

<b>APPLICATION NO:</b> 21/02534/FUL	<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 12th November 2021	<b>DATE OF EXPIRY :</b> 7th January 2022
<b>WARD:</b> Swindon Village	<b>PARISH:</b> SWIND
<b>APPLICANT:</b>	Mr and Mrs Latif
<b>LOCATION:</b>	Kynance Swindon Hall Grounds Church Road
<b>PROPOSAL:</b>	Erection of 1 no. dwelling with associated access and landscaping, and replacement outbuilding for the existing dwelling

## REPRESENTATIONS

Number of contributors	<b>6</b>
Number of objections	<b>6</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

Ivanhoe  
Swindon Hall Grounds  
Church Road  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9QR

### Comments: 28th November 2021

The traffic on this single directional private road already exceeds what can be described as safe.

The road has three 90° bends two of which are blind. Large vehicles coming up this road are obliged to reverse all the way back to in front of Swindon Hall and whilst they use neighbours' frontages to wind their way around the open middle 90° bend they are completely blind, repeat, completely blind as they reverse around the bottom 90° bend and, if they have been as far as that, the top 90° bend. These ridiculous events can happen multiple times per week and with internet shopping and home delivery of groceries becoming more the norm these events are growing annually.

An additional house increases the number of occurrences of these large vehicles. Every new house increases the number of cars travelling this single direction road and increases the opportunities for a reversing lorry or van to meet a forward travelling car at one of the blind 90° bends.

Assuming SatNav was at fault large lorries have driven up this road with the drivers assuming they can cross the Swilgate, but then discovering the error and reversing from Kynance to Swindon Hall. We have had travellers arriving believing they can get on to the playing fields via our private road. Reversing a car with a large caravan attached all the way from Kynance to Swindon Hall is not easy and not safe especially at night.

This particular additional house will not increase the volume of owner cars by 1 but by 3. Before the applicants moved in to share Kynance, for a good number of years, Kynance has had one or two tenants. Each tenant had a car; each one had friends or boyfriends who would frequently visit. There is absolutely no reason why this situation would not return. Each of these tenants may have home deliveries increasing the number of reversing large vehicles.

## Turning Point

There is a proposal in the Application to accommodate a turning point to stop vehicles needing to reverse the whole road. Whether there is a new dwelling or not, the need for a comprehensive turning point is an absolute priority. As the most important requirement for the approval of this planning application, it is very disappointing that the details with regards to this turning point are so vague and so inadequate. The description and dimensions in 6.27 of the report and the drawing in Appendix G are really unclear. If this proposal is to prevent vehicles reversing the whole road, then the facility must be big enough to accommodate the largest of these vehicles. It must be available for public use 24 hours a day with no gate, hedges, or obstacles preventing access and it must be made available in perpetuity. Anything less would be inadequate. I would suggest that if this development was to be considered then this turning point should meet all the needs, should be a condition on the development and be required to be in place before any other works start. It must also properly enable all vehicles that have travelled this private road in the last few years to be capable of using it successfully. What is currently suggested in 6.27 is probably inadequate.

Whilst this collapsing, superficially constructed single width road will never be 100% safe having blind 90° corners, it will be a lot safer if no vehicle has to reverse down it; whether that is a traveller with a caravan on the back of the car; or a lorry driver with a faulty SATNAV; tree surgeons; supply of medical care; home delivery; removal van; dustcart; house maintenance; roofers; et al.

If the turning solution is not a solution for all vehicles of all sizes at all times for evermore than it is not a solution. No full solution to prevent reversing traffic means that any additional house will compound an already dangerous situation and should not be approved.

I have struggled through the Cotswold Transport Planning document that is attached to the Planning Application. This document is not written to reflect the truth but is written to encourage approval. What is not inaccurate is totally unimportant and very speculative and mostly out of date.

The report is too big to detail fully but as examples -

3.1 The private road .....with regular passing places provided..... There are no regular passing places. There is one passing place on the middle 90° bend but this is actually privately owned and has, in the past, been fenced off by the owner.

Before the first bend, a blind bend, the road is wider and is often used for parking cars. Visitors to any of the houses and the lake owner and his friends will all park cars here. When Kynance was built all the materials for the property were left here to be picked up by smaller vehicles when required on the site. It can be a passing place only if not occupied. So factually there are no absolutely guaranteed passing places on this long winding single track road.

Further, these places are only passing points for two vehicles travelling in a forward direction, a reversing van or lorry will not be able to pass a parked car.

Be at the gateway leaving Swindon Hall on a school day during either pick up or drop off of the children and explain what relevance section 4 or 5 of this report has to the true facts related to this location.

6.8. ...Appendix E demonstrates that these visibility splays .... This is trying to complicate a claim that traffic can be easily viewed whilst exiting from Swindon Hall grounds. The line that is drawn to the left travels over the top of a newly built tall brick wall. The line to the right would need checking for pavement obstacles and the starting position for this observation could well have the front of the vehicle already in the road. The other access to Swindon Hall and the Grounds is difficult to exit from, as the view of the road to the right is so limited and it is not used as an entry point by the properties near it but all

properties in the main use the exit / entry point at the gate and this, for exit, does on many occasions require very careful attention.

6.10 The statement made in this section is incorrect. The council garden waste collection lorry far exceeds the description of small rigid vehicle.

6.26 Why is the proposed Turning Head only "more compliant with the design standards set within MfGS"? It should be totally compliant.

6.28 Appendix G also demonstrates that a small rigid vehicle, which is anticipated to be the largest vehicle to travel along the private road..... This sentence alone indicates that this report is not interested in truth and facts but merely endeavours to win approval for this development. On the 24th November 2021 two vehicles were spotted reversing from the Kynance end to Swindon Hall and both were estimated to be more than 7.1m. The statement 'a small rigid vehicle, which is anticipated to be the largest vehicle to travel along the private road' disproved twice in one single day.

In Conclusion

Anyone considering approving this request should visit the site; should observe or seriously look at the situation of a large delivery vehicle reversing around the first blind corner. Consider a car, bicycle or small running child arriving at that corner.

I would suggest experiencing an exit from Swindon Hall by car when the school children are being dropped off for school.

I suggest the proposed turning point be seriously looked at to see if it is adequate for all potential vehicles including a car pulling a large caravan and ensuring that this turning point does not have a gate in the middle which discounts it as a turning point for all commercial vehicles and that it will always be available and this fully adequate turning point in perpetuity is a condition for any Application approval.

Longleat  
Swindon Hall Grounds  
Church Road  
Swindon Village  
Cheltenham  
Gloucestershire  
GL51 9QR

**Comments:** 26th November 2021

The access road is neither suitable nor adequate for this proposal.

If alternative access can be found we have no objection to the proposal.

Woodfold  
Swindon Hall Grounds Church  
Road  
Swindon Village Cheltenham  
Gloucestershire  
GL51 9QR

**Comments:** 23rd November 2021

I would like to Register My Objection to this Proposal on - the following grounds -

The provision of more accommodation will eventually lead to additional vehicle traffic ( in addition that due to building & construction traffic )

The Access Road is completely inadequate for even existing use - It is narrow, with many right angle bends.

Even existing Turning facilities are inadequate and difficult for any vehicle larger than, say an original Post Office van, even when vehicles encroach onto private frontages.

Larger vehicles, such as Delivery Vehicles frequently have-to / choose-to Reverse out.

The existing road structure is of a rather fragile nature and therefore soon becomes pot-holed & rutted. Upgrading risks conflict with Conservation Area demands.

The two In/Out Entrances at the Church Road end of the road only benefit the Hall Residences & Not the Grounds Residences.

The more often used Church Road entrance/exit enters the blind "T" junction with Quat Goose Lane near a busy primary School. There is No Street Lighting in this area.

I understand that the Access Road does not meet even current Fire Engine Access Regulations.

49 Church Road  
Swindon Village  
Cheltenham  
GL51 9QZ

**Comments:** 2nd March 2022

I have objections on the following

\* The revised plans still indicates removal of 4 healthy Norway Spruce Trees T18 T20 T21 T22 these evergreen trees will be a vital screen between the proposed new dwelling and my property The Little Manor.

I am not in agreement with the suggestion of just "2 Semi Mature" trees to replace the removal of a total of 16 or so fully mature trees which are positioned in a conservation area. With the climate crises we are being asked to plant more trees, not to take 16 trees down to make way for 1 house.

\* The facing of the front elevation of proposed new build is not consistent to all the other properties within Swindon Hall Grounds. I propose the new build should face Kynance.

\* The ridge height of proposed new build is far greater than Kynance.

\* Six first floor windows are facing into my property ( Little Manor ) causing intrusion on my privacy.

\* Proposed new outbuilding to replace existing tumbled down makeshift greenhouse etc is vastly oversized .. to include plumbing and roof windows (in potting shed) show signs of future inhabitation.

Please can you let me know the date of this going to committee.

**Comments:** 5th December 2021

Further to my previous comments (04/12/21) I would like to raise my concerns over the lack of a landscape plan with regards to the large number of mature trees to be felled, pruned and replaced.

Any replacement trees should be mature and substantial in size, planted to provide visual screening to neighbouring properties.

**Comments:** 4th December 2021

**OBJECTION to the ERECTION OF A DWELLING:**

Overbearing and Out of Scale:

- 4 out of the 6 properties on the Swindon Hall Grounds site are bungalows, the other 2 properties are 1.5 storey. The submitted Planning and Heritage statement incorrectly says that there are new developments along the private drive 'of both single and two storey houses' (5.21). This is untruthful and misleading; there are no new developments that exceed 1.5 storey. It is inconceivable that a new development would be any more than 1.5 storey.

- The eastern side of the proposed plot borders the a Manor Farm development plot. The recently approved planning application on this neighbouring site is for bungalow level living (Ref. 20/00749/FUL). The original planning application for two storey dwellings was rejected. The extended elevation report should use the roof line of the bungalows (in line with the proposed dwelling), not Manor Farm, which is not a neighbouring property.

- The extended elevation report does not include The Little Manor, which is on lower ground.

- The proposed dwelling is over 4,300 sq ft (excluding the garage). 4,300 sq ft is unnecessarily large for a four bedroom property. The scale of the proposed developed is significantly larger than any recently approved dwelling in the surrounding area.

- The amount of parking is out of scale for the property. The recommended minimum parking for a 4 bed property is 2 spaces, the proposal has 5 parking spaces (3 outdoor, and 2 spaces in the garages with charging ports). There is also a large area of hard standing in addition to the 5 parking spaces, causing unnecessary removal of vegetation.

Loss of privacy:

- The front elevation of the proposed dwelling faces The Little Manor. In total, 11 windows face towards The Little Manor. It is not necessary for the front elevation to face north towards The Little Manor.

- The proposed dwelling is two storeys high, causing significant loss of privacy for the house and garden at The Little Manor.
- There are 6 windows on the second floor of the proposed dwelling that would directly overlook the private garden of The Little Manor. There would be direct line-of-sight from these 6 second-floor windows into 8 windows of The Little Manor, including bedroom windows that require privacy.
- The proposed development sits on land that is elevated in comparison to the The Little Manor. The elevation of the land, along with the height of the windows, would cause distressing loss of privacy for The Little Manor.
- The proposed positioning of the car park and driveway would result in the felling of several trees that provide good privacy screening. The 3 Norway spruce (T20, T21, T22) may not be deemed 'significant' by the arboricultural survey, but they are crucial to retaining privacy between the proposed development and The Little Manor.

#### Noise and Disturbance:

- 3 car parking spaces and manoeuvring space directly on the other side of wall from The Little Manor would cause significant disturbance, including noise of car engines, doors closing, and voices. It is not necessary for the car parking to be positioned on the boundary with The Little Manor.
- The front entrance of the proposed development faces The Little Manor, causing noise disturbance from arriving and departing residents, guests, and deliveries.
- Light pollution from the front elevation of the proposed dwelling (security lights, car lights, porch, bedroom, and landing lights) would cause disturbance to The Little Manor. The proposed landing window is floor-to-ceiling glass, causing significant light pollution and loss of privacy.
- The proposed felling of 16 trees would result in increased noise travel from the industrial estate towards residential Swindon Village. Noise disturbance from the industrial estate has been an ongoing problem and has been reported to the council, it would be worse without the trees.
- The proposed drainage is not clearly represented. The Little Manor is on lower ground, and there would be concerns of saturated ground.

#### Visual Impact and Intrusion:

- The southern view from The Little Manor is currently verdant trees; any construction in the garden of Kynance would be of negative visual impact to The Little Manor. The larger and taller the building, the worse the visual impact to The Little Manor.
- The planning submission omits a photo of the current tree screening that exists between the proposed development and The Little Manor. Whether this is an intentional omission or not, a planning officer should visit the site to get a sense of the screening that would be removed and replaced with car parking spaces.
- The Norway Spruce (T20, T21 and T22) are also visually pleasing to The Little Manor, their removal would be upsetting.

#### Conservation area:

- The proposed orientation of the dwelling does not match existing properties in the surrounding area. The vast majority have frontal elevation to the East or West, whereas the proposed development is North facing.
- The site has been significantly felled of trees and cleared of vegetation in the 5 years proceeding the planning application.
- The plans indicate a further 16 trees/groups of trees to be felled. That means that nearly half of the trees on this site would be felled - 16 out of 37 trees.
- Owls, bats and woodpeckers are present in the trees, they would be displaced by felling, and disturbed by noise and activity of the proposed development.
- The felling of trees is unnecessary, and could be avoided with a different size and orientation of the dwelling and hard-standings.

#### Traffic:

- The proposal includes car parking spaces for 5 cars, suggesting a significant number of cars would be in use, causing noise, pollution, and traffic congestion for existing residents of Swindon Hall Grounds. The transport report is misleading, and overstates the ability to pass cars on the single track driveway.

#### OBJECTION to the 'REPLACEMENT OF OUTBUILDING':

- The 'buildings' to be replaced are more akin to sheds/temporary structures. It is misleading to describe this development as 'replacement', the proposal is totally different in scale to the low-level existing structures.
- The current temporary structures are used for storage, the new proposal is a significant change of use.
- The proposed height of the outbuilding is more than twice the height of the existing temporary structures. The height of the proposal is too tall and out of proportion when compared to Kynance. This is evident in the extended elevation report.
- The extended elevation report does not include The Little Manor, which is on lower ground.
- The proposed outbuilding includes all amenities, which bears the risk that it could be used as a dwelling, and run the risk of further development.

Woodfold  
Swindon Hall Grounds Church  
Road  
Swindon Village Cheltenham  
Gloucestershire  
GL51 9QR

**Comments:** 29th November 2021  
Re Planning Application 21/02534/FUL

I object to the planning application for development of new residential property on the following grounds:-

Effect on the Conservation Area by the overbearing, out of scale proposed new house and hard landscaped driveways

Impact and loss of privacy to adjacent property (name),

Traffic and impact/inability of the private single width driveway to cope with additional use

Loss of biodiverse landscape areas and natural habitat.

I also object to the proposed 'replacement garden building' for Kynance due to the size and scale of the new building and potential for this to subsequently developed into another residential property.

I note that in addition to this application there has already been significant tree works and felling granted. During the last 5 years there have been various applications and works with the result of 10 trees already felled or to be felled or with other significant works undertaken. This has changed the site by stealth over this period.

Effects on Conservation area and adjacent properties

The removal and pruning of trees has impacted the nature of this site and will provide open views from the new proposed property to neighbouring adjacent gardens and property of Aberdare and Little Manor.

The proposed new buildings are out of scale to the adjacent properties within Swindon Hall Grounds.

Vehicle and Transport

The Transport Report refers to 'local services' being within reasonable distance. The distances used do not take account of public access points, hedges and other boundaries. The distance is further and specifically for local shopping and health will require car journeys.

The application refers to the reason for development being to accommodate a growing family. This would logically result in more than the minimum cars for a 4 bed dwelling due to the semi-rural location and would likely in time result in at least four cars for the new development. This changes the traffic movements and adequacy of the existing single lane driveway serving properties of Swindon Hall Grounds.

The Transport Plan does not provide accurate or adequate information about the roadway conflicts of the existing driveway. Appendices showing turning splays takes no account of the existing high kerbing, ownership and other fixed furniture adjacent to the driveway. The report incorrectly states there are numerous passing places. There is in fact only one passing place at the blind 90 degree corner.

The reference to cycle provision is largely irrelevant as there is no suitable cycling infrastructure on the very busy roads to the East of the playing fields nor through Swindon Village leading to the retail units noted as local services.

There is no cross-reference between the transport report and the design and access statement with specific regard to the management of the attenuation and surface water drain. The vehicle servicing this are generally larger and require wider and longer turning space than the 'small rigid vehicles' stated within the document. The reports fail to refer or consult the Fire Service. Prior to consideration of the application it should be a requirement to obtain the views through a site meeting with the appropriate fire officer as the adequacy of the existing private driveway and the extended driveway through the proposed site.

The Transport report refers to 3 car parking spaces, but fails to highlight the additional double garage (with electric charging points) and the extensive driveway immediately in front of the garages, study and front entrance of the new property. This area is excessive and overbearing - removing significant soft landscaping.

The additional driveway, area of proposed new residential property and proposed new 'replacement outbuilding' removes over 900sq metres of natural garden and landscape which is unacceptable within the conservation area.

The 'replacement outbuilding' at approximately 6.5m x 13m with eaves maximum height of 5.5m with all services laid to the new building and the siting of this building between the two houses lends itself to further residential development conversion at a later date which should be expressly restricted. The bulk and height of this building (which is more than twice the size of the proposed double garage is further over bearing and out of keeping with the immediate local area.

If the Committee is minded to consider and approve this proposed development, prior to works starting there should be pre-works approval for the following concerns:-

Full biodiversity management plans and mitigation plans to be approved, including the size and scale of trees to be planted to immediately replace those that have been lost within the last 5-6 years and proposed to be felled or pruned. The management plans should take account of the biodiversity, environmental and tree reports together with the drainage report to provide a comprehensive management plan for the whole site. The detail should include for approval by the Council management and planting of existing landscape and trees to mitigate the areas highlighted in the various reports of the application that indicate poor health and existing management regime of the site. Tree planting should not be restricted to small standards but should include suitable semi-mature trees approved by the Council's arboricultural officer and biodiversity experts.

Protection and repair of the private driveway prior to and during the works agreed with other property owners of Swindon Hall

All materials to be brought to site using no vehicle larger than a rigid vehicle suitable for the existing roadway and delivered directly into the site.

All materials to be stored within the curtilage of the site and not impacting the areas to the south and rear of the properties that have not been identified as to be developed

Materials used to be in-keeping with existing property and in-keeping with the conservation area.

The turning head proposed would be welcome provided that it is outside of the curtilage of the Kynance property and use is not restricted in anyway.

There should be a restriction placed on any approved 'replacement outbuilding' that it cannot be used for overnight accommodation and a restriction on future conversion for residential purposes.

The area within the curtilage of the site, but outside of the 'red-line' boundary of the planning application should be part of the biodiversity management plan and restrictions placed on this area that precludes further residential and related development.

Prior to consideration by the Planning Officer / Committee Members, it is essential that they and relevant officers, formally visit the site of Swindon Hall Grounds and walk the private driveway to understand the concerns raised about the adequacy of the private driveway for further construction and additional residential development on the site.

Lakeside Cottage  
Swindon Hall Grounds Church  
Road  
Swindon Village Cheltenham  
Gloucestershire  
GL51 9QR

**Comments:** 4th December 2021

Despite the location of my property being only five dwellings away from the proposed new property and subject to ALL passing traffic activity, incoming and outgoing, I have not received notification relating to this proposal.

I would like to Register My Objection to this Proposal on the following grounds:

1) It is within a registered conservation area, with its appropriate restrictions on development. Previous applications within the conservation area have been refused and it has been stated that no further development can be permitted.

2) In addition to it being within a conservation area ...

a) The sole access to the proposed development is by a sub-standard, un-adopted, private, single traffic road with only one small passing area existing, located on the edge of the lake. At the cul-de-sac end, where the new proposed development will be, NO official or guaranteed reversal or turning area is available.

b) With ever increasing daily deliveries by equally increasing size of vehicles, it is already a daily worry and concern for pedestrian safety - no paths - other than small road, along with potential damage to my property by exiting reversing traffic misjudging the restricted 90° turn on the road directly in front of my property. To date, THREE of my drive boundary posts have already been destroyed and replaced at MY expense. Without any boundary restriction, would have resulted in any vehicle on my drive being very vulnerable to damage.

c) The only gas supply currently available was originally paid fully when property 'Ivanhoe' was constructed, for the owner's sole use. Subsequently, more properties were allowed to be connected to this sole supply, and then further additions have been connected. Consequently, concern must be given to the probability that vital gas pressure could be compromised by any proposed further supply demand by this application.

d) The proposed development could compromise current rateable values of affected properties with justifiable reduction in value rating.