

# WINDSOR URBAN DEVELOPMENT CONTROL PANEL

21 June 2017

Item: 4

<b>Application No.:</b>	17/00940/FULL
<b>Location:</b>	29 Tilstone Close Eton Wick Windsor SL4 6NG
<b>Proposal:</b>	Construction of an outbuilding (retrospective)
<b>Applicant:</b>	Mr Nar
<b>Agent:</b>	Mr Gurprit Benning
<b>Parish/Ward:</b>	Eton Town Council/Eton Wick Ward

**If you have a question about this report, please contact:** Nuala Wheatley on 01628 796064 or at [nuala.wheatley@rbwm.gov.uk](mailto:nuala.wheatley@rbwm.gov.uk)

## 1. SUMMARY

- 1.1 Retrospective planning permission is sought for a single storey detached timber outbuilding located in the rear garden of 29 Tilstone Close, a two storey semi-detached dwelling in Eton. It is considered that the outbuilding would not be harmful to the character and appearance of the area or the residential amenities of neighbouring dwellings and therefore complies with the NPPF and Policy DG1 of the Local Plan.

**It is recommended the Panel defer and delegate to the Head of Planning subject to**

- Certificate B being completed and notice served on the neighbouring property for the requisite period; and**
- Subject to no new material issues being raised to grant planning permission with the conditions listed in Section 9 of this report.**

## 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor S. Rayner, on the basis that the proposal represents serious overdevelopment to the detriment of the neighbouring properties and the extension overhangs the neighbours property.

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 Tilstone Close is a cul-de-sac with a mix of dwelling styles; largely two-storey semi-detached dwellings but also detached bungalows. The application property is a semi-detached dwelling on the East side of the road.
- 3.2 Part of the application site is located within Flood Zone 3; however, the area in which the outbuilding is sited is not included within this area. As such, Policy F1 is not relevant in relation to this application.

## 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
16/01809/PDXL	Single storey rear extension no greater than 6.0m depth, 2.8m high and an eaves height of 2.8m.	Prior Approval Not Required, 06.07.2016
16/02386/FULL	Part single, part two storey side and rear extension.	Permitted, 14.09.2016

- 4.1 The application seeks to retain a timber outbuilding within the rear garden of the property which is proposed to be used as a gym with some storage.
- 4.2 The outbuilding has a flat roof, but is fitted with a roof lantern which protrudes from the roof by 0.6m. The outbuilding measures 2.6m in height, 8.3m in width and 5.2m in depth.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### Royal Borough Local Plan

5.1 The main strategic planning considerations applying to the site and the associated policies are:

	Within settlement area
Local Plan	DG1

These policies can be found at:

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i impact on the character and appearance of the area;
- ii impact on the amenity of neighbouring properties;

### Impact on the character and appearance of the area

6.2 The appearance of a development is a material planning consideration and the National Planning Policy Framework, Section 7 (requiring good design) and Local Plan Policy DG1, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. Paragraph 50 of the NPPF concentrates on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new buildings in relation to neighbouring buildings and the local area more generally. While DG1 of the Local Plan also states the design of new buildings should be compatible with the established street façade.

6.3 The dwellings along this part of Tilstone Close and adjoining Tilstone Avenue are characterised by long rear gardens and there are also a number of dwellings within the immediate vicinity which benefit from detached outbuildings. As such, it is not considered that the outbuilding subject of this application would be an incongruous or unwelcome addition. Its design is considered to respect the appearance and character of the host dwelling and the character of the street scene would not be harmed. Its scale is subordinate to that of the existing dwellinghouse and a sufficient amount of garden amenity space remains to serve the dwellinghouse.

### Impact on the amenity of neighbouring properties

6.4 The outbuilding, which is positioned towards the rear boundary of the site, is set back from the amenity areas of the adjoining dwellings and is approximately 20 metres away from any of the neighbouring dwellings. The outbuilding is visible beyond the existing fence line of the adjoining neighbours to the east, 14 and 15 Tilstone Avenue, by approximately 0.8m. Whilst readily visible from the rear amenity areas of these neighbouring dwellings, it is not considered that the impact is significant enough in terms of outlook, overshadowing and projection of light to justify a refusal on this basis. Additionally it should be noted that the outbuilding is considered to be an appropriate size for a domestic outbuilding and would be granted permission by virtue of the General Permitted Development Order (2015) if it were 0.1m lower in height.

### Other material considerations

- 6.5 The plans submitted with the application indicate that the outbuilding would be used as a gym and for storage. It is not considered necessary to include a condition to state that the use must remain ancillary to the residential use of the dwelling as any material change of use of the outbuilding would require planning permission.
- 6.6 From the submitted drawings it would appear as if the outbuilding overhangs the boundary with the neighbouring property. Certificate B should have been completed to notify the adjoining landowner and the notice served before the application was lodged. Whilst it is accepted that the Party Wall Act provisions are separate to the planning process it is important that an application is properly made. The recommendation therefore seeks to ensure that the appropriate notification is served on the neighbour before permission is granted.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

No letters were received from the 4 properties notified or as a result of a site notice displayed on 21<sup>st</sup> April 2017

No comments were received from Eton Parish Council.

## **8. APPENDICES TO THIS REPORT**

- Appendix A - Site Location Plan
- Appendix B – Block Plan
- Appendix C – Elevation Plan

Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

This recommendation is made following careful consideration of all the issues raised through the application. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

## **9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

- 1 No Conditions