

WEST SWINDON PARISH COUNCIL

Planning & Environment Committee

Planning Applications

1. Introduction:

West Swindon Parish Council is a consultee for planning applications in the West Swindon Parish

2. Planning Applications to be examined:

2.1 S/HOU/21/1506	15 Brandon Close, Grange Park Swindon SN5 6A	Erection of first floor and single storey side extensions and detached garage
2.2 S/HOU/21/1474	12 Morie Close, Sparcells Swindon SN5 5FH	Erection of a single storey rear extension and conversion of garage into living accommodation
2.3 S/HOU/21/1491	49 Belsay, Toothill Swindon SN5 8HD	Erection of a first floor rear/side extension and porch
2.4 S/HOU/21/1163	37 Plattes Close, Shaw Swindon SN5 5SA	Erection of a first floor side extension

3. Decisions and Refusals

3.1 Councillors to note recent decisions and refusals as attached.

4. Recommendations

4.1 Comments and observations of the West Swindon Parish Council are recorded.

Paula Harrison
Parish Manager



REFUSAL OF PLANNING PERMISSION

Application Number: S/21/1101/NIGI **Parish:** West Swindon
Ward: Shaw
Proposal: Change of use of 1no. dwelling to 2no. dwellings and associated works.
Site Address: 16 Nevis Close, Sparcells Swindon SN5 5FP

Agent: **Applicant:**
Mr Ross Hayward
16 Nevis Close
Sparcells
Swindon
SN5 5FP

Reasons for Refusal

1. By reason of the design, layout and built form of the new property, the proposal is considered overdevelopment of the site that would create dwellings with poor internal and external amenity. The proposal is considered deleterious to the reasonable living conditions rightly expected by any future occupants. Accordingly, the proposal fails the requirements of Policy DE1 (c) of the adopted Swindon Borough Local Plan 2026 (2015) and the adopted Swindon Residential Design Guide SPD 2016 (para 6.1) and the NPPF (2021) paragraph 130 (f).
2. The intensified use of the site results in a cramped appearance, compounding the present issues and will be clearly visible from public realm. The proposed is not considered to be a high quality design as it fails to be complimentary to the locality and to relate effectively to the immediate setting contrary to Policy DE1 (a) of the Swindon Borough Local Plan 2026 (2015) and NPPF (2021) paragraph 130 (b, c, d).
3. The proposed development does not make adequate provision for car parking proportionate to the scale of development and current standards; and could therefore lead to displaced and indiscriminate parking with unacceptable impacts on the highway, contrary to Policy TR2 of the Swindon Borough Local Plan 2026 (2015) and Swindon Borough Council Parking Standards (2021).

Informatives

1. The refusal is based on;Untitled plans received via post 3rd September 2021. Although the plans purport to be drawn at a scale of 1:100, they do not appear to be accurate.

**Authorised by Richard Bell,
Director of Strategic Development**

A handwritten signature in black ink that reads "Richard Bell." The signature is written in a cursive, flowing style.

**Decision Dated:
24th September 2021**

Town and Country Planning Act 1990

Refusal of Permission for Development

The Local Planning Authority HEREBY REFUSE TO GRANT PLANNING PERMISSION for the development proposed in the application for the reasons set out in the schedule (see overleaf).

“The Local Planning Authority”, and “the application” referred to above, are those described in the schedule overleaf.

Notes

If the Applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, the applicant may appeal to the Secretary of State in accordance with section 78 of the Town and Country Planning Act 1990, within **6 months** of the date of the decision. Appeals must be made on a form that is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or alternatively you may appeal online at <https://www.gov.uk/government/organisations/planning-inspectorate>

If the permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonable/beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that his interest in the land be purchased in accordance with the provisions of Part 6 of the Town and Country Planning Act 1990.



REFUSAL OF PLANNING PERMISSION

Application Number: S/21/1357/NIGI **Parish:** West Swindon
Ward: Shaw
Proposal: Erection of a two storey dwelling

Site Address: 4 Old Shaw Lane, Swindon SN5 5PA

Agent:
Simon Chambers
LPC (Trull) Ltd
Tetbury
GL8 8SQ

Applicant:
Mr & Mrs Howard
Japonica Cottage
4 Old Shaw Lane
Swindon
SN5 5PA

Reasons for Refusal

1. By reason of the design, layout, siting and boundary treatments of the new property, the proposal is considered overdevelopment of the site as it would create a dwelling with no private amenity space. The proposal is considered deleterious to the reasonable living conditions rightly expected by any future occupants. Accordingly, the proposal fails the requirements of Policy DE1 (c) of the adopted Swindon Borough Local Plan 2026 (2015) and the adopted Swindon Residential Design Guide SPD 2016 (para 6.23) and the NPPF (2021) paragraph 130 (f).

2. The proposed new dwelling is poorly designed for the following reasons:

- The dormer windows are unrelated to the ground floor openings and this sits uncomfortably within the streetscene;
- The proposed dwelling appears contrived and cramped due to its position within the site and the lack of private amenity space;
- Dormer windows should sit within the roof, however the proposed dormers occupy the full height of the roof. This would be an alien feature uncharacteristic of dwellings with the area.

The proposed dwelling is therefore not considered to be a high quality design as it fails to be complimentary to the locality and appears cramped on the site. The proposal is contrary to Policy DE1 (a) of the Swindon Borough Local Plan 2026 (2015) and NPPF (2021) paragraph 130 (b, c, d).

3. The proposed development does not make adequate provision for car parking proportionate to the scale of development and current standards; and could therefore lead to displaced and indiscriminate parking with unacceptable impacts on the highway,

contrary to Policy TR2 of the Swindon Borough Local Plan 2026 (2015) and Swindon Borough Council Parking Standards (2021).

4. The proposed development results in an overbearing mass eroding the sense of openness currently experienced by No.4, as such the proposal harms neighbouring residential amenity, contrary policy DE1 (c) of the adopted Swindon Borough Local Plan 2026 (2015) and the adopted Swindon Residential Design Guide SPD 2016 (para 6.1) and the NPPF (2021) paragraph 130 (f).

Informatives

1. The refusal is based on; Drg No. 5154 EX 101 Location Plan
Drg No. 5154 EX 102 Existing Site Plan
Drg No. 5154 EX 103 Existing Plan and Elevations
Drg No. 5154 PR 101 Proposed Site Plan
Drg No. 5154 PR 102 Proposed Plans
Drg No. 5154 PR 103 Proposed Elevations
All received 12th August 2021

**Authorised by Richard Bell,
Director of Strategic Development**



**Decision Dated:
27th September 2021**

Town and Country Planning Act 1990

Refusal of Permission for Development

The Local Planning Authority HEREBY REFUSE TO GRANT PLANNING PERMISSION for the development proposed in the application for the reasons set out in the schedule (see overleaf).

“The Local Planning Authority”, and “the application” referred to above, are those described in the schedule overleaf.

Notes

If the Applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, the applicant may appeal to the Secretary of State in accordance with section 78 of the Town and Country Planning Act 1990, within **6 months** of the date of the decision. Appeals must be made on a form that is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or alternatively you may appeal online at <https://www.gov.uk/government/organisations/planning-inspectorate>

If the permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonable/beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that his interest in the land be purchased in accordance with the provisions of Part 6 of the Town and Country Planning Act 1990.



REFUSAL OF PLANNING PERMISSION

Application Number: S/HOU/21/1087/RACH **Parish:**
Ward: Lydiard And Freshbrook West Swindon
Proposal: Erection of a 1.8m high fence to boundary.

Site Address: 7 Chudleigh, Freshbrook Swindon SN5 8NQ

Agent:
Mr Rod Navarrete
Home Plan Design Services
27B High Street
Highworth
Swindon
SN6 7AG
United Kingdom

Applicant:
Mr F Mendes
7 Chudleigh
Freshbrook
Swindon
SN5 8NQ

Reasons for Refusal

1. The proposed 1.8m timber fence boundary would diminish the experience of using the public footpath, resulting in a loss of openness and would introduce a solid boundary up to the detriment of the character and visual amenity of the area contrary to Policy DE1 and Policy EN3 of the Swindon Borough Local Plan 2026 (2015) and the aims of the NPPF (2021).

Informatives

1. CIL - Outside Meaning of Development: The development proposed does not constitute Community Infrastructure Levy (CIL) liable development as the proposed works fall outside the 'meaning of development' for CIL purposes in accordance with the Community Infrastructure Levy (England and Wales) CIL Regulations 2010 (as amended) Regulation 6.

2. This refusal shall be in respect of Unnumbered Location Plan and Unnumbered Fence Details received 22 June 2021; Unnumbered Revised Block Plan received by the Local Planning Authority on 31 August 2021

**Authorised by Richard Bell,
Director of Strategic Development**

Richard Bell

**Decision Dated: 23rd September
2021**

Town and Country Planning Act 1990

Refusal of Permission for Development

The Local Planning Authority HEREBY REFUSE TO GRANT PLANNING PERMISSION for the development proposed in the application for the reasons set out in the schedule (see overleaf).

“The Local Planning Authority”, and “the application” referred to above, are those described in the schedule overleaf.

Notes

If the Applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, the applicant may appeal to the Secretary of State in accordance with section 78 of the Town and Country Planning Act 1990, within **12 weeks** of the date of the decision. Appeals must be made on a form that is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or alternatively you may appeal online at <https://www.gov.uk/government/organisations/planning-inspectorate>

If the permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonable/beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that his interest in the land be purchased in accordance with the provisions of Part 6 of the Town and Country Planning Act 1990.



PRIOR APPROVAL REQUIRED AND GIVEN

The Determination of the Local Planning Authority is that the prior approval of the proposal is REQUIRED and GIVEN for the siting and appearance of development permitted by Part 16 of Schedule 2 to the Town & Country Planning (General Permitted Development) (England) Order 2015.

Re: Prior notification application for the erection of a 20m. high H3G Phase 8 street pole c/w wrap-around cabinet and 3no. additional equipment cabinets.

At: Roadside Verge
Mead Way
Swindon

Agent: Ms Hannah Gibson
Applicant: CK Hutchison Networks (UK) Ltd
Application number: S/TC/21/1225
Date of Decision: 24th September 2021

Swindon Borough Council hereby determines that prior approval of the Local Planning Authority is REQUIRED and GIVEN for the siting and appearance of the development proposed in the above application. This approval is granted in strict accordance to plan numbers detailed below in the "Informatives" section.

Informatives

1. This decision is in respect of drawing numbers and documents:
 - o 1APP Prior approval form;
 - o Supplementary Information form;
 - o Drawing No. SWN17855_PLANNING_REV_A Site Location Plan and Site Area Plan,
 - o Drawing No.SWN17855_PLANNING_REV_A100B Existing Site Plan
 - o Drawing No.SWN17855_PLANNING_REV_A100B Existing Elevation Plan
 - o Drawing No.SWN17855_PLANNING_REV_A100B Proposed Site Plan
 - o Drawing No.SWN17855_PLANNING_REV_A100B Proposed Elevation Plan
 - o 304 PROPOSED CONFIGURATION ANTENNA SCHEDULE

- o Copy of the Developer Notice and letter served on the owner, and proof of service;
- o ICNIRP compliance document;
- o 5G Briefing Note
- o COLLABORATING WITH DIGITAL CONNECTIVITY DOCUMENT all received by the Local Planning Authority on the 20th July 2021.
- o Vehicle Road Safety Assessment details received 16th September 2021

2. CIL - Outside Meaning of Development: The development proposed does not constitute Community Infrastructure Levy (CIL) liable development as the proposed works fall outside the 'meaning of development' for CIL purposes in accordance with the Community Infrastructure Levy (England and Wales) CIL Regulations 2010 (as amended) Regulation 6.

3. Telecoms and the Public Highway

In addition to any planning consent, the proposed structure will require a separate structural approval in line with Design Manual for Roads & Bridges BD2 (CG300) for the erection of a structure in or adjacent to the public highway. The Applicant is required to obtain this approval prior to any works commencing, and is therefore recommended to contact Swindon Borough Council's Highway Infrastructure Asset Management Team (01793-466707 / 466137 or highwayassets@swindon.gov.uk) in this respect as soon as possible.

4. There is a risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

5. The applicant is advised that Great Crested Newts are protected by the Wildlife and Countryside Act (1981) and have European Protection under the Conservation Regulations (1994). The European protection afforded to this species means that a licence may be required from the Department of Environment, Transport and the Regions for the works you propose. Further information and contact details for Natural England can be found on <https://www.gov.uk/government/organisations/natural-england>.

**Authorised by Richard Bell,
Director of Strategic Development**

Richard Bell

**Decision Dated: 24th September
2021**