

Swindon Borough House Extensions Local Development Order

Introduction

The House Extensions LDO applies to rear house extension planning applications in the Borough that are deemed low impact and in compliance with the Council's house extensions planning guidance. The LDO extends "Permitted Development" rights for qualifying rear house extensions. The LDO does not remove any of the nationally set "Permitted Development" rights.

What does the LDO permit?

The Swindon householder LDO allows for certain rear extensions to be built without planning permission. These criteria are over and above the national permitted development rights set down by the Town and Country Planning (General Permitted Development) Order 1995 as amended, which still apply to all houses in the Borough unless otherwise specified.

These notes are to be read in conjunction with the basic rules and detailed design criteria. A proposal must meet all of the criteria to be considered permitted development under the LDO.

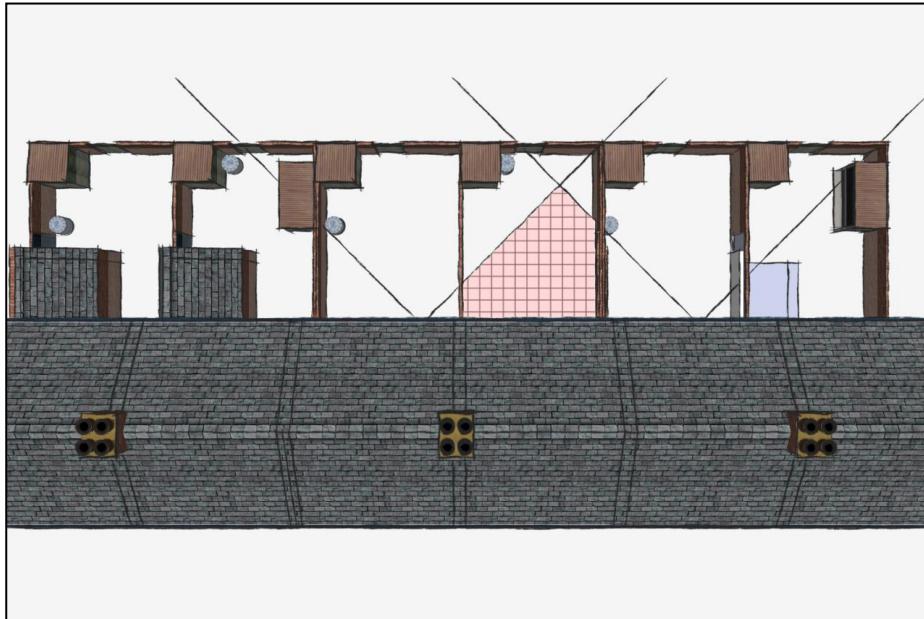
1 This LDO applies to **rear** extensions only. Any extension to the front or side wall of the property is excluded from this Order.

The LDO applies equally to both conservatories and solid built extensions.

Flats and houses in multiple occupation are excluded from this Order. Any extension to these types of properties would require planning permission.

2 The extended "permitted development" LDO rights cover all single dwellings in the Borough with the exception of Listed Buildings and properties in conservation areas. To find out if your property is listed or in a conservation area visit the Council's website or call 01793 445500.

3 The 'zone of permitted development' is a tool that has been devised to ensure that neighbour amenity is protected by the LDO. It is calculated by taking a 45 degree line from the centre of the neighbour's nearest window to the proposed extension. The area that is outside of these lines is the 'zone of permitted development', as shown hatched on the following diagram.



Any proposal that crosses the lines from the neighbour's windows would not be permitted under the LDO.

It is important for approval under the LDO for this zone to be accurately shown. Any submission under the LDO should include a plan showing each neighbour's nearest window to the proposed extension and the "zone of development" that produces.

4 Within the above zone, the maximum depth of an extension under the LDO is **4 metres** for a single storey extension and **3 metres** for a two storey extension. This is measured from the rear wall of the original house.

Any proposal that is larger than these maximum lengths will require full planning permission.

5 Within the above zone, the maximum height of a single storey extension is **3 metres** to the eaves and **4 metres** in total height.

The eaves height is measured from the external ground level adjacent to the proposed extension to the point at which the wall meets the roof.

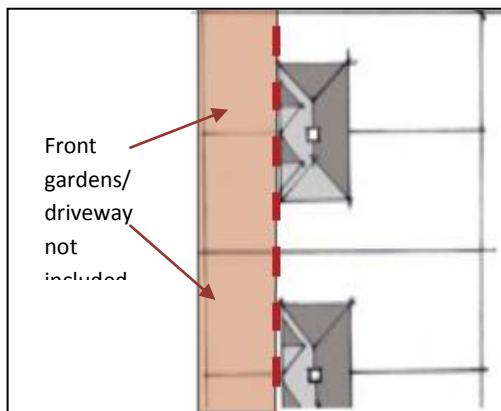
The total height is measured from the external ground level adjacent to the proposed extension to the highest point of the extension, including any ridge tiles; this does not include any decorative mouldings on conservatories.

Height is measured from ground level, meaning the level of the surface of the ground immediately adjacent to the building in question. Where the level of the ground is not uniform, the highest part of the surface of the ground adjacent to the building is used.

In any case, single or two storey, the eaves height and the total height of the proposed extension cannot be higher than the eaves and the highest point of the original house.

6 In addition to the above maximum lengths, the proposed extension must not take up more than one third of the existing ‘amenity space’. Private garden is counted towards this figure, this is most often found at the rear or side of the property. Front gardens and driveways are not included.

Detailed design:



Matching materials & windows

The LDO requires that materials are used that suitably match the appearance of the house to be extended. This includes a matching brick/ block or a matching coloured render/ painted finish. Where the property is made of a mix of materials the most appropriate material should be chosen for the extension.

Where the exact match of material is no longer available, a close match or suitable alternative should be used; details of this should be provided at the time of submission under the LDO.

This requirement applies to conservatories in respect of any solid plinth at the base and any solid walls.

It is expected that details of the materials to be used will be submitted with any application under the LDO.

The sizes and proportions of windows in the proposed extension should correspond with those of the main house wherever possible, except in the case of conservatories, which are mostly glazed.

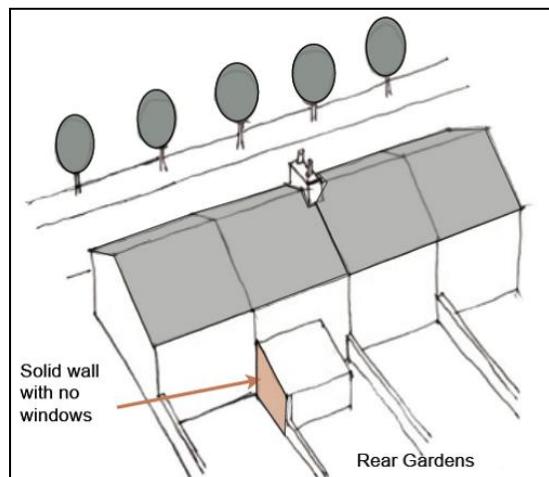
Parking

The Council’s parking standards require that three parking spaces are provided for properties with more than four bedrooms. Where an extension under the LDO takes the number of bedrooms over four, details of the three parking spaces shall be included in the submission under the LDO.

These spaces must be provided within the boundary of the property. The minimum sizes for parking spaces are 2.4 metres by 4.8 metres. For further information please refer to the Council’s ‘Parking Standards Guidance Note’.

Windows on the boundary

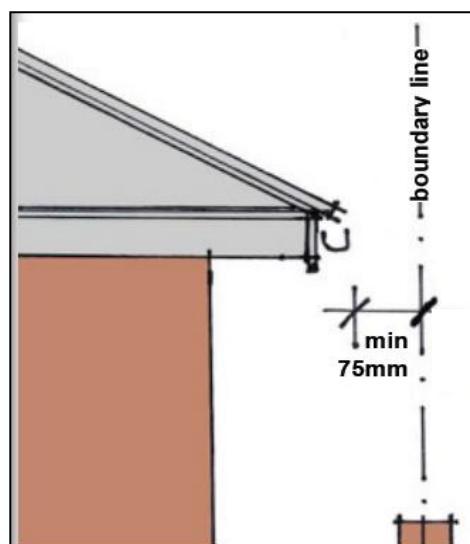
Extensions that are built close to the boundary must not contain any windows that would look directly towards the neighbouring property. Ground floor extensions must not contain any windows within 500mm of the boundary. This applies to conservatories, with the exception of high level windows that are located at least 1.8 metres above ground level, and clear glass roofs.



All two storey extensions should only contain side facing windows that are obscure glazed and non-opening, unless the parts to be opened are more than 1.7 metres above the floor of the room in which the window is installed.

75mm gap to boundary

For all extensions to be considered permitted development under the national GPDO regulations, or the Council's LDO, they must be wholly contained within the boundary of the application property, this includes all gutters and opening windows. To ensure that this is the case the LDO requires that a 75mm gap is retained between the boundary and the edge of the extension, as shown on the following diagram.



Conditions

The following conditions apply to all extensions permitted under the LDO:

- 1 Proposals are only be deemed LDO compliant subject to the submission and subsequent Council approval of the details in writing. The application form (The Householder Simplified Consents Form) can be found at www.swindon.gov.uk/planning
- 2 Applicants should notify adjoining properties prior to submitting an LDO application to the Council (See Informative 3).
- 3 Works shall be substantially completed within the time that the LDO is in force.
- 4 For a development to be lawful using the LDO, work must not have started prior to receiving written approval from the Council. A retrospective LDO application, even if it would have been LDO compliant in all other respects would not be lawful and would require a full planning application.

Informatics

The following informatics apply to all proposals permitted under the LDO:

- 1 Consent under the Building Regulations is likely to be required in most cases. Further details on the Building Regulations can be obtained from the Swindon Borough Council Building Control Service. You can make a joint Building Regulations application and an application under the LDO using the Householder Simplified Consents Form.
- 2 A Certificate granted under this Order is based on the information submitted with the application. If this information is found to be incorrect, the proposal would no longer be permitted under the LDO and any approval given would be null and void. A full planning application would then be required to regularise the development.
- 3 An example neighbour notification letter is provided as Appendix 1 to this LDO. It is recommended that written notification is given to adjoining neighbours prior to submitting an application to the Council.
- 4 Where there is a Thames Water main crossing your site, this may need to be diverted at your expense, or amendments maybe necessary to the proposed development design so that the main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.

Validation requirements

All plans and drawings must include a North point, specify paper size (e.g. A3) and a scale bar indicating a minimum of 0-10 metres. The reason for this is that we scan all plans submitted and may not retain paper copies. 2 copies of the plans are required.

The Site location plan should identify the land to which the application relates. It should be based on an up-to-date map at a scale of 1:1250 or 1:2500. The site should be edged in red and sufficient roads and buildings should be identified.

The Block plan should be at a scale of 1:100 or 1:200 or 1:500 identifying the position of the development. The plan should include written dimensions of the development to the site boundaries and other existing buildings, access arrangements, public rights of way and position of trees.

If the proposal takes the number of bedrooms to 5 or more, three parking spaces should be shown on the block plan. Each parking space should be not less than 2.4 metres by 4.8 metres in area.

The Existing and proposed floor plans should be at a scale of 1:50 or 1:100

The Existing and proposed elevations should be at a scale of 1:50 or 1:100 and should indicate building materials, finish of doors and windows and relationship to adjoining buildings

The Building Regulations Outline Specification. This should be signed. Only one copy of the Outline Specification is required. The Outline Specification can be downloaded from www.swindon.gov.uk/planning.

Once a valid application is received, the Council will aim to issue a decision within **two weeks (10 working days)**.

The Policy Objectives of the Proposed LDO

This LDO supports the achievement of One Swindon outcomes, with respect to deregulation, facilitating local decision-making and empowering the householder.

Compliance

The LDO process is regulated through the use of the “Certificates of Lawfulness” to confirm compliance.

Results and Monitoring

The LDO will be subject to regular review by Planning Committee.

Area covered by LDO

The LDO operates Borough-wide. However, the LDO does not apply in Conservation Areas or on Listed Buildings.

Appendix 1
Example Neighbour Notification Letter

To ***Adjoining Owner***
Of ***Adjoining Owner's Address***

Date

Dear ***Title / Name***

Notice of Proposed Development Works at [address of property here] that will Increase the Size of the Property

I am notifying you of my intention to carry out development works at [address of the property to be extended here] that will increase its size.

The proposed works comprise [description of works here]

The plans [are attached / can be viewed at the following address (delete as appropriate)]

The proposed works are deemed to be “permitted development” under the General Permitted Development Order (as expanded by the Swindon Rear House Extensions Local Development Order), and therefore no planning application is required. For further information on “permitted development” rights in Swindon Borough please refer to www.swindon.gov.uk/planning

I should be grateful for your comments on the proposed works within 14 days of receiving this letter.

Please be advised of the provisions of *The Party Wall etc Act 1996*, which provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.

Yours sincerely

Building Owner's signature