

<b>APPLICATION NO: 14/01823/FUL</b>		<b>OFFICER: Miss Chloe Smart</b>	
<b>DATE REGISTERED: 7th October 2014</b>		<b>DATE OF EXPIRY: 2nd December 2014</b>	
<b>WARD: Swindon Village</b>		<b>PARISH: Swindon</b>	
<b>APPLICANT:</b>	Mrs Susan Rowe		
<b>AGENT:</b>	Mr Andrew Bower		
<b>LOCATION:</b>	Land at Manor Farm, Manor Road, Swindon Village		
<b>PROPOSAL:</b>	Erection of 2no. bungalows and 6no. houses		

## Update to Officer Report

### 1. OFFICER COMMENTS

#### 1.1. Determining Issues

1.1.1. The key issues in determining an application of this nature are (i) the principle of development, (ii) the design and layout, impact on setting of adjacent listed structures and conservation area, (iii) impact on neighbouring properties, (iv) access and highways issues, (v) trees, (vi) biodiversity and (vii) flooding.

#### 1.2. Principle

1.2.1. Paragraph 14 of the NPPF states that a presumption in favour of sustainable development is a golden thread running through both plan making and decision taking. When making decisions, this means approving development proposals that accord with the development plan without delay (unless material considerations indicate otherwise). The second point of this paragraph then goes on to say that where the development plan is absent, silent or relevant policies are out of date then the presumption in favour of sustainable development means that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, or specific NPPF policies should be restricted.

1.2.2. The site lies within the Principal Urban Area and in a sustainable location and therefore the principle of considering the site for residential development is acceptable. Notwithstanding this, regard must be given to the location of the site within a conservation area and the specific guidance within the NPPF and also policies within the Local Plan, which have been considered below.

#### 1.3. Impact on conservation area

1.3.1. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, *'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area'*.

1.3.2. The Swindon Village Conservation Area Character Appraisal provides guidance on how the preservation or enhancement of the conservation area can be achieved.

1.3.3. Concerns have been raised within letters of representation and comments from the Parish Council in relation to the development of the site given its location within a conservation area. When commenting on the overall principle of the development of this site, the Conservation Officer states that although the site has never historically

been developed, it sits comfortably within the settlement pattern of the existing village and also within the historic field boundaries of the area. In light of these comments, it is considered that the development of the site in itself would not have a harmful impact on the conservation area, subject to further considerations in relation to the setting of the church and the detailed design and layout of the buildings.

#### 1.4. Design and layout

- 1.4.1. Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development.
- 1.4.2. The proposed scheme has been amended significantly since its initial submission, with alterations to the design of the dwellings and the overall layout. These alterations have been heavily influenced by feedback from Architects' Panel, the Conservation Officer and case officer.
- 1.4.3. The site is located within close proximity of a grade II\* listed church and therefore both English Heritage (EH) and the Conservation Officer have considered the impact of the design and layout on the setting of the listed building. Initially, EH raised concerns that the development would impact on the setting of this building. Having been provided with further information for consideration, they now consider this would be a minimal impact.
- 1.4.4. Members will note that the application drawings, as well as comments from English Heritage and the Conservation Officer refer to the transfer of a parcel of land to the church. This land lies to the north of the site, directly adjacent to the churchyard and is within the applicant's ownership. English Heritage considers it critical to legally tie up this transfer of land to provide a long term visual buffer to the setting of the church.
- 1.4.5. Whilst officers have noted these comments, the land falls outside of the application site and therefore is not being considered at this time. Officers consider the purpose for which EH would seek a legal agreement is achieved within this scheme, given the proposed layout is acceptable in the context of the church. As such, it is not considered that this aspect is critical to make this scheme acceptable.
- 1.4.6. Should any future application be forthcoming on this land, this would need to be assessed on its own merits. For the purpose of this application, officers are satisfied the current scheme provides an adequate visual separation and ensures a minimal visual impact on the views from the church.
- 1.4.7. The overall scheme comprises a total of eight dwellings which surround a central 't-shaped' access road. Having assessed the proposal in the context of the surrounding urban grain, the layout is considered in keeping with the established character and therefore, not at odds with its surroundings. Immediately to the west of the site lies the Manor Court development, whereby properties are positioned within relatively consistent and comfortable plot sizes. In the case of the proposed development the layout is consistent with this pattern.
- 1.4.8. In terms of the overall design approach, the scheme comprises of three variations in property types. A terrace of four properties is proposed to the southern end of the site where the land levels fall away. Whilst this is a considerable expanse of two storey built form within the development, officers consider the centrally placed gable is successful in breaking up the mass of the building, providing interest to the terrace and also a focal point when entering the scheme. This response was also as a result of feedback received from the Architects' Panel, as the terrace as originally

submitted was considered '*elevationally quite weak*' with a central gable considered a more appropriate approach.

- 1.4.9. Chalet style bungalows are proposed alongside the western section of the site which immediately adjoins the Manor Court development. Officers consider the single storey scale of these two properties respond appropriately to the scale of the bungalows within Manor Court and provide a suitable transition between the two storey scale proposed on the eastern side and the bungalows within Manor Court. Despite concerns raised in relation to the scale and mass of the properties, officers consider the scale of the properties is entirely appropriate and in keeping with the local context which consists of a variation of single storey and two storey dwellings.
- 1.4.10. The palette of materials within the development is varied and includes render, brickwork and dark slate roofs. Officers consider the use of these materials within the development to be appropriate and the range of materials respond to the distinctive varied character of the locality and in particular on Church Road. To ensure the materials are in keeping with the character of the conservation area, a condition requires the submission of all external materials for approval.
- 1.4.11. Overall, the Conservation Officer considers the layout and detailed design to be acceptable, but has suggested a series of conditions relating to surface materials landscape design and boundary treatment. Such conditions have been attached within this recommendation.
- 1.4.12. In light of all of the above, officers consider the proposal would complement and respect what is a relatively mixed character within the area. The development site is not particularly visually prominent within the village itself, and the design of the dwellings is such that it would have a neutral impact on the character and appearance of the conservation area, thus ensuring it is preserved. The scheme is therefore considered in accordance with Local Plan Policy CP7 and also would preserve the character of the conservation area.

## 1.5. Impact on neighbouring property

- 1.5.1. Local Plan Policy CP4 requires development to protect the amenity of neighbouring land users and the locality.
- 1.5.2. A number of concerns have been raised from neighbouring residents and in particular, those residing in Manor Court. The concerns relating to amenity include overbearing and overshadowing as a result of the development, loss of privacy and increased noise disturbance resulting from the development.
- 1.5.3. Officers have considered the above concerns in detail and the proposal would not unacceptably compromise neighbouring amenity. The Manor Court development is located to the west of the site. The properties proposed to back onto this development are both 'chalet style' bungalows. Whilst there is accommodation within the roof of these properties, the proposed windows face into the development itself and not to the rear of the property. As such, there will be no unacceptable increase in overlooking or loss of privacy.
- 1.5.4. In terms of resulting in any loss of light or overbearing impact, officers consider the height, massing and scale of the two bungalows, together with the distance between the proposed dwellings and the Manor Court properties to the west is sufficient to ensure there will be no unacceptable loss of light or overbearing impact.
- 1.5.5. Finally, concerns have been raised relating to noise and disturbance resulting from the proposed development. The proposed development is for eight additional

dwellings within a residential area. As such, it is not considered that such a limited scale of development would generate an unacceptable increase in noise or disturbance.

- 1.5.6. With the above in mind, the scheme is considered fully in accordance with Local Plan Policy CP4 in terms of ensuring there is no unacceptable impact on neighbouring land users.

## 1.6. Access and highway issues

- 1.6.1. Gloucestershire County Council Highways have considered all matters relating to highway safety. Further information has been submitted by the applicant throughout the application to demonstrate the access and highway arrangements within the development are acceptable. This included a vehicle speed survey and swept path analysis.
- 1.6.2. In terms of the existing access to the site, this is an unclassified road which functions as a shared surface and joins onto Church Road. This carriageway currently provides access to two dwellings and has previously served as the access for a Caravan Club certified campsite.
- 1.6.3. As part of the development, the applicant proposes to widen the existing road to Church Road. This allows a medium sized car and a large refuse vehicle to pass in opposite directions. In light of the current access arrangements, volume of traffic proposed and the visibility available, the proposed carriageway width is considered acceptable.
- 1.6.4. A number of concerns have been raised in relation to the visibility of the access onto Church Road. A review of highway records indicates that there have been no collisions in the direct vicinity of the proposed accesses. A police incident number has been quoted within a letter of representation, which has been followed up with the Road Safety Partnership and Police. This revealed there were no reported injuries for this incident and as such, no details have been recorded.
- 1.6.5. In relation to the visibility of the access onto Church Road itself, a vehicle speed survey has been undertaken. The results of the speed survey and the visibility splay in either direction are considered sufficient for the speed recorded in the survey and the 30mph speed limit.
- 1.6.6. GCC Highways has considered the additional trips generated as a result of the proposed development and this will not have any a severe impact on the local highway network. Furthermore, the development provides for at least two parking spaces per dwelling, with further availability for visitor parking within the shared surface area.
- 1.6.7. Finally, the applicant has demonstrated that a large refuse vehicle can manoeuvre within the development and enter using the access to the site, alongside a medium sized car travelling in the opposite direction.
- 1.6.8. Overall, whilst the comments received by local residents and the Parish Council have been considered in relation to highway matters, GCC Highways raise no objection to the scheme, subject to the inclusion of a number of conditions. These have been incorporated within the recommendation.

## 1.7. Ecology

- 1.7.1. The application has been accompanied by an Ecological Report that includes an extended Phase 1 Habitat Survey and an additional Reptile Mitigation and Compensation Report.
- 1.7.2. In order to fully consider the impact of the scheme on wildlife and biodiversity, the County Council's Ecologist has been consulted. Generally, the information initially submitted in relation to ecological matters was accepted; however, the proposed wildlife corridor was considered an area of concern. It was recommended that the applicant submit further details to address concerns raised. Following receipt of these comments, the applicant submitted a 'Wildlife Corridor Schematic'.
- 1.7.3. The County's Ecologist has been re-consulted on the additional information and considers the information is sufficient in demonstrating the wildlife corridor proposed would be fit for purpose, in particular, in relation to Badgers.
- 1.7.4. In order to ensure the wildlife corridor is implemented in accordance with the submitted details a suitably worded condition has been attached. The proposed corridor is located within land in the applicant's ownership, albeit outside of the red line. Given the applicant has agreed and this is considered necessary to ensure the development mitigates for any impact on ecology; this is considered reasonable and has been incorporated with the applicant's agreement.
- 1.7.5. In light of the comments dated 26<sup>th</sup> February, the County's Ecologist considers the proposed development is considered in accordance with the National Planning Policy Framework, ODPM Circular 06/2005, Natural England's Standing Advice on protected species (as published on their website), and with Section 40 of the Natural Environment and Rural Communities Act 2006 which confers a general biodiversity duty upon Local Authorities whilst exercising their functions.

## 1.8. **Archaeology**

- 1.8.1. The application site is archaeologically sensitive as it is located within close proximity of the medieval church. The application is accompanied by a statement on Archaeology and Heritage. The Gloucestershire County Council Archaeologist has reviewed the submitted information and recommends that should planning permission be granted, further investigative work should be undertaken. A condition has been attached as per the recommendation of the County Archaeologist.

## 1.9. **Trees**

- 1.9.1. Due to the presence of significant trees on the site, the Council's Tree Officer has been consulted and raises no objection to the proposal subject to inclusion of the necessary conditions. A query has been raised in relation to the management of the pleached Hornbeam. Whilst this comment has been noted, this will form part of a wider maintenance strategy which would be required by way of condition.

## 1.10. **Land**

- 1.10.1. Full comments have been provided by the Council's Landscape Architect and conditions have been attached to ensure suitable landscaping within the development.

## 1.11. **Flooding**

- 1.11.1. A small linear section of the southern part of the site lies within Flood Zone 2. For that reason, a Flood Risk Assessment has been sought. This will be

submitted in advance of Planning Committee and officers anticipate there will be no issue in relation to flooding matters. An update will be provided on this matter.

## **2. CONCLUSION AND RECOMMENDATION**

- 2.1. For the reasons discussed above it is considered that the proposed scheme is acceptable in principle and would sit comfortably within the existing settlement.
- 2.2. The proposal would complement and respect the character of the area, with the design of the dwellings considered neutral to have a neutral impact, thus ensuring the character is preserved. The scheme therefore complies with Local Plan Policy CP7.
- 2.3. Despite initial concerns, all matters in relation to highway safety have been addressed and no highway objection is raised.
- 2.4. Furthermore, there will be no unacceptable impact in the amenity of adjoining occupiers, significant trees within the site and suitable landscaping can be secured by way of condition.
- 2.5. The recommendation is therefore to approve, subject to conditions.

## **3. CONDITIONS / INFORMATIVES**

To follow by way of an update.