

## **PLANNING COMMITTEE**

**TUESDAY, 12 FEBRUARY 2019**

**PRESENT:** - Councillors Timothy Swinyard (Chair), Toby Elliott (Vice-Chair), John Ballman, Malcolm Davies, Steph Exell, Fionuala Foley, Nick Martin, Stan Pajak, James Robbins, Vera Tomlinson and Peter Watts.

Apologies for absence were received from Councillors Alan Bishop and Jane Milner-Barry.

### **59. Declarations of Interest**

The Chair reminded Councillors to declare any known interests in any of the matters to be considered by the Committee.

Councillor Toby Elliott made a personal and prejudicial declaration of interest in respect of application numbered S/18/1072 as s family member owned a property in the close vicinity.

### **60. Minutes**

Resolved – That the minutes of the meeting held on 8<sup>th</sup> January 2019, be confirmed and signed.

### **61. Public Question Time**

Mr Gary Llewellyn asked a public question seeking clarification in respect of the current review of the Council's Local Plan when it was likely to be published. The Chair indicated that a written response would be provided.

### **62. S/15/1701 Erection of 1no. dwelling - Land Off Short Drove, Hinton Parva, Swindon**

The Chair with the agreement of the Committee, and at the request of the applicant's agent, determined that applications S/15/1701 and S/18/1302 should be considered together as they related to the same site and the same applicant. Any consideration of the applications would be considered separately and solely upon their own merits.

In respect of application numbered S/15/1701 (Erection of 1no. dwelling – Land Off Short Drive, Hinton Parva, 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) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Mark Cullen	Agent
Martin Wilson	Applicant

Councillors Toby Elliott, Fionuala Foley, Stan Pajak, Vera Tomlinson and Peter Watts spoke in respect of this application.

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

- The application if successful would make a small contribution to the deficit in the Council's 5 year housing plan.
- The application has been pending since 2015 with no objection from the Policy Officer, Highways Officer or Open Design Officer.
- That the dwellings cannot be considered as isolated and the proposal set against Paragraph 79 of the NPPF (formally paragraph 55 in the 2012 NPPF which was no longer relevant) and that the application was consistent with the current framework.
- Paragraph 131 of the NPPF was applicable and gave weight to schemes that raise the standard of design so long as they fit in with the form of the surrounding buildings.
- Paragraph 103 of the NPPF recognises that sustainable transport solutions would vary between rural and urban settings and that this should be taken into account during the decision making process.
- The applicant had collaborated constantly with the Council's Design Officer and the South West Design Panel to reach a design that was supported by the experts. Indeed the Design Panel considered the architectural design approach to be of high quality in a simple form reflecting a smith shop/smithy with cladding was supported by the Panel.
- The Urban Design Officer concluded that in his opinion that residential development on this site was acceptable.
- The applicant and his design team had done everything the Council had requested of them in the previous four years and there had been no objections from consultees within the Council.
- The site was sustainable and only 1.5 miles from the village of Wanborough which offered local facilities and there were bus stops within the vicinity of the site the nearest being 75 metres away and on a school bus route.
- The facilities of Hinton Parva, including a primary school, were within walking distance.
- The grant of the application for a family home would help support local facilities and services remain sustainable.
- The applicant had done all they could in respect of the application to provide a family home in a suitable location.
- The proposed dwelling was for a family home for a local family who also worked locally. Family members also lived in Wanborough and were full participants in village activities.
- The Parish Council had been consulted prior to the applications and during the planning process.
- The site already had a building and a large skip situated there and so was in general use.
- That there was a shortage of high quality family homes within the Borough.
- With regard to existing and surrounding context the Design Officer found that the material choice was appropriate and that it was better to have fewer

materials which expressed the building's design through a simple form as is primarily of an agricultural disposition.

- The dwelling in terms of height is lower than the existing buildings opposite the site.
- The design ethos had been changed from the original application in order to find a solution that was more acceptable to the Council.

Submissions opposing the application can be broadly summarised as:

- That the proposed dwelling did not improve the character, quality and appearance of the surrounding area and the site was not located within the Parish settlement area.
- The design for application was not of sufficient quality to satisfy the exemption under the original NPPF (in force at the time of the original application) nor the current 2018 NPPF as an outstanding or ground breaking design and which provides high levels of sustainability and fits in with surrounding buildings.
- The application was in contrary to policies SD1 and SD2 in the Local Plan.
- The development could not be considered as sustainable.
- The proposed dwelling was located outside of the settlement boundary in open countryside and if approved might set a dangerous precedent for building in open countryside.
- There was no sewerage or foul water drainage on site and no environmental measures had been proposed in this respect nor had they been discussed with neighbours.
- The design of the property, and the materials to be used, were not appropriate when considering the nearby houses and would not enhance the locality.
- The absence of a five year land supply did not require all applications to be granted especially when the design was neither innovative nor sustainable.
- The design was not of sufficient quality to satisfy the exemption under the 2018 NPPF as an outstanding or ground breaking design and which provides high levels of sustainability as long as they fit in with the overall form and layout of their surroundings.
- The dwelling was over-powering for the location and didn't fit with the character of nearby buildings.

Resolved - That application S/15/1701 be granted subject to such conditions as may be determined by the Head of Planning, Heritage and Regulatory Services.

### Reasons

1. That the proposal whilst located outside of the settlement boundary, represented a contemporary design that was of a high quality, in keeping with its surroundings and location on a site where previous buildings existed.
2. That the scheme uses material of high quality and incorporates innovative and that the benefits of granting permission outweigh the harm of permitting the development.
3. The proposal makes a small contribution to meeting the Council's housing land supply.

**63. S/18/1302 Erection of 1no. dwelling - Land Off Short Drove, Hinton Parva, Swindon**

In respect of application numbered S/18/1302 (Erection of 1no. dwelling – Land Off Short Drive, Hinton Parva, 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) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Mark Cullen	Agent
Martin Wilson	Applicant
Nigel Crisp	Bishopstone Parish Council

Councillors Toby Elliott, Fionuala Foley, Stan Pajak, Vera Tomlinson and Peter Watts spoke in respect of this application.

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

- The application if successful would make a small contribution to the deficit in the Council's 5 year housing plan.
- The application has been pending since 2015 with no objection from the Policy Officer, Highways Officer or Open Design Officer.
- That the dwellings cannot be considered as isolated and the proposal set against Paragraph 79 of the NPPF (formally paragraph 55 in the 2012 NPPF was no longer relevant and that the application was consistent with the current framework).
- Paragraph 131 of the NPPF was applicable which gives weight to schemes that raise the standard of design so long as they fit in with the form of the surrounding buildings.
- Paragraph 103 of the NPPF recognises that sustainable transport solution will vary between rural and urban settings and that this should be taken into account during the decision making process.
- The applicant had collaborated constantly with the Council's Design Officer and the South West Design Panel to reach a design that was supported by the experts. Indeed the Design Panel considered the architectural design approach to be of high quality in a simple form reflecting a smith shop/smithy with cladding was supported by the Panel.
- The Urban Design Officer concluded that in his opinion that residential development on this site was acceptable.
- The applicant and his design team had done everything the Council had requested of them in the previous four years and there had been no objections from consultees within the Council.
- The site was sustainable and only 1.5 miles from the village of Wanborough which offered local facilities and there were bus stops within the vicinity of the site the nearest being 75 metres away and on a school bus route.

- The facilities of Hinton Parva, including a primary school, were within walking distance of the proposed development.
- The grant of the application for a family home would help support local facilities and services remain sustainable.
- The applicant had done all they could in respect of the application to provide a family home in a suitable location.
- The proposed dwelling was for a family home for a local family who also worked locally. Family members also lived in Wanborough and were full participants in village activities.
- The Parish Council had been consulted prior to the applications and during the planning process.
- The site already had a building and a large skip situated there and so was in general use.
- That there was a shortage of high quality family homes within the Borough.
- The proposed design of the dwelling was innovative nor appropriate for the location.

Submissions opposing the application can be broadly summarised as:

- That the proposed dwelling did not improve the character and appearance of the surrounding area and the site was not located within a settlement area.
- The design for application is not of sufficient quality to satisfy the exemption under the 2018 NPPF as an outstanding or ground breaking design and which provides high levels of sustainability as long as they fit in with surrounding buildings.
- The development could not be considered as sustainable.
- The proposed dwelling was located outside of the settlement boundary in open countryside and if approve might set a dangerous precedent for building in open countryside.
- There was no sewerage or foul water drainage on site and no environmental measures had been proposed in this respect.
- The design of the properties were not appropriate when considering the nearby houses and would not enhance the locality.
- The absence of a five year land supply did not require all applications to be grant especially when the design was neither innovative nor sustainable.
- Contemporary design in the form of a refurbished barn using timber, stone glass and cladding was not of sufficient quality to satisfy the exemption under the 2018 NPPF as an outstanding or ground breaking design and which provides high levels of sustainability as long as they fit in with the overall form and layout of their surroundings.
- The design ethos had been changed from the original application in order to find a solution that was more acceptable to the Council.
- With regard to existing and surrounding context the Design Officer found that the material choice was appropriate and that it was better to have fewer materials which expressed the building's design through a simple form as is primarily of an agricultural disposition.
- The dwelling in terms of height is lower than the existing buildings opposite the site.
- The dwelling was over-powering for the location.

Resolved - That planning application S/18/1302 be refused.

Reasons:

1. In the opinion of the Local Planning Authority the proposed dwelling, located outside a defined settlement boundary does not represent development that is of exceptional quality or is an outstanding or innovative design that improves the character and quality of the area in which it is situated. It therefore comprises unsustainable development that does not fit in with the overall form and layout of its surroundings, is harmful to amenity contrary to policies SD1, SD2 and DE1 of the Swindon Local Plan 2026 (2105) and the NPPF.

1 This refusal shall be in respect of plan nos  
10968-100-01;

Core for sustainable homes pre assessment;  
Design and access statement;  
Ecology Survey  
Flood Risk Assessment  
Foul sewage and utilities assessment  
Landscape and visual appraisal  
Planning statement received 2 August 2018;

(20) 001 rev F  
(20) 002 rev F  
(20) 003 rev C  
(20) 004 rev C  
(20) 005 received 29 November 2018

**64. S/18/1072 Erection of a three storey block of 6 no. flats and associated works - 98 Redcliffe Street, Swindon**

In respect of application numbered S/18/1702 Erection of a three storey block of 6 no. flats and associated works - 98 Redcliffe Street, 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) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Mark Campbell	Agent
James Yeowell	Central Swindon South Parish Council
Shaun O'Grady	Local Resident

Councillors Malcolm Davies, Fionuala Foley, Nick Martin, Stan Pajak, Jim Robbins, Vera Tomlinson and Peter Watts spoke in respect of this application.

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

- The site was largely surrounded by residential development.

- The application complied with Local Plan Policy SD2 with regard to sustainable development.
- The development was sustainable and was close to footpaths, Swindon's bus network, local schools and good access to the services and facilities in the town centre.
- The development would provide six flats which would help meet the Council's deficit in its five year housing land supply.
- The materials proposed were red brick which would be sympathetic to the existing street scene.
- The proposed building was at the end of a street with a recently completed development with its own car park opposite.
- Given the mixed character of the street and the design and materials proposed for the new development and the car parking provision proposed it was deemed by officers to be acceptable.
- Subject to conditions there had been no objection from Highways Officers on either parking or access.
- On the request of the Council's Tree Officer trial trenching had been undertaken to ascertain whether the roots of a large tree on the edge of the site would be damaged and it had been determined that this would not be the case, nor would there be damage to the tree itself.
- The development was compliant with respect to the Swindon Local Plan and in respect of parking provision with one space per flat and a space for visitors, and also provided cycle storage.

Submission opposing the application can be broadly summarised as:

- Three on-street car parking spaces would be lost as a result of the development in an area that already had insufficient capacity.
- The development would be an overdevelopment of a fairly small site.
- The development would add additional traffic to an area that already suffered major vehicular congestion.
- The development might affect the light to properties in Padstowe Road and Churchward.
- There might be privacy and light issues affecting residents of Britannia House and Godwin House opposite the proposed development.
- The seven parking spaces for the development were insufficient and would cause problems of additional on-street parking arising from visitors to the proposed flats and delivery drivers.
- The area of the development was used for turning cars in a narrow street.
- Traffic and parking is a major issue in Rodbourne, including Redcliffe Street.
- Refuse Collection and other large vehicles struggled to drive down Redcliffe Street and the loss of on-street parking would not improve this situation.

Resolved - That planning application S/18/1072 be granted subject to the following 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 Drawing Number 18/14 (Location & Block Plan) at scales 1:1250 and 1:200, Drawing Number 18/14 03 (Ground Floor Plan) at scale 1:100 and Drawing Number 18/14 04 (1<sup>st</sup> & 2<sup>nd</sup> Floor Plans) at scale 1:100 received by the Local Planning Authority 26<sup>th</sup> June 2018, Drawing Number 18/14 02 B, Drawing Number 18/14 07 A ( SW Sectional Elevation) at scale 1:100 and Arboricultural Report received by the Local Planning Authority 21st December 2018 and Drawing Number 18/14 05 A (NW and SW elevations) at scale 1:100 and Drawing Number 18/14 06 A (SE and NE elevations) at scale 1:100 received by the Local Planning Authority 18<sup>th</sup> January 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 construction work shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained together with measures for their protection during development; an appropriately scaled planting plan to include the location, numbers, size, species and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation. The drawing shall include or be accompanied by a detailed specification setting out an appropriate methodology for implementing the scheme in accordance with the relevant British Standards to include BS 8545:2015, BS 4428:1989 and BS 5837:2012. 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.

4. Prior to the commencement of works on site in connection with the development hereby permitted, details of all external facing materials shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with these approved details.

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

5. Prior to the commencement of works on site in connection with the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. This boundary treatment shall be implemented before the first occupation of the site and shall be retained in the approved form for so long as the development hereby permitted remains on the site.

Reason: In the interests of the amenities of the area.

6. Prior to the commencement of works on site in connection with the development hereby permitted, details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land shall have first been submitted to and approved in writing by the Local Planning Authority. The



development hereby approved shall be constructed in accordance with the approved slab levels.

Reason; To ensure the details and appearance of the development is acceptable

7 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.

8 The development hereby permitted shall not be occupied until space has been laid out within the site for a minimum of 7 bicycles to be parked in a secure and sheltered location, in accordance with SBCs Parking Standards and such provision shall be maintained thereafter.

Reason: To promote and encourage sustainable transport and travel.

9 The building hereby permitted shall not be occupied until the vehicular parking has been provided in accordance with the submitted plan drawing no.18/14:02 B, 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.

(Councillor Toby Elliott made a personal and prejudicial declaration of interest in respect of application numbered S/18/1072 as a family member owned a property in the close vicinity and left the room during its discussion and voting thereon.)

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