



COMMITTEE REPORT

Item Number: 10

Ward: Lydiard And Freshbrook

Application Number: S/HOU/18/0764/IH

Parish: West Swindon

Proposal: Erection of a two storey side extension.

Site Location: 41 Rycote Close, Grange Park, Swindon, SN5 6AP

Case Officer: Mr Ian Halsall (Contact Andy Brown, 01793 466286 | andybrown@swindon.gov.uk)

Agent:

Applicant

Mr Jalil Ansari
41 Rycote Close
Grange Park
Swindon
SN5 6AP

Officers Report

Background

i This application has been brought before committee at the request of Councillor Swinyard owing to neighbour concerns that there have been three unsuccessful applications to create an additional dwelling within the plot by erecting single two storey dwelling to the side of number 41 Rycote Close (references S/14/1531, S/15/0867 and S/15/1846). The last application was dismissed at appeal. However the applicant now seeks planning permission to extend the existing dwelling only. This proposal is smaller than the refused schemes and has been further amended since it was first submitted to bring it in line with the adopted extensions guidance.

Summary of Recommendation:

1 That planning permission be GRANTED with Conditions.

The Proposal:

2 This planning application seeks permission for the erection of a two storey side extension to an end of terrace property in the Grange Park area of West Swindon. This will include a single storey front lean-to element with the front wall running in line with the principal elevation and a rear single storey projection measuring 2.8 metres in depth at the rear of that side extension only.

The Site and Surroundings:

3 The application site is a corner plot forming a terrace of four dwellings. The property lies to the north west of a junction with Gerard Close with a continuation of Rycote Close into a cul-de-sac to the north and west and behind the site. The area comprises a mix of 1980s medium density residential properties comprising two storey linked terraces, detached dwellings and bungalows, the latter of which are to the north of the site.

4 The property currently comprises and enclosed rear and side garden which follows the back of the highway and curves around the corner of the plot and is currently treated with a close boarded fence. The house currently has one off street parking space at the side of the house accessed by means of an existing dropped kerb. There is an open front lawn in front of the existing house.

Representations:

Parish Council:

5 West Swindon Parish Council raises no objections.

Neighbours:

6 Three objections have been received, 48, 49 and 50 Rycote Close. The following planning issues have been raised:

- Limited space between the side of the house and back of highway to accommodate the extension;
- Close proximity to houses opposite with significant overlooking;
- The extension will make the street feel very overcrowded and result in a loss of light to nearby houses;
- The proposed scale of the extension is similar to the previously proposed dwelling which has been refused on three occasions and dismissed at appeal
- Very limited parking with vehicles parking on a blind corner which will be a risk to public safety

Policy:

7 Development Plan

- Swindon Borough Local Plan 2026 (2015)
 - Policy SD1 - Sustainable Development Principles
 - Policy DE1 - High Quality Design
 - Policy TR2 - Transport and Development

8 Material Planning Considerations

- National Planning Policy Framework (revised July 2018)
- Residential Extensions and Alterations Supplementary Planning Document (2011)
- Technical Standards on Parking Standards Development Control Guidance Note (2007)

Planning Considerations:

Design and Amenity

9 In accordance with the Council's adopted Residential Extensions and Alterations Supplementary Planning Document (SPD), residential side extensions must be subordinate in scale and appearance to their host dwelling. This should be achieved by extending no more than half the width of the principle elevation, ensuring that the external side wall is parallel with the existing side wall of the dwelling, that at two storeys there is a minimum 900mm set back at the first floor from the principle elevation and that the ridge height is below the existing ridge height and the eaves height is at or below the existing eaves. On corner plots such as this, extension should not extend beyond the building lines of properties on all adjacent roads.

10 The side extension will measure approximately 2.3 metres in width which is around half the width of the existing dwelling. This width and the window openings at ground and first floor level at the front and rear will be in proportion to the existing house. The side wall runs parallel with the existing house and does not project forward of the building line to the south west as is defined by 43 to 49 Rycote Close. The necessary set back and set down has also been achieved. The proposal is therefore in full compliance with the adopted SPD.

11 The side wall of the extension will be contained fully within the plot and will be some 16.5 metres from the front of the nearest directly facing property at number 50 Rycote Close. Whilst that property is a bungalow, it is slightly elevated and given the subordinate nature of the extension which is set down from the main roof ridge of the house, although the terrace in which it is attached has an undulating roof form, there will be no overshadowing or loss of light to neighbouring properties. The first floor window will serve a bathroom which will be obscurely glazed. A condition is imposed to ensure this and to prevent any further windows from being added under Permitted Development. The ground floor side window is at a suitable separation distance that it will not result in any loss of privacy to neighbouring properties, given that the boundary fence will remain in place. The single storey element of the side extension will extend into the rear garden by 2.8 metres. The depth will be in full accordance with the Council's guidance and will not cause any detriment to the host property.

12 Given that the extension now fully accords with the supplementary planning document, there is no conflict with Local Plan policy DE1. The development will represent good quality residential design, subject to a condition to ensure that the materials match that of the host dwelling and remaining terrace, and it will not generate any issues in amenity terms.

Parking

13 The initial proposal under this application included an integral garage as part of the side extension, however this has now been removed. In any case there would not be sufficient space to accommodate a parking space in front of that garage resulting in vehicles overhanging onto the highway. The Highway Officer initially expressed concern that as the extension will result in the formation of a four bedroom property within Parking Zone 2, the required 2no. parking spaces were no longer being provided. The application has been amended to demonstrate that the existing lawn area will be paved over to form a parking space, whilst a second space can be provided at the rear of the property. The hard paving of a garden, subject to it being permeable and formation of a new access of a non-classified road is permitted development and that is material. The granting of permission therefore is dependent upon the necessary number of parking spaces being provided in accordance

with the Council's existing parking standards and therefore a condition to this recommendation is attached in order that the development complies with policy TR2 and the parking standards.

Previous Proposals:

14 Whilst there have been three unsuccessful attempts to secure an attached dwelling on this site, the design and scale configurations differed from the proposal now under consideration for an extension. An independent dwelling, unlike this proposal in structural terms would have generated amenity issues particularly as it could not provide accommodation for two parking spaces in addition to the two required for the existing dwelling. This proposal is therefore materially different and the planning history is of no relevance to this proposal. However for the avoidance of doubt, and although planning permission would be required in its own right to convert the extension into a dwelling, a condition has been imposed to ensure that the extension remains an integral part of the existing dwelling. The addition now proposed is of a smaller width than previously proposed and could not reasonably lead to the sub-division of the property. In any event a condition is proposed to control this

Appeal Inspectors comments.

In dismissing the appeal, the inspector was of the opinion that the addition would not materially harm the outlook of the dwellings to the north-west of the site, would not be overbearing or cause inconvenience to other dwellings in the locality. He did however find that the contrived design of the addition of a larger extension to create another dwelling, would appear cramped and represent an overdevelopment that is out of character. The same criticisms could not be levied at this more modest and sympathetically designed proposal.

Concluding Comments:

In design, amenity and parking terms it is considered that the proposal is in full compliance with policy and associated guidance and has addressed the relevant concerns expressed by the appeal Inspector and therefore is recommended for approval subject to conditions.

Recommendation

That planning permission be **GRANTED** with Conditions

Conditions

Three Year Time Limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990.

Approved Drawings

2. This approval shall be in respect of the Location Plan, Block Plan and Existing Floor Plans (drawing 001 rev A) received on the 16th May 2018; revised Existing and Proposed Front Elevation (drawing number 003 rev C); revised Existing and Proposed Rear Elevation (drawing 004 rev C); revised Existing and Proposed Side (drawing 005 rev C) received on the 9th July 2018; revised Proposed Ground and First Floor Plan (drawing 002 rev B) received on the 16th July 2018; Site Plan with Parking received by the Local Planning Authority on the 9th August 2018.

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

Materials to Match

3. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing buildings. Such facing materials shall be retained thereafter in their approved form.

Reason: To ensure that the appearance of the development is satisfactory.

Windows

4 The first floor window in the side north eastern elevation of the extension hereby approved shall comprise no glass other than obscure glass manufactured to a privacy level of 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no windows other than those hereby approved shall be formed in the north eastern elevation.

Reason: In the interests of residential amenity.

Off Site Parking Provision

5. No part of the development hereby permitted shall be occupied until provision is made on site for the parking of 2no. vehicles that fully accord with the Council's parking standards. These shall be constructed with a porous material (not loose stone or gravel) or with provision made to direct run off water from the any hard surface to a permeable or porous area within the curtilage of the dwelling. Thereafter the areas shall be kept clear of obstruction and shall not be used for any purpose other than the parking of vehicles in connection with the dwellinghouse.

Reason: To ensure that satisfactory provision is made for vehicles to be parked off the highway at all times and in the interests of highway safety.

Stopping-up Existing Dropped Kerb

6. Prior to the occupation of the development hereby permitted, the existing dropped kerb serving the existing parking space of 41 Rycote Close shall be removed and the footway made good in accordance with details that have first been submitted to and approved in writing by the local planning authority

Reason: In the interests of highway safety.

No Separate Residential Use

7. The development hereby permitted shall not be occupied at any time other than as part of

the residential use of the original dwellinghouse and not as an independent residential unit.
Reason: The site is unsuitable to accommodate an additional residential unit.

Informatives

1. CIL Liable Development: This development constitutes Community Infrastructure Levy (CIL) liable development. CIL is a mandatory financial charge on development. For more information on CIL visit www.swindon.gov.uk/cil or telephone the SBC CIL Team on 01793 466289 or 466397 or email cil@swindon.gov.uk. To avoid additional financial penalties the requirements of the impact of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Information on possible exemptions that may be capable of being applied for can be found at:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy and <https://www.gov.uk/guidance/community-infrastructure-levy>. CIL remains relevant in the event that planning permission is allowed by Planning Appeal.

2. There is a risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2010 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

3 In addition to this consent, the proposed development will require separate Local Highway Authority approval for the construction of the proposed permanent vehicular crossing over highway land. The Applicant is required to obtain this approval **before works commence** and is therefore recommended to contact Swindon Borough Council's Street Works Management Department in this respect as soon as possible. The works will be under taken at the applicant's expense.

End of Report