



## COMMITTEE REPORT

**Item Number:**

**Application Number:**  
S/18/2038/PEKO

**Ward:** Mannington And Western

**Parish:** Central Swindon North

**Proposal:** Erection of 2no. dwellings, minor alteration to 5 Barnfield Close and associated works.

**Site Location:** 5 Barnfield Close, Rodbourne

**Case Officer:** Peter Korankye-Gyabong

**Agent:**

Mr Carl Tagoe  
OC Architects  
92 William Street  
Swindon  
SN1 5LE

**Applicant**

Mr & Mrs Smedley  
3 Radnor Close  
Bodmin

### Officers Report

**Background:**

This application has been brought before the Planning Committee at the request of Central Swindon North Parish Council and Councillor James Robbins, due to concerns about the loss of privacy, parking and access.

**Summary of Recommendation:**

1. Planning permission be **GRANTED** with conditions

**The Proposal:**

2. The proposed development would involve the erection of a semi-detached building to create 2 x 3 bedroom dwellings. The building will be two storey and part single storey front and rear projections. The proposed building will have overall depth of approximately 15.2m, 10.2m in width and 8.2m maximum in height, 5.2m at eaves. It will be approximately 10.2m in depth at first floor level with two storey front outrigger stepped in by 2 metres from the side wall. The two storey element of the scheme would feature a gable roof design. The single storey rear element would incorporate rooflights, designed with a mono-pitched roof whilst the single storey front element would feature a pitched roof.

3. The applicant also proposes some external alterations to the host property (5 Barnfield Close) involving the construction of a single storey front extension which would feature a pitched roof flush with the front building line of the proposed semi-detached pair. The proposal includes the provision of 2 x parking spaces for the existing dwelling and 4 no.

spaces (2 per property) for the proposed semi-detached dwellings.

### **Site and Surroundings:**

4. Barnfield Close consists of a terrace of residential properties of similar style and design which are set broadly along a similar building line. The application site consists of a plots forming part of the host property, No. 5 Barfield Close. On the opposite site is the Travelodge building, currently under construction and nearing completion. The side boundary of the site abuts the rear gardens of the properties along Mannington Park. The rear boundary abuts footpath which separates the site from the Even Swindon Primary School to the rear. The intervening boundary between the host dwelling and Mannington Park is formed from a line of young trees.

### **Site History:**

5. There is no relevant planning history.

### **Representations:**

#### **6. Neighbours**

Eight representations of objections have been received from 5 neighbours raising the following as concerns:

- "effect of the level of daylight on property and garden",
- removal of existing hedging and its replacement with shorter fencing results in overlooking and loss of privacy (Planning Policy 7 Section A30),
- further loss of open land in the vicinity,
- further overshadowing and due to the close proximity to the back of my property and child's bedroom,
- detrimental to the health and wellbeing,
- the noise of the build will be really disruptive,
- removal of existing garages which are asbestos could be harmful to the environment and public health,
- access to our garage and parking could be restricted by scaffold,
- the proposal represent overdevelopment of the site to the detriment of existing properties and to the open aspect of the neighbourhood,
- the scheme will add to the parking and access issues on Mannington Park.

#### **7. Central Swindon North Parish Council:**

The Parish Council wish to object to and call in this application for consideration by the SBC Planning Committee due to concerns of loss of privacy for neighbours and concerns over the lack of provision for parking and access.

#### **8. Highways:**

No objections subject to suggested conditions.

#### **9. LLFA:**

The Council does not hold any records of surface water drainage or flood risk issues

in area.

#### Planning Considerations:

10. The relevant planning considerations with regard to the assessment of the application are the principle of the development, the impact upon the character of the area, highway implications and residential amenity and in these respects whether the proposals are in accordance with the provisions of the relevant policies of the Swindon Borough Local Plan 2026, the National Planning Policy Framework and Planning Practice Guidance. Other issues raised within the representations received will also be covered.

#### Planning Policy:

##### Adopted Local Plan 2026

11. The Swindon Borough Local Plan (SBLP) 2026 was adopted on 26th March 2015. The following adopted Swindon Local Plan 2026 policies are considered to apply.

- DE1 (High Quality Design); seeks to achieve high standards of design for all types of development;
- SD2 (The Sustainable Development Strategy); aims to meet Swindon's development needs whilst protecting the Borough's most important assets;
- TR1 (Sustainable Transport Networks) and TR2 (Transport and Development); seek to reduce the need to travel, and support and encourage the sustainable, safe and efficient movement of people and goods;

12. Also of relevance is Swindon Borough Council's adopted: Swindon Residential Design Guide (SRDG) (2016), Supplementary Planning Guidance Note: Technical Guidance on Parking Standards (2007) and adopted Swindon Borough Council's Landscape Character Supplementary Planning Guidance.

#### National Planning Policy Framework 2019 (NPPF)

13. The updated National Planning Policy Framework came into force in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied.

14. Of particular relevance are sections: 2 'Achieving sustainable development', 5 'Delivering a sufficient supply of homes', 11 'Making effective use of land' and 12 'Achieving well-designed places'.

#### Principle of Development:

15. The Development Strategy is defined in adopted SBLP Policy SD2. Urban concentration supports key government objectives for sustainable development in the most accessible locations, whilst protecting the best of the countryside.

16. Policy SD2 delineates between the parts of the Borough in which the principle of

development would be generally acceptable (within settlements) and those where it generally would not (in the countryside). Policy SD2 also recognises that development opportunities should primarily be concentrated to Swindon as the focal point for the economy, services and facilities and transport whilst HA1 offers guidance on the design, layout and densities of proposed housing developments.

17. The adopted Swindon Residential Design Guide SPD 2016 (SRDG) seeks to ensure that infill developments respects the character of its surroundings, the amenity of neighbours and retains rhythm. Currently the Council's housing land supply position is far below 5 years. The Council therefore cannot currently demonstrate a five-year supply of deliverable housing land. Paragraph 11 (part d) of the NPPF is therefore of relevance and states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

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

Footnote 7 of paragraph 11 confirms that for applications involving the provision of housing, where the local planning authority cannot demonstrate a five year supply of deliverable housing sites, then policies which are most important for determining the application are out-of-date.

18. The lack of a demonstrable 5-year housing supply is not in itself a reason for approval, and in this case the proposal would make a very modest contribution to the overall supply of housing in the Borough. Rather, those local policies which concern the provision of housing cannot alone be the basis of a refusal, and the proposal has to be assessed against the policies within the NPPF taken as a whole.

19 In this case the application site is located within the Swindon Urban Area as defined on the Swindon Borough Local Plan 2026 Key Policies Map and in accordance with Swindon Borough Local Plan 2026 Policy SD2 which recognises that development opportunities should primarily be located within Swindon's urban area. As such, the principle of a residential development in this location is accepted.

20. Before a decision can be made on the overall acceptability of the principle of development an assessment of the impacts of the scheme has to be carried out.

#### Highway Access and Safety:

21. Policies TR1 and TR2 of the adopted Swindon Borough Local Plan 2026 seek to ensure access for developments that is appropriate to the scale, type and location of the proposal without detriment to highway safety, traffic movement and the local environment.

22. Neighbours have raised concern regarding lack of off road parking. The Transport Development Officer raises no highway objection to the proposal. The officers are satisfied the existing access is adequate for the increased in residential traffic that is proposed for the new dwellings and the existing site. They are of the view that new vehicle access points would normally require visibility splays to be submitted within the drawings. However, as the site is located off of an existing highway within a cul-de-sac with a small number of

dwellings, the scheme is deemed acceptable as adequate visibility is achieved. The officer further notes that the footway to the north of the site is proposed to be retained which will ensure a satisfactory means of access for the occupants of the development is met, which is in accordance with the Swindon Borough Local Plan 2026.

#### Residential Amenity:

23. Policy DE1 of the Swindon Local Plan 2026 requires consideration of amenity in terms of light, privacy, outlook, noise, disturbance, smell, pollution and space when considering development proposals. The Swindon Residential Design Guide also requires consideration of amenity.

24. The nearest existing residential properties to the site are Nos. 4,3 and 2 Barnfield Close to the west and Nos. 9, 10,11,12,13 and14 Mannington Park to the east. The new property would be located directly adjacent to the donor property, No.5 Barnfield Close is part of this site and as the first floor side wall of the proposed building will not project beyond the side wall of No. 5 and faces the blank side wall of No.5, culminated with the orientation, to the west of the application site no significant loss of light or overshadowing could occur so as to warrant refusal of planning permission.

25. In relation to Nos. 9,10,11,12,13 and14 Mannington Park to the east, the new property, would be located approximately 18 metres from the main two-storey rear elevations of these properties at an angle and approximately 12.5 metres of No. 14 Mannington Park (as extended) also at an angle. Such a separation distance, plus the existence of No. 14's own detached garage juxtaposed between their rear elevation and the side elevation of the proposed extension as well as the proposed boundary treatment and screen of vegetation to the boundary, means there will be no unacceptable impact in terms of overshadowing. The distances between properties are in excess of the 12 m separation distance set out in the adopted SRDG. No first floor side windows are proposed. The positioning of windows, with only one ground floor side window angled behind No. 14's garage and absence of first floor side windows, there will be no demonstrable overlooking issue to justify refusal of planning permission. Furthermore, the proposed first floor rear windows will mainly face the rear gardens of the proposed plots 1 and 2. These windows would only have oblique view to the bottom of the gardens of Nos. 16, 17, 18 and 19 Mannington Park, with the sensitive parts of the house at distances between 25 and 40 metres away from the proposed rear first floor windows.

26. Regarding the properties to the northeast, comprising of Nos. 1-8, there is also no reason to suggest that any unacceptable impact will be caused to their amenity in that they would be located approximately 30 metres from the new dwellings and would be left with an adequately sized back garden.

27. In respect of overall amenity acceptability for the future residents of the development, the layout plan shows there will be adequate outdoor amenity space of approximately 30 metres long by 6 metres wide rear garden whilst there will also be acceptable natural light levels and privacy. In summary the development is acceptable from a residential amenity point of view in compliance with Policy DE1 of the SBLP 2026 and the adopted SRDG.

#### Design, Layout and Character:

28. Swindon Local Plan policy DE1 states that high standards of design will be required for all types of development. The adopted SRDG 2016 also requires high design standards as well as offered guidance on layout, context and character amongst other factors. The NPPF also details the requirement to achieve well-designed places.

29. The development, would not be uncharacteristic in its location, being seen as an extension of the terrace it adjoins. It would benefit from an adequately sized plot, not dissimilar in size to the host property at No. 5 Barnfield Close and those at Nos. 4, 3 and 2 Barnfield Close as well as other properties along Mannington Park. The site is surrounded by development and very similar in layout and density. Furthermore, as detailed above, the proposed dwellings will be afforded adequate amenity protection in terms of not being unacceptably overlooked or overshadowed. In this case therefore it is argued that the proposal is able to comply with the principles of Policy DE1 of the adopted SBLP as is the requirement of this part of the SRDG.

30 The applicant has undertaken an assessment in accord with the advice set out in the Guide to Good practice for site planning for daylight and sunlight 2011. This information was shared with residents at a meeting with the agent in the council offices, facilitated by officers and Cllr Exell. This demonstrated that the scheme met and exceeded the advised criteria and addressed concerns on that aspect. It was acknowledged that the recent travel lodge development has altered the environment locally for the residents close to the application site, and whilst further highlights their concerns, the application has to be determined on its own merit.

31 The location, appearance and scale of the development are considered acceptable and to accord with the policies in the Adopted Swindon Local Plan 2026 (2015), the SRDG and the NPPF in terms of being well designed and respecting neighbours amenity.

32. In summary the proposed layout of the development is deemed to be acceptable in the circumstances of this case and in accord with Policy DE1 of the adopted SBLP and the NPPF.

#### Other Issues:

##### CIL/Infrastructure Requirements:

33. The Council is a Community Infrastructure Levy (CIL) Charging Authority. At the point of writing this report the adopted CIL Charging Schedule is that dated 6th April 2015. The development constitutes CIL Liable development chargeable at the relevant rate within the relevant Charging Schedule in place at the time of calculation, that rate which is subject to indexation annually. The CIL chargeable amount is calculated at the point in time that planning permission first permits development for CIL purposes. To inform the applicant/landowners of the relevance of CIL to the proposal a CIL liable informative will be added to the Decision Notice.

**Consultee Comments:**

34. With regard to the comments raised within the representations section that have not already been covered above the following is noted:

- Paragraph 4.17 of the SBLP is the supporting text of Policy DE1 and thus is covered above.
- Paragraph 70 of the NPPF refers to plan making. In this case the SRDG is the Council's 'policy', as required by this paragraph, for resisting inappropriate development of residential gardens. As detailed above, in the circumstances of this case it is not felt that the proposal represents inappropriate development.
- Inability to manage garden size has not been cited as a justification for the development within the officer's assessment.
- Whilst the Parish Council have raised concerns, they have not identified any harm arising from the development.

**Conclusion:**

35. In conclusion an assessment of the impact of the development has been undertaken above which has concluded that the development is compliant to Policy SD2 of the SBLP and that the site is in a sustainable area in close proximity to the services, the proposal will not result in any adverse impacts in terms of any harm to: highway conditions or residential amenity.

36. The benefits of the development in terms of providing sustainable development have been identified to be the provision of much needed housing (albeit only 2 houses). In terms of the economic dimension the development would contribute towards economic growth during the construction phase. Also, again not significant but the additional population created could also assist the local economy in terms of utilising local services. Furthermore the development makes efficient use of land and in the current circumstances and in the circumstances of this specific site, any other factors do not significantly and demonstrably outweigh the benefits of the proposal identified above. As such it is considered that the proposal is considered to be acceptable.

**Recommendation:**

37. That outline planning permission be GRANTED.

**Conditions**

1. This approval shall be in respect of the site location plan received by the Local Planning Authority on 8th February and drawing numbers: 5, 6, 7, 8, 9, 10, 11, 372-D-1 Rev F, 372-D-2 Rev C, 372-D-3 Rev B, 372-D-4 Rev B, received on 19th 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.

2. Prior to any works of demolition, a Construction Management Plan shall have 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 in accordance with Policy TR2 of Swindon Borough Local Plan 2026.

3. No development comprising the erection of any dwelling above ground level shall take place until full details of the slab levels of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

4. The allocated private car parking spaces for each unit (and the existing dwelling) plus the associated turning space shown on the approved plan, shall be laid out and made available for use prior to the development hereby permitted. These spaces shall thereafter be retained only for the parking of motor vehicles in connection with the development hereby permitted and 5 Barnfield Close.

Reason: In the interests of highway safety.

5. Construction and demolition works associated with the development hereby permitted shall only take place between 0800 hours to 1800 hours on Mondays to Fridays and 0900 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity.

6. Development shall not commence above ground level until 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

7. Adequate and appropriate provision for surface water drainage within the site must be made so that none discharges onto the highway or adjacent land.

Reason: In the interests of highway safety and 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](http://www.swindon.gov.uk/cil) or telephone the SBC CIL Team on 01793 466289 or 466397 or email [cil@swindon.gov.uk](mailto: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](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. In addition to this consent, please contact [gazetteers@swindon.gov.uk](mailto:gazetteers@swindon.gov.uk) or ring 01793 466271 for information and advice regarding the registration of new or revised property addresses. The naming of streets and addressing of properties within the Borough, is controlled by Swindon Borough Council under the Town Improvement Clauses Act 1847. The Act is used to make sure that any new street names, building names and numbers are allocated logically and that a unique and unambiguous address is provided for every property within the borough.

3. In the interests of safety, the applicant is recommended to incorporate fire prevention measures within the development, such as sprinkler systems. Further advice can be obtained from Wiltshire Fire Brigade by visiting [www.wfb.org.uk](http://www.wfb.org.uk)

End of Report

