



Appeal Decision

Site visit made on 30 November 2023

by N Perrins BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21.12.2023

Appeal Ref: APP/U3935/D/23/3328455

8 Shapwick Close, Nythe, Swindon SN3 3RQ

- 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 Ms L Kerry against the decision of Swindon Borough Council.
 - The application Ref: S/HOU/23/0720/JAAB, dated 5 June 2023, was refused by notice dated 24 August 2023.
 - The development proposed is for a second storey side extension, single storey rear extension, porch to front and demolish existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (i) the character and appearance of the area, and (ii) living conditions of the neighbouring dwelling at No 10 Shapwick Close.

Reasons

Character and appearance

3. The appeal site is a semi-detached chalet bungalow. It is one of three semi-detached pairs along Shapwick Close. The character of the area is residential comprising mainly detached two storey houses and chalet bungalows.
4. The appeal proposal would replace the existing garage with a two storey side extension, erect a single storey extension to the rear, extend the dormers front and rear and form a pitched roofed porch on the front of the property. The three pairs of semi-detached dwellings that the appeal property is part, form a key character feature of this part of Shapwick Close due to their almost identical and largely unaltered appearance. The proposed side extension and front dormers would disrupt this symmetry by building out into the space that exists to the side. The resulting effect would be the appeal property's pair of semi-detached dwellings appearing as unbalanced when viewed from within the Shapwick Close street scene at odds with its existing established character and appearance.
5. I note that the Council consider that the space between the dwellings is an important character feature of the area that should be preserved. Whilst I observed on my site inspection that gaps between dwellings in the area have been largely preserved, there are some examples where properties have been

extended to the side and which now form part of the character of the area. However, these examples are notable in that they are subservient additions to the host dwellings. In this regard, the Council's Residential Extensions & Alterations Supplementary Planning Document 2011 (SPD) establishes clear parameters for first floor side extensions to be set back 900mm from the principal elevation, and ridge height to be below the existing ridge height. These guidelines are not met in this case with the resulting effect being an extended dwelling that would appear as unduly prominent within the street scene when compared with its contemporaneous neighbouring semi-detached properties. I acknowledge that the appellant contends that it is not possible to adhere to the guidelines due to the chalet style nature of the host property. However, I am not persuaded that this would categorically be the case from the information provided and not sufficiently material to outweigh the harm I have identified.

6. Turning to the proposed porch, it would bring the building line forward in the plot when compared with the existing situation and due to its size and scale is evidently a front extension comprising a pitched roof. I note that the prevailing built form of porches and front extensions in the area comprise flat roofs including at the neighbouring property No 10 Shapwick Close. The pitched roof would therefore be an incongruous feature that would not assimilate sympathetically with the character and appearance of the area. The effect of the incongruous pitched roof would then be exacerbated by the structure extending forward of the existing building line that would disrupt the character and rhythm of the street scene. When this is combined with the additional scale, bulk and mass of the first floor side extension, the existing synergy that exists across the three pairs of semi-detached would result in an unsympathetic change that would harm the character and appearance of the area.
7. The single storey rear extension would not be visible from public vantage points along Shapwick Road and has been designed appropriately in terms of its scale, height, mass and appearance. This part of the proposal is therefore acceptable, although finding no harm in this respect is a neutral factor that has no weight for or against the scheme.
8. In conclusion, the two storey side extension and pitched roof front porch part of the proposal would result in harm to the character and appearance of the area contrary to Policy DE1 of the Swindon Borough Local Plan 2026 (the Local Plan), which requires high standards of design in respect of existing built characteristics, siting, scale and massing. The appeal proposal is also contrary to the guidance contained in the Council's Residential Extensions & Alterations SPD. Finally, the appeal proposal is not consistent with Paragraph 135 of the National Planning Policy Framework (the Framework), which seeks to ensure that developments are sympathetic to local character.

Living conditions

9. The two storey side extension would extend into the space that exists adjacent to the existing dwelling and bring its flank wall closer to No 10 Shapwick Close (No 10). The proposed flank wall would be a blank façade without any windows included, and clearly would change the outlook from the first floor windows at No 10 to one that is less open than how it exists today.

10. The appellant has highlighted that the most affected windows at No 10 serve non-habitable rooms although there is no evidence before me that confirms this. Notwithstanding this, the two storey side extension would bring an considerably increased scale, bulk and mass of development near to the boundary with No 10. The resulting effect would be a significant increase in visual dominance when viewed both from the first floor windows at No 10 as well as when users enter the property from the entrance off Shapwick Close.
11. In terms of light, the scale of development at first floor level and proximity to the boundary would likely result in loss of light to these windows. Whilst the precise level of loss of light has not been confirmed in the information before me, when it is considered together with the harm caused to outlook by the visual dominance, I conclude that the second storey extension part of the proposal is an over development of the site that would clearly harm the living conditions of No 10.
12. There is no dispute over the impact of the single storey rear extension or front porch; I agree that these elements are acceptable with regard to living conditions and would not result in any harm to residential amenity.
13. In summary, based on the information before me the first storey extension element of the appeal proposal would lead to harm to the living conditions of No 10 and is therefore contrary to Policy DE1 of the Local Plan and the guidance within the Council's Residential Extensions & Alterations SPD. The proposal also does not accord with Paragraph 135 of the Framework that seeks to ensure development creates places with a high standard of amenity for existing and future users.

Conclusion

14. For the reasons given above, and taking account of all material planning considerations, I conclude that the two storey side and pitched roof front extension would result in harm to the character and appearance of the area and living conditions of No 10 Shapwick Close. There are no material considerations that outweigh the harm I have identified and the appeal is dismissed.

N Perrins

INSPECTOR