



Shaw Residents' Association

For the Residents of Peatmoor, Sparcells, Nine Elms, Middleleaze, Shaw,
Ramleaze, the Prinnels, Eastleaze and Westlea (West)

Planning Inspectorate
Room 3c
Temple Quay House
2 The Square
Bristol BS1 6PN

5 October 2021

Dear Sir / Madam

Re: 20/10523/OUT - Outline Application for a Residential Development of up to 79 Dwellings and Associated Infrastructure with all Matters Reserved with the Exception of Access

Inspectorate Reference: APP/Y3940/W/21/3275053

The Shaw Residents' Association (SRA) ask the Planning Inspectorate to dismiss this Planning Appeal.

The SRA accepts the fundamental right of an applicant to appeal a local authority planning decision. However, once that decision is upheld through the appeals process by the Planning Inspectorate, we would expect any re-application to comply with the findings of the Public Inquiry. It is our view that the Appellant has simply re-submitted their previously refused planning application, with little regard to the findings of the 2020 Public Inquiry.

While Section 6 of the Appellants Statement of Case offers policy reasons for upholding their appeal, as a resident's association, we will leave much of the policy arguments to policy owners. Instead, we will focus on quality of life concerns, while reasserting our historical arguments against this planning application.

Sustainable development: the 2020 Public Inquiry concluded (para. 24) 'However, it is also very clear that the Council, in partnership with Swindon Borough Council, considered the need for further development west of Swindon and found that there was none, and that development in this area did not represent the most sustainable option for future growth in Swindon'.

- Given that the Planning Inspectorate did not find the proposed location a 'sustainable option' in 2020, surely it cannot now be so. Simply because a Core Strategy is alleged to be more than five years old does not change the sustainability of a location for development purposes.
- With the World becoming more focused on climate change, we believe that any application deemed, less than 20 months ago, not the 'most sustainable option' must be dismissed.
- Furthermore, the Wiltshire Council Local Plan Emerging Spatial Strategy, **January 2021**, states on page 18, 'It was agreed with Swindon Borough Council that there is no need to plan for additional development at this time on the edge of the urban area within Wiltshire. The Borough will fully meet its needs appropriately within its local authority area'.

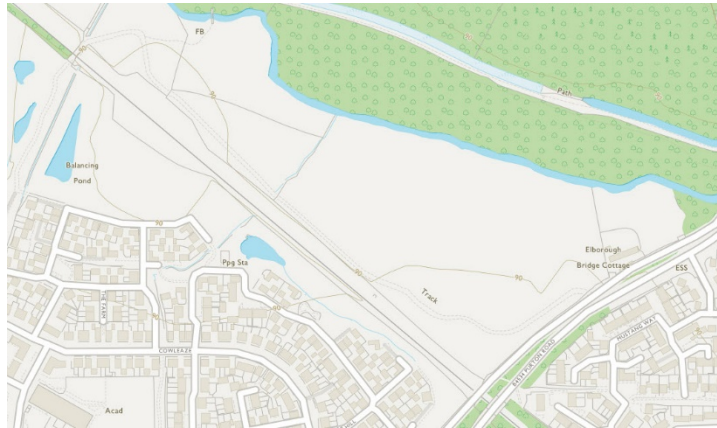


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Rights of Way: Section 2.11 of the Appellant Statement of Case states that 'No public rights of way are within the site outlined in red on the location plan'. We disagree with this assertion.

- The access road to the proposed site will cut across a much-used cycle track and footpath to the north of Purton Road. Indeed, the red outline in said location plan clearly extends right to the Purton Road, which means the cycle track and footpath must be re-routed.
- The Ordnance Survey clearly shows a 'track' running through the middle of the proposed site. Whilst the map legend does not explicitly designate the track as a public right of way, many SRA members have lived in the area for several decades and can confirm that the track has been used freely for a very long time. Since section 31 of the Highways Act 1980 says that if a route is enjoyed by the Public for 20 years or more, as of right and without interruption, the path is 'to be deemed to have been dedicated as a highway'. We believe that this track is now a public right of way. Indeed, members of the public can be viewed walking along the track on most days. As they have for many years.



Reference: [Creating a right of way - Ramblers](#)

For your convenience, we have attached our two previous objections to this application. Since this new application is largely identical to the 2017 application, we maintain that our arguments contained within the attachments remain valid.

Yours Faithfully

Kevin Fisher - Shaw Residents' Association Chair

sent by email to: West1@planninginspectorate.gov.uk

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Shaw Residents' Association

For the Residents of Peatmoor, Sparcells, Nine Elms, Middleleaze, Shaw,
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Catherine Blow – Case Officer
Northern Planning
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

16 January 2021

Dear Ms Blow

Re: 20/10523/OUT - Outline Application for a Residential Development of up to 79 Dwellings and Associated Infrastructure with all Matters Reserved with the Exception of Access

For the reasons outlined below, the Shaw Residents' Association wishes to register its **objection** to this application:

1. The application is simply a resubmission of the 81 dwellings application dismissed by the planning inspectorate on the 6th April 2020. Therefore, our motives for refusal remain the same as they did in October 2017, and we ask that you consider the issues in the attached objection as part of our current reasons for refusal.
2. The planning inspector, Mr Boniface, cited many reasons for dismissing the appeal, presented at the February 2020 Inquiry, by the appellant. Based on our summarised reasons for refusal in the bullets below, we fail to see how merely reducing the proposal from 81 to 79 dwellings negates any grounds for refusal.
 - a. The proposal conflicts with Core Policy 1, 19 and 51 of the Wiltshire Core Strategy.
 - b. None of the specified circumstances that would allow development in the countryside, contained within the Saved Policy H4 of the North Wiltshire Local plan 2011, apply.
 - c. He stated that the proposal was "entirely at odds with the Neighbourhood Plan taken as a whole and manifestly incompatible with the strategy contained within it".
 - d. He dismissed the appellant's argument that the application should count towards the adjoining authority of Swindon's housing needs. His rationale was that there was no need for further development west of Swindon. Even if there was, the proposed area was not representative of a sustainable option.
 - e. He asserted that should it become necessary to allocate housing west of Swindon in the future, that such a decision was for planners and not the appeals process.

We are rather perplexed at the nature, and timing of this reapplication. Indeed we are forced to conclude that it is nothing other than a cynical act at a time when local authority resources are stretched to the limit and finances are at breaking point. It would seem to us that the applicant is trying to use the Covid-19 pandemic as a smokescreen, whilst hoping Wiltshire Council will choose to allow the application on the grounds of resource constraints rather than planning law.

For the reasons outlined above and attached, we ask that you reject this application.

Yours Sincerely

Kevin Fisher - Shaw Residents' Association Chair

sent by email to: developmentmanagement@wiltshire.gov.uk



Shaw Residents' Association

For the Residents of Peatmoor, Sparcells, Nine Elms, Middleleaze, Shaw,
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Victoria Griffin
Northern Planning
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

9 October 2017

Developmentmanagement@wiltshire.gov.uk

Dear Ms Griffin

Re: 17/08188/OUT - Outline application for a residential development of up to 81 dwellings and associated infrastructure at Purton road Swindon

The Shaw Residents' Association wishes to register its objection to the building of this housing estate for the reasons outlined below:

It will forever destroy an opportunity to expand a Heritage railway and provide a more sustainable journey between Swindon's town centre and its western developments.

Politicians, council officers and the communities they serve have, for many years, discussed the possibility of building a railway station in the same location of this proposed housing development. The station would serve several purposes, including providing a southern terminus for the Swindon and Cricklade railway, which is Wiltshire's only standard-gauge heritage railway, and offering a more sustainable commute between the West and Swindon's town centre.

It will contribute to an already over-capacity road infrastructure

Whilst we accept that the percentage increase, in terms of cars on the road, from 81 houses would be low, Swindon's western approaches are already over capacity with no current plans to provide any relief in the shape of significantly new road infrastructure. It is precisely because developers are able to argue that their individual proposals, taken in isolation, would have a low impact on traffic numbers that our roads have become so congested. If all the proposals were to be viewed in a more holistic way, perhaps Swindon would have a more sustainable transport system.

The road onto which this development would be accessed is exceptionally busy. The development to the south of Purton Road, known as Moulden View, has created a T-junction that will, in time, result in collisions. It is also proving very difficult for residents of the estate to exit their community. Adding an additional junction on the north of Purton road and just after the dip from the railway bridge will not only cause significantly more congestion, it will also increase the probability of serious collisions.

It is clear to us that a railway station on the proposed site would also require a junction onto Purton Road which could also add to the probabilities of collisions. However, whilst a housing development can only have a negative impact on road congestions, air pollution, and be seen as an unsustainable influence on journey times, a railway station can only reduce road congestion in the surrounding road network, reduce air pollution and provide a sustainable transport solution.

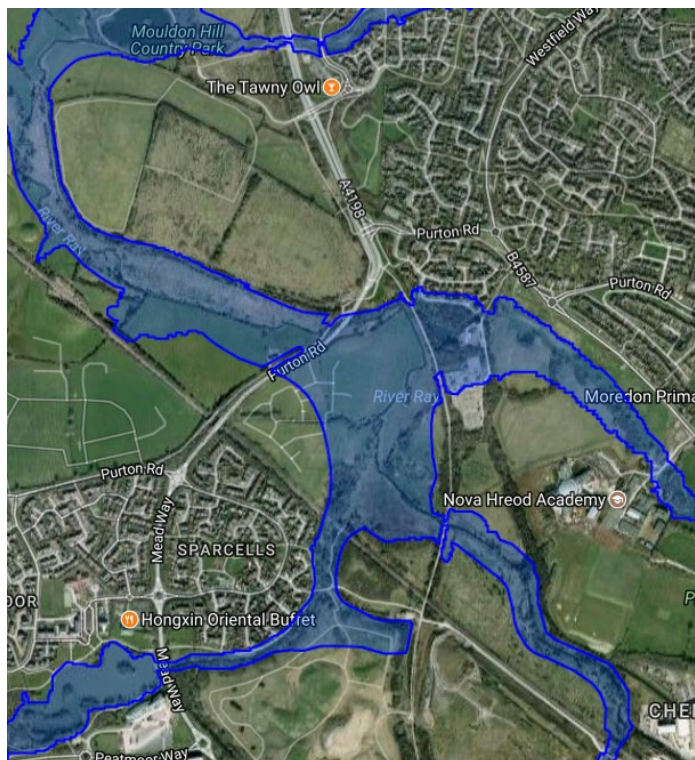
Furthermore, we believe the design of a T-junction, supporting a railway station, as opposed to a densely packed housing estate, would have much more flexibility, and therefore be able to overcome many of the dangers we foresee with the current housing proposal.

Much of the land is prone to flooding

We note the applicant has suggested the development is outside the flood plain. The flood level map shown in this document is provided by this website: www.riverlevels.uk.

You will note about 30% of the Moulden View development to the south of Purton road has been built on the flood plain. We are aware the developer of that site has taken steps to hold the water back.

However, it must go somewhere, and if it cannot flood 30% of Moulden view, it can only move downstream, probably affecting the proposed development.



It will cause significant harm to a public right of way together with associated trees and hedges

Currently there is a wide public footpath that was the original Purton road running along the northern edge of the new Purton Road. This path provides pedestrians and cyclists with a traffic free journey from West Swindon to Moulden Hill Country Park. Creating a new busy junction across this much valued and well used right of way will not only harm the experience, but also create dangers in crossing what will be a busy and seriously congested junction.

The proposed design is poorly conceived and a danger to children

Whilst we wish this proposal to be rejected, we feel a need to comment on what we see as some very obvious design flaws in the layout. We count about 18 dwellings placed within just a few meters of the railway line. We consider such proximity to be detrimental to the quality of life (in terms of noise pollution) to those unfortunate enough to buy one of these homes (or be assigned it through the social housing system). Furthermore, we note the proposal to place a children's play area right on the junction into the new estate and within easy reach of the over congested Purton road. Both these design aspects indicate to us that the developer is keen on maximising their profits by proposing significantly more houses than the space can safely provide.

Additionally, should this development go ahead, its proximity to Moulden View means both would be viewed as one housing estate with a significantly busy main road running between them. We believe the severance caused by this road, which has no pedestrian crossings¹, will result in fatalities.

It should be rejected based on planning policy

The proposal is outside of both Swindon and Wiltshire's local plans and does not form part of the Purton Parish neighbourhood plan. However, even though the site is outside of the Swindon

¹ This was a correct statement in 2017. However, a crossing was installed in 2020.



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planning authority area, the developer's only argument in support of the proposal is based on their view that Swindon (not Wiltshire) is not meeting its five year housing supply requirements.

Aside from the cynical manipulation of planning authority borders to suit their needs, it is a well known fact that the number of sites with planning approval in Swindon provides for many more than five years of housing stock. It is the developers themselves keeping the number artificially low. Indeed Prime Minister Teresa May's said in her October 2017 Conservative Conference speech that the Government would be giving councils *"new powers to ensure that developers actually build homes once they're given planning permission to do so"*.

Furthermore, we note that in a meeting of full Council, Swindon Borough Council agreed the leader, David Renard, should write to the secretary of state formally calling for a change in the five year housing stock rules, thus enabling all sites with planning permission to be counted. We applaud this initiative as it would discourage land banking, which only benefits the bank balance of the developer, and encourages house building on previously approved sites.

Based on the above observations, we ask this application be rejected.

Yours Sincerely

(Sent by email)

Kevin Fisher

Shaw Residents' Association Chair

www.shawresidents.org.uk

shawresidents@outlook.com