

Swindon Borough Council

Planning Committee

Tuesday, 12 November 2019

Council Chamber, Civic Offices

At 6.00 p.m.

Conservative Councillors

Timothy Swinyard (Chair)
Alan Bishop
Nick Burns-Howell
Malcolm Davies
Robert Jandy
Jenny Jefferies
Nick Martin
Vera Tomlinson

Labour Councillors

John Ballman
Paul Dixon
Steph Exell
Jane Milner-Barry
James Robbins
Peter Watts

Liberal Democrat Councillors

Stan Pajak

Committee Officer: Shaun Banks (Telephone 07980 752047)
email:sbanks@swindon.gov.uk

Swindon Borough Council can be contacted at the Civic Offices, Euclid Street,
Swindon, SN1 2JH (Telephone 01793 445500)

Access Arrangements - The venue is wheelchair accessible and an infrared receiver hearing system is provided. If you have any special requirements to enable you to attend the meeting or would like to receive any of the pages contained in this agenda in a larger print size, please contact the Committee Officer as soon as possible prior to the date of the meeting.

AGENDA

1. Apologies for Absence

2. Declarations of Interest

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

3. Minutes (Pages 1 - 6)

To receive the minutes of the meeting held on 10th September 2019.

4. Public Question Time

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

5. **Determination of Planning and Related Applications** (Pages 7 - 9)
6. **S/19/1186/CHHO - Erection of 2no. dwellings with vehicle parking and associated works, Hillsborough, Marlborough Road, Chiseldon. (Ward: Chiseldon and Lawn) (HPRS&H)** (Pages 10 - 25)
7. **S/18/0447 - Erection of 10 dwellings, Conversion of existing store to provide 2 dwellings and associated works, 13 Cricklade Street, Old Town, Swindon SN1 3EZ. (Ward: Eastcott) (HPRS&H)** (Pages 26 - 49)
8. **S/19/0946 - Change of use of Former Telephone Exchange (Sui Generis) to 7 Apartments (Class C3) and associated works, Former Telephone Exchange, Fire Fly Avenue, Swindon. (Ward: Mannington and Western) (HPRS&H)** (Pages 50 - 67)
9. **S/19/0742/SASM - Erection of 1no. dwelling and associated works, Land Adjoining, 22 Dunley Close, Swindon. (Ward: St. Andrews) (HPRS&H)** (Pages 68 - 78)

Date of Despatch: 05 November 2019

Public Question Time - Swindon Borough Council remains committed to increasing its accountability to the public and to promoting active citizenship. 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from the public about the work of the Committee (except for confidential matters, and matters relating to planning and licensing applications). We will give priority to those who submit questions in writing at least two days before the meeting. Questions must be relevant, clear, and concise. You may not use Public Question Time as an opportunity to make speeches or statements.

Questions in writing should be sent to the Committee Officer whose contact details appear on the agenda above or to the Chief Legal Officer, we will publish it, along with the answer, alongside the Minutes. The process associated with asking a public question is set out in the "Public Question Time at Council Meetings Protocol and Guidance" available on the Council's Website.

(<http://www5.swindon.gov.uk/moderngov/ecCatDisplay.aspx?sched=doc&cat=13338&path=0>) or from the Committee Officer named above.

PLANNING COMMITTEE

TUESDAY, 10 SEPTEMBER 2019

PRESENT: - Councillors Timothy Swinyard (Chair), John Ballman, Nick Burns-Howell, Malcolm Davies, Paul Dixon, Steph Exell, Robert Jandy, Jenny Jefferies, Nick Martin, Jane Milner-Barry, Stan Pajak, James Robbins and Peter Watts.

Apologies for absence were received from Councillors Alan Bishop and Vera Tomlinson.

37. Declarations of Interest

The Chair reminded Councillors to declare any known interests in any of the matters to be considered by the Committee. No such declarations were made.

38. Minutes

Resolved – That the minutes of the meeting held on 13th August 2019, be confirmed and signed.

39. Public Question Time

No public questions were received prior to or at the meeting.

40. S/17/1114/SASM - Demolition of buildings, and erection of 8no. dwellings and employment building (Use Class B1), conversion and alteration of stables and barn to employment (Use Class B1) including Access and Parking - Manor Farm, 47 Queens Road, Hannington, Swindon

In respect of application numbered S/17/1114/SASM (Demolition of buildings, and erection of 8no. dwellings and employment building (Use Class B1), conversion and alteration of stables and barn to employment (Use Class B1) including Access and Parking - Manor Farm, 47 Queens Road, Hannington, Swindon 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) An update “Documents which may be relied upon in the preparations of the applications report” sheet circulated at the meeting;
A letter received from Hannington Parish Council dated 4th September 2019;
- (e) Additional representations received and reported
- (f)
- (g) The comments at the meeting of the following interested persons:-

Name

Address/Organisation

Aaron Smith On behalf of the Applicant

Scott Talbert
Kelli Salone

Parish Council
Local Resident

The beginning of the Officer's presentation was repeated following the arrival of two Councillors after its commencement in order to allow all Councillors to be in possession of all information presented to the Committee prior to the discussion and determination of the application.

The Committee noted that a representation had been made from an individual claiming to challenge the legitimacy of the Committee's authority to make a decision in respect of this application however the Committee were advised they could determine the application before it.

Councillors Steph Exell, Tim Swinyard and Peter Watts spoke in respect of this application.

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

- The application was previously considered by the Committee in January 2018.
- Since its previous consideration the Revised National Planning Policy Framework ('revised NPPF') has been published (July 2018) and subsequently amended (February 2019) the effect of the policy framework on conservation matters remained the same.
- The Hannington Neighbourhood Plan was adopted in November 2018.
- Since its previous consideration by the Committee 6 letters of objection and also 3 letters of support for the proposal had been received from Hannington residents.
- A letter had also been received from the Parish Council acknowledging the mainly positive attitude within the community towards the application, but noting the Parish Council cannot support it since the development lay outside the current settlement boundary. It also requested that the settlement boundary be reviewed as a matter of urgency. This letter had been circulated to Members prior to the meeting.
- The proposal would see the demolition of number of buildings and the conversion of a building to B1(c) light industrial use.
- On the western part of the site 8 dwellings would be constructed. There would be a mix of dwelling sizes and 2 of the proposed dwellings would be Category 2 accessible and adaptable dwellings.
- The easternmost of the two courtyards would serve a new commercial building (comprising 5 separate units) and the converted building B increasing the commercial floor space on site from 550 square meters to 625 square meters.
- The proposed use of the industrial units was the proposed use of the commercial space is described as B1(c) light industrial.
- That the Local Plan, Neighbourhood Plan and Revised National Planning Policy Framework (NPPF) were relevant to the consideration of the application.
- That the Council could only demonstrate 2.7 years of housing land supply in accordance with Paragraph 73 of the NPPF and following the planning enquiry for Land at Cottage this was a relevant consideration.
- That there was not significant harm arising from the development of the site when considering Section 72 of Planning (Listed Building and Conservation Areas) Act 1990 and Paragraphs 192 and 193 of the revised NPPF.

- That the Council's Conservation Officer had no objections to the proposed demolition of the existing commercial buildings on the site.
- The main conservation concerns involved the loss of view arising from the development however, it was considered that the most important views of the hillside and pastoral setting were preserved. When considering Paragraph 194 of the NPPF the level of harm to the conservation area was deemed to be less than substantial and therefore Paragraph 196 of the revised NPPF should be considered in association with Paragraph 193 of the NPPF when determining the application.
- There were demonstrable public benefits arising from the application (set out in paragraph 44 of the report) and these were deemed to outweigh the less than substantial harm on the significance of the Conservation Area and heritage assets and should be considered in accordance with the tilted balance requirements of paragraph 11d of the revised NPPF.
- A conflict with Policy SD2 of the Local Plan was counterweighted by Policy EC4 of the Local Plan.
- Although the application was contrary to policies HPRD1 and HRD6 of the Hannington Neighbourhood Plan this needed to be considered in the light of the Council being unable demonstrate a 5 year supply of housing land in accordance with tilted balance considerations and Paragraph 14 of the revised NPPF.
- The design and materials to be used had been deemed acceptable once conditioned.
- Section 106 obligations had been agreed and signed in an agreement dated 3rd January 2019 and remained relevant and a material consideration and CIL considerations had been agreed.
- The level of parking provided in the application complied with the Council's Parking Standards and that other highway considerations could be dealt with through the imposition of conditions.
- The applicants were local people who had grown up on the farm and would remain part of the Hannington community.
- The site was redundant to modern farming meaning the requirement for diversification of the site.
- The current units were too small and not fit for purpose requiring new units for support small businesses.
- The applicants had met with the Parish Council and wider community and had reduced the scale of the application to reflect comments received reducing the number of residential units from ten to eight and increasing the number of 2 and 3 bedroom properties and homes for downsizers. The applicants would continue to engage the local community during development.
- Without development there was a risk that the site would further decay which would impact the conservation area.
- The proposal meant the Neighbourhood Plan's objective of proportional growth which had included the dwellings on this site.

Submissions opposing the application can be broadly summarised as:

- The application was contrary to Policy SD1 of the Local Plan in respect of the residential element of the application.

- The application was contrary to policies HPRD1 and HRD6 of the Hannington Neighbourhood Plan adopted in 2018 by virtue of the development being located outside of the settlement boundary.
- A number of objections had been received from the village community and the Parish Council and a precise of these comments, largely relating to Local Plan, Conservation issues and Highway matters had been reported at the meeting.
- A letter from the Parish Council was circulated at the meeting highlighting the concerns of local residents in relation to the size of the development in context to the village, the non-residential element of the application, the failure of the application to meet the requirements of the Hannington Neighbourhood Plan, and that the application fell outside of the Rural Settlement Boundary.
- The Committee were also appraised of earlier Parish Council representations and letters dated 8th August and 11th November 2017 forwarded to Borough Council Officers.
- The Parish Council's submission in their letter dated 4th September 2019, and reiterated by their representative at the meeting that any approval should be further conditioned by six conditions set out within the letter.
- The Parish Council had considered the application in the context of the Hannington Neighbourhood Plan and supporting documentation including a village referendum result, the Housing Conservation Area and Housing Management Plan 2009, the Swindon Borough Local Plan and outcome of a further public meeting on 30th August 2019.
- The development was not in keeping with one of the few rural villages remaining in the Borough.
- The Hannington Neighbourhood Plan had been established following a number of meetings and a lot of hard work by villagers and should be provided with the status it deserved.
- If the Neighbourhood Plan were ignored it would undermine the integrity of the Plan and its role in the planning process as well as potentially setting a precedent for future application as the Manor Farm application was received after the Approval of the Neighbourhood Plan.
- The development could have substantial and harmful effects as it was not within the settlement area and did not enhance the village and would adversely affect many aspects of the village not only due to the dwellings but also the industrial units and offices proposed.
- The development as proposed on the site was too much, too soon in a small village and could lead to an additional 65 cars a day accessing the village with the possibility of this increasing in the longer term.
- The village road was narrow with two cars struggling to pass each other in a number of places.
- There would inevitably be light pollution arising from the industrial units, including from security lighting and health and safety purposes.
- Any installation of yellow lines or street lighting would affect the nature of the village and residents feared the introduction of traffic calming measures.
- Land within the settlement area should be identified and developed prior to developing sites outside of the settlement boundary.
- Development on the site might lead to mud on narrow roads causing a potential hazard.

Resolved –That planning permission be granted in respect of application numbered S/17/1114/SASM subject to (a) the conditions set out in the report of the Head of Planning, Regulatory Services and Heritage, as amended below, and (b) to the

Section 106 agreement dated 3rd January 2019 containing planning obligations in respect of off-site open space contributions.

Amendments

1. That the words “and street lighting” be deleted from condition 11.

Reason

This condition is duplicated by Condition 32.

2. That when the developer applies to discharge condition 9, the Head of Planning Regulatory Services and Heritage be requested to circulate those details to the members of the Planning Committee.

Reason

To allow Members of the Planning Committee to consider and comment to the Head of Planning Regulatory Services and Heritage on the Construction Method Statement submitted by the developer.

(Councillor John Ballman made a personal and non-prejudicial declaration of interest in respect of this item as he knew the agent acting on behalf of the applicant. Councillor John Ballman left the room and took no part in the discussion or voting thereon.)

41. Consultation upon and Adoption of Tadpole Garden Village Custom Build Local Development Order

The Committee considered a report of the Head of Planning, Regulatory Services and Heritage seeking approval for introduction and adoption of a Local Development Order for 14 Custom Build units at Tadpole Garden Village.

Resolved – (1) That the Planning Committee authorises the Head of Planning, Regulatory Services and Heritage:

- (a) to consult on a Local development Order for the custom build parcel at Tadpole Garden Village as set out in the report; and
 - (b) to make minor drafting or typographical changes to the Order and any supporting documents arising from the consultation if required prior to publication.
- (2) That in the event that no significant objections are received or changes required as a result of the consultation, the Head of Planning, Regulatory Services and Heritage be authorised to adopt the Local development Order for the custom build parcel at Tadpole Garden Village after outline planning permission is granted.”

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Determination of Planning and related Applications

Planning Committee

Date: 12th November 2019

Author: Head of Planning, Regulatory Services and Heritage

Wards: All Wards

Parishes Affected: All Parish Area

1. Purpose and Reasons

- 1.1 To determine the planning and related applications in the Committee reports that follow this report in the Committee Agenda, as may be amended by an additional information sheet circulated before the meeting

2. Recommendations

The Committee is recommended to:

- 2.1.1 determine the applications set out in the Committee agenda in accordance with the recommendations set out in the reports, including, where relevant, the additional information.

3. Alternative Options

- 3.1 The Committee could choose not to determine the Planning applications

4. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 4.1 There would be financial implications if, following a refusal to grant planning permission or the grant of conditional permission, costs are awarded against the Council on appeal. However, this would only happen if the Council was adjudged to have acted unreasonably

Legal and Human Rights Implications

- 4.2 There are no staffing implications. No comments have been received from relevant trade unions, unless specified in the attached schedule.
- 4.3 Human Rights considerations have been taken into account in compiling the reports. It is considered that the recommendations of the reports are compatible with Convention rights and that in accordance with the principle of proportionality any interference with the Convention rights of individuals is justified by the overall benefit to the community.

5. Appendices

- 5.1 Appendix 1 - Documents which may be relied on in the preparation of the application reports

Further information on the subject of this report can be obtained from Shaun Banks (07980752047) or sbanks@swindon.gov.uk.

Determination of Planning and related Applications

Planning Committee

Date: 12th November 2019

5.2 Planning and related applications reported to this Committee for the first time.

APPENDIX 1

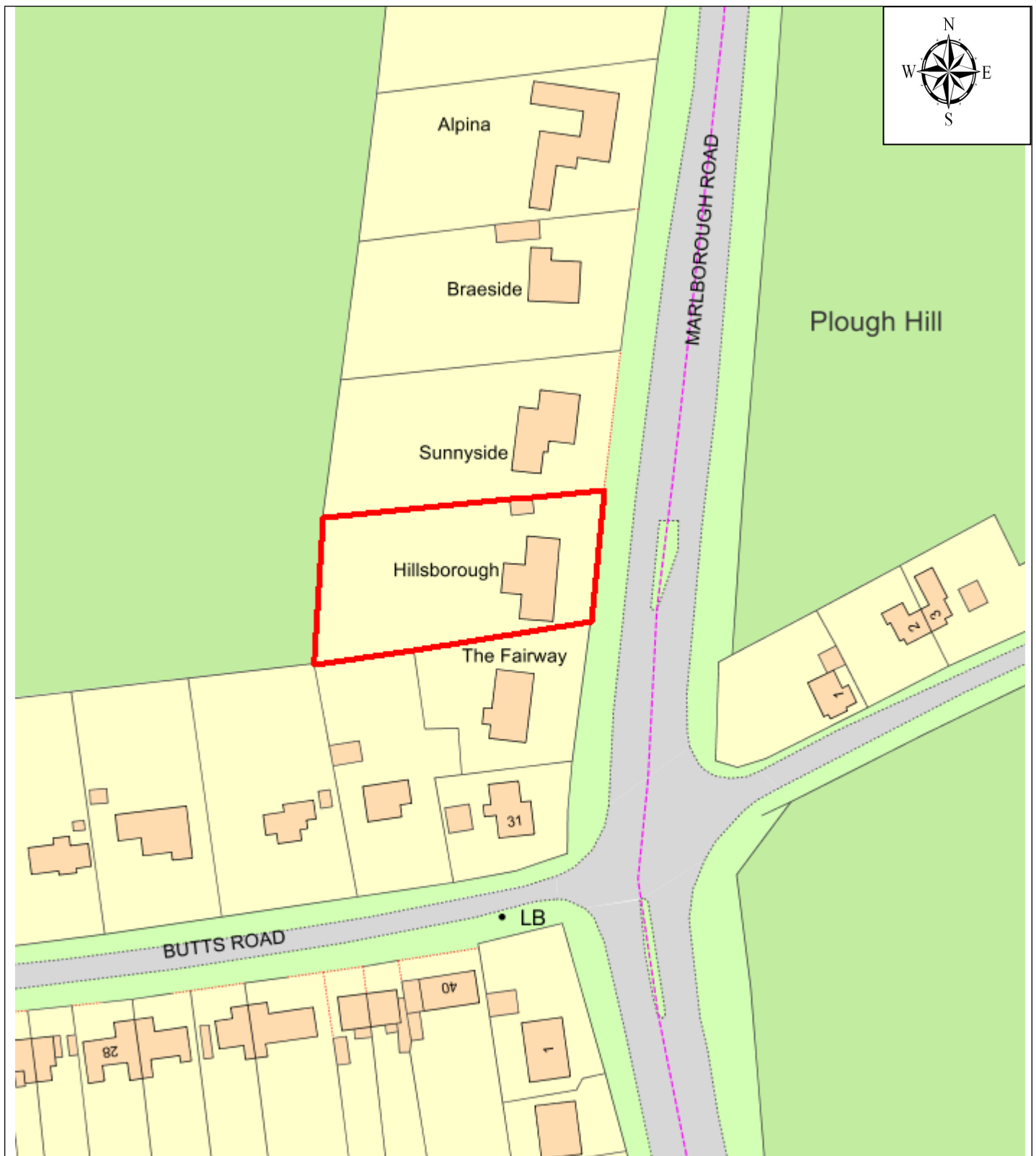
DOCUMENTS WHICH MAY BE RELIED ON IN THE PREPARATION OF THE APPLICATION REPORTS

1. The approved Development Plan, consisting of
 - Swindon Borough Local Plan 2026, (2015), and the Swindon Borough Local Plan 2026 Policies Map (2015)
 - Wiltshire and Swindon Minerals Core Strategy, (2009)
 - Wiltshire and Swindon Minerals Development Control Policies DPD (2009)
 - Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan, (2013)
 - Wiltshire and Swindon Waste Core Strategy, (2009)
 - Wiltshire and Swindon Waste Development Control Policies DPD, (2009)
 - Wiltshire and Swindon Waste Site Allocations Local Plan, (2013)
 - Swindon Central Area Action Plan, (2009)
 - Wroughton Neighbourhood Plan (2016): for applications in Wroughton Parish
 - Highworth Neighbourhood Plan (2017): for applications in Highworth Parish
 - South Marston Neighbourhood Plan (2017) for applications in South Marston Parish
 - Hannington Neighbourhood Plan (2018) for applications in Hannington
2. Adopted Supplementary Planning Guidance Notes, Supplementary Planning Documents and Development Control Guidance Notes
3. The National Planning Policy Framework, (2018); and policy statements, guidance and DCLG circulars that support the National Planning Policy Framework
4. Ministerial Statements and other guidance material to the consideration of applications
5. Relevant appeal decisions and case law
6. Relevant planning history, case files and related correspondence including the views of statutory consultees
7. Any emerging relevant Development Plan Documents

Application Number S/19/1186

Proposal Erection of 2no. dwellings with vehicle parking and associated works.

Location: Hillsborough Marlborough Road Chiseldon Swindon SN4 0EP



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.

In all cases reference should be made to the submitted plans.

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Application Number S/19/1186

Proposal Erection of 2no. dwellings with vehicle parking and associated works.

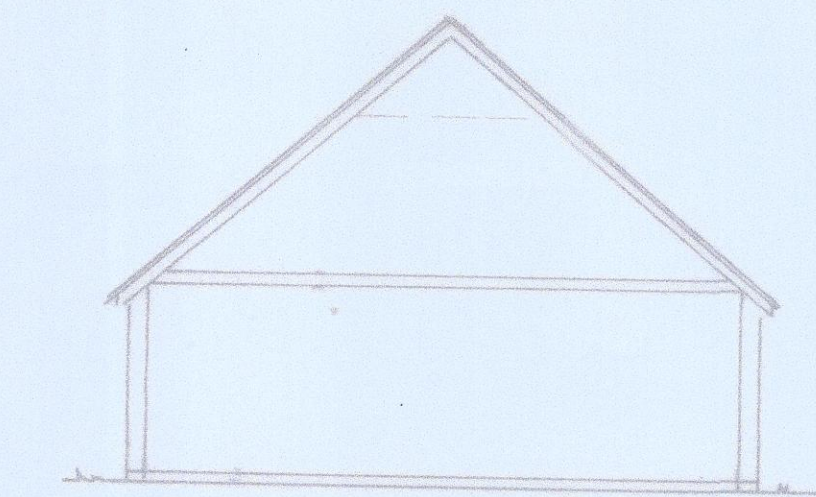
Location: Hillsborough Marlborough Road Chiseldon Swindon SN4 0EP



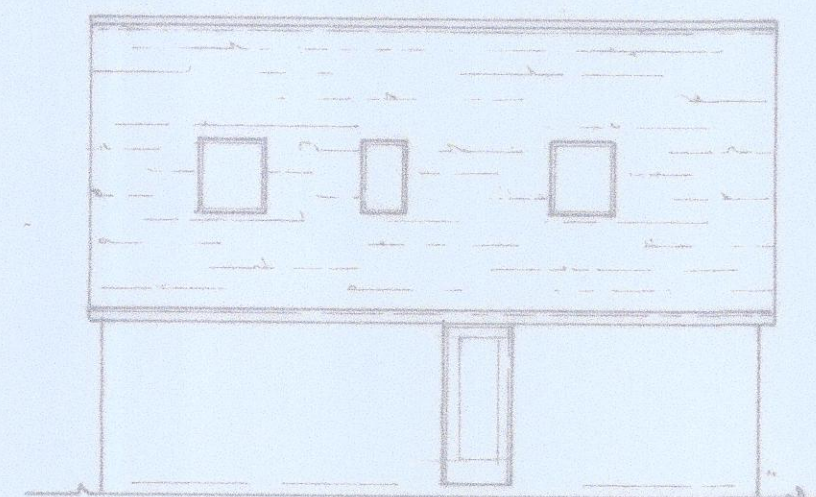
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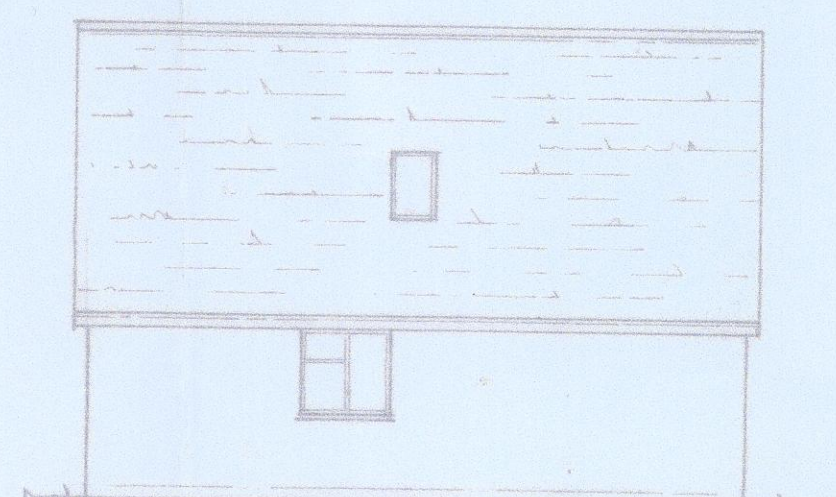
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SECTION A-A



SIDE ELEVATION



SIDE ELEVATION

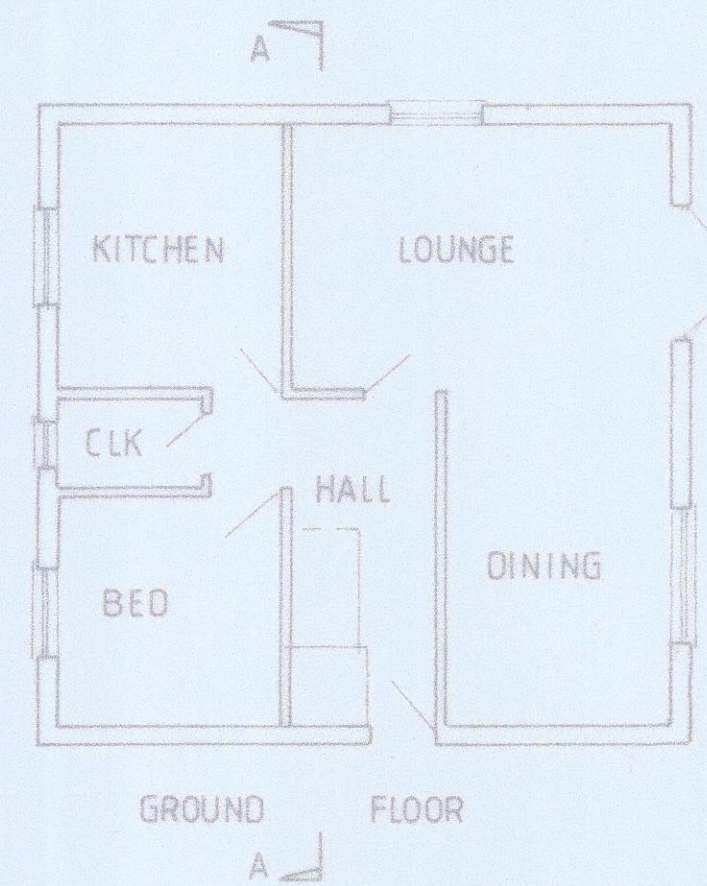


REAR ELEVATION

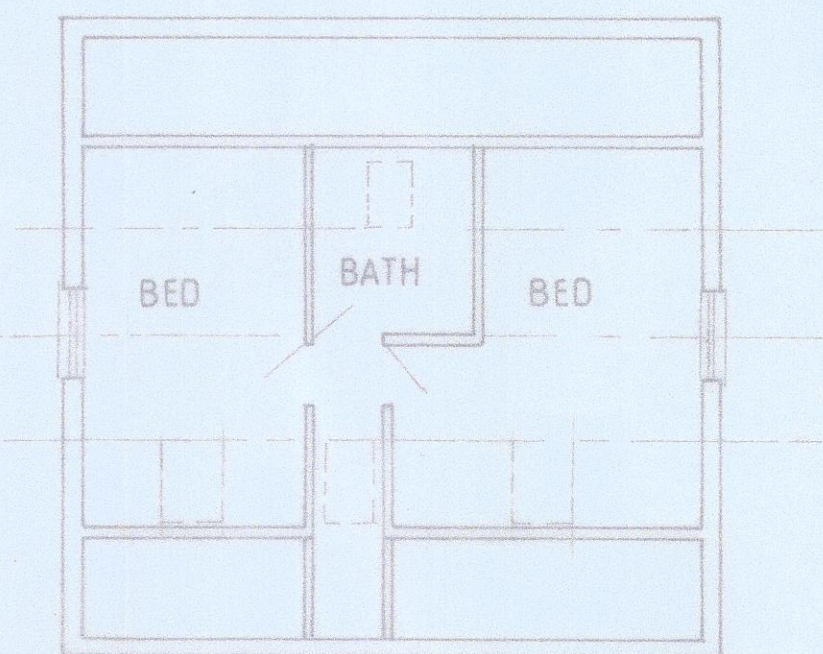


FRONT ELEVATION

Scale 1:100



GROUND FLOOR



FIRST FLOOR

Specifications.

Boundary Hedge Planting Between Plots 1 and 2.

Hawthorn-Quickthorn. Crataegus Monogyna.

Hazel. Corylus Avellana.

Hornbeam. Carpinus Betulus.

900mm high whips to be planted in two staggered rows with 300mm between and 400mm between plants. To give 5No. per linear metre over 22metre length.

Tree Protection Fencing.

To be 2m high Harras fencing to BS. 5837 to existing boundary trees.

Boundary Wall.

To be 2metre high concrete block rendered wall with brick coping.

Driveway.

To be grey block paviors on 50mm sand on min. 250mm type 1 stone.

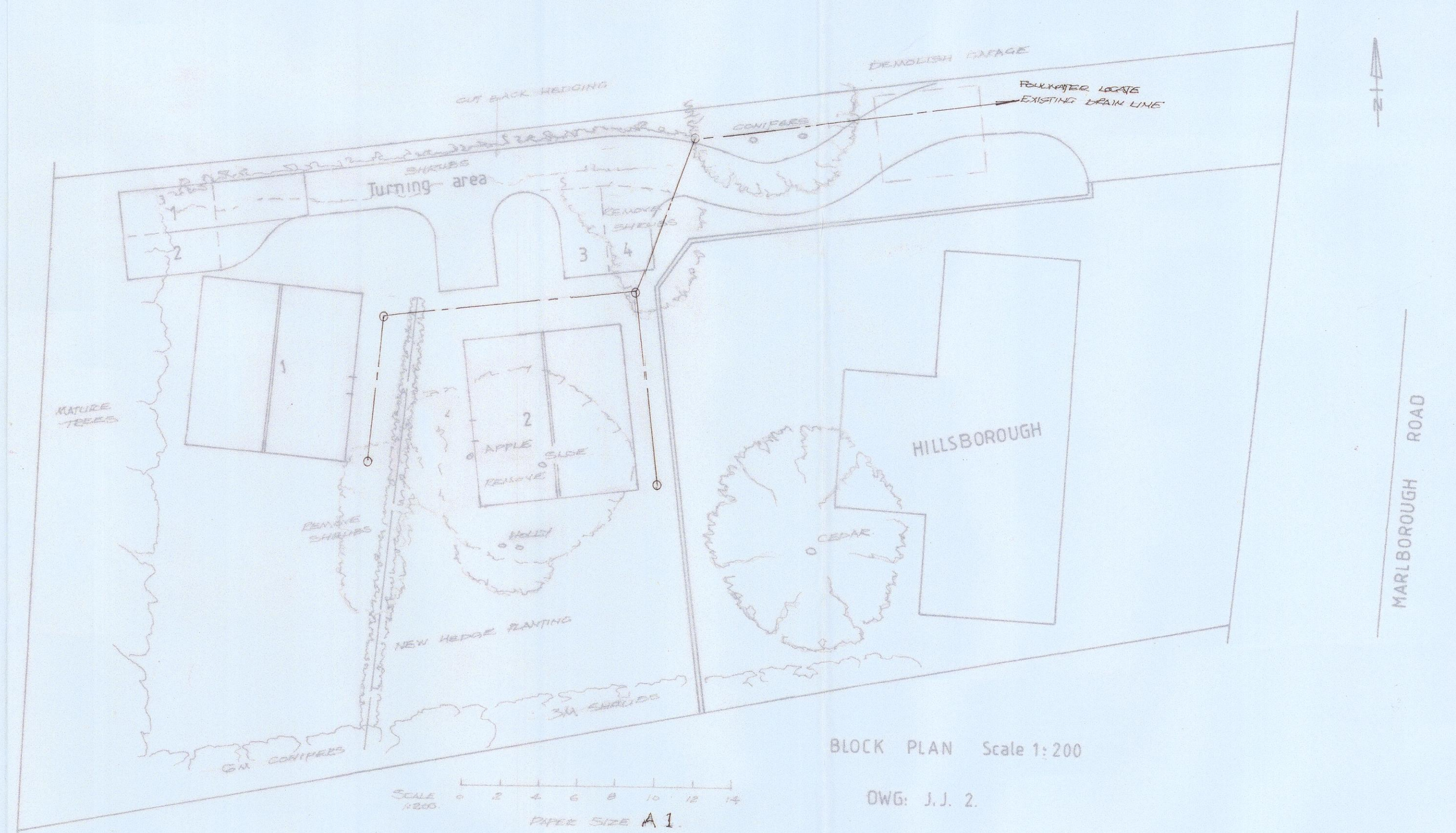


LOCATION PLAN

Scale 1:1250.

0 10 20 30 40 50m

PROPOSAL FOR TWO DETACHED CHALET BUNGALOWS
ON LAND TO THE REAR OF HILLSBOROUGH MARLBOROUGH
ROAD CHISELDON FOR MR. MRS. JEFFERIES.



BLOCK PLAN Scale 1:200

DWG: J.J. 2.

SCALE 1:200
0 1 2 3 4 5 6 7 8 9 10 11 12 13 14
PAPER SIZE A1

Submitted to Planning Department
Date: 9 AUG 2009
Shahid

Item Number: **Ward:** Chiseldon And Lawn
Application Number: S/19/1186/CHHO **Parish:** Chiseldon

Case Officer: Charlotte Hopkins (chopkins@swindon.gov.uk)

Mrs Jenny Jefferies
Hillsborough
Marlborough Road
Chiseldon
Swindon
SN4 0EP

scheme (S/19/0095), although the dormer windows have been removed and the dwellings have been rotated by 90 degrees from an east-west axis to a north to south-axis with the gable ends now facing north and south. The internal layout has been amended and the integral garage removed.

The Site and Surroundings:

4. The application site forms the garden curtilage of the host dwelling at Hillsborough which is a bungalow. The site is adjacent to residential dwellings to the south and north, on a row of ribbon development along Marlborough Road. To the west of the site is open countryside. To the east of the site is Marlborough Road (A346). The site is located outside but adjacent to the defined Chiseldon settlement boundary, as shown on the Swindon Borough Local Plan 2026 Policies Map. The site is also located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and the Down Plain Landscape Character Area.

Representations:

5. Neighbours: 4 no. letters of objection received from: Sunnyside, 31 Butts Road, Hilldrop 29 Butts Road, The Fairway. Objections raise one or more of the following points:

- Significant harm to the AONB by allowing additional buildings in rear garden
- Over development, not in keeping with the area and ribbon development along Marlborough Road and Butts Road
- The proposed development would appear to be a blatant example of "garden grabbing" serving no beneficial purpose to the village
- Not a brownfield site but a residential garden which contains numerous trees and shrubs providing a habitat for wildlife in an area of outstanding natural beauty.
- Restrictive covenant on the land preventing the construction of more than one dwelling and associated outbuildings
- Loss of privacy due to removal of trees and overlooking to neighbouring gardens
- The orientation of the bungalows has changed. The dormer windows have been replaced by Velux windows now facing east and west. The velux windows do not overlook Sunnyside but the 4no. front windows of each property overlook the garden of Sunnyside
- Concern raised that the Applicant and Agent are members of Chiseldon Parish Council, with the applicant also a member of Planning Committee
- Concern over access and road safety - increased vehicle movements on a busy road.
- Issues with access for construction vehicles - significant number of trees will need to be removed in order to allow for contractors access, this will impact upon the environment, the area and ground in which the land will be developed. The impact of the removal of these trees has not been addressed in the application.
- Proposed houses would exceed height of existing property (single storey)
- New properties would bring additional noise, potential disturbance and pollution from vehicle exhausts.
- 4no. vehicles would be parked adjacent to the boundary with Sunnyside
- The plans show the new proposed main drainage close to the roots of two 60 ft conifer trees. Is this correct?
- Flood risk of the area. The proposed bungalows plus driveway will exacerbate the risk by increasing the permeable area.
- The Blue Atlas cedar trees now have a tree preservation order on them and the plasticity index of 10-20% is quoted. This is relatively high (PI>17% is defined as high). This means the soil is not very permeable and reinforces argument about the flooding.

6. Chiseldon Parish Council: Objection. The housing density within the plot of land is not in keeping with an area inside the North Wessex Downs AONB. It could set a precedent for all properties along this road. There are concerns over privacy issues with neighbouring properties due to the current design plans of the new dwellings. There is a possible flood risk on the property that the Parish Council would like considered. Concern over the removal of trees within the property.

7. Highways: No Highway objection raised subject to conditions.

8. Landscape: Objection in principle. Harm to a number of fine and important trees within the rear garden, specifically the Cedar Tree (which is now subject to a Tree Preservation Order (TPO)). A Tree Protection Order was placed on this tree as it is under threat from development could cause harm to it or its setting. The revised application continues to include a layout that is harmful for this protected tree and its setting. The statement in the submitted Design and Access Statement (DA) regarding the 'tree root zone' and 'setting' appears to confuse the two things. A RPZ is a dimension that can be calculated (based on the girth of the tree etc). 'Setting' is a wholly different concept and is not based on any calculation per se, but would be widely defined as 'the area within which the tree can be appreciated'. It is primarily the latter that will be harmed by this application. Further detail in the DAS regarding roots and soil type do not change the harmful effect on setting. Additionally, revised drawing JJ2 also shows a new drainage pipe being cut through the roots of the boundary vegetation. This is also unacceptable.

9. Tree Officer: The current proposals have not been supported by the submission of any site specific arboricultural information or arboricultural impact assessment. In addressing the request for specific arboricultural information in respect of the Cedar Tree which is the subject of a TPO, the applicant has sought to demonstrate throughout the Design and Access Statement that the proximity of the development is acceptable, without actually presenting any data. The guidance quoted by the applicant in this regard is irrelevant. The use of the NHBC tables relates to foundation depth needed to avoid future damage from the tree; it has nothing to do with the assessment of damage that construction might cause the tree. Assessment will need to be undertaken based on the guidance set out within BS5837:2012. Plot 1 is located within close proximity to the group of trees that form the western boundary. Further arboricultural information is needed to demonstrate that construction can be achieved as proposed without detriment to the long term health of the trees. Irrespective of the direct impact, concern also raised that the retention of these trees will cause a significant conflict with the future occupiers' enjoyment of their garden. The canopy overhang and the shading will limit the usable garden space to such an extent that pruning will be inevitable. Pruning to enhance the usable garden space of Plot 1 will significantly diminish the screening function of the very boundary vegetation that the applicant is relying on to overcome intrusion within the AONB. Providing the future occupants with sufficient usable garden space within the proposed layout is not compatible with retaining the tree screen.

10. Drainage: No detailed formal comments to make on this application, but provide informative comments/advice.

Relevant Policy:

11. Adopted Swindon Borough Local Plan 2026

- Policy SD1 - Sustainable Development Principles
- Policy SD2 - Sustainable Development Strategy
- Policy DE1 - High Quality Design
- Policy HA1 - Mix, Types and Density
- Policy EN1 - Green Infrastructure Network
- Policy EN5 - Landscape Character and Historic Landscape
- Policy TR2 - Transport and Development

Supplementary Planning Documents

- Adopted Swindon Residential Design Guide (2016)
- Adopted DCGN Technical Guidance on Parking Standards (2007)

Other Material Considerations

- The North Wessex Downs Area of Outstanding Natural Beauty Management Plan

2014-2019

- Landscape Character Areas Supplementary Planning Guidance (2004)

National Planning Policy Framework (NPPF)

Planning Considerations:

Key Considerations:

12. The main issues to be considered are the principle of the development, whether the proposal has provided a high standard of design, the impact on the character and appearance of the area including the AONB and the preservation and setting of important trees, the impact on the amenity of neighbouring properties, the impact on the living conditions of the future occupiers and whether the proposal site provides safe access and adequate parking.

Principle:

13. Policy SD1 'Sustainable Development Principles' of the Swindon Borough Local Plan states to enable the delivery of sustainable development and support sustainable communities in the Borough all development proposals will: be of high quality design; promote healthy, safe and inclusive communities; respect and conserve, and/or enhance the natural built and historic environments; be accessible by walking, cycling and/or public transport.

14. Policy SD2 'The Sustainable Development Strategy' of the Swindon Borough Local Plan delineates between parts of the Borough in which the principle of development would be generally acceptable (within settlements) and those where it would not (in the countryside). The proposed application is located outside the Chiseldon (rural) settlement boundary as shown within the Local Plan policies map. The policy states that development proposals in rural and countryside locations outside the rural settlement boundaries will be permitted where:

- local needs have been identified and allocated through a Neighbourhood Plan or Neighbourhood Development Order; and/or
- it supports the expansion of tourist and visitor facilities in appropriate locations where identified needs are met by existing facilities in a rural service centre; or
- It is in accordance with other policies in this Plan permitting specific development in the countryside.

15. In this respect, as the proposal does not meet any of the above criteria, it is not in accordance with Policy SD2.

16. The starting point for determining planning applications is the development plan. As is set out above, the application is in conflict with Local Plan Policy SD2. As a conflict with development plan policy is identified, it is then necessary to look at other material considerations which indicate that planning permission should be granted notwithstanding that conflict.

17. The NPPF at Paragraph 73 requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. At the planning inquiry for Land at Hill Cottage Blunsdon (Planning Inspectorate reference: APP/U3935/W/17/3192234, SBC reference: S/OUT/17/1032) the Council's position was that it is able to demonstrate 2.7 years' supply of housing land in the Borough. It is acknowledged that at present, Swindon Borough Council cannot demonstrate a five year housing land supply.

18. In this instance the provisions of paragraph 11 of the NPPF is invoked. That is where there are no relevant development plan policies, or the policies which are most important for determining the

application are out-of-date⁷, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

19. Footnote 7 confirms this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

20. The lack of a demonstrable 5-year housing supply is not in itself a reason for approval, rather, those local policies which concern the supply of housing cannot alone be the basis of a refusal. The proposal therefore has to be assessed against the policies within the NPPF taken as a whole and other Policies in the Local Plan which are not considered relevant to the supply of housing. In this instance the element of Policy SD2 referring to settlement boundaries cannot be considered as a reason for refusal alone.

21. In the case of the current application, section i. as detailed above explains development should be restricted if the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. This includes Areas of Outstanding Natural Beauty (AONBs) as confirmed in footnote 6 of the NPPF.

22. The 'specific policies' are those in paragraphs 172 (AONB) of the NPPF. Those policy tests are considered in turn below. If the specific NPPF policy tests applicable to AONBs are judged to be passed, the proposal would then be considered against the second bullet point of paragraph 11. Paragraph 11 does not displace or abrogate the statutory presumption in favour of determining planning applications in accordance with the development plan unless material considerations indicate otherwise. Instead, it is an 'other material consideration' which may indicate that an application should be determined otherwise than in accordance with the development plan.

23. Paragraph 11 of the NPPF states that the decision maker should assess whether the adverse impacts of permitting the scheme, would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

24. It should be noted that two dwellings would make a minor contribution to the Borough's 5 year housing land supply. The availability of supporting services within Chiseldon including a primary school, 2 doctors' surgeries, a parish church, pubs and hotels, a Farm Shop, a Spar and a garage, also make this a relatively sustainable location. Nevertheless, there are other factors to be considered

Landscape

25. The site is located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and the Down Plains Landscape Character Area. Policy EN5 (Landscape Character and Historic Landscape) of the Swindon Borough Local Plan, states proposals for development will only be permitted when; the intrinsic character, diversity and local distinctiveness of the landscape within Swindon Borough are protected conserved and enhanced; the design of the development and materials used are sympathetic to surrounding landscape; unacceptable impacts on the landscape are avoided; where other negative impacts are considered unavoidable, they are satisfactorily mitigated. The policy states: 'The North Wessex Downs Area of Outstanding Natural Beauty (AONB) is a nationally recognised area of landscape protection. Proposals within the Borough which are within and/ or abuts the North Wessex Downs AONB must accord with relevant criteria in the AONB Management Plan and paragraph 115 and 116 of the NPPF'. *These paragraphs of the NPPF have

now been superseded by Paragraph 172 of the NPPF (2019)*

26. The North Wessex Downs AONB Management Plan states "the appropriate and sympathetic design and siting of all new developments, reflecting local landscape character, architecture and the use of local materials, is vital to ensuring that development maintains the essential character of the AONB and the settlements within it". Further the "unsympathetic incremental expansion of the settlements of and adjacent to the AONB, detracting from the surrounding countryside" is noted as a key issue.

27. As detailed previously, where a Local Plan's relevant policies on housing are considered out of date due to the absence of a 5-year housing supply, the NPPF's presumption in favour of sustainable development applies in most areas - meaning that the proposal should normally be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the NPPF taken as a whole; or specific policies in the Framework indicate development should be restricted. In AONBs the specific policies - those in paragraph 172- apply instead of the presumption in favour of granting permission.

28. Paragraph 172 of the NPPF requires decision-makers to attribute 'great weight' to conserving and enhancing landscape and scenic beauty in AONBs, which have the 'highest status of protection in relation to landscape and scenic beauty'. Policy EN5 of the Swindon Borough Local Plan seeks to protect and enhance the character and quality of the environment and development will only be permitted where it takes account of this.

29. Landscape Officers raise concern that the loss of trees/vegetation to accommodate the development would have a harmful effect on the landscape character, contrary to Policy EN5 of the Swindon Borough Local Plan.

30. There are a number of existing trees on the site, including a mature Atlantic Cedar to the southwest of the existing dwelling within the rear garden, which is one of a pair in the immediate area and is visible from Marlborough Road. This tree is now the subject of a Tree Preservation Order (TPO). There are a number of other trees and shrubs within the rear garden, which is bounded along the west by a maturing group of mixed tree species, and a hedge and two conifers along the northern boundary. Plot 2 will result in the direct loss of several trees (including Apple, Holly and Blackthorn), however the Tree Office acknowledges that these are an internal feature and, were space available, their loss could readily be mitigated within new landscaping.

31. Policy EN1 'Green Infrastructure Network' of the Swindon Borough Local Plan states that development must provide for the protection and integration of visually and ecologically important trees, hedges and woodland. At section 4.326, the Local Plan notes: Where trees, hedges or woodlands are present on or adjacent to a development site, a full report to BS5837:2012 'Trees in relation to design, demolition and construction - recommendations' will be required when considering the proposal. This will define the minimum distance between construction and retained trees and hedges which the Borough Council may increase where appropriate to account for site specific circumstances and to eliminate post development pressure on trees, hedges and woodlands.

32. The protected Cedar Tree is an important part of the wider character of the landscape, in this case, an Area of Outstanding Natural Beauty' (AONB). Refusal reason 1 of previous permission S/19/0095 stated that the proposal failed to demonstrate that this important and protected tree on the site, and its setting, would be preserved. The current proposal has not been supported by an Arboriculture Impact Assessment based on the guidance set out within BS5837:2012 and as required under Policy EN1. Both the pre-application advice and previous comments from the Landscape Officer have clearly stated this requirement. In addressing the request for specific arboricultural information, the applicant has sought to demonstrate that the proximity between the root protection zone (RPZ) of the TPO Cedar Tree and construction area is acceptable, through

presenting the NHBC national data table. However, the Tree Officer advises that the guidance quoted by the applicant in this regard is irrelevant. The use of the NHBC tables relates to foundation depth needed to avoid future damage from the tree; it has nothing to do with the assessment of damage that construction might cause the tree. The revised proposal has therefore failed to address refusal reason 1 of the previous permission.

33. A further consideration in respect of the TPO tree is that it needs to have an appropriate amount of space as its 'setting', meaning that even if it were physically possible to fit the development outside the RPZ, the harm to the setting would be grounds for objection from a landscape stance. The statement in the DAS regarding the 'tree root zone' and 'setting' appears to confuse the two things. A RPZ is a dimension that can be calculated (based on the girth of the tree etc). 'Setting' is a wholly different concept and is not based on any calculation per se, but requires ample open space around the tree and would be widely defined as 'the area within which the tree can be appreciated'. This is irrespective of where the tree is located i.e. within a private garden or in a public park. The proposal for 2no. dwellings within the rear garden would destroy that setting, resulting in a cramped and discordant layout of development in relation to the surroundings, which would be visible from glimpsed views along the street and from the adjacent properties. The proposal represents an overdevelopment of the site which is not in keeping with the general character of the area, contrary to Policy EN5 which requires the intrinsic character is enhanced and unacceptable impacts on the landscape are avoided.

34. Plot 1 is located within close proximity to the group of trees that form the western boundary. The allocated parking for the dwelling is also sited within the canopy spread of the trees. The Tree Officer advises that as there is no specific tree related data, it is not possible to accurately assess the impact that construction of the dwelling will cause to the trees. A cursory inspection, however, is sufficient to determine there is a likelihood that the footprint is within the root protection area (RPA) and that a design foundation will be needed to avoid the severance of roots. Further arboricultural information is needed to demonstrate that construction can be achieved as proposed without detriment to the long term health of the trees. At present, it has not been demonstrated that the boundary trees and vegetation which contribute positively to the character and appearance of the area will be protected, contrary to Policy EN1 and EN5 of the Local Plan. Further, the Tree Officer is of the view that providing the future occupants with sufficient useable garden space within the proposed layout is not compatible with retaining the tree screen. The canopy overhang and the shading will limit the usable garden space to such an extent that pruning will be inevitable. Pruning to enhance the usable garden space of Plot 1 will significantly diminish the screening function of the very boundary vegetation that the applicant is relying on to overcome intrusion within the AONB.

35. The access drive is located adjacent to the northern boundary and is plotted to manoeuvre around the two Conifers, whilst there is a notation on the plan that the vegetation forming the hedge will be cut back. There is a foul water sewer, shown to the north of the Conifers, which is to connect into the existing drain. It is not clear if the existing drain run extends as far back as the Conifers but, if the section adjacent to the trees needs to be constructed, both the trees will be lost.

36. It is accepted that views of the development will be generally limited to short distance due to mature trees and hedges at the boundaries of the site, however this does not make the development acceptable and the reasoning given above is still justified. Moreover, that a development would be screened is not a reason to allow development which is inherently unacceptable. In addition, it has not been demonstrated the Cedar tree subject to the TPO would be protected and therefore there is the risk that this tree along with other boundary vegetation would be lost or physical harmed/weakened by the proposed development, opening up more extensive views into the site.

37. The proposal has failed to demonstrate that the intrinsic character, diversity and local distinctness of the landscape will be protected, conserved and enhanced or that unacceptable impacts on the landscape will be avoided, with the proposal representing an over development of the site which is not in keeping with the character of the surrounding area and failing to submit

satisfactorily detail to confirm that the Cedar tree and other important trees would be protected, contrary to Policy EN5 and Policy EN1 of the Swindon Borough Local Plan. The scheme is also contrary to paragraph 172 of the NPPF and neither conserves or enhances the character and appearance of the AONB.

Layout, Design and Amenity

38. The proposed dwellings represent development in the rear garden of the application site. The NPPF states that development should be sympathetic to local character (paragraph 127) and states that local policies should look to resist inappropriate development of residential gardens, for example where development would cause harm to the local area (paragraph 70).

39. Policy DE1 'High Quality Design' of the Swindon Borough Local Plan requires high standards of design and amenity for all types of development and sets a number of principles in which development will be assessed against, these include: context and character, layout form and function, amenity, and public realm.

40. Local Plan Policy HA1 'Mix, Types and Density' states housing should be design-led and that densities, house types, and sizes should respect the character of the surrounding area and meet local needs. The proposal is for the erection of two detached 1.5 storey dwellings, which in general is considered to reflect and contribute to the house types in the area.

41. The Swindon Residential Design Guide provides guidance on the types of backland (garden) development that is acceptable. Paragraph 2.32 refers to tandem development, whereby a new dwelling is placed immediately behind an existing dwelling and served by the same vehicular access, which the proposed development can therefore be considered as. Paragraph 2.32 goes on to state that such schemes often incur problems with overlooking, loss of amenity, overdevelopment, and impact adversely on the character of the area, and thus are often resisted.

42. The immediate area is characterised by a pattern of ribbon development along Marlborough Road, which also extends along Butts Road. Properties are typically characterised by large plot sizes with generous gardens to the rear. Although The Fairway and No.31 Butts Road to the south occupy smaller plots, they still retain highway frontage and relate to the ribbon pattern of development. The proposed 2no. dwellings within the rear garden of Hillsborough, would represent development at odds and out of character with the general linear pattern of highway fronting dwellings along Marlborough Road and Butts Road. The resulting garden spaces for the proposed new dwelling and host dwelling would be significantly smaller than the surrounding neighbours. The proposed scheme is overbearing on the immediate environment and will have a negative impact on the amenity of the existing property at Hillsborough, as well as other neighbouring properties. It cannot be argued that the proposed backland development would successfully harmonise with the prevailing development within the area in respect of the pattern of ribbon development with highway frontage and generous plot sizes, thus appearing out of context. As a result, the proposal would appear cramped and discordant and would erode the openness of the area and the feeling of space at this location which contributes positively to its character. As discussed above, the potential loss of trees/vegetation to accommodate the development or damage to trees during construction, would have an adverse impact on the character and visual amenities of the area. The proposal fails to accord with Policy DE1 and specific guidance contained within the Residential Design Guide which seek to prevent inappropriate backland development.

43. Policy DE1 also requires amenity is protected in respect of light, outlook, privacy, noise, disturbance and smell. Paragraph 127 f) of the NPPF requires a "high standard of amenity for existing and future users". The nature of the site, being located in a rural setting means more generous separation distances between neighbouring properties are not uncommon. It is acknowledged that the dormer windows as proposed in the initial scheme have been removed and the dwellings rotated by 90 degree with velux windows in the east and west roof slopes. However, an upper floor window serving a bedroom is proposed in both the north and south facing gable ends of

each property. There would be a separation distance of approximately 6.5 metres between the first floor habitable room window of Plot 1 and the garden of 'Sunnyside' to the north and a separation distance of approximately 12.5 metres between the first floor habitable room window of Plot 2 and the garden of 'The Fairway' to the south. Whilst the Residential Design Guide does not provide set separation distance between windows which would overlook neighbouring gardens, it is considered that the proposal would introduce a new element of overlooking towards private garden areas that does not reflect the existing pattern and layout of development, thus having a harmful impact upon existing levels of privacy enjoyed by neighbouring properties contrary to Policy DE1, the Residential Design Guide and the NPPF. Although existing mature vegetation has the potential to restrict some of this overlooking, particularly to Sunnyside to the north, the Swindon Residential Design Guide states a relaxation will not be made solely because of high vegetation or blocked view. It is also noted some of the existing vegetation is to be removed and limited detail has been provided on how the retained vegetation would be protected, therefore the scheme has the potential to open up views into neighbouring gardens. Further, there would be a separation distance of approximately 10-11 metres between the rear of the host dwelling and the side elevation of the dwelling at Plot 2. The Residential Design Guides sets a minimum distance of 12 metres to help relieve the impact of development on existing residents and to ensure good solar access to rooms and gardens all year round. As the siting of the dwelling at Plot 2 in relation to the host dwelling (Hillsborough) falls short of the standard and in considering the orientation, it is expected that the rear of the host dwelling and garden area will experience some loss of sunlight in the late afternoon and evening. For these reasons, the proposal fails to adequately safeguard existing levels of amenity for both neighbouring properties and the occupiers of the host dwelling, contrary to Policy DE1 and the Residential Design Guide, as well as the provisions of the NPPF.

44. The driveway for the existing dwelling is to be extended alongside the entire northern boundary and adjacent to the dwelling and garden area at Sunnyside. The proposal would result in an additional 4 no. parking spaces being provided. This would introduce additional vehicle movements along the access, which would be likely to cause disturbance to the occupiers of Sunnyside, particularly when they were using their rear garden, having a harmful effect on the living conditions of Sunnyside. The proposal would be contrary to Policy DE1 of the Local Plan and the provisions of the NPPF in this respect, which both seek to protect neighbouring amenity.

45. It is considered that the occupiers of the proposed new dwellings would have sufficient access to natural light and outlook and an adequate amount of external private amenity space, although as stated above, the external amenity space would not reflect the spatial qualities of the surrounding area. A reasonable standard of amenity would be provided for the future occupiers of the new dwellings in accordance with Policy DE1 and the Residential Design Guide.

Highways

46. The primary matter of interest to the Highway Authority is that the 2no. proposed dwellings have sufficient parking provided and that the site access is suitably safe for the increased use these dwellings shall introduce.

47. Policy TR2 'Transport and Development' of the Swindon Borough Local Plan states development shall be permitted where proposals provide access that is appropriate to the scale, type and location without detriment to highway safety and local amenity and where there is an existing safe and convenient pedestrian access or provision is made for such access. The site benefits from an existing vehicle access, in the form of a crossover from the A346. The crossover provides access to a narrow track, which serves car parking for the existing bungalow. The proposal involves the extension of this existing track to serve the new dwellings. The application site fronts the A346 Marlborough Road which is a primary route and subject to a 40mph speed limit at this point. A single carriageway, there is a ghost island at this location, providing protection for right turns to Butts Road and Medbourne Lane immediately to the south of the development site. Critically the ghost island includes within it a kerbed island immediately adjacent to the development site. Concerns were initially raised within the pre-application advice about the potential difficulties that may be

encountered by vehicles performing right turns into or from the site onto Marlborough Road [A346]. However, following an on-site meeting with the TDM Principal Transport Manager, it was confirmed that the Highway concerns raised in the original pre-app response have been resolved. It was confirmed in an email from the TDM Principal Transport manager dated 19/09/2018 that the proposed development would not be the subject of an objection by the Highway Authority on the grounds of visibility, provided that there are no material changes to current highway conditions. On the matter of turning movements to and from the property, the position and dimension of the kerbed island within the major road ghost island were noted and it was considered that the island does not obstruct the right turn out of the property and is wide enough to give protection to that movement, allowing the right turn out of the property to be made more safely, in two discreet movements. On the matter of the turns into the site, it was noted that the wide verge within the demise of the property offers a safe standing point in the rare event that arriving and departing vehicles meet at this point. The open views into and out of the property assist drivers leaving the major road.

48. In relation to the current proposal, Highways Officers advise that whilst the driveway is only wide enough for one vehicle, there is an area for vehicles to wait should vehicles meet coming in the opposite direction. Policy TR2 also requires parking provision, including secure cycle and motorcycle parking should be provided in accordance with the Council's adopted Parking Standards. This requires a single family dwelling with up to 4no. bedrooms provides 2no. parking spaces measuring 2.4 x 4.8 metres. The dwellings are proposed with 2 parking spaces each, which measures to SBC's Parking Standards. It is noted by Highways Officers that the parking space labelled as '4' protrudes into the driveway, however this can be covered by condition, in order to not compromise the driveway. There is a turning area available within the site that is sufficient to allow vehicles to turn and egress in a forward gear.

49. It is not considered that the increased use of the existing access from 1no. dwelling to 3no. dwellings, would detrimentally impact on safety at the access or within the highway network generally. On this basis, the proposed scheme is not considered to cause detrimental harm to highway safety in accordance with Policy TR2.

50. A condition requiring a construction management plan is to be submitted to the Local Planning Authority prior to commencement of works on site, could be added to any grant of planning permission to ensure the impact of the construction period is satisfactorily managed to mitigate and reduce highway safety issues.

Other Considerations:

51. In relation to points raised within the representations which have not already been addressed:

- A covenant is not a material planning consideration upon which the Local Planning Authority can refuse the development

CIL:

52. This development constitutes Community Infrastructure Levy (CIL) liable development. CIL is a mandatory financial charge on development.

Concluding Comments:

53. In summary, although the site is located outside the rural settlement boundary of Chiseldon and thus the proposal is contrary to Policy SD2 of the adopted Swindon Borough Local Plan, as the Council cannot demonstrate a 5 year housing land supply, paragraph 11 of the NPPF is engaged. The key considerations are whether the application of policies in this Framework that protect areas or assets of particular importance including AONB's, provides a clear reason for refusing the development proposed or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole

54. Following the application of policies in the framework (NPPF) that protect areas/assets of

particular importance it is deemed that section 15, paragraphs 170 and 172 of the NPPF provide a clear reason for refusing the application with regard to harm to the character and appearance of the AONB.

55. Whilst there is no need to apply both limbs of part d of paragraph 11 of the NPPF in this case (as a result of the proposal failing the first) it is deemed worthy to not only summarise the adverse impacts outlined above but also outline the benefits of the development. In this context, the adverse impacts of the development have been identified to be the conflict with Policy SD2 of the adopted Swindon Borough Local Plan (albeit that the housing provision part cannot currently be considered to be up-to-date), harm to the landscape and its status as part of an AONB by virtue of the development being out of character, whilst also failing to demonstrate a Cedar Tree to which a Tree Preservation Order is attached and other important trees will be protected, harm to residential amenity. The benefits of the development are identified to be the provision of housing (although only a small amount) and the short term economic benefits created during the construction phase. The resulting balancing exercise concludes that the adverse impacts identified would significantly and demonstrably outweigh the small scale benefits. The development should therefore be refused.

Recommendation:

56. That planning permission be REFUSED

Reasons

1. The proposed development would result in an inappropriate and uncharacteristic form of backland development outside the defined settlement boundary, and within the North Wessex Downs Area of Outstanding Natural Beauty (AONB), which would fail to reflect the prevailing ribbon style development of properties within the vicinity set within generous plot sizes. The proposal would thus appear out of context, eroding the open spacious character, resulting in harm to the character and appearance of the AONB. Further, the proposal has failed to demonstrate that an important (and protected) tree on site and its setting would be preserved, along with other important trees, which would result in harm to the character and appearance of the AONB. The proposals thus fails to accord with Policy SD2 of the Swindon Borough Local Plan 2026 (2015) in respect of being located outside the defined settlement boundary, whilst also failing to accord with policies EN5, EN1, and DE1 of the Swindon Borough Local Plan 2026 (2015) that (individually) seek to protect, conserve or enhance AONB's, valued trees and ensure development is respectful of context and character. For these same reasons, the proposal is also contrary to the Swindon Residential Design Guide (2016) and the provisions of the NPPF (2019).

2. The proposed development would cause unacceptable harm to existing levels of amenity enjoyed by neighbouring properties in respect of overlooking and loss of privacy to neighbouring gardens, disturbance as a result of the extension and intensification of use of the access driveway and loss of light to the rear of the host dwelling (Hillsborough) and garden area. The proposal is therefore contrary to Policy DE1 of the Swindon Borough Local Plan 2026 (2015), the Residential Design Guide (2016) and the NPPF (2019) in that it fails to safeguard residential amenity.

Informatives

1. This decision shall be in respect of dwg number JJ.2 and Design and Access Statement received by the Local Planning Authority on the 9th August 2019.

2. 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.

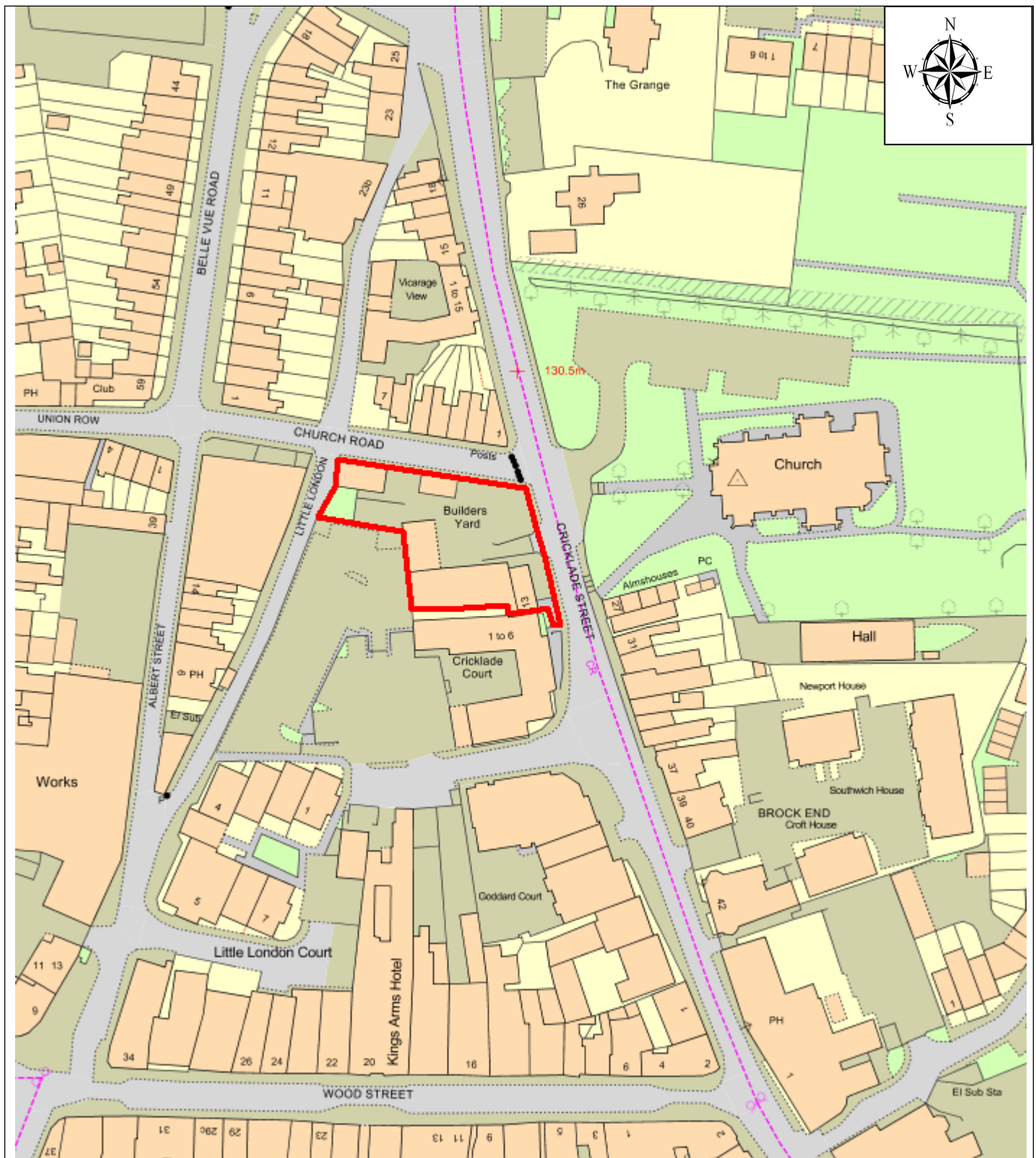
End of Report

Agenda Item 7

Application Number S/18/0447

Proposal Demolition of existing workshops and erection of 10no. dwellings, conversion of existing store to provide 2no. dwellings.

Location: 13 Cricklade Street Old Town Swindon SN1 3EZ



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.

In all cases reference should be made to the submitted plans.

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Application Number S/18/0447

Proposal Demolition of existing workshops and erection of 10no. dwellings, conversion of existing store to provide 2no. dwellings.

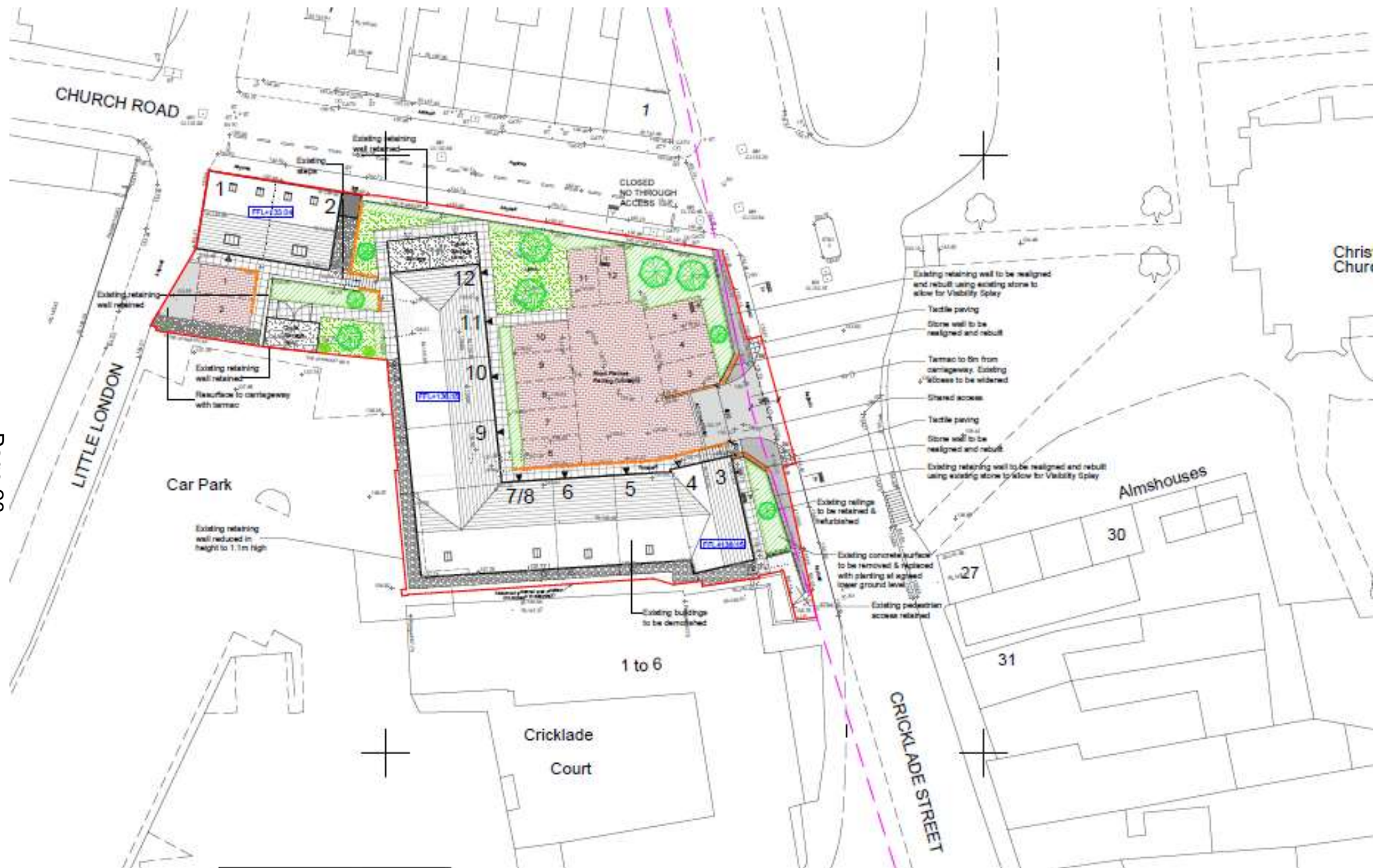
Location: 13 Cricklade Street Old Town Swindon SN1 3EZ

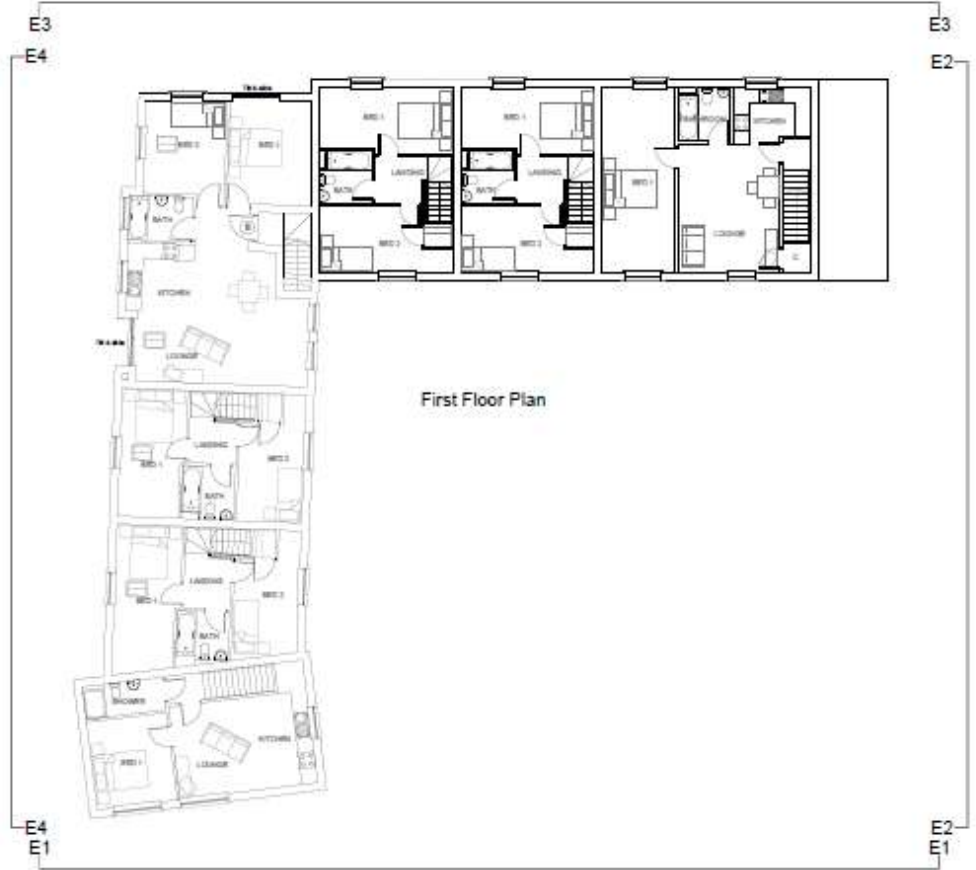
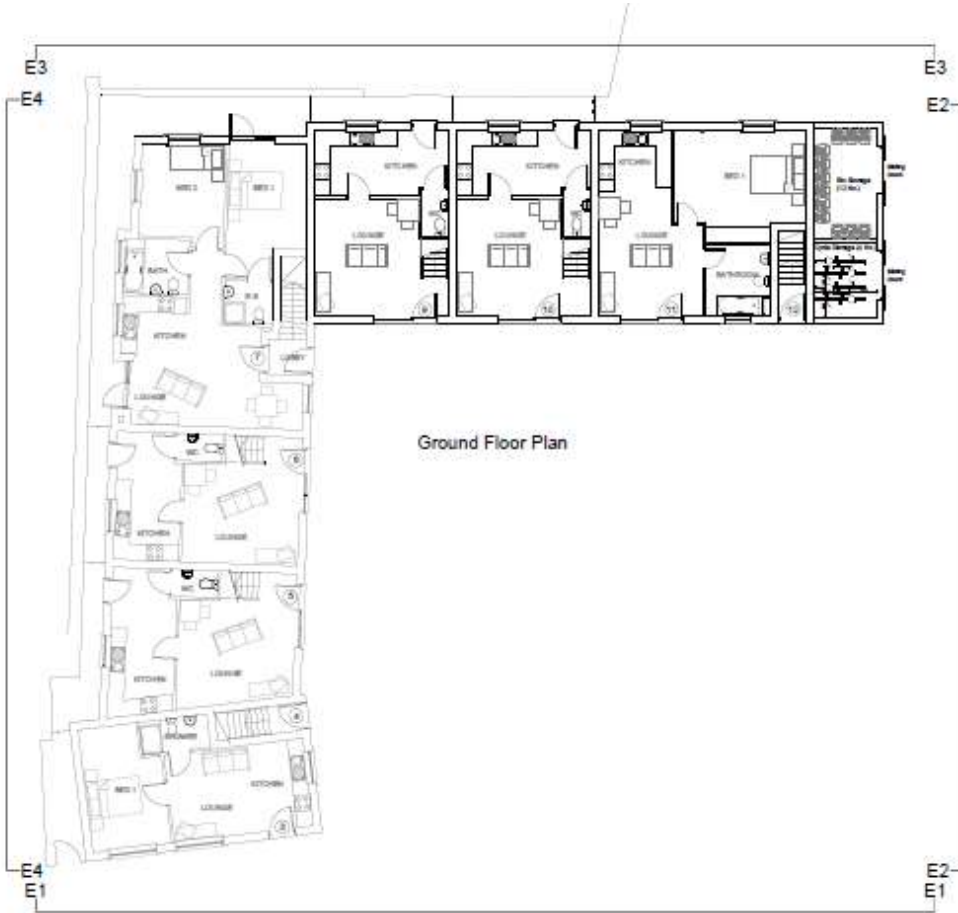


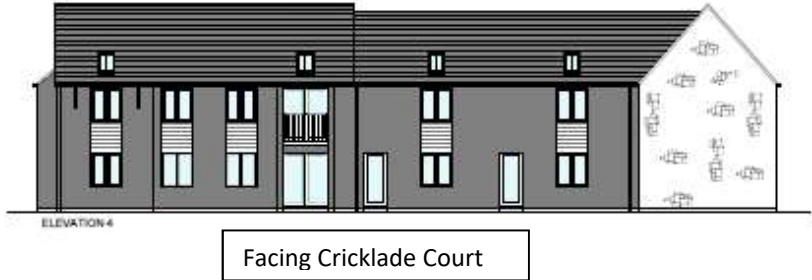
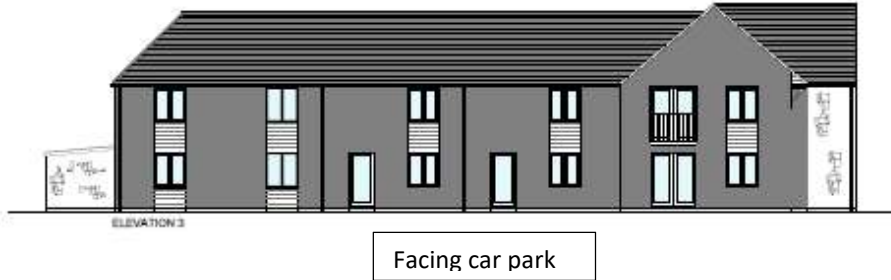
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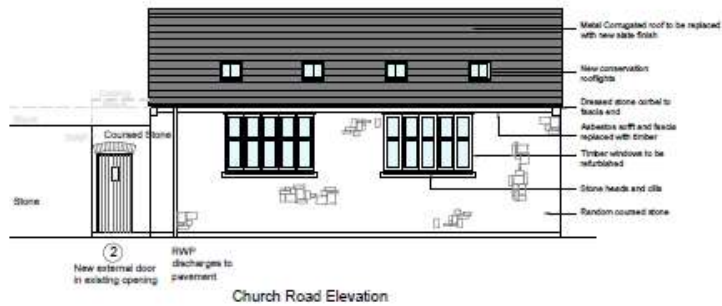




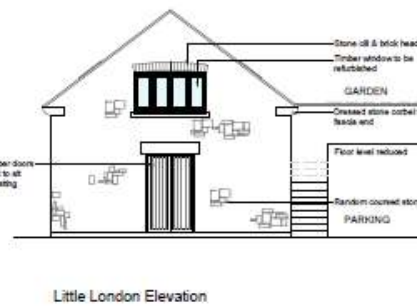
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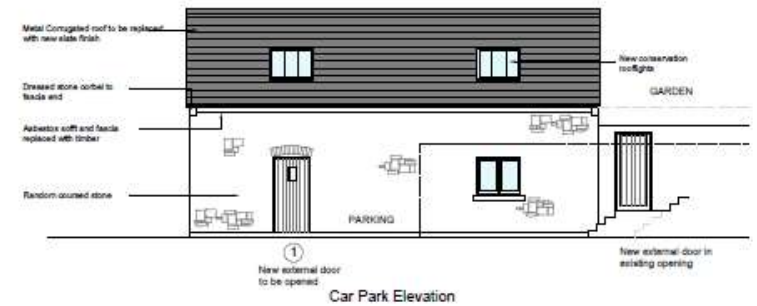
Ian Sullivan Architecture Ltd	
100 Victoria Road, Swindon, Wiltshire SN1 1JH	
01753 604444	
info@sullivanarch.co.uk	
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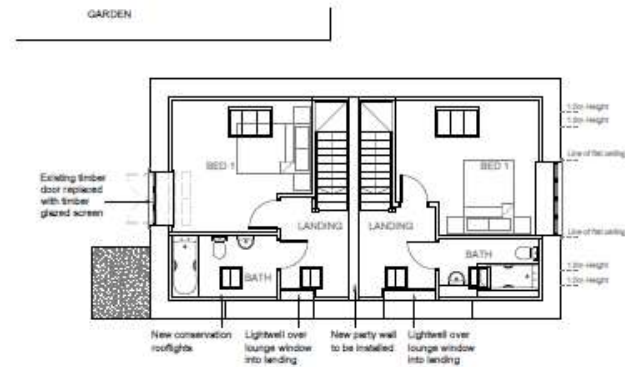
Church Road Elevation



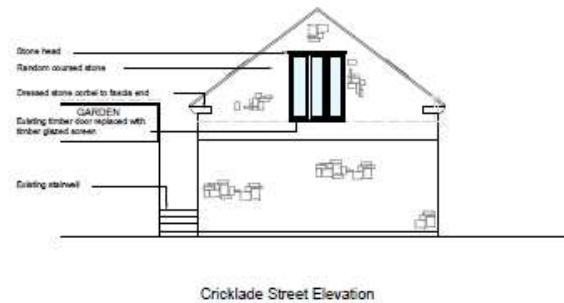
Little London Elevation



Car Park Elevation



Ground Floor Plan



Cricklade Street Elevation

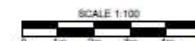


Section BB



Section AA

FLOOR AREA SCHEDULE		
Unit no.	Type	Gross Internal Floor Area (sqft)
1	1 bed (Open-plan)	54sqft
2	1 bed (Open-plan)	56sqft
3	1 bed (Open-plan)	55sqft
4	1 bed (Open-plan)	45sqft
5	2 bed (Open-plan)	72sqft
6	2 bed (Open-plan)	68sqft
7	2 bed (Open-plan)	62sqft
8	2 bed (Open-plan)	77sqft
9	2 bed (Open-plan)	70sqft
10	2 bed (Open-plan)	70sqft
11	1 bed (Open-plan)	56sqft
12	1 bed (Open-plan)	55sqft



1. Do not make drawing for construction purposes
2. All dimensions are in millimetres unless otherwise stated
3. Report any discrepancies to project administrator
4. All drawings are copyright

Project Name:
**Former Pope Brothers
13 Cricklade Street
Swindon
SN1 3EZ**

Client:
E.P. Keogh Contr' Ltd

Scale:
1:100 @ A2

Drawn by:
2237

Checked by:
202

Issue:
MC

Date:
12 / 2017

Ian Sullivan Architecture Ltd
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Project Name:
PROPOSED BUILDING D - PLOTS 1 & 2

Scale:
1:100 @ A2

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COMMITTEE REPORT

Item Number:

Application Number: S/18/0447

Ward: Eastcott

Parish: Central Swindon South

Proposal: Erection of 10 dwellings, Conversion of existing store to provide 2 dwellings and associated works.

Site Location: 13 Cricklade Street, Old Town, Swindon SN1 3EZ.

Case Officer: Ms P Moore

Agent:

E. P. Keogh Contractors Ltd
69 Clifton Street
Swindon
SN1 3PY

Applicant:

Ian Sullivan
Ian Sullivan Architecture Ltd
101 Victoria Road
Swindon
SN1 3BD

Officer's Report

Background:

1. This is a full application for the demolition of existing buildings on site, the conversion of one building to 2 dwellings and the construction of 10 dwellings. Both the Ward Member and Parish Council have requested that this application is considered by the Planning Committee if officer recommendation is to grant permission.

Summary of Recommendation:

2. That planning permission is GRANTED subject to conditions

The Proposal:

3. The former Chapel on Church Road is to be retained and converted into two dwellings. The remaining buildings on site will be demolished and replaced with a further 10 dwellings. The converted chapel will provide two single bedroom houses, the new building will provide 4 one bedroom flats, 2 two bedroom flats and 4 two bedroom houses, with cycle and bin storage, and 12 car parking spaces. Ground levels on site will be reduced by 500mm.

The Site and Surroundings:

4. 13 Cricklade Street occupies a prominent site on the northern corner of the junction of Church Road and Cricklade Street. The site is bordered by roads on three sides – Cricklade Street to the east, Church Road to the north and Little London to the west, and by Cricklade Court, an office block, to the south. The road slopes down from south to north. The site itself is currently vacant but was a former builders yard, occupied by Pope Brothers.

5. There are several buildings on site including: one which fronts Cricklade Road (building A), which appears to date from the late 19th early 20th century and are likely former cottages. The range that runs east - west to the rear (and attached) to building A (noted as building B) appears to replace earlier buildings but now likely date from between 1920-1940. The former 'Mission Hall' (referred to as 'store' and is identified as building D in the submission) appears to date from early 20th Century (1900-1920), there is also a prefabricated garage to the north of the site.
6. The site itself has been built up so it appears fairly flat, although there is a substantial drop in levels at the western end of the site. From Church Road the site appears elevated. The site lies within the Swindon Old Town Conservation Area.
7. Opposite the site is Christ Church a grade II* (starred) listed building and Churchward tomb (grade II) situated to the north-east of the chancel of the church. Anderson's Hostel a grade II listed range of later 19th Almshouses are situated just south of the church with its gable facing directly to Cricklade Road and further south along Cricklade Road is Villetts House a grade II* listed house dating from the early 18th Century.

Representations:

Parish Council:

8. Objection for the following reasons: Dwelling 1- possible problem with lack of natural light, main windows are north facing and south facing only has a small viewing panel in the front door. Also means that there are no security benefits from having Little London Road overlooked by windows; remains an effectively blind alley. Dwellings are too small:
 - 1 & 2- only 49 m2 when guidance is 58m2.
 - 3 - 35m2 when should be 50m2
 - 4 - 40m2 when should be 50m2
 - 6 - 68m2 when should be 79m2
 - 7 - 63m2 when should be 79m2
 - 8 - 71m2 when should be 79m2
 - 9 - 70m2 when should be 79m2
 - 10 - 70m2 when should be 79m2
 - 11 - 50m2 when should be 61m2
 - 12 - 55m2 when should be 61m2
9. Note that measurements provided seem to incorrectly count space under the eaves under 1.5m as floorspace, when NDSS doesn't allow this. Particularly applies to 1 & 2. Concern about overshadowing from the south by Cricklade Court, which is only 2m away and 3 stories tall. This would seem to block most of the light into the lounges of dwellings 7 & 8 in particular, and into bedrooms of 5 & 6. Leaves 5, 6, 7 & 8 in effect with only north facing windows.

Neighbours

- 10.8 comments have been received from residents - Five from addresses in Church Road, one from Christ Church, one from an address in Belle Vue Road and one from Fitzroy Road.
11. Of these one is a comment and seven object to the proposal. The main planning reasons given for objection relate to: parking - more than one car parking space should be provided per property, occupiers must not be allowed to park on Belle Vue or Church Street, parking is poor in the Old Town area and people can't be expected to use public transport, occupiers of the dwellings should not be issued with permits; access to Church Road should be maintained at all times during construction; one of the buildings will be accessed from Church Road which may lead to congestion; Church Road should have marked parking bays allocated to occupiers of Church Road properties overlooking and loss of light; impact on the conservation area; disturbance and noise during construction; safety of the access; recognition that Church bells are regularly rung; views of Christ Church must not be compromised; the church car park must not be used to accommodate contractors or future occupiers of the development.

Conservation Officer

12. There are areas where the Conservation Officer disagrees with information contained within the submitted heritage statement. However, since the scheme was originally submitted a great deal of negotiation has occurred, resulting in submission of revised plans. The revised plans secure betterment in terms of overall design and conservation considerations. Consequently no objection is raised subject to conditions relating to materials; details of doors and windows; details of the boundary treatment; details and position of service boxes; removal of permitted development rights where appropriate; historic building record to be completed.

Highways

13. On the revised plans: Consider the visibility splays now shown to comply with Manual for Streets MfS. There is still a shortfall in parking as noted in earlier comments, and insufficient information has been provided to justify this shortfall. However, if in considering the planning balance the proposed level of parking is deemed acceptable by the planning officer, therefore conditions are proposed.
Original comment: Object due to inadequate visibility splays, insufficient parking and likelihood of overspill activities onto the public highway prejudicing safety.
14. Concerns about cycle storage have been met in the revised submission. The parking fronting Little London is now considered acceptable (2 spaces not 3). The total parking provision on site of 12 spaces show a shortfall in provision of 2 spaces (11 are required for the dwellings and 3 visitor spaces).

Ecology

15. No objection subject to condition requiring the proposed mitigation measures to be implemented.

Contaminated Land Officer

16. No objection subject to condition.

Drainage

17. No objection subject to condition.

Archaeology

18. No objection subject to a condition to enable a programme of archaeological mitigation to be carried out in advance of the construction programme.

Historic England

19. Support the proposals which will preserve and enhance the character and appearance of the Swindon Old Town Conservation Area, and the setting of Christ Church, a Grade II* listed building by the renowned Victorian architect George Gilbert Scott. Particularly pleased to note the retention and conversion of the former stores building on Church Road, which is cited as originally having been a chapel in your Conservation Area Appraisal for the Old Town.

Natural England no comment.

Thames Water No objection.

Planning Considerations:

20. The main issues for consideration in determining this application are
Principle of development
Impact on the conservation area
Impact on neighbouring properties
Highways/parking

Relevant Policy

21. In determining any planning application, special attention shall be paid to the desirability of preserving listed buildings and preserving or enhancing the character or appearance of conservation areas as set out in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In addition the submission must be determined against relevant policy including the National Planning Policy Framework (NPPF 2012) and Swindon Borough Local Plan 2026 (SBLP).
22. The SBLP 2026 was formally adopted on 26 March 2015. Below is a list of the key policies relevant to this application:
Policy SD1: Sustainable Development Principles
Policy SD2: The Sustainable Development Strategy
Policy DE1: High Quality Design
Policy DE2: Sustainable Construction
EN10: Historic Environment & Heritage Assets
Policy TR2: Transport and Development
Policy EN4: Biodiversity and Geodiversity
23. Other Policy/ Guidance:

- Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment: English Heritage (2008)
- Historic environment Good Practice Advice Notes 2, and 3
- Swindon Old Town Conservation Area Appraisal

Principle of development

24. The site lies within the main built area of Swindon and is in a highly sustainable location that is accessible to local facilities. Consequently there is no in principle objection to development, provided that it accords with the adopted policies of the development plan. Special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the Old Town Conservation Area.
25. To enable provision of sustainable development and support sustainable communities Local Plan policy SD1 sets out criteria which new development will be expected to comply. Of particular relevance to this application development should: be of high quality design; respect the natural, built and historic environment; contribute to retention of jobs and growth of the local economy and complement Town Centre regeneration; be accessible by walking, cycling and/or public transport; and use land and resources in an efficient and effective way.
26. This site lies close to facilities in Old Town and is on a bus route. It is considered to be a sustainable location, accessible by various means of transport. Heritage aspects are considered below.

Heritage Asset

27. The main historic environment considerations include the effect of the proposed development upon the character and appearance of the conservation area and the effect upon the setting of heritage assets (listed buildings).

Conservation Area Appraisal

28. The site lies within the Old Town Conservation Area and there are several listed properties close to the site. To the east of the site, are several designated buildings including Christ Church a grade II* (two-starred) listed building and Churchward tomb (grade II) situated to the north-east of the chancel of the church. Anderson's Hostel a grade II listed range of later 19th Almshouses are situated just south of the church with its gable facing directly to Cricklade Road and further south along Cricklade Road is Villetts House a grade II* listed house dating from the early 18th Century.
29. The adopted conservation area appraisal (2008) summarises the special interest of the Old Town Conservation Area is derived from a number of architectural, historic and environmental factors including: -
 - The area's archaeological interest - particularly from the prehistoric and Roman and Saxon period;
 - The historic layout and street pattern dating from the 13th century;
 - The early Victorian residential and commercial expansion of the town;

- The architectural and historic interest of the area's buildings, from the 17th century onwards;
- The prevalent use of local materials, notably locally quarried stone, red and blue brick;
- The area's street trees;
- Local features, especially historic boundary walls, and other architectural details that give the area its distinctive identity.

30. With reference to this site the appraisal states:

"Cricklade Street, the continuation of the High Street and the principal road northwards out of Swindon Old Town, was turnpiked in 1755. Little London was a historic back-way containing several houses and cottages that led from the west end of Wood Street to Drove Road. It remains as a downhill route (its narrowness and curve indicates its historic origin) but retains only vestiges of its old buildings" further "Union Row and Albert Street are part of the c.1850's post-railway expansion of Swindon. Church Road is a later development (c.1890) connecting Cricklade Street to Union Row" _The appraisal also notes within the area of Little London that "A small vacant former chapel in Church Road is of local interest. Parts of the area, behind business and industrial premises have a neglected appearance." The referred chapel (building D) is therefore deemed to be a non-designated heritage asset being as it has been "...identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest." (NPPF).

Heritage Significance of Site

31. The proposal site currently has a relatively open character and appearance. The main buildings are to the southern side, with the exception of the Chapel which is sited in the NW corner.
32. The character and appearance of the site is that of a workshop, commensurate with its use a former builder's yard. Outside storage of materials took place. The buildings on the front of Cricklade Road were likely former cottages, later converted into the office/yard use for the builders with the larger single storey buildings extending from the rear. Whilst, according to the submitted Heritage Statement, they may be of "*low architectural quality*" that does not affect their character and the contribution it makes to the designated conservation area. The site is a reminder of the eclectic mix of the industries and uses within the wider Old Town Conservation Area.
33. The Chapel (a heritage asset situated in the NW corner of Little London and Church Road) has a simple vernacular appearance commensurate with religious buildings of this typology, its retention is important to the historic, cultural and social significance of the Conservation Area.
34. Further characteristics and features of the site relate to topography and the elevated nature of the site. The creation of Church Road which it extends from Union Row (1880-1900) which has had the fortunate effect of creating a view towards Christchurch. Whether this road development was a deliberate act to create this terminus it nonetheless positively contributes to its setting and the way the building is experienced.

35. The creation of Church Road (circa 1900) necessitated a substantial (stone) boundary wall to account for the change in topography. This wall is along the southern side of Church Road which forms the north boundary of the proposal site. The wall extends around to the eastern boundary, also acting as a retaining wall. Albeit altered, appearing to have been increased in height by approximately a metre, this wall contributes positively to the areas character and appearance.

Impact of proposed development on designated Heritage assets

36. When the application was first submitted the Conservation Officer considered that the design of the proposed buildings was too overtly domestic, which detracted from the character of this part of the Conservation Area and the setting of listed buildings. Considerable negotiation has resulted in a scheme that better reflects the historic workshop character of the site. In particular the materials and openings have been amended and the building has been changed to an L shape form which keeps new building away from the Church Road boundary. Both Historic England and the Conservation Officer support the proposed development.
37. The proposed demolition of building 'A' would result in the loss of a building which whilst not of national significance (i.e. listed) contributes to the historic significance of the site. The proposed replacement is similar in appearance and is considered to preserve or enhancing the character or appearance of the Old Town Conservation Area.
38. Demolition building 'B' - Whilst these appear eclectic and ad hoc workshops, it is this and their traditional form demonstrating industry and site use which contributes to the special interest of the designated conservation area as a whole. The scheme for redevelopment originally submitted was more in the form of a homogenous residential mews. That response was considered to detract from the simple, eclectic, ad hoc buildings that evolved on the site. The revised plans show a more imaginative approach to the design iteration through fenestration, planform, ridge height and rationalisation of materials. Whilst the loss of existing buildings will change the appearance of the conservation area and may cause less than substantial harm, their replacement with buildings that reflect the character and appearance of the conservation area in a sympathetic manner will outweigh any harm caused. Furthermore, the development proposes to reduce ground levels by 500mm and this means that it is not possible to retain buildings on site, other than the Chapel. The development therefore accords with the NPPF paragraph 196. Proposed conversion of building 'D' (former Chapel). The retention of this building is welcomed. The revised plans retain the character of the building as they no longer include dormer windows.
39. Railings are proposed to the frontages with Church Road and Cricklade Street. Other concerns relate to the proposed boundary treatments. Whilst railings are considered to be acceptable in principle, a condition should be attached requiring details of the railings to be approved prior to their installation.

40. To achieve the visibility splays it is necessary to move the existing wall along the frontage of the site with Cricklade Street back into the site. Whilst this will have an effect on the Conservation Area, the wall will be rebuilt in materials and to a height to match the existing. The rebuilding of the wall is required to provide a safe access to the site.
41. In accordance with paragraph 196 of the NPPF where development will result in less than substantial harm to the significance of a designated heritage asset (in this case the Old Town Conservation Area) the harm should be weighed against the public benefits of the proposal. In this case the proposal is for a redevelopment of an existing underused site. The benefits of providing additional dwellings in a high quality development with a safe access is considered to outweigh the harm resulting from the loss of existing buildings on the site and alterations to the wall.
42. Special regard has been had to preserving or enhancing the character or appearance of the conservation areas. The revised scheme is considered to preserve the character and appearance of the conservation area, and complies with policy EN10 of the Local Plan and the NPPF. The scheme now before members is of a quality that will harmonise with the conservation area and will enhance the setting of the nearby listed buildings described above including Christchurch..
43. In considering applications for development environment Paragraph 127 of the NPPF, Policy DE1 and EN10 of the Local Plan set out criteria against which proposals should be assessed. In particular the building's setting, its character and particularly how the works affect the character and appearance of the surrounding heritage assets and how the works reinforce 'local distinctiveness.' The present condition of the site can be argued to have a harmful impact on the locality and the relevant designated heritage assets which the LPA has a duty to preserve or enhance. The benefits of this revised scheme achieves that and outweighs the less than substantial harm (at the low end of that scale) arising from the development. The scheme also secures the removal of an unsympathetic lawful use at the site – builders Yard and associated activity - and provides enhancements and much need housing

Design

44. From an urban design perspective any proposal needs to address Policy DE1 of the Swindon Local Plan 2026 in light of the principles of Context & Character, Layout, Form, Function, Amenity & Quality of the Public Realm, it also needs to demonstrate high quality design as required in Local Plan policy SD1.

Residential Amenity

45. There are two aspects to residential amenity, the impact of the development on occupiers of existing properties, and the amenities of occupiers of the proposed properties.

46. The originally submitted scheme included a range of buildings on the northern side of the site. This is likely to have unacceptably affected light to occupiers of properties on Church Road. The revised plans keep new development to the south and west of the site. Two storey building is kept away from the northern boundary with the addition of the bin/cycle store adjoining apartments 11 and 12. Consequently the two storey element is a minimum 12.5 metres from the houses on Church Road, and this element has a pitched roof, sloping away from Church Road. The existing single storey prefabricated garage, which is on the boundary of the site would be demolished. The outlook from the properties on Church Road would change but an assessment of the impact on light indicates that whilst there may be some change to light to properties on Church Road this would not be material and would not warrant refusal of the application.
47. The Parish Council has raised concerns about both the proximity of the new building to Cricklade Court and whether the new dwellings would meet nationally described space standards.
48. Dwellings 5-8 back on to Cricklade Court (offices). There is currently 1.9m between Cricklade Court and the existing building on site. The new building would be about 2.4m from the rear wall of Cricklade Court. Units 5 and 6 are two storey dwellings. The kitchen downstairs and one of the bedrooms are single aspect and face Cricklade Court. The other bedroom and lounge are also single aspect and face towards Church Road (north). The lounge has a glazed door and 2 large windows (each window being the sized of the door). The main living accommodation will have adequate light. Units 7 and 8 are single storey and have dual aspect open plan kitchen/living areas. One of the bedrooms in these units is dual aspect (north and west), the other bedroom is single aspect and west facing). Whilst windows to the main living area in units 5-8 faces north there will be daylight into the rooms even if direct sunlight will not be available. Revised plans show the addition of rooflights to units 5, 6 and 8 to increase daylight to those units. Units 9-12 are east-west facing so will benefit from sunlight and daylight.
49. Concern has been expressed about whether the dwellings meet nationally described space standards (NDSS). Gross internal floor areas have been calculated. The NDSS does allow floor area to be included where ceiling height is less than 1.5m provided that area is used for storage.

Unit	Bed/person	No storey	NDSS (sq m)	actual
1	1b/2p	2	58	54
2	1b/2p	2	58	56
3	1b/1p	1	37	35
4	1b/1p	1	37	40
5	2b/3p	2	70	71
6	2b/3p	2	70	67
7	2b/3p	1	61	64
8	2b/3p	1	61	64

9	2b/3p	2	70	71
10	2b/3p	2	70	71
11	1b/2p	1	50	50
12	1b/2p	1	50	54

Units 1-3 and 6 are marginally smaller than the NDSS, however in each case they are within 5% of the standard. This is based on the information provided by the agent. Should permission be granted an informative should be attached confirming the size of the units.

50. It is considered that the proposed development would not have an unacceptable impact on the living conditions of existing or future occupiers.

Highways

51. Local residents have expressed concern about the proposed level of parking proposed on site. With regard to adopted car parking standards the site lies within sector 2, where parking is required on site. However the southern boundary of the application site is the boundary with sector 1 (where no on-site parking would be required). The Highways officer has indicated that the required parking provision on site has been calculated as 14 spaces, 11 for the dwellings and 3 visitor spaces. There are 12 car parking spaces proposed on site, which equates to one space per dwelling. Whilst there is a shortfall of two car parking spaces on site it is considered that this would not be sufficient reason on its own to justify refusal of the application. Cycle storage is provided in accordance with policy. As the site lies outside sector 1, occupiers would not be granted a parking permit and an informative is proposed to make this point clear.
52. Revised plans show full visibility splays, these are achieved by moving the existing wall back into the site.
53. Conditions are proposed to would be appropriate to secure the visibility splays, parking spaces, cycle stores.

Other Issues

54. As the site is a former builders yard there is potential for contamination. The Contaminated Land Officer has recommended a condition is attached. An ecological survey has been submitted with the application which proposes inclusion of 12 bird boxes within the development. The Ecology officer considers that this represents adequate biodiversity gain and recommends a condition to secure the proposed mitigation. A drainage strategy has been submitted, following comments from the Lead Local Flood Authority.

Concluding Comments:

55. In consideration of this application special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the Old Town Conservation Area. Whilst the loss of existing buildings and the alterations to the site would result in less than substantial harm to the Conservation Area, the benefits of providing housing and providing a viable use for the site are considered to be greater than the harm. The proposed

development has been negotiated and now provides a sympathetic redevelopment of the site which reflects its historic use and should make a positive contribution to the character of the area.

56. In terms of residential amenity 8 of the units meet or exceed nationally described space standards and the other 4 are within 5% of the standard. Whilst some of the units face north the design seeks to ensure that daylight is maximised. The proposed development would also not significantly affect the living conditions of occupiers of Church Road.
57. Although there is a very slight shortfall in parking provision on site, 12 spaces are proposed together with cycle storage and the site is in an accessible location within easy walking distance of most facilities, close to bus services and the station. The development includes ecological enhancements in the form of bird boxes and there is space on site for a reasonable level of landscaping.

Recommendation:

58. For the reasons set out above, officer's recommendation is that permission is granted subject to the following conditions.

Conditions

- 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.

- 2) This approval shall be in respect of the following drawings and information submitted with the application:

Drawings received 24th October 2019

100 rev A Site Location Plan
101 rev A Existing site plan
102 Existing building D
201 rev N Proposed site plan
202 rev G Proposed building D plots 1 & 2
205 rev H Proposed plots 6,7,8,9,10,11,12 plans
206 rev G Proposed plots 6,7,8,9,10,11,12 elevations
208 rev H street scenes
210 Existing building heights
211 rev B Cycle store
250 rev B Visibility
'Drainage Layout – Former Pope Brothers, 13 Cricklade Street – Issue 1, August 2019'
'Former Pope Brothers, 13 Cricklade Street – Maintenance Schedule received 18th September 2019

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

- 3) No works for the construction of the external walls of the buildings hereby approved shall commence until a sample panel of each of the walling materials has been constructed on site and have been inspected and approved in writing by the Local Planning Authority.
The sample panels shall have a minimum size of 1m² for both the stone walling and brickwork and shall be constructed on site detailing the coursing, bond, method of pointing and mortar. The panels shall remain on site for the duration of the works. The external walls of the development shall be constructed to match the details on the sample panels.
Reason: To ensure that the appearance of the development is satisfactory.
- 4) No works for the construction of the external walls of the buildings hereby approved shall commence until samples for walling (not included in condition 4) and roofing shall be supplied and agreed in writing by the Local Planning Authority, works shall be undertaken in the approved materials.
Reason: To ensure that the appearance of the development is satisfactory.
- 5) No windows or doors shall be inserted into the buildings hereby approved until details, by way of a schedule, of all windows and doors has been submitted to and approved in writing by the Local Planning Authority. These details shall be drawn to a recognised metric scale and shall include method of opening, depth of reveal, materials and finish.
Reason: To ensure that the appearance of the development is satisfactory.
- 6) Notwithstanding the submitted details none of the dwellings hereby permitted shall be occupied until full details of all boundary treatments, including railings, have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be installed in accordance with the approved details prior to occupation of any of the dwellings. No boundary treatments other than those approved in writing by the Local Planning Authority shall be installed on site.
Reason: To manage the appearance of the development hereby permitted
- 7) Details of service boxes (i.e. electric/gas meter boxes), including siting, position, colour and design shall be submitted to and approved by the Local Planning Authority before they are installed on the buildings.
Reason: To ensure that the appearance of the development is satisfactory.
- 8) The buildings shall be constructed in strict accordance with the approved plans and details approved in writing and shall thereafter be maintained as such. Any replacement items (such as windows, rainwater goods) shall be undertaken in materials and details to match.

Reason: To manage and retain the agreed satisfactory appearance of the development and protect the character and appearance of the conservation area

- 9) Notwithstanding the provisions of classes A, B, C, D, E, G, H of Part 1 or classes A and C of Part 2 of schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) or any Order revoking and re-enacting that Order no porches, extensions, dormers, alteration to the roof, chimneys, outbuildings, boundary treatment, telecommunication equipment shall be constructed or installed on any of the houses and none of the units shall be painted externally without the grant of planning permission.

Reason: To maintain the character and appearance of the conservation area.

Note: The flats do not benefit from permitted development rights.

Reason: To manage and retain the agreed satisfactory appearance of the development and protect the character and appearance of the conservation area.

- 10) Historic Building Record to be completed to Level 1/2 as described in 'Understanding Historic Buildings - A Guide to Good Recording Practice' (Historic England, 2016) to be undertaken and approved by the LPA. Once agreed the record should be deposited to the Wiltshire and Swindon History Centre and Swindon Library.

Reason: To provide a record of the historical significance of the site.

- 11) No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall:

- i. specify the type and number of vehicles;
- ii. specify the point of construction access and access route to the site;
- iii. set out details of the parking of vehicles of site operatives and visitors;
- iv. set out arrangements for the loading and unloading of plant and materials;
- v. set out arrangements for the storage of plant and materials used in constructing the development;
- vi. specify the intended hours of construction operations;

Reason: To reduce the potential impact on the public highway during the site preparation and construction phase(s) of development in accordance with Policy TR2 of Swindon Borough Local Plan 2026.

- 12) Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed broadly in accordance with the approved plan the 201 REV N (Proposed Site Plan) and with the area of

driveway within at least 5m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: To reduce potential highway impact by ensuring the access is suitably laid out and constructed in accordance with Policy TR2 of Swindon Borough Local Plan 2026

- 13) The dwellings hereby permitted shall not be occupied until ramps are put in place to the steps used to access the cycle storage areas, adjacent to Plot 2, in order to ensure safe and suitable access to the cycle storage facility is achieved, and thereafter maintained.

Reason: To promote and encourage sustainable transport and travel in accordance with Policy TR1 of Swindon Borough Local Plan 2026.

- 14) The proposed vehicular access shall not be brought into use until visibility splay lines have been provided in accordance with the submitted details, as shown on drawing numbered 201 REV N (at 2.4mx43m in both directions) with the area in advance of the splay lines cleared of all obstructions to visibility between 0.6m and 2.1m above the adjoining carriageway and thereafter be similarly maintained.

Reason: To ensure that adequate visibility is provided for the duration of the use and maintained in the interests of highway safety in accordance with Policy TR2 of Swindon Borough Local Plan 2026.

- 15) The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. 201 REV N, and those facilities shall be maintained available for those purposes thereafter.

Reason: To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site, in accordance with Policy TR2 of Swindon Borough Local Plan 2026.

- 16) Prior to the development being brought into use, details of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority and no occupation of the development shall occur until the approved details have been completed and thereafter maintained.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance Policies TR1 and TR2 of Swindon Borough Local Plan 2026.

- 17) The development hereby permitted shall not be occupied until secure and sheltered cycle storage facilities for a minimum of 12 bicycles has been made available in accordance with details to be submitted to and approved in writing by the LPA in accordance with SBCs Parking Standards, and thereafter maintained.

Reason: To promote and encourage sustainable transport and travel in accordance with Policy TR1 of Swindon Borough Local Plan 2026.

- 18) No works for the construction of the dwellings shall commence until a surface water drainage scheme for the site, in accordance with the approved drainage strategy 'Drainage Layout – Former Pope Brothers, 13

Cricklade Street – Issue 1, August 2019', has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include, but not be limited to:

- Evidence that the proposed flows from the site will discharge at or below greenfield runoff rates, or as close as practical for any areas that have been previously developed;
- Details of how the drainage scheme has incorporated SuDS techniques to manage water quantity and maintain water quality in accordance with best practice guidance including the latest SuDS Manual C753;
- Detailed drainage plan showing the location of the proposed SuDS and drainage network with exceedance flow routes clearly identified;
- Details to demonstrate the SuDS Scheme has been designed in accordance with best practice guidance including the latest SuDS Manual C753;
- General arrangement, which should be coordinated with the landscape proposals and the masterplan;
- Manhole Schedules;
- Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change to demonstrate that all SuDS features and the drainage network can cater for the critical storm event for its lifetime;
- Details of how the scheme shall be maintained and managed after completion;
- Any drainage systems offered for adoption will be designed to Sewers for Adoption 7th edition and/or SBC standards as part of the detailed design and relevant technical approval processes.

Reason: To ensure the proper planning of the drainage of the area

19) Development shall not be occupied until a surface water drainage maintenance scheme for the site, in accordance with the approved maintenance regime 'Former Pope Brothers, 13 Cricklade Street – Maintenance Schedule', has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be maintained in accordance with the approved details.

Reason: To ensure the proper planning of the drainage of the area

20) No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The

site shall be remediated in accordance with the approved measures before the properties are occupied.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure any contamination of the site is identified and appropriately remediated to prevent pollution of the environment in the interests of amenity.

21) No works related to construction (including digging trenches) shall commence within the application site until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.

Reason: To enable the recording of any matters of archaeological interest.

22) The works hereby permitted shall be undertaken in strict accordance with paragraphs 5.3-5.6 (inclusive) of the Ecology Report dated September 2018 ref C126/R1/v1

Reason: to ensure that there is no loss of biodiversity or harm to protected species as a result of the development.

23) A total of 12 integrated bird boxes shall be provided in accordance with paragraph 6.2 of the Ecology Report dated September 2018 ref C126/R1/v1

Reason: To secure net biodiversity gain in accordance with policy EN4 of the Swindon Borough Local Plan and the National Planning Policy Framework (particularly para 175)

24) Prior to the commencement of construction works on site in connection with the development hereby permitted, a scheme of landscaping to include a planting schedule (including species, size and density of planting), method of planting (including details of tree pits) and time table of works, shall have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented as per the approved timetable.

Any tree or shrub planted in accordance with the scheme which is removed, dies or becomes diseased within a period of five years from first being planted, shall be replaced by one of a similar size and the same species.

Reason: To ensure the appearance of the development is satisfactory. Landscaping scheme and implementation

Informatives

1. Thames Water recommends that petrol / oil interceptors are fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
2. Public sewers may cross the site or be close to your development. If you discover a sewer, it's important that you minimize the risk of damage. Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services they provide in any other way. The applicant is advised to read Thames water's guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>.
3. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it eaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
4. You are advised that with the exception of disabled persons, no owner or occupier of any of the dwelling(s) hereby permitted shall be entitled to a permit that enables parking within any existing or future controlled parking zone designated by the Council.
5. Units and sizes
This permission is based on the understanding the occupancy of the dwellings will be:
Unit 1 1bedroom/2person
Unit 2 1bedroom/2person
Unit 3 1bedroom/1person
Unit 4 1bedroom/1person
Unit 5 2bedroom/3person
Unit 6 2bedroom/3person
Unit 7 2bedroom/3person
Unit 8 2bedroom/3person
Unit 9 2bedroom/3person
Unit 10 2bedroom/3person
Unit 11 1bedroom/2person
Unit 12 1bedroom/2person
6. In addition to this consent, under the Town Improvement Clauses Act 1847 the applicant is required to contact SBC's Street Naming & Numbering Officer as soon as possible with regard to registering new or changes to the official address of any properties within this development.
http://www.swindon.gov.uk/info/20031/roads_parking_and_transport/321/appl_y_for_street_name_or_number

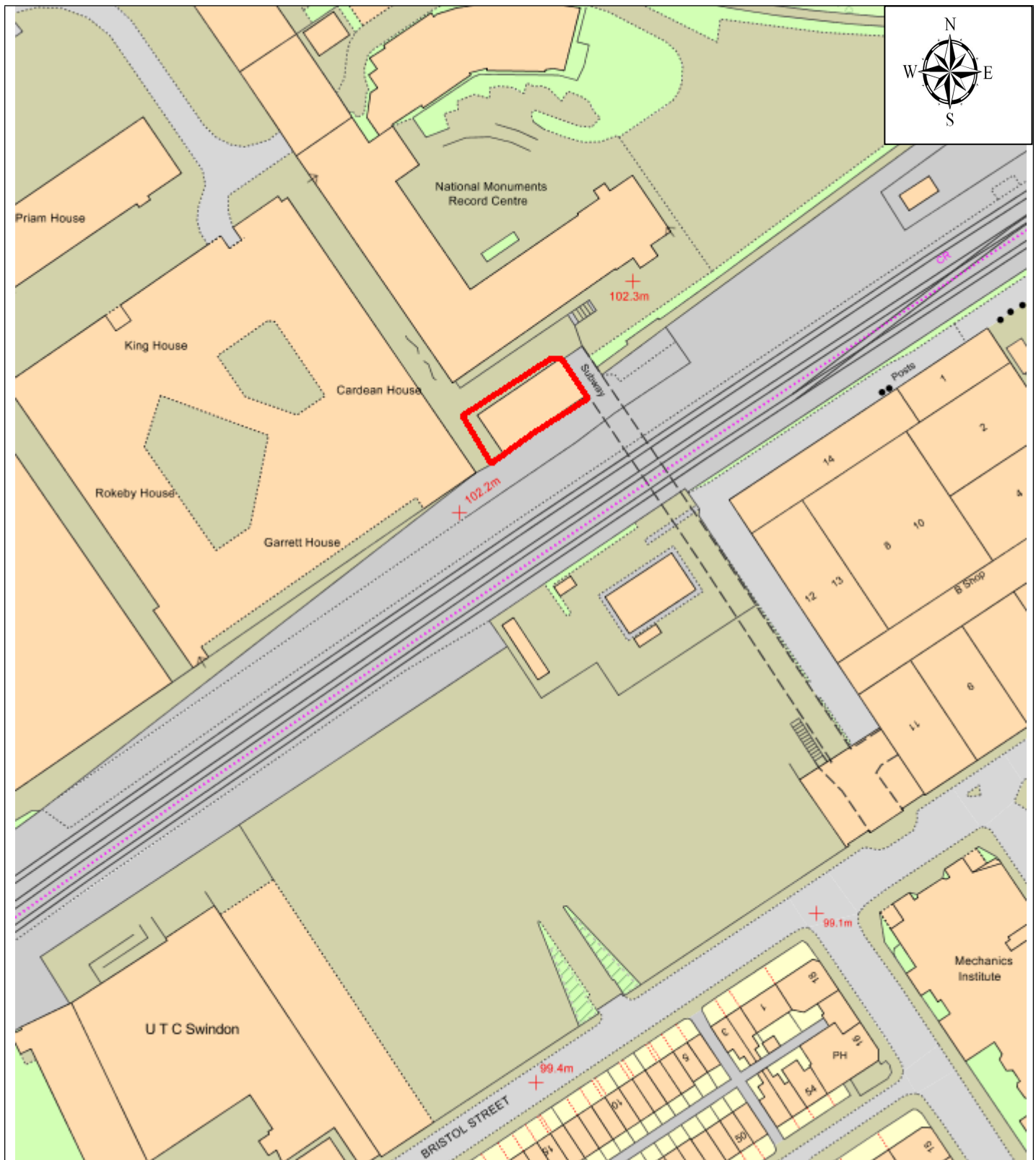
7. The weather will have an impact on construction sites which in turn will require roads to be swept in addition to using wheel wash facilities. Swindon Borough Council are on winter service alert for gritting roads around the Borough from mid-October to mid-April each year, the treated roads are shown on the attached plan. The de-icing material used for road treatment by this council is Thorox, this material is rock salt treated with an agricultural by-product similar to molasses and has the advantage of being active on the carriageway for up to three days providing there is no substantial precipitation or sweeping. It is imperative that any salt removed from the treated network by sweepers clearing mud and debris is replaced straight away at a spread rate of 15g/m². Where a sweeper is used on the roads around your site, you have a responsibility to retreat roads after washing or sweeping to ensure safety of road users is maintained during the winter period. In order to assist with this retreatment, Swindon Borough's Highway Operations Team can provide a filled grit bin at a cost available on request for use by developers, it should be noted that once delivered the bin and its contents will be in the property of the developer. In the first instance, please contact, Duty Winter Service Engineer, 01793 466354 to discuss and confirm site specific requirements.
https://www.swindon.gov.uk/info/20040/road_safety_maintenance_and_repairs/737/find_out_about_road_gritting
8. The Local Highway Authority will require the developer/landowner to provide a surety under the Advance Payment Code (APC) provisions within the Highways Act 1980 (Sections 219 to 225), to ensure the proper implementation of new private highway which may be offered for adoption to the LHA at a later date, either by way of a Section 38 Agreement, or at the request of the frontagers. Further information in this respect may be obtained by contacting Swindon Borough Council's Transport Development Management team. HighwayAgreements@swindon.gov.uk

Agenda Item 8

Application Number S/19/0946

Proposal Change of use of Former Telephone Exchange (Sui Generis) to 7 no. Apartments (Class C3) and associated works.

Location: Former Telephone Exchange Fire Fly Avenue Swindon Swindon



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.

In all cases reference should be made to the submitted plans.

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Application Number S/19/0946

Proposal Change of use of Former Telephone Exchange (Sui Generis) to 7 no. Apartments (Class C3) and associated works.

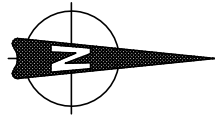
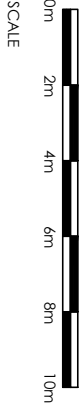
Location: Former Telephone Exchange Fire Fly Avenue Swindon Swindon



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.

In all cases reference should be made to the submitted plans.

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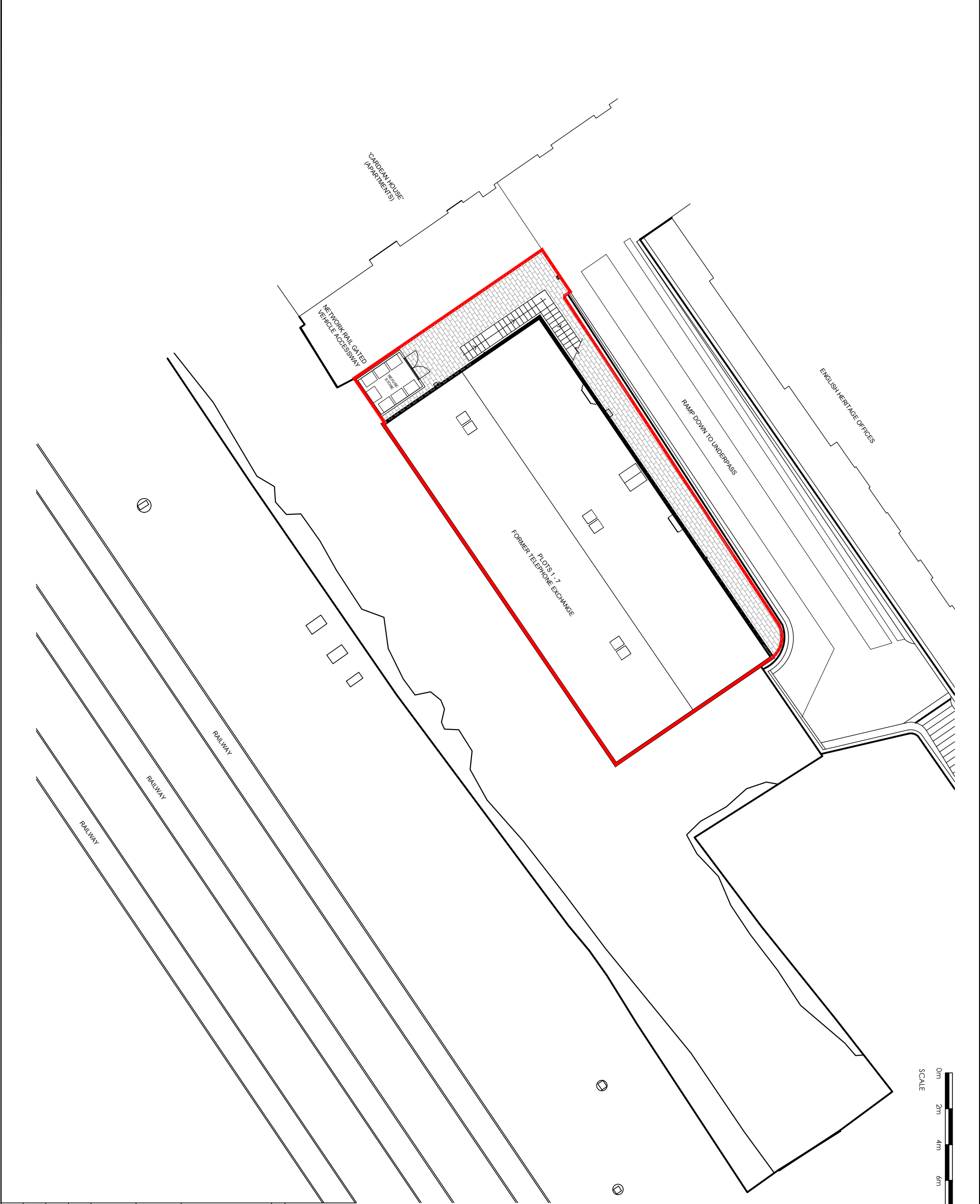


NOTE:

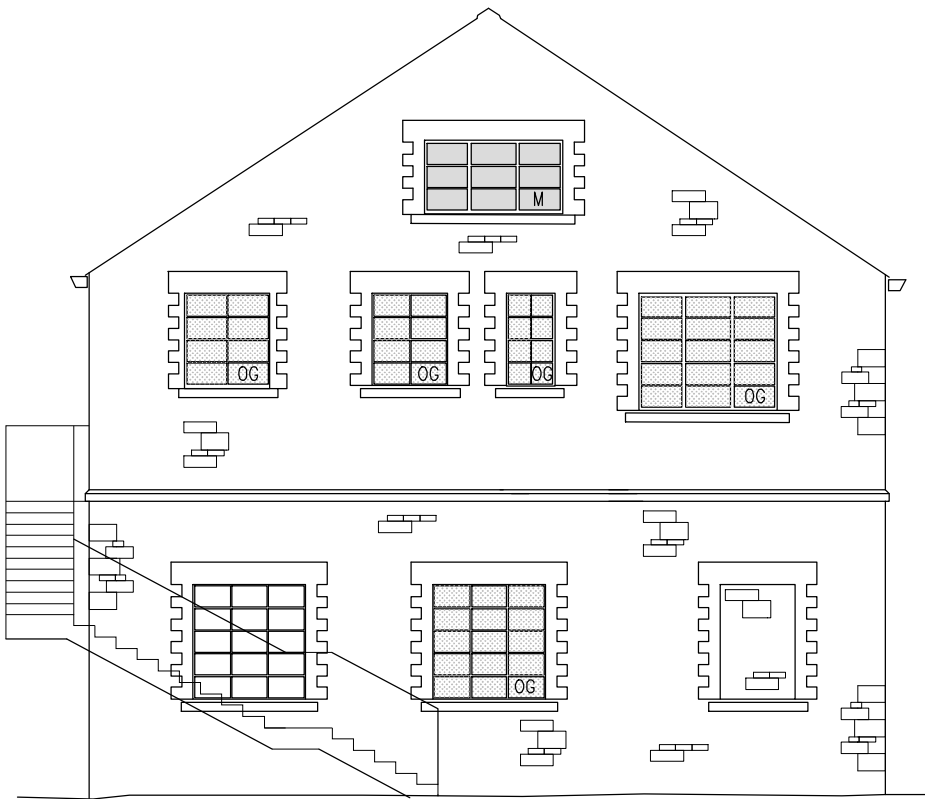
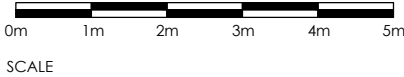
Drainage - Foul & Surface water to discharge to existing mains drainage, as shown on Topographical Survey Dwg No. CG005-3

Site Area - 0.03 ha / 316m²

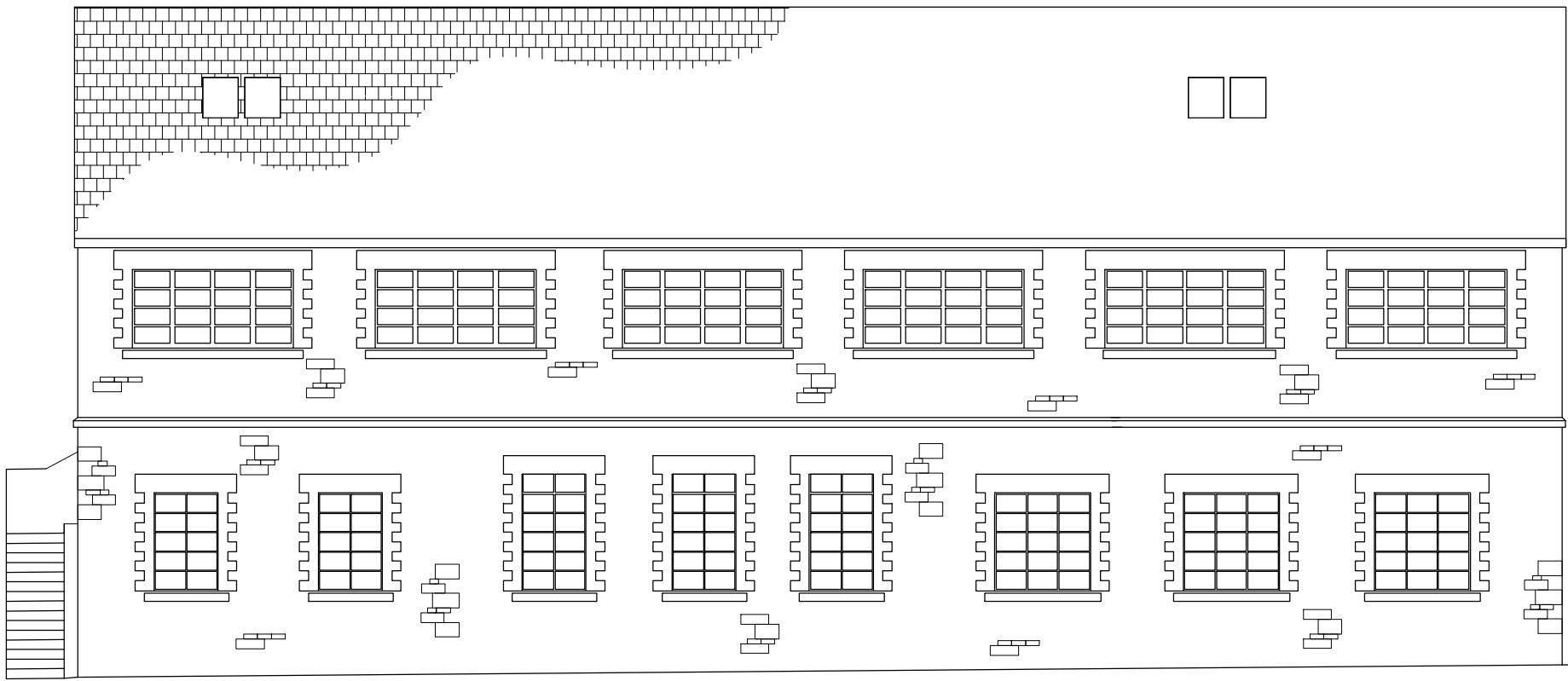
Existing concrete handstanding to be replaced with pavious specification to be agreed with L.A.



A		Amended following Conservation Officers comments	05.08.19
Rev	Description		Date
<div><div><div><div><div></div><div></div></div><div><div></div><div></div></div></div><div><div>HIGHWORTH</div><div>HOMES LTD</div></div></div><div>RODBOURNE, SWINDON</div><div>PROPOSED SITE PLAN</div><div><div>Dwg No: RB-PL-01</div><div>A</div></div><div><div>Scale: 1:200 @ A3</div><div>Date: 25/04/18</div></div><div><div>Drawn By: KP</div><div></div></div><div>Hampton Lodge, Hampton, Highworth, Swindon, Wiltshire, SN6 7RL</div></div>			



SW
ELEVATION




SE
ELEVATION

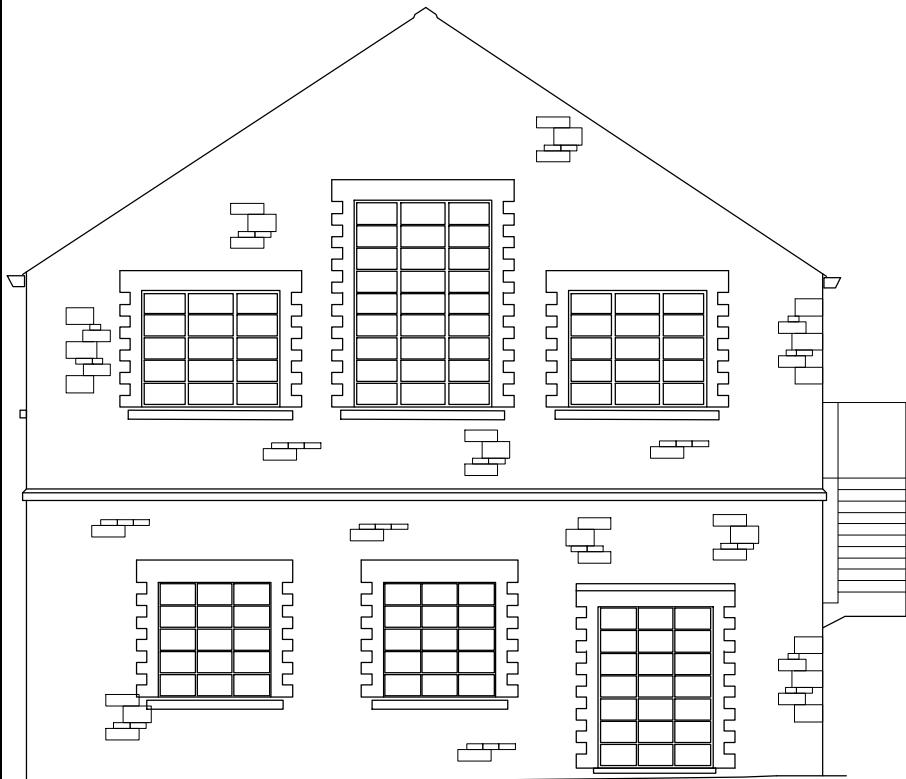
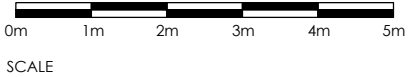
WINDOW LEGEND

- OG OBSCURE GLAZING, MINIMUM LEVEL 3
- M ONE-WAY MIRROR GLAZING, BLOCKED INTERNALLY SEE SECTION NOTES

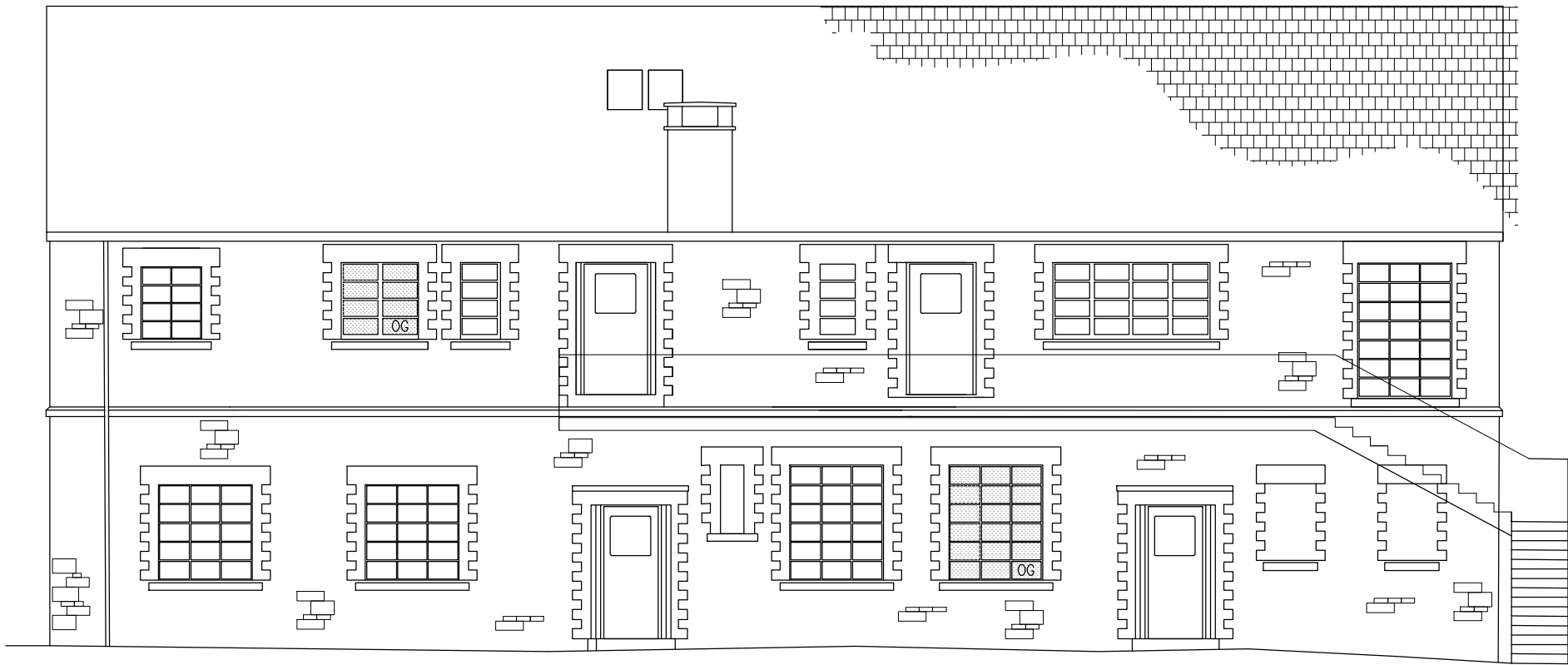


EXAMPLE EXTERNAL STAIRCASE DETAILING & BALUSTRADE

B	Amended following conservation officers comments	08.08.19
A	Glazing annotation added	29.07.17
Rev	Description	Date
		
RODBOURNE, SWINDON		
PROPOSED ELEVATIONS 1 OF 2		
Dwg No: 22-1-RB		B
Scale:	1:100 @ A3	Date: 15/04/19
Drawn By: KP		
Hampton Lodge, Hampton, Highworth, Swindon, Wiltshire, SN6 7RL		




NE
ELEVATION

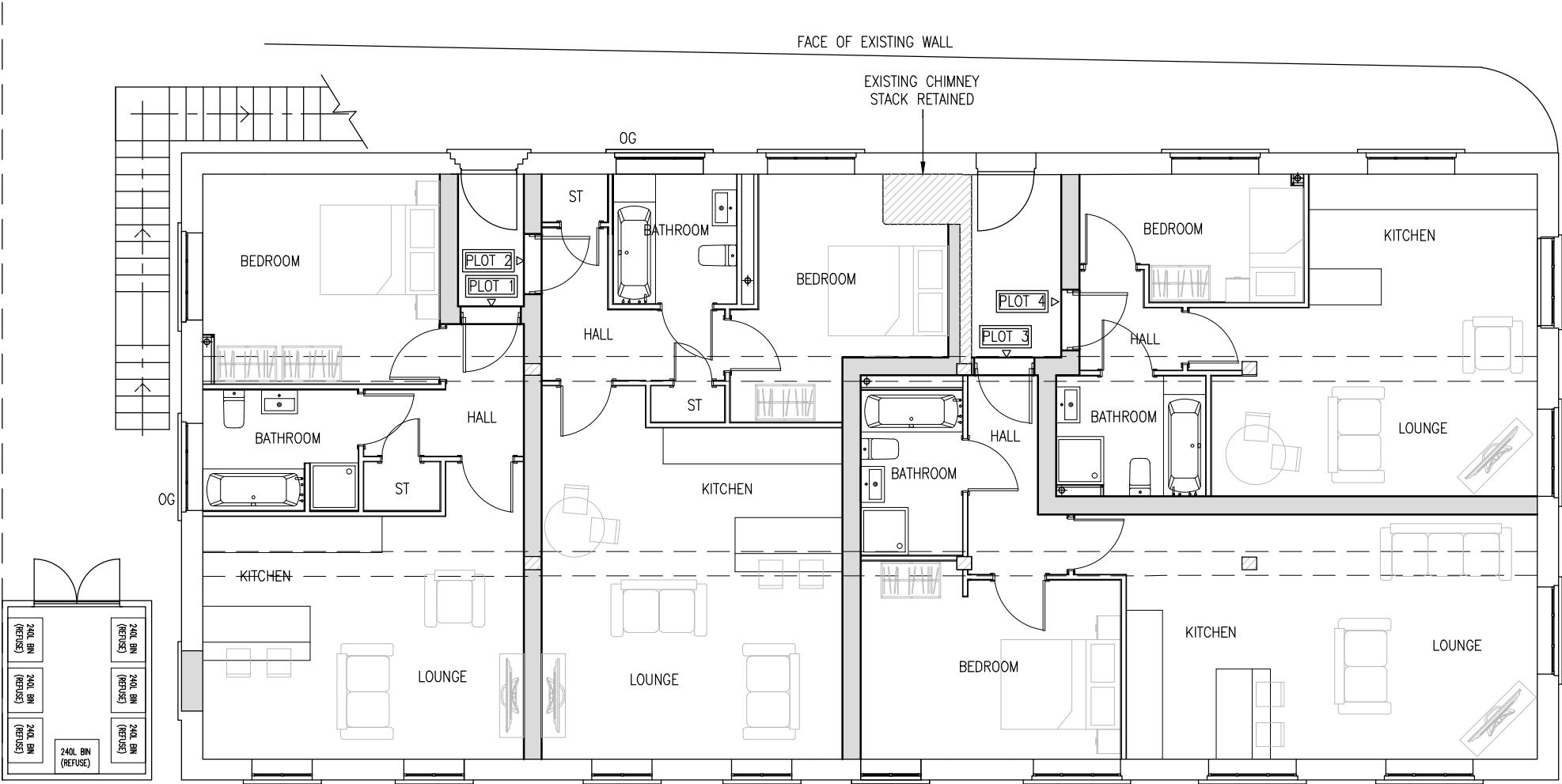
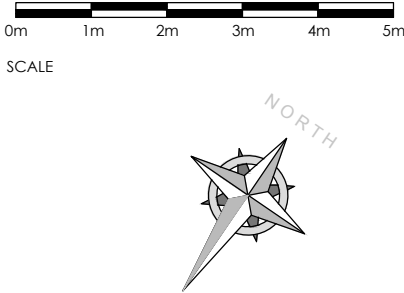


NW
ELEVATION

WINDOW LEGEND


- OG OBSCURE GLAZING, MINIMUM LEVEL 3
- M ONE-WAY MIRROR GLAZING, BLOCKED INTERNALLY SEE SECTION NOTES

B	Amended following conservation officers comments	08.08.19
A	Glazing annotation added	29.07.17
Rev	Description	Date
		
RODBOURNE, SWINDON		
PROPOSED ELEVATIONS 2 OF 2		
Dwg No:	23-1-RB	B
Scale:	1:100 @ A3	Date: 15/04/19
Drawn By:	KP	
Hampton Lodge, Hampton, Highworth, Swindon, Wiltshire, SN6 7RL		

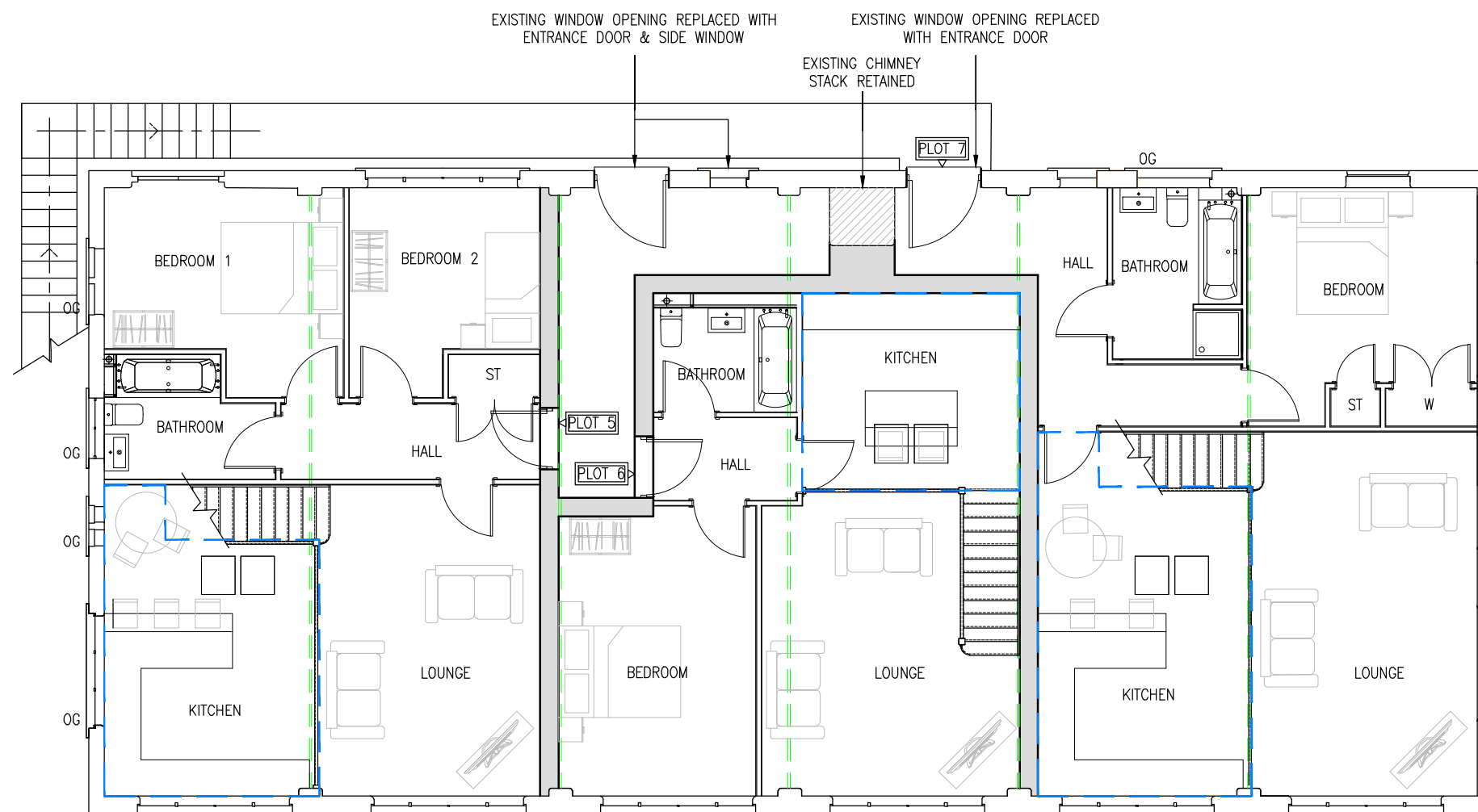
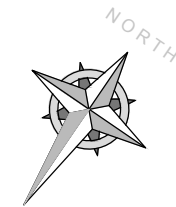


GROUND FLOOR PLAN

Schedule of Areas
Plot One - 48.91 SqM / 526.5 SqFt
Plot Two - 53.64 SqM / 570.7 SqFt
Plot Three - 53.14 SqM / 572 SqFt
Plot Four - 41.93 SqM / 451 SqFt

B	Amended following conservation officers comments	08.08.19
A	Internal layout amendments to Plots 2 & 4	15.07.19
Rev	Description	Date
<div> RODBOURNE, SWINDON</div>		
PROPOSED GROUND FLOOR PLAN		
Dwg No:	14-1-RB	B
Scale:	1:100 @ A3	Date: 15/04/19
Drawn By:	KP	
Hampton Lodge, Hampton, Highworth, Swindon, Wiltshire, SN6 7RL		

SCALE



FIRST FLOOR PLAN

BLUE DASHED LINES
INDICATE EXTENT OF
OPEN MEZZANINE FLOOR ABOVE
THE APARTMENTS

GREEN DASHED LINES
INDICATE EXTENT OF
EXISTING EXPOSED
METAL 'W' RAFTERS,
THESE ARE TO REMAIN EXPOSED IN
THE PROPOSED SCHEME

Schedule of Areas

Plot Five - 71.14 SqM / 765.75 SqFt

Plot Six - 57.38 SqM / 617.63 SqFt

Plot Seven - 75.05 SqM / 807.8 SqFt

B	Amended following conservation officers comments	08.08.19
A	Extent of mezzanine floors annotated to first floor plots, Bedroom 1 enlarged in Plot 5	15.07.19
Rev	Description	Date



RODBOURNE, SWINDON

PROPOSED FIRST FLOOR PLAN

Dwg No:	15-1-RB	B
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Scale:	1:100 @ A3	Date:	15/04/19
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Drawn By: KP

Hampton Lodge, Hampton, Highworth, Swindon, Wiltshire, SN6 7RL

COMMITTEE REPORT

Item Number:

Ward: Mannington and Western

Application Number: S/19/0946

Parish: Central Swindon North

Proposal: Change of use of Former Telephone Exchange (Sui Generis) to 7 Apartments (Class C3) and associated works.

Site Location: Former Telephone Exchange, Fire Fly Avenue, Swindon.

Case Officer: Ms P Moore

Agent:

Highworth Homes Ltd

Hampton Lodge

Highworth

Swindon

SN6 7RL

Applicant:

Ian Sullivan

Ian Sullivan Architecture Ltd

101 Victoria Road

Swindon

SN1 3BD

Officer's Report

Background

This is a full application for the conversion of the existing former telephone exchange into seven apartments. The three Ward Members have expressed concerns about the application and requested the application be considered by the committee due to concerns surrounding the lack parking provision.

Recommendation

1. That planning permission is GRANTED subject to conditions

Site and surroundings

2. The existing building dates from the mid 20th Century and was a former telephone exchange for the Great Western Railways site. The building is typical of its time and takes a simple functional and industrial form and appearance. It is

constructed of a mock dressed stone with a slate roof with a rectangular footprint and pitched and gabled roof covered in slate. The building is reasonably large and has 3 bays of Crittall-style metal framed windows to the gables and 6 bays of Crittall windows to the sides. An external metal staircase is positioned on the north-west elevation which gains access to the first floor.

3. The building is located within the Railway Works Conservation Area, and is opposite to and forms part of the setting to the Railway Village Conservation Area. The site is adjacent to and part of the group of railway buildings which form a collective, such as being adjacent to the Swindon Works Main Office (Grade GII) opposite the carriage works and trimming Shop (both Grade II listed).
4. Cardean House (residential apartments) lie to the west of the site, the Historic England Record Office (grade II listed) is to the north with the railway and tunnel to the south and east respectively.

The Proposal

5. The former telephone exchange building is to be retained and converted into seven apartments with associated cycle and bin storage.

Representations

6. Neighbours : 2 comments have been received, one from the occupier of one of the flats at Cardean House, opposite the site, and one from Historic England as occupier of The Engine House. Comment on potential for overlooking and loss of privacy; concern about the proposed works and need to control hours of working and mitigation of noise and dust during business hours; need assurance that any asbestos is properly dealt with; need to ensure that access to other buildings will not be affected during construction; how will emergency services and delivery vans get access to the building
7. Parish Council – object due to lack of parking and high number of flats for a small space.
8. Conservation Officer: Whilst the principle of the conversion to residential is appropriate, the proposed external alterations are quite poor and fail to consider the surrounding context and the nature of the existing site. Amendments are required in order to be appropriate from a historic environment perspective. Revised plans have addressed some of the concerns, but still has reservations relating to the external staircase.
9. Highways No objection subject to conditions
10. Environmental Health – Noise: No objection subject to conditions.
11. Network Rail – No objection in principle, but seeks assurance that no part of the development adversely impacts the safety, operation and integrity of the

operational railway. The applicant will need to engage with Network Rail to agree the interface between the development and Network Rail before works commence. The developer should enter into a Basic Asset Protection Agreement. Surface water must not discharge onto Network Rail land or into their infrastructure. Foul drainage should be separate to Network Rail's drainage.

Planning Considerations

12. The main issues for consideration in determining this application are

- Principle of development
- Impact on the conservation area and listed buildings
- Impact on neighbouring properties
- Highways/parking

Relevant Policy

13. In determining any planning application, special attention shall be paid to the desirability of preserving listed buildings and preserving or enhancing the character or appearance of conservation areas as set out in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In addition the submission must be determined against relevant policy including the National Planning Policy Framework (NPPF 2012) and Swindon Borough Local Plan 2026 (SBLP).

14. Other Policy/ Guidance:

- Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment: English Heritage (2008)
- Historic environment Good Practice Advice Notes 2, and 3
- Railway Village Conservation Area Appraisal 2006;
- Railway Works Conservation Area Appraisal 2006.

15. The SBLP 2026 was formally adopted on 26 March 2015. The key policies relevant to this application are:

- Policy SD1: Sustainable Development Principles
- Policy SD2: The Sustainable Development Strategy
- Policy EC2: Employment Land and Premises
- Policy DE1: High Quality Design
- Policy DE2: Sustainable Construction
- Policy EN10: Historic Environment & Heritage Assets
- Policy TR2: Transport and Development
- Policy EN4: Biodiversity and Geodiversity

Principle of development

16. The site lies within the main built area of Swindon and is accessible to local facilities. Consequently there is no in principle objection to development, provided that it accords with the adopted policies of the development plan. Special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and the setting of Listed Buildings.

16. To enable provision of sustainable development and support sustainable communities, Local Plan policy SD1 sets out criteria which new development will be expected to comply. Of particular relevance to this application development should: be of high quality design; respect the natural, built and historic environment; contribute to retention of jobs and growth of the local economy and complement Town Centre regeneration; be accessible by walking, cycling and/or public transport; and use land and resources in an efficient and effective way.
17. This site lies close to facilities within Swindon and is close to bus routes. It is considered to be a sustainable location, accessible by various means of transport.

Heritage Assets

18. The main historic environment considerations include the effect of the proposed development upon the conservation areas character and appearance and the effect upon the setting of heritage assets (listed buildings and conservation area).
19. The headquarters building of English Heritage/Historic England, opposite the site, is grade II listed. Special attention has been paid to the desirability of preserving the setting of the listed building. The only external works to the existing telephone exchange building is the extension of the staircase. The impact of the alteration to the external staircase is set out below. There is no extension to the building. Because there are no significant changes to the external appearance of the Telephone Exchange building, there would be no material change to the setting of the listed building. The proposed new use would be undertaken wholly within the building. Consequently there will be neutral change to the setting of the listed building, and the setting of the listed building is considered to be preserved.

Conservation Area Appraisal

20. The site lies within the Railway Works Conservation Area. The Railway Works Conservation Area Appraisal states “the conservation area's special interest is twofold. First, the area's considerable historic importance as the site of a major nineteenth century industrial complex and its association with the early development of Britain's railways and, in particular, with the Great Western Railway Company; secondly, the architectural and historic interest of the area's surviving industrial and administrative buildings which display innovative forms of construction and exemplify the style of industrial building typical of its period (c.1840-1920).”
21. With regard to the character and appearance of the conservation area, the conservation area appraisal comments: “Typically, buildings are simple in form with a basic rectangular floor plan and pitched roof. Facades are generally flat and plain without significant projection or recess except for arched openings between vertical columns of brick or stone. Changes in roof level are uncommon

- the main examples arising from the meeting of buildings from different periods.”
The design of the telephone exchange building reflects this character.

Impact of proposed development on character and appearance of Conservation Area

22. Paragraph 127 of the NPPF, Policy DE1 and EN10 of the Local Plan, requires that when looking to undertake development, the surrounding context, setting, and its character must be carefully considered, together with how the works affect the character and appearance of the surrounding heritage assets and how the works reinforce local character and distinctiveness.
23. The existing building is a modern installation to the historic site of Swindon's Railway Village where a number of historic and listed buildings exist. Whilst it might be of a functional design, the design of the subject site is effective in allowing the presence of the more historic buildings as part of the railway site dominate. Despite this, the building is located within a prominent location at the end of a well-used walkway, so alterations to the building have the ability to be quite prominent and cause harm to the significance of the sensitive historic environment surrounding.
24. Whilst the use in principle of the building is supported as it assists in facilitating maintenance and upkeep of the building, when the application was first submitted the Conservation Officer considered that further details were required, particularly with regard to replacement windows, reduction in the number of rooflights. The Conservation Officer expressed concerns at the loss of the chimney and the replacement of the external staircase with an extended staircase. With regard to the external staircase the comment was made that whilst the external staircase currently has a poor appearance and whilst its' like-for-like replacement might be appropriate, the opportunity should be taken to incorporate this inside the building.
25. With regard to the windows, the existing windows are metal Crittal windows that are single glazed. To obtain necessary noise insulation for the residential use double glazed units would be required. Whilst the use of double glazing may be appropriate, the proposed units need to be carefully selected as double glazing can thicken the appearance of windows, which together with the typical silver spacer between the panels, can make the windows look quite bulky. Any replacement windows should ideally be aluminium with double glazing being of a slimline variety with the glazing panels no thicker than 14mm. Glazing should be mounted to the glazing bars, and not of an arrangement where the glazing bars are internal to the glazing. Details of windows can be subject of a condition.
26. The revised plans show a significant reduction in the number of rooflights and retention of the chimney.
27. The revised plans retains the external staircase. The Conservation Officer feels that the staircase should be internalised as the external staircase is considered to

cause less than substantial harm to the conservation area. However, paragraph 196 of the NPPF requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this case the building is considered to contribute to the character and appearance of the conservation area. The character is railway industrial. As such it is considered that an external staircase is not an inappropriate feature. Furthermore the reuse of the building as residential provides significant public benefit, by providing residential units and by providing the building with an economic use. Consequently in this case it is considered that the benefits of the proposed reuse of the building outweigh any harm caused.

28. Special regard has been had to preserving or enhancing the character or appearance of the conservation areas. The revised scheme is considered to preserve the character and appearance of the conservation area, and complies with policy EN10 of the Local Plan and the NPPF.

Design

29. From an urban design perspective any proposal needs to address Policy DE1 of the Swindon Local Plan 2026 in light of the principles of Context & Character, Layout, Form, Function, Amenity & Quality of the Public Realm, it also needs to demonstrate high quality design as required in Local Plan policy SD1.
30. In considering applications for development environment Paragraph 127 of the NPPF, Policy DE1 and EN10 of the Local Plan set out criteria against which proposals should be assessed. In particular the building's setting, its character and particularly how the works affect the character and appearance of the surrounding heritage assets and how the works reinforce 'local distinctiveness.'
31. The existing building has a rectangular footprint and simple pitched roof. The proposed conversion includes the following changes:

South west elevation (facing Cardean House)

Ground floor window blocked up

First floor windows to be obscured glazed. These serve a bathroom, kitchen/dining area and bedroom, the bedroom and kitchen/dining area are dual aspect)

Second floor window to be blocked internally, with glazing to retain window appearance

South east elevation – addition of four rooflights

North west elevation (facing Historic England Record Office)

Addition of two rooflights

Rearrangement of doors and windows at first floor level

Replacement of existing external stair with external stair that wraps around north west and south west elevation

North east elevation – change to existing door.

These changes to the appearance of the building are minor and they do not materially or adversely harm or affect the character of the building the Conservation Area or the setting of any listed building.

Residential Amenity

32. There considerations relevant to residential amenity, include the impact of the development on occupiers of existing properties, and the amenities of occupiers of the proposed accommodation.
33. The plans have been revised to show obscure glazing to the existing first floor windows in the south west elevation, and the internal blocking of the window at second floor. This will ensure no overlooking or loss of privacy to occupiers of the apartments at Cardean House. There are no other residential properties adjacent to the site.
34. Concern has been expressed about whether seven flats is an overdevelopment of the building. An indication as to whether the proposal is overdevelopment is whether the proposed flats meet nationally described space standards (NDSS). Gross internal floor areas have been calculated. The table below shows the intended occupancy for each unit the NDSS and the actual floorspace.

unit	Bed/person	NDSS (sq m)	actual
1	1b/2p	50	49
2	1b/2p	50	54
3	1b/2p	50	53
4	1b/1p	39	42
5	2b/3p	61	70
6	1b/2p	50	56
7	1b/2p	50	75

35. From the table it is evident that all the flats exceed the NDSS. It is considered that the proposed development would not have an unacceptable impact on the living conditions of future occupiers.
36. The site is immediately adjacent to the railway. A noise survey has been submitted with the application. The Environmental Health Officer considers that the occupiers would not be subject to unacceptable noise levels. Conditions are proposed to ensure that the appropriate noise limits are met.

Highways

37. Local residents, the parish council and ward members have expressed concern about the lack of access and parking provision on site. With regard to adopted car parking standards the site lies within sector 2, where parking is required on site. However the southern boundary of the application site is the boundary with sector 1 (where no on-site parking would be required). The Highways officer

comments that “Although the located of the site is within Sector 2 of SBC’s Parking Standards, the close proximity of the Town Centre and local amenities, including sufficient cycle paths, as shown in Appendix B of the Transport Statement, pedestrian footways, bus stop locations as shown in Appendix C of the Transport Statement, and as the surrounding highways are subject to parking restrictions, the zero car parking proposed for the site is unlikely to cause an issue to the surrounding highway and area.”

38. The site has pedestrian access from Firefly Avenue (private road) and is within close proximity to the railway underpass, which leads into the Town Centre. The nearest bus stops are located on Bristol Street, located south of the underpass, with a further 2 bus stops located on Penzance Drive and Rodbourne Road, which is shown within the Transport Statement 3.6.24.
39. The cycle storage area is located within the basement of the building with a total of 18 spaces, accessed by the pedestrian underpass. The level of provision is acceptable but currently the cycle storage area can only be accessed when the underpass is open, which is not acceptable. A condition is recommended that requires that fully accessible cycle storage provision to be provided before any of the flats are occupied.
40. With regard to car parking, there is no space available within the site to provide parking. However the site is in a highly sustainable location. Furthermore, the existing building is part of the ‘industrial’ heritage and as such it should be retained. However, the use of the building as a telephone exchange is sui generis and almost any alternative use requires planning permission which will trigger a parking requirement to be fully policy compliant. The car parking requirement for the flats proposed is 10 – one space for each 1 bedroom flat, two spaces for the two bedroom flat and two visitor spaces. Office use would have a requirement of 14 spaces. If any alternative use will be unacceptable unless parking space is provided, it is unlikely that a use can be found for the building.

Other Issues

41. Figure 4.1 of the Transport Statement shows the proposed site layout with the refuse storage area to the west of the building, which is proposed to be managed by a private refuse company which will access the site from Firefly Avenue, as stated in ‘Refuse Collection’ 4.4.1 and 4.4.2.
42. As stated above, the use is considered to be acceptable in principle but given the lack of on site or available parking provision, the concerns expressed in the representations are understood. As any new use of the property where non is available would attract objection or is reason, officers have considered the impact and the location and are of the view that the accommodation will be unlikely to be attractive to those persons who require parking close by. Also, officers have considered whether keeping the property empty and to deteriorate with the consequential harm to designated assets, is acceptable. No other uses have

been put forward and officers are of the view that any limited harm resulting from lack of parking is outweighed by the benefits of re-using the building especially as outwardly the re-use would be barely noticeable and would preserve the character and appearance of the area and the setting of the adjacent listed buildings.

43. It is recommended that planning permission be GRANTED subject to the following conditions

Conditions

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.

2. This approval shall be in respect of the following drawings:

Received 12 August 2019:

14-1-RB rev B Proposed Ground Floor

15-1-RB rev B Proposed First Floor

22-1-RB rev B Proposed Elevations 1 of 2

23-1-RB rev B Proposed Elevations 2 of 2

RB-PL-01 rev A proposed site plan

And the Noise and vibration assessment by ACA Acoustics dated 28 May 2019 received on 1st July 2019

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

3. Any alterations to the external appearance of the building shall be undertaken in materials (stone, mortar, slate) to exactly match those on the existing building.

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

4. Details of windows and doors including method of opening, depth of reveal, glazing bars, type of glazing, materials and finish shall be submitted and approved by the Local Planning Authority in writing prior to their installation. The windows and doors shall be installed in accord with the approved details and thereafter maintained as such.

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

5. The proposed residential units shall be designed to meet the indoor ambient noise levels contained in British Standard 8233:2014 (or later versions) which currently require:

- Resting 35 dB LAeq,16hour

- Dining 40 dB LAeq,16hour
- Sleeping 30 dB LAeq,8hour
- 45dB LAFmax
- 50 dB LAeq, 16hour in external amenity spaces

Reason: To ensure future occupiers will have adequate residential amenity

6. The development shall not be occupied until details of the extract ventilation and filter system designed to meet the criteria in condition 5 shall be submitted to local planning authority for approval in writing. The extract ventilation and filter system shall be installed in accordance with the approved scheme before the development is brought into use. and shall be maintained in accordance with the approved scheme thereafter, unless modified as a result of the post occupation assessment required by condition 7.

Reason: To ensure future occupiers will have adequate residential amenity.

7. Prior to occupation of the residential units, a pre-occupation validation noise survey shall be conducted in order to demonstrate that the noise mitigation measures installed are effectual in reducing external noise to an acceptable level and a certificate of compliance by an approved acoustic assessor should be submitted to the Local Planning Authority to demonstrate that the standards required under BS 8233:2014 have been achieved. The survey shall demonstrate compliance with the following criteria:

- Resting 35 dB LAeq,16hour
- Dining 40 dB LAeq,16hour
- Sleeping 30 dB LAeq,8hour
- 45dB LAFmax
- 50 dB LAeq,16hour in external amenity spaces

Reason: To ensure future occupiers will have adequate residential amenity.

8. Where the specified internal noise levels in bedrooms and living rooms can only be achieved by closing windows, supply air mechanical ventilation (MVHR) shall be provided to the room to a standard of ventilation to be agreed in writing by the Local Planning Authority. All supply air ventilation systems shall be supplied with heat recovery to reduce energy loss in winter and shall be supplied with a heat recovery by-pass in summer. All supply air ventilation systems shall have a standard and boost facility. All the controls on mechanical ventilation systems shall be easily and practically accessible by the occupants of the dwelling.

Reason: To ensure future occupiers will have adequate residential amenity.

9. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall:

- i. specify the type and number of vehicles;

- ii. specify the point of construction access and access route to the site;
- iii. set out details of the parking of vehicles of site operatives and visitors;
- iv. set out arrangements for the loading, delivery and unloading of plant and materials;
- v. set out arrangements for the storage of plant and materials used in constructing the development;
- vi. set out arrangements for wheel washing facilities;
- vii. specify the intended hours of construction operations;
- viii. Set out arrangements to ensure the adjacent pedestrian access / walkway remains unobstructed.

Reason: To reduce the potential impact on the public highway during the site preparation and construction phase(s) of development in accordance with Policy TR2 of Swindon Borough Local Plan 2026.

10. The development hereby permitted shall not be occupied until secure and sheltered cycle storage facilities for a minimum of 7 bicycles has been made available in accordance with details to be submitted to and approved in writing by the Local Planning Authority in accordance with The adopted Technical Guidance on Parking Standards 2007 , and thereafter maintained. The cycle storage facility shall be permanently available to occupiers at all times.

Reason: To promote and encourage sustainable transport and travel in accordance with Policy TR1 of Swindon Borough Local Plan 2026.

Notes for Decision:

NB1 The applicant's attention is drawn to the comments made by Network Rail in their letter of 29th October. You must ensure that their requirements are resolved before development commences.

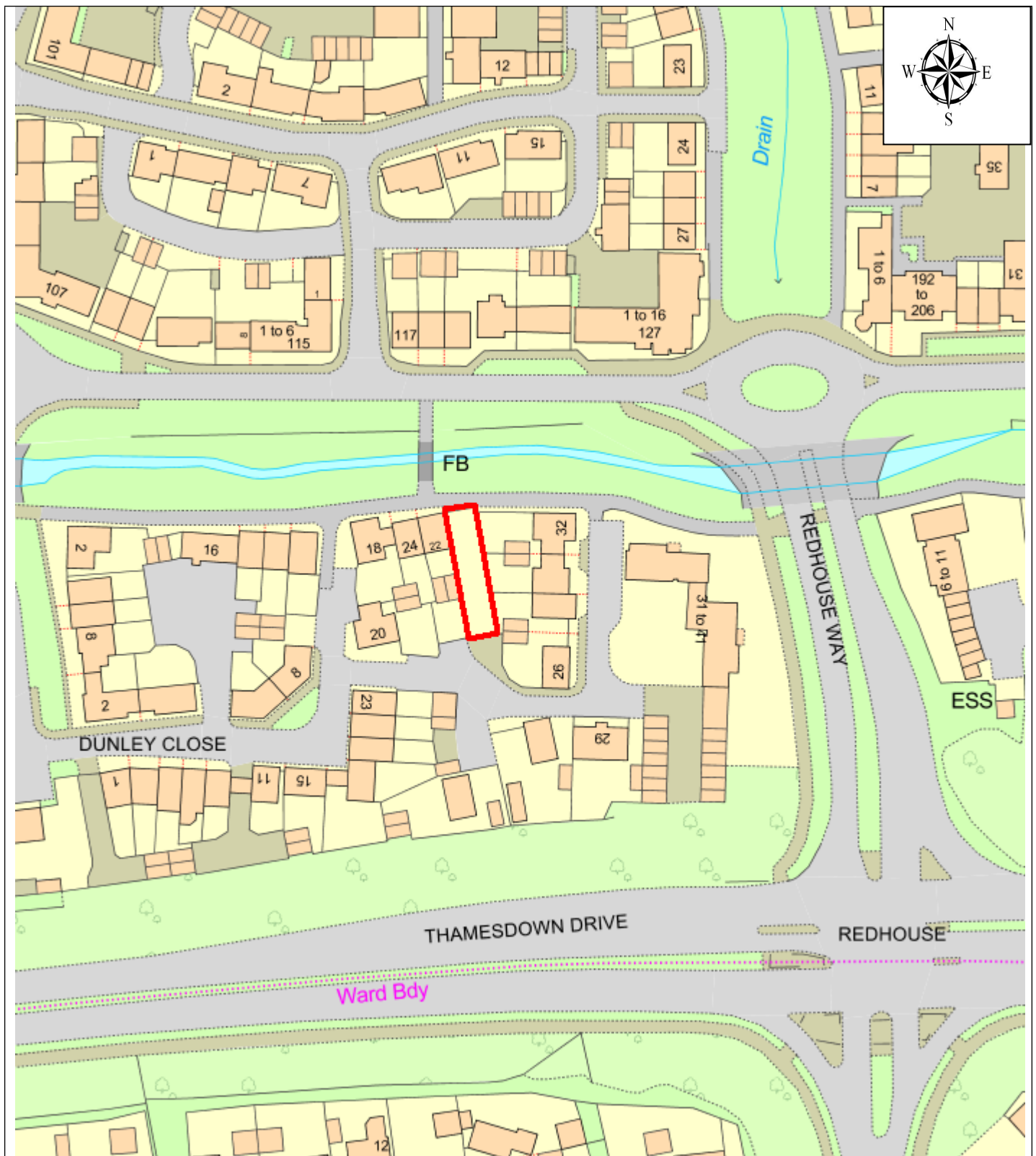
NB2 In addition to this consent, under the Town Improvement Clauses Act 1847 the applicant is required to contact SBC's Street Naming & Numbering Officer as soon as possible with regard to registering new or changes to the official address of any properties within this development.

http://www.swindon.gov.uk/info/20031/roads_parking_and_transport/321/apply_for_street_naming_or_number

Application Number S/19/0742

Proposal Erection of 1no. dwelling and associated works.

Location: Land Adjoining 22 Dunley Close Swindon SN25 2BL



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.

In all cases reference should be made to the submitted plans.

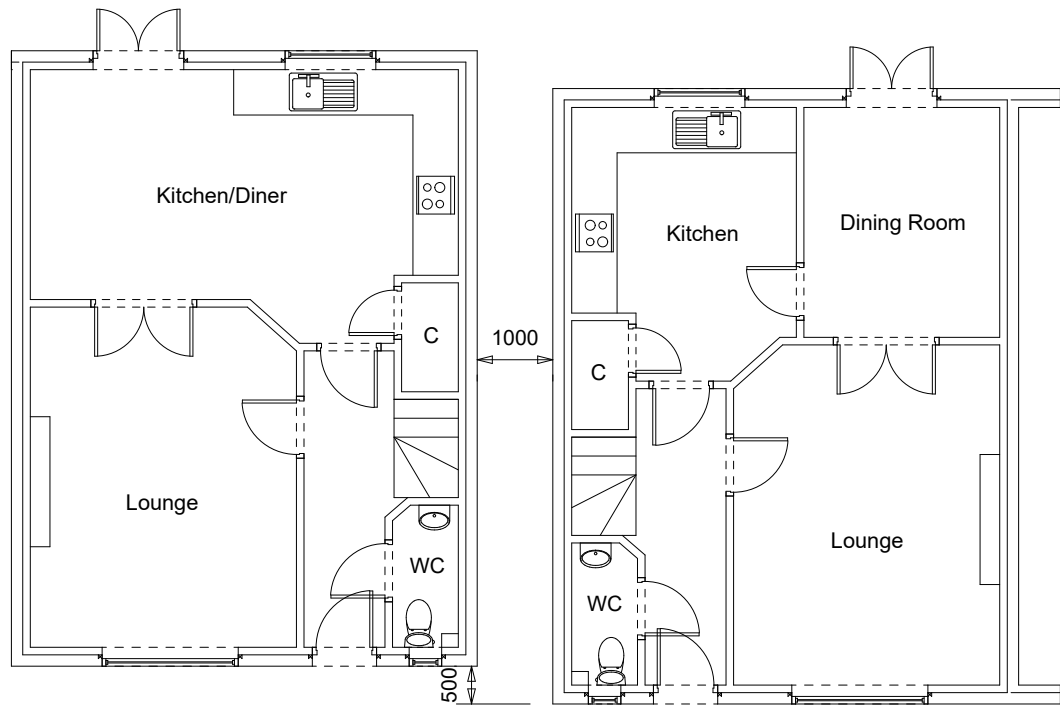
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Application Number S/19/0742
Proposal Erection of 1no. dwelling and associated works.
Location: Land Adjoining 22 Dunley Close Swindon SN25 2BL

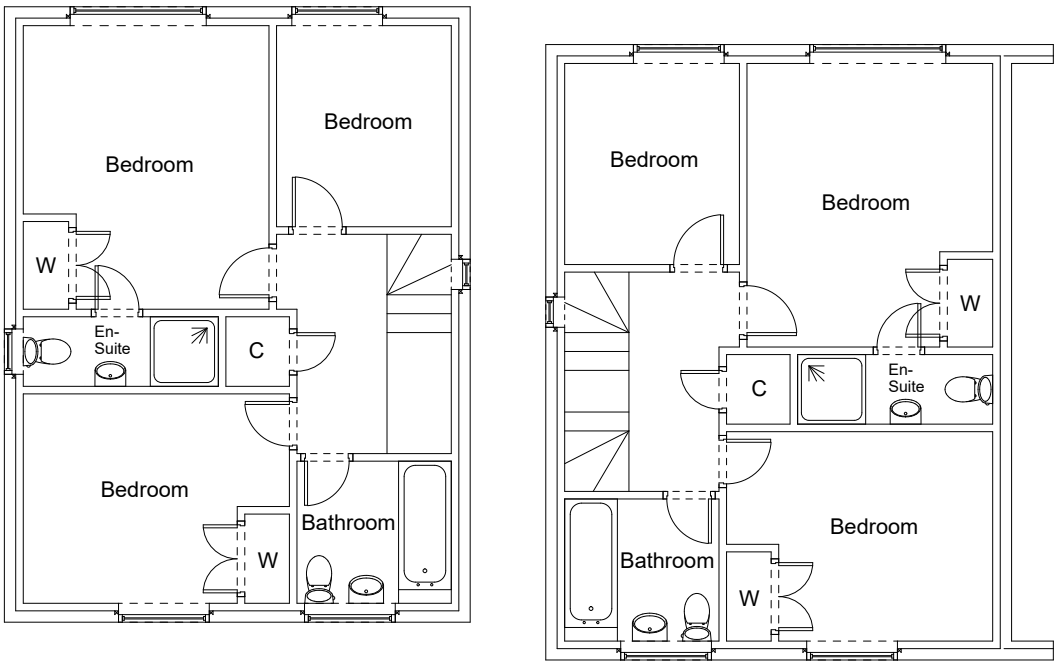


This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
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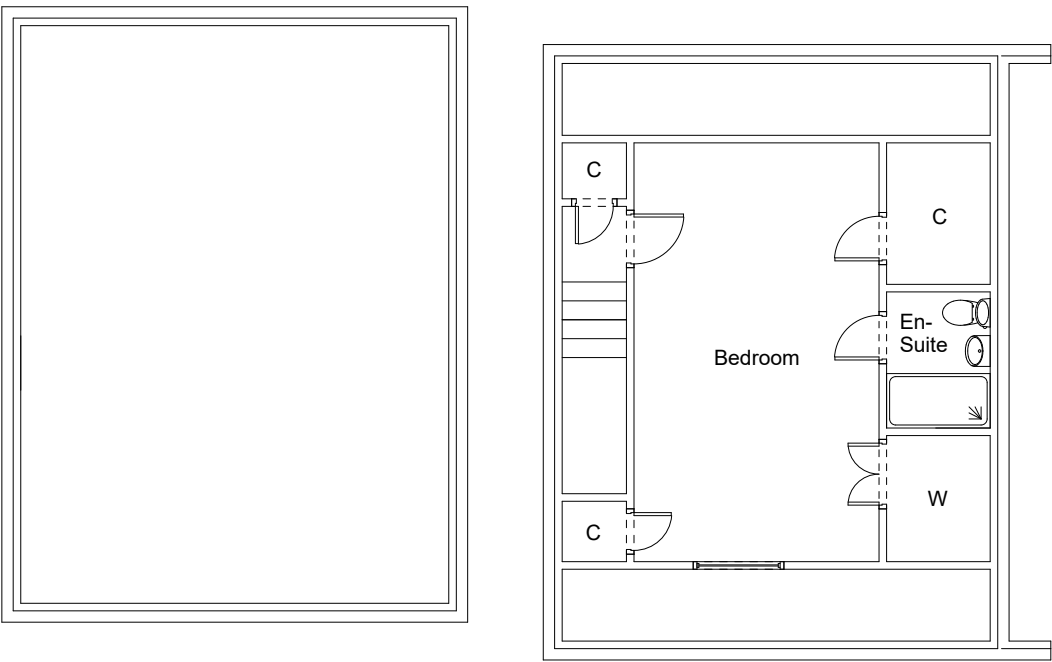
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Proposed Ground Floor



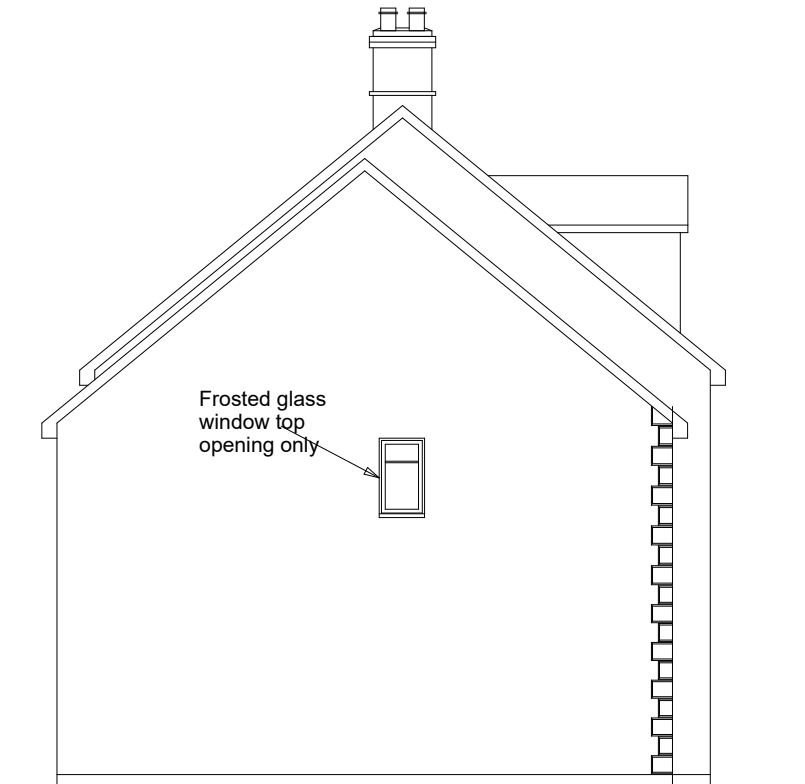
Proposed First Floor



Proposed Loft



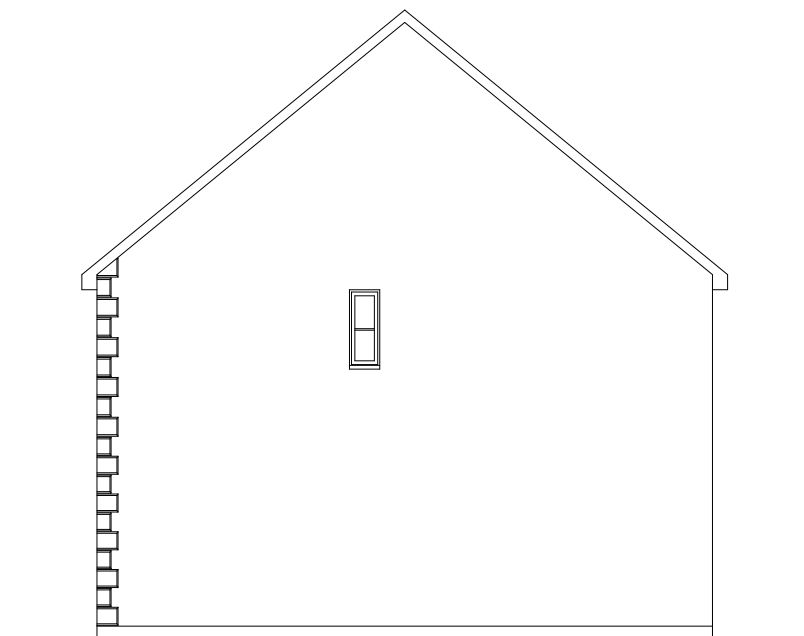
Proposed Front



Proposed Side



Proposed Rear



Proposed Side



Client
Mr S Melville

Project
22 Dunley Close
Redhill
Swindon
SN25 2BL

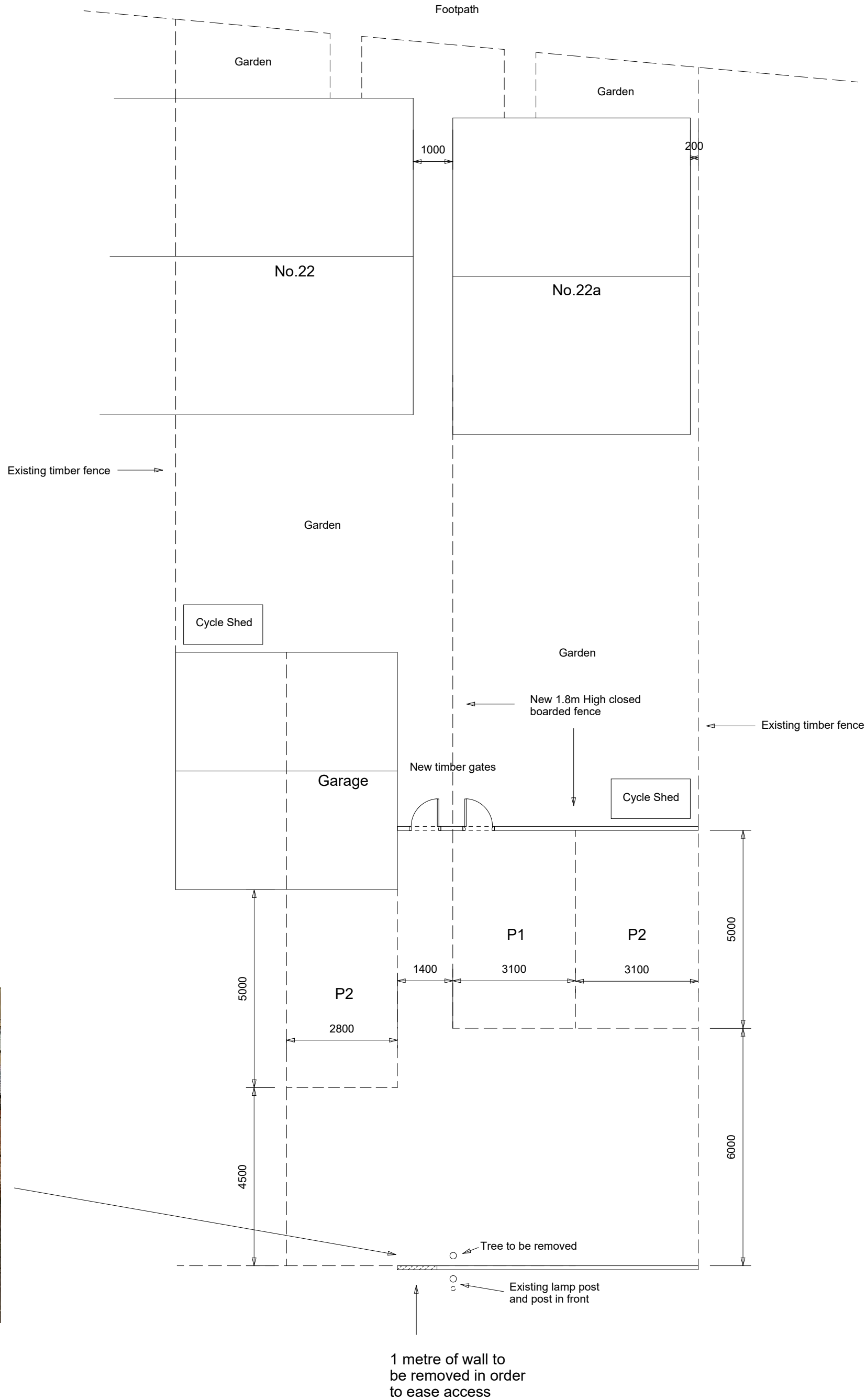
Drawing Title
Proposed

Drawing No.
19/1291/03 rev A

Date
July 2019
Drawn by
MM

Scale
1:100 @ A2
Checked by
RGN

27b High Street
Highworth
Swindon
SN6 7AG
01793 762368
07798 864291



Client
Mr S Melville

Project
**22 Dunley Close
Redhill
Swindon
SN25 2BL**

Drawing Title
Site Plan

Drawing No.
19/1291/02 rev A

Date
August 2019

Scale
1:100 @ A2

Drawn by
MM

Checked by
RGN

27b High Street
Highworth
Swindon
SN6 7AG

01793 762368
07798 864291



COMMITTEE REPORT

Item Number:
Application Number: S/19/0742/SASM

Ward: St Andrews
Parish:
 St Andrews

Proposal: Erection of 1no. dwelling and associated works.

Site Location: Land Adjoining, 22 Dunley Close, Swindon

Case Officer: Sarah Smith

Agent:
 Mr Rod Navarrete
 Home Plan Design Services
 27B High Street
 Highworth
 Swindon
 SN6 7AG

Applicant
 Mr S Melville
 22 Dunley Close
 Swindon
 SN25 2BL

Officers Report

1.1 Background: A planning application for a similar proposal was refused under delegated powers in May this year (S/19/0149) for the following reason:-

The proposed development, by virtue of its scale, siting and position of windows would result in an intensive, and dominant development form, causing harm to the amenity of the neighbouring property (No. 32 Dunley Close) in terms of its visual dominance, inadequate separation distance and loss of privacy contrary to Policy DE1 of the adopted Swindon Borough Local Plan 2026, the adopted Swindon Residential Design Guide (2016) and the NPPF (2019).

1.2 The scheme has been modified and the current application has been submitted to try to overcome this reason for refusal.

1.3 The application is brought to Planning Committee at the request of Councillor Tomlinson on the grounds of the impact on the amenity of neighbouring residents and impact on the street scene.

Summary of Recommendation:

2. That planning permission be GRANTED with Conditions

The Proposal

3. This application relates to the erection of a two storey detached dwelling in land to the side of 22 Dunley Close, Swindon.

4. The two house will be set down from the ridge height of the three storey dwelling at no.22 (the applicant's dwelling) by some 0.8 metre. The boundary of the existing house will be subdivided by means of a 1.8-metre close boarded fence as outlined on the Site Plan (S/19/1291/02 rev A). Two separate rear gardens will be provided along with two parking spaces per dwelling (one within the existing garage of no.22). Adequate manoeuvring space is provided.

5. The house will be 6 metres wide and have an overall depth at ground floor level, of 8 metres. It will be orientated so that its front façade is set back by 0.5 metre from that of No. 22.

The Site and Surroundings

6. Dunley Close comprises of a mixture of house styles built at a relatively high density. The proposal site forms part of the curtilage of 22 Dunley Close, a semi-detached house. The site is accessed from Dunley Close to the rear by an existing vehicle access and bordered by a wall. The front of the property faces a path and landscaped area

Representations

7. St Andrews Parish Council: Original plans: Plot size too small for proposed development, lack of garden space and existing parking issues will be exacerbated by the development of additional housing. Revised plans: no representations received.

Neighbours

8. Original Plans: Representations have been received from the occupants of 20, 24, 26, 28, 30 and 32 Dunley Close. Their concerns relate to the following points:

- o Adequacy of parking and impact on access
- o Disruption during construction
- o Overlooking/ loss of privacy
- o Overshadowing of garden
- o Impact on tree
- o Inadequate separation distance
- o Noise and disturbance
- o Overdevelopment and impact on local amenity
- o Impact on property prices

Revised plans: - Representations received from 20,24,28,30 and 30 Dunley Close on the following grounds:- original comments still stand, not acceptable to build a house 20 cm away from neighbour's fence.

Planning Considerations

9. Enshrined in planning law, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that in the determination of planning applications, regard must be had to the Development Plan unless material considerations indicate otherwise.

National Planning Policy Framework

10. In considering this application, regard has been had to the National Planning Policy Framework (NPPF) which was published in Feb 2019. This sets out the Government's planning policies for England and how these are expected to be applied. Paragraph 2 states that the Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. However, paragraph 12 confirms the primacy of an up to date Local Plan as the starting point for decision-making.

Swindon Borough Local Plan 2026

11. The Swindon Borough Local Plan 2026 (SBLP) forms a statutory part of the Development Plan for the Borough of Swindon. It was adopted in March 2015 and the majority of policies therein are considered to be up-to-date and continue to carry significant weight in decision making.

12. The relevant Local Plan policies that have been taken into consideration in reaching the above recommendation are as follows:

- * SD1 - Sustainable Development Principles
- * SD2 - The Sustainable Development Strategy
- * DE1 - High Quality Design
- * HA1 - Mix, Types and Density
- * TR2 - Transport and Development

Supplementary Guidance

13 As a material planning consideration, regard is also had to the Council's Technical Guidance on Parking Standards Development Control Guidance Note which was adopted in 2009. In addition, regard is also had to the Swindon Residential Design Guide, which was adopted as a full Supplementary Planning Document in June 2016.

14. Paragraph 58 of the NPPF states that planning policies and decisions should aim to ensure that development will respond to the local character, are visually attractive as a result of good architecture, function well and establish a strong sense of place.

15. Policy DE1 (High Quality Design) of the SBLP provides a number of design principles that proposals will be assessed against, including context and character, layout, form and function.

16. The Swindon Residential Design Guide states context and character are key considerations and that development in existing areas must respond to and respect inherent scale, density and massing, height, landscape, layout, materials and access.

Principle

17. Policy SD1 states that to enable the delivery of sustainable development and support sustainable communities within the Borough, all development proposals will inter alia be of a high quality of design.

18. The proposal site is located within the Swindon Urban Area, satisfying Policy SD2, in respect of concentrating development within Swindon's urban area. The proposal site is located in an existing residential area within walking distance of shops and services and has access to public transport. It is therefore considered that the site is sustainable in terms of its location.

19. Although it could be suggested that the principle of development could be supported based on the above policies, paragraph 53 of the National Planning Policy Framework does seek to resist inappropriate development in residential gardens where these could cause harm to the local area. The development would be located to the side of the host dwelling and within a densely built up area. The issue to consider therefore is whether the proposal will conflict with paragraph 53, the more detailed adopted Local Plan policy DE1 and the Swindon Residential Design Guide SPD (2016).

Design

20. Policy DE1 requires a high quality of design in all development. In ensuring this proposals must be assessed inter alia in terms of the context and character of the proposal in respect of existing built characteristics, the appropriateness of the layout, form and function of the development in respect of, amongst other criteria; the siting, orientation, scale, massing, materials and detail, together with regard to the impact of the development on amenity in terms of light, privacy, outlook, noise, disturbance, small, pollution and space.

21. The Swindon Residential Design Guide SPD sets out the design and land assembly criteria in determining if such development would be appropriate. Infill development is defined as development in a small gap in an otherwise built up frontage. Although the proposed dwelling will be added to the end of an existing frontage, it is considered that the guidelines set out in the document are pertinent to this proposal in that the development will still be an infill within the context of an established high density residential area.

22. Infill developments are required to be in harmony with its surroundings and not harm the living conditions of neighbours. Infill should also appear to look generally in character with the existing built environment as if to appear to naturally belong to the surrounding area and seek to make a positive contribution in terms of design and materials. Relevant to this proposal, paragraph 2.17 of the SPD states that 'infill development should enhance its surroundings by positively responding to the scale, density, massing, landscape and access of its neighbouring properties.' This is important to reinforce local context and ensure that the character of the street is not adversely affected. A most satisfactory form of development will look as though it has been planned as part of the original design of the area.

23. The proposed building has been designed to be similar in form and appearance to the neighbouring property (No. 22) but at a smaller scale. The proposed height of the dwelling has been lowered with this revised application and set back from the frontage. The applicant was advised to join the dwelling to the existing dwelling to fit better into the street scene but has decided not to do this. Therefore although finely balanced in this respect it is considered that the proposed dwelling is acceptable in design terms.

Amenity

24. The Swindon Residential Design Guide considers gardens as an essential part of the amenities of residents, also recognising garden size is important to the character of an area. It notes that new dwellings suitable for families should provide a sunlit area of private garden, of a size and shape capable to support household recreational use. It stipulates that main private gardens should be larger than the footprint of the host dwelling. The residential alterations and extensions SPD states that for 4+ bed dwellings the external space of a private garden should be greater than 50m². The present scheme, not including the parking spaces manoeuvring areas or the garage space the dwellings have gardens of some 54 and 57 sq m respectively which meets the minimum space requirement.

25. Paragraph 2.20 of the Residential Alterations and Extensions SPD and 6.12 of the Swindon Residential Design Guide (2016) both outline a separation distance of a minimum of 12 metres from the rear to side of a dwelling. Due to the angled side boundary the proposed distance is between 12 and 13 metres from the main two storey façade of no. 32 Dunley Close which is considered satisfactory. The closer proximity of the built form to No. 32 will have some limited effect to the rear garden of no. 32 from the westerly direction although this garden does receive sunlight from the south for the greater part of the day. No.22 already blocks sunlight in the late evening and the proposed dwelling being smaller and to the west of No.22 will not result in a

material loss of sunlight. It is not considered that a small and obscurely glazed window to light an en-suite shower room on the side elevation will cause an adverse impact on privacy levels for surrounding properties. This can be controlled by condition. However the diagonal rear to rear separation distances are reduced through this proposal to a minimum of 15 metres but would be similar to those in the vicinity. It is not considered that there would be an adverse impact to refuse planning permission on these grounds.

Parking

26. The applicant has demonstrated that the two off street parking spaces and secure cycle storage, both required to satisfy the Council's Parking Standards at a rate of two per dwelling can be accommodated within the site.

27. Many of the neighbours' representations related to the impact a further dwelling would have to on street parking, as a result of the removal of part of a boundary wall to widen the access. There is no guaranteed on street parking spaces for residents so it cannot be a material consideration especially as both dwellings are able to display the sufficient amount of off road parking provision which complies with policy TR2.

Other matters

28. The character of the area in which the property is situated is of high density plots tightly packed together which are outward facing with rear parking courtyards and access. This scheme retains that character and whilst it is acknowledged that the scheme itself is 'tight', it nevertheless reflects and retains the character of the built form and represents an acceptable design. It makes adequate provision for parking and garden space and does not obstruct sunlight or daylight to an unacceptable degree and does not result in loss of privacy or outlook.

29. The scale of the new dwelling has been reduced from that previously proposed such that officers are now of the opinion that the previous reasons for refusal have been overcome and the scheme can be supported.

Third party comments

30. A number of representations have been submitted and are partly considered within the above report. We cannot consider the impact on property prices or the impact of a proposal during construction (although Conditions can be attached with this latter issue). The parking standards are complied with through the proposal despite the fact that it has been pointed out that the applicant's needs in this respect appear to be above this level. This can change over time for which adopted Guidance cannot allow for.

Community Infrastructure Levy

31. This development constitutes Community Infrastructure Levy (CIL) liable development. CIL is a mandatory financial charge on development.

Concluding Comments

32. It is considered that the proposal would comply with the relevant Policies of the Swindon Borough Local Plan 2026 (2015) and the NPPF

Recommendation

33 That planning permission be **GRANTED** with Conditions

Conditions

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.

2. This approval shall be in respect of Location Plan at scale 1:1250 and Drawing Number 19/1291/01 (Existing) at scale 1:100 received by the Local Planning Authority 14th May 2019, Drawing Number 19/1291/03 rev A (Proposed) at scale 1:100 received by the Local Planning Authority 24th July 2019 and Drawing Number 19/1291/02 rev A (Site Pan) at scale 1:100 received by the Local Planning Authority 19th September 2019.

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

3. The building hereby permitted shall not be occupied until the vehicular parking and turning facilities including garages where provided, have been provided in accordance with the submitted plan 19/1291/02 rev A, and those facilities shall be maintained available for those purposes thereafter.

Reason: To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site.

4. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall:

- i. specify the type and number of vehicles;
- ii. specify the point of construction access and access route to the site;
- iii. set out details of the parking of vehicles of site operatives and visitors;
- iv. set out arrangements for the loading and unloading of plant and materials;
- v. set out arrangements for the storage of plant and materials used in constructing the development;
- vi. set out arrangements for wheel washing facilities;
- vii. specify the intended hours of construction operations;

Reason: To reduce the potential impact on the public highway during the site preparation and construction phase(s) of development.

5. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing dwelling unless otherwise agreed in writing by the Local Planning Authority. Such facing materials shall be retained thereafter in their approved form.

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

6. 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 east facing elevation wall of the new dwelling.

Reason: In the interests of residential amenity.

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. The weather will have an impact on construction sites which in turn will require roads to be swept in addition to using wheel wash facilities. Swindon Borough Council are on winter service alert for gritting roads around the Borough from mid-October to mid-April each year, the treated roads are shown on the attached plan. The de-icing material used for road treatment by this council is Thorox, this material is rock salt treated with an agricultural by-product similar to molasses and has the advantage of being active on the carriageway for up to three days providing there is no substantial precipitation or sweeping. It is imperative that any salt removed from the treated network by sweepers clearing mud and debris is replaced straight away at a spread rate of 15g/m2. Where a sweeper is used on the roads around your site, you have a responsibility to retreat roads after washing or sweeping to ensure safety of road users is maintained during the winter period. In order to assist with this retreatment, Swindon Borough's Highway Operations Team can provide a filled grit bin at a cost available on request for use by developers, it should be noted that once delivered the bin and its contents will be in the property of the developer. In the first instance, please contact, Duty Winter Service Engineer, 01793 466354 to discuss and confirm site specific requirements.

https://www.swindon.gov.uk/info/20040/road_safety_maintenance_and_repairs/737/find_out_about_road_gritting

3. In addition to this consent, under the Town Improvement Clauses Act 1847 the applicant is required to contact SBC's Street Naming & Numbering Officer as soon as possible with regard to registering new or changes to the official address of any properties within this development.

http://www.swindon.gov.uk/info/20031/roads_parking_and_transport/321/apply_for_street_name_or_number

End of Report