



Appeal Decision

Site visit made on 19 July 2022

by Nichola Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10TH AUGUST 2022

Appeal Ref: APP/U3935/D/22/3295172

10 Draycot Road, Chiseldon, Swindon SN4 0LS

- 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 Charles Jackson against the decision of Swindon Borough Council.
 - The application Ref S/HOU/22/0071/PIMO, dated 13 January 2022, was refused by notice dated 16 February 2022.
 - The development proposed is the erection of pitched roof to garage and conversion into habitable space.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of pitched roof to garage and conversion into habitable space at 10 Draycot Road, Chiseldon, Swindon, SN4 0LS in accordance with the terms of the application, Ref S/HOU/22/0071/PIMO, dated 13 January 2022 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved drawings 1124-01, 1124-02 Rev C and 1124-03
 - 3) No development shall take place above foundation level until full details of all external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved details.
 - 4) The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 10 Draycot Road, Chiseldon.

Main Issues

2. The main issues are the effect of the proposal on:
 - i) the character and appearance of the surrounding area;
 - ii) the living conditions of future occupiers with respect to internal and external amenity space and outlook; and
 - iii) highway safety.

Reasons

Character and Appearance

3. The appeal site accommodates a semi detached dwelling which is set back from Draycott Road. A detached flat roof garage is located at the end of a tapered garden. The garage is accessed from The Crescent, which runs to the rear of the appeal property. The garage is set back from the highway and is next to a block of garages, both of which are located on the east side of the road.
4. Along its west side The Crescent is characterised by two storey semi detached dwellings with short setbacks from the highway. Vegetation within front gardens and street trees contribute to a green and spacious character of this side of the street and this makes a positive contribution to the character of the area. The east side of The Crescent comprises the side and rear elevations of properties on Draycott Road, a parking area, a row of 3 garages and the garage to the appeal property. Boundary treatment is varied along the east side of the street. This area is varied and functional in character and differs from the character of the properties on the west side of The Crescent. A hedge which runs along the side boundary to 8 Draycott Road obscures the garage in views from the north. The row of garages which abut the site's southern boundary obscure the garage in views from the south.
5. The building would sit roughly in line with the neighbouring garages and would not dominate views within the street. A car parking space would be located to the property frontage, which would be consistent with the functional character of the east side of The Crescent. The proposed single storey pitched roof building would relate well to the height of the existing garages and the pitched roof design would not be out of keeping with the varied character of the surrounding area. The frontage of the building would be chamfered in line with the tapering of the plot; however, this would not be perceptible in views of the property from the street.
6. The building would be small in scale and subservient to the main dwelling and would clearly be read as an annexe to the host property. Therefore, whilst the building would span the entire width of the plot, the limited height of the proposed building and narrow width of the plot are such that this would not result in an uncharacteristic or cramped form of development. Furthermore, the building would be obscured by the existing hedge in views from the north and partly obscured by the block of garages in views from the south. I therefore find that the proposed building would integrate with the varied character of the east side of The Crescent.
7. For the above reasons I find that the proposed building would not appear out of character with the surrounding area. I therefore find no conflict with those aims of Policy DE1 of the Swindon Borough Local Plan (2015) which seeks, amongst other things, to ensure high standards of design. I also find no conflict with the Residential Design Guide SPD (2016) which has similar aims.

Living conditions

8. The submission states that the unit would be used as ancillary accommodation by a family member and will not be rented out or separated from the main dwelling. The proposed building would contain a bedroom, living area, kitchen and bathroom and so would include all the facilities necessary for independent

living. The building would be detached from the host dwelling with a separate access. It is intended that amenity space would be shared with the host dwelling and although not shown on the plans, from my observations during my site visit this seems practical. This shared use of the garden would help to functionally link the proposal to the host dwelling.

9. The occupancy of the building is capable of being controlled by condition. Any change of use to create a separate dwelling would require a further grant of planning permission. Moreover, I have determined this appeal on the basis of what was applied for.
10. The internal and external amenity space and outlook standards referred to by the Council do not specify standards for ancillary accommodation. Nonetheless I find that the users of the proposed habitable space would be provided with adequate internal space and outlook for the nature of the use proposed. External amenity space would be shared with the main dwelling, which I find to be adequate. For this reason, I find no conflict with those aims of Policy DE1 of the Swindon Borough Local Plan (2015) which seeks, amongst other things, to ensure high standards of design in terms of amenity provision. I also find no conflict with the Residential Design Guide SPD (2016), which has similar aims, or with the Framework (2021).

Highway Safety

11. Reflecting on my reasoning above the proposed building would function as an annexe. The Swindon Borough Council Parking Standards (2021) (PS) does not set parking standards for annexes. The 4 car parking spaces to the property frontage would appear to be adequate to serve the needs of the main dwelling and the proposed habitable space. This provision would appear to be in line with the car parking requirement for 3 vehicles set down in the PS. Furthermore, there would appear to be adequate space within the appeal site for cycle storage for the occupants of the host dwelling and habitable space.
12. Notwithstanding the shared parking on site, one space would be provided immediately in front of the site alongside The Crescent. The parking space to the front of the proposed building would measure 2.4 x 4.8m which would fall short of the preferred parking space dimensions of 2.5 x 5.0m set down in the PS. Despite this it would be possible to park one car directly in front of the proposed building although this might project beyond the confines of the site. Reflecting on my observations on site, including the light traffic levels and on street parking at The Crescent, even if a vehicle were to slightly overhang the boundary, I have no evidence that this space would harm the free flow of traffic. Consequently, there would be unlikely to be any conflict and the proposal would be unlikely to give rise to displaced or indiscriminate car parking which would compromise the function of the highway network.
13. I therefore find no conflict with those aims of Policies TR1 and TR2 of the Swindon Borough Local Plan (2015) which seek to reduce the need to travel and promote the use of sustainable transport alternatives and ensure that new development does not compromise highway safety. I also find no conflict with the Swindon Borough Council Parking Standards (2021).

Conditions

14. In addition to the standard implementation condition, it is necessary, in the interests of precision, to define the plans with which the scheme should accord. In the interests of preserving the character and appearance of the area, I have required that facing materials are approved by the Council prior to development above foundation level. I note that the Council also request that the roofing material should match the main house, however I consider the materials condition to be adequate and it is not necessary to control this matter separately. The Council has suggested a condition which requires that the proposed building be occupied by a family member ancillary to the main house. I find this condition to be overly restrictive and have amended it so that the building can be used for purposes ancillary to the residential use of the main dwelling. This condition is necessary to ensure that the building functions as ancillary accommodation only.

Conclusion

15. For the reasons set out above, the development would accord with the development plan taken as a whole. Therefore the appeal is allowed.

Nichola Robinson

INSPECTOR