



**SWINDON**  
BOROUGH COUNCIL

# GRANT PLANNING PERMISSION

## Town and Country Planning Act 1990

**Application Number:**S/21/1426/RACH

**Ward:**Ridgeway

**Parish:** Bishopstone And Hinton Parva

**Proposal:** Demolition of The Chalet and erection of 1no. dwelling.

**Site Address:** The Chalet , Church Row Hinton Parva Swindon SN4 0DW

**Agent:**

Mr Paul Butt  
Paul Butt Planning Ltd.  
8 Hyde Copse  
Marcham  
Abingdon  
OX13 6PT

**Applicant:**

Mr Randal Pakeman  
The Homestead  
Kings Lane  
Longcot  
Faringdon  
SN7 7SS

The Local Planning Authority **HEREBY GRANT PLANNING PERMISSION** for the development proposed in the application subject to the scheduled conditions.

**WARNING:**  
**IF YOU DO NOT COMPLY WITH THE CONDITION(S) BELOW,**  
**THE COUNCIL MAY TAKE LEGAL ACTION AGAINST YOU**

### 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 No.A4/A19208/300 site location plan; Drawing No. A3/A19208/302 Proposed Site Plan; Drawing No. A3/A19208/304 Proposed Floor & Roof Plan; Drawing No. A3/A19208/305 Proposed Elevation & Section Plan received by the Local Planning Authority on 27 August 2021

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall finished using external facing materials as outlined on the submitted application form and approved plans. Such facing materials shall be retained thereafter in their approved form.

Reason: To ensure that the appearance of the development is satisfactory.

4. The dwelling hereby permitted shall not be occupied unless the area identified on the site plan A3/A19208/302 received by the Local Planning Authority on 27 August 2021, as an existing gravel turning and parking area (accessed via Church Row) is available for use for the parking and manoeuvring of vehicles for persons occupying the accommodation hereby permitted and the area so identified shall be used solely for that purpose by those persons.

Reason: To enable occupants of The Chalet to

5. No development permitted by the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended or re-enacted) (development within the curtilage of a dwelling house) shall take place to any building or within the curtilage of the site without the prior express grant of planning permission.

Reason: For the avoidance of doubt and in order to prevent inappropriate or unnecessary development in the interests of amenity an appearance, to preserve the setting and appearance of designated heritage assets and to clarify that the development permitted does benefit from the rights enjoyed by a dwelling house.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended or re-enacted) no part of the site or any building within the site shall be externally illuminated unless in accord with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity an appearance.

7. The existing boundary planting on the site shall be retained in the approved form for so long as the development hereby permitted remains on the site.

Reason: In the interests of amenity.

8. The site shall be landscaped in accordance with the approved site plan A3/A19208/201 received by the Local Planning Authority on 27 January 2021 within twelve months of the start of development or in such longer time as may be agreed in writing by the Local Planning Authority. 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 within the next available planting season.

Reason: To ensure that the appearance of the development is satisfactory.

### **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](http://www.swindon.gov.uk/cil) or telephone the SBC CIL Team on 01793 466289 or 466397 or email [cil@swindon.gov.uk](mailto: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](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. 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](mailto:enquiries@bats.org.uk) or visit the Bat Conservation Trust website.



**Director of Strategic Development**

**Date: 24th November 2021**

## Notes

“The Local Planning Authority”, and “the application” referred to within this notice, are described on page 1 of this notice. The conditions have been imposed for the reasons set out within this notice.

In addition to this consent, if this permission results in amendments to or provision of new properties please contact [gazetteers@swindon.gov.uk](mailto:gazetteers@swindon.gov.uk) or telephone: 01793 466271 for information and advice regarding the registration of new or revised property addresses. The naming of streets and addressing of properties within the Borough, is controlled by Swindon Borough Council under the Town Improvement Clauses Act 1847. The Act is used to make sure that any new street names, building names and numbers are allocated logically and that a unique and unambiguous address is provided for every property within the Borough.

If the Applicant is aggrieved by the decision of the Local Planning Authority to grant permission for the proposed development with conditions, 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 Secretary of State at 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>

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by the Secretary of State.

If the permission to develop land is granted with conditions, the owner of the land may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner, may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provision of Chapter I of Part 6 of the Town and Country Planning Act 1990.

