
Appeal Decision

Site visit made on 24 February 2025

by **N Robinson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th March 2025

Appeal Ref: APP/U3935/D/25/3359817

29 Ceres Road, Swindon SN26 8AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Bode against the decision of Swindon Borough Council.
 - The application Ref is S/HOU/24/1293/BURGES.
 - The development proposed is 2 storey side extension
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the living conditions of the occupiers of 27 and 28 Ceres Road; and
 - the character and appearance of the area.

Reasons

Living conditions

3. The appeal property comprises a detached dwelling located on Ceres Road. The front elevations of Nos 27 and 28 Ceres Road are located to the side of the dwelling. The appeal proposal is for the erection of a 2-storey side extension.
4. The extension would be set back from the front elevation of the host dwelling, would not be sited perpendicular to Nos 27 and 28 and would not result in a loss of light to windows in these properties. Nonetheless, it would be sited close to the windowed front elevations of Nos 27 and 28, and, given the limited separation between the extension and these openings, and the height and massing of the extension, would appear overbearing in views from these windows, making the rooms which these windows serve an unpleasant space in which to spend time to the detriment of the living conditions of the occupants of these dwellings.
5. In light of the above I find that the proposal harms the living conditions of the occupants of 27 and 28 Ceres Road. I therefore find conflict with those aims of policy DE1 of the Swindon Borough Local Plan (2015) (LP) which seeks to ensure that the layout of new development is respectful of amenity.

Character and appearance

6. The appeal property comprises a modern detached dwelling located on a residential cul-de-sac, on part of a planned modern estate largely made up of 2-

storey properties which vary in size and articulation. Nonetheless, similarities in form, siting and materials contribute to the pleasant and cohesive suburban character and appearance of the locality.

7. The proposed extension would be constructed using materials to match the host dwelling and the pitched roof form would relate well to the host dwelling. The extension would be set back from the front elevation and would not over dominate the host dwelling. Whilst there are clear views of the property along Ceres Road, the enlarged dwelling would not appear out of character with the varied scale of dwellings of the surrounding area. Though the grassed strip to the side of the dwelling would be lost, this does not appear to be a particular characteristic of the area, and its loss would not be harmful to the character of the surrounding area.
8. In light of the above, I find that the proposal would not result in harm to the character and appearance of the area. I therefore find no conflict with LP Policy DE1 which, amongst other matters, seeks to ensure a high standard of design.

Other Matters

9. In support of the proposal the appellant references development which could be carried out under Class A householder permitted development (PD) rights. I have limited information about whether there would be an intention to build a PD extension if this appeal were dismissed. However, there would seem a greater than just theoretical possibility that this would take place. It is stated that this PD scheme would have a flat roof, would be 3 metres in width spanning the full length of the dwelling and would be positioned a similar distance away from Nos 27 and 28.
10. Nonetheless, PD carried out under Class A requires that the extension not exceed 4 metres in height. By virtue of its increased height, the appeal proposal would appear noticeably taller and bulkier than this 'fallback' PD extension when viewed from Nos 27 and 28. Thus, if the fallback PD scheme were implemented, it would be less harmful to the living conditions of the occupiers of Nos 27 and 28. The benefits arising from the more sympathetic pitched roof design would not outweigh this greater impact on the living conditions of the occupiers of these properties due to the increased height and bulk. I therefore afford this fallback limited weight.
11. Interested parties have not objected to the proposal. However, the absence of objection does not in itself render the scheme acceptable. Additionally, the benefits of providing an enlarged bedroom, which currently falls below the government's nationally described space standards, does not justify the harm I have identified.

Conclusion

12. I find in favour of the appeal proposal in relation to the issue of character and appearance. However, the appeal proposal would have an adverse impact upon the living conditions of occupiers of 27 and 28 Ceres Road. Consequently, it fails to accord with the development plan taken as a whole. Therefore, for the reasons given above, the appeal should be dismissed

N Robinson

INSPECTOR