

PLANNING COMMITTEE

TUESDAY, 12 NOVEMBER 2019

PRESENT: - Councillors Timothy Swinyard (Chair), John Ballman, Alan Bishop, Nick Burns-Howell, Malcolm Davies, Paul Dixon, Steph Exell, Robert Jandy, Jenny Jefferies, Nick Martin, Stan Pajak, Carol Shelley, Vera Tomlinson and Peter Watts.

An apology for absence were received from Councillor Jim Robbins.

42. Councillor Jane Milner-Barry

The Chair welcomed Councillor Carol Shelley as a member of the Planning Committee and thanked Councillor Jane Milner-Barry for her service on the Committee and her contribution to its work.

43. Declarations of Interest

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

Councillor Stan Pajak made a personal and non-prejudicial declaration of interest in respect of all applications on the agenda as he was standing as a Parliamentary candidate in the forthcoming General Election.

44. Minutes

Resolved – That the minutes of the meeting held on 8th October 2019, be confirmed and signed.

45. Public Question Time

Mr Gary Llewellyn (Highworth resident) asked a public question in respect of work being undertaken at Highworth Golf Course. Officers, on behalf of the Chair, responded at the meeting.

Mr Gary Llewellyn (Highworth resident) asked a public question seeking clarification as to whether Planning related National Space Standards had been adopted by the Borough. The Chair responded at the meeting.

46. S/19/1186/CHHO - Erection of 2no. dwellings with vehicle parking and associated works, Hillsborough, Marlborough Road, Chiseldon.

In respect of application numbered S/19/1186/CHHO - Erection of 2no. dwellings with vehicle parking and associated works, Hillsborough, Marlborough Road, Chiseldon) 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>
Glen Mills	Agent

Councillors Stan Pajak, Carol Shelley and Peter Watts spoke in respect of this application.

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

- There should be a presumption in favour of the grant of the application as the Council could not demonstrate a five year supply of housing land in accordance with Paragraph 11 of the NPPF.
- That the proposed development was sustainable and helped address the shortfall in the five year housing land supply and in accordance with the NPPF should be considered as sustainable development.
- The dwellings proposed were designed to minimise any overlooking of adjoining properties including the inclusion of a blank gable wall.
- The proposed development was not out of character with nearby properties.
- That backland developments to existing properties by their nature can add value to local communities.
- No response had been received from representations made to the Council's AONB officer.
- The size and materials of the proposed development were in character to the existing dwelling.
- Houses on the other side of the road should be of more concerns due to their nature and also because they were on a plateau of the AONB whereas the proposed development would not affect the AONB as it was part way down Plough Hill and consisted of mature planting.
- A five bedroom development including dormer windows had been given retrospective planning permission despite having no resemblance nearby dwellings.
- The nearby Manor development of 11 dwellings offered resemblance to nearby dwellings.
- The cedar tree which is a metre and a half from the dwelling was only made the subject of a TPO following the application being submitted.

Submissions opposing the application can be broadly summarised as:

- The application before Members had previously been refused and had subsequently been resubmitted and was broadly similar to the refused application.
- The application was for 2 pitched roof residential dwellings, 1.5 storeys in height within the residential curtilage of the existing residential site.
- The site which formed the garden curtilage of the host dwelling at Hillsborough was located outside but adjacent to the defined Chiseldon settlement boundary as identified within the Swindon Borough Council Local Plan 2026 Policies Map.

- The site was also located within the North Wessex Downs Area of Outstanding Natural Beauty and the Down Plain Landscape Character Area.
- The development if permitted would be out of character with the residential dwellings on Marlborough Road and would have a negative impact on the amenity of the existing property and upon neighbouring properties including the loss of privacy arising from the removal of trees overlooking and an increase in the level of noise.
- The development would give rise to harm to a cedar tree on site which is the subject of a Tree Preservation Order and did not meet Policy SD2 as it was located outside the Chisledon (rural settlement boundary).
- The loss of landscaping would be contrary to Policy EN5 of the Adopted Swindon Borough Local Plan 2026. The application was not supported by an Arboriculture Impact Assessment as required by Policy EN1. Pruning to accommodate the development would significantly reduce screening to nearby properties

Resolved – That application S/19/1186/CHHO be refused for the reasons set out within the report.

Councillor Jenny Jefferies joined the meeting following the consideration of this item having taken no part in the discussion or voting thereon.

47. 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

In respect of application numbered 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 the Committee considered: -

- An application for permission to develop;
- Recommendations of the Head of Planning, Regulatory Services and Heritage;
- The views of interested persons set out in the report circulated with the Committee Agenda;
- The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Garry Llewellyn	Agent

Councillors Nick Burns-Howell, Malcolm Davies, Paul Dixon, Stan Pajak and Peter Watts spoke in respect of this application.

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

- The application was for the demolition of existing buildings on site, the conversion of one dwelling, the old chapel, and construction of 10 dwellings on the former Poe Builders site.
- The ground levels of the site would be reduced by approximately ½ metre.
- There would be 12 car parking spaces provided on site, which was a shortfall of 2 spaces, and residents moving into the development would not be eligible to apply for residents parking permits.

- The new dwellings comprised four one bedroom flats, two two bedroom flats and four two bedroom houses, with cycle and bin storage sited to minimise its impact on the surrounding area, conservation area and the existing view of Christ Church.
- The development would be constructed from bricks and timber.
- Vehicular access to the site would be widened to improve visibility when accessing and egressing the site with the existing wall being demolished and set back about one metre and being rebuilt in similar materials.
- That the development would be liable for CIL payments.
- The development complied with the Council's Development Plan and was acceptable in planning, design, highways conservation and environmental terms.
- The application which was submitted in March 2018 had addressed a number of concerns raised as part of the consultation process.
- Conditions 12 and 14 addressed highway concerns and access on egress from the site with conditions 13 -17 addressing car parking issues.
- Drainage concerns had been addressed through conditions 18 and 19.

Submissions opposing the application can be broadly summarised as:

- There was a shortfall of 2 spaces on the development and new residents would not be eligible for a resident parking permit and the pressure this might have on future parking standards.
- The possible use of Christchurch car park by residents of the proposed development.
- There were concerns as to the possible lack of natural light and that the dwellings were not large enough.
- The proximity of the development to Cricklade Court.

Resolved – That application S/18/0447 be granted subject to the conditions set out in the report.

48. 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

In respect of application numbered 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 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>
Paul Exell	Parish Council

Councillors Alan Bishop, Nick Burns-Howell, Paul Dixon, Steph Exell, Stan Pajak and Peter Watts spoke in respect of this application.

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

- The application was to convert the existing former telephone exchange into seven apartments, comprising 6, one bed flats and one two bed flat.
- Cycle storage in excess of minimum standards was provided although this was accessed via the pedestrian tunnel. A condition allow access to the storage area at all times prior to occupation of the building would be required.
- There were no highways or environmental health objections to the application.
- The site being close to facilities and bus routes was considered to be sustainable.

Submissions opposing the application can be broadly summarised as:

- Lack of parking provision associated with the development as no parking spaces were allocated to the flats when the expected provision would be 10 spaces.
- The site 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).
- There is potential for overlooking and loss of privacy to nearby properties and a concern about the proposed works and the need to control hours of working and mitigation of noise and dust during business hours.
- Concerns were raised regarding the need assurance that any asbestos is properly dealt with and that access to other buildings will not be affected during construction.
- Access for emergency services and delivery vans to the building needed to be addressed.
- There was concern as to whether the proposed application was an overdevelopment of the site.
- The building was situated within a conservation area and Paragraph 97 of the NPPF should be considered when assessing the impact on the character of the conservation area.
- The Parish Council was minded to echo the concerns of the conservation officer set out within the report.
- The application represented an overdevelopment of the site with too many flats for the building with a reduction in number of flats permitting the removal of the outdoors stairs for relocation within the fabric of the building.
- The historical integrity of the building would be compromised and external alterations and external staircase did not take into account the context or nature of the surrounding area.
- The building had not been used since 1986 and so neighbouring properties would suffer a loss of privacy.
- The design of the application was flawed on a number of issues including access to the cycle store and access to the first floor via a single external metal staircase which ran past one of the flats reducing privacy and would cause unacceptable noise in the evening.

- The location of the bin storage meant residents would need to transport their rubbish bins 70 metres for collection.

Resolved - That application S/19/0946 be refused.

Reasons

1. The proposed conversion includes the provision of a new external staircase around two sides of the building which represents an incongruous feature that detracts from the simple architectural appearance of the building and would be harmful to the significance of this part of the Railway Works Conservation Area. The proposed development would therefore be contrary to policy DE1 and EN10 of the adopted Swindon Borough Local Plan 2026 (2015), the adopted Swindon Residential Design Guide SPD 2016 and the NPPF.
2. The proposed external access arrangements to the proposed apartments would result in an unacceptable level of amenity to future occupiers as residents and visitors would walk past serving bedroom windows of other flats at very close quarters, contrary to policy DE1 of the adopted Swindon Borough Local Plan 2026 (2015) and the adopted Swindon Residential Design Guide SPD 2016 and the NPPF.
3. The proposed provision for cycle storage is poorly located in that it is currently only accessible between 7am and 9pm daily because gates separating the cycle storage to the flats they serve is locked shut outside of those hours. Given the accommodation makes no provision for car parking for its occupants and is located some distance from a public highway, the lack of accessibility to a full range of conveniently located alternative means of transport is therefore contrary to policy DE1, TR1 and TR2 of the adopted Swindon Borough Local Plan 2026 (2015) The adopted Technical guidance on Parking Standards 2007 SPD, the adopted Swindon Residential Design Guide SPD 2016 and the NPPF.

(Councillor John Ballman made a personal and non-prejudicial declaration of interest in respect of this application as he considered the application in his capacity as a Parish Councillor and took no part in the discussion and voting thereon.)

49. S/19/0742/SASM - Erection of 1no. dwelling and associated works, Land Adjoining, 22 Dunley Close, Swindon

In respect of application numbered S/19/0742/SASM - Erection of 1no. dwelling and associated works, Land Adjoining, 22 Dunley Close, 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>
Chris Westlake	Local Resident

Councillors Alan Bishop, Nick Burns-Howell, 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 had been resubmitted following a refusal made under delegated authority on the grounds that 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).
- The application was for the erection of a two storey detached dwelling in land to the side of 22 Dunley Close 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.
- 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.
- The application reflected the character of the frontage of nearby dwellings.
- The distance between dwellings met the necessary 12 metre standard and there was no loss of amenity to adjacent properties.
- Car parking provision meets the necessary standards providing two car parking spaces.

Submissions opposing the application can be broadly summarised as:

- The plot size was too small for proposed development with a lack of garden space.
- Existing parking issues at Dunley Close will be exacerbated by the development of additional housing.
- The distance between properties was actually 11.8 metres and therefore was unsuitable for development.
- There would be a loss of sunlight from 2:00pm in the afternoon.
- There were already a number of local vehicles parking on the street and further development would heighten this problem and safety issues associated with this, including access for emergency vehicles.
- The applicant already had six vehicles parking in the vicinity.
- The proposed development would cause overshadowing and loss of amenity to neighbouring properties.
- The application did not accurately reflect the proposed development and inaccuracies included loss of trees and hedges, not showing a watercourse to the north of the property and incorrect measurements.

- The development as proposed would require accessing a neighbouring property during development.
- All local residents opposed the application and the land in question was unsuitable due to its size and location.
- The Parish Council unanimously opposed the application.

Resolved – That application S/19/0742/SASM be deferred in order to allow officers to liaise with the applicant in respect of the accuracy of information contained within the application.

Councillor Vera Tomlinson made a personal and non-prejudicial declaration of interest in respect of this application and took no part in the voting thereon. Councillor Tomlinson noted that as she had considered the application in her capacity as a Parish Councillor serving on the Parish Council Planning Sub-Committee and that she was representing the views of the Parish Council at this meeting.