



Appeal Decision

Site visit made on 1 May 2024

by B J Sims BSc (Hons) CEng MICE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th May 2024

Appeal Ref: APP/U3935/D/24/3339474

25 Goddard Avenue, Old Town, Swindon, SN1 4HR

- 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 David Bugg against the decision of Swindon Borough Council.
 - The application Ref S/HOU/23/1155/NICL, dated 15 September 2023, was refused by notice dated 5 December 2023.
 - The development proposed is the erection of two rear/side dormer/roof extensions and a roof lantern to the single storey rear extension and two front rooflight windows.
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Decision

1. The appeal is dismissed

Procedural Matter

2. The description above is taken from the decision notice following amendment during the processing of the application.
3. The dormer windows, lantern and rooflights are in place and the appeal is therefore retrospective but this does not affect the consideration of the planning issues arising.
4. The appeal is made with reference to a previous, now expired, approval Ref S/HOU/20/0491/EMMI for two rear dormers at the appeal property. Whilst this is a material factor, the present case is determined on its own individual merits.

Main Issue

5. The main issue is the effect of the proposed dormer windows on the character and appearance of the existing house at No 25 Goddard Avenue, on the wider roofscape of the terrace of which it forms part, and on the surrounding Swindon Town Centre Gardens Conservation Area (CA).

Reasons

6. A primary feature of the long Goddard Avenue within the Town Centre Gardens CA is the visual regularity of its terraced street frontages, which would not be affected by the appeal development at the rear of No 25. However, the rear roofscape of the terrace is equally within the CA, where the law and planning policy requires its character or appearance to be preserved or enhanced.

7. Many of the properties along Goddard Avenue have rear dormer extensions enhancing their internal accommodation. These are mainly pitch-roofed dormers reflecting the general architectural style of such additions to the terraces. The previously approved scheme at the appeal property was evidently no exception to this.
8. In the present case, the two dormers, one with an essentially flat roof, are prominently visible from the back lane to Goddard Avenue. The flat-roofed dormer appears, from that angle, to rise above the main ridge although, in fact, it does not. Nevertheless, in my judgement, these dormers appear incongruous and to be in visual conflict with general form of the main pitched roof, and with other roof dormers on nearby properties, and also with each other. The effect is a discordant conglomeration of roof shapes which would have an unacceptably adverse impact on the character and appearance of the host property, as well as on the local roofscape, even if it were not subject to the legal and policy protection afforded to the CA as a whole.
9. I accept that the Appellant found the previously approved scheme to be unsuitable to the needs of occupiers and that this finding will come as a severe and costly disappointment. However, the preservation or enhancement of the character or appearance of the CA is of the greater importance in the wider public interest.
10. I note that several neighbours support the appeal and I find no objection to the roof lantern and rooflights included within the retrospective application. However, for the reasons explained above, I consider the disputed development to be in overriding and unacceptable conflict with Policies SD1, DE1 and EN10 of the Swindon Borough Local Plan and supplementary design guidance, which are essentially consistent with the National Planning Policy Framework (NPPF) in requiring high quality design and protecting the historic environment.
11. In terms of the NPPF, the harm to the Town Centre Gardens CA would be less than substantial but it still requires to be offset by public benefit; and there is no evidence of such overriding public benefit in this case.
12. Finally therefore, I conclude that the appeal development is in unacceptable conflict with the development plan as a whole, and with the NPPF, and that accordingly this appeal must fail.

B J Sims

INSPECTOR