

PLANNING COMMITTEE

THURSDAY, 28 MAY 2020

PRESENT: - Councillors Timothy Swinyard (Chair), John Ballman, Alan Bishop, Nick Burns-Howell, Malcolm Davies, Paul Dixon, Steph Exell, Robert Jandy, Jenny Jefferies, Nick Martin, Stan Pajak, James Robbins, Carol Shelley and Vinay Manro.

Apologies for absence were received from Councillors Vera Tomlinson and Peter Watts.

66. Declarations of Interest

The Chair reminded Councillors to declare any known interests in any of the matters to be considered by the Committee.

Councillor Vinay Manro made a personal declaration in respect of agenda item 6 (17 Dovetrees) as he had discussed the application with the applicant.

67. Minutes

Resolved – That the minutes of the meeting held on 11th February 2020, be confirmed and signed.

68. Public Question Time

There were no public questions

69. S/HOU/20/0003/PEKO - Erection of first floor front extension, 17 Dovetrees, Covingham

In respect of application numbered S/HOU/20/0003/PEKO - Erection of first floor front extension (17 Dovetrees, Covingham) the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) Additional papers in support of the application circulated prior to the meeting.
- (e) The comments at the meeting of the following interested person:-

<u>Name</u>	<u>Address/Organisation</u>
Steve Wright	Agent

Councillors John Ballman, Jenny Jefferies, Vinay Manro, Nick Martin, Stan Pajak, and Carol Shelley spoke in respect of this application.

The application can be broadly summarised as:

- This application has been brought before the Planning Committee at the request of Councillor Kevin Parry (Ward Councillor).
- The proposed development would involve the erection of first floor front 2.71 metre wide extension set over the footprint of the existing single storey front with a gable roof.
- The extension would project approx. 0.3 metres forward of the existing two-storey front gable roof projection.
- It will have a gable roof link with the existing main front roofline, with a slight set down with a 1.2m wide high-level window at first floor that is proposed to be obscurely glazed.
- The proposed will provide a shower and WC to serve an existing first floor bedroom.
- The current application was submitted following the refusal of a similar application (S/HOU/19/1201) in October 2019. This was refused on the grounds that due to its scale, bulk, positioning and design it would represent a dominant and inharmonious addition to the property and would harm the character and appearance of the host dwelling and street scene contrary to Policy DE1 of the Swindon Borough Local Plan 2026; the adopted Supplementary Planning Document 'Residential Extensions and Alterations' (2011); and the provisions of the revised NPPF.
- Officers considered that the current application had marginal differences to the original application with the wide high-level window at first floor doubling in size from the previous application.
- The application was recommended for refusal due to the limited proposed changes to the original application.

Submissions in support of the application can be broadly summarised as:

- The property was set back in the long bend at Dovetrees and was for a first floor extension, set over the footprint of the existing porch and is a 2.7 metre by 2.1 metre construction set against the main body of the house and approximately eight inches in front of the original gable line.
- The refusal for the first application was based upon it forming a large edifice in the front of the building which would disrupt the street scene and cause harm to No 17 and the street in general, which the applicant believed was out of context with the application.
- The applicant resubmitted the application, with minor changes to the window, because an appeal to the planning inspectorate would be time consuming and expensive to both them and the Council.
- The application had support from both neighbours and Ward Councillors and had no objection from Covingham Parish Council who would not allow applications that were harmful to the area.
- Neither were there any objections from other consultees which could be taken as tacit support for the application.
- The reasons for refusal did not change from the original application and the Committee was requested to consider them within a practical context; the proposed extension was modest in terms of scale and design on the footprint of the existing porch with a gable with the same pitch angle as the existing roof with matching materials.
- The forward position was only eight inches in front of the existing main gable.

- The proposed extension would not dominate the existing building or street scene or cause harm to Covingham and neighbours and the Parish Council did not consider it would harm the rhythm of the street scene.
- Officers had added the width of the gable of the application to the original gable and concluded the width of both gables is two thirds of the width of the original house eclipsing its build. However, the original building had a large gable as do other properties in the street.
- The reasons for refusal were based on opinions and should be set within the context of the Supplementary Planning Document, which was for guidance and was not mandatory.
- The exiting street scene was valid and included flat roof porches, gabled and pitched roofs and a variety of other features and designs with no regular rhythm.
- Dovetrees was a cul-de-sac of self-build houses of widely different designs and no one else in the area had objections or comments to make on a modest extension to a family home.
- Given the variety of unique designs within the street scene the application, if approved would not look out of place and would not set a precedent for other applications.

Submissions against the application were set out in the report and additional submissions against the application can be broadly summarised as:

- The application if approved could set a precedent even though each application is determined on its own merit on the basis of the nature of the extension and poor design which out would be out of context in the street given its prominence and poor design.
- The officer recommendation to refuse the application was in line with the Planning guidance and regulations.

Resolved – That application S/HOU/20/0003/PEKO be granted.

(Councillor Vinay Manro made a personal declaration in respect of this item as he had discussed the application with the applicant.)

70. S/20/0173/PEKO - Change of use from Dwelling to 8 person House in Multiple Occupation (Sui Generis) and two storey rear extension, 79 Lansdown Road, Old Town

In respect of application numbered S/20/0173/PEKO - Change of use from Dwelling to 8 person House in Multiple Occupation (Sui Generis) and two storey rear extension, 79 Lansdown Road, Old Town the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) Additional papers received from objector and circulated prior to the meeting.
- (e) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Ben Williams	Agent
Mrs Shakespeare	Local Resident
Ms Anish Harrison	Local Resident
Mr Leon Flowers	Local Resident
Councillor Patrick Herrings	Parish Councillor
Councillor Stan Pajak	Ward Councillor
Councillor Paul Dixon	Ward Councillor

Councillors Nick Burns-Howell, Paul Dixon, Jenny Jefferies, Nick Martin, and Stan Pajak spoke in respect of this application.

The application can be broadly summarised as:

- The application was before the Committee at the request of Councillor Stan Pajak following concerns raised by Old Town Residents Association.
- The proposed development would involve the erection of a two storey rear extension and a change of use from a six bedroom dwelling to 8 person House in Multiple Occupation (Sui Generis) and was recommended for approval.
- The proposed two storey rear extension would extend 2.4 metres and would be stepped in by approximately 700mm from the side wall boundary line adjacent to the northeast boundary with No. 80 Lansdown Road.
- The two storey element of the extension would feature a pitched roof design.
- The application was for four single bed rooms and two double bed rooms and a separate kitchen and dining area.
- The application met the Council's guidance in respect of Houses in Multiple Occupation.

Submissions in support of the application can be broadly summarised as:

- That the planning officer should be commended for his report and recommendation.
- Houses in Multiple Occupation are a safe, sociable and secure accommodation option for tenants who were unable to afford to buy or rent a property and provided accommodation for many young professionals in and to reduce housing associated costs.
- Car parking was not necessarily an issue for tenants of Houses in Multiple Occupation as many of them might not be able to afford a car.
- Houses in Multiple Occupation provided housing in Swindon for workers that would otherwise make living in the town unaffordable and provide for the employment needs of Swindon. Without them the ability to secure the level of employees required to promote Swindon's economic prosperity might be impacted.
- The applicant, who owned other Houses in Multiple Occupation in Swindon, prided himself on the level of accommodation and facilities (including cooking, cleaning internet, televisions and garden) provided by his properties.
- Waste collection and cleaning were undertaken by a private company ensuring the property was well-maintained and reducing the impact on neighbouring properties and added to employment in the Swindon area.

- All tenants had to provide background checks or references to reduce the possibility of disturbance to those living at the property and to neighbours and nearby residents.
- The property was within Swindon sector 1 (Central/Old Town parking zone) and therefore did not require parking provision and the Council would not allow new residents living at the property a parking permit.
- The character of the street scene would remain intact, the near extension would not impact on the neighbour's light due the 45 degree rule, room sizes met standards set down by Swindon Borough Council and the kitchen and communal area exceeded Swindon Borough Council's standards.
- Each bedroom had an ensuite bathroom and the property was sustainably located and contributed to providing a mixture of accommodation type to meet housing needs.
- If determination of the application went against officer recommendations, the applicant had notified the agent that he would appeal the decision with a cost application being made against the Council.
- The size of rooms accorded with Environmental Health standards.

Submissions opposing the application can be broadly summarised as:

- The application for the House in Multiple Occupation represented an over-intensification of these properties in the Central/Eastcott area.
- The extension would permit eight residents to live in the property, which was a reasonably small terraced house.
- Local residents were concerned by the over intensification of Houses in Multiple Occupation in the vicinity and the problems these had previously and continued to cause.
- The current property already caused local issues, including noise, which had led to a neighbour complaint at 2:00am and although the tenants concerned had moved there was a transitory nature to the occupation of the building. Increasing the number of tenants was likely to exasperate this issue.
- There were smells from cooking from upstairs at the property even though there was not a kitchen located in this part of the property.
- The availability of car parking was an issue in the area and the difficulty in regulating tenants who might park in the area.
- There was also a light issue to the adjoining property which would be worsened should the application be approved.
- Additional local problems arising from refuse arising from Houses in Multiple Occupation that would worsen with additional residents at the property.
- The design was poor with a lack of amenity with a small kitchen area and dining area.
- The adjoining property had a small, north facing garden, and should the application be granted it would have a considerable adverse effect on light to the garden. The garden would be in shadow with the view of a brick wall leading to an adverse impact to the health and wellbeing of the residents. This was true for a number of properties.
- Moving the window in the extension would provide a different angle of view and cause privacy issues for neighbours.
- An increase in the number of occupants in the property would lead to an increase in levels of litter and rubbish in the back garden.

- The cleaning company often visited the property just prior or after refuse collections with rubbish being left, in the back yard, front yard and on the street.
- Tenants smoking in the back garden led to smells in the neighbour's garden and back bedroom.
- The line of adjoin properties would be adversely impacted by any permission to extend and would not be in keeping with neighbouring properties which had been there for 100 years.
- The property even if extended was too small for the proposed number of occupants; in the past single rooms had been occupied by two people. The plans were there disingenuous of the applicant and agent.
- Recycling bins at the property had been removed and neighbours were subjected to fire alarms going off on a weekly basis.
- Swindon Borough Council guidelines indicated that kitchens in Houses in Multiple Occupation should be on the same floor as resident's rooms and this was not the case with the application presented with rooms on three floors in the property.
- The first floor back room seemed to have cooking facilities although these did not appear to meet minimum standards.
- Local residents wished to see if there and an equality impact assessment for Houses in Multiple Occupation and this application given the negative impact the development would create on the local community.
- Other local residents would have spoken against the application if it had not been considered as part of a virtual meeting.
- The extension could act as a precedent for any future applications of a similar size and was the only first floor extension of this size on the terrace row with other extensions limited to the ground floor.
- The application was an overdevelopment of a site originally intended for up to four people including children.
- Cycle storage did not meet Swindon Borough Council standards for being covered and secure and was only accessible via an unlit back alleyway.
- The standard of accommodation proposed breached Swindon Borough Council standards in a number of areas. The included (1) the transfer of food to rooms up flights of stairs, (2) bedroom 5 having only one window, which was less than 70 cm wide, and which was the only means of ventilation despite being a kitchenette and (3) bedroom 5 would be shadowed.
- Rooms 2 and 5, which were kitchenettes, breached Swindon Borough Council standards on worktop space and in respect of storage space.
- The application did not meet the threshold for not harming the amenity of neighbours, harming the character of the area or street scene.

Councillors expressed disappointment that the agent tried to use an appeals process to influence an informed Member decision based on the report before them, legislation and guidance, officer comments and representations from all parties.

Resolved - That application S/20/0173/PEKO be refused.

Reason:

The intensification of the use of this property by an additional 2 persons represents an overdevelopment of the site that will have an adverse impact upon the amenity

enjoyed by its future occupants and the occupants on nearby dwellings to an unacceptable degree contrary to Policy DE1 of the adopted Swindon Borough Local Plan 2026 (2015), and the NPPF (2019).

71. Development Brief: Former Groundwell Park and Ride Site, Swindon

The Committee considered a report of the Head of Planning regulatory Services and Heritage, seeking the Committee's approval to publish a draft Development Brief for the Former Groundwell Park & Ride Site, Cricklade Road, Swindon for public consultation.

Resolved – (1) That, subject to the inclusion of the option within the draft brief of retaining the site as a Park and Ride facility, the Head of Planning, Regulatory Services and Heritage be authorised publish the Draft Development Brief for public consultation.

(2) That the Head of Planning, Regulatory Services and Heritage be authorised to make minor typographical and presentational changes to the content of the document if required before publication.

72. Parking Standards for New Development

The Committee considered a report of the Service Manager – Transport Planning, Development & Street Works Management, approval of an updated Parking Standards document following Consultation and seeks authorisation to finalise the standards for adoption as a development management document.

Resolved - (1) That the adoption of the Parking Standards be deferred in order to enable officers to review and provide further clarification in respect (a) the boundaries of Sector 1, primarily as they relate to Old Town, (b) the application of the Sector 1 relaxation in relation to Houses in Multiple Occupation and (c) the application of the Sector 1 parking relaxation to non-residential development.

(2) That, following the officer review set out in (1) above, a further report be submitted to a future meeting of this Committee.