

PLANNING COMMITTEE

TUESDAY, 11 FEBRUARY 2020

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

Apologies for absence were received from Councillors John Ballman, Steph Exell and Carol Shelley.

58. 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.

59. Minutes

Resolved – That the minutes of the meeting held on 14th January 2020, be confirmed and signed.

60. Public Question Time

There were no public questions

61. 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 Nick Burns-Howell, Nick Martin, Stan Pajak, Vera Tomlinson and Councillor Peter Watts spoke in respect of this application.

The application can be broadly summarised as:

- The application was considered at Committee in November 2019 and was deferred to allow officers to liaise with the applicant in respect of the accuracy of information contained within the application, and in particular the distance between the proposed and an adjoining dwelling.

- The application was similar to one refused under delegated powers in May 2019 prior to it being modified and resubmitted.
- Officers visited the site and took measurements and the particular measurement of concern was verified as being correct.
- During the site visit officer found a slight discrepancy in the plans submitted by the applicant. The applicant subsequently submitted a revised plan to address the discrepancy along the boundary of the proposed parking area.
- The two storey will be set down from the ridge of the three storey building at No.22 (the applicant's dwelling) and it was set back 0.5 meters from the adjacent property.
- Officers considered that the plans were not out of keeping with other properties in the vicinity.
- 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 could be accommodated within the site.
- The application was in accordance with Policy TR2, the Swindon Local Plan 2015 and the National Planning Policy Framework.
- 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 12.33 and 13.45 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 did receive sunlight from the south for the greater part of the day.

Representations opposing the application can be broadly summarised as:

- With the exception of the applicant all the remaining residents of Dunley Close opposed the application as being unsuitable for the site.
- The application before Members was not materially different to a previous application that was refused under officer's delegated authority.
- The proposed 1.8 meter fence would restrict access to the property from the allocated car parking spaces.
- The original estate developers, Crest Nicholson, had not developed this plot of land due to its unsuitability for a dwelling and that surrounding properties would lose sunlight.
- Neighbours, Ward Councillors and the Parish Council all agreed that the applicant submitted was poor and unsuitable.
- Infill developments are required to be in harmony with their surroundings and not harm the living conditions of neighbours. Infill proposals should also appear to look generally in character with the existing built environment and appear to naturally belong to the surrounding area and seek to make a positive contribution in terms of design and materials. This was not the case with the application before the Committee which harmed the living conditions of neighbours and was not aligned to existing properties.
- The application if approved would lead to overdevelopment of the site.
- The applicant ignored officers' advice to join any new dwelling to their existing property.

- The proposed property due to its location and size would cause loss of sunlight to adjoining properties, including No. 22 and well as overlooking it, including a hot tub causing loss of privacy to Nos. 22, 28 and 30.
- The area already suffered from an overabundance of on-street parking, including by the applicant whose family had six vehicles which were parked on the road. This created dangerous conditions at junctions and bends in the road and could cause problems for emergency services vehicles. A three bedroom house would further compound this issue s would construction traffic.
- The property which would be three storeys would be out of character with the rest of the close which were three storey.
- The application did not accurately reflect the proposed development and inaccuracies included loss of trees and hedges and did not show a watercourse to the north of the property.

Resolved – That application No. S/19/0742/SASM be refused.

Reason: The proposal represents a cramped form of development that fails to harmonise with its surroundings and results in a development that has a dominant and harmful impact on the amenity enjoyed by the occupants of neighbouring dwellings and by virtue of the uncharacteristically small plot size, an adverse impact upon the amenity of the occupants of the existing and proposed dwellings, contrary to Policy DE1 of the adopted Swindon Borough Local Plan 2026 (2015), the adopted Swindon Residential Design Guide (2016) and the NPPF (2019).

62. S/HOU/19/1799/CLWO - Conversion and extension of garage into habitable space, Rivermead, The Street, Castle Eaton, Swindon

In respect of application numbered S/HOU/19/1799/CLWO - Conversion and extension of garage into habitable space, Rivermead, The Street, Castle Eaton, 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>
Sally Read	Applicant

Councillors Alan Bishop, Stan Pajak, Vera Tomlinson and Councillor Peter Watts spoke in respect of this application.

The application can be broadly summarised as:

- This application has been brought before the Planning Committee at the request of Castle Eaton Parish Council, (PC) due to concerns that the proposal did not enhance or preserve the character, appearance or setting of the Castle Eaton Conservation Area.

- The Parish Council considered that previous alterations to the property have been incongruous and detrimental to the appearance of the property and the area, and this proposal would exacerbate this harm.
- The property was located within the Castle Eaton Conservation Area on a corner plot set back from The Street and within the setting of Listed Buildings.
- The proposed extension to the existing garage would facilitate a workshop/hobby area on ground floor, alongside the conversion of the resulting roof space into a further bedroom. The proposal would extend the front elevation of the existing garage forward by 2.2 metres, and would increase the height of the garage by 1.6 metres. The resulting garage would be set down 1.6 metres from the ridgeline of the main dwelling, and would be set back 1 metre from the front elevation of the main dwelling.
- The building was modern and had received previous planning permission for development of the site prior to the establishment of the conservation area.
- The extension would not be largely visible from the road.

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

- A two storey extension in 2002 was supported by the Parish Council and local residents.
- The application was in accordance with National Planning Policy Framework guidance.
- The family had lived at Rivermead for 24 years and enjoyed living within the village of Castle Eaton and the application would help accommodate the family more comfortably with an additional ensuite bathroom being the main objective.
- Previously two storey extensions had been refused due to design and conservation issues which had resulted in the current comprise application and enable the family to remain in the village.
- Although there had been local objections and one letter of support the Council's conservation officer had not raised any objections.
- The application was relatively modest in its proposals and had been supported by the recommendation of Council officers.

Submissions against the application were set out in the report and additional submissions against the application can be broadly summarised as:

- The site sits centrally within the conservation area and was out of character with the surrounding areas due to its design and building materials.
- That the conservation officers view that the application would not cause substantial harm was disputed by neighbours and represented a continual erosion of the character of the conservation area and undermined the status of the conservation area contrary to Policy EN10 of the Local Plan 2026.
- The proposed flat roof and rear element of the extension and gable would be noticeable and out of character with the surrounding vicinity given that it was within the conservation area and visible from the road.

Resolved – That application numbered S/HOU/19/1799/CLWO be granted subject to the conditions set out within the report.

**63. .S/19/1100/CHHO - Erection of 12no. dwellings and associated works,
The Quadrant, Stonehill Green, Swindon**

In respect of application numbered /19/1100/CHHO - Erection of 12no. dwellings and associated works, The Quadrant, Stonehill Green, 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;

Councillors Jim Robbins and Councillor Peter Watts spoke in respect of this application.

The application can be broadly summarised as:

- The application was for the erection of 12 no. dwellings and associated works. The dwellings would have 3 storeys and would be arranged in groups of 3 forming 4 separate blocks, sited either side of the existing pedestrian access to the site off Stonehill Green.
- The dwellings, which consist of 4no. 3 bedroom units and 8no. 4 bedroom units, would front into the site with gardens at the rear backing onto Stonehill Green.
- The dwellings front into the site and the gardens backing onto Stonehill Green.
- Each dwelling would benefit from 2no. parking spaces provided to the front of each unit and landscaping to the front of each dwelling, including hedgerows, trees and planting.
- The proposal site is located within the Delta Key Employment Area in an area with a presumption of development; residential use had been established with the conversion of The Quadrant, a 3 storey former office building into residential units. This was a significant material consideration and outweighed the loss of employment land.
- The development would not unreasonably affect nearby residential properties.
- The loss of some existing trees on the site would be mitigated by additional tree planting and landscaping.
- Although 57 parking spaces servicing The Quadrant would be lost as part of the development parking standards required by planning parking standards for the existing and proposed schemes would be met.
- The sustainable development strategy in Swindon Local Plan Policy SD2 seeks to focus development on the Swindon urban area and urban extensions to Swindon. As the site is within Swindon's urban area, it is a location in which the principle of residential developments in accordance with the Local Plan.

Submissions opposing the application can be broadly summarised as:

- The loss of 57 parking at The Quadrant resulting from the proposed development would have a massive impact on the residents of The Quadrant as the car park was currently fully utilised.
- There was also a shortfall of parking in the vicinity including at the nearby University campus site and on-street parking was a real issue in the area.
- The application's building design was poor with little attempt to create something more sympathetic to the vicinity.

Resolved – That the Head of Planning, Regulatory Services and Heritage be authorised to grant planning permission in respect of application S/19/1100/CHHO subject to the conditions set out in the report together with any amended, omitted or additional conditions and the completion of a Section 106 agreement to secure the necessary mitigation. In the event that the applicant fails to agree an extension of time to allow sufficient time for the Local Planning Authority to deal with these matters then the Head of Planning, Regulatory Services and Heritage be authorised to refuse planning permission.

64. S/19/1505 - Erection of a first floor rear extension to an existing 6 person House in Multiple Occupation (use class C4) to create an 8 person HMO (sui generis), 27 Prospect Hill, Old Town, Swindon

In respect of application numbered S/19/1505 - Erection of a first floor rear extension to an existing 6 person House in Multiple Occupation (use class C4) to create an 8 person HMO (sui generis), 27 Prospect Hill, Old Town, 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;

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

The application can be broadly summarised as:

- The application site comprises an end of terrace two-storey house, currently in use as a dwelling in multiple occupation for occupants) on a residential street, Prospect Hill, Old Town Swindon.
- The application was for the erection of a first floor rear extension to an existing 6 person House in Multiple Occupation (HMO) to create an 8 persons dwelling.
- Planning permission was granted in 2015 to change the use of the building from change of use from single dwelling house to a house in multiple occupation.
- Planning permission was also granted for a first floor rear extension to an existing House in Multiple Occupation in 2019.
- The property was located within walking distance of the town centre and old town, it is therefore in a highly sustainable location in terms of its proximity to such services and public transport and parking was not considered a material condition.

- The locality contained a number of Houses in Multiple Occupation and was not considered to be out of character.
- The application complied with Building Regulations.
- The property had a small front garden that could be used for storage.

Submissions, in addition to those set out in the report, can be broadly summarised as:

- The vicinity had a number of Houses in Multiple Occupation which affected the amenity of other residents in respect of car parking, noise and rubbish storage and which caused general nuisance, including fly tipping which came from Houses in Multiple Occupation and met the required floor space per occupant.
- The property itself was relatively small for the accommodation of eight people.
- The property was a terraced house which had not been designed to be a House in Multiple Occupation.
- That there was a concern regarding rear access to the property and also in the level of cycle and rubbish storage provided.

Resolved – That planning application S/19/1505 be refused.

Reason:

The intensification of the use of this property by an additional 2 persons represents an overdevelopment of the site that will have an adverse impact upon the amenity enjoyed by its future occupants and the occupants on nearby dwellings to an unacceptable degree contrary to Policy DE1 of the adopted Swindon Borough Local Plan 2026 (2015), and the NPPF (2019).

65. Travel Plans Supplementary Planning Document

The Committee considered a report of the Service Manager – Transport Planning, Development and Street Works, setting out comments received following public consultation on the Travel Plans Supplementary Planning Document.

Resolved – (1) That the Travel Plans Supplementary Planning Document (SPD) and associated appendices, be adopted.

(2) That Service Manager – Transport Planning, Development and Street Works be authorised to make the Travel Plans Supplementary Planning Document publicly available in accordance with the arrangements set out in the report.

(3) That the Service Manager – Transport Planning, Development and Street Works Management be authorised to make minor typographical and factual corrections to the document if required in advance of publication.

(4) That the Service Manager – Transport Planning, Development and Street Works Management be authorised to review the Travel Plans Supplementary Planning Document as appropriate and update and amend the content if necessary and publish the amended and re-adopted document.