

# Swindon Borough Council

## Planning Committee

**Tuesday, 10 November 2020**

In Public Virtual Meeting - LiveStream

At 6.00 p.m.

### **Conservative Councillors**

*Timothy Swinyard (Chair)*  
*Alan Bishop*  
*Nick Burns-Howell*  
*Malcolm Davies*  
*Jenny Jefferies*  
*Vinay Manro*  
*Nick Martin*  
*Vera Tomlinson*  
*Matthew Courtliff (Deputy)*  
*Steve Heyes (Deputy)*  
*Oladapo Ibitoye (Deputy)*  
*Caryl Sydney-Smith*  
*(Deputy)*

### **Labour Councillors**

*John Ballman*  
*Paul Dixon*  
*Steph Exell*  
*Jane Milner-Barry*  
*Carol Shelley*  
*Peter Watts*  
*Junab Ali (Deputy)*  
*Claire Crilly (Deputy)*

### **Liberal Democrat Councillors**

*Stan Pajak*  
*Andy Spry (Deputy)*

**Committee Officer:** Shaun Banks (Telephone 07980 752047)  
email:sbanks@swindon.gov.uk

Swindon Borough Council can be contacted at the Civic Offices, Euclid Street,  
Swindon, SN1 2JH (Telephone 01793 445500)

**Access Arrangements** - The venue is wheelchair accessible and an infrared receiver hearing system is provided. If you have any special requirements to enable you to attend the meeting or would like to receive any of the pages contained in this agenda in a larger print size, please contact the Committee Officer as soon as possible prior to the date of the meeting.

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## **AGENDA**

### **NOTE:**

The Committee will consider both written and virtual representations in respect of the Planning Applications to be considered. If you wish to make representations at this meeting you need to register with the Committee Officer by 12:00 noon on the day prior to the meeting. Further details are available from the Committee Officer.  
To view this meeting please click here (you do not need to log it or have a Microsoft account): [Public and Press Access - Planning Committee](#)

This link will only work from 6pm on 10<sup>th</sup> November 2020. For help on viewing the meeting, please visit: [Assistance with viewing](#)

**1. Apologies for Absence**

**2. Declarations of Interest**

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

**3. Minutes** (Pages 3 - 20)

To receive the minutes of the meeting held on 6<sup>th</sup> October 2020.

**4. Public Question Time**

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

**5. Determination of Planning and Related Applications** (Pages 21 - 24)

**6. S/19/1221 - Erection of a three-storey building to provide 9 no. flats and associated works including revised parking layout for the dental practice, Mayhew Dental, 19 Covingham Square, Covingham (Ward: Covingham And Dorcan) (DSD)** (Pages 25 - 52)

**7. S/20/0851 - Change of use from light industrial workshops (Use Class B1(c)) to 3no. residential dwellings (Use Class C3), Workshops, Manor Farm, Manor Farm Lane. (Ward: St. Margaret and South Marston) (DSD)** (Pages 53 - 88)

**8. Development Brief - Groundwell Park & Ride Site, Swindon** (Pages 89 - 116)

**Date of Despatch:** 02 November 2020

**Public Question Time** - Swindon Borough Council remains committed to increasing its accountability to the public and to promoting active citizenship. 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from the public about the work of the Committee (except for confidential matters, and matters relating to planning and licensing applications). During Covid-19, you must submit your question to

[CommitteeServices@swindon.gov.uk](mailto:CommitteeServices@swindon.gov.uk) with your contact details 48 hours before the meeting

So that the committee officer can send you details about how to participate. The deadline is 15:00 on Friday 6<sup>th</sup> November 2020 Questions must be relevant, clear, and concise. You may not use Public Question Time as an opportunity to make speeches or statements.

Questions in writing should be sent to the Committee Officer whose contact details appear on the agenda above or to the Chief Legal Officer, we will publish it, along with the answer, alongside the Minutes. The process associated with asking a public question is set out in the "Public Question Time at Council Meetings Protocol and Guidance" available on the Council's Website.

(<http://ww5.swindon.gov.uk/moderngov/ecCatDisplay.aspx?sch=doc&cat=13338&path=0>) or from the Committee Officer named above.

**PLANNING COMMITTEE**

**TUESDAY, 6 OCTOBER 2020**

PRESENT: - Councillors Timothy Swinyard (Chair), Junab Ali, John Ballman, Alan Bishop, Nick Burns-Howell, Matthew Courtliff, Malcolm Davies, Paul Dixon, Steph Exell, Jenny Jefferies, Vinay Manro, Nick Martin, Jane Milner-Barry, Stan Pajak, Vera Tomlinson, Peter Watts and Matthew Courtliff

Apologies for absence were received from Councillors Carol Shelley and Vera Tomlinson.

**10. Declarations of Interest**

The Chair reminded Councillors to declare any known interests in any of the matters to be considered by the Committee.

Councillor Peter Watts made a personal and prejudicial declaration of interest in respect of applications numbered S/18/1781/SASM and S/18/1782/SASM as the agent was a close friend of a family member and took no part in the discussion or voting thereon.

Councillor Nick Burns-Howell, Matthew Courtliff, Jenny Jefferies, Nick Martin and Tim Swindon made a personal declaration of interest in respect of application numbered S/RES/19/1852/TB as they had friends living in the vicinity. As they had not discussed the application with these friends and as the interest was not prejudicial they participated in the discussion and voting thereon.

Councillor Cathy Martyn made a personal declaration of interest in respect of application numbered S/RES/19/1852/TB. As the interest was not prejudicial she would speak on the item in her capacity as Ward Councillor.

Councillor Tim Swinyard made a personal declaration of interest in respect of application numbered S/18/1781/SASM as he was a season ticket holder for Swindon Town Football Club. As the interest was not prejudicial he participated in the discussion and voting thereon.

**11. Minutes**

Resolved – That the minutes of the meeting held 25<sup>th</sup> August 2020, be confirmed and signed.

**12. Public Question Time**

There were no public questions.

**13. S/RES/19/1852/TB - Erection of 103no. dwellings and associated works  
- reserved matters pursuant to planning permission, Land East Of  
Marlborough Road, Wroughton, Swindon S/OUT/15/0912 (Ward:  
Wroughton And Wichelstowe) (DSD)**

In respect of application numbered S/RES/19/1852/TB - Erection of 103no. dwellings and associated works - reserved matters pursuant to planning permission, Land East Of Marlborough Road, Wroughton, Swindon - reserved matters pursuant to planning permission S/OUT/15/0912S/OUT/15/0912 the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Director of Strategic Development;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Councillor Cathy Martyn	Ward Councillor
Councillor Brian Ford	Ward Councillor
Mr Dan Holland	Agent
Mr Tony Jeffrey	Local Resident
Mr Damon Murphy	Local Resident

Councillors Nick Burns-Howell, Matthew Courtliff, Paul Dixon, Jenny Jefferies, Vinay Manro, Nick Martin, Jane Milner-Barry, Stan Pajak and Peter Watts spoke in respect of this application.

The application can be broadly summarised as:

- This application sought permission for the reserved matters of appearance, landscaping, layout and scale at land east of Marlborough Road, Wroughton.
- Outline planning permission had been granted following an appeal in 2017 for up to 103 dwellings at the site.
- The means of highway access into the site, via means of a new junction off of Marlborough Road was also permitted at this stage.
- The principle of a residential development had therefore already been established, as has the new access and are therefore not up for consideration here.
- The proposals before Members was the subject of several revisions during the course of the application as the applicant attempted to address issues raised as part of the consultation stage.
- As well as changes to the layout further details have been provided regarding areas such as drainage and ecology.
- Officers were of the opinion that the layout now proposed is an improvement on that originally submitted in terms of safeguarding and appreciation of protected trees and the protection of neighbouring amenity in terms of at least meeting minimum separation distances.
- With regard to drainage, following the submission of further supporting information the Local Lead Flood Authority are now satisfied subject to detailed conditions that the development will discharge at greenfield run-off



rates. To clarify this will mean that the development will not increase flooding in the area.

- Matters of appearance, landscaping, layout and scale are deemed to be acceptable and the application was recommended, subject to the conditions set out in the report, for approval.
- Planning condition needed to be reasonable, enforceable and relevant to the development.
- Replacement railings and the Pitchens could not be directly related to the site. Risk assessments for flooding was covered under different legislation and the use of a spur road to future developments was not the subject of development and would be the subject of a future application.
- The parking of construction vehicles and access to the site was the subject of a proposed condition and would be included in the outline consent.
- Future development conditions had been included where these were deemed to be appropriate and reasonable.
- Surface water drainage was covered in an existing condition and was required prior to occupation.
- The main details of the scheme had been approved by the Planning Inspectorate on appeal.
- The development created 8 car parking spaces at the entrance to the development to take account of spaces lost on Marlborough Road.

Submissions in support of the application can be broadly summarised as:

- The scheme was high quality and delivered a number of key benefits, including 103 new homes 73 of which would be private and 31 affordable.
- The creation of new open spaces and the retention and management of existing trees and hedgerows.
- Improvement to the local network through Section 278 works.
- The schemes was attractive and had been design led and which integrated well into the local surroundings.
- The financial contribution through the community infrastructure levy which would benefit the local area and community.
- It made efficient use of a previously undeveloped site in line with the requirements for local growth and development in a sustainable location.
- The development would provide employment and contracts for local people and businesses as part of its construction.
- The layout and design of the scheme had been extensively reviewed in consultation with local residents, and local councillors and Council officers which was reflected in the officers' report.
- Comments from residents, councillors and officers had been accommodated where possible although there was acknowledgement that there was local opposition to the scheme in respect of the effect on existing residents parking on Marlborough Road, the distance between housing units on and off site and units backing onto Wanshot Close.
- Access to the site has already been approved by Highways and additional parking onsite to provide safe parking, including for residents on Marlborough Road, has been included to take account of comments received.
- Back to back distances on site are all in line with planning regulations; the layout had been amended to improve the back to back distances with Wanshot Close to take on board comments and in additional landscaping had been introduced.

- There had been regular communication with the planning department and local councillors; there had also been liaison with local residents on elements of the scheme.
- Communication with residents and the Council was considered to be important and would continue and Bellway had worked extensively with the Council on the application over a period of time to ensure a high quality scheme.
- The layout of the scheme had been amended in a number of ways during the application process.

Submissions opposing the application can be broadly summarised as:

- The reserve matters failed to achieve a high quality design or layout and just the met minimum standards required and was poor quality.
- The layout failed to provide connectivity with the adjacent development to the south.
- The application did not provide a co-ordinated response to the historic character of the area, including but not limited to the lack of gables on houses, spacious gardens or narrow lanes, and the lack of usage of local building materials (stone, red brick or thatch).
- The design to include the large group of Tree Preservation Order trees within a more considered, holistic site layout was to the opposition and detriment of residents in Wanshot Close removing the buffer or green corridor between these developments.
- Residents of Wanshot Close wanted this green corridor reinstated; the 21 metre separation between houses in these developments was a minimum standard and the Urban Design Officer's opinion was that generous gardens along this edge were more appropriate and that there should be planting along the western edge. This advice had been ignored.
- There was sufficient land within the development to permit a more sympathetic layout.
- The development was merely meeting the absolute minimum standards required and have refused to meet local residents to discuss their concerns and in a meeting with Ward Councillors the developers made it clear they would not make changes to the design or layout other than very minor ones.
- Local residents believed that the detached garages of the new dwellings that would back onto Wanshot Close which would be approximately 5 – 6 metres from the boundary would lead to a loss of light even though they would be single-storey in height with pitched roofs and would have visual dominance as they were brick built and would be built on the top of the existing surface water drain which emptied into a nearby field.
- Bellway were proposing vehicular access is proposed now or in the future with regard to the turning head to the south west corner of the site. This was not part of the proposal considered by the Secretary of State and the proposal to access the narrowest part of Marlborough Road was unreasonable and unacceptable.
- There was concern that there only two disabled accessible properties.
- There was no green buffers to the historical properties at the lower end of Marlborough Road which fronted the road and dated back to the 1700's with the gardens backing onto them being some of the shortest in the proposed scheme. This meant that they went from being historic houses in a rural setting to historic houses in a built up area.

- The proximity of a local electricity sub-station.
- The likelihood that the development will increase flooding in the vicinity as the whole hill contains springs.
- The amount of traffic which is material to the reserved matters as off-site highway works need to be approved as safe prior to building commencing.
- That Bellway should provide a timetable for the phased build in order that local residents know what to expect as they have refused to meet local residents to discuss their concerns.
- Bellway had commissioned bat surveys which were carried out in the dark but local residents had not been notified and so better communication was required.
- There were concerns at the water retention scheme and details of this had not been provided despite several requests for information. No increase in flooding would be deemed to be acceptable.
- The heritage statement concluded that the development would lead to less than substantial harm despite the erosion of local features.
- The development might meet minimum standards but was of poor quality and design and a development better than one that was acceptable on the balance of probabilities should be expected.
- The development should go before the design review panel for consideration due to its overall poor quality.
- Replacement work such as railings should be in line with conservation area standards and should be carried out in consultation with the Council's Conservation officer and ward councillors.
- Highway works, and risk assessment and maintenance strategy and attenuation basin should be agreed with officers prior to the commencement of the development.
- Any spur road forming part of the development should not be used for access to any other development.
- The parking of construction vehicles should be restricted to the site and parking of construction vehicles on local roads, which are narrow, should be prohibited.
- Development rights for all properties adjoining the boundary of the site should be removed to prevent overlooking of adjacent properties, overdevelopment and the erosion of distances between existing and new properties.
- There should be a 20mph speed limit in the vicinity of play areas and Wanshot Close.
- Any external lighting approved should prevent light pollution and electric Vehicle charging points should form part of the development.
- Priority for affordable housing should be given to people with a Wroughton connection.
- If the developer does not maintain management of the site this should be offered to the residents in order they can form a management company if they so wish.
- Trees should not be removed or works commenced until the drainage strategy has been approved by the Local Planning Authority.
- No offsite Section 278 highway works should commence until they are approved by officers.
- Site security should be improved as there had already been a robbery at the site, especially at the demolition site with immediate effect.

- The lack of changes to the layout showed little respect for local residents or the local environment and contrary to the developers own statements was disrespectful to exiting nearby properties.
- All of the benefits and enjoyment of the site would be for new residents and removed from residents bordering the development.
- There were concerns in respect of the Wanshot Close drainage pipes and surface drainage on the eastern boundary in the area of protected trees. The proposed drainage was inadequate and went underneath existing garages.
- There was an overbearing amount of development along the two boundaries bordering other developments in Wanshot Close and Marlborough Road with properties of a different character and would have a dominant impact on the amenity of existing properties.
- The development would have an adverse effect on local wildlife.
- Marlborough Road was a narrow, busy road and was not suitable for additional traffic.
- Neighbouring properties on Marlborough Road backed directly onto the site with the layout leading to sharing a garden to garden boundary with new properties with a maximum gap between dwellings of 24 metres, only 2 metres above Swindon's minimum standard. This was exacerbated by elevation of the buildings with clear views into existing gardens and dwellings leading to an evasion of privacy.
- A 40 foot sycamore tree on the boundary would be protected however digging foundations 8-10 metres away could adversely affect it.
- Existing trees and properties would benefit from the relocation of properties away from the property line with parking forming the rear of the property.
- With the new electrical sub-station be located 20 metres from the nearest existing dwelling Bellway needed to provide more detail regarding the protection of amenity to nearby properties, including potential noise issues.
- The removal of existing parking on Marlborough Road should be replaced by a like for like alternative provision for safety reasons.
- That there was no pedestrian crossing facility proposed for Marlborough Road.
- The scheme saw no integration with local communities.

The Chair determined that the time allocated to local residents should be extended from 5 to 10 minutes as the two public speakers had agreed to represent the local community in order that representations were not repeated. The application was considered to be exceptional as it had been subject to an appeal to the Planning Inspectorate.

Resolved - That the reserved matters be approved subject to the inclusion of a condition requiring the submission of an engagement and communications plan and subject to the conditions set out within the report.

(Councillor Nick Burns-Howell, Matthew Courtliff, Jenny Jefferies, Nick Martin and Tim Swindon made a personal declaration of interest in respect of application numbered S/RES/19/1852/TB as they had friends living in the vicinity. As they had not discussed the application with these friends and as the interest was not prejudicial they participated in the discussion and voting thereon.)

(Councillor Vinay Manro had a personal and non-prejudicial declaration of interest as a Councillor colleague lived on Marlborough Road. As they had not discussed the

application with these friends and as the interest was not prejudicial he participated in the discussion and voting thereon.)

(Councillor Cathy Martyn made a personal declaration of interest in respect of application numbered S/RES/19/1852/TB. As the interest was not prejudicial she would speak on the item in her capacity as Ward Councillor.)

- 14. S/LBC/20/0465/RACH - Works to a fire damaged Grade II listed building comprising reinstatement of thatch (different to pre-fire state) to the two and a half storey component; change in roof covering (from the pre-fire state) from thatch to tile for the two storey component; from thatch to lead over the single storey component; and the removal of a thatched porch for and the erection of a front porch with timber posts and a lead canopy; Internal floor layout and finishes (including staircase); creation of doorway to West Elevation; blocking up of window to east elevation; structural repairs to walls; window replacement; structural frame to floors and roofs, Brook House, 12 The Pitches, Wroughton (Ward: Wroughton And Wichelstowe) (DSD)**

The Chair noted that applications S/LBC/20/0465/RACH and S/HOU/20/0464/RACH would be considered together but that each application would be subject to a separate vote.

In respect of (a) application numbered S/LBC/20/0465/RACH - Works to a fire damaged Grade II listed building comprising reinstatement of thatch (different to pre-fire state) to the two and a half storey component; change in roof covering (from the pre-fire state) from thatch to tile for the two storey component; from thatch to lead over the single storey component; and the removal of a thatched porch for and the erection of a front porch with timber posts and a lead canopy; Internal floor layout and finishes (including staircase); creation of doorway to West Elevation; blocking up of window to east elevation; structural repairs to walls; window replacement; structural frame to floors and roofs, Brook House, 12 The Pitches, Wroughton, and (b) S/HOU/20/0464/RACH - Reinstatement including alterations to part of the roof of a fire damaged Grade II listed building comprising change in roof covering (from the pre-fire state) from thatch to tile for the two storey component; from thatch to lead over the single storey component; and the removal of a thatched porch for the erection of a front porch with timber posts and a lead canopy, Brook House, 12 The Pitches, Wroughton the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Director of Strategic Development;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Councillor Cathy Martyn	Ward Councillor
Councillor Brian Ford	Ward Councillor
Nigel Henham	Agent

Councillors Alan Bishop, Nick Burns-Howell, Matthew Courtliff, Nick Martin, Jane Milner-Barry, Stan Pajak and Peter Watts spoke in respect of this application.

The application can be broadly summarised as:

- The applications were brought before the Committee at the request of Councillors Brian Ford and Cathy Martyn (Ward Councillors).
- The application was for a Grade II Listed Building situated within the Wroughton Conservation Area.
- The site is located on the Pitchens, on the north side and below the stream and pathway that runs alongside. This relationship of the thatched cottage to The Pitchens delivers a unique appreciation close-up of this historic asset which has a time-capsule like appearance which has been utilised in postcards advertising Wroughton. Brook House contributes strongly to the character and appearance of the designated Wroughton Conservation area in this location within The Pitchens.
- The building contains three main components, a two and a half storey component that incorporates a third level within the roof space; a two-storey component that contains elements of a later extension and a single storey component to the rear.
- Brook House was Grade II listed in 1979. The listing describes the building as being of brick, stone and some modern construction with a thatched roof. In March 2019, Brook House was subject to an arson attack whereby fire engulfed the majority of the building.
- This resulted in the complete loss of its thatched roof and roof timbers and parts of internal partitions and flooring.
- The applications that included The application seeks listed building consent for the reinstatement of thatch to the roof of the two and half storey element of the property, albeit a different type of thatch – Water Reed proposed in order to replicate Long Straw. In addition a single storey extension with a flat lead roof incorporating flat lead canopy with timber posts forming a wrap-around to the front of the property. This replaces the previous pre-fire thatched roof porch canopy.
- The lead roof element was proposed to reduce the risk of future arson attacks.
- The recommendation for refusal was based upon potential harm to the character of the Listed Building.

Submissions in support of the application can be broadly summarised as:

- The building was listed with a thatched roof however, originally the two storey element of the building had a tiled roof before moving to a thatched roof.
- The tiled roof would be within 3 feet of the public footpath.
- The house was adjacent to a path and last year, following a previous unsuccessful attempt to set fire to the property, an arsonist stood on the secluded and dimly lit footpath running next to Brook House, and this time sprayed lighter fluid on the overhanging thatch roof and set it alight with the occupant inside the building.
- The resultant fire required 70 fire fighters from 4 counties to tackle the blaze with many still there 24 hours later.
- The restricted access and a poor water supply gave fire fighters no option but to push the burning roof into the shell of the building in order to contain the blaze and prevent it spreading to neighbouring buildings. This action

undoubtedly saved other properties but with devastating damage and virtual loss of Brook House.

- Contrary to the comments of the Conservation Officer there were no views across the village from the site and the building was sunk down on one side and does not relate to the Pitches.
- The property was one of the few thatched housing in the village and would be reinstated to its original form.
- At the end of last year, frustrated by bureaucracy and still traumatised by the fire, the owners felt they could no longer battle to reinstate their home and reluctantly sold what remained of Brook House at auction.
- It was purchased by the applicant, who grew up in Wroughton, with the objective to restore it once more to a family home and remove its current blight on the Conservation Area.
- His family have worked tirelessly over several months to protect what remains of the building, clearing the debris, propping and stabilising the dangerous structure whilst engaging a professional team to establish a strategy for repair and to seek planning permission and listed building consent.
- Brook House was originally 2 buildings, constructed at different times, built of different materials and of different appearances. One was brick faced, the other stone. One had a thatch roof the other was tiled. Around the end of the 1960's both were combined in a somewhat clumsy conversion. Shortly thereafter the modernised property was listed on the grounds of its heritage whilst acknowledging it was a building much altered in the late 20<sup>th</sup> Century.
- The alterations to achieve a single dwelling included extending the thatch roof of the older building over the previously tiled smaller one. Whilst the thatch achieved a uniformity of appearance it had no integrity, it cut diagonally across a window, obscured another and being of a lower pitch it subsequently weathered poorly requiring extensive maintenance.
- The larger roof is to be re-thatched but it is the smaller roof that the applicant seeks to return to its earlier tiled condition. This smaller thatch roof had no heritage value, it was not original, it was poorly formed and it impacted detrimentally on the earlier building.
- Arguments have been promoted by the Conservation Officer to support a contention that any new roof should be fully completed in thatch to restore the 1960's stylised thatch vernacular. Disappointingly, he chose to dismiss historic photographs proving the smaller roof was previously tiled and surprisingly has been unwilling to accept the advice of the fire service instead electing to argue that a tiled roof could equally be set alight.
- This stance is contrary to published advice by several fire authorities and supported by Historic England that promotes identification and removal of potential arson opportunities to heritage properties.
- The applicant wishes to restore the smaller building element with a tiled roof to afford its future security. This is supported by Ward Councillors, The Parish Council, residents and importantly the Fire Service who confirm their inability to effectively fight a thatch fire at the location.
- The Conservation Officer had sought to argue the importance of restoration of Brook House to its pre fire status regardless of its identified shortcomings advancing Planning Policies that were never drafted to cover the quite unique situation of a restoration of a building deliberately destroyed through arson.
- There is claim made that the proposals will be detrimental to the setting of the Wroughton Conservation Area and other designated and non-designated structures. Noting the proposal seeks to restore an original material and roof

form this claim is without substance. The Conservation Officer has postulated that both adjoining buildings were once historically thatched but cannot support this view whereas there is evidence of tiling. Heritage hand-made roof tiles are thus promoted that follow other tiling to new and heritage buildings adjacent to Brook House as well as the existing extension to the property erected only three years ago for which I was the architect and which was approved under officers delegated powers.

- The remaining building shell requires a sensitive structural solution for stabilisation and strengthening of the weakened walls together with the insertion of a new roof structure and two floors. Some remaining charred timber beams can be retained. However, these must have no structural use to the advice of a timber preservation specialist and two independent consultant structural engineers (one an accredited conservation engineer). Proposals have been developed and submitted that retain (where practical) the timbers allowing them to be exposed. The scheme is in full accordance with best conservation practice despite the Conservation Officer holding seemingly diverging views and passing commentary that highlights a misunderstanding of the complex structural proposals necessary.
- The applicant is not seeking to complete the works in a shoddy way and through his actions has already demonstrated the intent to undertake the works sensitively and professionally.
- The property has been amended and extended during its 200 year history.
- Ward Councillors and the Parish Council were in favour of the application in order that the building might be restored.

Resolved – (1) That Listed Building Consent be granted.

#### Reasons

(i) That the building had seen a number of amendments during its history and the thatched roof was not always in place at the time of the arson attack.

(ii) That the reversion to a tiled roof reflected its appearance during periods of its history.

(iii) That the application would not create significant harm to the building or the vicinity.

(iv) That by returning the building to its former roof construction would enhance the character of the listed building and the Wroughton Conservation Area.

(v) That in accordance with Paragraph 194 of the National Design Guide the application does not do any harm to, or create a loss of the significance of a designated heritage asset or its setting, enhances the building and makes it safe and is therefore acceptable.

(2) That Planning Application S/HOU/20/0464/RACH be granted subject to conditions to be approved by the Director of Strategic Development.

#### Reasons



- (i) That the building had seen a number of amendments during its history and the thatched roof was not always in place at the time of the arson attack.
- (ii) That the reversion to a tiled roof reflected its appearance during periods of its history.
- (iii) That the application would not create significant harm to the building or the vicinity.
- (iv) That by returning the building to its former roof construction would enhance the character of the listed building and the Wroughton Conservation Area.
- (v) That in accordance with Paragraph 194 of the National Design Guide the application does not do any harm to, or create a loss of the significance of a designated heritage asset or its setting, enhances the building and makes it safe and is therefore acceptable.

**15. S/18/1781/SASM - Erection of Football Training Centre/ Headquarters building and ancillary accommodation, single storey equipment store building, re-grading of ground levels and laying out of grass football pitches, construction of all-weather pitch and associated works including a pumping station, Twelve Oaks, Lechlade Road, Highworth (Ward: Blunsdon And Highworth) (DSD)**

In respect of application numbered S/18/1781/SASM - Erection of Football Training Centre/ Headquarters building and ancillary accommodation, single storey equipment store building, re-grading of ground levels and laying out of grass football pitches, construction of all-weather pitch and associated works including a pumping station, Twelve Oaks, Lechlade Road, Highworth the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Director of Strategic Development;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Councillor Alan Bishop	Ward Councillor
Danielle Wyatt-Bond	Developer
Julie Murphy	Parish Council

Councillors Nick Burns-Howell, Nick Martin, Jane Milner-Barry, Stan Pajak spoke in respect of this application.

The application can be broadly summarised as:

- The application has been brought to Planning Committee at the request of Highworth Town Council.
- The site closed as a golf club and course in 2015 and this application sought permission to redevelop a large part of the site including the existing buildings

and golf course into a new training facility. There is also a current application for an equestrian facility on the western part of the site.

- The application sought the creation of 8 grass training pitches, an all-weather training pitch, training centre building, new car park and associated development. It would be located on the central and eastern part of the site and would consist of over 12 hectares out of a total area of the former Golf Club of over 22 hectares.
- It is located outside the rural settlement boundary of Highworth in respect of Local Plan Policy SD2 and Highworth Neighbourhood Plan Policy 3. Policy SD2 supports development in rural and countryside locations where it is in accordance with other policies of the plan permitting specific development in the countryside.
- There is some conflict with Local Plan Policy TR2 which seeks that development should be located to reduce the need to travel and to encourage the use of sustainable transport alternatives. However, almost inevitably, facilities of this scale are likely to be located outside a settlement.
- The Local Plan does not contain a policy specifically supporting the development of facilities for professional sport in the countryside, but Policy EC1 identifies leisure as one of the key employment sectors, the opportunity to develop which will be particularly supported.
- Therefore while the Local Plan does not specifically support the creation of sport and training facilities in this location, it does provide support for leisure industry development. It is necessary to look at other material considerations. It is also material to recognise that the golf course represents an existing and lawful sport and recreation use of the land, with golf and football both falling within Use Class D2 'indoor or outdoor sports and recreation'.
- National policy supports leisure developments in the countryside and recognises that sites for local businesses may have to be found beyond settlement boundaries. It is considered that the nature of the facilities proposed is such that they could not realistically be accommodated within settlement boundaries.
- These material considerations support the principle of the proposed development.
- There is a deficiency of Artificial Grass Pitches for football across the Borough according to Sport England. The applicants are proposing up to 20 hours of community use on both natural and artificial pitches, including full weekend use of the artificial grass pitch throughout the year. This will help meet some of the required pitch usage identified in the Playing Pitch Strategy and the proposal is supported by Sport England in principle.
- The Highways Officer has advised following revisions that there are objections to the proposal subject to Conditions and the provision of a Travel Plan through a legal agreement.
- The built development is focused around the retained former Clubhouse which retains the overall openness of the site. The proposed new build elements of the scheme will be appropriate in scale to the requirements of the Football Club and relate well to the existing built form on the overall site. Overall the design of the proposals is appropriate subject to conditions.
- Following the submission of appropriate assessments and surveys the Council's Ecologist, the County Archaeologist, Drainage Officer and Contaminated Land Officer have no objections to the proposal subject to conditions. The Landscape Officer has no objections in principle but would prefer to see any floodlighting proposal address light pollution impact. The

applicant has stated that they are content not to provide floodlighting at all since the proposal is viable without it. Floodlighting could cause issues in respect of 'dark skies' as well as possible impacts on ecology, nearby residents and highway safety for drivers on the Lechlade road and would need further assessment. On this basis notwithstanding the submitted plans it is recommended that a Condition be attached preventing the provision of floodlighting without prior permission from the Local Planning Authority.

- There are a small number of residential properties relatively close to the proposed Football Training Facility and it is important to ensure that the level of use of the facility would not cause unacceptable harm to the existing amenity of the occupiers of these properties. Overall traffic levels are predicted to be less than the previous Golf club use and use of the pitches is not predicted to be intensive on a weekly basis. However the Environmental Health Officer has recommended conditions to prevent any nuisance from lighting and noise being generated which could have an impact on residential properties.
- Paragraph 70 of the officer's report requires clarification. It should state that 'subject to the completion of a S106 Agreement and conditions the proposed development is considered on balance to be acceptable at this location taking into account material considerations, particularly the NPPF.'

Submissions in support of the application can be broadly summarised as:

- There was a public consultation in July 2018 and the resulting application was a positive scheme for the whole community.
- The Swindon Town training facility and headquarters would act as a positive financial multiplier in a number of ways.
- The scheme provided the use of pitches for the local community and would be used by many groups including for women's football, local schools and clubs.
- Swindon Town would fund the 3G pitch privately meaning there would be no impact on neighbouring football clubs in respect of available Football Association funding.
- This would help address the shortage of £G pitches across the county.
- The ambitious development during a period of financial uncertainty was a huge commitment by the club to create top class facilities, for players, apprentices and would help in attracting new players and staff to the club and provide the opportunity to attract new sponsorship to the club.
- The development would also contribute to reducing carbon emissions by replacing the need to use three training facilities across the county at a cost of just under £70,000 per season which would go directly back into the club.
- The development was in accordance with paragraphs 83 and 84 of the National Planning Policy Framework as well as the Council's own policies as set out within the report.
- The application was also in accordance with Policy 6 of the Highworth Neighbourhood Plan promoting employment opportunities in Highworth.
- There were no highways objections to the application and complied with policy TR2 subject to conditions and the completion of a section 106 agreement.
- Traffic level were anticipated to be less than those of the previous usage.
- The appearance of the buildings was considered acceptable.
- The Sport Council and Football Association supported the application and would be an asset to Swindon.

- The football club had tried to contact Highworth Town Council on a number of occasions without a response and the club was willing to engage the Town Council to discuss any issues.

Submissions opposing the application can be broadly summarised as:

- The previous owner had dumped toxic waste on the site which would make alternative use of the site difficult.
- There were a number of valid objections from local residents.
- The site was outside the permitted development area and outside of the Settlement Plan Area.
- No-one associated with the application had been in touch with the Parish Council or Highworth Football Club to discuss community use of the pitches. This was important as the application could adversely affect funding from Sports England for other proposed pitches.
- The proposed entrance would require vehicles to cross traffic to turn right towards Swindon on the A361 which was a busy road other high volume developments such as the industrial estate and Aldi's had a roundabout.
- The volume of traffic using the site would be likely to increase significantly (with 86 car parking spaces requested) as the golf course was not used extensively.
- The application was set on the rural edge of Highworth in an open rural setting.
- The proposed building were significantly bigger in size and height than that the existing buildings which supported the golf course. This will give an industrial feel to the area and be visible for miles around and if approved would significantly change the landscape.
- The accumulative impact with the proposed equestrian centre could not be ignored.
- The accumulative traffic impact of the two applications had not been considered, nor the different types of vehicles using the site and the entrance was on an acceleration strip of the A341 with traffic overtaking at high speed.
- This and potential installation of floodlights would considerably impact upon the amenity of neighbouring properties.
- Sports England had not commented on the removal of the floodlights from the proposed scheme which could adversely impact on the community usage of the pitches.
- The previous owner of the site had been refused planning permission by Swindon Borough Council for the erection of 8 floodlights to an existing golf driving range as it would be deemed to be an obtrusive development that would adversary and unacceptably affect the character of the area an appeal against this decision was subsequently dismissed.

Resolved – (1) That the Director of Strategic Development be authorised to grant Planning Permission subject to:-

(a) Completion of a legal agreement to secure the satisfactory completion of the Travel Plan and a Community Use Agreement which shall apply to changing accommodation, car parking and football pitches and shall include details of pricing policy, hours of use, access by non-Swindon Town employees, management responsibilities, a mechanism for review and a programme for implementation; and

(b) The planning conditions set out in this report, with delegated authority to make reasonable amendments, additions or omissions to those conditions before issuing formal consent as may be necessary.

(2) That in the event that an extension of time is not forthcoming to enable the planning obligation to be completed and the decision issued, the Director of Strategic Development be authorised to refuse the application.

(Councillor Tim Swinyard made a personal declaration of interest in respect of application numbered S/18/1781/SASM as he was a season ticket holder for Swindon Town Football Club. As the interest was not prejudicial he participated in the discussion and voting thereon.)

(Councillor Peter Watts made a personal and prejudicial declaration of interest in respect of this application as the agent was a close friend of a family member and took no part in the discussion or voting thereon.)

**16. S/18/1782/SASM - Erection of Equestrian Training Facility with courtyard barn for 20no. stables, ancillary rooms, stable hand accommodation; an American barn with 30no. loose horse boxes and hay store; all-weather gallop, horse walker, lunge pit and paddocks, vehicular parking, waste storage, landscaping and drainage (partly retrospective), Twelve Oaks Golf Club, Lechlade Road, Highworth (Ward: Blunsdon And Highworth) (DSD)**

In respect of application numbered S/18/1781/SASM - Erection of Football Training Centre/ Headquarters building and ancillary accommodation, single storey equipment store building, re-grading of ground levels and laying out of grass football pitches, construction of all-weather pitch and associated works including a pumping station, Twelve Oaks, Lechlade Road, Highworth the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Director of Strategic Development;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Councillor Alan Bishop	Ward Councillor
Danielle Wyatt-Bond	Developer
Julie Murphy	Parish Council

Councillors Nick Burns-Howell, Matthew Courtliff, Vinay Manro, Nick Martin, Jane Milner-Barry spoke in respect of this application.

The application can be broadly summarised as:

- This application has been brought to Planning Committee at the request of Highworth Town Council.
- The site closed as a golf club and course in 2015 and the application seeks permission for an Equestrian Training Facility which comprises a courtyard barn of 20 stables, ancillary rooms, stable hand accommodation and an

American barn of 30 loose horse boxes. Also a hay store, all weather gallop, other training structures and paddocks - all on the western part of the golf club site.

- The site area is just over 10 hectares out of a total area of the former Golf Club of about 22 hectares.
- The application is partly retrospective since the gallop and other works for training of horses have already been carried out and are operational.
- The site is located outside the rural settlement boundary of Highworth for the purposes of Swindon Local Plan Policy SD2 and Highworth Neighbourhood Plan Policy 3. The Local Plan does not contain a policy specifically supporting the development of equestrian facilities in the countryside, but Policy EC1 (Economic Growth through Existing Business and Inward Investment) identifies leisure as one of the key employment sectors, the opportunity to develop which will be particularly supported.
- While the Local Plan therefore does not specifically support the creation of equestrian facilities in this location, it does provide support for leisure industry development.
- National policy supports leisure developments in the countryside and recognises that sites for local businesses may have to be found beyond settlement boundaries. In officers opinion it is considered that the nature of the facilities proposed is such that they could not realistically be accommodated within settlement boundaries. It is a use commonly found in the countryside.
- However the scale of the proposed buildings and their use and the impact on local highway matters and any impact on the landscape and residential amenity are important considerations. These impacts have been considered as set out in the report and in summary the Highways Officer has no objections to the proposal and there are no objections subject to conditions from the County Archaeologist, the Drainage Engineer, the Contaminated Land Officer and the Council's Ecologist.
- The Landscape Officer has no objection in principle although would prefer to see a more comprehensive plan that includes all existing vegetation, noting specifically which is to be retained and which is to be removed. This is because the retention, protection (during construction) and long term management of the perimeter vegetation is important to the development.
- However on balance it is considered that this can be satisfactorily provided for by Condition but that it will be necessary prior to commencement of any building works.
- Overall it is not considered that the scale of the built form and activity would be expected to cause any overriding harm to the landscape in this countryside location subject to strict conditions in relation to the residential accommodation proposed.
- Paragraph 49 of the officer's report needs clarification and should read 'The proposed development is considered on balance to be acceptable at this location taking into account material considerations, particularly the NPPF.'
- A late letter requesting a Condition with regard to the operational hours of the gallop on the grounds of safety and signage has been received and the Highways Officer has been asked to comment on and the applicant has also been made aware of this.
- The letter also requested that the landscaping condition be expanded to specifically provide planting and bunding to screen the gallop and reduce noise.

- Clarification on highway impact had been requested from the Highways team, including the rights of usage of bridleways and footpaths.

Submissions in support of the application can be broadly summarised as:

- The equestrian centre would act as a positive financial multiplier in a number of ways, having a positive impact on local businesses.
- The horse racing industry was worth approximately £3.7 billion in the United Kingdom with additional income from equine related activities.
- The application was for use by Sean Curran a highly respected trainer and would complement the local area.
- There would be economic benefit including new employment opportunities for local residents.
- Staff and visitors would make a valuable contribution to Highworth's economy and to local businesses, many of which were independent and would use local suppliers and farrier and equine services.
- The stables would house up to 40 horses.
- The scale of activity would not create any major harm to the local landscape in this countryside location.
- The proposed size and location of the building was considered to be appropriate to the scale of the locality and usage with no adverse impact anticipated.
- Suitable conditions would protect the amenity of neighbours.
- The proposed equestrian use was appropriate for the location and needed to be situated in the countryside environment nor would it adversely impact on the landscaping of the site.
- The development was in accordance with the Swindon Borough Council Local Plan and National Planning Policy Framework paragraphs 83 and 84 and the Highworth Neighbourhood Plan Policy 6 which promotes employment opportunities in Highworth.
- The request for a condition on the gallop had been responded to and the bridleway referred to is indeed a public footpath.

Submissions opposing the application can be broadly summarised as:

- The objections of the Town Council relating to traffic, siting and impact were as set out for application S/18/1781/SASM.
- The usage was currently underway with some facilities in place prior to the grant of planning permission.
- Should the application be granted noise and light mitigation measures should be conditioned.
- A letter from a neighbouring farm had been received in respect of the adverse effect the application, if granted, would have on their business.
- The possibility of walking horses being spooked by galloping horses and whether this warranted conditions.

Resolved - That the Director of Strategic Development be authorised to grant permission subject to the conditions set out within the report and subject to the controls set out in the three additional conditions suggested by an objector (or similar wording). In the event that the additional conditions are not imposed or considered

appropriate, the application shall be referred back to this Committee for re-consideration.

(Councillor Peter Watts made a personal and prejudicial declaration of interest in respect of this application as the agent was a close friend of a family member and took no part in the discussion or voting thereon.)

## **17. Protocol for Dealing with Planning and Related Applications**

The Director of Strategic Development submitted a report seeking the Planning Committee's approval of the protocol for the dealing with planning and related applications.

Resolved – (1) That the procedures set out in Appendix 1 to the report be approved for the purpose of consulting upon and determining planning and related applications with the addition of the following wording to paragraph 21 'Appeal decisions are circulated to members of the Planning committee.'

(2) That the consultation protocol be circulated to all Borough Councillors for information and that they be reminded of the obligation that where they request an application be determined by the planning committee that they do so in writing within the prescribed timescales and the request must give reasons for the request.

(3) That the consultation protocol be circulated to all Parish and Town Councils for information and that they be reminded of the obligation that where they request an application be determined by the planning committee that they do so they do so in writing within the prescribed timescales and that reasons are given for the request as to why a particular application is considered to raise significant planning issues or is locally controversial.

(4) That the Director of Strategic Development be authorised to make any minor or typographical changes as may be necessary.

(5) That the Director of Strategic Development be requested to inform all Members of the Planning Committee in respect of Planning Inspectorate appeal decisions.



## Determination of Planning and related Applications

**Planning Committee**

**Date: 10<sup>th</sup> November 2020**

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Author: Director of Strategic Development

Wards: All Wards

Parishes Affected: All Parish Area

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### **1. Purpose and Reasons**

- 1.1 To determine the planning and related applications in the Committee reports that follow this report in the Committee Agenda, as may be amended by an additional information sheet circulated before the meeting

### **2. Recommendations**

The Committee is recommended to:

- 2.1.1 determine the applications set out in the Committee agenda in accordance with the recommendations set out in the reports, including, where relevant, the additional information.

### **3. Alternative Options**

- 3.1 The Committee could choose not to determine the Planning applications

### **4. Implications, Diversity Impact Assessment and Risk Management**

Financial and Procurement Implications

- 4.1 There would be financial implications if, following a refusal to grant planning permission or the grant of conditional permission, costs are awarded against the Council on appeal. However, this would only happen if the Council was adjudged to have acted unreasonably

Legal and Human Rights Implications

- 4.2 There are no staffing implications. No comments have been received from relevant trade unions, unless specified in the attached schedule.
- 4.3 Human Rights considerations have been taken into account in compiling the reports. It is considered that the recommendations of the reports are compatible with Convention rights and that in accordance with the principle of proportionality any interference with the Convention rights of individuals is justified by the overall benefit to the community.

### **5. Appendices**

- 5.1 Appendix 1 - Documents which may be relied on in the preparation of the application reports

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Further information on the subject of this report can be obtained from Shaun Banks, (07980752047) sbanks@swindon.gov.uk.

# **Determination of Planning and related Applications**

**Planning Committee**

**Date: 10<sup>th</sup> November 2020**

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5.2 Planning and related applications reported to this Committee for the first time.

## **APPENDIX 1**

### **DOCUMENTS WHICH MAY BE RELIED ON IN THE PREPARATION OF THE APPLICATION REPORTS**

1. The approved Development Plan, consisting of
  - Swindon Borough Local Plan 2026, (2015), and the Swindon Borough Local Plan 2026 Policies Map (2015)
  - Wiltshire and Swindon Minerals Core Strategy, (2009)
  - Wiltshire and Swindon Minerals Development Control Policies DPD (2009)
  - Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan, (2013)
  - Wiltshire and Swindon Waste Core Strategy, (2009)
  - Wiltshire and Swindon Waste Development Control Policies DPD, (2009)
  - Wiltshire and Swindon Waste Site Allocations Local Plan, (2013)
  - Swindon Central Area Action Plan, (2009)
  - Wroughton Neighbourhood Plan (2016): for applications in Wroughton Parish
  - Highworth Neighbourhood Plan (2017): for applications in Highworth Parish
  - South Marston Neighbourhood Plan (2017) for applications in South Marston Parish
  - Hannington Neighbourhood Plan (2018) for applications in Hannington
2. Adopted Supplementary Planning Guidance Notes, Supplementary Planning Documents and Development Control Guidance Notes
3. The National Planning Policy Framework, (2018); and policy statements, guidance and DCLG circulars that support the National Planning Policy Framework
4. Ministerial Statements and other guidance material to the consideration of applications
5. Relevant appeal decisions and case law
6. Relevant planning history, case files and related correspondence including the views of statutory consultees
7. Any emerging relevant Development Plan Documents

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## Agenda Item 6

Application Number S/19/1221

Proposal Erection of a three storey building to provide 9 no. flats and associated works including revised parking layout for the dental practice.

Location: Mayhew Dental 19 Covingham Square Covingham Swindon SN3 5AA



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.

In all cases reference should be made to the submitted plans.

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Application Number S/19/1221

Proposal Erection of a three storey building to provide 9 no. flats and associated works including revised parking layout for the dental practice.

Location: Mayhew Dental 19 Covingham Square Covingham Swindon SN3 5AA



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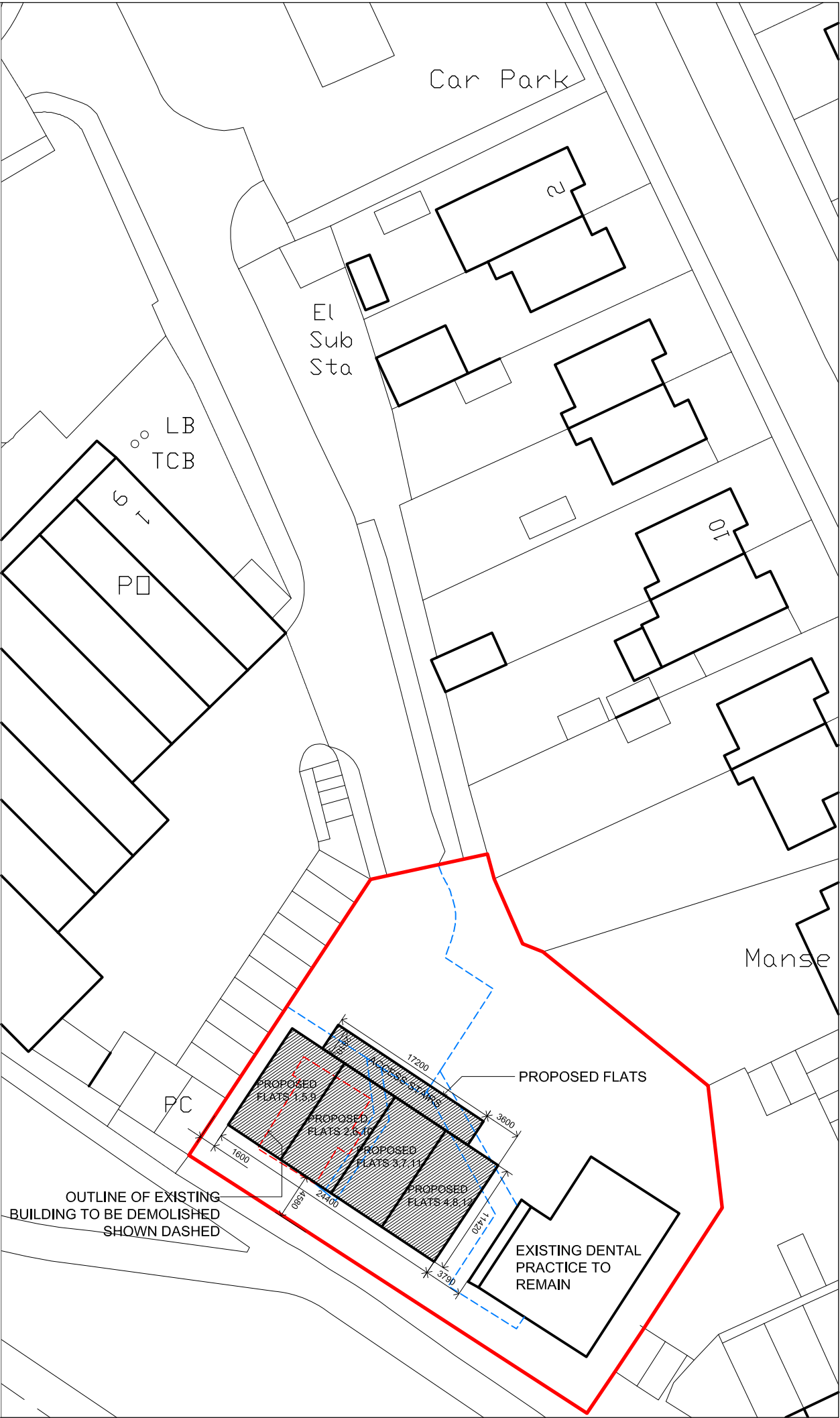


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**BLOCK PLAN**  
SCALE 1:500 @ A3

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- PROPOSED / NEW STRUCTURE
- STRUCTURE REMOVED
- PROPOSED STEEL BEAM OVERHEAD
- OUTLINE OF STRUCTURE OVERHEAD
- SITE DRAINAGE

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PLANNING		
CLIENT		
Arg Homes Ltd		

## GRESFORD ARCHITECTS

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e: info@gresfordarchitects.co.uk

PROJECT TITLE  
Mayhew Dental Practice  
Swindon  
SN3 5AA

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LOCATION AND BLOCK PLAN

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C	17/09/2019	PARKING LAYOUT ALTERED
B	05/08/2019	FFL RAISED
A	08/07/2019	LEVELS AND APPROACH ALTERED
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CLIENT

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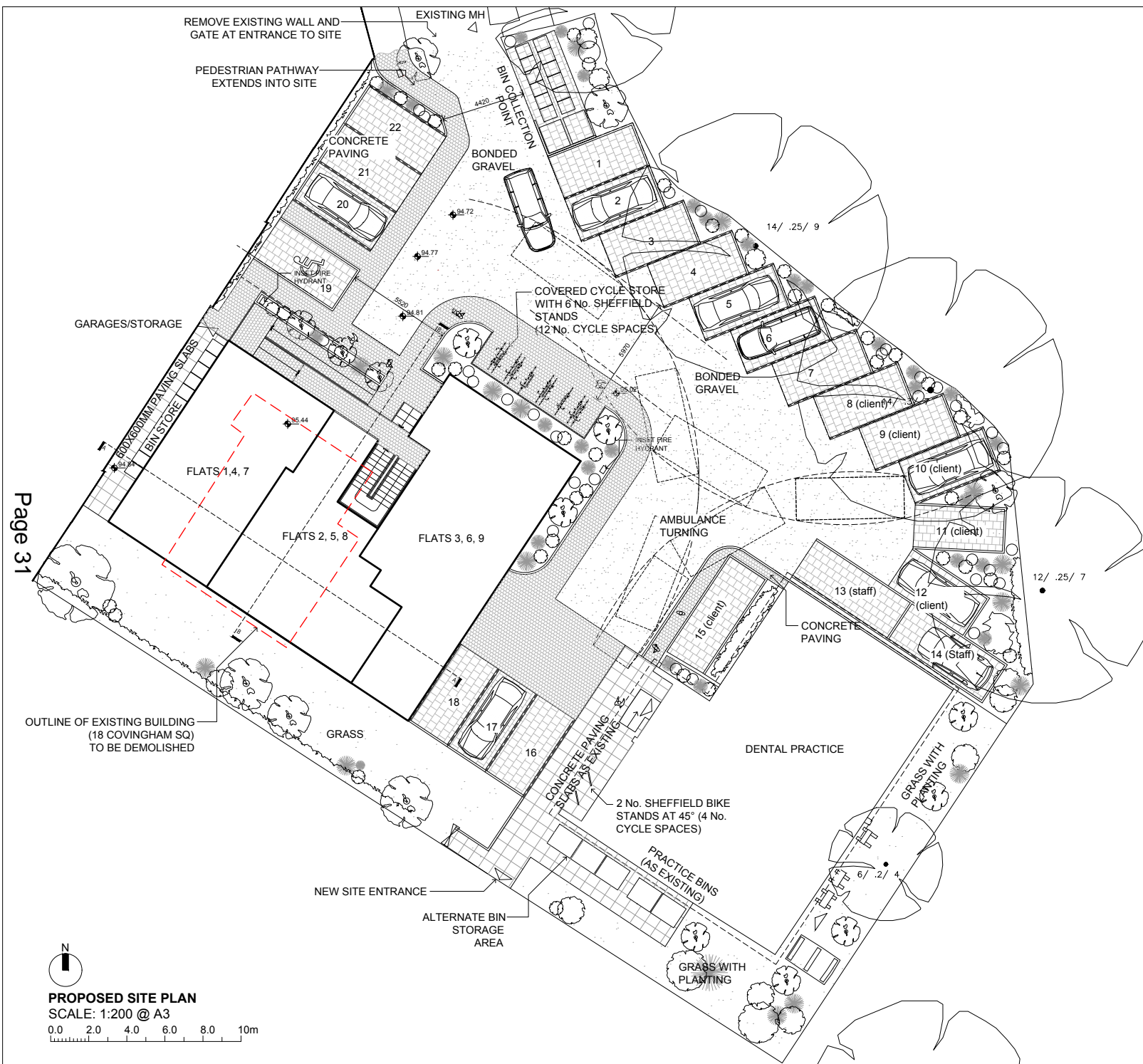
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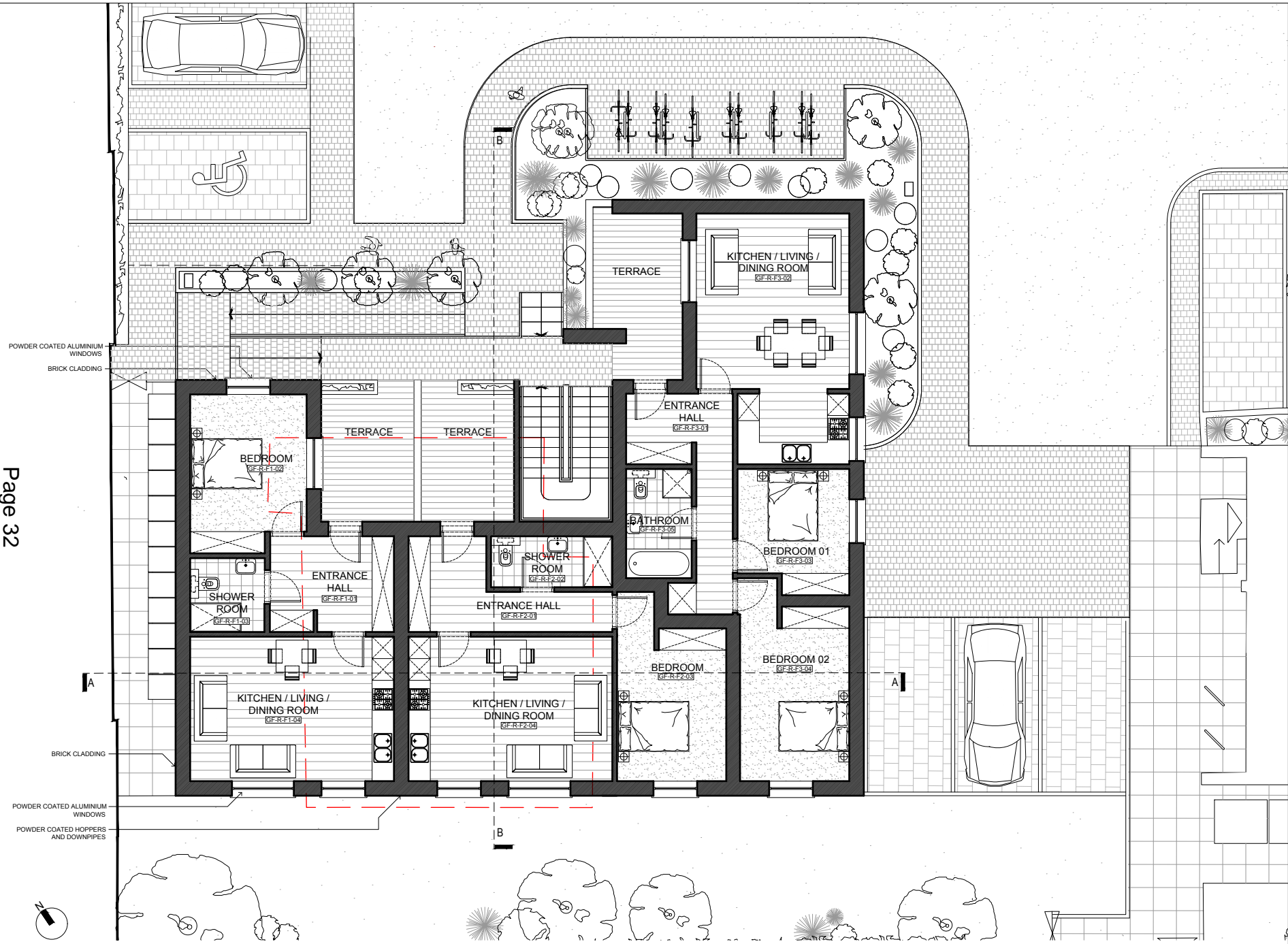
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Swindon

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PROPOSED GROUND FLOOR PLAN

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B	17/09/2019	AMMENDMENTS TO SITE LAYOUT
A	05/06/2019	PFL RAISED
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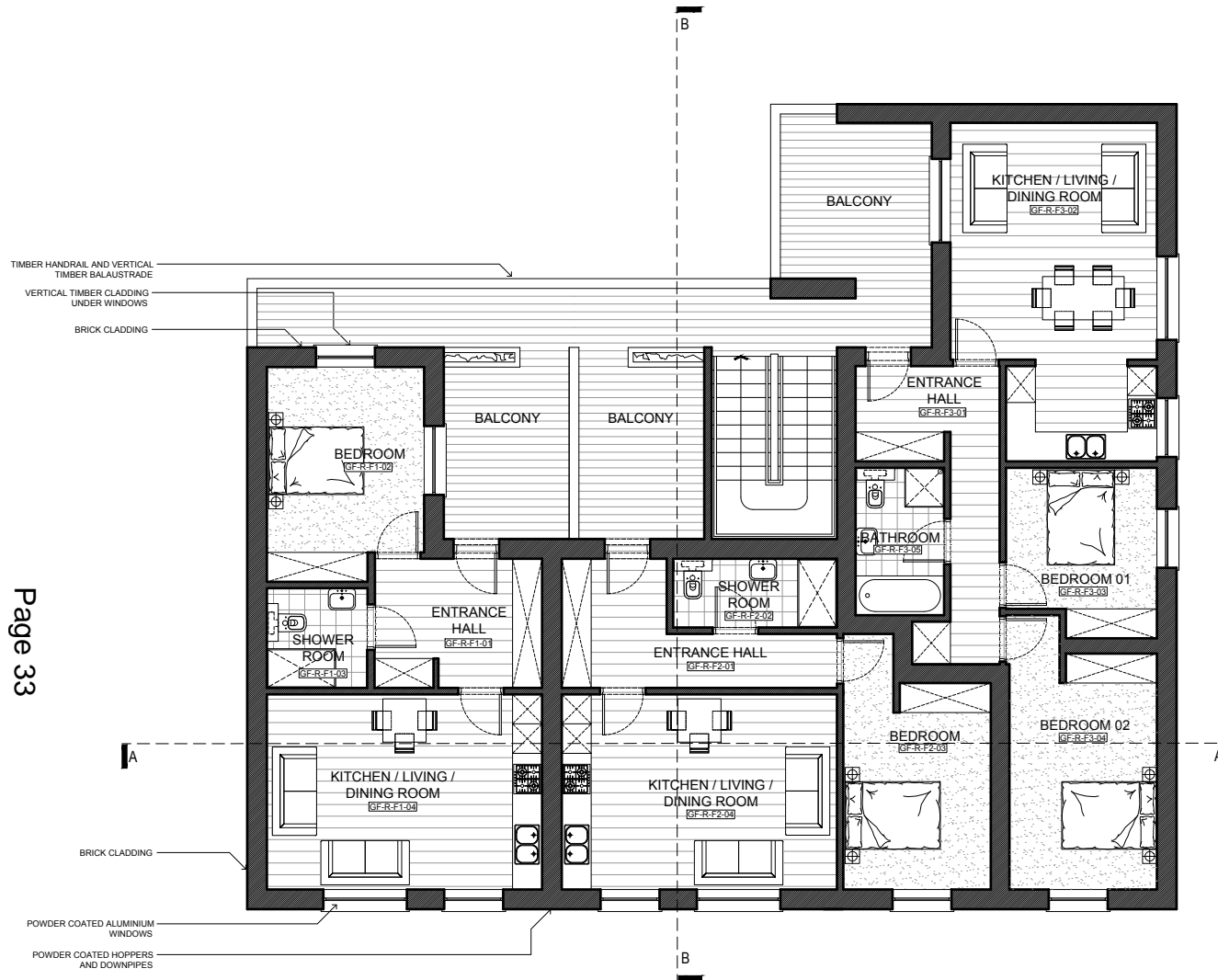
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Mayhew Dental Practice  
Swindon

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PROPOSED FIRST AND SECOND FLOOR PLANS

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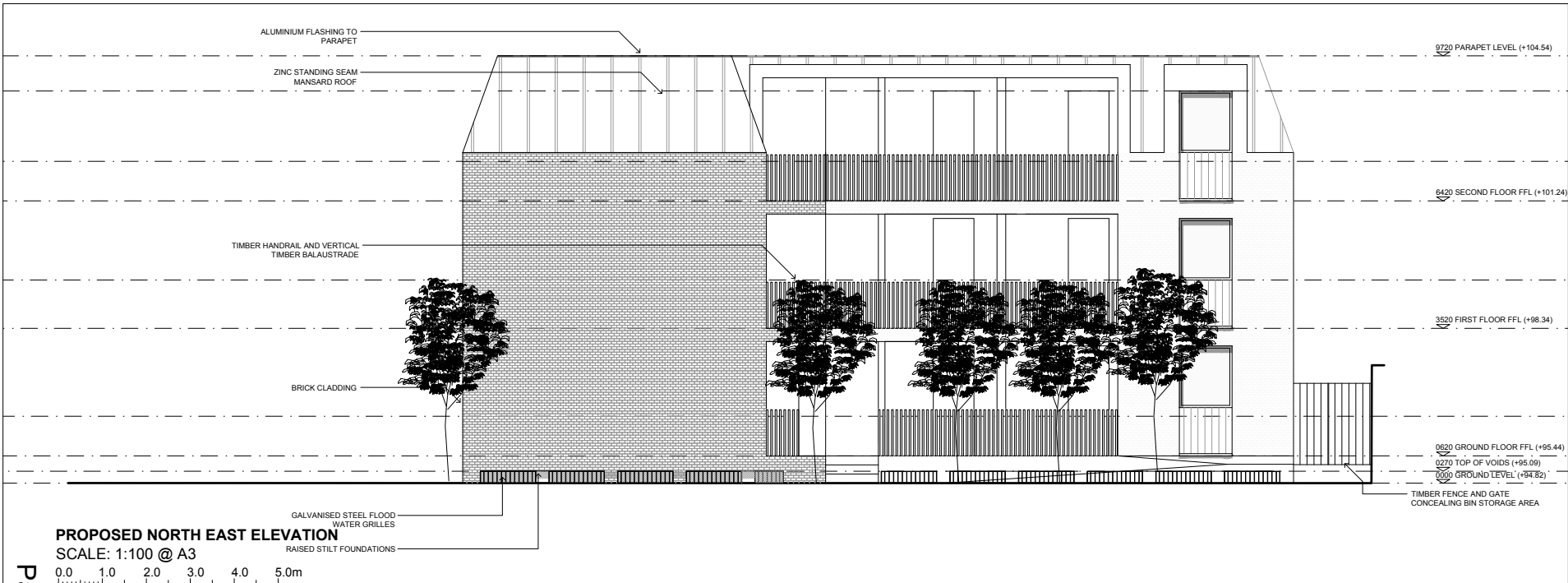
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Mayhew Dental Practice Swindon

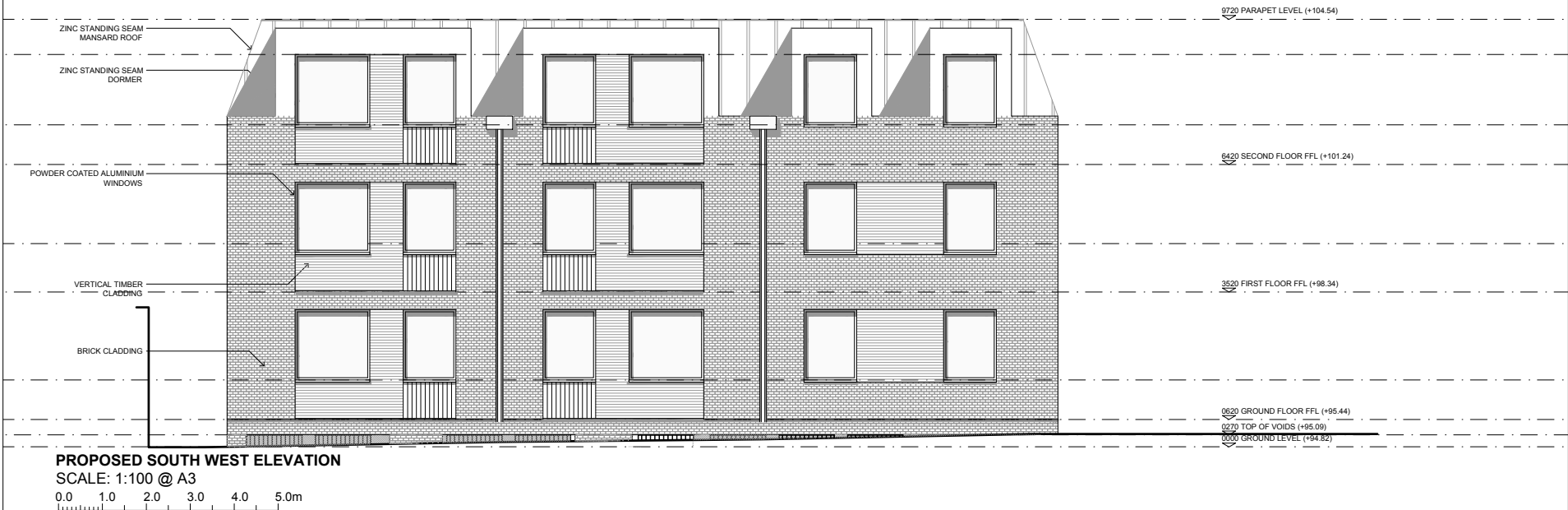
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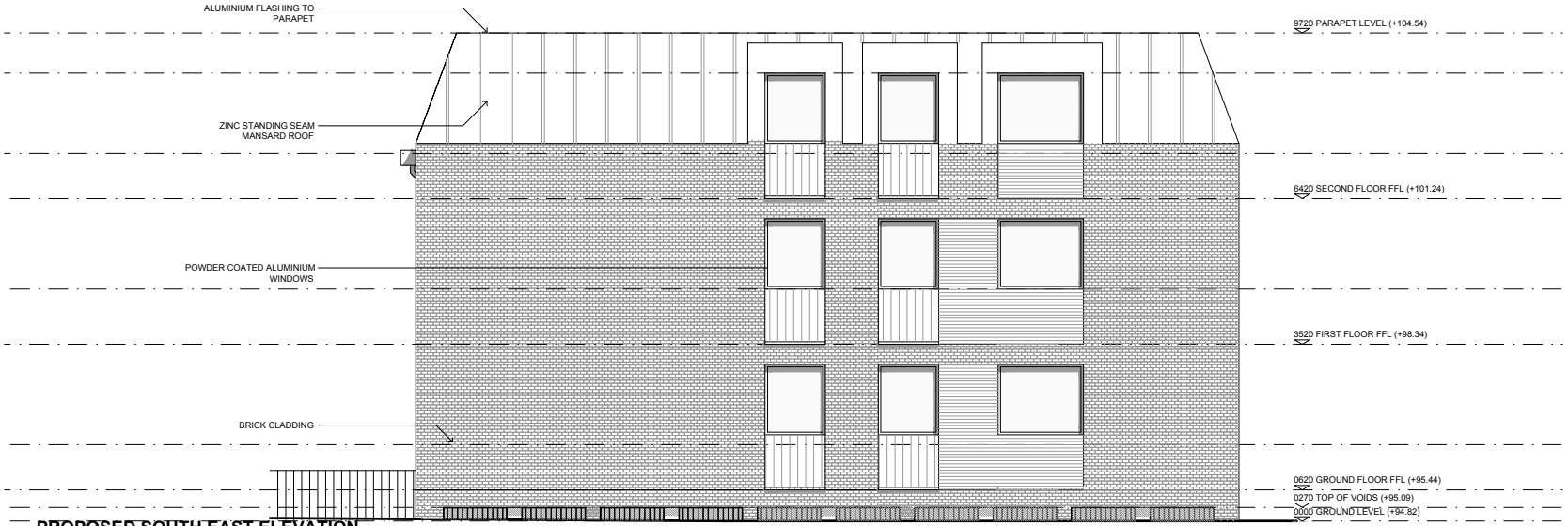
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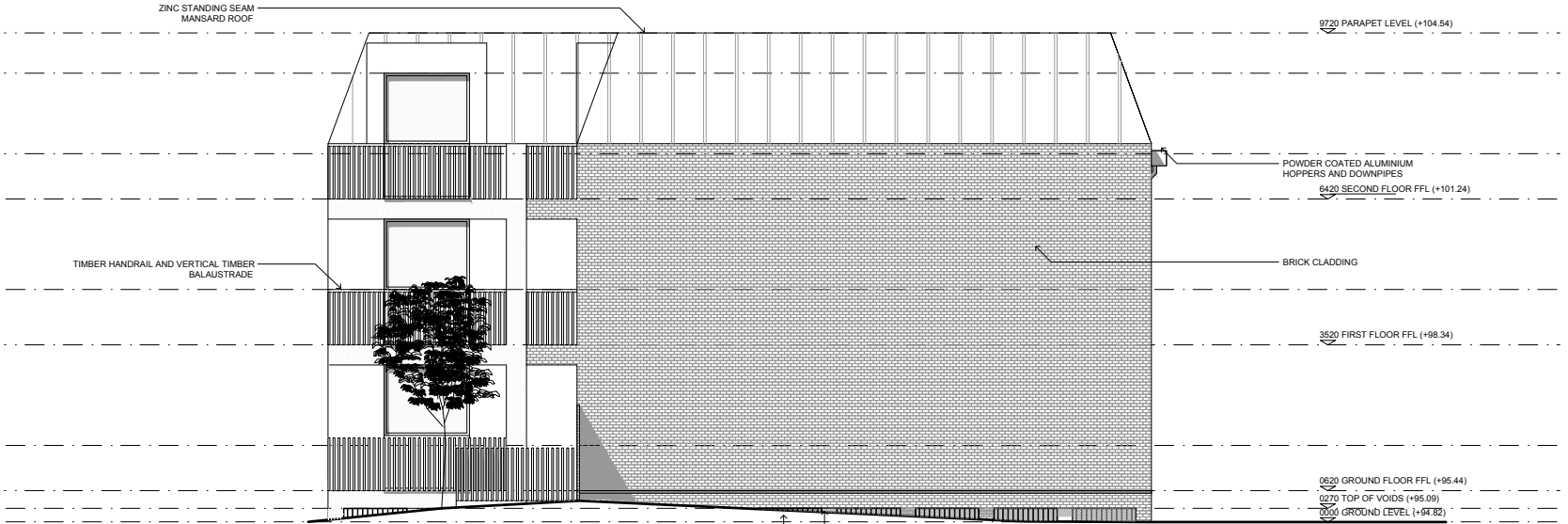
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PROPOSED NORTH WEST ELEVATION

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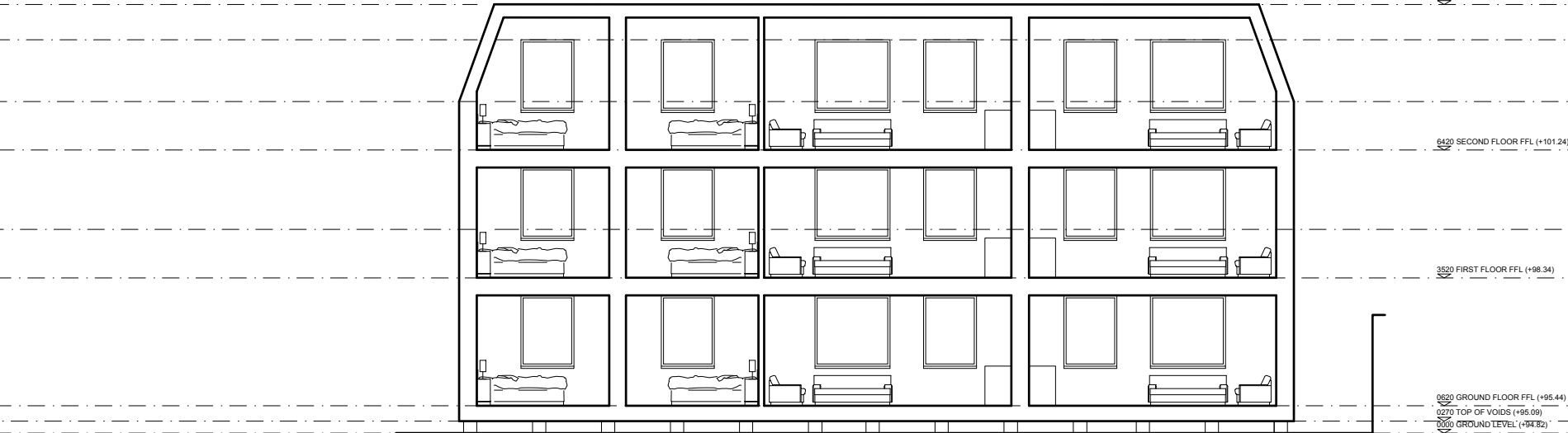
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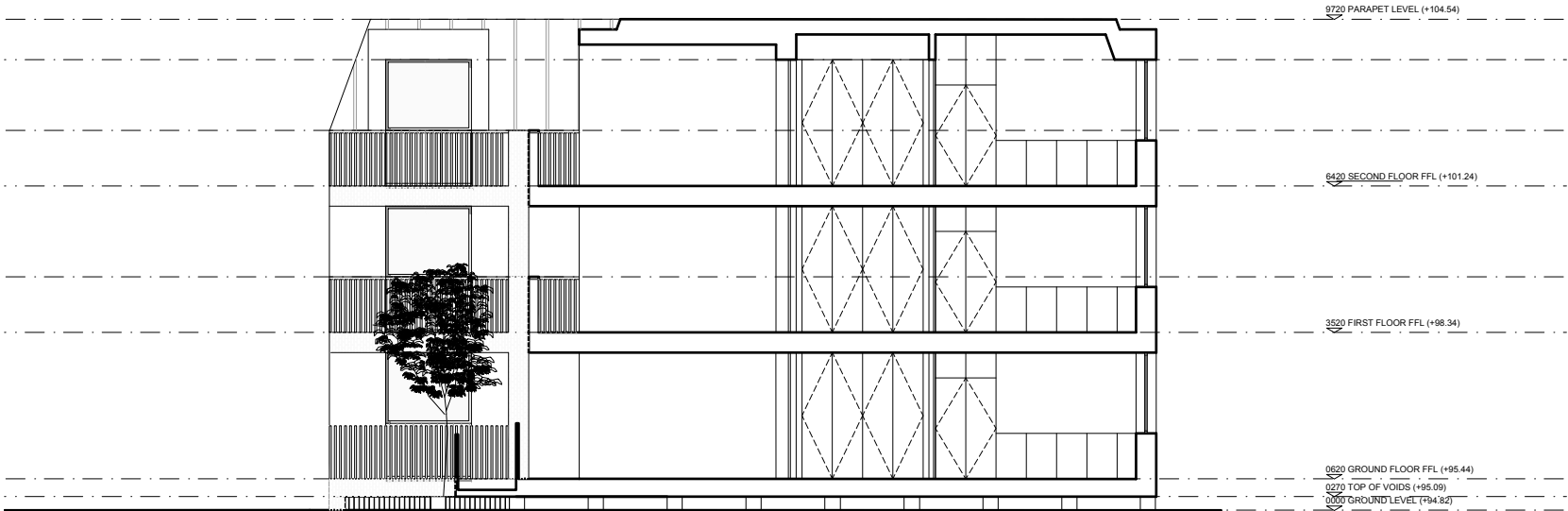
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Mayhew Dental Practice  
Swindon  
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**PROPOSED SECTION BB**  
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DESIGN

REV	DATE	DESCRIPTION
DRAWING ISSUE		
PLANNING		
CLIENT		

Arg Homes Ltd

## GRESFORD ARCHITECTS

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### PROJECT TITLE

Mayhew Dental Practice  
Swindon

### DRAWING TITLE

PROPOSED SECTION AA AND BB

SCALE	DRAWN
1/100@A3	AV
DATE	CHECKED
02/07/2020	TG
DWG NO	REVISION
4000_130	-



## COMMITTEE REPORT

**Item Number:****Application Number:** S/19/1221**Ward:** Covingham and Dorcan**Parish:** Covingham

**Proposal:** Erection of a three-storey building to provide 9 no. flats and associated works including revised parking layout for the dental practice.

**Location:** Mayhew Dental, 19 Covingham Square, Covingham

Mr Al Morrow  
Phillips Planning Services Ltd  
Kingsbrook House  
7 Kingsway  
Bedford  
MK42 9BA  
United Kingdom

Dr Rupal Gupta  
Mayhew Dental  
19 Covingham Square  
Swindon  
SN3 5AA

**Background:**

1. This application has been brought before the Planning Committee at the request of Councillor Dale Heenan, who objected to the application and has requested that the planning committee determine it if the officers' recommendation is that permission be granted.

**Summary of Recommendation**

2. That planning permission be **GRANTED** with Conditions

**Site description**

3. The application site is located to the rear of Covingham Shopping Centre and currently comprises two buildings. The larger building to the east of the site is in use as a dental surgery and is to be retained, with the smaller building to the west side currently vacant and previously in use as a physiotherapy clinic to be demolished pave way for the proposed residential flatted block.
4. The site adjoins residential uses to the north and east, a service area for a row of shops to the west, and a footpath / cycleway to the south. The site is predominantly

**Relevant History**

5. S/02/0786 - Change of use from a doctors' surgery to offices. APPROVED: 29/05/2002
6. T84/0623 V9718 - Erection of building for use as veterinary surgery. APPROVED: 25/06/1984
7. T84/0624 V9719 - Erection of office building. APPROVED: 25/06/1984
8. T74/1240 V4665 - Extension to surgery & new attached surgery with flat over. APPROVED: 10/02/1975

## **Proposals**

9. Permission is sought for the demolition of existing vacant building, which has previously been used as a physiotherapy clinic and the construction of a three-storey block of apartments to provide 9no. flats at the Bruce Mayhew Dental Clinic, 19 Covingham Square. The units will comprise 3no. two-bed units and 6no.one-bed units.
- 10.The existing dental surgery building in the southeast corner of the site is to be retained.
- 11.Parking and turning is to be provided within the site for staff and patients of the dental surgery and for the new apartments.
- 12.A bin collection point is to be located at the entrance of the site off Covingham Drive.
- 13.Revised plans were submitted responding to overdevelopment, design and flooding concerns raised by officers. The revisions involved reduction in number of units from 12 to 9, reduction in footprint of the proposed building to create adequate separation with the existing dental building, accommodate onsite parking, refuse collection and opportunity to retain existing trees and additional planting. All parties were reconsulted on the revised plans

## **Representations**

- 14.Neighbours: Thirteen letters and a petition with 31 signatures were received from residents objecting to the proposals highlighting the following:
  - Overdevelopment of the site
  - Design, size and scale out of character
  - Highway safety and capacity for the access
  - Lack of parking
  - Poor location for refuse bins
  - Loss of privacy/overlooking
  - Loss of light
  - Loss of trees
  - Noise and pollution from additional vehicles
  - Lack of sewage and water capacity for the additional development
  - Not everyone was notified about the application
  - Flooding
- 15.Cllr Parry: Original plans: Three storey building is too high and is out of keeping. Twelve flats would constitute overdevelopment of the site.
- 16.Parish Council: In principle, Covingham Parish Council has no objections to this area of land being redeveloped. However, we believe that any development should be sympathetically designed and considerate of the neighbouring properties.

The Parish Council has reviewed the amendments to the proposed development and, although some of the issues have been addressed, there is still some way to go with the

following:

We acknowledge that footpaths have now been provided on one side of the site in the amended plan. However, access to the site is still narrow and passing vehicles are likely to encroach onto the footpath at its narrowest.

There is no indication of how the new pedestrian access point will be designed and constructed to meet up with the existing footpath and cycle track.

Due to the incidences of flooding that have occurred in and around this area previously, we are extremely concerned and fully support the points that have been raised by the Environment Agency. The Parish Council believes that insufficient consideration has been given to the possible increased risk of flooding should this development take place.

Based on the above comments Covingham Parish Council **objects** to this planning application.

Should this application be approved the following should apply:

- We fully support the conditions made by the Lead Local Flood Authority and would expect full compliance.
- We would expect the conditions recommended by the Arboriculture Officer to be complied with as described with no amendments made.
- The requests made by the Landscape Officer should be conditions of approval.

### **Consultees**

17. Forward Planning: (*summary comments*) No objection to the redevelopment of the brownfield site that satisfies the sequential and exceptional tests concerning flooding.
18. Environment Agency: Following submission of additional flood details raises no objection subject to conditions.
19. Highways Officer: Following submission of revised plans, raises no objection subject to conditions.
20. Urban Design: (Summary comments): Following the submission of revised plans raises no objection subject to the scheme providing the safeguard of pedestrian connectivity along the south west boundary in support of promoting walkable neighbourhoods and improvement to external materials to improve the break up and unity of the built form
21. Environmental Health Pollution: No objection subject to conditions.
22. Landscape Officer: No objection subject to conditions.
23. Thames Water: No objection subject to conditions and informatives
24. Tree Officer: Raises concerns with the proposals and recommends appropriate conditions.

25. Drainage Officer: No objection subject to conditions.
26. Ecologist: No objection subject to conditions requiring provision of swift and bat boxes.
27. Healthy Neighbourhoods: No objection
28. WSBRC: Single record of a Long-eared bat sp. within 500m of the site. Multiple records of Great Crested Newt within 500m of site. Site within 200m of CWS (SU28.019) and Priority Habitat (Rivers & Streams).

### **Relevant Policy**

29. Adopted Swindon Borough Local Plan 2026 (adopted on the 26th April 2015)

- Policy SD1 (Sustainable Development Principles)
- Policy CM4 (Maintaining and enhancing Community Facilities)
- Policy DE1 (High Quality Design)
- Policy HA1 (Mix, Types and Density)
- Policy EN1 (Green Infrastructure network)
- Policy EN4 (Biodiversity and Geodiversity)
- Policy EN5 (Landscape Character and Historical Landscape)
- Policy EN6 (Flood Risk)
- Policy EN9 (Contaminated Land)
- Policy TR2 (Transport and Development)

30. Supplementary Planning Documents (SPD)

- Residential Design Guide SPD (2016)
- Parking Standards (SPD)

31. Other material considerations

- National Planning Policy Framework (NPPF)
- National Design Guide (2019)

### **Principle of Development:**

32. The site is within the Urban Settlement Boundary of Swindon and therefore policy SD2 apply that supports the principle of residential development in this location that is highly accessible and has no local plan restriction to residential use of this brownfield site. Policy CM4 seeks to maintain and enhance existing community uses. Whereas the proposals would involve part loss of former community use facility, physiotherapy clinic, this has been closed for more than 6 years and was therefore no longer of any benefit to the community. However, the site would still retain a community use function on the site in terms of the existing operational dental surgery practice to the western side of the site. In this regard, the principle of the development is considered acceptable as it accords with policies SD2 and CM4 of the Local Plan.
33. The site lies partly within Flood Zone 2 and 3, as detailed on the Environment Agency's (EA) flood map for planning, and within the latest Strategic Flood Risk Assessment (2019) mapping and the principle of the development would therefore also need to be assessed in terms of flooding. Policy EN6 applies and states that the risk and impact of flooding will

be minimised through:

- directing development to areas with the lowest probability of flooding;
- ensuring that all development addresses the effective management of all sources of flood risk;
- ensuring that development does not increase the risk of flooding elsewhere including on adjoining and surrounding land; and

Part b of the policy also states that the suitability of development proposed in flood zones will be assessed using the Sequential Test, and where necessary, the Exceptions test. A sequential approach should also be used at site level. This reflects national policy within the NPPF and NPPG. Paragraph 163 of the NPPF states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere, and applications should be supported by a site-specific flood risk assessment and the sequential and exception tests applied as applicable.

34. Following concerns raised by the Officers and the Environment Agency regarding inadequate flooding details to demonstrate that the development passes the Sequential and Exceptions tests, additional details were submitted and assessed by officers and the Environment Agency.
35. Regarding the wider Sequential test, the applicant provided evidence as to why pragmatically the benefits of the proposed redevelopment of this area of previously developed land could not be achieved at an alternative site. The area of the site proposed to be redeveloped is a vacant brownfield site within the Swindon urban area where, notwithstanding the risk of flooding, there is a need for additional dwellings and as such it is recognised that the proposals could offer regeneration and sustainability benefits. The proposed development is therefore considered to have passed the wider Sequential Test in relation to flooding.
36. Whilst a site level Sequential test would then be more applicable in terms of directing the development to the areas at lowest risk of flooding on the application site, following consultation with the EA, the flood risk assessment was revised to take into account a climate change allowance of 35%. Whilst previously a small area to the west of the site was within Flood Zone 3, when the Climate Change allowance is added, this means the site almost wholly lies within Flood Zone 3. The applicants have therefore identified that, given the areas of the site outside Flood Zone 3 are too small to accommodate any development, onsite sequential testing is not feasible, a position that has been agreed to by officers and the Environment Agency.
37. Therefore, it is appropriate to consider the proposed development against the Exception Test to establish whether, as designed, it would be safe from flooding. Following the submission of revised Flood Risk Assessment, and flood Model files and details of the proposed voids, the Environment Agency considered the calculated 1% annual exceedance probability (AEP) plus a 35% allowance for climate change flood level at 95.09m above ordnance datum (AOD) in this instance to be reasonable and acceptable. A secondary access is to be provided into the site which will also function as a means of escape from the site during any flooding event. This will also be of benefit to the staff and

patients of the existing dental surgery. Further details are included in the FRA including occupants being able to sign up the EA early flood warning scheme. Subject to appropriate conditions, the Environment Agency concluded that the proposed development will meet the National Planning Policy Framework's requirements in relation to the Exception test and it would therefore be safe from flood risk. The principle of the development is therefore considered acceptable as it meets the requirements of policy EN6 and the NPPF about delivering development that is safe from risk of flooding on and off the site.

### **Design and Amenity**

38. Policy DE1 (High Quality Design) strives for high standards of design, outlining the design principles against which proposals will be assessed. These include context and character, layout, form and function, and amenity.
39. The site adjoins residential uses to the north and east, a service area for a row of shops to the west, and a footpath / cycleway to the south. Whilst to the rear of local shops, character of the area is considered mainly residential. As such, the residential development complementing the existing residential development east and north of the site is not considered to have detrimental effect onto the character of the area. Parking spaces are with retained trees and additional tree planting defines the north-eastern boundary of the site. A new pedestrian site entrance is included on the southwestern boundary to facilitate access for those visiting the existing dental practice and the residential units. This pedestrian entrance is considered to improve the permeability and accessibility of the site with the fenestration to the south-east gable end providing active surveillance to the new pedestrian pathway from the southwestern boundary. The footprint of the proposed building predominantly replaces that of the former physiotherapy clinic building with the revised scheme increasing the separation distance with the existing dental surgery building. The proposed three-storey dwelling would front the main access to the site providing a welcoming presence to the site.
40. The proposed flatted block at three-storey level would relate to the shopping centre buildings to west in terms of scale and size. In terms of the external appearance, the Council's Urban design Officer has raised concerns regarding the proposed use of timber cladding as it would weather over time and detract from the overall quality and appearance of the of the build. It is therefore considered appropriate to impose a condition requiring the submission of external material details to ensure appropriate type of materials are used.
41. The mix of 1no. and 2no. bed units that meet the internal Nationally Described Space Standards is considered appropriate. All units are provided with amenity space in the form of terraces at ground floor level and balconies at upper floors. In addition, the site adjoins areas of publicly accessible open spaces to the south side. The balconies at upper floor level to the 2-bed units will overlook the rear of commercial buildings. The balconies to the 1-bed units will predominantly overlook the bottom end of the rear gardens to the residential properties to the north, with separation distances of approximately 23m to the bottom end of the rear gardens. Due to the orientation of the

2-bed units and the separation distances between the rear gardens of properties to the north and the 1-bed unit balconies, the proposed development is not considered to result in harm to the amenities of the neighbouring properties in terms of loss of privacy.

#### Noise

42. The Council's Environmental health Officer has assessed the proposals and concluded that subject to appropriate conditions to control the level of noise, the development is acceptable.

#### Highways

43. Local Plan Policy TR2 (Transport and Development) applies, particularly with regards to appropriate means of access, consideration of parking provision and highway / pedestrian safety requirements. The Council's Highways officer has assessed the proposals and concluded that the proposed 22 parking spaces for the 9 residential units and the existing dental surgery is adequate and complies with the SBC's Parking Standards
44. Adequate cycle storage is shown to be provided within a covered storage located to the front of the flats. These spaces are required to be within a secure and lockable area, in accordance with SBC's Parking Standards and Swindon Cycle Parking 2017 documents, therefore this aspect can be covered by condition, as there is sufficient room within the site to allow secure overnight storage. The cycle parking provided for the dental surgery is also considered sufficient.
45. Previously, concerns were raised by the Highways Officer regarding the refuse vehicles strategy for the new development, as the site is unable to provide a turning area for a refuse vehicle. The existing services used by the existing dental surgery utilise the turning area to the rear of the shops, which is located just outside of the site along Covingham Road. Within the revised Planning Addendum submitted, new information has been provided as to the ownership of this private land. Whilst it is noted that refuse services would require to utilise private land to manoeuvre, this is an existing arrangement and on further investigation with the information submitted, it is confirmed this land is under SBC control. Whilst it is still possible that as private land owner, SBC could remove the land from public use, it is unlikely that SBC, as a public body, would do this. The development proposals make provision for refuse collection within the recommended 10m of the highway boundary and that being the case, officers consider that effective arrangements for refuse collection can be put in place for the development for the future residents and also the dental surgery.

#### Biodiversity

46. Policy EN4 outlines requirements in relation to biodiversity and geodiversity. Development is required to avoid direct and indirect negative impacts upon biodiversity and geodiversity sites. All appropriate development is expected to protect and enhance biodiversity and provide net local biodiversity gain. The site within 500m of Priority Habitat (Great Crested Newts (CWS) and Long-eared bats. Appropriate informatives will be

added to ensure the protection of CWS and bats that are protected species.

### **Trees and Landscaping**

47. Whilst it is regrettable that the site does not have adequate onsite open space, some soft landscaping in terms of tree planting along the north and eastern boundaries is proposed that is considered to enhance the visual amenities and soften the impact of the development. Appropriate conditions requiring the retention of existing trees and soft landscaping provision would be added.

### **Drainage**

48. The Council's Local Lead Flood Authority (LLFA) officer has assessed the proposal and concluded that subject to appropriate conditions requiring the provision of sustainable drainage in accordance with the approved revised drainage strategy 'Flood Risk Assessment & Drainage Strategy – 18-19 Covingham Square, Covingham – Issue 7, June 2020' the development is acceptable in drainage terms.

### **Community Infrastructure Levy**

49. The Council adopted a Community Infrastructure Levy (CIL Charging Schedule) on 26th March 2015 and became effective on 6th April 2015. All relevant planning applications determined on or after this date will be subject to the consideration of CIL. This development constitutes Community Infrastructure Levy (CIL) liable development.

### **Concluding Comments:**

50. The application for 9no.residential units is considered acceptable. The scheme is compliant all other relevant adopted policies of the Swindon Borough Local Plan 2026 (2015), adopted SPDs and the NPPF.

### **Recommendation**

51. That planning permission be GRANTED with Conditions

### **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.1019-001 Location Plan;
    - Drawing No. 4000\_102 Rev G Revised Proposed Site Plan
    - Drawing No. 4000\_110 Rev E Revised Proposed Ground Floor Plan
    - Drawing No. 4000\_111 Rev B Revised Proposed First and Second Plans
    - Drawing No. 4000\_120 Rev C Revised Proposed Front and Rear Elevations
    - Drawing No. 4000\_121 Rev C Revised Proposed Side Elevations
    - Drawing No. 4000\_130 Proposed Section AA & BB
- all received by the Local Planning Authority 18 July 2020



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

3. Prior to the commencement of works on site in connection with the development hereby permitted, details of all external facing materials shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with these approved details.

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

4. The development shall be carried out in accordance with the submitted flood risk assessment (issue 7, dated June 2020 and prepared by Cole Easdon Consultants Ltd.), drawing numbers 6799/502 (titled Void Detail, dated August 2020 and prepared by Cole Easdon Consultants), 4000\_120 (titled Proposed Front and Rear Elevations, revision C, dated 2 July 2020 and prepared by Gresford Architects), 4000\_121 (titled Proposed Side Elevations, revision C, dated 24 June 2020 and prepared by Gresford Architects), 4000\_130 (titled Proposed Section AA and BB, dated 2 July 2020, prepared by Gresford Architects) and the following mitigation measures they detail:

- Finished floor levels shall be set no lower than 95.45 metres above Ordnance Datum (AOD), in accordance with paragraph 3.7
- A floodable void shall be provided with openings at least 1 metre wide, extending from the existing ground level to above 95.09 metres AOD and with 1 metre opening in every 5 metre length of wall on all sides of the building, in accordance with paragraph 3.9 and as outlined in section shown in drawing numbers 6799/502, 4000\_120, 4000\_121 and 4000\_130. The void shall be open and maintained as such in perpetuity.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants, as well as to prevent an increase in flood risk elsewhere by ensuring that the flow of flood water is not impeded and the proposed development does not cause a loss of floodplain storage.

5. There shall be no raising of existing ground levels on site within the 1% annual exceedance probability flood extent with an appropriate allowance for climate change throughout the lifetime of the development, other than with the written consent of the local planning authority.

Reason: To prevent an increase in flood risk elsewhere.

6. Development shall not begin until a surface water drainage scheme for the site, in accordance with the approved drainage strategy 'Flood Risk Assessment & Drainage Strategy – 18-19 Covingham Square, Covingham – Issue 7, June 2020', has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include, but not be limited to:

- Evidence that the proposed flows from the site will discharge at or below greenfield runoff rates, or as close as practical for any areas that have been previously developed;
- Details of how the drainage scheme has incorporated SuDS techniques to manage water quantity and maintain water quality in accordance with best practice guidance including the latest SuDS Manual C753;
- Detailed drainage plan showing the location of the proposed SuDS and drainage network with exceedance flow routes clearly identified;
- Details to demonstrate the SuDS Scheme has been designed in accordance with best practice guidance including the latest SuDS Manual C753;
- General arrangement, which should be coordinated with the landscape proposals and the masterplan;
- Manhole Schedules;
- Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change to demonstrate that all SuDS features and the drainage network can cater for the critical storm event for its lifetime;
- Details of how the scheme shall be maintained and managed after completion;
- Any drainage systems offered for adoption will be designed to Sewers for Adoption 7th edition and/or SBC standards as part of the detailed design and relevant technical approval processes.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

7. Development shall not be occupied until a surface water drainage maintenance scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be maintained in accordance with the approved details.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

8. The No external construction works, deliveries, external running of plant and equipment or internal works audible outside the site boundary shall take place on the site other than between the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturday. There shall be no such working Sundays, Public or Bank Holidays without the prior written consent of the local planning authority.

Reason: In the interest of amenity.

9. The proposed residential units shall be designed to meet the indoor ambient noise levels contained in British Standard 8233:2014 (or later versions) which currently require:
  - Resting 35 dB LAeq,16hour
  - Dining 40 dB LAeq,16hour
  - Sleeping 30 dB LAeq,8hour

- 45dB LAFmax
- 50 dB LAeq, 16hour in external amenity spaces

Where the specified internal noise levels in bedrooms and living rooms can only be achieved by closing windows, supply air mechanical ventilation (MVHR) shall be provided to the room to a standard of ventilation to be agreed in writing by the Local Planning Authority. All supply air ventilation systems shall be supplied with heat recovery to reduce energy loss in winter and shall be supplied with a heat recovery by-pass in summer. All supply air ventilation systems shall have a standard and boost facility. All the controls on mechanical ventilation systems shall be easily and practically accessible by the occupants of the dwelling.

Reason: In the interest of amenity.

10. Prior to occupation of the residential units, a pre-occupation validation noise survey shall be conducted in order to demonstrate that the noise mitigation measures detailed are effectual in reducing external noise to an acceptable level and a certificate of compliance by an approved acoustic assessor should be submitted to the Local Planning Authority to demonstrate that the standards required under BS 8233:2014 have been achieved. The survey shall demonstrate compliance with the following criteria:

- Resting 35 dB LAeq, 16hour
- Dining 40 dB LAeq, 16hour
- Sleeping 30 dB LAeq, 8hour
- 45dB LAFmax
- 50 dB LAeq, 16hour in external amenity spaces

Reason: In the interest of amenity.

11. Prior to the occupation of development, details of the extract ventilation and filter system shall be submitted to and approved in writing by the local planning authority. The extract ventilation and filter system shall be installed in accordance with the approved scheme before the development is brought into use and shall be maintained in accordance with the approved scheme thereafter.

Reason: In the interest of amenity.

12. Prior to the commencement of any site works or operations relating to the development hereby permitted, an arboricultural method statement, incorporating a tree protection plan, to ensure the satisfactory protection of retained trees during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The matters to be encompassed within the arboricultural method statement shall include the following:

- (i) A specification for the pruning of, or tree surgery to, trees to be retained in order to prevent accidental damage by construction activities
- (ii) The specification of the location, materials and means of construction of temporary protective fencing and/or ground protection in the vicinity of trees to be retained, in accordance with the recommendations of the current edition of BS 5837 "Trees in relation to construction", and details of the timing and duration of its installation;
- (iii) Where work is within the root protection area (RPA) of retained trees, a specification and methodology for all construction, demonstrating minimal soil

- excavation, soil compaction or soil contamination within the root protection area of the adjacent trees;
- (iv) The specification of the means of installation of drainage and other underground services within the RPA of retained trees. Methodology for all installation works within the RPA will be provided and must be in compliance with NJUG Volume 4, 2007 'Guidelines for the planning and installation and maintenance of utility apparatus in proximity to trees';
  - (v) The details and method of construction of any other structures such as boundary walls and fences in the vicinity of retained trees and how these relate to existing ground levels;
  - (vi) Provision for the supervision of ANY works within the root protection areas of trees to be retained and monitoring of, and reporting on, continuing compliance by an appropriately qualified arboricultural consultant.

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

13. Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan drawing number 4000-102 G and shall be maintained thereafter.

Reason: To reduce potential highway impact by ensuring the access is suitably laid out and constructed.

14. The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing number 4000-102 G and those facilities shall be maintained available for those purposes thereafter.

Reason: To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site.

15. The residential development hereby permitted shall not be occupied until space has been laid out within the site for a minimum of 9 bicycles for residential development and 2 bicycles for the Dental surgery to be parked in a secure, lockable and sheltered location, in accordance with SBCs Parking Standards and such provision shall be maintained thereafter.

Reason: To promote and encourage sustainable transport and travel .

16. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall:

- i. specify the type and number of vehicles;
- ii. specify the point of construction access and access route to the site;
- iii. set out details of the parking of vehicles of site operatives and visitors;
- iv. set out arrangements for the loading and unloading of plant and materials;
- v. set out arrangements for the storage of plant and materials used in constructing the development;

vi. set out arrangements for wheel washing facilities;

vii. specify the intended hours of construction operations;

Reason: To reduce the potential impact on the public highway during the site preparation and construction phase(s) of development

17. Thames Water request that the following condition be added to any planning permission. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.  
Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

### **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.
3. 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>.

4. In the interests of safety, the applicant is recommended to incorporate fire prevention measures within the development, such as sprinkler systems. Further advice can be obtained from Wiltshire Fire Brigade by visiting [www.wfb.org.uk](http://www.wfb.org.uk)
5. Notwithstanding any detail on the approved plan this consent does not convey any permission to undertake works within the highway. Therefore, the applicant is advised to obtain further advice which can be accessed via the link below.  
[http://www.swindon.gov.uk/download/downloads/id/737/information\\_-\\_vehicle\\_crossing\\_application\\_guidelines.pdf](http://www.swindon.gov.uk/download/downloads/id/737/information_-_vehicle_crossing_application_guidelines.pdf)
6. In addition to this consent, please contact [gazetteers@swindon.gov.uk](mailto:gazetteers@swindon.gov.uk) or ring 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.
7. In addition to this consent, the proposed development will require separate Local Highway Authority approval for the construction of the proposed permanent vehicular crossing over highway land. The Applicant is required to obtain this approval before works commence and is therefore recommended to contact Swindon Borough Council's Street Works Management Department in this respect as soon as possible. The works will be under taken at the applicant's expense.
8. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.  
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

#### Wheel Wash and Winter

9. The weather will have an impact on construction sites which in turn will require roads to be swept in addition to using wheel wash facilities. Swindon Borough Council are on winter service alert for gritting roads around the Borough from mid-October to mid-April each year, the treated roads are shown on the attached plan. The de-icing material used for

road treatment by this council is Thorox, this material is rock salt treated with an agricultural by-product similar to molasses and has the advantage of being active on the carriageway for up to three days providing there is no substantial precipitation or sweeping. It is imperative that any salt removed from the treated network by sweepers clearing mud and debris is replaced straight away at a spread rate of 15g/m<sup>2</sup>. Where a sweeper is used on the roads around your site, you have a responsibility to retreat roads after washing or sweeping to ensure safety of road users is maintained during the winter period. In order to assist with this retreatment, Swindon Borough's Highway Operations Team can provide a filled grit bin at a cost available on request for use by developers, it should be noted that once delivered the bin and its contents will be in the property of the developer. In the first instance, please contact, Duty Winter Service Engineer, 01793 466354 to discuss and confirm site specific requirements.

[https://www.swindon.gov.uk/info/20040/road\\_safety\\_maintenance\\_and\\_repairs/737/find\\_out\\_about\\_road\\_gritting](https://www.swindon.gov.uk/info/20040/road_safety_maintenance_and_repairs/737/find_out_about_road_gritting)

#### Street Naming and Numbering

10. In addition to this consent, please contact [gazetteers@swindon.gov.uk](mailto:gazetteers@swindon.gov.uk) or ring 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.
11. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.  
<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
12. The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.  
For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>  
To get help during a flood, visit <https://www.gov.uk/help-during-flood> .  
For advice on what to do after a flood, visit <https://www.gov.uk/after-flood> .

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Application Number S/20/0851

Proposal Change of use from light industrial workshops (Use Class B1(c)) to 3no. residential dwellings (Use Class C3).

Location: Manor Farm Workshops South View Lane South Marston Swindon SN3 4SJ



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.

In all cases reference should be made to the submitted plans.

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Location: Manor Farm Workshops South View Lane South Marston Swindon SN3 4SJ



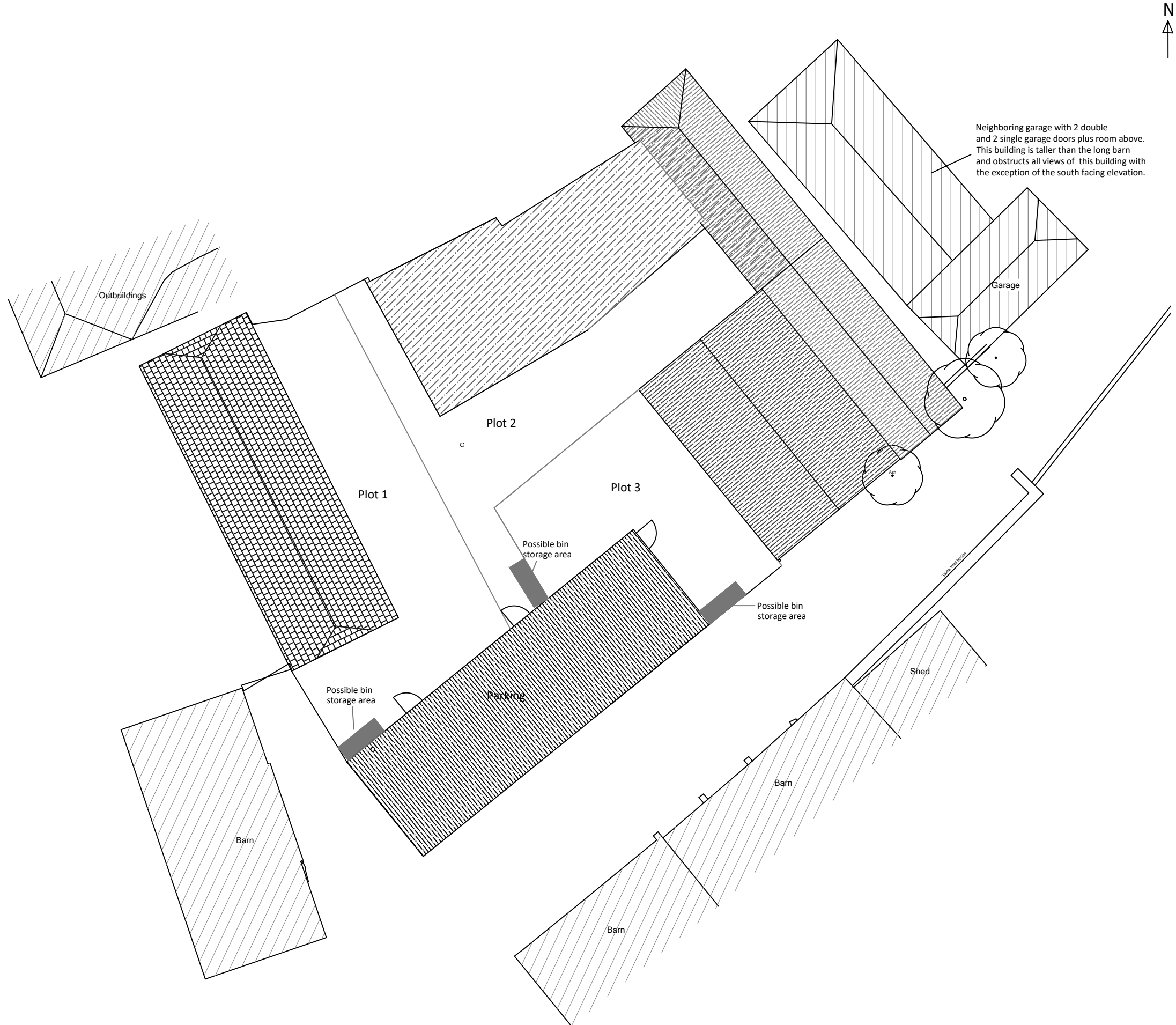
This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.

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Notes:

Internal boundary treatments should be low level planting to maintain a sense of space within the courtyard.

The entrance gates for the properties adjoin their parking as shown.

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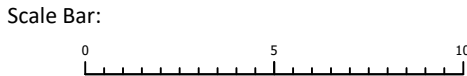
Project:  
Change of Use to Residential and  
creation of 3 dwellings  
Manor Farm Workshops, South Marston

Title:  
Proposed Block Plan

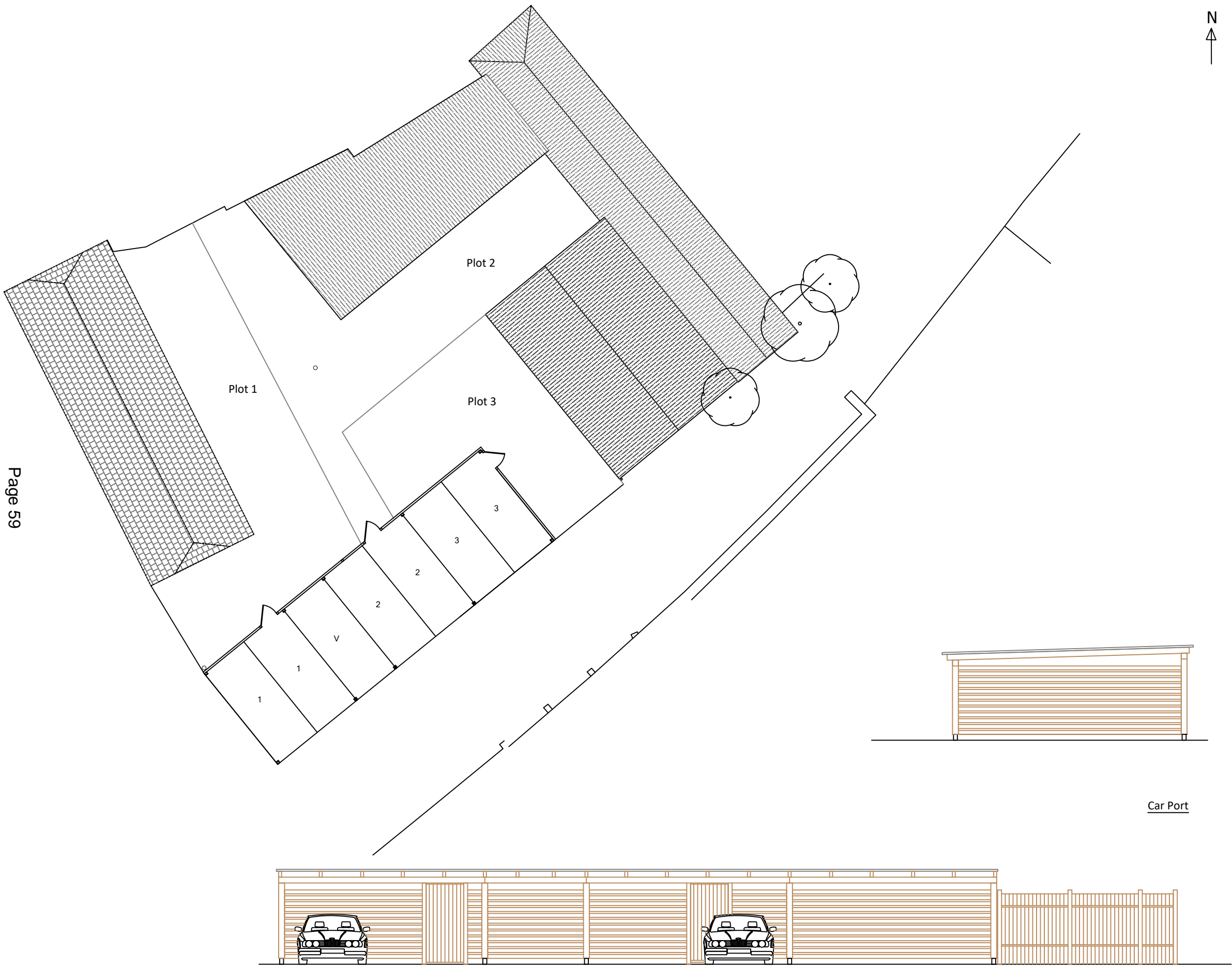
Scale: 1:200 @ A3	Project No: 19001
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Drawing No: 19001/08	Status: Planning
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Revision: C	Date:18/08/19
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Car Port



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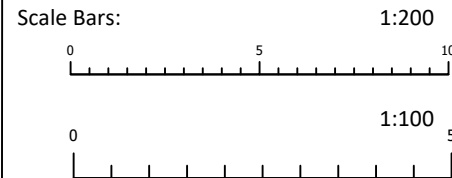
**Project:**  
Change of Use to Residential and  
creation of 3 dwellings  
Manor Farm Workshops, South Marston

**Title:**  
Parking Arrangement

Scale: 1:200&1:100 @ A3 Project No: 19001

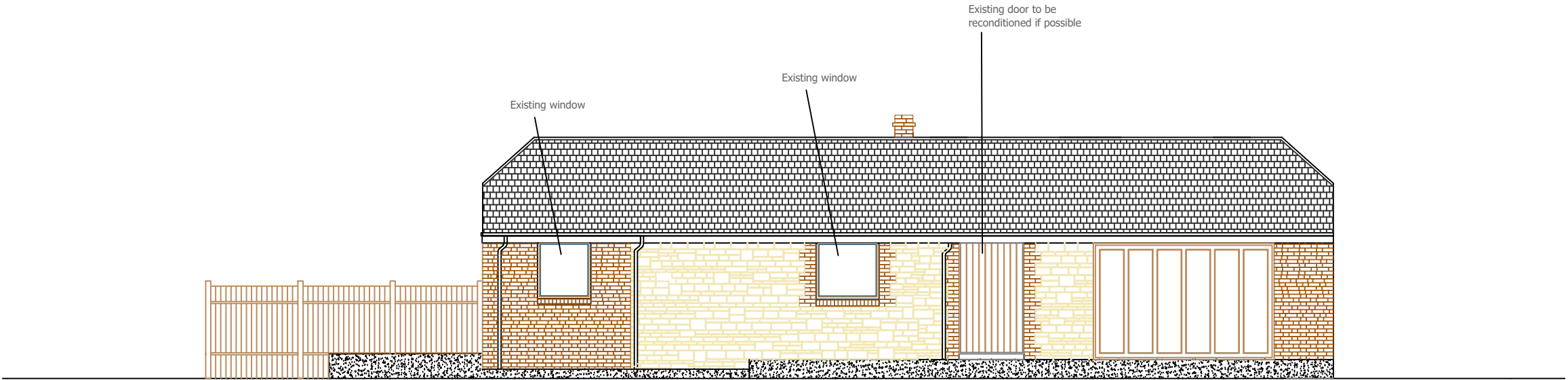
Drawing No: 19001/15 Status: Planning

Revision: B Date: 30/04/19

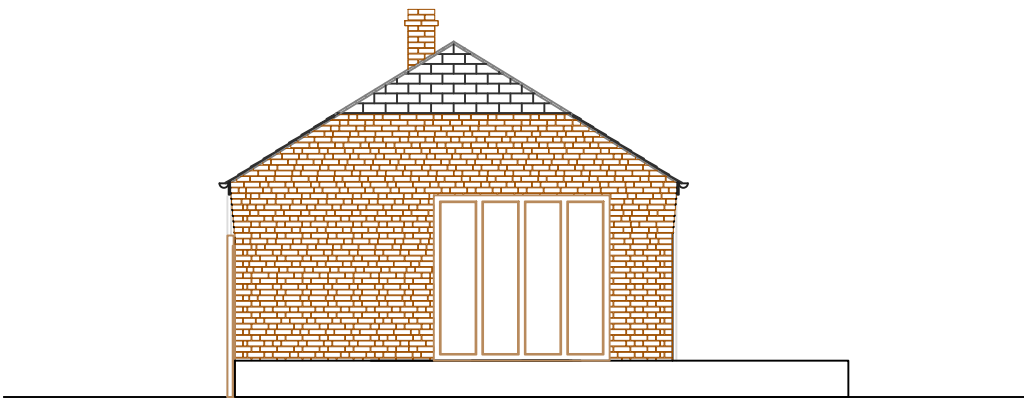


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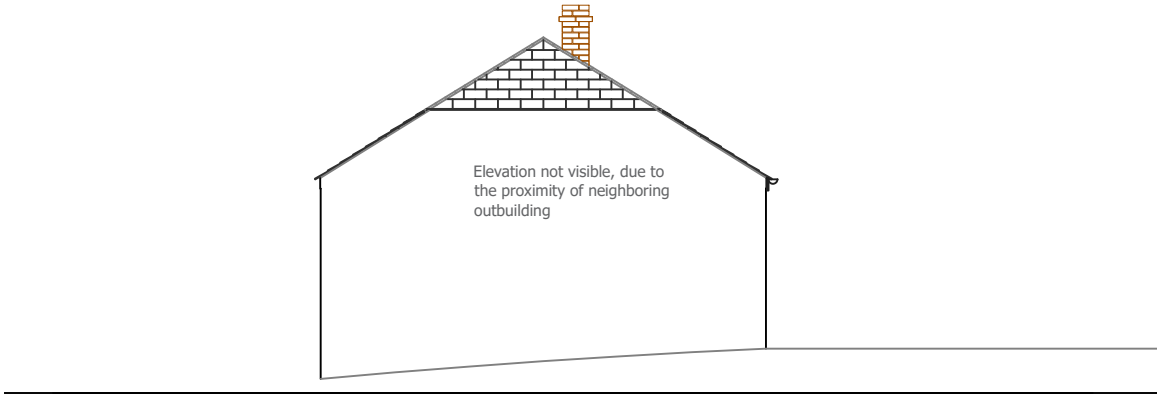




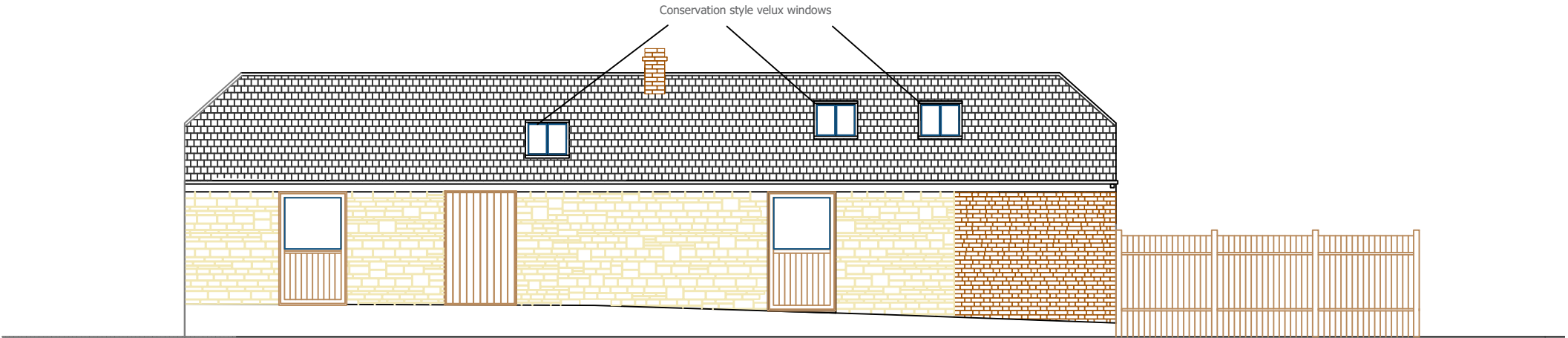
Eastern Elevation



South Elevation



North Elevation



Western elevation

**Materials**

Slate tile roof

Red clay bricks salvaged and used where required.

Red clay brick quoins and sill around existing and new doors and windows to match existing.

Curtain wall glazing and windows to be framed with natural finish timber.

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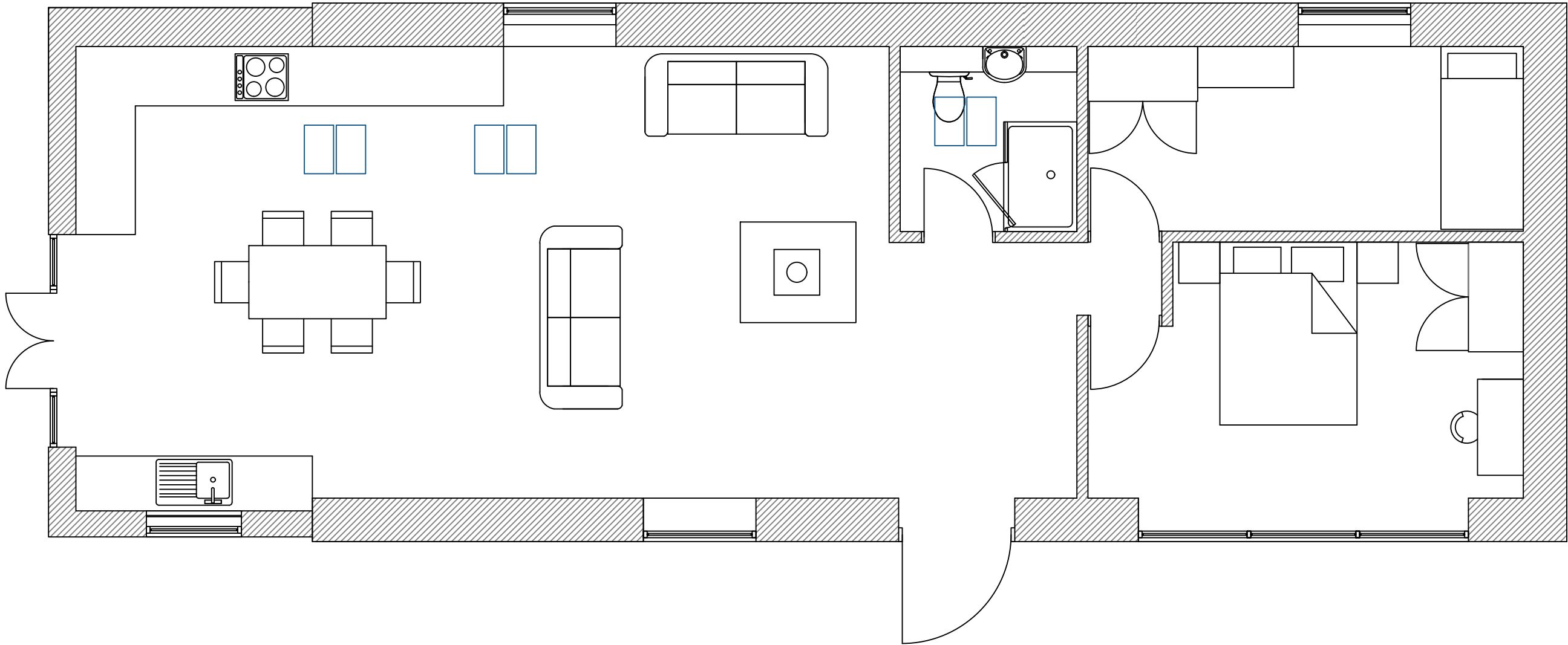
**Project:**  
Chnage of Use to Residential and  
creation of 3 dwellings  
Manor Farm Workshops, South Marston

**Title:**  
Building 1 - Proposed elevations

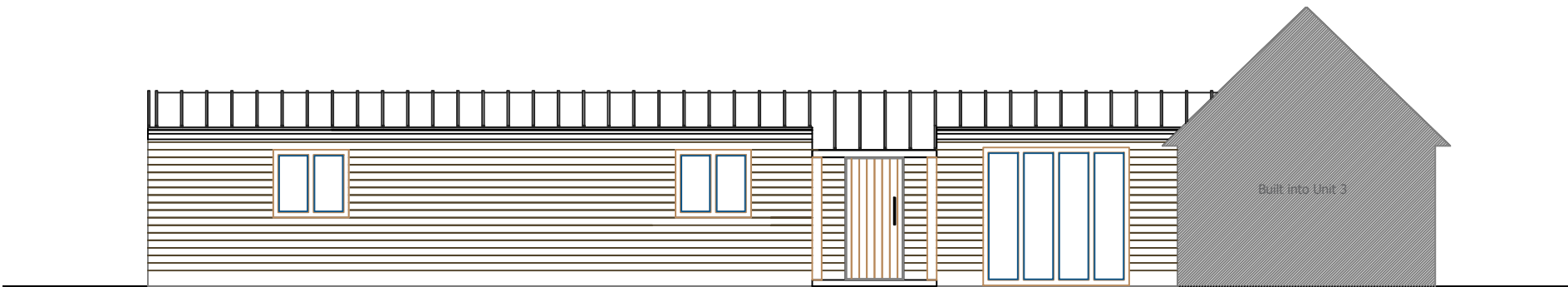
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Drawing No: 19001/10	Status: Planning
Revision: G	Date: 26/08/2019

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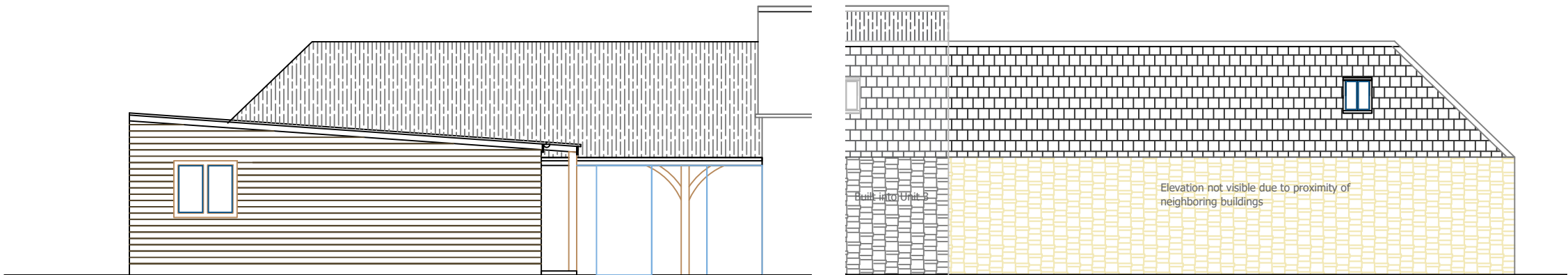
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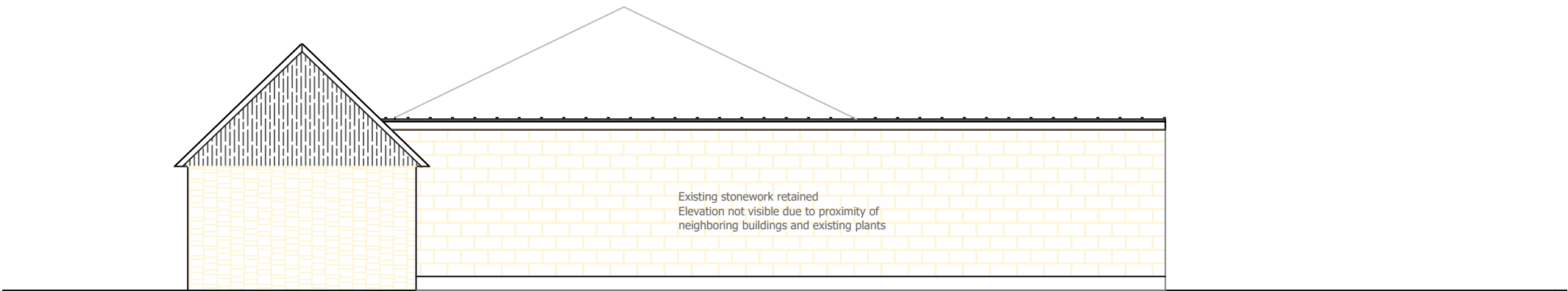


Front/ South East Elevation



South West Elevation

North East Elevation



North Western Elevation

**Single Storey Workshop - Materials**

**Roof** - Metal finish composite roofing with grey finish

**Walls** - Horizontal timber cladding similar to the existing building. Rear elevation to be stone and block work as existing

Curtain wall glazing on the south west elevation of the stone barn will expose historic timber frame columns and braces.

Timber frame windows and doors.



**Single Storey Stone Barn - Materials**

**Roof** - Metal finish composite roofing panels with grey finish.

**Walls** - rubble stone repaired.

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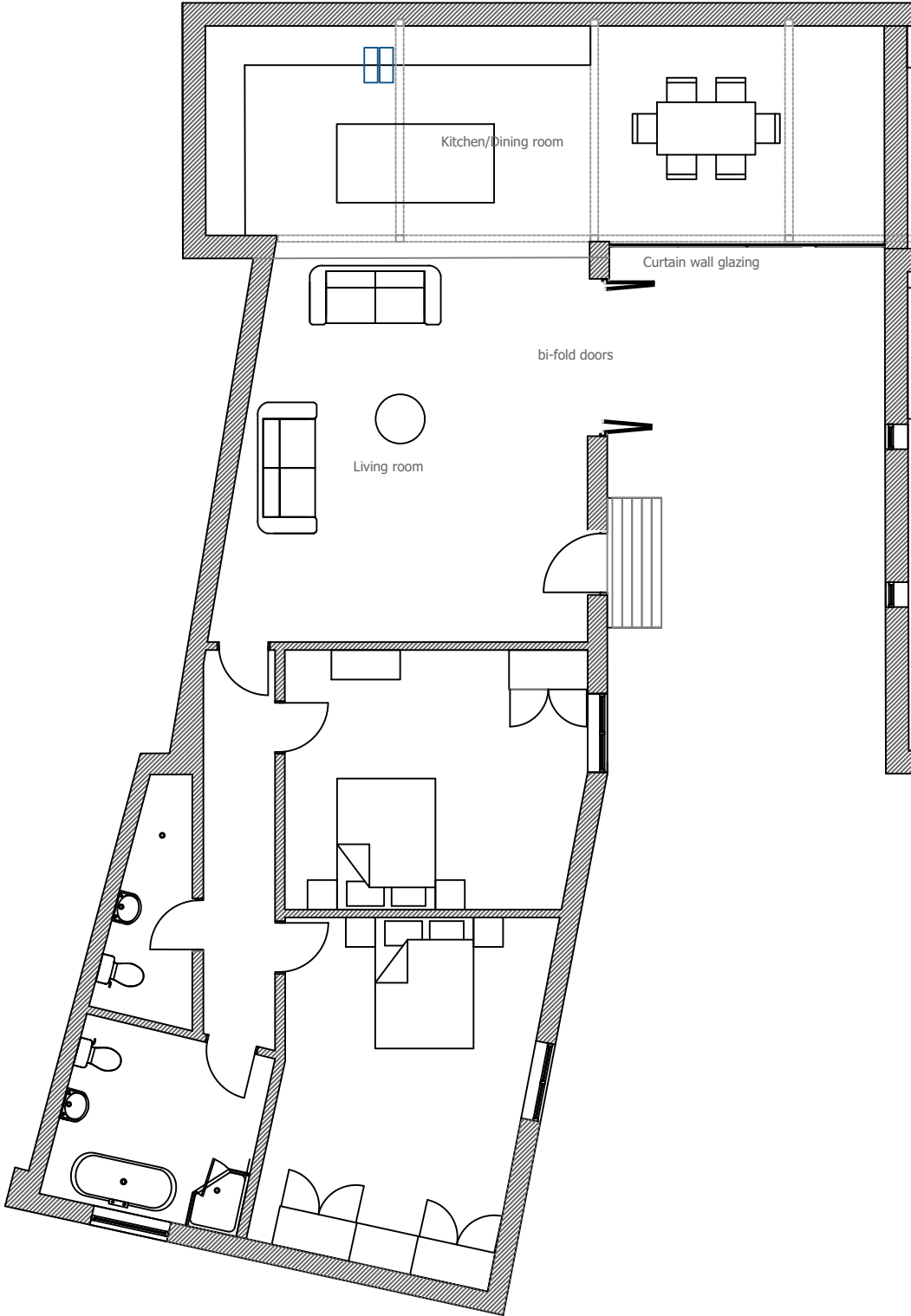
**Project:**  
Change of Use to Residential and  
Creation of 3 New Dwellings  
Manor Farm Workshops, South Marston

**Title:**  
Building 2 - Proposed Elevations

Scale: 1:100 @ A3	Project No: 19001
Drawing No: 19001/12	Status: Planning
Revision: F	Date: 26/08/2019

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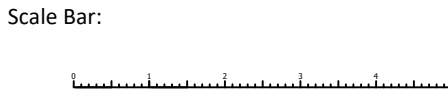
Project:  
Change of Use to Residential and  
creation of 3 dwellings  
Manor Farm Workshops, South Marston

Title:  
Building 2 Proposed Floor Plan

Scale: 1:100 @ A3      Project No: 19001

Drawing No: 19001/11      Status: Planning

Revision: E      Date: 26/08/2019

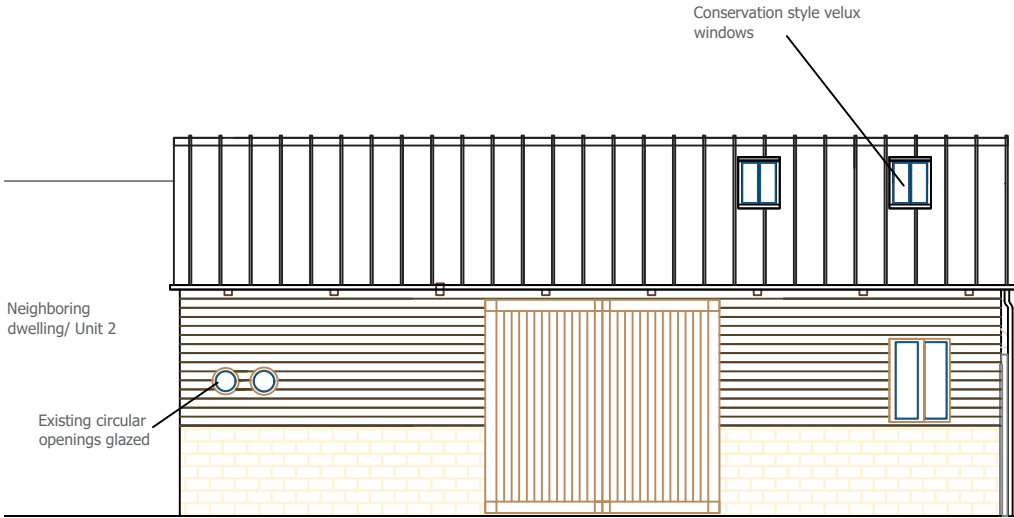


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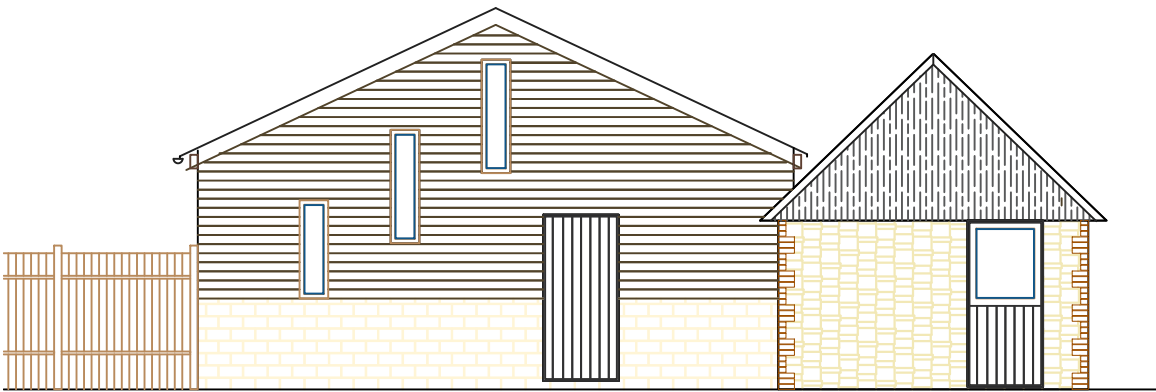




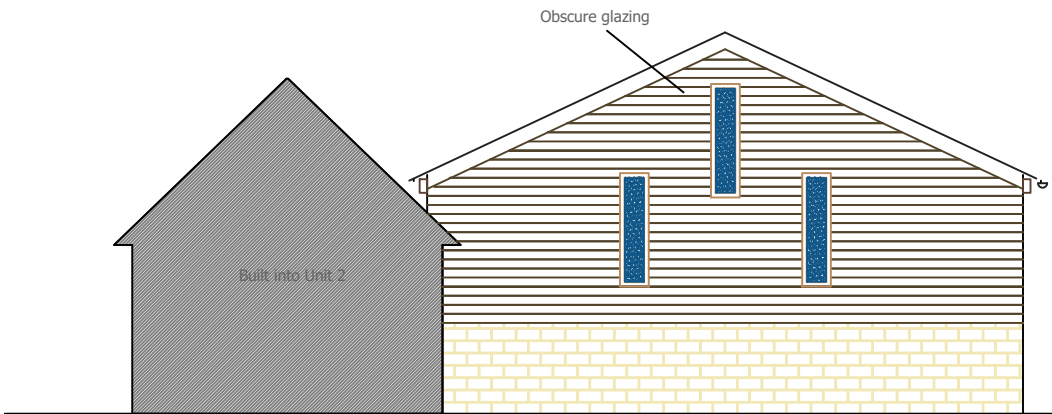
Front/ South West Elevation      Shutter Doors Open



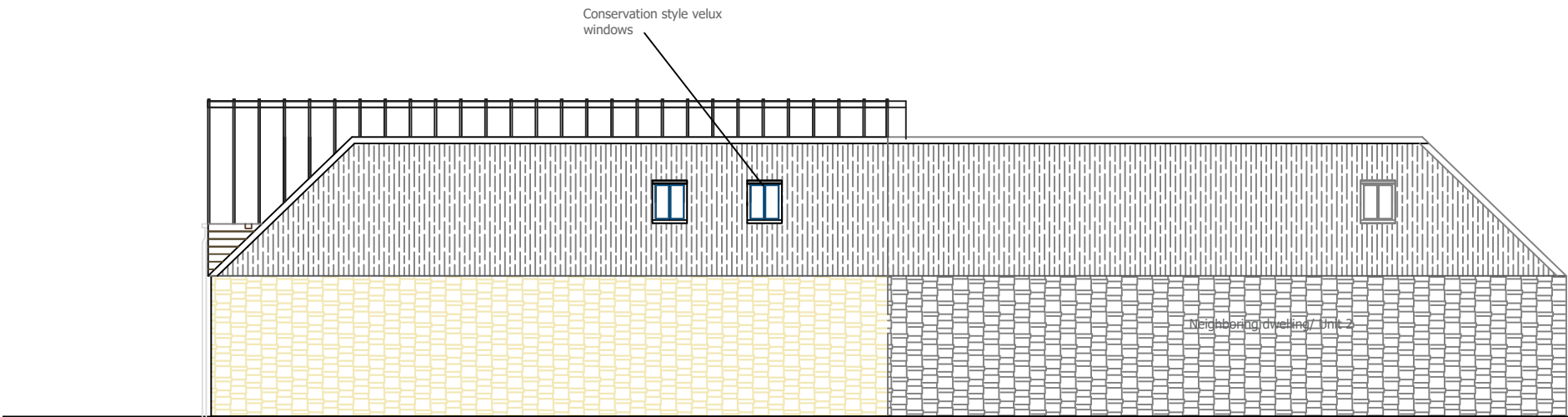
Shutter Doors Closed



South East/ Side Elevation



North West/ Side Elevation



North Western Elevation

**2 Storey Barn - Materials**

**Roof** - Metal finish composite roofing with grey finish

**Walls** - Concrete block work to be clad with sandstone slips to match stone barn/Building 1.

Metal sheeting to be removed. New finish to be timber boarding to match the single storey workshop/Building 2

**Single Storey Stone Barn - Materials**

**Roof** - Metal finish composite roofing panels with grey finish.

**Walls** - rubble stone and brick quoins repaired.

**Both**

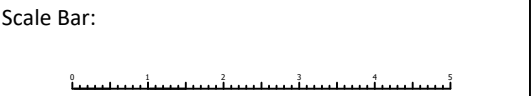
**Curtain wall glazing and windows to be timber framed**

**Rainwater goods will match existing**

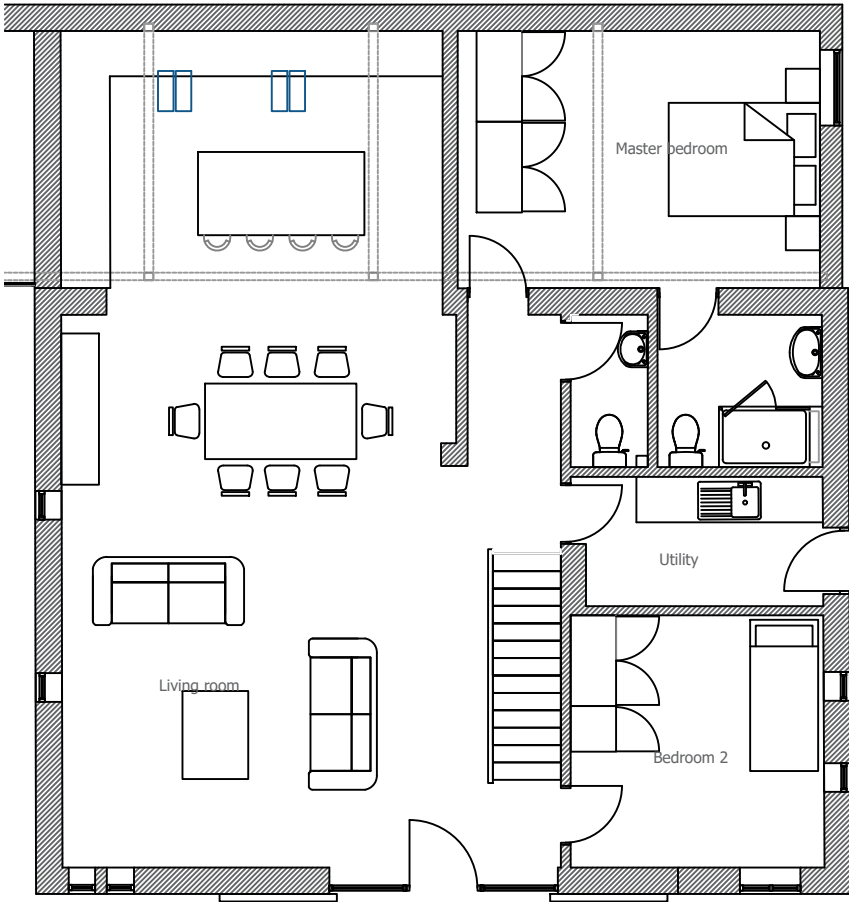
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planninganddesign@netevans.com  
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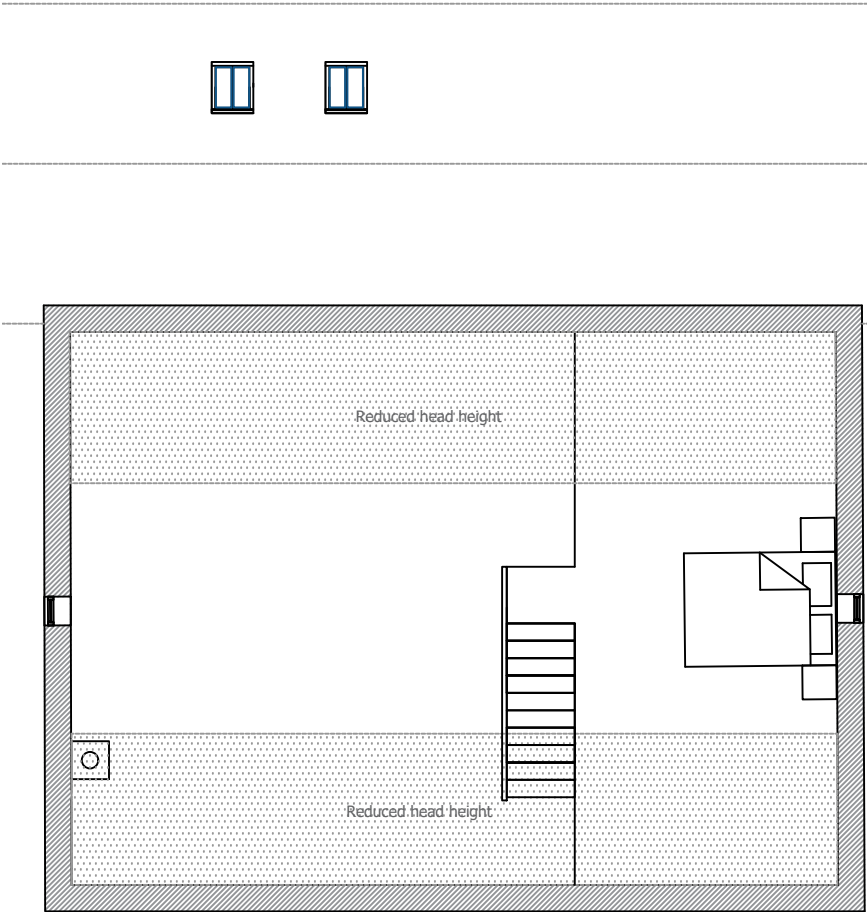
Project: Change of Use to Residential and Creation of 3 New Dwellings Manor Farm Workshops, South Marston	
Title: Building 3 - Proposed Elevations	
Scale: 1:100 @ A3	Project No: 19001
Drawing No: 19001/14	Status: Planning
Revision: D	Date: 23/07/2019



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Ground Floor Plan



First floor

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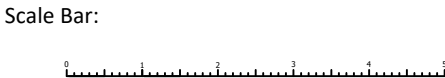
Project:  
Change of Use to Residential and  
creation of 3 dwellings  
Manor Farm Workshops, South Marston

Title:  
Building 3 Proposed Floor Plan

Scale: 1:100 @ A3      Project No: 19001

Drawing No: 19001/13      Status: Planning

Revision: C      Date: 28/10/2019



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## COMMITTEE REPORT

**Item Number:**

Application Number: S/20/0851

**Ward:** St. Margaret and South Marston

Parish: South Marston

**Proposal:** Change of use from light industrial workshops (Use Class B1(c)) to 3no. residential dwellings (Use Class C3).

**Location:** Workshops, Manor Farm, Manor Farm Lane

**Case Officer:** Ralph Chakadya

**Agent:**

Mrs Hilary Evans  
Evans Planning And Design  
33 Brook Drive  
Corsham  
SN13 9AU

**Applicant:**

Mr & Mrs Griffiths  
125 Croft Road  
Swindon  
SN1 4DS

**Background**

1. This application has been brought before the Planning Committee at the request of the Parish Council who raised water capacity and drainage issues with the proposed development.
2. Application S/19/0563 for '*Change of use from light industrial workshops to 3no. dwellings*' was recently refused permission due to noise and ecology reasons. The current application is a resubmission of the same proposal with an attempt to overcome the noise and ecology reasons. Subject to appropriate conditions, officers are now satisfied the reasons for refusal for the previous scheme have now been adequately addressed.
3. Other relevant applications on the site and adjoining the site include:
  - T97/0535 – Personal permission granted for the continuation of light industrial use at the site for the garden furniture company run by the applicant.
  - S/PRIORC/16/0105 – Prior Approval Notification for the change of use of an adjoining agricultural barn to residential dwelling (C3). Granted 30<sup>th</sup> March 2016.

**Summary of Recommendation:**

4. Planning permission be Granted with conditions.

**The Proposal:**

5. The application seeks full planning permission for three dwellings, comprising the conversion of 4 barn and workshop buildings. The dwellings will form a courtyard type of development with onsite parking.

6. Adequate details and justification have now been submitted to address the noise and ecology refusal reasons for the previous S/19/0563 for the same proposals.

**The Site and Surroundings:**

7. The site historically formed part of the agricultural holding of Manor Farm, comprising 0.081 hectares of workshops and former agricultural buildings currently in use as a garden furniture manufacturer (B1c - light industrial). The proposal is located within proximity to the Grade II Manor Farmhouse.
8. The site is located outside the defined Swindon and South Marston settlement boundaries, as shown on the policies map. The site is however within the designated New Eastern Village area as defined on the SBC Local Plan 2026 Policies Map (Policy NC3).

**Representations:**

9. Neighbours: Four letters were received from three neighbours highlighting concerns regarding poor access, impact onto the bridleway, parking, drainage, sewage treatment, impact onto heritage assets, inadequate water supply and poor foul water discharge.
10. Parish Council: Objected to the proposals for the following reasons
- No satisfactory options for waste water provision for the site. A septic tank requires 90% of the waste water to drain onto suitable land and there is no scope for such an outlet adjacent to these dwellings.
  - Surface water is already an issue in this location and currently runs from the site and accumulates on the adjacent lane. See attached photos.
  - The sub-soil is impermeable clay and removing the current concrete surface will not significantly improve the situation.
  - Therefore, the likelihood is that a cess pit will be required at the location. This will require monthly pumping out and is archaic.
  - It contravenes our own Neighbourhood Plan which prohibits any new use of these and also the emerging revised Local Plan:

*Policy DM 24 (page 39) Development Management Policy document  
Water Supply and Wastewater and Sewerage Infrastructure*

- 1. Developers will be required to demonstrate that there is adequate water supply, waste water capacity and surface water drainage both on and off the site to serve the development and that it would not lead to problems for existing or new users. Development will not be permitted unless such capacity is in place before the development is occupied. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water and/or waste water infrastructure.*
- 2. Drainage on the site must maintain separation of foul and surface flows.*
- 3. Where there is an infrastructure capacity constraint the Council will require the developer to set out what appropriate improvements are required and how they will be delivered.*
- 4. New dwellings must meet the Building Regulations optional requirement of 110 litres/person/day (or successor standards)*

At the very least the applicant should be required to provide a report demonstrating a satisfactory system.

- There is limited water pressure in the area that has already been an issue for nearby properties and will be exacerbated by further use
- There is limited vehicular access which is not being improved - the road/lane surface is already poor, there is limited access width, no provision for visitor/delivery parking or turning (particularly when the parking spaces are occupied), emergency vehicle access is a concern and farm vehicle access is regularly required

### **Consultees:**

11. New Eastern Villages Team: (*applicable previous comments S/19/0563*) No objection in principle. However, there are issues with industrial noise in the area which could have an impact on the amenity levels of future occupiers.
12. Environmental Health: No Objection subject to noise conditions
13. Forward Planning: (*applicable previous comments S/19/0563*) No objection following submission of Structural Report demonstrating that the buildings could be converted to dwellings without demolishing
14. Conservation Officer: No objection subject to conditions following the submission of amended plans
15. Ecology: Object to the proposals as insufficient information regarding the presence of protected species has been received for the Local Planning Authority to be able to meet appropriate tests for determining the application.
16. Highways: No objection subject to conditions and informative.
17. Contaminated Lands Officer: (*applicable previous comments S/19/0563*) No objection subject to contamination conditions.
18. WSBRC: Advise that there is a Single record of Myotis species bat and multiple records of Brown Long-eared and Noctule bat within 500m of site.
19. Drainage Officer: No objection subject to conditions.

### **Relevant Policies**

20. Local Plan Policies
  - Policy SD1 (Sustainable Development Principles)
  - Policy SD2 (The Sustainable Development Strategy)
  - Policy SD3 (Managing Development)
  - Policy DE1 (High Quality Design)
  - Policy HA1 (Mix, Types and Density)
  - Policy HA7 (Conversion of buildings to Employment Use in the Countryside)
  - Policy EN4 Biodiversity and Geodiversity)
  - Policy EN5 Landscape Character and Historical Landscape)

- Policy EN7 (Pollution)
- Policy EN9 Contaminated Land
- Policy EN10 Historic Environment and Heritage Assets
- Policy NC3 New Eastern Villages – including Rowborough and South Marston Village expansion)
- Policy TR2 (Transport and Development)

#### 21. Supplementary Planning Documents (SPD)

- Residential Design Guide SPD (2011)
- Historic Environment Good Practice Advice Notes 2, and 3
- Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment: English Heritage (2008)

#### 22. Other material considerations

- National Planning Policy Framework (NPPF)
- National Design Guide
- South Marston Neighbourhood Plan (Nov 2017)

### **Planning considerations**

23. The relevant planning considerations are the principle of the development; the effect on heritage assets and on the character and appearance of the area; the effect on residential amenity, highways safety, ecology, drainage, landscaping and contamination.

### **The principle of development**

24. Policy SD2 seeks to concentrate development at Swindon by delivering housing growth within Swindon's urban area and allocated strategic sites, including the New Eastern Villages allocation. As highlighted above, the application site lies within the proposed village expansion to South Marston, part of the larger New Eastern Villages (NEV) allocation, as specified in Local Plan Policies SD2 (The Sustainable Development Strategy) and NC3 (New Eastern Villages) and shown on the Local Plan Policies Map.

25. Part (e) of Policy SD2 specifies the quantum of development at South Marston Village, which will be 500 dwellings on green field (as part of the New Eastern Villages strategic allocation) and about 140 dwellings on brownfield. Whilst the application site lies within the New Eastern Villages allocation, it does not fall within the configured housing development for the area as reflected within the New Eastern Villages Masterplan and the South Marston Neighbourhood Plan, and is therefore considered to be a windfall site within the strategic allocation.

26. However, Policy RA3 (South Marston) also applies, particularly:

*c. To ensure non-coalescence of South Marston with Swindon and the New Eastern Villages, the land between the expanded village and the railway to the south shall remain part of the countryside. Development within this area, as defined on the Policies Map, shall only be permitted where it retains or enhances the existing character of the countryside and:*



- *involves the re-use, conversion or extension of existing buildings at a scale appropriate to their location, in accordance with the criteria specified in Policy DE1 or*
- *is an essential requirement directly related to the economic or social needs of the rural community.*

27. It is considered that the proposal complies with the 1<sup>st</sup> bullet point above, as it is for the conversion of light industrial workshops to 3no. dwellings. In this regard Policy HA7 is applicable, which provides criteria on the conversion of existing buildings to residential within the countryside. Policy HA7 criteria is as follows:

- *the building is worthy of retention, structurally sound and capable of conversion without substantial reconstruction; and*
- *the conversion is in keeping with the original character of the building and enhances the fabric and character of any adjacent buildings, or the landscape character type generally; and*
- *the number of units and density of development is appropriate to the building's location; and*
- *the building shall have an existing curtilage or a curtilage can be created which does not adversely affect the landscape character type, the building itself or any adjacent structure; and*
- *utilities can be provided and the building has adequate access to a metalled road without creating traffic hazards and without involving road improvements incompatible with the character of the area.*

28. As concluded by the Structural Report (SR) submitted in support of the previous application, S/19/0563, all primary structural components are in a condition such that they are suitable for the conversion of the buildings to residential use. Given that the SR appear to have been produced by a suitably qualified authority and in the absence of an equivalent report on the part of the Council, the SR is given significant weight. Therefore in the absence of any substantiated evidence to the contrary, there is no good reason to conclude that the SR is unreliable in this or any other significant respect. The proposal therefore complies with criterion 1.

29. The proposed dwellings would utilize the existing curtilage of the former agricultural buildings thereby complying with criterion 4 of policy HA7.

30. As will be demonstrated within the report (*para. Access and Parking*) access to the site has been assessed by the highways officer and considered acceptable with foul drainage being subject to appropriate conditions to satisfy criterion 5 of policy HA7.

31. Overall, the principle of the development of this windfall site is considered acceptable as it complies with relevant Policies SD2, RA3, DE1 and HA7

## **Impact onto Heritage Assets**

32. As previously stated by the Council's Conservation Officer, whilst the proposal is located within proximity to the Grade II Manor Farmhouse, it is not considered that the buildings form part of the listed curtilage of the farmhouse as the buildings are in separate ownership and use to the listed building. The buildings, however, are part of the setting of the Grade II Manor listed building and therefore triggers Local Plan Policy EN10, the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.
33. The Council's Conservation Officer has assessed the proposals in terms of its surrounding context, setting, and its character and particularly how the works affect the character and appearance of the surrounding heritage assets and how the works reinforce local character and distinctiveness. It is noted that whilst the buildings are being utilised for industrial purposes, the historic buildings were constructed as agricultural buildings and the layout and form of the buildings reflects an agricultural steading and this is the desired appearance as a result of the scheme which will reflect the historic form and function of the steading in relation to the main farmhouse building which is key to its setting.
34. It is considered that the alterations to the buildings would result in 'less than substantial harm' to designated heritage asset, the Grade II listed Farmhouse. As such the NPPF requires that the harm be weighed against the public benefits of the proposal. In this instance the proposal will make a positive contribution to the Borough's five-year housing land supply, utilises an area considered to be previously developed land, would ensure the retention and viable use of the former agricultural buildings as well as generating economic benefits by employing people during conversion of the buildings. In this instance the benefits of the scheme are considered to outweigh the less than substantial harm to the designated assets. The setting of the listed building will be enhanced.

### **Design and appearance**

35. The submitted proposals are considered to reflect the desired agricultural appearance which will reflect the historic form and function of the buildings in relation to the main farmhouse building. Subject to appropriate conditions requiring the submission of material details, the design and appearance of the buildings is considered acceptable and therefore accords with policies DE1, EN10, NC3, Swindon Residential Design Guide SPD and the NPPF.

### **Residential Amenity**

36. The proposed dwellings are considered to be of appropriate size and standard that would not be detrimental to the amenities of the future occupiers. The courtyard type outdoor amenity space is considered acceptable. Further, it is not considered that the proposed dwellings would have a harmful impact on each other's residential amenities and that of neighbouring dwellings in the locality. Due to the limited space, it is considered appropriate to remove permitted development rights for further extensions and alterations to the dwellings.

### **Noise impact**

37. Policy DE1 seeks to ensure among other things that amenity of future occupants is protected in terms of effects of noise. The previous application was refused among other things the failure to protect the amenity of the future occupants from the effects

of noise. In terms of the noise concerns raised with regard to the nearby Steris/Thornill/Keypoint) that would potentially have a detrimental effect onto the amenities of the future occupiers of the dwellings, the Council's Environmental Health Officer has now agreed with the applicant's agent that adequate acoustic assessments (S/18/1579) have been undertaken within the wider area in relation to the noise from Steris and rather than repeat work already undertaken, appropriate noise conditions that would require post construction testing of the proposed dwellings prior to occupancy would be sufficient. With such conditions in place, it is considered the development is now acceptable as the conditions would ensure protection of the amenity of future occupants, complying with Policy DE1 and the NPPF.

### **Ecology**

38. To address the previous reason for refusal regarding bats, the applicant submitted Bat Survey - Emergence and Activity Surveys. rev. 1.1. (Quantock Ecology Environmental Consulting, 7.7.20), surveys that had previously been lacking in terms of the refused scheme. The Council's Ecologist has assessed the submitted survey details and concluded the overall survey effort and findings of the ecology work to be appropriate. Subject to appropriate conditions securing the details of the submitted reports and submission of bat boxes and lighting details to enable net gain for biodiversity by supporting bats that are endangered species, the development is now considered acceptable on ecology grounds.

### **Access and Parking**

39. The Highways officer, despite concerns raised by the Parish Council and residents, assessed the proposals and has not raised any concerns on highway grounds highlighting that the site has been in agricultural use for a considerable length of time and light industrial (garden furniture) in more recent times, so the rights of access by industrial and customer vehicles attending the site well established and therefore acceptable.
40. Access to the site is provided by a privately owned driveway, which also provides use as a public bridleway, South Marston 4 (SM.4). This access "road" has somewhat fallen into disrepair, and although is not considered particularly suitable for vehicular use by modern construction standards, it has been and remains the responsibility of the private landowner[s] to maintain and/or upgrade this access road at their own expense. The use of the access road as a bridleway requires a lesser standard of construction than would typically be required for vehicular traffic on a publicly maintained highway, and it is considered that the current condition of the access road is adequate for the established use. Ideally, these proposals would include more definitive proposals for the upgrade of this access road, but as this application forms part of a piecemeal development of Manor Farm and its surrounds, that remains a concern for the private landowner(s).
41. To protect the bridle way that may have public right of way requirements, an informative will be added advising the applicant that the grant of planning permission does not permit any changes, alterations, obstructions, diversions, closures or additional use by motor vehicles of any public rights of way affected by the proposal. The applicant is required to contact the Council's Public Rights of Way team for permission prior to undertaking any works

42. It is accepted that an adequate quantity of parking has been provided and allocated to the 3no. residential plots, although it is less than desirable that there is a lack of intervisibility between the private access road and some of these bays, e.g. the bays allocated to Plot 3 appears obstructed by any vertical boundary for the Plot garden space. However, as highlighted within the Design & Access Statement, the use of the access road shall remain private and would be unlikely to increase the quantity of traffic travelling along it, and as a consequence, the likelihood of a significant highway risk is minimal and does not rise to a level for concern in relation to public safety. All bays are sufficient in size and provide adequate access from their allocated residential units.
43. Cycle Provisions – although no specific details have been provided, each Plot has sufficient private garden space to provide the required secure cycle storage. It is therefore sufficient to apply the general cycle storage condition provided below.

### **Landscaping and design**

44. The surrounding area is rural in character and it is considered that the landscape impact of the conversion of existing buildings would not appear out of character with the landscape of the area.

### **Contaminated land**

45. Previously, the Council's contaminated land officer assessed the proposals and recommended appropriate conditions to address potential contamination of the site associated with timber furniture business ongoing on the application site and any potential asbestos. It is considered appropriate to impose the conditions to ensure the development is acceptable in planning terms.

### **Drainage and Flood Risk**

46. The site is within Flood Zone 1 that is not susceptible to the risk of flooding. Whereas concerns have been raised by the Parish Council and neighbours regarding drainage, the Council's Drainage officer has assessed the proposal and in not raising objections and in principle is of the view that the information submitted to date demonstrates that a solution acceptable to the lead Local Flood Authority can be achieved. Accordingly it has been recommended that appropriate conditions are imposed upon any permission requiring the submission of surface water drainage details prior to commencement of the development and surface water drainage maintenance scheme for the site. Whilst the applicant has submitted some various options for surface and foul water drainage, it is considered appropriate to impose conditions requiring details of the final scheme to be approved prior to the development commencing. This will ensure that the development would not result in onsite and offsite drainage issues.
47. The Parish Council has also raised the issue about water supply capacity for the new development as required by Neighbourhood Plan Policy DM24. Whilst Thames Water has confirmed that the future dwellings would apply to be connected to the main water supply for the New Eastern Villages development in future, it is considered appropriate to impose a prior occupation condition requiring formal confirmation that either all water network upgrades required to accommodate the additional flows to serve the development have been completed; or a housing and

infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. With such a condition in place, the development is not considered to exacerbate the water capacity levels of the area and would accord with Policy DM24 of the Neighbourhood Plan.

### **Community Infrastructure Levy**

48. The Council adopted a Community Infrastructure Levy (CIL Charging Schedule) on 26th March 2015 and became effective on 6th April 2015. All relevant planning applications determined on or after this date will be subject to the consideration of CIL. This development constitutes Community Infrastructure Levy (CIL) liable development.

### **Concluding Comments:**

49. Sufficient ecology information has now been submitted and the Local Planning Authority has now been able to determine that subject to appropriate conditions the proposals would not affect bats that are protected species or their roosts in accordance with Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), Policy EN4 (Biodiversity and Geodiversity) and the NPPF
50. The concerns of the parish council regarding drainage and water supply are acknowledged. It is also noted that generally the principle of the development is acceptable subject to the matters of concern being satisfactorily addressed. Officers agree with the parish council's suggestion that these matters should be addressed through the imposition of appropriately worded 'grampian' conditions, as there is a reasonable prospect of a suitable solution being achieved, albeit that may require 3<sup>rd</sup> party involvement.
51. Subject to appropriate noise conditions that would require post construction testing of the proposed dwellings prior to occupancy, the proposal is now considered to provide appropriate living conditions for future residents with respect to noise pollution in accordance with Policy DE1 and the NPPF.
52. Overall, the proposed development is considered to be acceptable at this location and compliant with the South Marston Neighbourhood Plan (Nov 2017), Swindon Borough Local Plan 2026 (2015) and the NPPF.

### **Recommendation**

53. That planning permission be **GRANTED** with conditions.

### **Conditions**

1. The building works 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 is in respect of the following drawings and details
  - Drawing No. 19001/01 Rev A LOCATION PLAN

- Drawing No. 19001/08 Rev C PROPOSED BLOCK PLAN
- Drawing No. 19001/09 Rev D BUILDING 1 - PROPOSED FLOOR PLAN
- Drawing No. 19001/10 Rev G BUILDING 1 - PROPOSED ELEVATIONS
- Drawing No. 19001/11 Rev E BUILDING 2 PROPOSED FLOOR PLAN
- Drawing No. 19001/12 Rev F BUILDING 2 - PROPOSED ELEVATIONS
- Drawing No. 19001/13 Rev C BUILDING 3 PROPOSED FLOOR PLAN
- Drawing No. 19001/14 Rev D BUILDING 3 - PROPOSED ELEVATIONS
- Drawing No. 19001/15 Rev B PARKING ARRANGEMENT
- Drawing No. 19001/16 DEMOLITION PLAN
- Drawing No. 19001/17 BUILDING FOOTPRINT & HARDSURFACING
- BAT SURVEY
- DESIGN & ACCESS STATEMENT
- HERITAGE IMPACT STATEMENT
- PLANNING STATEMENT

all received 13 July 2020

- PRELIMINARY ROOST ASSESSMENT received 01 September 2020

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

3. Notwithstanding the approved plans and prior to the commencement of the proposed works, full details of the following shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity, unless further consent from a subsequent application is given by the Local Planning Authority.
  - i) Full details of all external materials;
  - ii) Full details consisting of sections at a minimum scale of 1:5 and elevations at 1:20, of all external joinery including windows (thickness of glazing panel, method of opening, colour, glazing bar arrangement) and doors and proposed exterior finish;
  - iii) Full details of any new hard landscaping materials and associated lighting of communal areas,
  - iv) Full details of boundary treatment;
  - v) Full details and location of flues, vents and pipework, including rainwater goods, their materials and designs.

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

4. All pointing, re-pointing and making good of masonry to Building Plots 1 and 3 shall be undertaken using NHL3.5 lime mortar at a ratio of 1 part lime to 3 parts sand.  
Reason: As these buildings are of traditional construction and the use of harder products such as cement could cause increased decay of the historic fabric.

5. Notwithstanding the provisions of the Town and Country Planning (Permitted Development) (England) (Order) 2015 (as re-enacted or amended) no extensions, outbuildings, roof alterations, windows, rooflights or other openings shall be added to the dwellings hereby permitted, without the prior express consent of the Local Planning Authority

Reason: In the interests of amenity

6. The dwellings hereby permitted shall not be occupied until the vehicular parking facilities [including the car port shelter] have been provided in accordance with the submitted plan [drawing no.19001/15 Rev B], and those facilities shall be maintained available for those purposes thereafter.

Reason: To reduce potential highway impact by ensuring that adequate parking facilities are available within the site.

7. The dwellings hereby permitted shall not be occupied until space has been laid out within each Residential Plot for bicycles to be parked in a secure and sheltered location, in accordance with SBCs Parking Standards and such provision shall be maintained thereafter.

Reason: To promote and encourage sustainable transport and travel.

8. Prior to the development being brought into use, details of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority and no occupation of the development shall occur until the approved details have been completed and thereafter maintained.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up.

9. The proposed residential units shall be designed to meet the indoor ambient noise levels contained in British Standard 8233:2014 (or later versions) which currently require:

- Resting 35 dB LAeq,16hour
- Dining 40 dB LAeq,16hour
- Sleeping 30 dB LAeq,8hour
- 45dB LAFmax
- 50 dB LAeq, 16hour in external amenity spaces

Where the specified internal noise levels in bedrooms and living rooms can only be achieved by closing windows, alternative ventilation shall be agreed with in writing by the Local Planning Authority prior to commencement.

Reason: In the interests of the amenity of nearby residents.

10. Prior to occupation of the residential units, a pre-occupation validation noise survey shall be conducted in order to demonstrate that the noise mitigation measures detailed are effectual in reducing external noise to an acceptable level and a certificate of compliance by an approved acoustic assessor should be submitted to the Local Planning Authority to demonstrate that the standards required under BS 8233:2014 have been achieved. The survey shall demonstrate compliance with the following criteria:

- Resting 35 dB LAeq,16hour
- Dining 40 dB LAeq,16hour
- Sleeping 30 dB LAeq,8hour
- 45dB LAFmax
- 50 dB LAeq,16hour in external amenity spaces

Reason: In the interests of the amenity of nearby residents.

11. Any alternative ventilation system required by the above conditions 8 & 9 shall be installed in accordance with the approved scheme before the development is brought

into use and shall be maintained in accordance with the approved scheme thereafter.

Reason: In the interests of the amenity of nearby residents.

12. Prior to the commencement of development, a plan showing the proposed specification and location of bat boxes should be submitted to and approved by Swindon Borough Council. A total of 3 boxes (1 per new residence) will be implemented and will be integrated into the design of the buildings.

Reason: To enable a net gain for biodiversity.

13. Prior to the commencement of development, a lighting specification or contour plan following principles of minimum lux, duration and spill shall be submitted to and approved by Swindon Borough Council. Further to agreement, development shall proceed in accordance with agreed measures.

Reason: To enable no net loss of habitat for support of notable species such as foraging and commuting bats.

14. No development shall take place until a surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include, but not be limited to:

- Evidence that the proposed flows from the site will discharge at or below greenfield runoff rates, or as close as practical for any areas that have been previously developed;
- Details of how the drainage scheme has incorporated SuDS techniques to manage water quantity and maintain water quality in accordance with best practice guidance including the latest SuDS Manual C753;
- Detailed drainage plan showing the location of the proposed SuDS and drainage network with exceedance flow routes clearly identified;
- Details to demonstrate the SuDS Scheme has been designed in accordance with best practice guidance including the latest SuDS Manual C753;
- General arrangement, which should be coordinated with the landscape proposals and the masterplan;
- Manhole Schedules;
- Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change to demonstrate that all SuDS features and the drainage network can cater for the critical storm event for its lifetime;
- Details of how the scheme shall be maintained and managed after completion;
- Any drainage systems offered for adoption will be designed to Sewers for Adoption 7th edition and/or SBC standards as part of the detailed design and relevant technical approval processes.

Reason: in the interests of the sustainable drainage.

15. Development shall not be occupied until a surface water drainage maintenance scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be maintained in accordance with the approved details.

Reason: in the interests of the sustainable drainage.



16. No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no /low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

#### Foul water infrastructure

17. The dwellings hereby permitted shall not be occupied until confirmation in writing has been provided to the Local Planning Authority that either :- all foul water network upgrades required to accommodate the additional flows from the development have been completed; or a development and infrastructure phasing plan has been agreed with Thames Water to allow the development to be occupied.

Reason: to prevent any sewage flooding and pollution.

#### Contaminated land

18. Unless otherwise agreed by the Local Planning Authority, no building works shall commence until the following Part 1 to 3 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition Part 4 has been complied with in relation to that contamination.

#### Part - 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by suitably qualified persons and a written report of the findings must be produced.

The written report is subject to the approval in writing of the Local Planning Authority.

The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - \* human health,
  - \* property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - \* adjoining land,
  - \* groundwaters and surface waters,
  - \* ecological systems.
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

#### Part - 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

### Part 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of any new build development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Part 4. Reporting of Unexpected Contamination In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition Part 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition Part 3.

### Part 5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted in writing to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

Reason (common to all Parts): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

### 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 10793466937 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 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. The grant of planning permission does not permit any changes, alterations, obstructions, diversions, closures or additional use by motor vehicles of any public rights of way affected by the proposal, the developer is required to contact the Council's Public Rights of Way team for permission prior to undertaking any works. Note: All rights in respect of Bridleway South Marston 4 to be safeguarded.
3. In addition to this consent, under the Town Improvement Clauses Act 1847 the applicant is required to contact SBC's Street Naming & Numbering Officer as soon as possible with regard to registering new or changes to the official address of any properties within this development.
4. The applicant is advised to contact Thames Water Utilities Ltd, prior to commencing work on site. Please visit [www.thames-water.com](http://www.thames-water.com) for more information.

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**Development Brief:  
Groundwell Park & Ride Site, Swindon**

**Planning Committee**

**Date: 10<sup>th</sup> November 2020**

**Author:** Director of Strategic Development

**Parish / Wards Affected:** Stratton St Margaret / Penhill and Upper Stratton Ward

**Purpose**

- To seek the approval of the Planning Committee for a Development Brief for the Groundwell Park & Ride Site, Cricklade Road, Swindon.

**Recommendation**

That the Planning Committee is requested to:

1. Approve the Development Brief attached as Appendix 1 for the Groundwell Park & Ride Site, Cricklade Road, Swindon for development control purposes; and
2. Authorise the Director of Strategic Development, to make minor typographical and presentational changes to the content of the document before publication, including updating the report to reflect the expectations detailed in paragraph 2.20 below.

**1. Reasons**

- 1.1 The land at the Groundwell Park & Ride Site, Cricklade Road, Swindon ('the Site') is identified in the emerging Swindon Borough Local Plan (2036) as a proposed site allocation for redevelopment.
- 1.2 In May 2020 the Planning Committee agreed to publish a Draft Development Brief for the Site for consultation, subject to the inclusion of an option for the Site to revert back to Park and Ride use. The Draft Development Brief was amended to accommodate this option prior to its publication for consultation. The Draft Development Brief has now been subject to consultation and that consultation has now been completed.
- 1.3 If approved by the Planning Committee, the Development Brief will act as Development Management guidance and will be used to assist in any negotiations between the Council and potential purchasers on any future sale or use of the Site. All future planning applications will be considered on their merits against the background of the approved Development Brief, and all other material planning considerations.

**2. Detail**

Further information on the subject of this report can be obtained from David Dewart on Email: [ddewart@swindon.gov.uk](mailto:ddewart@swindon.gov.uk)

## **Development Brief: Groundwell Park & Ride Site, Swindon**

### ***Planning Committee***

**Date: 10<sup>th</sup> November 2020**

- 2.1 To maximise the value of the Site and to ensure that a high quality development is achieved, the Head of Property Assets requested the preparation of a Development Brief ('the Brief'). The intention is that the Brief would be used to support the marketing of the Site by identifying the form of redevelopment that would be acceptable from a planning perspective. Potential purchasers can use the Brief as a basis for site appraisals to inform any offer they make. Accordingly the Brief has been prepared to set out the objectives and requirements to guide the redevelopment of the Site. The Brief makes a thorough assessment of the Site and sets out the Council's planning requirements.
- 2.2 The Brief establishes development concepts for how the Site could satisfactorily function and be designed and arranged. The indicative layouts are based on the Council's standards to best ensure they respond positively to the surrounding area and contribute to a high quality of development.
- 2.3 Given the Site's transitional location between residential areas to the west and south, and an industrial estate to the north, the Site has been assessed as having the potential to be redeveloped for either residential or commercial uses.
- 2.4 In terms of residential, the site benefits from proximity to local schools, green spaces, retail, community facilities and public transport facilities.
- 2.5 The Site has also been assessed as being suitable for commercial / employment use, given the direct access onto Cricklade Road and the Site's location adjoining Groundwell Industrial Estate. The direct access onto Cricklade Road also provides the opportunity for the introduction of road side uses.
- 2.6 Given the Site's potential to be developed for a range of uses, the Brief sets out four possible redevelopment options for the Site.
- 2.7 Option 1 provides an indicative layout for the residential development of the Site, to provide for circa 85-90 dwellings.
- 2.8 Option 2 provides an indicative layout for residential development and a care home.
- 2.9 Option 3 provides an indicative layout for commercial development, encompassing a proposed food store, self-storage, gym, trade counter, coffee drive thru and day nursery.
- 2.10 Option 4 provides an indicative layout for employment development of the Site, which could take the form of an extension to the Groundwell Industrial Estate to the north.
- 2.11 These indicative layouts have been informed by a number of high-level technical studies, including a Transport Feasibility Study, a Preliminary Ecological Report

Further information on the subject of this report can be obtained from David Dewart on Email: [ddewart@swindon.gov.uk](mailto:ddewart@swindon.gov.uk)

## **Development Brief: Groundwell Park & Ride Site, Swindon**

### **Planning Committee**

**Date: 10<sup>th</sup> November 2020**

and a Phase 1 Environmental Sites Assessment & High Level Flood Risk Appraisal.

- 2.12 The Transport Feasibility Study that informs the Brief indicates that none of the development options would have a significant adverse impact on the highway network. Any subsequent planning application would be required to be supported by a Transport Assessment, which would fully assess the scheme's transport impacts, including identifying mitigation measures if required.
- 2.13 In addition to the four options detailed above, Planning Committee resolved that the option for the site to revert back to P&R use should be included. The Brief was amended to accommodate this requirement.
- 2.14 The most recent use of the site was as a P&R. Therefore restoring the site to a P&R would not require planning permission. It was therefore not necessary for the Brief to prescribe layout expectations for the Site's re-use for this purpose. Instead, prior to its publication for consultation, the draft Development Brief was amended to remove reference to the Site being a 'Former' P&R. Instead, the Brief simply refers to the site as Groundwell P&R. All references to the Site being "surplus to requirements" as a P&R, were also removed.
- 2.15 To further emphasise that the Site's re-use as a P&R remains an option, at page 4, the 2nd para was amended to read "The reuse of this site for park and ride is acceptable from a planning perspective. The remainder of the information provided within this document is intended to give an introductory brief and guidance for planning applications for the sites redevelopment."
- 2.16 The bus companies operating in Swindon were consulted directly. Of these, only one bus operating company has provided a formal response that they have not asked to be treated as confidential.
- 2.17 The bus operating company noted that the Groundwell site *"is sub-optimal in this location and other locations are better suited as well as demand for P&R hasn't been demonstrated"*
- 2.18 The bus operating company was concerned that *"The development brief is silent on public transport access which needs to be accommodated either along the service road proposed which runs adjacent to and this needs to be reflected in the brief."*
- 2.19 The bus operating company went on to advise that *"The brief should specifically highlight the need to allow for buses that is attractive to users with improved access to main corridors with carriageway widths within new development a minimum of 6.5 metres. Moreover it is essential that if developments are to be made sustainable public transport services are provided and funded from very early in the development to create transportation habits."*

Further information on the subject of this report can be obtained from David Dewart on Email: [ddewart@swindon.gov.uk](mailto:ddewart@swindon.gov.uk)

## **Development Brief: Groundwell Park & Ride Site, Swindon**

**Planning Committee**

**Date: 10<sup>th</sup> November 2020**

2.20 In response to this representation, Officers agree that any development at the Site should be served by attractive and convenient public transport options. To this end, Officers will amend the Brief to set out additional requirements that will ensure that any future development at the Site can be conveniently served by public transport.

2.21 No further external representations were received to the Draft Development Brief.

### **3. Next Steps**

3.1. Once adopted, the Brief would form a material consideration against which planning applications for the development of the Site will be assessed.

3.2. Subject to the adoption of the Development Brief, the Head of Property Assets would arrange for the Site to be offered on the open market for disposal with all potential interested parties including those who have made representations about its continuing use for P&R being invited to bid. The intention is that this would lead to the disposal of the Site.

### **4. Alternative Options**

4.1. The alternative to producing a Development Brief would be to rely on a prospective developer to submit a planning application with less certainty of its acceptability and potentially adding costs and risk to the process. The preparation of the Brief is a positive move that provides a planning framework to promote interest in the Site and to guide suitable redevelopment.

#### *Financial and Procurement Implications*

- If adopted the Brief will help maximise the development value of the Site within an approved planning framework by de-risking the planning process.

#### *Legal / Human Rights Implications*

- The purpose of the Brief is to ensure that decisions on planning applications accord with the Council's objectives for social and environmental improvements. This is for the benefit of the residents of the Borough and is achieved within the framework of planning legislation. The proposed redevelopment of the Site will be in general conformity with the Council's development plan and relevant national guidance.
- Any redevelopment scheme coming forward for the Site would still be subject to the statutory planning application process.
- There are no human rights issues arising from this report and accompanying Development Brief.

Further information on the subject of this report can be obtained from David Dewart on Email: [ddewart@swindon.gov.uk](mailto:ddewart@swindon.gov.uk)



## **Development Brief: Groundwell Park & Ride Site, Swindon**

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### *Climate Change Impact*

- The Site comprises brownfield land in an accessible location. The Site is assessed as being a sustainable location for redevelopment.

### *All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)*

- The redevelopment of the Site could have a positive effect on reducing crime rates in the area.

### *Diversity Impact Assessment*

- The Brief provides an overarching Planning Framework based on the adopted Local Plan 2026. The adopted Local Plan has been subject to a Diversity Impact Assessment and therefore potential equality implications have also been assessed through this process too.

### *Risk Management*

- A consultation on the Draft Development Brief has been undertaken. A Risk Assessment has previously been undertaken in respect of consultation with individuals and the local community under the Statement of Community Involvement in planning 2019.

## **Consultees**

- Ward Members for Penhill and Upper Stratton Ward

## **Background Papers**

- National and Local Planning Policy, Supplementary Planning Documents and Development Control Guidance Notes.

## **Appendices**

Appendix 1: Groundwell Park and Rid Development Brief, Cricklade Raod, Swindon

Further information on the subject of this report can be obtained from David Dewart on Email: [ddewart@swindon.gov.uk](mailto:ddewart@swindon.gov.uk)

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**DRAFT DEVELOPMENT BRIEF**

**GROUNDWELL PARK &  
RIDE SITE**

**CRICKLADE ROAD, SWINDON**

**ON BEHALF OF SWINDON BOROUGH COUNCIL**

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# GROUNDWELL PARK & RIDE SITE

## CRICKLADE ROAD, SWINDON

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# 01 INTRODUCTION



Site entrance at Cricklade Road

**This document has been prepared on behalf of Swindon Borough Council to provide a development brief for the re-use or redevelopment of the Groundwell Park and Ride site, Cricklade Road, Swindon.**

It provides an excellent opportunity for reuse or redevelopment of a site in the north of Swindon, benefitting from strong road and public transport links and well located to existing homes, jobs and facilities.

The purpose of this brief is to encourage appropriate reuse or redevelopment of this brownfield site. The reuse of this site for park and ride is acceptable from a planning perspective. The remainder of the information provided within this document is intended to give an introductory brief and guidance for planning applications for the sites redevelopment. The brief provides a summary of the site's features and sets out further technical information that could be required to assess a future planning application.





Figure 01: Aerial view



# 02 THE SITE

## LOCAL CONTEXT AND CHARACTER

**Swindon has excellent road and rail connections to the rest of the UK and continues to attract a wealth of inward investment to the town.**

The site is located in the north of Swindon, approximately 3.5 km from Swindon Town Centre. It lies adjacent to one of the main 'gateways' to Swindon, just to the south of the A4311 junction with A419 (T) linking Swindon to Cirencester to the north and the M4 Corridor to the south.

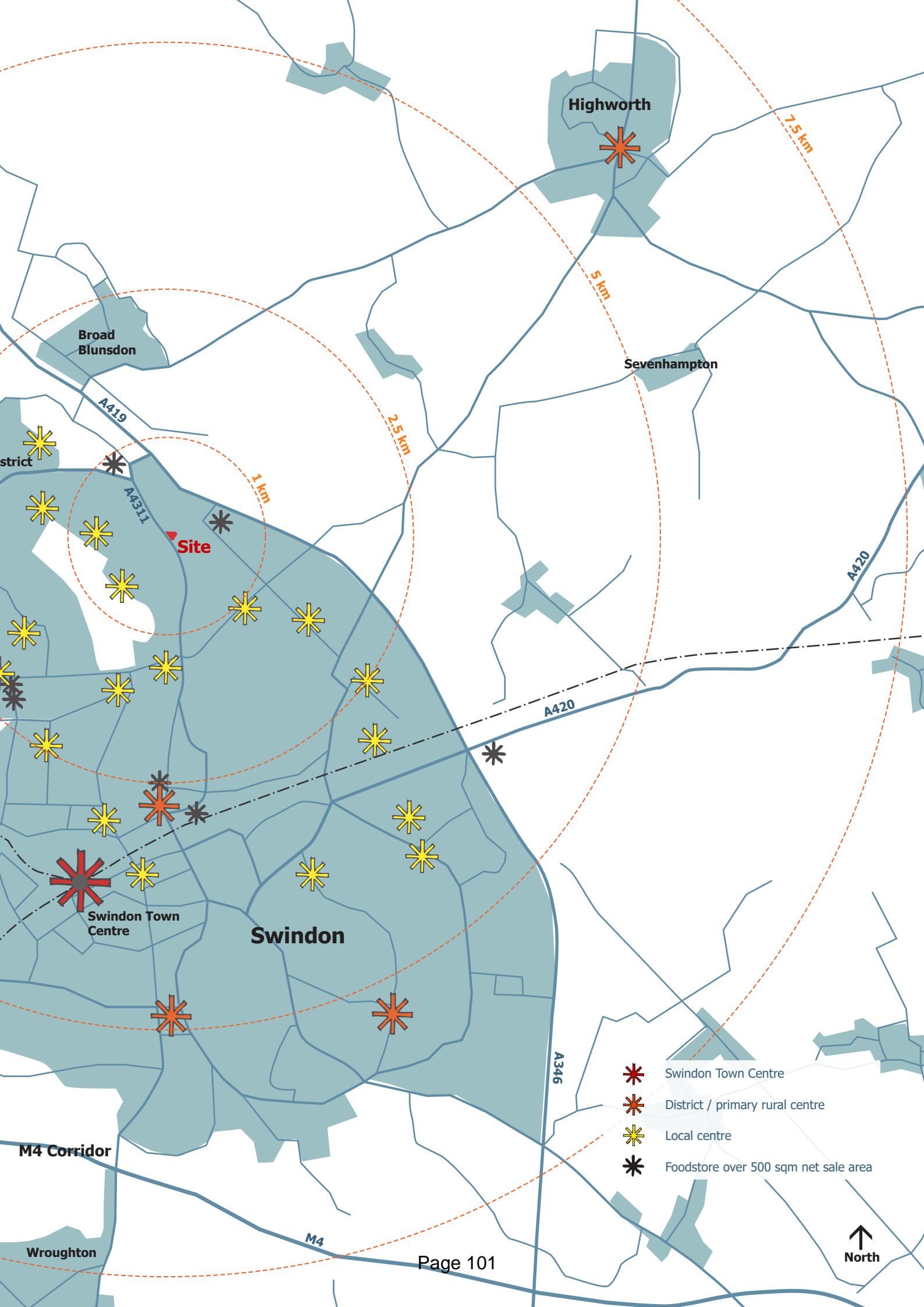
The site is bound to the west by A4311-Cricklade Road and to the north by the Groundwell Industrial Estate. A private sports club is adjacent to the site's east and south boundaries.

Cricklade Road is mainly mixed use in character through its extent. It is well located to facilities, including local centres, public open space, sports facilities and schools.

There are good public transport links serving the site, including bus stops at Cricklade Road and Alton Close. Pedestrian access to the site is good with existing roadside footpaths and two pedestrian crossings on Cricklade Road. The site also adjoins Swindon's cycleway network.

Figure 02: Site location under context from Swindon Town Centre, showing distances to existing foodstores, local, district and town centres





## 02 THE SITE | SITE DESCRIPTION



Figure 03: Site access and views

**The site is roughly triangular, with an area of 1.71 ha, sloping gently downwards to east.**

It is laid out as a park and ride, with a significant frontage onto Cricklade Road.

The site is currently not in use, with trees and shrubs of little ecological importance growing on hard surface. Trees surround the site, providing good levels of screening.

On Cricklade Road, there is an existing (currently disabled) traffic light that controlled access/egress to the site and an egress only (buses) further south on Cricklade Road reflecting the former park and ride use.

There is also a possible future vehicle access through Crompton Road, that links the Groundwell Industrial Estate to the north of the site. This is considered suitable only for a future commercial use and/or limited to service only.

### **SITE OWNERSHIP**

The site is owned by Swindon Borough Council.





① Existing Access/Egress: Cricklade Road



② Disabled Traffic Light Junction



③ Existing Access/Egress: Cricklade Road



④ Bus Egress: Cricklade Road



⑤ Access to existing cycleway from Cricklade Road



⑥ Existing cycleway around the site



⑦ Aerial view of the site from the southeast



⑧ View of the site looking north



⑨ Arkwright Junction to North of Site



## 02 THE SITE | SITE FEATURES SUMMARY

**The site is characterised by laid out tarmac, edges well landscaped, good access/ egress, accessibility by all forms and a mixed use area location.**

The site occupies a transitional location between a residential area to the west and south, and an industrial zone to the north and east. As such, it has potential of being redeveloped for either residential or commercial uses.

The nearby residential areas provide the site with its infrastructure of schools, green areas and other facilities. Cricklade Road guarantees good accessibility to the site, creating 'road related' opportunities. Groundwell Industrial Estate uses could be complemented by the introduction of warehouses, self-storage, trade-counter and/or offices.

WYG's Transport Feasibility Study assessed that the site is well served by bus routes, connected to Swindon Cycle Network and linked to existing pedestrian paths and roadside footpaths. Vehicular connections to Swindon Town Centre to the south and the gateway to the north is direct through Cricklade Road.

Ramboll's Preliminary Ecological Report assessed that the site's ecological value is limited. The treed area on the west boundary of the site is considered of local biodiversity importance, with trees within this area identified with a Tree Preservation Order ('TPO'). A 'greenway' lies to the south and east.

Figure 04: Site context analysis







**Groundwell Industrial Estate**



Arkwright Road

**Groundwell Industrial Estate**

**Shops and local services**

Opportunity for access

Access/egress for traffic

Egress (buses) only

**Private Sports Club**

Bus stop

Bus stop

Corsham Road

Durnford Road

**Swindon Town Centre**  
3.5 km

## 03 POLICY CONTEXT

The following planning policies and guidance are of relevance for the redevelopment proposals for the Groundwell Park & Ride site, Cricklade Road, Swindon. A future planning application will need to consider:

- Swindon Borough Local Plan 2026 (adopted March 2015);
- Emerging Swindon Local Plan 2036 (proposed submission version December 2019);
- Supplementary Planning Documents;
- The Community Infrastructure Levy (adopted April 2015);
- The National Planning Policy Framework (NPPF 2019);
- The Planning Practice Guidance.

### LOCAL POLICY

The starting point for the determination of any planning application is the adopted development plan. For Swindon Borough Council, the relevant development plan document is the Swindon Borough Local Plan 2026, adopted in March 2015.

The Local Plan Policies Map confirms the site is situated within the Swindon Urban Area. There are trees with a TPO along the western and northern boundaries and the site is adjacent to a strategic green corridor.

### SWINDON BOROUGH LOCAL PLAN 2026

Consideration of the following policies from the local plan may be required:

- EN1: Strategic green corridors (existing)
- HA1: Mix, types and density
- HA2: Affordable housing
- HA3: Wheelchair accessible housing
- EN3: Open space
- DE2: Sustainable construction
- EC3: The role of the centres and main town centre uses
- EC1: Economic growth through existing business and inward investment
- EC2: Employment land and premises (B-use classes)
- SD1: Sustainable development principles
- SD2: The sustainable development strategy



- DE1: High quality design
- TR1: Sustainable transport networks
- TR2: Transport and development
- IN1: Infrastructure provision
- IN2: Water supply and wastewater
- CM2: Active, healthy and safe lifestyles
- EN4: Biodiversity and geodiversity
- EN6: Flood risk
- EN7: Pollution
- SC2: Swindon's existing urban communities
- LN1: Local and neighbourhood planning

## **EMERGING SWINDON BOROUGH LOCAL PLAN 2036 - PROPOSED SUBMISSION DRAFT**

The local plan review seeks to guide development in the borough to 2036, setting out where 20,450 new homes could be built. The emerging local plan allocates the site for employment 'B' uses or other commercial use or residential development under draft Policy LA 6. This draft policy sets out the following site specific criteria:

1. The preservation of mature trees;
2. In the event that the site is developed for residential purposes, at least 0.3 ha of useable public open space would be required, to include a local level equipped play space;
3. An enhanced landscape buffer between the site and the industrial estate to the north. This creates an opportunity to create a linear green corridor along the site's northern edge to connect with existing green infrastructure corridors on neighbouring land;
4. Improved footpath and cycle track which runs along the southern edge of the site; and
5. In the event that access is proposed to be taken from the A4311, a transport assessment will need to assess impacts on the A4311 corridor. The existing signal controlled junction will need full replacement including MOVA/SCOOT.

## **SUPPLEMENTARY GUIDANCE**

The following supplementary guidance may need to be considered:

- Statement of community involvement in planning (2019)
- Travel plans SPD (2020)
- Swindon cycle parking standard (2017)
- Swindon residential design guide SPD (June 2016)
- Affordable housing position statement (2016)
- Inclusive design access for all SPD (2011)
- Parking standards guidance note (2007)
- Tree protection on development sites SPG (2004)
- Noise and residential development SPG (2004)

## **COMMUNITY INFRASTRUCTURE LEVY**

The site is within CIL Zone 2: Rest of the Borough (outside new communities). The adopted 2015 CIL charges (indexed linked) are as follows:

- Residential charges: £55 per square metre
- Retail charges: £100 per square metre
- Commercial charges: £0

# 04 DEVELOPMENT STRATEGY

## OVERVIEW

The site is in a mixed use area, occupying a transitional location which opens up many options for potential redevelopment. It has a good level of sustainable accessibility and existing access/egress through Cricklade Road. As such, it is considered that there is potential for the site to be redeveloped for either residential or commercial uses.

To assist the future redevelopment of the site, four indicative sketches setting out development potential for the site have been prepared:

- Options 1 and 2 show indicative layouts for residential development of the site.
- Options 3 and 4 show indicative layouts for commercial/employment development of the site.

These indicative layouts reflect the outputs from the site analysis and desk studies undertaken to inform this development brief. The desk studies comprise, in summary:

- **Ramboll's Phase 1 Environmental Site Assessment & High Level Flood Risk Appraisal (2019)**, which confirms the site lies in Flood Zone 1 (low probability) and there are no potentially significant sources of ground contamination at or in the near vicinity of the site.
- **WYG's Transport Feasibility Study (2019)**, which concludes the site benefits from good level of accessibility for pedestrians, cyclists and public transport users and that the main site access should be from Cricklade Road and a service access could be provided through Crompton Road.
- Trip generation analysis suggests that the residential and employment options are likely to overall provide a net traffic reduction against the extant use; the commercial option is likely to provide a net traffic reduction in the AM peak hour and an increase in the PM peak hour.
- Additional traffic on the road network to the extant position may require further technical assessments at the application stage.
- Car and cycle parking should be calculated in accordance with Swindon's parking standards. Fire and refuse collection access will need to be provided. Delivery and servicing arrangements should be designed that mitigates noise and other nuisance on local residents.
- **Ramboll's Preliminary Ecological Appraisal (2019)**, which identifies a broad-leaved wooded area of local level ecological importance located on the site's west.
- There are four trees specific individually on the site and one group of trees covered by TPO (No.33) 2010.



## **RESIDENTIAL OPTIONS: PROPOSED USE/AMOUNT/SCALE**

Two residential options are presented: a residential (Class C3) scheme which is estimated could provide circa 85-90 dwellings (based on factors such as average housing densities for brownfield sites and trip generation) and one combining Classes C3 (dwelling/houses) and C2 (care home).

Each residential indicative scheme option utilises the existing access/egress on Cricklade Road and provides pedestrian/cycle access to Crompton Road and onto the existing 'greenway' surrounding the site. A level of on-site open space is provided. It is envisaged that the trees at the north of the site will be retained and enhanced to create a buffer between the existing industrial uses and any proposed residential one.

## **COMMERCIAL/EMPLOYMENT OPTIONS: PROPOSED USE/AMOUNT/SCALE**

Owing to the existing uses on Groundwell Industrial Estate, possible employment uses would be either Class B1 (offices) or Class B8 (trade counters and/or storage and distribution units).

As for commercial uses, the likely options are Class A1 (food retail), Class A3/A5 (coffee drive-thru), Class D2 (gym) and Class D1 (day nursery).

An alternative access/egress to Cricklade Road is shown for the commercial option, together with service access provided from Crompton Road. It is considered undesirable to link these two accesses through the site.

Proposals for main town centre uses (Classes A1, A3, A5, D2 and B1) will be required to demonstrate compliance with the sequential approach and the impact test, where development is greater than 1,000 sqm for Use Class B1 and 600 sqm for Use Class A1.

## **DESIGN PRINCIPLES**

In all cases, whether the site is progressed for residential or commercial/employment, any redevelopment will need to respond to the site's attributes, constraints and to the Council's desire, as set out in the adopted and emerging local plans and other documents, for high-quality design, sustainable development principles including measures to deliver a carbon neutral development and biodiversity gain by:

- Ensuring that future development enhances the site and its surroundings.
- Ensuring future development is well designed using high-quality materials.
- Ensuring the protection and enhancement of green infrastructure, including the integration of existing visually or ecologically important trees and hedges.
- Ensuring the future development creates natural surveillance on public areas.
- Retaining or providing a safe vehicular and pedestrian access for future users of the site.
- Enhancing existing pedestrian and cycle paths and connections.
- Providing sufficient parking and appropriate servicing, refuse and emergency access arrangements for the future development.

## 04 DEVELOPMENT STRATEGY | INDICATIVE SKETCH



### Option 1: Residential

The layout shows a residential use development, proposing two public open spaces, the existing green area west of the site and a new one at east, integrated with the existing landscaping surrounding the site.

## 04 DEVELOPMENT STRATEGY | INDICATIVE SKETCH



### Option 2: Residential + C2 use

The layout shows a residential use development with a care home. It proposes two public open spaces, integrated with the existing landscaping.

## 04 DEVELOPMENT STRATEGY | INDICATIVE SKETCH



### Option 3: Commercial

The layout shows a commercial use development. Four units, buildings and plots, are arranged on the site. Proposed uses include a food store (A1), self-storage (B8), gym (D2), trade counter (B8), coffee drive thru (A3/A5) and day nursery (D1).



## 04 DEVELOPMENT STRATEGY | INDICATIVE SKETCH



# 05 NEXT STEPS

The following will need to be resolved in detail at the planning application stage:

- Proposed Use/Amount/Scale
- Access, Parking and Servicing
- Landscape, Trees and Biodiversity
- Drainage and Flood Risk
- Measures to promote sustainable development
- High quality design and materials
- Meeting the sequential approach and impact test, where relevant
- Affordable housing, open space and other infrastructure requirements, where relevant

Use of the Council's pre-application service is encouraged in order to help deliver a development that meets the Council's expectations, optimising the potential of the site and saving both time and money by removing uncertainties.

The Council's validation list setting out the likely content of any future planning application should be consulted.



