyond that, where the rear elevations of the dwellings along this part of Beckhampton Street are visible.
4. There is a distinctly different character of development on the other side of the appeal site, with an expanse of car park and office buildings. The boundary of the appeal site with the office buildings is comprised of several tall trees. As a result of its position at the end of a row of dwellings, the appeal site has a slightly larger plot size compared to its semi-detached neighbour.
5. The two-storey extension would be constructed with its front elevation, at first floor level, set back from the main dwelling. Even though the roof ridge height may not be set down by 0.5 metres, it would nonetheless be noticeably stepped down and the extension would be visually set below the existing

- building, ensuring that it would appear as physically and visually subservient as observed from Beckhampton Street.
6. Nevertheless, the two-storey element would extend significantly beyond the rear elevation of the dwelling. Even though it would be further stepped down, because of its scale and length it would be a large and dominant addition at the rear of the dwelling. The bulk and sheer length of the outward projection would be excessive, and the extension would be over-dominant at the rear of the house, such that it would not appear to be subordinate in scale. In this respect the proposal would form a noticeable addition that would appear as visually dominant and excessive on the dwelling, despite the context of the sizeable office and car park development on the adjacent site.
 7. The proposed single storey rear extension would adjoin an existing single storey lean-to. It would be contained at the rear together with the proposed cycle store. Both of these elements would be modest in scale and appearance and would not diminish the character and appearance of the host dwelling. They would respect the vernacular of the house and respond to the context of rear extensions and outbuildings at neighbouring dwellings. As a result, the single storey rear extension and cycle store would be subservient and would not harm the character and appearance of the host dwelling.
 8. However, having regard to the bulk and length of the two-storey rear extension, the whole effect is a scheme which would lack a sense of subtleness. It would overpower the existing dwelling causing harm to its character and appearance.
 9. Guidance within the Council's Residential Extensions & Alterations Supplementary Planning Document October 2011 (the SPD) specifies that two-storey rear extensions should not extend more than 3 metres. Even though the appellant considers that the main reason for this expectation is to prevent loss of light, outlook and an increased sense of enclosure, the SPD also advises that an extension should be subordinate to the main house and not result in a dominant or discordant element. In any case Policy DE1 of the Swindon Borough Local Plan 2026 (Adopted 26 March 2015) (the SBLP) requires, amongst other things, high standards of design and seeks to ensure development respects existing built characteristics, scale and massing.
 10. For the above reasons, the proposed two storey extension would cause harm to the character and appearance of the host dwelling. It would, therefore, be contrary to Policy DE1 of the SBLP. It would also conflict with the guidance within the SPD where it advises that an extension should be subordinate to the main house.

Living conditions

11. Whilst the proposed two storey extension would extend further into the garden than the existing single storey extension, it would be set away from the boundary with No 46. The occupiers of No 46 would still be able to look out a significant distance across their rear garden. Where the proposed development would adjoin the common boundary with No 46, this element would be single storey. The appeal scheme would therefore not have a significant effect on the outlook enjoyed by the occupiers of No 46 and, as such, it would not have an overbearing effect upon them.

12. Given the orientation of the properties, the position of the proposed extensions to the west of No 46 and the scale of the development, the appeal scheme would have a limited impact on the amount of sunlight experienced by the residents of No 46. Further, given the position of the two-storey extension away from the common boundary and the limited height of the single storey element, there would be no harmful loss of daylight experienced at No 46 even if the proposal did breach the 45-degree angle.
13. The proposed cycle store would be positioned along the western boundary of the appeal site. It would be single storey. Coupled with its modest scale, the cycle store would not have a harmful impact on the living conditions of No 46.
14. For the above reasons, the proposed development would not have a harmful effect on the living conditions of occupiers of No 46, with particular regard to outlook, sunlight and daylight. The proposal would accord with Policy DE1 of the SBLP where it seeks to ensure development is high quality and advises that development should be assessed in terms of its effect on amenity, including with regard to light and outlook. The proposal would not conflict with the SPD where it seeks to ensure development does not cause unacceptable harm, including by reason of light or intrusion to neighbouring occupiers living conditions.

Other Matters

15. The fact that the site is not adjacent to or within a conservation area does not undermine the value of the character and appearance of the area. I acknowledge that there is a limited gap on the side of the adjoining semi-detached dwelling, however, I have considered this appeal proposal on its planning merits and concluded that it would cause harm for the reasons set out above.

Conclusion

16. The proposal would have an unacceptable effect on the character and appearance of the host dwelling. Whilst it would not cause harm to the living conditions of the occupants of No 46, it would not accord with the provisions of the development plan. No other material considerations have been identified that outweigh this finding. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

J White

INSPECTOR