

Swindon Borough Council

Planning Committee

Tuesday, 12 February 2019

Council Chamber, Civic Offices

At 6.00 p.m.

Conservative Councillors

*Timothy Swinyard
Toby Elliott
Alan Bishop
Malcolm Davies
Fionuala Foley
Nick Martin
Vera Tomlinson*

Labour Councillors

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

Liberal Democrat Councillors

Stan Pajak

Committee Officer: Shaun Banks (Telephone 07980752047)
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Swindon, SN1 2JH (Telephone 01793 445500)

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 - 14)

To receive the minutes of the meeting held on 8th January 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 (HPRS&H) (Pages 15 - 17)

6. S/15/1701 Erection of 1no. dwelling - Land Off Short Drove, Hinton Parva, Swindon (Ward: Ridgeway) (HPRS&H) (Pages 18 - 35)

7. **S/18/1302 Erection of 1no. dwelling - Land Off Short Drove, Hinton Parva, Swindon (Ward: Ridgeway)** (HPRS&H) (Pages 36 - 51)
8. **S/18/1072 Erection of a three storey block of 6 no. flats and associated works - 98 Redcliffe Street, Swindon, SN2 2BZ (Ward: Mannington and Western)** (HPRS&H) (Pages 52 - 68)

Date of Despatch: 04 February 2019

Key:

Officers:

HPRS&H - Head of Planning, Regulatory Services and Heritage

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 Director of Law and Democratic Services, 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?sch=doc&cat=13338&path=0>) or from the Committee Officer named above.

Access Arrangements – *The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Officer above, as soon as possible prior to the date of the meeting.*

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

WELCOME TO THE PLANNING COMMITTEE OF SWINDON BOROUGH COUNCIL

NEW GUIDELINES - PLEASE READ

IF YOU HAVE COME TO SPEAK ABOUT AN APPLICATION THAT INTERESTS YOU PLEASE READ THE FOLLOWING GUIDELINES. THEY EXPLAIN HOW THE COMMITTEE DEALS WITH EACH ITEM. THESE GUIDELINES ONLY APPLY TO APPLICATIONS LISTED ON THE MAIN SCHEDULE IN THE AGENDA

- 1. THE COMMITTEE CHAIR CALLS THE ITEM**
- 2. PLANNING OFFICER PRESENTS THE APPLICATION**
- 3. WARD COUNCILLORS MAY SPEAK**
- 4. APPLICANTS AND/OR AGENT (5 MINUTES MAXIMUM IN TOTAL) WHO HAVE NOTIFIED THEIR INTENTION TO SPEAK ON THE ITEM TO THE COMMITTEE CLERK BY 12 NOON THE DAY BEFORE THE MEETING.**
- 5. PUBLIC SPEAKERS (INCLUDING PARISH COUNCIL)- WHO HAVE NOTIFIED THEIR INTENTION TO SPEAK ON THE ITEM TO THE COMMITTEE CLERK BY 12 NOON THE DAY BEFORE THE MEETING.**

(MAXIMUM 5 MINUTES EACH UP TO 2 SPEAKERS, IF MORE THAN 2 THEN MAXIMUM 10 MINUTES TOTAL SPEAKING TIME FOR ALL SPEAKERS)
- 6. COUNCILLORS WHO HAVE DECLARED PERSONAL OR PREJUDICIAL INTERESTS MAY SPEAK**
- 7. MEMBER ONLY DISCUSSION, INCLUDING ANY FURTHER QUESTIONS TO OFFICERS OR ANYONE ELSE WHO HAS SPOKEN**
- 8. A PLANNING OFFICER WILL CLOSE THE ITEM BY COMMENTING ON ISSUES RAISED BY MEMBERS**
- 9. VOTE**
- 10. CHAIR BRIEFLY EXPLAINS DECISION IF NECESSARY**
- 11. NEXT BUSINESS**

THE 10 MINUTE MAXIMUM PUBLIC SPEAKING PERIOD WILL BE YOUR ONLY OPPORTUNITY TO SPEAK, UNLESS MEMBERS OF THE COMMITTEE WISH TO ASK YOU QUESTIONS UNDER GUIDELINE 7.

SPEAKERS WHO MERELY REPEAT POINTS ALREADY MADE BY OTHERS MAY BE ASKED TO STAND DOWN.

IF THERE IS MORE THAN ONE PERSON WISHING TO ADDRESS THE COMMITTEE EITHER AS AN OBJECTOR OR SUPPORTER, THEY ARE EXPECTED TO NOMINATE A REPRESENTATIVE FROM THE SPEAKERS LISTED TO REPRESENT THEIR COLLECTIVE VIEWS.

THE CHAIR AND THE COMMITTEE HAVE THE DISCRETION TO DEPART FROM THESE GUIDELINES, BUT WILL IN MOST CASES EXPECT ALL PARTIES TO ABIDE BY THEM.

PLANNING COMMITTEE

TUESDAY, 8 JANUARY 2019

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

50. 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.

51. Minutes

Resolved – That the minutes of the meetings held on 27th November and 11th December 2018, be confirmed and signed.

52. Public Question Time

There were no public questions

53. S/18/1033/TB Erection of 18no. dwellings with associated access, parking and landscaping - Land at Langton Park, Wroughton, Swindon

In respect of application numbered S/18/1033/TB (Erection of 18no. dwellings with associated access, parking and landscaping – Land at Langton Park, Wroughton, 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 Frost	Agent
Councillor Cathy Martyn	Ward Councillor
John Vincent	Local Resident
Hannah Donsonjh	Wroughton Parish Council

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

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

- The previous application had been deferred to allow it be review in the light of the Committee's concerns in respect of the number of 1 bedroom units and accessibility issues and concerns regarding car ownership.

- The developer had not revised the application despite guidance from the Committee that it would wish to see a reduction in the number of 1 bed units and that the developer was against the loss of these units.
- A survey showing the higher than average level of car ownership in Wroughton based upon data from the last Census.
- That there was no evidence that car ownership could be linked to the size of dwellings at the site.
- That whilst Comet Way was a private road there was no restriction to cars and buses using it and discussions were on-going with the owner to permit construction traffic to use it.
- The developer's preference would be for Comet Way to become an adopted highway or as an alternative to secure a right of way over this road for both existing and new residents.
- The development would help address the housing shortfall within the Borough 18 new homes and would provide affordable which complemented the Council's Vision on sustainable development which complied with the Council's planning policies.
- Following the deferment of the application discussions had taken place with Council Officers. The development comprised 4 x 1 bedroom units, 4 x 2 bedroom unit and 10 x 3 bedroom units of which all the 1 bedroom and 1 of the 2 bedroom units had been identified as affordable housing. Stonewater the Social housing provider who specialised in rural and market town social housing identified 1 bedroom units as those most needed in Wroughton.
- Any reduction of smaller units could not be supported as this represented the greatest need in the area.
- The allocation policy for social units would see an offer of accommodation made but this didn't have to be accepted if the units or public transport was a concern. Stonewater worked hard to support its tenants and ensure the units are appropriate for prospective occupiers.
- The developer was confident that the mix of properties was correct for the site.
- The development had been designed following consultation with the Council's officers and following its design guidance and standards and which had been recommended by officers for approval.
- The site is a brown field site, which formally housed an electricity sub-station.
- A construction Management Plan had been conditioned as part of the recommendations within the report which would include access to the site.
- As part of the survey of the in August 2018 site both surface water and foul water systems had been jet washed clearing a number of long standing blockages and the systems were now cleared benefiting existing residents.
- At the request of the Council traffic counts, visibility displays and average traffic speeds surveys had been provided and based upon this information it had been determined there would not be an adverse impact on the road network or road safety arising from the development.
- The development will provide a number of benefits to the local economy and provided a public open space and will tidy up an unattractive brownfield site.

Submissions opposing the application can be broadly summarised as:

- The development was not sustainable due to its poor pedestrian access and lack of public bus services.

- The bus services were primarily designed around schools transport and were not suitable for people seeking to get to work.
- The use of the private road for school bus services only continued after repairs works funded by the Council in order to allow the school bus service to continue to operate.
- There was no certainty that the Borough Council would be willing or able to carry out further repairs when these were needed.
- There was no proof that rights of way over the ex-MOD private road had been negotiated for new residents.
- The application was contrary to TR2 of the Local Plan as a safe access to the site could not be secured.
- Other roads leading to the development were substandard by current design standards.
- The site was within an area of Outstanding Natural Beauty in conflict with Policies RH3 and RH4 of Wroughton's Neighbourhood Plan.
- The nearest convenience store is 1,200 metres away with other services in Wroughton 2.1. km away with no safe walking route with the site being served by a skeleton bus service.
- The only real access to the site was via Priors Hill which was so narrow repairs could not be recently undertaken as Swindon Borough Council's Highways Officers could not identify a safe way to undertake them.
- Even if Swindon Borough Council couldn't identify a five year housing supply the accumulative impact of issues with the site should be sufficient to refuse the application.
- Should planning permission be granted the Parish Council asked no construction traffic be permitted except via the ex-MOD private road, that a construction management plan limit the impact to residents on Priors Hill and to ensure the developer enters into an agreement with the owner of the private road and bus operator to ensure the bus service operates for at least 10 years following the occupation of the first property.
- Prior to any development being permitted the developer should be required to undertake improvement to the unlit pedestrian route to the convenience store.
- Priors Hill was a single track road built that was unsuitable for current traffic and would see an unacceptable increase in usage should the development progress.
- Priors Hill would not provide a safe walking route to the village from the development as it did not have a pavement along its whole route and had a blind bend.
- There was a 5.5 tonne weight restriction on Prior Hill and there were fears this route would be used by any construction traffic.
- The 60 mph speed limit on Priors Hill was not adhered to and additional traffic would add to this problem.
- With the exception of a convenience store which would be approximately ½ mile away with limited shopping opportunities, all the local community facilities are located in the centre of Wroughton, approximately 1 ½ miles from the proposed development.
- The development was for 18 dwellings in excess of the number which could be refused under Section 172 of the NPPF in an Area of Outstanding Natural Beauty which would be adversely affected by the development.
- Paragraph 108 of the NPPF required developers to provide safe and suitable access which the application before members failed to do.

- Paragraph 109 allowed refusal if there was an unacceptable impact on Highways Safety or residual accumulative impact on the local road network.
- Building on this site would create an unwelcome precedent.
- The application could be refused under the NPPF as there was not a safe and suitable access and would result in an unacceptable impact on highway safety.
- Access from Prior's Hill was unsafe as it was a narrow unlit steep narrow road with no pavements for cyclists or pedestrians and had a 60mph speed limit and you could not assume that vehicles would not be driven at this speed. It also had a prohibition against Heavy Goods Vehicles and heavy loads.
- Access from the ex-MOD road was not guaranteed as much of it was privately owned and it was unknown if permission had been sought for its future use by the public or construction traffic.
- There was no evidence the owner of the ex-MOD private road would grant access for traffic generated by the development nor was there evidence that he would consider offering it to Swindon Borough Council for adoption.
- Should new residents from the development be granted use of the road there was no guarantee they wouldn't be charged for its upkeep.
- If permission had not been granted to use the ex-MOD road for construction vehicles there was a question regarding how the site could be developed given that Prior's Hill had a weight restriction given that these were the only two roads that could be used to access the site. Should permission be granted a condition should be attached prohibiting the use of Priors Hill by construction traffic with the erection of appropriate signage along the route leading to Priors Hill.
- Shift workers would struggle to use the bus services to get to work because of the hours of operation of the bus services.
- If the development was permitted it would put further strain on all of Wroughton's Services.
- There were foul water drainage issues associated with the site and these impacted on nearby properties and no remedy had been included in the application.
- Most local traffic used Priors Hill which would also be used by traffic created by the site.
- No contamination survey had been undertaken to identify whether there were substances left following its use by the Ministry of Defence.
- Previous applications in the surrounding area had been refused because of access and traffic concerns.
- The applicant had not shown any indication of trying to address the concerns of the Committee, Ward Councillors, Parish Council and residents raised at the previous meeting.
- The local bus service to the site could not be deemed as sustainable, especially for work, preschool or infant school and there was no Sunday service and therefore the development would be car dependent.
- None of the three routes to Wroughton were suitable to accommodate additional traffic.
- No evidence had been produced to show that the ex-MOD road would be brought up to a standard to permit its adoption, nor who would pay for this work.
- That the mix of properties and general design of the development was poor.

Resolved – That application S/18/1033/TB be refused.

Reasons:

1. The proposal represents an overdevelopment of the site located outside of any settlement boundary contrary to Policies DE1 and SD2 of the adopted Swindon Borough Local Plan 2026 and the NPPF.
2. The development by virtue of its poor quality design and use of materials is unacceptable and will result in a detrimental impact upon the North Wessex Downs Area of Outstanding Natural Beauty. In these respects it is contrary to Policies DE1 and EN5 of the adopted Swindon Borough Local Plan 2026, the adopted Swindon Residential Design Guide (2016) and the NPPF.
3. The development by virtue of the lack of appropriate infrastructure provision is unacceptable and is contrary to Policy IN1 of the adopted Swindon Borough Local Plan 2026

54. S/17/1771/SASM Erection of class A1 foodstore and associated access, parking and landscaping - Land North Of Blackworth Industrial Estate, Highworth, Swindon.

In respect of application numbered S/17/1771/TSAMS (Erection of class A1 foodstore and associated access, parking and landscaping - Land North Of Blackworth Industrial Estate, Highworth, Swindon), the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) Further representations, both opposing and supporting the application, received following the publication of the agenda papers, circulated at the meeting and published on the Council's website;
- (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>
Simon Glover	Agent
Councillor Steve Weisinger	Ward Councillor
Pauline Webster	Highworth Town Council
Steve Hall	Local Resident

Councillors Alan Bishop, John Ballman, Steph Exell, Fionuala Foley, Nick Martin, Jane Milner-Barry, 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 could assist with the development of the remainder of the site for employment uses in accordance with the Local Plan allocation.
- A petition containing 972 signatures in support of the application signed by local residents which supported the need for additional food retail option within the town.
- The application is supported by Highworth Town Council.

- The application would provide approximately local jobs in retail.
- The application would give residents a local choice for shopping, the only current supermarket in Highworth being the Co-operative store in the high street.
- It was estimate that nearly half of residents in Highworth left the town to do their weekly shop due to the lack of retail options and a survey showed 9% of local residents visited the Adli store on Hobey Drive, Swindon.
- Retailers in the high street, including the butchers and newsagent, did not believe that they would lose trade should the application be granted and many such as public houses and gift shops would not be affected.
- Given its size Highworth was one of the very few residential areas that were not served by more than one major retailer.
- The Co-op has set up stores in close proximity and direct competition with other supermarkets within the Borough and surrounding area.
- That the application would create 40 jobs in compliance with Policy RA1 and facilitate the development of the remainder of the site.
- That the application only covered 14% of the development site.
- That retaining local residents shopping at the store there was likely to be a positive effect on the high street as fewer people left the town to their shopping rather than their money being spent elsewhere.
- Adli stores did not have a butcher, fishmonger or sell tobacco and so encourage link trips to other stores in the area and would accept a Planning condition preventing this in the future.
- Retaining a higher proportion of residents shopping locally would have the environmental benefit of reducing car journeys.
- Regarding biodiversity the site was already allocated for development which would have as much impact or more on the local environment.
- That 95% of the respondents to the Council in respect of the application supported it.
- Highworth Town Council considered the reasons against the application being granted was untenable compared to local opinion, the needs of the town and the benefits the development would bring to the town.
- That currently Highworth residents did not have a choice of retailer or a suitable variety of choice in food shopping.
- That the judicial review resulting in the re-hearing of the application was based upon procedure and not the decision reached.
- Residents of Highworth were subjected to inconvenience and costs associated with having to leave the town to do their weekly food shopping.
- The variety of goods currently stocked at the Co-op in the high street was insufficient to meet local needs.

Submissions against the application can be broadly summarised as:

- The Local Development Plan and the Highworth Settlement Plan, which as the more recent plan, took precedence.
- The land was employment Land defined under Policy RA1 allocated for B class employment use.
- Policy SD2 allows development outside the settlement area only in proscribed circumstances were it is accordance with other policies in the plan for development in the countryside, however Policy RA1 does not permit retail development.

- The application was in conflict with Neighbourhood Plan Policy 3 which defined the land as open countryside and development here would not normally be permitted unless it complied with the development Policies in the Swindon Neighbourhood Plan. Policy EC3 of the Plan had two relevant tests; that it would not undermine the vitality of existing rural centres unless a sequential selection of site has taken place and figures provided by the applicant suggested a large diversion of Highworth Town Centre spending through the diversion of trade affecting the Co-op an anchor store in the high street.
- Neighbourhood Plan Policy 4 supports the rejuvenation of the high street and the development would not accord with this objective nor Planning Policy RA1.
- There has been no evidence of high set up costs for the development of the site for employment purposes nor could the site not be developed for employment purposes.
- Any employment achieved through the development would be, in part, off-set by loss of employment in the high street.
- There were concerns regarding the loss of biodiversity under Policy EM4 arising from the proposed development.
- That should the application that there would be a long-term effect and vitality on Highworth Town Centre.
- That should it be granted the application would set a precedent for developing on the outskirts of the town.

Resolved- (1) That there are material considerations which indicate that there should be a departure from the Development Plan and therefore that the application be granted Planning Permission for the reasons stated below.

(2) That the Head of Planning, Regulatory Services and Heritage be authorised to grant Planning Permission subject to appropriate conditions as he thinks fit and subject to a section 106 agreement to overcome the Biodiversity issues arising from the scheme.

Reasons:

The main policies that the development is contrary to are policies RA1 (Highworth (including the employment allocation)) and SD2 (sustainable development strategy) of the Local Plan 2016 and Policy 3 (Development and Rural settlement boundary) of the Highworth Neighbourhood Plan 2017. Although the application is contrary to the Development Plan when considered as a whole, there are other material considerations that indicate that planning permission should be granted, and outweigh the indication given by the development plan as follows:

1. The range of potential impacts associated with the proposed limited product line foodstore (as identified within Scenarios A and B of the applicant's Planning and Retail Assessment), will not give rise to a significant adverse impact upon or undermine the vitality and viability of Highworth Town Centre in either Scenario, although it is considered that on the basis of the Applicant's evidence Scenario B is to be preferred.
2. Evidence agreed by the Planning Committee submitted by the applicant and in the Council's evidence base (Swindon Retail and Leisure Needs Assessment, January 2017) confirms that Highworth Town Centre is vital and viable. The proposal will bring material benefits including: an increase in local consumer

choice and competition; an increase in the level of expenditure and trade retained in Highworth; a reduction in shopping trips to foodstores further afield leading to a more sustainable pattern of local foodstore development; and improved investment and employment opportunities in Highworth. The assessment carried out in accordance with paragraph 89 of the NPPF and Policy EC3 of the Swindon Borough Local Plan leads to the conclusion that the proposals will not have a significant adverse impact and will not undermine the vitality and viability of existing centres, in particular, Highworth.

Accordingly, the proposal would not result in a significant adverse impact on Highworth Town centre, by virtue of the strong health of the Centre, which is currently experiencing high occupancy rates. Further, the proposed store would provide a limited retail offer which has a limited degree of overlap with the more experiential retail and leisure offer in Highworth Town centre. A limitation on the range and type of goods that can be sold from the store to limit the degree of overlap with the goods and services sold in Highworth Town Centre, can be controlled by way of a planning condition.

3. Proposed condition 22 as set out in the Applicant's letter dated 29th October 2018 meets the policy test for conditions as set out in the NPPF.
It limits the foodstore to the sale of no more than 1,500 lines; restricts comparison goods to no more than 20% of the proposed floorspace; prohibits various concessions, including a butcher, fish counter, delicatessen/cheese counter, pharmacy, dry cleaning, café and banking facilities; and limits the lines of newspaper and magazines that can be sold from the store. Condition 23 set in the Applicant's letter dated 29th October 2018 also restricts the subdivision of the unit for use as a single Class A1 foodstore. The foodstore could not be occupied by any other operator other than a limited product line food retailer because of the limitations imposed by Conditions 22 and 23.
4. The evidence submitted by the applicant demonstrates that the proposal complies with the sequential test as set out at paragraph 86 of the NPPF and in Policy EC3 of the Swindon Borough Local Plan, the Council officer's Committee Report does not recommend refusal on the basis of the sequential test and this is agreed by the Planning Committee.
5. Although there is a loss of allocated employment land to retail use, the proposal is considered acceptable because:
 - a. The Applicant's evidence is accepted that there is no reasonable prospect of employment development coming forward without a catalyst to fund/deliver the necessary infrastructure works to unlock development of the wider site for B class uses.
 - b. The proposals will ensure that an infrastructure package can be delivered that is necessary to facilitate access to the proposed store, but will also provide the access that is required to bring forward development on the remainder of the allocated site for employment uses in the Local Plan under allocation RA1 (b) (Highworth) and consented under application S/OUT/17/1772.
 - c. The foodstore will create jobs in its own right to provide for local employment opportunities.

Accordingly, the proposal would support delivery of the wider Swindon Borough local Plan 2016 employment allocation, through delivering the access and associated infrastructure needed to unlock development of the site for employment uses. Further, the proposal would deliver jobs at a level akin to employment use at this location.

6. Although the proposal does not accord with Local Plan policy RA1(b) the object of the policy, namely to promote B class employment use on land north of Blackworth Industrial Estate, would be advanced as necessary access infrastructure would be provided.
7. Although the proposal does not accord with Local Plan policy SD2, and Neighbourhood Plan policy 3, as the application site lies outside the settlement boundary, the site does lie within an area which Local Plan policy RA1(b) contemplates will be developed, albeit for different purposes.
8. With the imposition of the proposed conditions 16.1 and 16.2 set out in the Applicant's letter dated 29th October 2018 and considering all other material considerations, it is considered that the proposal complies with policy EN4 as biodiversity will be protected and a condition can be imposed to require the submission of measures on site that can achieve net local biodiversity gain, or if this cannot be achieved, the implementation of compensatory measures.
9. Paragraph 37 of Officer Report notes that the applicant's Planning and Retail Statement (PRS) does not refer to and appears unaware of the existence of the Swindon Borough Retail and Leisure Needs Assessment (SBRLNA).

The applicant's household survey is accepted as much more 'fine grained' than the survey used to support analysis in the SBRLNA, and the sample base of households in the Highworth catchment area is higher. This combination of surveys (household and on-street) allows turnovers and impacts to be quantified on the basis of up-to-date and reliable data.

The basis of the applicant's retail analysis is accepted as more recent, statistically significant and robust than the survey data supporting the SBRLNA.

10. Paragraph 41 of Officer Report raises concerns over the differences between the benchmark turnover for the proposed Highworth store and that of the Rodbourne Road scheme approved under reference S/16/2037/BLOWC.

Although geographically extensive, the Highworth catchment is constrained in various ways: the population is smaller; population density is lower and the area is characterised by an outflow of trade to larger stores in Swindon. The context is rural/market town.

It is accepted that an estimated turnover lower than that applied in the Rodbourne Road assessment is considered to be more appropriate.

11. Paragraph 65 of Officer Report confirms that additional jobs would be created by the proposed development, however, notes minimal weight is given by Council Officers to the benefits of this based on the RLNA 2017 which indicates that there is no additional expenditure to support additional convenience retail in

Highworth and these jobs would be offset to a degree by staffing reductions elsewhere.

The Committee disagrees that minimal weight should be given to the proposed foodstore employing up to 40 staff on a permanent basis (full and part time), even considering any jobs offset which is not considered to be substantiated by the evidence available. It is considered the foodstore jobs should be afforded significant weight.

12. Paragraph 69 of Officer Report refers to paragraph 103 of the NPPF 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes' and that in sustainable transport terms the site is poorly related to existing residential areas and public transport links.

As noted by the Officer Report, the Applicant has agreed to provide a pedestrian route and cycleway on the west side of the main road down to the proposed development site. The Committee agree with the view of the Council's Highways Officers who raise no objection to the proposed development. It is considered that appropriate opportunities to promote sustainable transport modes have been explored and provided.

Whilst the scheme has been assessed as giving rise to a loss of biodiversity from the site, a Condition can be imposed to require the submission of measures on site that can achieve net local biodiversity gain, or if this cannot be achieved, the implementation of off-site compensatory measures through the completion of a legal agreement.

55. S/18/0545/IH Demolition of car park and storage buildings and erection of 14no. dwellings (comprising 3no. two-bed town houses and 11no. one and two-bed apartments) and associated works - Warehouse, Albert Street, Old Town, Swindon

In respect of application numbered S/18/0545/JH (Demolition of car park and storage buildings and erection of 14no. dwellings (comprising 3no. two-bed town houses and 11no. one and two-bed apartments) and associated works - Warehouse, Albert Street, Old Town, Swindon), the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage; and
- (c) The views of interested persons set out in the report circulated with the Committee Agenda.

Councillors Malcolm Davies, Fionuala Foley, Jane Milner-Barry, Stan Pajak and Peter Watts spoke in respect of this application.

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

- The application had been amended after previously being deferred to take into account comments of the Committee.

- The development using good quality materials would be an enhancement of the area.
- Additional cycle storage had been provide in the properties to take account of the non-provision of car parking spaces.
- That the development is sustainable with easy access to the town centre, shops and public transport and would help meet the housing need within the Borough and was in accordance with the Local Plan and the NPPF.
- That the development would provide significant regeneration benefits.

Submissions opposing the application can be broadly summarised as:

- The lack of car parking spaces might lead to cars being parked in the Christchurch car park or adjoining streets.
- In was likely that people buying these properties would assume that they would be able to apply for a Residents Parking Permit.
- Cycle storage was insufficient and should not have been included within the dwellings.
- The lack of car parking space could create traffic issues when tradesmen were visiting the properties or deliveries were being made to them.

Resolved - That the Head of Planning, Regulatory Services and Heritage be authorised to grant planning permission subject to the conditions set out in the report together with any amended, omitted or additional conditions (including that occupants of the development will not be entitled to a residents parking permit) and the completion of a Section 106 agreement to secure the necessary mitigation. In the event that the applicant fails to agree to enter into an agreement or fails to agree to 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.

56. S/18/1373/SASM Erection of 2no. dwellings - 77-78 St Philips Road, Stratton St Margaret, Swindon

In respect of application numbered S/18/1373/SASM (Erection of 2no dwellings 77-78 St Philips Road, Stratton St Margaret, Swindon), 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>
Gary Llewellyn	Agent
Councillor Claire Crilly	Ward Councillor
Ron Wade	Local Resident
Stuart Westley	Local Resident

Councillors Toby Elliott, 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 brought a derelict site back into use and protected two existing buildings which would be refurbished.
- A construction methodology, requested when the application had been previously deferred, had been provided and the material supplier had confirmed access to the site was sufficient.
- The application is sustainable and in accordance with National and Local Planning Policies and Guidance including NPPF and Highway Regulations.
- There was a shortage of housing provision within the Borough which the application would help to address.

Submissions opposing the application can be broadly summarised as:

- The developer had no right of way to access the site in respect of the new buildings and the current landowner would not provide permission to use the current access.
- The width of the access to the site varied and would not be suitable for construction vehicle or emergency vehicles and did not meet national standards.
- That a vehicle and pedestrian could not use the access lane side by side.
- That lorries or large vehicles accessing the site would need to mount the pedestrian footpath potentially damaging it.
- There were safety concerns relating to the access once construction commenced.
- That if granted the development would affect the privacy and security of adjoining properties.
- There was no mention given to the removal of materials on site.
- The construction of the development would create additional traffic.
- The residents of 34 and 35 Orchard Grove would suffer a loss of amenity arising from the development and its construction.
- Should the application be granted there would be lighting issues in respect of the access lane which might impact on the amenity of local residents.
- There was no reference to how utilities would be provided to the development.
- Some information provided to the Parish Council had been unclear.

Resolved - That planning permission granted with the conditions set out in the report and such other conditions as the Head of Planning, Heritage and Regulatory Service may determine.

57. S/HOU/18/1845/CHHO Erection of a two storey rear extension and pitched roof to existing dormer window - The Cedars, Widhill Lane, Blunsdon

In respect of application numbered S/18/1845/CHHO (Erection of a two storey rear extension and pitched roof to existing dormer window - The Cedars, Widhill Lane, Blunsdon), 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>
Stuart Miles	Agent
Jim Taylor	Blunsdon Parish Council
Suzie Simpkins	Local Resident
Councillor Alan Bishop	Ward Councillor

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

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

- The scheme before members had been revised to reduce the loss of amenity to the neighbouring property.
- The application was in compliance with Planning Policy and Guidelines.
- The revised application would not appear overly dominant to adjoining properties.
- The application was intended for family use and appeared compliant with Planning Regulations.
- The appeal into the previous application had found that the ground floor extension was acceptable but that the tree metre first storey was too large and following a second refusal the application had been amended to reduce building mass and the loss of amenity on the neighbouring property.

Submissions opposing the application can be broadly summarised as:

- The loss of amenity to the neighbouring property through a loss of light to a bedroom in the neighbouring property causing permanent shadowing.
- There was little change to plans that had previously been refused.
- The application if granted would appear as a harmful dominant structure and affect living conditions in the adjoining property.
- The application was contrary to Policy DE1 and Swindon Local Plan.
- The drawings submitted by the applicant are misleading based upon the existing footprint of the property which in turn would affect the extension which would protrude 2.5 metres past the adjoining property which would mean the 45 degree rule would not be achieved.
- There had been four previous applications to extend the property.
- The close proximity of the extension to the boundary would affect the neighbouring property as it was close to a patio windows and a bedroom on above.
- That a site visit would put the application into perspective and that no site visit had been made in respect of the current application.

Resolved – That Planning Permission be granted in respect of application numbered S/HOU/18/1845/CHHO subject to the conditions set out within the report.

58. S/HOU/18/1670 Erection of a single storey rear and two storey side extension (retrospective) - 5 Bydemill Gardens, Highworth, Swindon

In respect of application numbered S/HOU/18/1670 (Erection of a single storey rear and two storey side extension (retrospective) - 5 Bydemill Gardens, Highworth, 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>
Pauline Webster	Highworth Parish Council
Councillor Alan Bishop	Ward Councillor

Councillors Alan Bishop, Tobey Elliott, Nick Martin and Vera Tomlinson spoke in respect of this application.

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

- A similar application in size and footprint had previously been granted and the application sought to retain minor elevation changes and sought to vary the building materials to the single storey rear extension.
- The extension is in accordance with the guidance set out within Policy D1 and the Residential Extensions and Alterations SPD and is not untypical across the Borough.
- The material used are not so out of keeping with the property or neighbouring dwellings to be considered impactful to area and if the approved changes to materials were carried out the effect on the neighbour would be negligible.

Submissions opposing the application can be broadly summarised as:

- There were concerns as to whether the whole of the blockwork adjacent to the boundary could be properly rendered.
- That the choice to use alternative materials at the rear of the property was deliberate and was intended to reduce costs.
- The January 2018 planning permission has been ignored in respect of the quality of materials to be used and is in contravention of the Town and Country Planning Act references to the use of materials.
- There is a loss of amenity to neighbours arising from the construction of the breezeblock wall 11 inches from the boundary of the property.
- That a site visit should be conducted to gauge whether the extension complies with the planning permission granted.

Resolved – That retrospective planning permission in respect of application numbered S/HOU/18/1670 be granted subject to the conditions set out within the report.

Determination of Planning and related Applications

Planning Committee

Date: 12th February 2019

Author:	Head of Planning, Regulatory Services and Heritage
Wards:	All Wards
Locality Affected:	All Locality Area
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, Telephone Number, (07980752047), sbanks@swindon.gov.uk.

Determination of Planning and related Applications

Planning Committee

Date: 12th February 2019

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

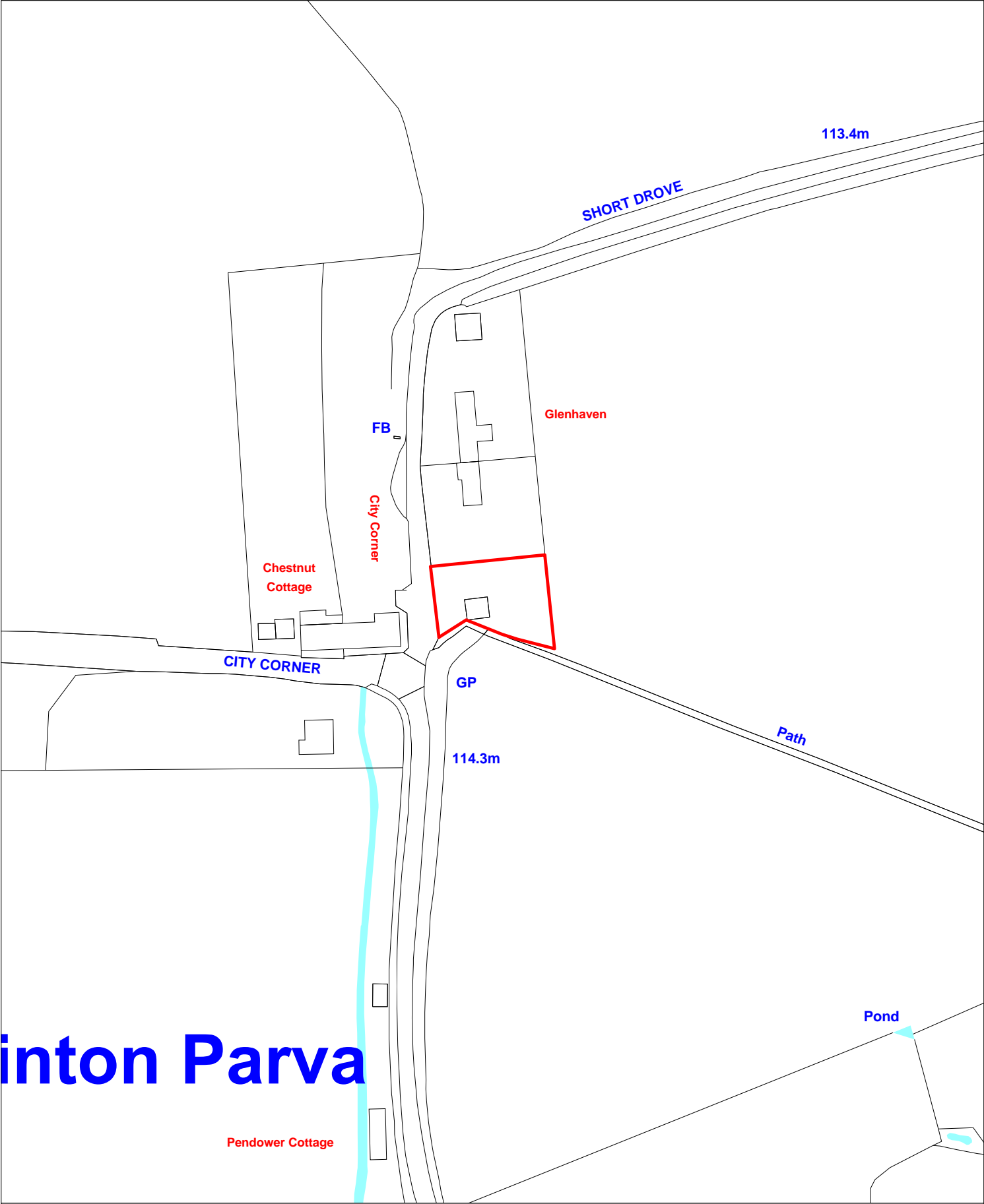
APPENDIX 1

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

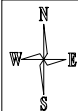
1. The approved Development Plan, consisting of
 - Swindon Borough Local Plan 2026, (2015), and the Swindon Borough Local Plan 2026 Policies Map (2015)
 - Wiltshire and Swindon Minerals Core Strategy, (2009)
 - Wiltshire and Swindon Minerals Development Control Policies DPD (2009)
 - Wiltshire and Swindon 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
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

Erection of 1no. dwelling.

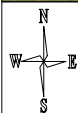
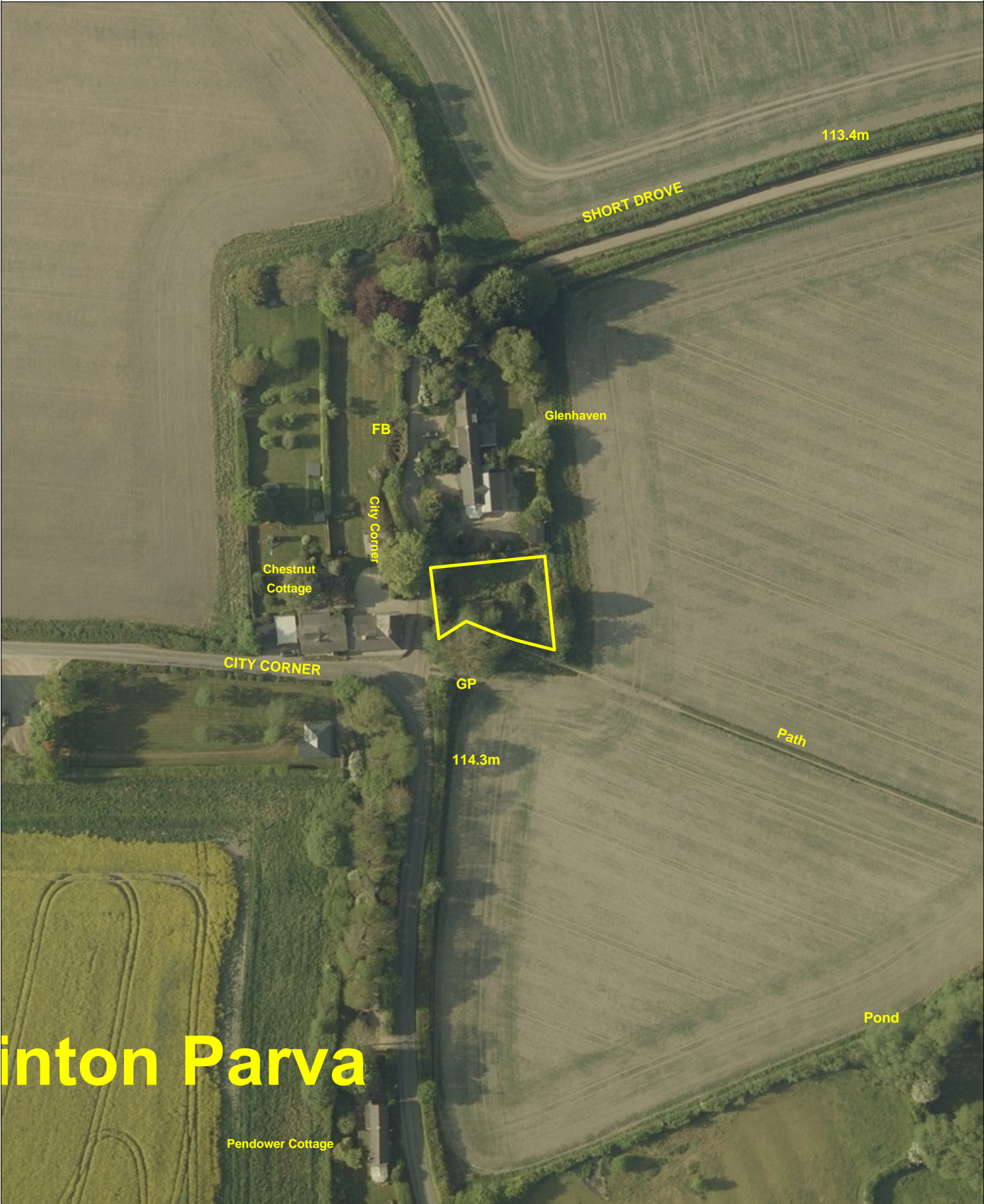
Land Off Short Drove Hinton Parva Swindon



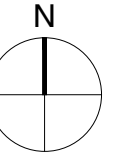
Hinton Parva



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.



Client Alder King llp
Project Land at Short Drove, Hinton Parva
Title Proposed Site Plan

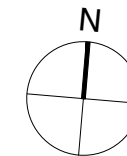
Drwg No. 1281 003
Scale 1:200 @ A3
Date May 17
Drawn RN Checked ***

**AARON
EVANS**
ARCHITECTS



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01225 466234



Client Alder King llp
Project Land at Short Drove, Hinton Parva
Title Proposed Floor Plan

Drwg No. 1281 004
Scale 1:100 @ A3
Date May. 17
Drawn RN Checked ***

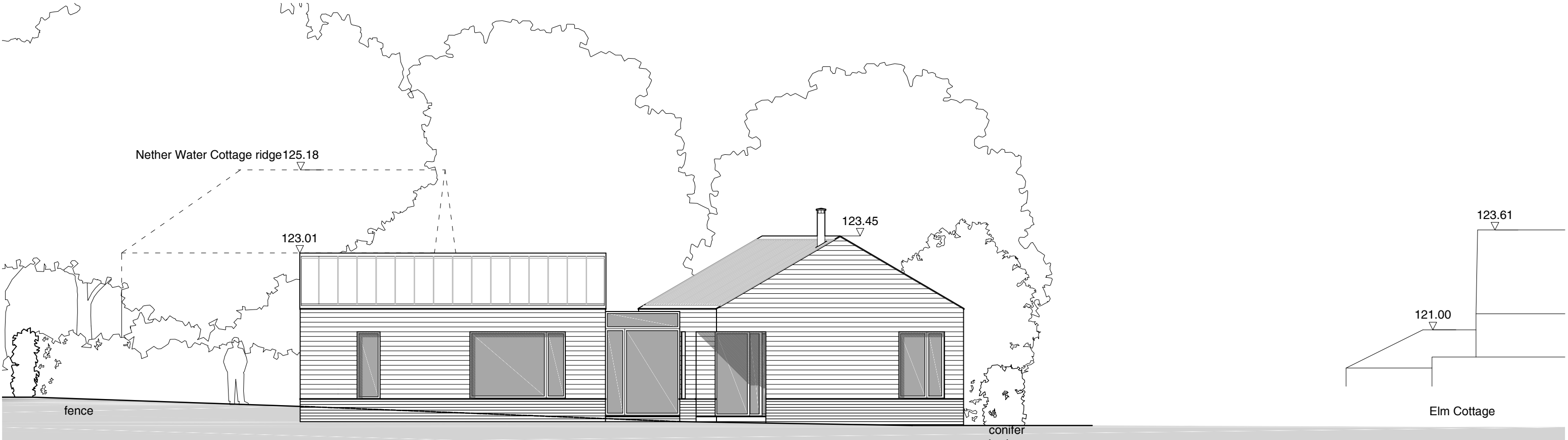
**AARON
EVANS**
ARCHITECTS



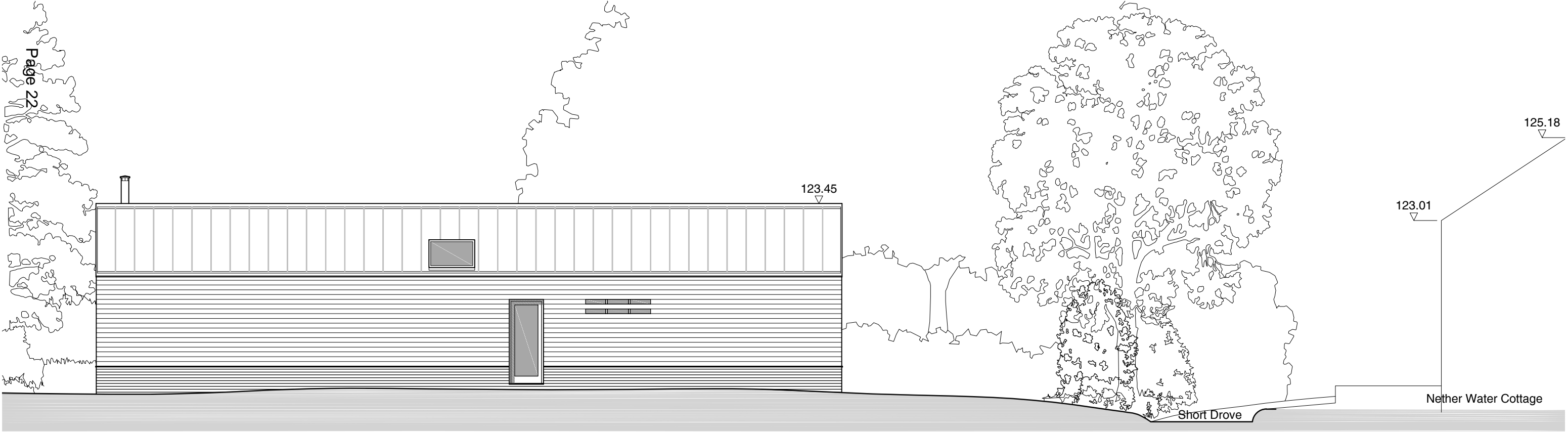
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Context East Elevation



Context North Elevation



Client Alder King llp
Project Land at Short Drove, Hinton Parva
Title Proposed East and North Context Elevations

Drwg No. 1281 012
Scale 1:100 @ A3
Date May. 17
Drawn RN Checked ***

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Chartered Practice

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Page 23

Client Alder King llp
Project Land at Short Drove, Hinton Parva
Title Perspective view from site entrance

Drwg No. 1281 020
Scale NTS
Date May. 17
Drawn RW Checked ***

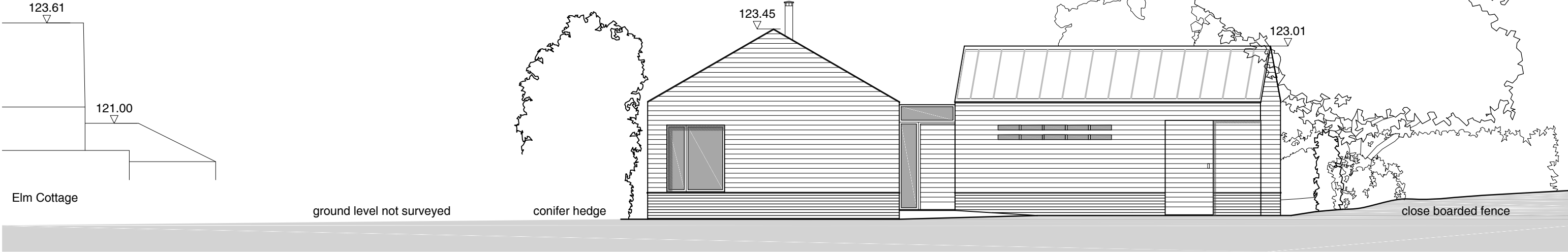
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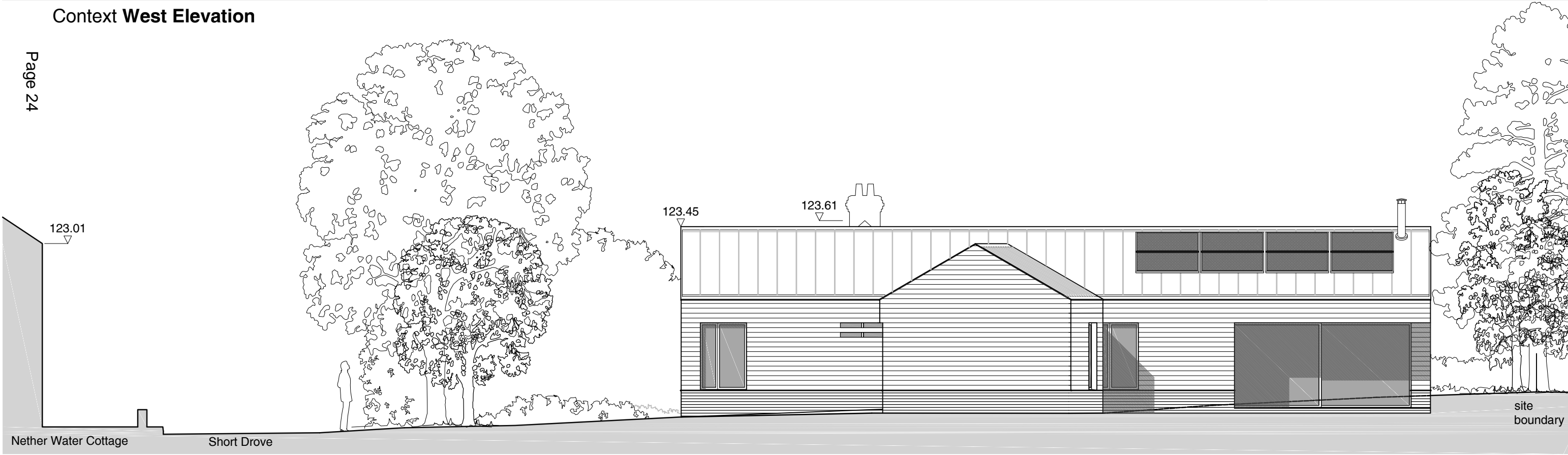
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Context **West Elevation**



Context **South Elevation**



Client Alder King llp

Project Land at Short Drove, Hinton Parva

Title Proposed West and South Context Elevations

Drwg No. 1281 011

Scale 1:100 @ A3

Date May 17

Drawn RN Checked ***

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COMMITTEE REPORT

Item Number:

Application Number: S/15/1701

Ward: Ridgeway

Parish:

Bishopstone And Hinton Parva

Proposal: Erection of 1no. dwelling.

Location: Land Off Short Drove, Hinton Parva, Swindon

Agent:

Miss Rose Fox
Alder King Planning Consultants
Pembroke House
15 Pembroke Road
Clifton
Bristol
BS8 3BA

Applicant:

Mr Martin Wilson
C/o Agent

Officer Report

Background:

0.1 That the application is considered at planning committee due to the implications for the Village, requested by Bishopstone Parish Council. Councillor Gary Sumner also requests that the application is considered by the planning committee.

0.2 This application should be read in conjunction with application S/18/1302, which is also for a new dwelling on this parcel of land. This application S/15/1701, was submitted and some reported comments were made under the 2012 NPPF, but the application now needs to be considered under the revised NPPF 2018. The two applications propose a different design ethos.

Summary of Recommendation:

That planning permission be **REFUSED**

1 The Proposal:

1.1 The proposal is to demolish the existing garage and construct a single detached dwelling. The proposal is for a 3 bed single storey building, with an open plan living, dining, kitchen and separate utility and wc. Parking is proposed off road in front of the house.

1.2 The dwelling is in two wings, at right angles to one another joined by a glazed entrance and is principally timber clad above a masonry plinth. Zinc cladding (grey) is proposed for the roof. The construction will utilise techniques to ensure the building is energy efficient.

2 The Site and Surroundings:

2.1 The site is located 600m from the village centre of Hinton Parva which is located approximately 2.5km north east from Wanborough and 9.5km to the south west of Swindon. The site is accessed from Short Drove/City Corner and is approximately 0.06 hectares.

2.2 The site has is occupied by a prefabricated double garage in a poor condition and a large skip.

2.3 There is a public footpath running adjacent to the southern boundary of the site. The site is accessed from the lane known as Short Drove on the west side and separated from the lane by a mature native hedge and trees.

2.4 There are residential properties in the vicinity including along City Corner and along Short Drove. The character of the area is a rural environment. There is a bus stop, a village hall, church and post box nearby.

3 Representations:

Archaeology:

3.1 No comments.

Landscape Officer:

3.2 Wiltshire and Swindon Biological Centre (WSBRC) - priority habitat; lowland wood pasture and parkland adjacent to grid reference provided. The site also appears to contain Japanese Knotweed, which will need to be disposed of appropriately.

3.3 On balance the Priority habitat is unlikely to be affected by this proposal and particular attention is given to the appropriate disposal of the Japanese Knotweed. Does not consider that the harm accruing from this proposal if granted would be significant, as long as justification is given for the removal of existing vegetation and details of the proposed new planting.

Transport Development: (original comments):

3.4 No overall objections to the proposals, details for the access onto Short Drove are still lacking, particularly details of the visibility splays. Surface water drainage at the access can be conditioned and the tanked system proposed in the FRA would satisfy the LHA, subject to details being agreed.

Revised Plans:

No objection subject to conditions.

Contaminated Land officer:

3.5 This was once the site of a smithy, this often means that smithy sites tend to be associated with a fair degree of contamination and suggest a condition to address this.

Wiltshire Fire and Rescue Service:

3.6 Consideration given to ensure access to the site for the purpose of firefighting is adequate for the size and nature of the development. Consideration needs to be given on the provision of water for firefighting and location of fire hydrants. Provision of domestic sprinklers.

4 Neighbours; Making some or all of the following points:

3.7 Not opposed to a new dwelling on the site object to the proposal.

- The flood risk assessment is based on the estimate height from July 2007. Don't think the information is based on accurate information.
- The FRA is a draft document.
- The application form states the property is not within 20m of a water course however the FRA states that there is a watercourse 5m west of the site.
- The land available appears too small for a septic tank.
- The D&A states that the property is in keeping with the surroundings, however the modern design is not similar to others in the vicinity.
- The FRA states that to minimise the risk of flooding to the property the finished floor levels should be 150mm above ground level. However, the Cross section diagram still shows the dwelling to be 850mm below the natural ground level.
- The proposal does not enhance the setting nor is it an exceptional development. The current derelict building is single storey and largely hidden by the vegetation.
- The dwelling does not sit well within the street scene.
- The ridge height of the proposal is much taller than the nearest properties. The proposed design will dominate the properties in the vicinity.
- The glass wall creates a privacy issue as it looks directly into four rooms of property and will overlook an area of the garden which is used to the rear.
- There will be a loss of sun light.
- Don't think the site is previously developed, there has not been a habitable dwelling on this site but a garden shed, it was once the garage part of Elm Cottage. The original plot was part of Elmcot the adjacent cottage.
- There is insufficient land for a septic tank.
- Previous applications and appeals have been refused on this site.
- The Core strategy identifies settlements for future development and Hinton Parva is not a settlement identified.
- PPS7 states that any new housing in the countryside requires 'special justification' and needs to be of 'exceptional quality'.
- Flooding may also be an issue.

Revised plans:

4 No. Neighbours: Objections still stand:

3.8 There has never been a dwelling on the site before.

- As a professional archaeologist when the vegetation was removed it is apparent there were no previous buildings on the site, which is confirmed by maps and documents. What is shown on the maps is a garage.
- Note that permission is given for dwellings of a certain size and then after a few years they are hugely extended.
- There should be a permanent restriction of a single storey.
- There is insufficient room to access the site and a substantial length of hedge will need to be removed to again access for larger vehicles.

Bishopstone Parish Council Comments:

3.9 Maintain its 'in principle' objection despite the applicant's attempt to improve the design of the proposed dwelling.

The proposal is contrary to policy SD2; the sustainable Development Strategy as it meets none of the special circumstances required to permit development in countryside locations.

The NPPF states that in order to promote sustainable development, new housing in rural areas should only be located where it will enhance or maintain the vitality of the rural community and so homes in the countryside should be avoided, unless there are special circumstances, such as the exceptional quality or innovative nature of the design of the dwelling. It is not considered that the dwelling is of the highest standard in architecture and significantly enhance its immediate setting.

The site is located outside the rural settlement boundary and is clearly not in a sustainable location, nor is it a brownfield site.

Comments on (Revised Plans)

3.10 The Parish maintain its in principle objection despite the proposed improved design. Reiterate that LPA's should avoid new homes in the countryside, unless there are special circumstances, the Parish do not believe that there are special circumstances in this case. The Parish do not believe that the proposal is truly outstanding or innovative in design and fails the test in the NPPF. Notwithstanding the 5 year land supply, the proposal is contrary to SD2 of the Swindon Local Plan. In addition, the site is not brown field and no leeway should be given in this regard. The FRA identifies the site as unsuitable for any infiltration drainage and the D&A statement suggests a cesspool, it is not considered that the site is large enough and there is a substantial ongoing cost to emptying it. The HGV will need to park on the blind bend on City Corner and transporting the sewage will add to congestion and will produce over a tonne of CO2 per year.

Concerned that this will set a precedent and have implications for our villages and rural areas across the Borough.

Further comments on the revised plans:

The PC have considered the further revisions and maintain it's in principle objection to the scheme. The comments remain as previously stated.

Forward Planning: (original comments) (made before the revised NPPF was published in July 2018).

3.11 Policy SD2 makes a clear distinction between the parts of the Borough in which the principle of development would generally be acceptable (within settlements) and those where it generally would not in the (Countryside). The policy provides exception criteria for permitting development in countryside locations outside the rural settlement boundaries, these are 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;
It is in accordance with other policies in the plan; permitting specific development in the countryside.

3.12 The site is not within a settlement boundary and does not meet any of the criteria above and therefore contrary to policy SD2. However; it is accepted that the Council cannot demonstrate a 5 year land supply.

3.13 With regard to residential development in the countryside NPPF (2012) paragraph 55 applies, the paragraph seeks to promote sustainable development in rural areas and housing should be located where it will enhance or maintain the vitality of rural communities. It is considered that this is an isolated position and the nearest services in the villages of Wanborough and in Bishopstone. The applicant has sought to address the exceptional quality or innovative nature of the design of the dwelling. Such a design should:

Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
Reflect the highest standards in architecture;
Significantly enhance its immediate setting; and
Be sensitive to the defining character of the area.

3.14 Previously developed land; the applicant states that the land is previously developed land. However, in the previous application it was stated:

' concerning the status of the site, the building, a garage, is minimal in terms of size, and it is not accepted that the whole of the site can be considered as falling within the curtilage of the building's use. Another building is shown on the 1975 OS map but it is not clear when this was demolished and there appears to be no vestige remaining.'

3.15 Should it be concluded that the site is previously development then this is a material consideration in respect of paragraphs 17 and 111 of the NPPF. Consideration of landscape, design and transport is also required.

3.16 Note a Flood Risk Assessment has been submitted. It goes beyond the requirements of Policy EN6, which only requires a drainage strategy for a site of this site in this location outside Flood zones 1 & 2.

3.17 Although, the site is outside the settlement boundary, because of the provisions of paragraph 49 of the NPPF, this is not sufficient to raise a policy objection in relation to this issue. The key consideration is therefore whether the potential adverse impacts of the isolated location in respect of local services and the landscape character are outweighed by the benefits of providing a high quality designed house that meets the provisions of paragraph 55 of the NPPF and the status of the land in terms of being previously developed.

3.18 Comments on further revisions: subject to confirmation from the urban design officer if the design is considered to satisfy the NPPF criteria, the tilted balance is in favour of the proposal by virtue of meeting the provisions of Paragraph 55 of the NPPF. On that basis a policy objection would not be sustained.

Urban Design comments: (original comments)

3.19 Overall acceptability of acceptability of residential development on the site: The proposal seeks to create a single-storey dwelling on the site in a pitch-roof form. There is an existing mature tree in the site which the proposed dwelling accommodates. The layout in terms of car parking, set back frontage from the street and landscaping is a sensitive approach. The form of the proposed dwelling is sympathetic to its context.

Revised plans:

3.20 Achieving the requirements of NPPF paragraph 55 is a challenge on this site. This proposal is sensitive to its context, responds to its character, is well thought-out in its proposed layout and form, it would create a good level of residential amenity and achieve high standards of sustainability without compromising any existing amenity, it is not currently truly outstanding.

4 Planning History:

12891 – Erection of a dwelling refused September 1969
T89/1130 - Erection of a dwelling (outline) – Refused July 1990
T91/1491 - Erection of a dwelling – Refused February 1962 and dismissed at appeal
S/12/1494 - Erection of a dwelling- Withdrawn
S/14/0971 - Erection of a dwelling - WITHDRAWN
S/18/1302 - Erection of a dwelling – pending – this application is on this agenda.

5 Planning Considerations:

5.1 The planning balance rests on the assessment of potential harm to the character and appearance of the surrounding area and /or the assessment of its merits as an outstanding or innovative design.

5.2 The Swindon Borough Local Plan was adopted by Swindon Borough Council in 2015. The Swindon Borough Local Plan is now part of the Development Plan for Swindon. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal needs to be considered in relation to the whether the adverse impact of permitting the development would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF.

5.3 The relevant policies of the local plan are:

SD1 - Outlines principles to enable sustainable development, includes the principles for development to be of high quality design and the conservation and /or enhancement of the built and historic environments.

SD2 - Sustainable development strategy and where development in the Borough will be concentrated.

DE1 - High standards of design are required for all types of development any proposal needs to look at the context and character of the existing built characteristics, acknowledged features of importance and existing site conditions. Additionally, need to look at the layout, form and function of the development.

TR2 - New development should be located to reduce the need to travel and to encourage the use of sustainable transport;

EN4 - Development will avoid direct and indirect negative impact upon biodiversity, protect and enhance biodiversity and provide net local biodiversity gain.

EN5 - Development will only be permitted where the landscape and historic landscape are protected.

EN6 - Minimise the risk and impact of flooding.

5.4 The site is not within a settlement boundary location and does not meet any of the criteria in policy SD2 and is therefore contrary to policy SD2 (the Sustainable Development Strategy) of the local plan.

5.5 However, the Council at present cannot demonstrate a 5-year supply of housing in accordance with the NPPF. At the present time the element of Policy SD2 referring to settlement boundaries cannot be considered as a reason for refusal alone.

5.6 Bishopstone does not have a neighbourhood Plan.

5.7 Hinton Parva does have a limited bus service, however there are no other facilities to meet the day-to-day needs of the community. One of the principles of sustainable development as expressed in Policy SD1 is that development should be accessible by walking, cycling and/or public transport.

5.8 With regard to residential development in the countryside NPPF paragraph 55 applied, however since the original application was submitted the NPPF has been revised (2018), and this application now needs to be considered in the context of this revision. This proposal will make a very modest contribution to meeting housing need.

5.9 A consideration needs to be made to the potential harm to the character and appearance of the surrounding area. Policy DE1 support high quality design, amplified through the residential design guide SPD.

5.10 Furthermore NPPF paragraph 130 states:

"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area and the way it functions."

Furthermore paragraph 131 states

"In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."

Should the conclusion be that there is no harm to the character of the surrounding area and/or the proposal is of outstanding innovative design, the planning balance weighs in favour of the proposal.

5.11 In addition, consideration needs to be made in respect of an isolated home in the countryside, in March 2018, the Court of appeal confirmed a High Court Judgement into the lawful interpretation of isolated home in the context of para 55, it is considered that the word isolated in the phrase 'isolated homes in the countryside' simply connotes a dwelling that is physically separate or remote from a settlement. The parcel of land at Short Drove is adjacent to other dwellings in Hinton Parva and cannot be considered to be in an isolated location.

Design Review Panel:

5.12 During the process of dealing with this application, the applicants requested that the proposal was considered by the Design Review Panel and the Panel made the following comments:

The architectural design approach taken in terms of the proposed building is thought to be carefully considered and of a high quality. The concept of a very simple form that reflects a workshop/smithy, with domestic fenestration and other paraphernalia hidden behind cladding, was supported by the panel. If a simple form is proposed, its design success will also be dependent upon elegant, sophisticated detailing and materials of the highest quality. The Panel supported the 'simple' approach to the architectural form of the building and that the design of the proposed building should not be apologetic and should be bolder and should be taken to the 'nth' degree in order to be considered outstanding.

5.13 They considered that relocating and rotating the building may be beneficial in addressing the sun path to maximise passive solar gain and natural daylight. Thus avoiding impacting on the large trees at the southern end of the site and exploit views, retaining the existing access demonstrated a better responsiveness to the site.

5.14 The applicant, after considering the comments of the Design Review Panel, revised the scheme to the one that is now before planning committee and have

rotated the building, parallel to the northern boundary and the existing site access maintained. A secondary section of building is introduced to provide the separation and create two distinct outdoor areas. The entrance side follows the workshop feel with elements disguised by cladding, whereas the garden side is private with larger areas of glazing to exploit views and orientation. The building remains simple in appearance.

5.15 Local Plan Policy DE1 (High Quality Design) requires high standards of design for all types of development. The policy states proposals will be assessed against a set of design criteria which includes: context and character; layout, form and function; amenity and quality of the public realm.

5.16 It is considered that the proposed dwelling will not fit into the context or the character and appearance of this sensitive rural setting. The property is screened from the roadside and there are trees and vegetation that already exist on the boundary edges of the site. Officer's consider that the relevant policies of the Local Plan have not been satisfied.

5.17 In addition the NPPF requires para 130 that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area and para 131 states that great weight should be given to outstanding or innovative designs which promotes high levels of sustainability so long as they fit in with the overall form and layout of their surroundings.

5.18 This is a different criteria from that which was originally considered when the application was submitted under the original NPPF.

5.19 Officers do not consider that the scheme as submitted is of an innovative design or of an outstanding design, nor is there a high level of sustainability due to the location of the building and lack of sustainable features apparent on the proposal.

Comments on the Parish Councils concerns:

5.20 The Parish are concerned that the proposal cannot be justified on the basis of it being of exceptional quality.

5.21 It is not a planning issue that there is insufficient room on the site for a septic tank as this issue could be addressed in other ways.

Comments on the neighbours' concerns:

5.22 Since the planning application was initially submitted the scheme has been evolved.

5.23 There was never a dwelling on the site, it is not clear to officers whether there was a dwelling on the site, and currently there is a garage.

5.24 There is nothing that the LPA can do to prevent later applications being submitted to further extend the dwelling, these would need to be considered on their merits.

5.25 The FRA will be carefully considered by the relevant officers.

5.26 The design of the dwelling has been amended by the applicant during the process of dealing with the application.

Other Matters

5.27 It is considered that in the absence of contrary evidence, adequate drainage arrangements (policy EN6) can be made in respect of this development to ensure flood risk is minimised, and that if considered acceptable there is scope to secure biodiversity enhancements (policy EN4). Both can be addressed by appropriately worded conditions.

5.28 The site is adjacent to the boundary of the North Wessex Downs AONB, but the development on this site at this scale is unlikely to have affects its intrinsic character (policy EN5).

CIL Liable development

5.29 The proposal is considered under the Community Infrastructure Levy which has been adopted by the Borough Council. This application now constitutes CIL liable development.

Concluding Comments:

5.30 Following lengthy discussions with the agent several sets of revised plans have been supplied and the NPPF has been revised so the proposal is now considered under a different NPPF (2018). However, it is not considered that the proposed dwelling improves the character and quality of the area and para 131 (NPPF), states that great weight should be given to outstanding or innovative designs which promotes high levels of sustainability so long as they fit in with the overall form and layout of their surroundings.

5.31 The council does not have a 5 year supply of housing land and it is acknowledged that the scheme will make a very small contribution to that shortfall. However, for the reasons given above, the adverse impact of development is considered to weigh against the scheme such that the harm outweighs the (albeit small) benefits.

Recommendation

That planning permission be **REFUSED**

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.

2. This refusal shall be in respect of

Drg. No. 1281 001 - Location Plan (1:1250@A4)

Drg. No. 1281 002 - Existing Site Plan (1:200@A3)

Drg. No. 1281 003 - Proposed Site Plan (1:200@A3)

Drg. No. 1281 004 - Proposed Floor Plan (1:100@A3)

Drg. No. 1281 005 - Proposed West Elevation (1:50@A3)

Drg. No. 1281 006 - Proposed South Elevation (1:50@A3)

Drg. No. 1281 007 - Proposed East Elevation (1:50@A3)

Drg. No. 1281 008 - Proposed North Elevation (1:50@A3)

Drg. No. 1281 009 - Proposed Sections AA and BB (1:100@A3)

Drg. No. 1281 010 - Proposed Sections CC and DD (1:100@A3)

Drg. No. 1281 011 - Proposed West and South Context Elevations (1:100@A3)

Drg. No. 1281 012 - Proposed East and North Context Elevations (1:100@A3)

Drg. No. 1281 020 - Perspective view from site entrance (NTS)

Drg. No. 1281 021 - Perspective view from garden looking west (NTS)

Drg. No. 1281 022 - Perspective view from garden looking north west (NTS)

Updated Design and Access Statement

Updated Flood Risk Assessment

Updated Landscape and Visual Appraisal received by the Local Planning Authority on 5th June 2017.

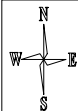
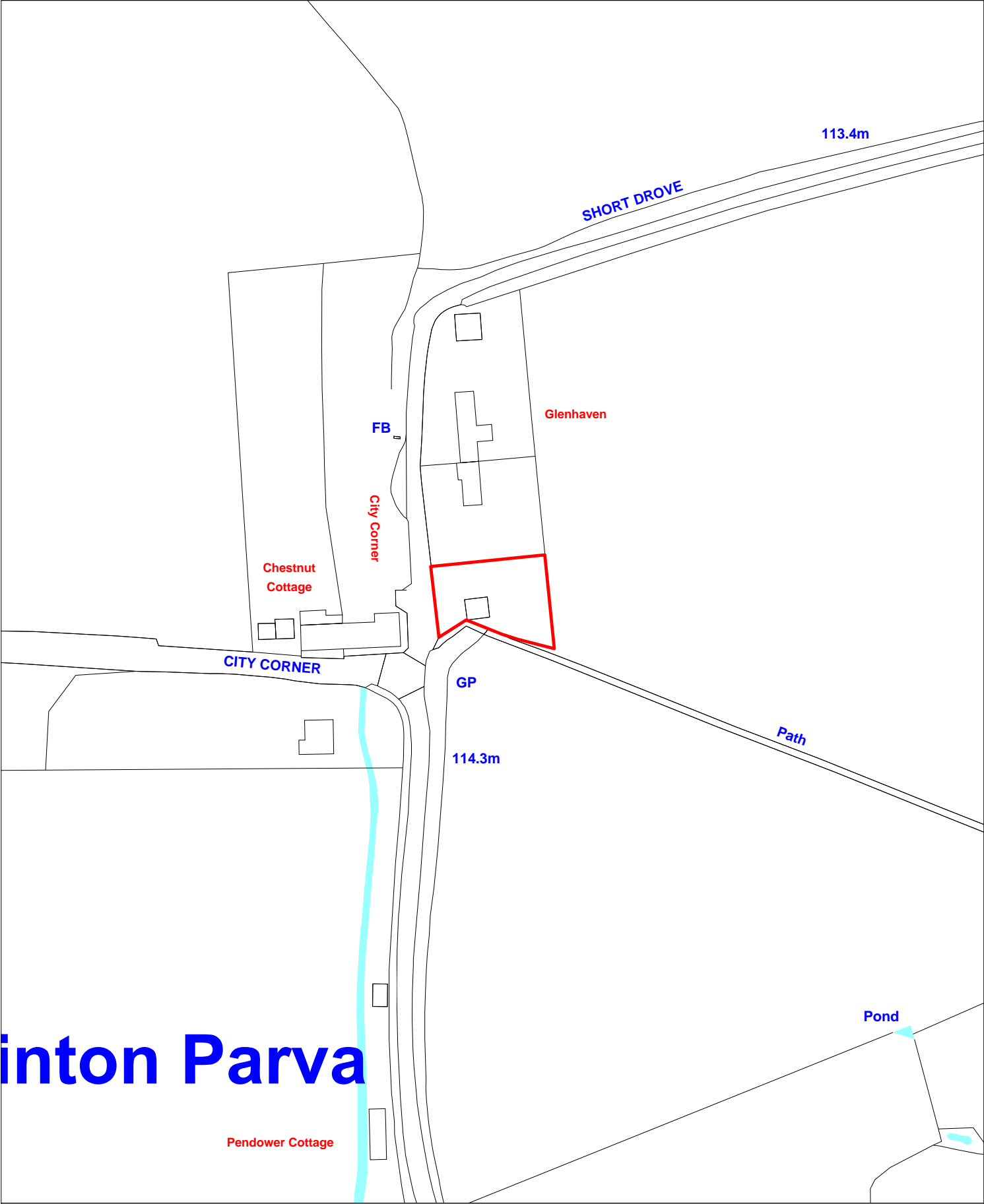
Informatives

1. CIL Liable Development

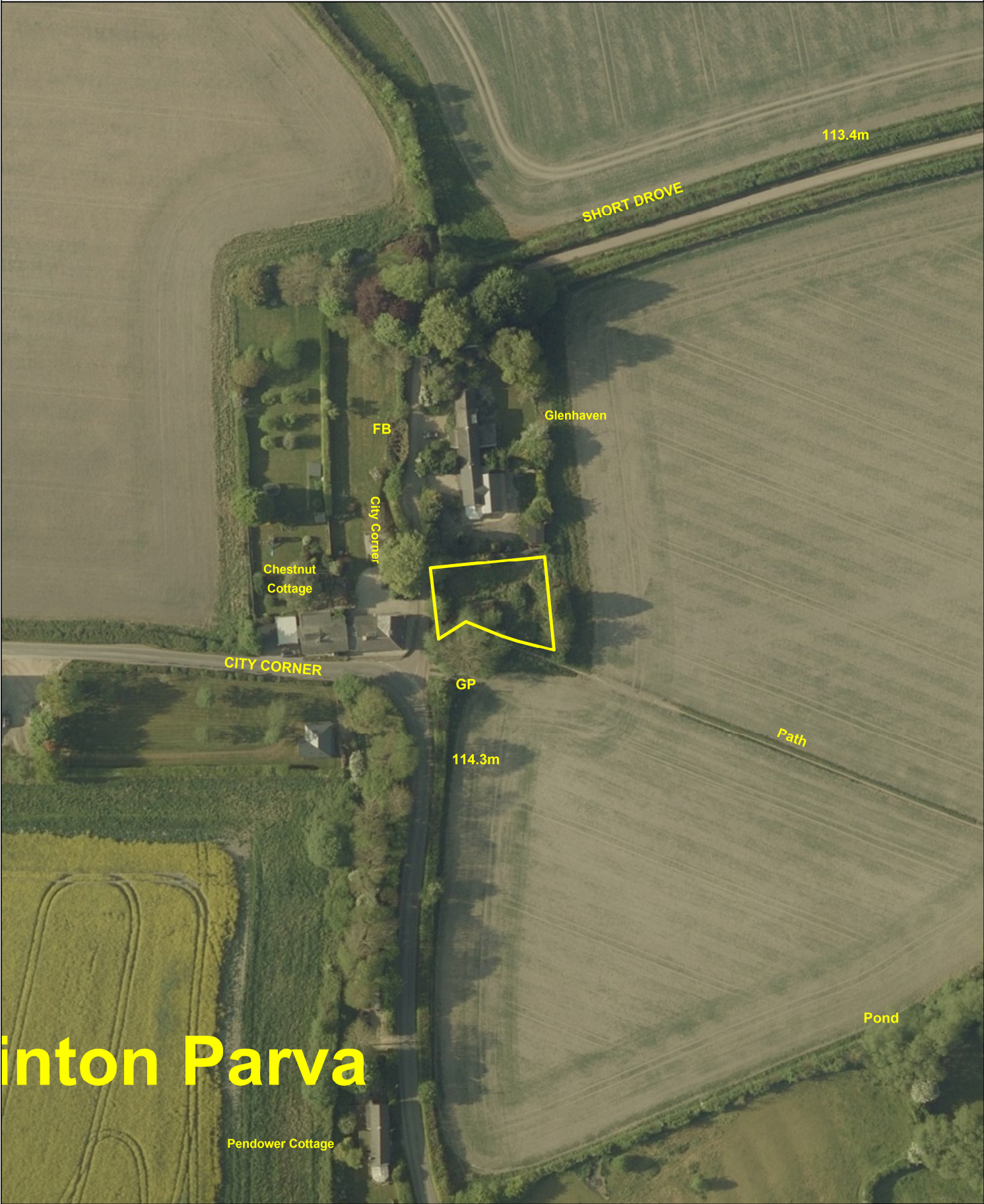
This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL visit www.swindon.gov.uk/cil or telephone the SBC CIL Team on 01793 466289 or 466397 or email cil@swindon.gov.uk. To avoid additional financial 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.

Erection of 1no. dwelling.

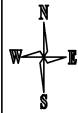
Land Off Short Drove Hinton Parva Swindon



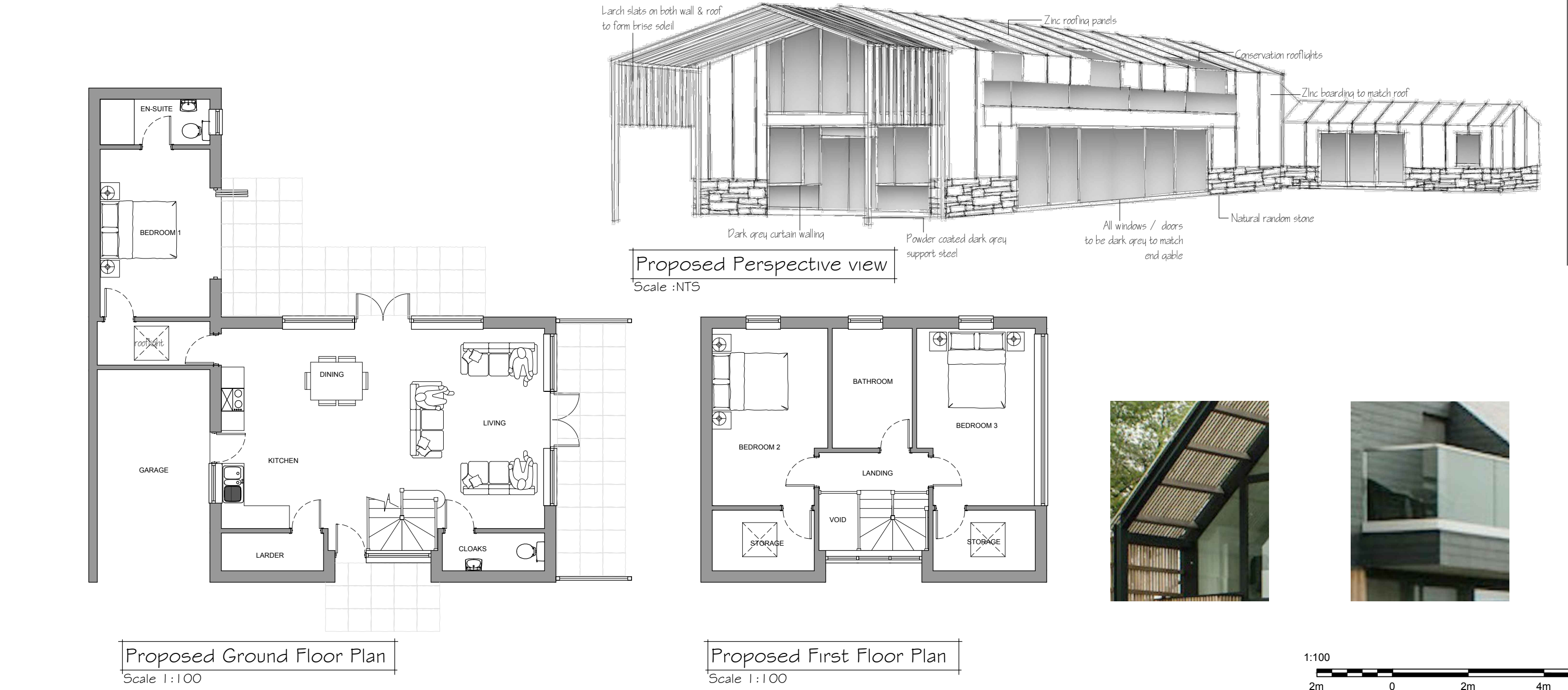
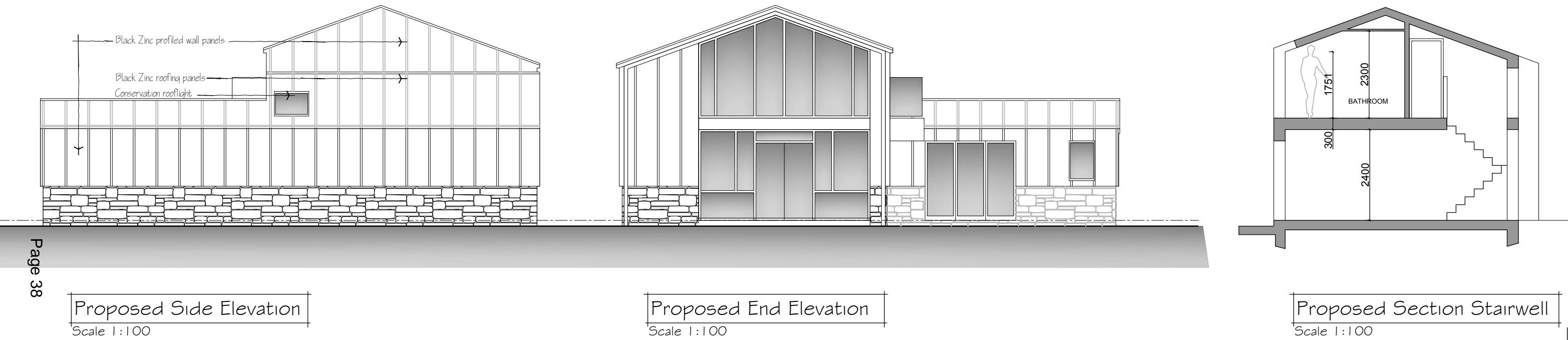
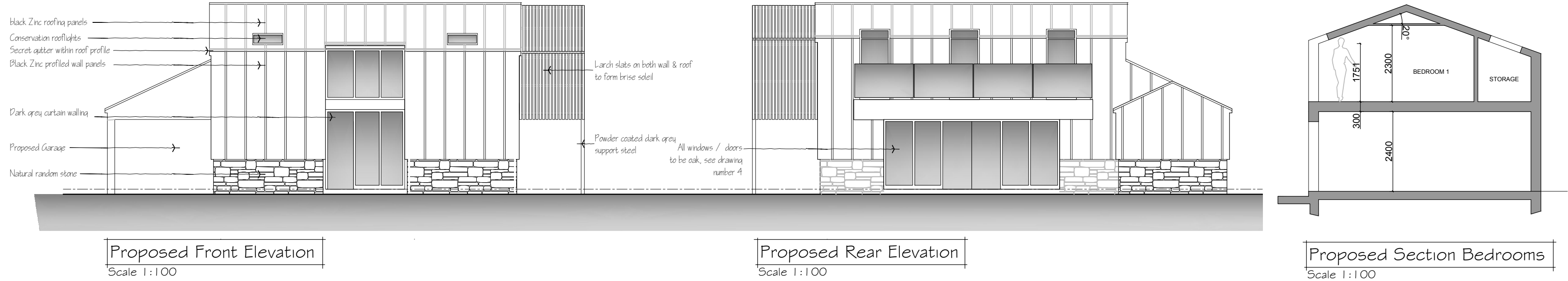
This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.



Hinton Parva



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.



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BISHOPS FROME, WORCESTER
WR6 5BP

F	26.11.18	Materials amended	NS
E	12.10.18	Design change to walling material	NS
D	11.10.18	Design change to end elevation	NS
C	31.08.18	Building amended in height	NS
B	09.08.18	Scale Bar added to drawing	NS
A	23.07.18	Roof lowered and roof pitch amended to 35 deg	NS

REV	DATE	DESCRIPTION	BY	CHKD
PLANNING				

CLIENT

Neil Stapleton

FARROW HOUSE, THE HOPKILNS
BISHOPS FROME, WORCESTERSHIRE WR6 5BP
Tel 07771 672790

PROJECT TITLE
PROPOSED 3 BED 1 1/2 STOREY DWELLING
LITTLE HINTON
WILTSHIRE

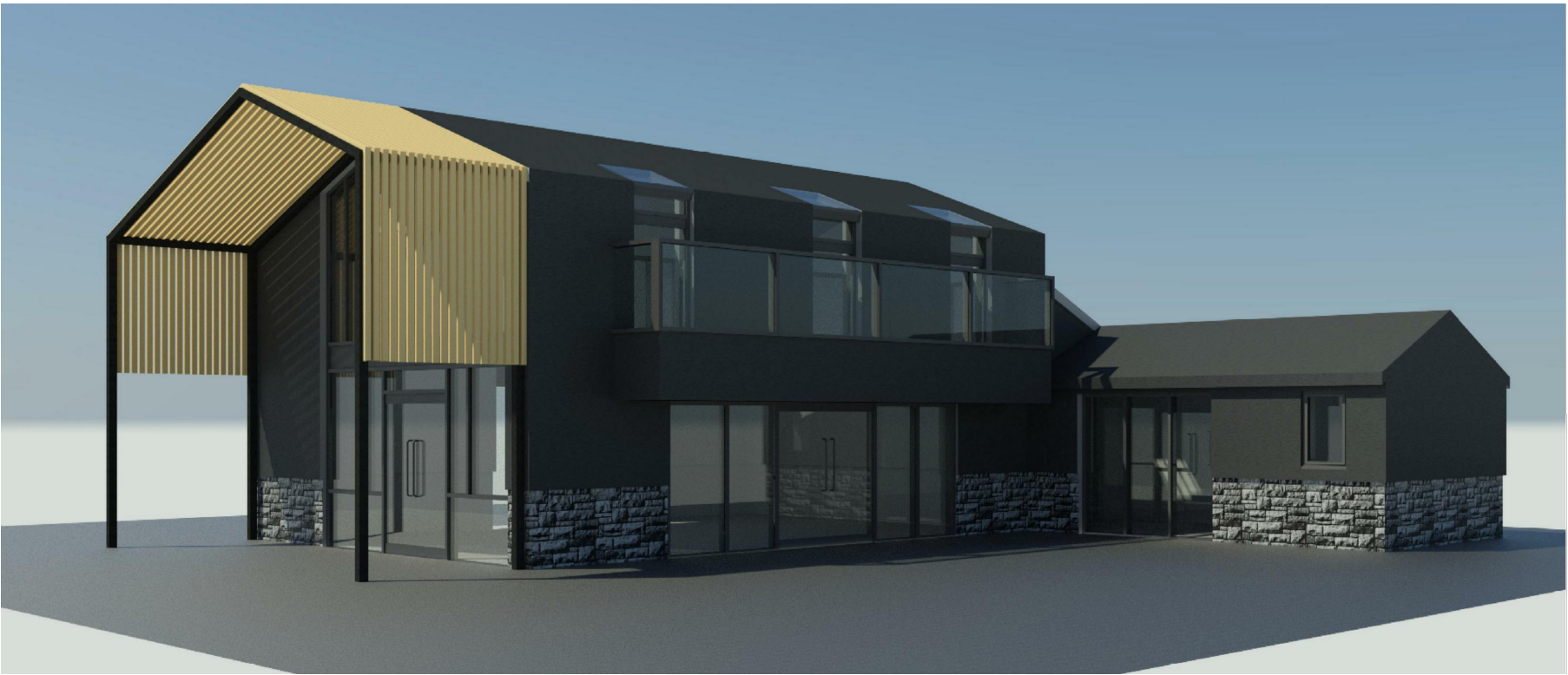
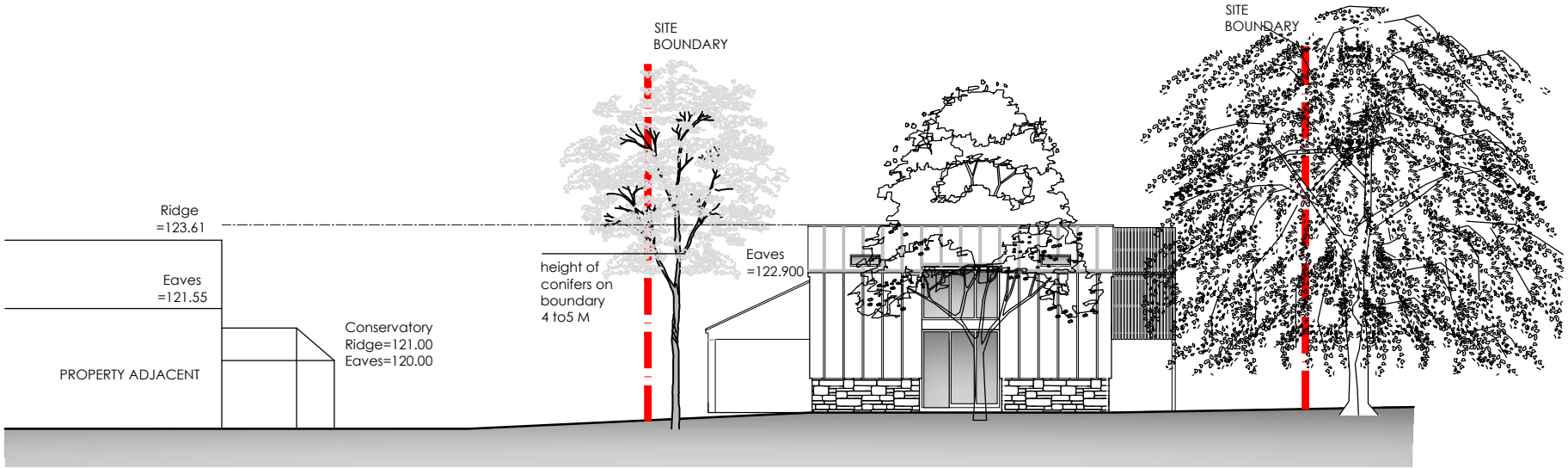
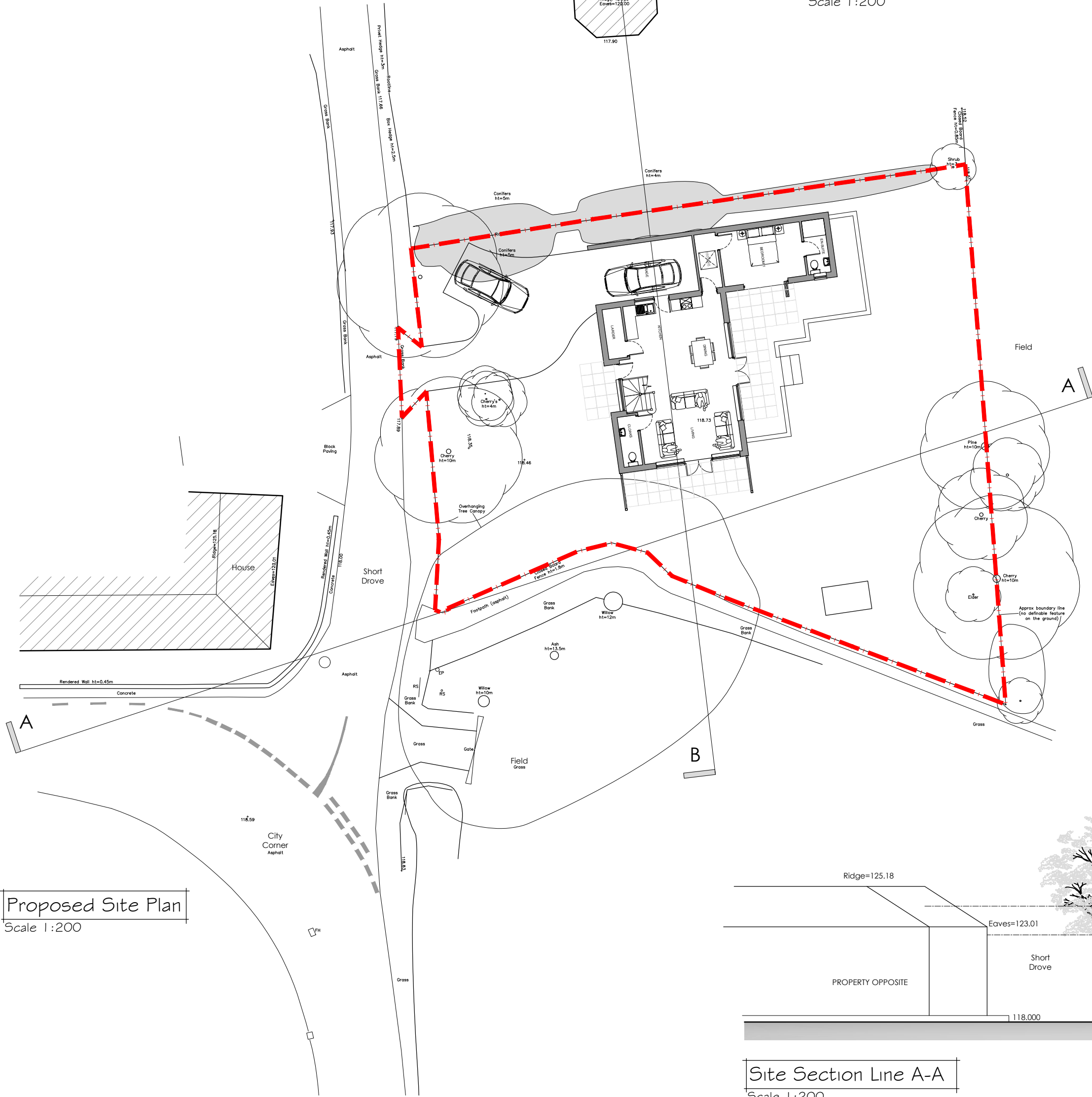
DRAWING TITLE
PLANS AND ELEVATIONS

PROJECT NO.	DWG NO.	REVISION	STATUS
2836-4	(20) 001	F	

SCALE	DRAWN	CHECKED	DATE
1:100	Ns		

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F	26.12.18	Perspective view added	NS
E	18.10.18	Site plan and elevations amended	NS
D	05.09.18	Red Line amended	NS
C	31.08.18	Building amended in height	NS
B	09.08.18	Scale Bar added to drawing	NS
A	23.07.18	Roof lowered and roof pitch amended to 35 deg	NS

REV	DATE	DESCRIPTION	BY	CHKD
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PLANNING



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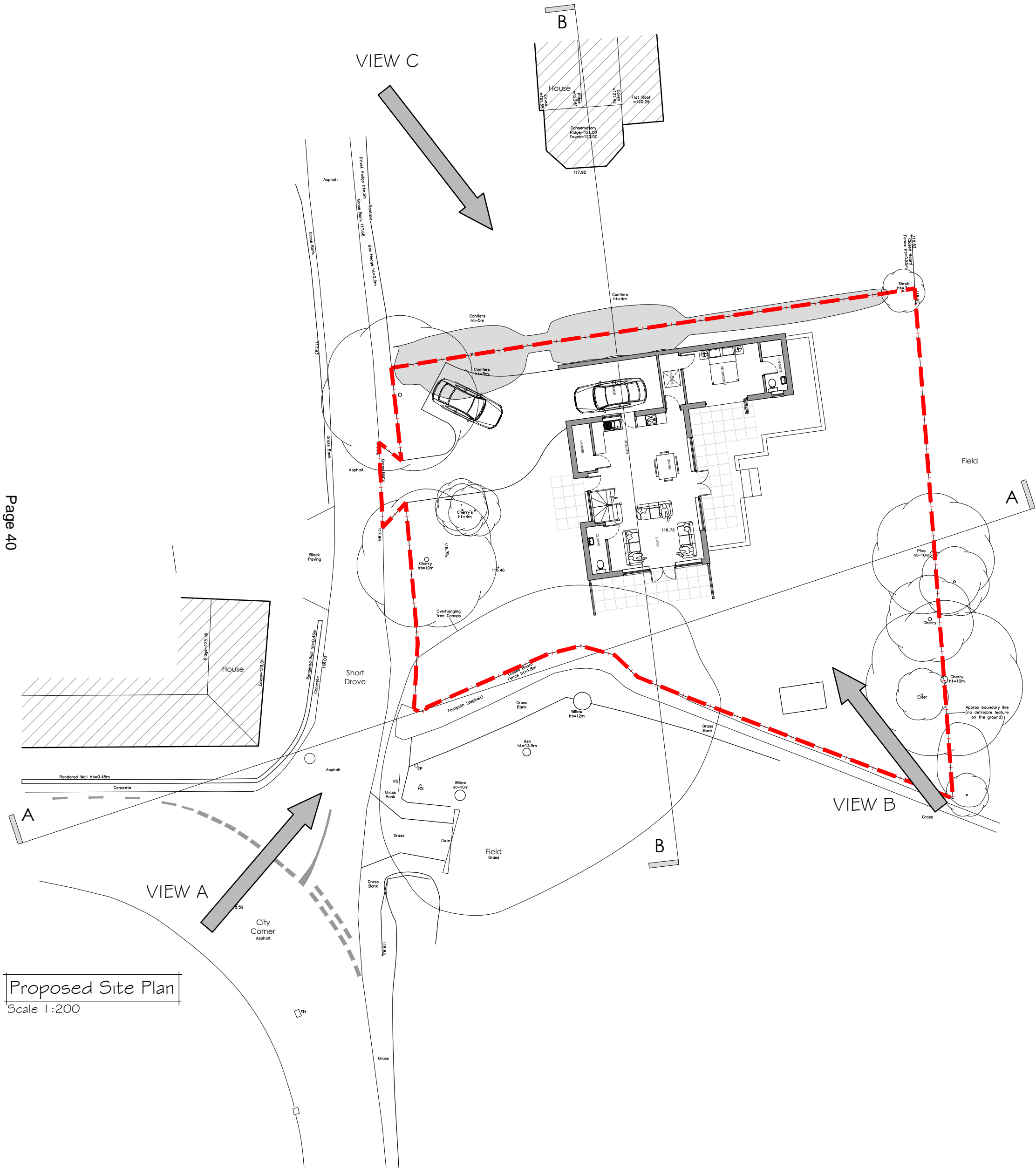
FARROW HOUSE, THE HOPKILNS
BISHOPS FROME, WORCESTERSHIRE WR6 5BP
Tel 07771 672790

PROJECT TITLE
PROPOSED 3 BED 1 1/2 STOREY DWELLING
LITTLE HINTON
WILTSHIRE

DRAWING TITLE
SITE PLAN and SITE SECTIONS

PROJECT NO.	DWG NO.	REVISION	STATUS
2836-4	(20) 002	F	

SCALE	DRAWN	CHECKED	DATE
1:200	Ns		



PHOTOGRAPH VIEW A



VIEW A



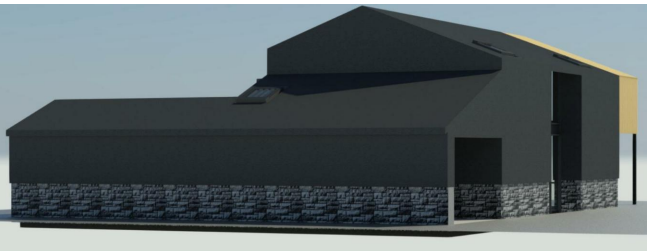
PHOTOGRAPH VIEW B



VIEW B



PHOTOGRAPH VIEW C



VIEW C

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WR6 5BP

REV	DATE	DESCRIPTION	BY	CHKD
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PLANNING

CLIENT



Neil Stapleton

FARROW HOUSE, THE HOPKILNS
BISHOPS FROME, WORCESTERSHIRE WR6 5BP
Tel 07771 672790

PROJECT TITLE
PROPOSED 3 BED 1 1/2 STOREY DWELLING
LITTLE HINTON
WILTSHIRE

DRAWING TITLE

SITE PLAN and SITE VIEWS

PROJECT NO.	DWG NO.	REVISION	STATUS
2836-4	(20) 005	,	
SCALE	DRAWN	CHECKED	DATE
1:200	Ns		

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COMMITTEE REPORT

Item Number:

Application Number: S/18/1302

Ward: Ridgeway

Parish: Bishopstone And Hinton Parva

Proposal: Erection of 1no. dwelling.

Location: Land Off Short Drove, Hinton Parva, Swindon

Agent:

Mark Cullen
Alder King Planning Consultants
Pembroke House
15 Pembroke Road
Clifton
Bristol
BS8 3BA

Applicant:

Mr Martin Wilson
C/o Agent

Officer Report

Background:

0.1 That the application is considered at planning committee due to the implications for the Village, requested by Bishopstone Parish Council. Councillor Gary Sumner also requests that the application is considered by the planning committee.

0.2 This application should be read in conjunction with application S/15/1701, which is also for a new dwelling on this parcel of land. As this application and S/15/1701 are both for new dwellings. The two applications propose a different design ethos.

Summary of Recommendation:

That planning permission be **REFUSED**

1 The Proposal:

1.1 The application is for a new 2 storey 3 bedroom dwelling in the form of a 'refurbished barn', with a new access off Short Drove, relocated further away from the junction with City Corner. The proposal has an open plan ground floor and a linked bedroom 'annex' and car port to the side and two bedrooms and a bathroom on the first floor. The proposal, in one and a half storey, and 5.8m in height, within a large plot.

1.2 The design is contemporary with the use of timber, stone , glass and black zinc panels It incorporates features to achieve the equivalent of Code Level 4 under the Code for sustainable Homes (now withdrawn) with a zero rated emission.

1.3 Access and parking are located in front of the building.

1.4 The design is such that the proposal will not overlook or overshadow and adjoin dwelling.

2 The Site and Surroundings:

2.1 The site is located 600m from the village centre of Hinton Parva north east of Wanborough. The site is accessed from Short Drove/City Corner and extends to approximately 0.06 hectares.

2.2 The site has is occupied by a prefabricated double garage in a poor condition and a large skip.

2.3 There is a public footpath running adjacent to the southern boundary of the site. The site is accessed from the lane known as Short Drove on the west side and separated from the lane by a mature native hedge and trees.

2.4 There are residential properties in the vicinity including along City Corner and along Short Drove. The character of the area is a rural environment. There is a bus stop, a village hall, church and post box nearby.

3 Representations:

3.1 Bishopstone Parish Council: raise an in principle objection to this development. The proposal is contrary to policy SD2, planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site is located outside the rural settlement boundary within the open countryside and is not in a sustainable location.

3.2 Paragraph 79 of the NPPF (2018) states that planning policies and decisions should avoid isolated development, unless there are special circumstances; including being outstanding or innovative, reflecting the highest standards in architecture and be sensitive to the defining characteristics of the local area. It is not considered that this dwelling complies with paragraph 79, nor is it isolated. Neither can the design be considered outstanding or innovative. Furthermore in seeking to design a 'sustainable ' and 'energy efficient' dwelling the inevitable result is a dwelling that is alien to its surroundings and insensitive to the defining characteristic of the area.

Further concerns

3.3 1 The stream dries up during the summer and the treatment plant should not be allowed to discharge into the ditch, it may also not be public land.

2 The proposed solar panels face slightly north of east and are not shown on the plans. Given the potential size, shading and orientation they would not be able to achieve the 1.6k Wp claimed.

3 In the sustainability report it states that a 25kW biomass boiler will be installed, no provisions made for this on the plans nor for the fuel store.

The Parish is concerned that this proposal could create a precedent, which could be difficult to resist.

Further comments on the revised plans:

The PC have considered the further revisions and maintain its in principle objection to the scheme. The comments remain as previously stated.

Neighbours object to the original scheme:

3.4 - The proposal contains several pieces of contradicting information e.g. the plan shows a 2 storey house, the design statement refers to a single storey smithy style dwelling, the planning statement refers to a style of design proposed like a 'refurbished barn' but no details supplied showing what it will look like. Nothing significant has changed from previous applications to overcome our concerns.

The applicant is trying to get round planning rules by suggesting that there was previously a residential property on the proposed site and it should be of exceptional quality, truly outstanding or innovative and would help to raise standards of design in rural areas.

The application states that the proposal is intended to comply with the best energy and sustainable standards yet provides a sewerage and water disposal which relies on technology not proven over time.

- The existing adjacent property is cut into the bank and is lower than the neighbouring land, so the new house will be taller than the adjacent dwelling.

Previous applications were for a single storey dwelling, windows will overlook the adjacent property.

- There is not as much vegetation between the site and the neighbouring property, as shown on the submission.

- The proposal does not comply with policy TR2, in that the site is not in a sustainable location.

- Previous appeals on the site have been refused due to the effect on the 'character of the locality'.

- The proposal is not part of a farmyard development.

- The proposal is not sensitive to the defining characteristics of the local area as required by the NPPF.

- The land is not previously developed land, as evidence submitted has proved.

- Screening should not be included to increase privacy.

- Inadequate, space for the access to allow vehicles to swing into the drive, nor is there adequate manoeuvring space on the site to leave the dwelling in a forward gear.

- Object to the proposed cesspool and the implications to adjacent properties.

- Japanese Knotweed -This needs to be eradicated immediately, irrespective of the planning process.

4 No. Neighbours: Revised Plans

3.5 Further comments:

- The ridge of the proposal has been reduced, however privacy remains an issue. Windows will overlook adjacent properties.
- The building is out of character with present building on City Corner.
- When permission is granted then a few years later it is extended.
- It has been confirmed that the public transport is not certain due to funding issues.
- Can see no evidence that the revised scheme is 'exemplar for rural development' or in keeping with the area. A zinc roof does not appear to be in keeping with the vicinity.

4 No. Neighbours additional comments:

- Making many of the points as previously made and some additional points.
- The revised plans appear to show a dominant black barn style that is not sensitive to the defining characteristics of the local area. Seem to have partly taken on board the planners comments but ignored the idea about making it relevant to the site and the concerns about the height of the ridge.
- The access is not suitable for vehicles to turn into.
- The new supporting documentation continues to have errors within it.
- The current argument is that materials to be used in this build are similar to "Warren Farm". This is not the correct name for the location pictured. Local residents were not consulted before planning permission was given to West Hinton Cottage – the property actually pictured. West Hinton Cottage is, in our opinion, out of keeping with the village, and allowing further properties to look similar will just "urbanise" the village further. Two wrongs definitely don't make a right in our opinion.
- Objectionable that notified was send over Christmas, was this a deliberate ploy to slip in some planning permission without the knowledge of interested parties?

Comments on further revisions:

1 Neighbour: Treatment plant discharge this should be situated at least 10m from any dwelling. The proposal to discharge the waste water into neighbouring properties, and no discussions have taken place.
The stream does not dry up seasonally as suggested.

Contamination Officer:

3.6 The site was once a Smithy, experience shows that as a 'metal working' facility there tends to be a fair degree of contamination and suggest a condition.

Transport Management

3.7 No Highway objection be raised subject to conditions.

County Archaeologist:

3.8 No objection.

Drainage Officer

3.9 considers the scheme to be acceptable subject to conditions.

Urban Design (original) comments:

3.10 The challenge on this site in planning policy terms is the need to fulfil the requirements of paragraph 79 of the NPPF (2018):

And in particular, from a design perspective that:

"e) the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area."

The proposal in architectural terms does not achieve a design that is of exceptional quality, cannot see any proposal that push the boundaries for innovation. The proposal would be acceptable in design terms in an urban area, it needs to be a scheme which pushes the boundaries of architecture in making it 'truly outstanding or innovative'.

In terms of innovation, there is no truly outstanding level of innovation in this application either. There are only generally good approaches to sustainability, which is welcomed, however not at the level required to satisfy paragraph 79. Does not see the design approach achieved here as resulting in either of these requirements (outstanding or innovative) in order to render this acceptable in design terms.

Urban Design Comments on revised plans:

3.11 The extra drawings and visualisations are helpful in articulating what the building will look like. The material choice / palette is appropriate, much better having less materials and express the building's design through a simple form.

We still cannot truly see how the proposal fits into its existing context in 3D, but appreciate that the proposed form itself is of an agricultural disposition, and the choice of a dark material and almost inactive edge to the rural lane is appropriate given this expression and relationship to the lane.

The scale of the proposal seems large in the 3D visualisations, however in actual height terms is shown as lower than the existing properties opposite in section / elevation.

Landscape Officer:

3.12 The proposal should be considered under paragraph 79 of the NPPF (formerly para 55 of the 2012 NPPF), which sets out very specific criteria.

Whilst there is some logic to a residential scheme on this site, it is not considered that the proposal is of a design that one could consider innovative and certainly adds nothing to its surroundings. The application lacks any landscape elements or site plan to show how this might happen.

The site is currently unkempt and contains Japanese Knotweed. The design and the submission fall well short of what would expect to see for a para 79 scheme. Can see no landscape proposals to actually demonstrate how it might actually enhance its setting. Whilst there might be potential to develop an exceptional scheme on this site, overall the scheme does not meet the standards required for a para 79 application and is therefore not acceptable in its current format.

4 Planning History:

12891 – Erection of a dwelling refused September 1969

T89/1130 - Erection of a dwelling (outline) – Refused July 1990

T91/1491 - Erection of a dwelling – Refused February 1962 and dismissed at appeal

S/12/1494 - Erection of a dwelling- Withdrawn

S/14/0971 - Erection of a dwelling - WITHDRAWN

S/15/1701 - Erection of a dwelling - pending.(also on this agenda)

Planning Policy:

5.1 The planning balance rests on the assessment of potential harm to the character and appearance of the surrounding area and /or the assessment of its merits as an outstanding or innovative design.

5.1 The Swindon Borough Local Plan was adopted by Swindon Borough Council in 2015. The Swindon Borough Local Plan (2026) is now part of the Development Plan for Swindon. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal needs to be considered in relation to the whether the adverse impact of permitting the development would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF.

5.2 The relevant policies of the local plan are:

SD1 - Outlines principles to enable sustainable development, includes the principles for development to be of high quality design and the conservation and /or enhancement of the built and historic environments.

SD2 - Sustainable development strategy and where development in the Borough will be concentrated.

DE1 - High standards of design are required for all types of development any proposal needs to look at the context and character of the existing built characteristics, acknowledged features of importance and existing site conditions. Additionally, need to look at the layout, form and function of the development.

TR2 - New development should be located to reduce the need to travel and to encourage the use of sustainable transport;

EN4 - Development will avoid direct and indirect negative impact upon biodiversity, protect and enhance biodiversity and provide net local biodiversity gain.

EN5 - Development will only be permitted where the landscape and historic landscape are protected.

EN6 - Minimise the risk and impact of flooding.

5.3 The site is not located within a defined settlement boundary and does not meet any of the criteria in policy SD2 and is therefore contrary to policy SD2 (the Sustainable Development Strategy) of the local plan.

5.4 However, the Council at present cannot demonstrate a 5-year supply of housing in accordance with the NPPF. Paragraph 11 (part d) of the revised NPPF states that where there are no relevant development plan policies, or policies which are most important for determining the application are out of date (including where there is not a 5 year supply of housing land), 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.

5.5 Bishopstone does not have a neighbourhood Plan.

5.6 Hinton Parva does have a limited bus service, however there are no other any facilities to meet the day-to-day needs of the community. One of the principles of sustainable development as expressed in Policy SD1 is that development should be accessible by walking, cycling and/or public transport.

5.7 It is unclear why this application has been submitted whilst application S/15/1701, for a new dwelling, on this site, is still pending, other than to propose an alternative design. The application has been submitted without consultation with officers. Before the initial 21 day consultation period had expired, further revised plans were submitted, again without discussions with officers.

5.8 The proposal needs to be considered in relation to the whether the adverse impact of permitting the development would significantly and demonstrably outweigh the benefits when assessed against the policies development plan and the NPPF.

5.9 Footnote 7 of the Revised NPPF 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. The lack of a demonstrable 5-year housing supply is not in itself a reason for approval. 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.

5.10 The applicants have sought to meet the provisions of the former NPPF paragraph 55, (now para 79) in respect of an isolated home in the countryside that is of 'exceptional quality or innovative nature of design of the dwelling'.

5.11 A consideration needs to be made to the potential harm to the character and appearance of the surrounding area. Policy DE1 support high quality design, amplified through the residential design guide SPD.

5.12 Furthermore NPPF paragraph 130 states:

"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area and the way it functions..."

Furthermore paragraph 131 states

"In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."

Should the conclusion be that there is no harm to the character of the surrounding area and/or the proposal is of outstanding innovative design, the planning balance weighs in favour of the proposal.

5.13 In addition, consideration needs to be made in respect of an isolated home in the countryside, in March 2018, the Court of appeal confirmed a High Court Judgement into the lawful interpretation of isolated home in the context of former NPPF para 55, it is considered that the word isolated in the phrase 'isolated homes in the countryside' simply connotes a dwelling that is physically separate or remote from a settlement. The parcel of land at Short Drove is adjacent to other dwellings in Hinton Parva and cannot be considered to be in an isolated location.

5.14 Therefore, the consideration is whether the benefits of the proposed development in terms of supporting services, contributing to house types in the area, and making a contribution to the delivery of housing would outweigh any adverse impacts in respect of design.

The Inspector then goes on to say:

"In the circumstances, there was no need for "special circumstance" to be identified to justify a development of "new isolated homes in the Countryside". This was not such a development."

5.15 Applying this to the Short Drove site, a similar conclusion can be drawn with dwellings to the immediate north and west of the site and others in close proximity. Therefore following the Court of Appeals lead the proposal cannot be regarded as

isolated and the justification for the proposal under this part of NPPF paragraph 79 of the Revised NPPF falls away.

5.16 There are other parallels with application at Short Drove. There is a bus stop and other limited number of facilities at Hinton Parva, however the nearest school is in Wanborough and policy SD1 states that development should be accessible by walking; cycling or public transport. The consideration is within Overall Balance and Sustainable Development, which is a matter of planning judgement. In terms of planning balance the development would make a very modest contribution to meeting housing need. A minor economic benefit would arise from the construction and the economic activity of those occupying the dwelling.

5.17 With regards to paragraph 79 of the NPPF (2018)

e) the design is of exceptional quality, in that it:- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

5.18 The other current scheme (S/15/1701) (also on the agenda) has been considered by the design review panel and this is a further result of an interpretation of the design panels comments. It is not considered that this scheme achieves a design which is of exceptional quality, changes have been made to respond to neighbours comments and the result cannot be termed 'exceptional' or to 'push the boundaries for innovation'.

5.19 A consideration needs to be made to the potential harm to the character and appearance of the surrounding area. Policy DE1 support high quality design, amplified through the residential design guide SPD. Furthermore NPPF paragraph 130 states "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area and the way it functions." Furthermore paragraph 131 states "In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."

Sustainable Homes

5.20 The application has been submitted with a sustainable homes report and it has been considered to demonstrate that the proposed development. This report was published in August 2013 and does not appear to have been updated to take account changes which have been made to the scheme. The current scheme does not include eg a photovoltaic array; recovered slate.

Comments on the Parish Councils concerns:

5.21 The Parish are concerned that the proposal cannot be justified on the basis of it being of exceptional quality, officers concur with this point.

5.22 It is not a planning issue that there is insufficient room on the site for a septic tank as this issue could be addressed in other ways.

Comments on the resident's concerns:

5.23 Whilst there are concerns expressed regarding the proposed access to the site the highway officer is satisfied that the proposal is suitable. Various revisions have been made to the scheme by the applicant to address the perceived overlooking issue.

5.24 The agent states that they have addressed concerns made by local residents, as they were concerned about the height of the building the design has been amended to have a ridge no higher than the property to the north and 1.7m lower than the ridge to the house to the west.

5.25 The proposed form is common to a rural farm building, using local construction methods. The roof will be pitched at 20 degrees suitable for a sheet metal material. In this case pre weathered standing seam zinc sheeting is proposed, similar to agricultural buildings. Window openings attempt to avoid overlooking, which gives the public elevation to the west is more 'workshop-like' echoing the site's history.

Other Matters

5.26 It is considered that in the absence of contrary evidence, adequate drainage arrangements (policy EN6) can be made in respect of this development to ensure flood risk is minimised, and that if considered acceptable there is scope to secure biodiversity enhancements (policy EN4). Both can be addressed by appropriately worded conditions.

5.27 The site is adjacent to the boundary of the North Wessex Downs AONB, but the development on this site at this scale is unlikely to have affects its intrinsic character (policy EN5).

CIL Liable development

5.28 The proposal is considered under the Community Infrastructure Levy which has been adopted by the Borough Council. This application now constitutes CIL liable development

Concluding Comments:

5.29 As stated above, there is nothing truly innovation in the design, only a good approach to sustainability, which is not at a level required to satisfy paragraph 79. The design approach does not result in a scheme which is innovative nor outstanding, in order to render this acceptable in design terms. The agent advises that the proposal is designed to be exemplar for rural development, fitting into its context, be highly sustainable and economical to run, however, officers do not agree with this. The planning balance rests on the assessment of potential harm to the character and appearance of the surrounding area and /or the assessment of its merits as an outstanding or innovative design.

5.30 The council does not have a 5 year supply of housing land and it is acknowledged that the scheme will make a very small contribution to that shortfall. However, for the reasons given above, the adverse impact of development is considered to weigh against the scheme such that the harm outweighs the (albeit small) benefits.

Recommendation

That planning permission be **REFUSED**

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

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.

Agenda Item 8

Application Number S/18/1072

Proposal Erection of a three storey block of 6 no. flats and associated works.

Location: 98 Redcliffe Street Swindon SN2 2BZ



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/18/1072

Proposal Erection of a three storey block of 6 no. flats and associated works.

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

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5 4 3 2 1 0 5 10

Meters

Meters

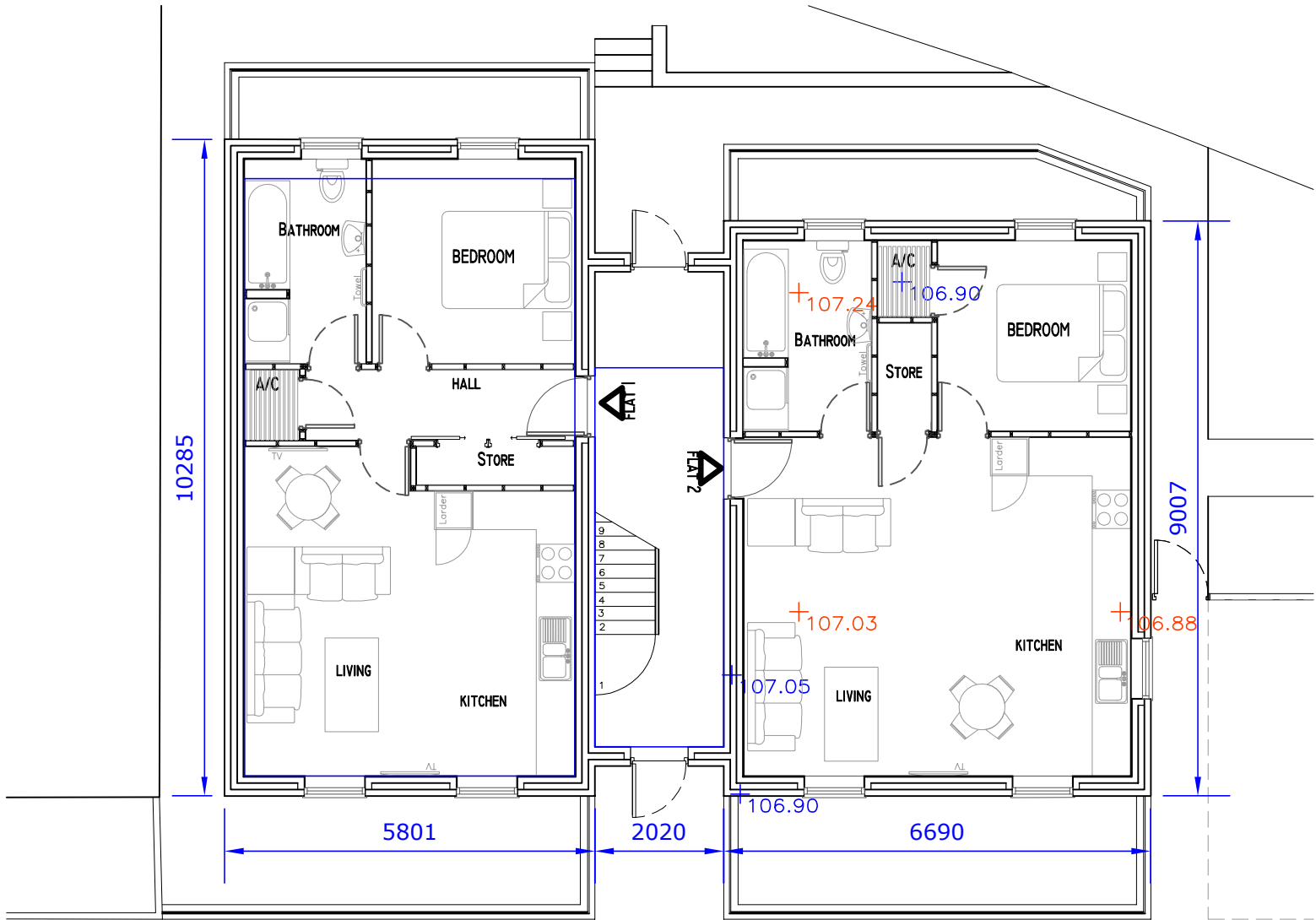
Revisions:

Rev	Date	Description
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Bridge House 14 Wharf Road Wroughton Swindon
Wiltshire SN4 9LB Tel: 07771 36 16 4
Email: alpha.ps@btinternet.com



NOTES:
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2. All dimensions to be checked on site before commencement of any works. Any discrepancies to be reported to the Project Administrator for verification. Do not scale from this drawing.



Ground Floor Plan

Schedule of Areas:

Site Area	= 423 sq m
Flat 1	= 50.0 sq m
Flat 2	= 50.8 sq m
Flat 3	= 50.0 sq m
Flat 4	= 50.8 sq m
Flat 5	= 50.0 sq m
Flat 6	= 50.8 sq m

Revisions:		
Rev	Date	Description

ALPHA
PROPERTY SERVICES

Address: Land Adjacent 98 Redcliff
St Swindon SN2 2B

ProjectProposed Developmen

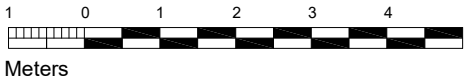
Drawing: Ground Floor Plan

Scale: 1:100 @ A3

Date: March 2018

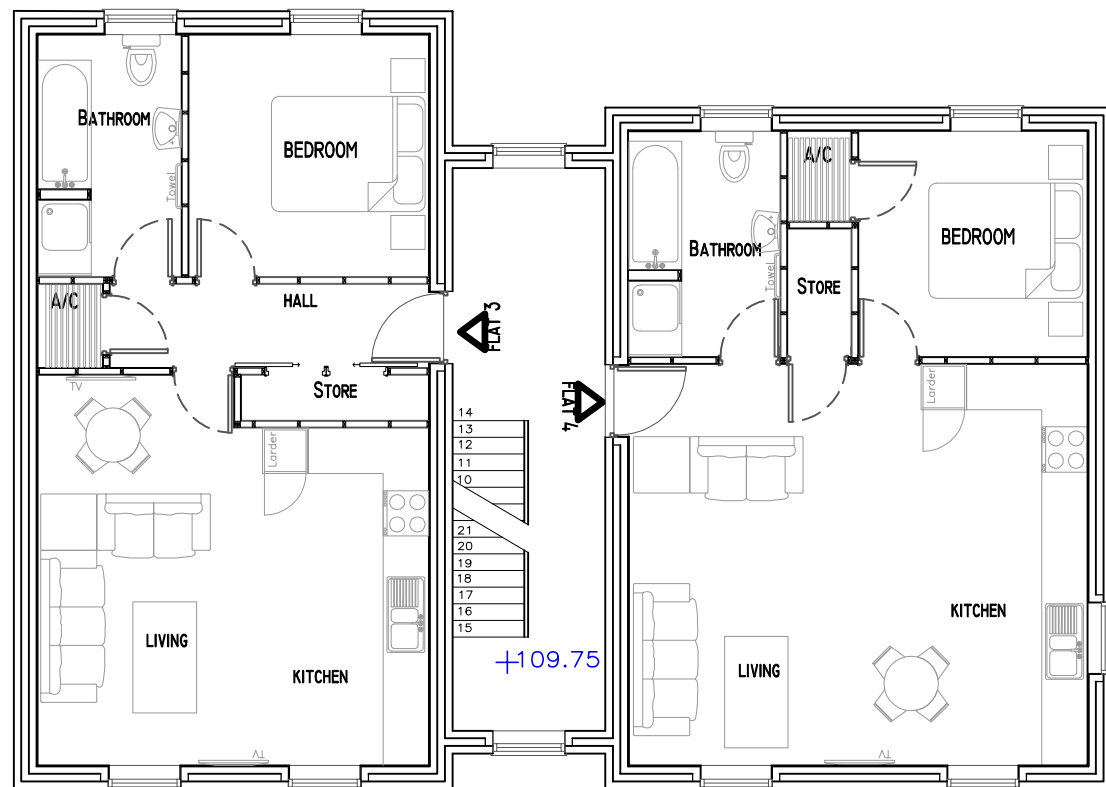
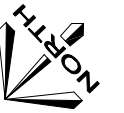
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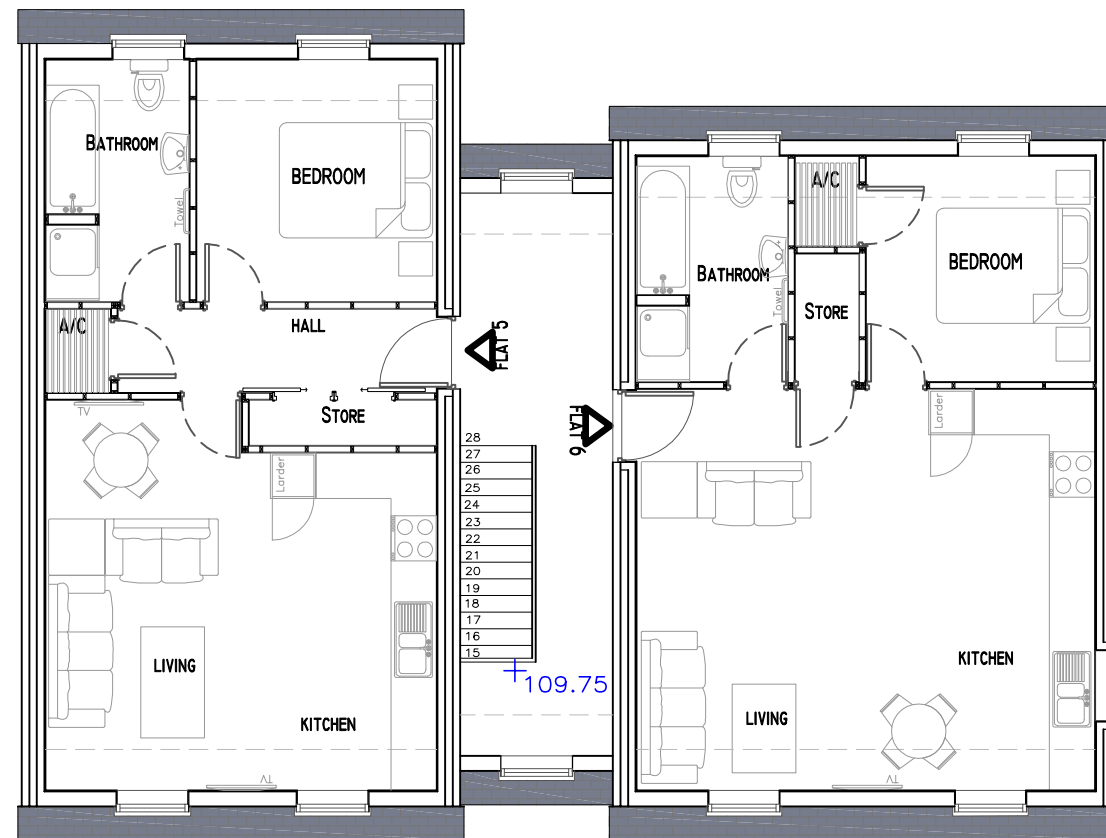


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First Floor Plan



Second Floor Plan

[illegible]

ALPHA
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**Address: Land Adjacent 98 Redcliff
St Swindon SN2 2B**

ProjectProposed Developmen

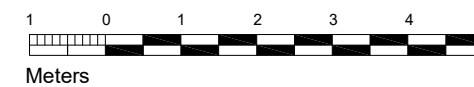
Drawing 1st and 2nd Floor Plans

Scale: **1:100 @ A3**

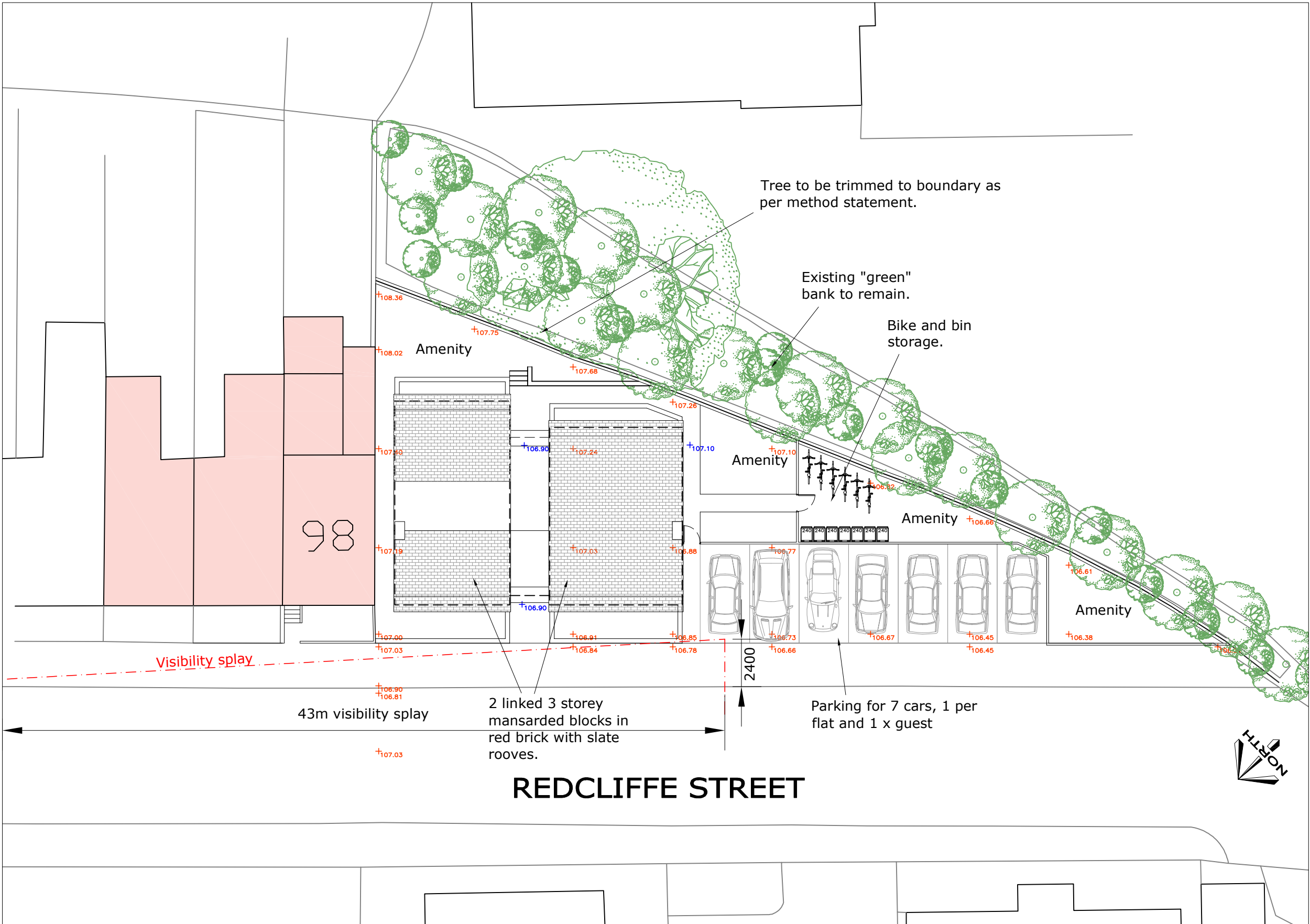
Date: March 2018

Number: 18/14: 04

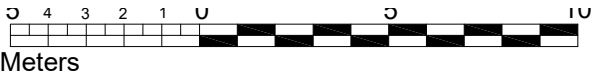
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Wiltshire SN4 9LB Tel: 07771 36 16 4
Email: alpha.ps@btinternet.com 



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Block Plan 1:200
Red line denotes application boundary
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Revisions:

Rev	Date	Description
A	17/07/18	Visibility splay shown.
B	14/12/18	Tree trimmed.

ALPHA
PROPERTY SERVICES

Address: Land Adjacent 98 Redcliff
St Swindon SN2 2B

ProjectProposed Developmen

Drawing: **Block Plan Proposed**

Scale: **1:200 @ A3**

Date: **March 2018**

Number: **18/14:02**

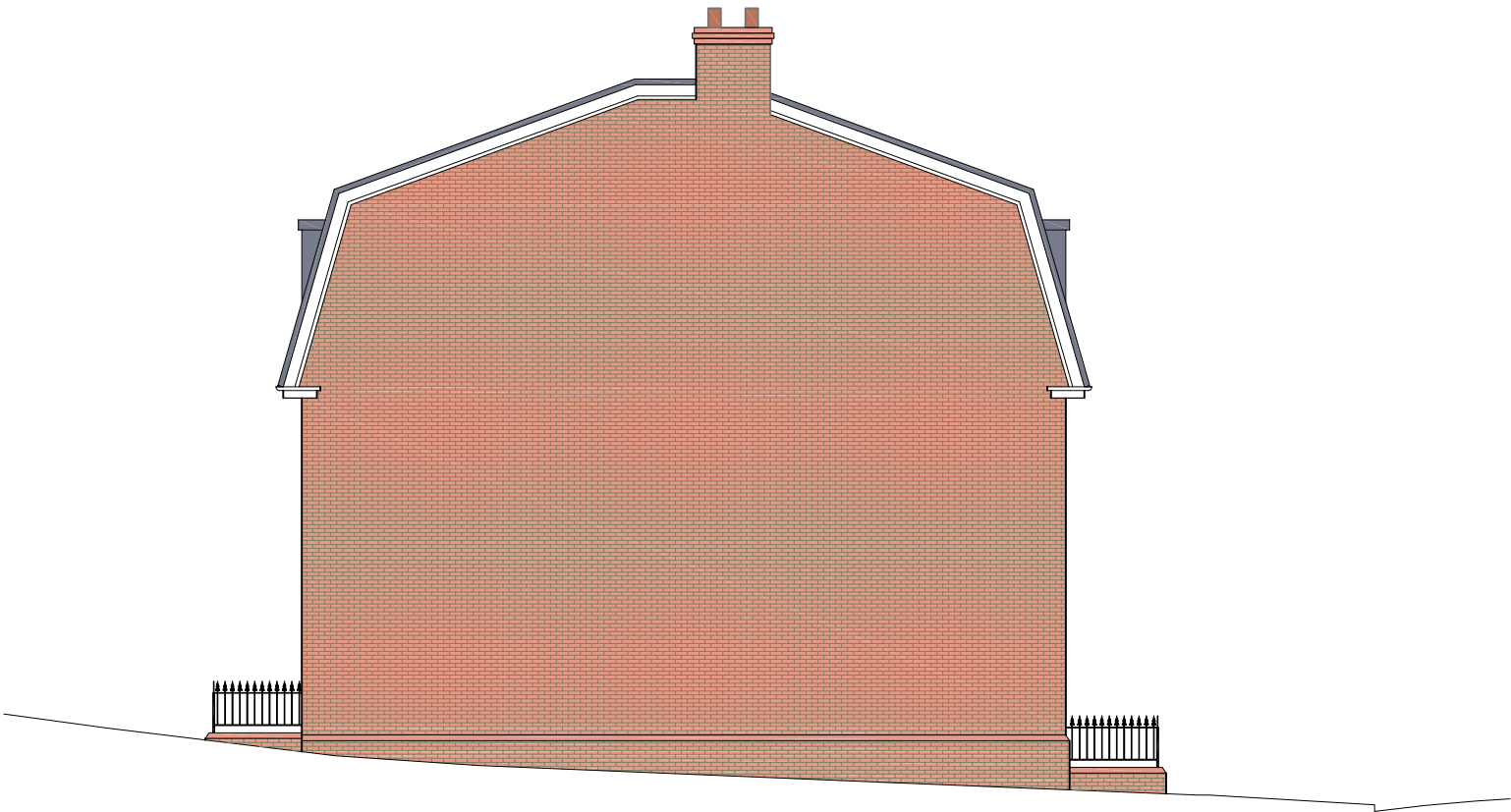
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B





Rear (SE) Elevation



Side (NE) Elevation

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Revisions:		
Rev	Date	Description
A	28/11/18	Dormers shown on end elevations.

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PROPERTY SERVICES

Address: Land Adjacent 98 Redcliff
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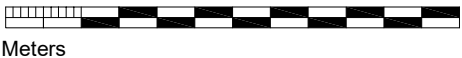
Drawing: SE and NE Elevations

Scale: 1:100 @ A3

Date: March 2018

Number: 18/14: 06 **A**

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Front (NW) Elevation



Side (SW) Elevation

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Revisions:		
Rev	Date	Description
A	28/11/18	Dormers shown on end elevations.

ALPHA
PROPERTY SERVICES

Address: Land Adjacent 98 Redcliff
St Swindon SN2 2B

ProjectProposed Development

Drawing: NW and SW Elevations

Scale: 1:100 @ A3

Date: March 2018

Number: 18/14: 05 **A**

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Side (SW) Sectional Elevation

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Existing multi-stem Sycamore tree:
Height 17m
Crown spread 13m dia.
Height of crown 4m

Tree to be trimmed to boundary as per method statement.

Revisions:		
Rev	Date	Description
A	14/12/18	Tree trimmed.

ALPHA
PROPERTY SERVICES

Address: Land Adjacent 98 Redcliff
St Swindon SN2 2B

ProjectProposed Developmen

Drawing:SW Sectional Elevation

Scale: 1:100 @ A3

Date: March 2018

Number:18/14: 07 A

Bridge House 14 Wharf Road Wroughton Swindon
Wiltshire SN4 9LB
Tel: 07771 36 16 4
Email: alpha.ps@btinternet.com



COMMITTEE REPORT

Item Number:
Application Number: S/18/1072

Ward: Mannington And Western
Parish:
Central Swindon North

Proposal: Erection of a three storey block of 6 no. flats and associated works.

Location: 98 Redcliffe Street, Swindon, SN2 2BZ

Agent:
Mr Mark Campbell
Evans Jones Ltd
Royal Mews
St Georges Place
Cheltenham
GL50 3PQ
United Kingdom

Applicant:
Mr & Mrs Martin
c/o Evans Jones Ltd
Royal Mews
St Georges Place
Cheltenham
GL50 3PQ
United Kingdom

Officer Report

This planning application has been called to Planning Committee by Councillor Kevin Small on the basis of the loss of on street parking as a result of the development.

Summary of Recommendation:

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

The Proposal:

2 The proposed development is for the erection of a three storey block comprising of 6 no. one bedroom flats with associated access, parking and landscaping.

The Site and Surroundings:

3 The application site measures 0.04 hectares and is currently curtilage to 98 Redcliffe Street and occupied by a vegetable plot. The site is adjacent to terraced residential development to the north, east and south, and to the south west of the site is an area of land covered by vegetation. The residential development to the east is situated at a much higher level and this flatted development looks down on the proposed development site. To the west is a public footpath and cycle path, and commercial development.

Representations:

4 Parish Council Comments: Original plans:- Parish Councillors shared Swindon Borough Council Highways Department's concerns over issues with access, and

expressed concerns regarding overdevelopment and the proposed property adding to the already existing problems of a lack of street parking.

Revised Details:- Objection due to concerns regarding over development and the proposed property adding to the already existing problems of a lack of street parking

5 Letter of objection from Councillor Kevin Small on the following grounds:-

- There is limited on-street parking and unless the site has room for 12 off-road car parking spaces it will compound the parking issues in the street.
- If on street parking is being proposed as part of this application there will be a need to remove the DYL to increase the capacity as the present on-street parking allocation is already full. Please remember that one side of the street has no rear vehicle access. The DYL at the bottom of the street were installed to aid the turning of vehicles, especially emergency vehicles and this turning point will be put at risk if there is further development in this area. People will park on the DYL and there is not enough enforcement officers available to enforce the DYL on a regular basis.
- 6 flats is an overdevelopment of the site.
- If the plan is to knock down no.98 then the development would not be in keeping with the rest of the street and it is unacceptable to knock down a perfectly good house and replace it with flats.

6 Neighbours:- Two letters of objection received from 18 Britannia House, Redcliffe street and 84 Padstow Drive, Churchward on some or all of the following grounds:-

- Road extremely congested so a new development including during construction will exacerbate the problem.
- Insufficient parking. Parking is such a problem that the management company for Britannia and Godwin House engaged a private parking enforcement company.
- Loss of daylight
- Loss of privacy
- Noise disturbance. Currently a very peaceful area – concerned about additional noise and disturbance once the flats are occupied.
- The site is no more than a very small garden and these plans seem ambitious for a development of its size
- Concern that development might make adjacent site built on mound unstable
- Possible impact on large sycamore tree
- Construction traffic on opposite site on Redcliffe Street caused problems of noise and safety when it was being constructed
- Would look out of place
- Could increase problem of trespassers into flats development at Churchward
- Smells, litter, fumes and pollution from property and vehicles drifting westwards to flats at Churchward

Revised Details: No representations received.

Planning Considerations:

7 The Swindon Borough Local Plan was adopted by Swindon Borough Council on the 26th March 2015. The Swindon Borough Local Plan is now part of the Development Plan for Swindon. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

8 The site is within the Swindon Urban Area and outside but adjacent to the Swindon Central Area, as defined on the Local Plan Policies Map.

Principle of Development

9 The development is proposed within a residential area of the Swindon Urban Area. Swindon Borough Local Plan Policy SD2 (The Sustainable Development Strategy) applies. This policy seeks to realise development within Swindon's urban area, aiming to protect rural assets and optimising opportunities in well-served areas. In this respect the proposal accords with Policy SD2.

10 Policy HA1 (Mix, Types and Density) states housing should be design-led, in particular: densities, house types and sizes should respect the character of the surrounding area; there should be a variety of densities, house types and sizes; and higher densities should be directed towards Swindon's Central Area and locations served by a good range of services and facilities.

11 The Revised NPPF para 122 also states with regards to achieving appropriate densities that:

'Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.'

12 The site is close to the existing footpaths, bus network, local schools, and has good access to services and facilities within Swindon Town Centre, and therefore can be considered a sustainable location. The proposal will provide 6 no. one bedroom flats, which will contribute to the existing range of house types in the area. The surrounding area consists of a mix of terraced housing and residential flats, and therefore the proposed mix is considered appropriate in this location, and will add to the mix of house types in the area. In the officer's view in principle this would be a suitable site for accommodating this density of dwellings.

Design and Amenity

13 Policy DE1 (High Quality Design) strives for high standards of design, outlining the design principles against which proposals will be assessed. These include context and character, layout, form and function, and amenity.

14 Paragraph 53 of the NPPF states that local authorities should consider the case for setting out policies to resist the inappropriate development of residential gardens, for example where it would cause harm to the local area. Therefore, it needs to be determined whether this development is appropriate, with regard to the neighbouring area and the loss of residential garden.

15 More detailed guidance is provided in the Residential Design Guide SPD (2016) which is a material consideration. The Residential Design Guide provides specific guidance on infill development, stating that new development must reflect inherent plot size, building lines, boundary treatments, built form, scale, massing, landscaping and details.

16 It is accepted that Swindon does not have a 5 year supply housing land and in that case the NPPF states that policies relating to housing supply are out of date. Nevertheless the development must still be assessed in terms of sustainability and in terms of its impact.

17 The main character of Redcliffe Street is one of traditional Victorian redbrick terraced houses with small rear gardens and limited frontage to the street. In one respect the proposed external finish of the development is red brick which would reflect the finish of the majority of these properties along Redcliffe Street (although some of the dwellings (including no.98) have been finished in render since originally built). However significantly this site is situated at the very end of the street with a relatively recently completed flatted development with its own car park opposite. In addition there are flats situated at the rear of the site albeit on considerably higher ground and which relate to the Churchward area. A rear garden area at no.98 would still remain for the occupants of that property and would be a similar amount of rear private amenity space to that of the other terraced dwellings along the street. On balance it is considered that the design and form of the development is acceptable given the mixed character, its proposed finish and design and its position at the end of the street subject to conditions. The development accords with local policy and the NPPF in this respect.

Access and Parking

18 Local Plan Policy TR2 (Transport and Development) applies, particularly with regards to appropriate means of access, consideration of parking provision and highway / pedestrian safety requirements. The application meets the Council's adopted car parking standards for the scale and type of development (6 one bedroom flats require one parking space each plus an additional visitor parking space – total 7 spaces).

19 Access to the proposed parking area would lead to the loss of 3 on street parking spaces. Since originally submitted, the proposal has been modified in respect of the access and visibility and the Highways Officer now raises no objections on access and

parking grounds, subject to Conditions.

Trees and Landscape

20 The originally submitted application provided insufficient detail on the impact of the proposal on the large mature tree (a Sycamore) which although outside the site boundary overhangs the rear of the application site. The Tree Officer required some trial trenching to be able to assess whether any roots would be damaged through the development and also some detail on any works to the tree itself in terms of overhanging branches. Officers reconsulted on this issue following the receipt of more detailed information in this respect. The Tree Officer is satisfied that the development itself would not cause damage to the tree and officers consider that the works are acceptable in relation to the close relationship of the proposed built form - partly due to the fact that only bedrooms and bathrooms face this side of the site with the main habitable rooms being presented to the street frontage.

Other Matters

21 Concerns have been raised regarding the loss of on street parking. This is acknowledged as three on street spaces will be lost. However, the spaces are at the end of the road, beyond the terrace of housing and whilst on street parking is valuable, there is no right of access to such spaces. This part of Redcliffe Street is situated close to allotment gardens and only has dwellings on one side of the road here with parking on both sides. Looking at the existing junctions in Redcliffe Street, it would seem that the extent of double yellow line 'protection' for those junctions and regardless of the outcome of this proposal, a review of those areas may secure modifications to the DYL that would provide additional on street parking to at least offset the loss arising from this scheme. Officers have also assessed the Census data which shows an average of 1.06 cars per household in Western ward which is towards the lower end of the car ownership figures throughout Swindon.

Concluding Comments:

22 The application is considered to represent an acceptable design at this end of Redcliffe Street where the character is on more modern properties located opposite and to the rear of the site. The scheme is compliant with the relevant adopted policies of the Swindon Borough Local Plan 2026 (2015) and the NPPF in that it is appropriate in scale, design layout access, parking and causes no harm to the amenity of any neighbouring property.

Recommendation

23 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 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 (1st & 2nd Floor Plans) at scale 1:100 received by the Local Planning Authority 26th 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 18th 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.

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. In addition to this consent, the proposed development will require separate Local Highway Authority approval for the construction of the proposed permanent vehicular crossing over highway land. The Applicant is required to obtain this approval before works commence and is therefore recommended to contact Swindon Borough Council's Street Works Management Department in this respect as soon as possible. The works will be under taken at the applicant's expense.
Link to TRfD Streetworks@Swindon.gov.uk