
Appeal Decision

Site visit made on 24 May 2024

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5TH June 2024

Appeal Ref: APP/U3935/D/24/3341449
261 Whitworth Road, Swindon SN25 3BU

- 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 M Salatino against the decision of Swindon Borough Council.
 - The application Ref S/HOU/23/0829/JP, dated 28 June 2023, was refused by notice dated 23 February 2024.
 - The development proposed is a detached double garage and workshop.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - i. The effect on the character and appearance of the site and area; and
 - ii. The effect on the living conditions of the occupiers of neighbouring properties.

Reasons

Character and Appearance

3. The proposed garage would have a large footprint, spanning almost the full width of the appellant's rear garden. This, coupled with its height, flat roof design and overly high access doors would give rise to an unacceptably bulky structure with a utilitarian and commercial appearance. It would not be ancillary in scale to the main dwelling and would appear incongruous. It would fail to respond to the residential character and appearance of the appellant's home and area.
4. I recognise that the proposed roof height would fall below the maximum roof height for detached garages recommended by the Residential Extensions and Alterations Supplementary Planning Document (2011) (REASPPD). Nonetheless, this is purely guidance, and each proposal must be considered in the round. As I have described, the proposed height, overly large footprint and flat roof design would cumulatively give rise to a structure which would be at odds with the character and appearance of the site and area.
5. In view of the above, the proposal conflicts with Policy DE1 of the Swindon Borough Local Plan 2026 (2015) (LP), Section 12 of the National Planning

Policy Framework (the framework) and the REASPD. Taken together these seek to secure high quality design which responds to the context and character of the site and area.

Living Conditions

6. The proposed garage would sit close to the boundary of the site with dwellings on Rowan Road to the rear. Those homes have shallow private rear gardens and therefore the distance between their rear elevations and the proposed garage would be small. Given the position and excessive width and height of the proposed garage, it would appear overbearing when viewed from the neighbours' rear gardens and homes. As such, the proposed garage would unacceptably harm the outlook of these neighbouring occupiers.
7. The Council's Reason for Refusal states that the movement of vehicles up and down the length of the application site, to access the proposed garage, would unacceptably disturb the occupiers of neighbouring properties. However, a substantial boundary hedge separates the proposed access route and adjacent property, No 263 Whitworth Road. Also, given that the garage would be ancillary to the main dwelling, it would be unlikely to generate a significant level of noise or odour. Furthermore, on my site visit I noted that many other local dwellings, including No 263, include garages in their rear gardens which are accessed via a long driveway. Taking all of this into account, the proposed garage would not unduly harm the living conditions of nearby residents in respect of noise or odour disturbance.
8. In conclusion, whilst I have found that use of the proposed garage would be unlikely to disturb neighbouring occupiers, the building would appear overbearing to neighbours to the rear on Rowan Road. Therefore, overall, the proposal would unacceptably harm the living conditions of neighbours. The proposal therefore conflicts with LP Policy DE1, the SPD and Section 12 of the framework. Taken together, these seek to safeguard the living conditions of neighbouring occupiers.

Other Matters

9. I recognise that amendments were made to the footprint of the proposed garage during the course of the planning application. This secured a one metre buffer between the proposed garage and site boundary. However, this nominal reduction does not overcome the harm that I have identified to both the character and appearance of the site and area and the living conditions of nearby residents.
10. A detached garage has been demolished at the site. Whilst I do not have details of the design of that structure, the appellant states that it was half-way down his garden and the site location plan suggests it had a much smaller footprint than the proposed structure. Given these differences in circumstances, I attach limited weight to this matter in support of allowing the appeal.

Conclusion

11. For the reasons given, the appeal is dismissed.

Rebecca McAndrew

INSPECTOR