



COMMITTEE REPORT

Item Number:

Application Number: S/18/1774/TB

Ward: Wroughton And Wichelstowe

Parish:

Wroughton

Proposal: Erection of 44 dwellings and associated works.

Site Location: Berkeley Farm, Swindon Road, Wroughton

Case Officer: Tom Buxton (01793 466240 tbuxton@swindon.go.uk)

Agent:

Applicant

Mr Tom Smailes

Linden Homes Thames Valley

18D Croft Drive

Milton Park

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OX14 4RP

Officers Report

Background:

1 This application is called to Planning Committee at the request of Wroughton Parish Council.

Summary of Recommendation:

2 That the Head of Planning, Regulatory Services and Heritage be authorised to GRANT planning permission subject to the conditions set out in the report and the completion of a Section 106 agreement with authority to amend the terms / wording of the conditions / S106 agreement if appropriate to secure the necessary mitigation relevant to the development.

The Proposal:

3 This application seeks full planning permission for the erection of 44 dwellings and associated works.

4 The dwellings would be a mixture of two-storey detached, semi-detached as well as some short terraces and several flats. The scheme also includes areas of soft landscaping, open space and access roads.

5 The scheme represents the second phase of a wider residential development with the land abutting the site to the north already being developed and part occupied under previous outline (S/OUT/14/1005) and reserved matters approvals (S/RES/17/0635). These previous consents allowed for 28 dwellings on this part of the (wider) site. This current application therefore seeks to increase this by an additional 16 dwellings on this southern part of the wider site bringing the total for the whole 'Berkeley Farm development site' to 116. It also proposes a reconfiguration of the layout of this area in order to accommodate the additional units.

The Site and Surroundings:

6 The site is an irregular shaped plot of land 2.52 hectares in size. It was until recently a field but now forms part of a wider construction site. It is currently in part use for the storage of spoil and building materials for the wider site to the north which is currently being built out with the most northerly part of it already being part occupied.

7 Agricultural land is located to the east and allotment gardens are located immediately to the south. Beyond Swindon Road to the west are residential properties and abutting the site to the west also are several dwellings and to the north-west some light industrial uses (including a dairy and car repairs business).

Representations:

8 Neighbours:

4 representations of objection received, each containing one or more of the following concerns: traffic, access, highway safety, extra burden on infrastructure (health centre, doctors surgery, schools), impact upon environment and wildlife, impact upon countryside, further development on green belt and agricultural land, contrary to localism act, local plan and neighbourhood plan and Wichelstowe should be built out instead.

9 Parish Council:

Objection to application on basis that appeal was for 100 houses not 116. Also support representations made by residents and can't support any further development until the matter of the pedestrian crossing is resolved. The amendment is contrary to the Planning Inspector's decision.

Highways:

10 No objections subject to suggested conditions.

Urban Design:

11 Concern raised about loss of continuous footpath to the south plus various comments raised regarding potential design/layout improvements relating to individual plots and garden sizes.

NB The plans have since been revised taking into account the issues raised with the footpath plus a number of the individual plot layouts.

Local Lead Flood Authority:

12 No objections subject to suggested condition.

Planning Considerations:

13 The relevant considerations are the design/layout and impact upon character of area, residential amenity and highway safety. Of relevance to the determination of the application are Policies DE1, SD2, TR2, HA1, HA2, EN3 and EN5 of the adopted Swindon Borough Local Plan (SBLP), the Swindon Residential Design Guide (SRDG) and the NPPF.

14 Whilst the site is located outside of Wroughton's settlement boundary the principle of residential development has already been established as part of the previous appeal decision for the site. This is reinforced by the current lack of a 5 year housing land supply within the Borough, which is a material consideration. The principle of residential usage is

thus not now a consideration.

15 Although the description of development gives the impression that the applicant is simply attempting to fit 16 additional dwellings onto the site in and around the ones already approved, in actual fact this application proposes a re-design of this whole phase of the development. The proposal reduces the previously approved more generous plot sizes of a number of the detached houses resulting in a slightly more dense development. Having noted this though it is stressed that the density now proposed is actually still lower than that approved and part built to the northern (phase 1) part of the site (17.4 dwellings per hectare compared to 21.3 dwellings per hectare). With regard to layout, this is also not significantly different from that approved under the previous reserved matters application with 4 main development blocks with open space/a swale to the east and a footpath and a further strip of open space/soft landscaping to the south. The design of the proposed dwellings is also similar to that previously approved and that already built to the north. In summary the design and layout of the development is acceptable and in compliance with Policy DE1 of the SBLP and the SRDG.

16 The addition of 16 further dwellings on such a large plot of land plus the points raised above in terms of a similar layout and the retention of the open space areas means that the changes would create no additional impact upon the surrounding area. This view is taken with consideration of the landscape character designation. As the site is no larger than the outline approval there will be no further encroachment into the countryside or loss of agricultural land. The proposal is compliant with Policies DE1 and EN5 in these respects.

17 With regard to residential amenity impact it is evident that the proposed additional houses and associated layout change will cause no additional impact upon the residential properties that adjoin the site to the west. None of the new properties will be any closer to these existing dwellings and the proposed dwellings size and designs are largely the same as previously approved. The development will also provide appropriate amenity levels for future occupiers in terms of access to light, adequate privacy levels and adequate outdoor amenity space. In summary the proposals will not result in any unacceptable residential amenity impact in compliance with Policy DE1 of the SBLP and the SRDG.

18 The proposed development would be accessed from Swindon Road to the north. This access has already been approved and constructed. It has appropriate visibility splays for access onto such a road and is capable of being able to support an additional 16 houses without creating any detrimental impact upon the highway network. Each dwelling would benefit from at least the minimum number of car parking spaces to meet the Council's adopted parking standards with some benefitting from both driveway and garage parking. Appropriate visitor parking is also proposed (in combination with that approved to the northern part of the site).

Affordable Housing:

19 In accordance with policy HA2 of the SBLP affordable housing will be sought on all suitable sites proposed for development that comprise 15 or more dwellings or sites of 0.5 hectares or more. This application proposes that 30% of the housing will be affordable. This will be secured by means of a Section 106 agreement.

Open Space:

20 Policy EN3 of the SBLP requires the provision of or contributions towards public open space. In this case children's play space and local open space is to be provided on site and on the wider site immediately to the north. Provision towards off-site major open space and off-site outdoor sports is however deemed necessary in relation to the additional dwellings proposed. This would need to be secured by means of a Section 106 agreement. The exact totals and areas in which this could be spent were still being negotiated at the time of writing.

CIL:

21 The Council is a Community Infrastructure Levy (CIL) Charging Authority. At the point of writing this report the adopted CIL Charging Schedule is that dated 6th April 2015. The proposed development for residential is located within CIL Residential Charging Zone 2 of this schedule. The development constitutes CIL Liab development chargeable at the relevant rate within the relevant Charging Schedule in place at the time of calculation, that rate which is subject to indexation annually. The CIL chargeable amount is calculated at the point in time that planning permission first permits development for CIL purposes. To inform the applicant/landowners of the relevance of CIL to the proposal a CIL liable informative will be added to the Decision Notice.

Pedestrian Crossing:

22 As with the original outline approval it is felt necessary that a pedestrian crossing be provided across Swindon Road in the vicinity of the site in order to promote walking to and from the site. Similar to the other Berkeley Farm application that is also before Members on the Committee agenda, to ensure consistency a condition will be imposed requiring the delivery of a crossing before the construction/occupation of all the units.

Other:

23 The site has been the subject of a number of previous ecological surveys that have not discovered the existence of protected species. Since then and the reserved matters approval the site has largely been a working construction site. As a result no ecological/biodiversity concerns are raised. Biodiversity gains have already been approved as part of the previous reserved matters application and are followed through as part of this application as part of the soft landscaping/planting details.

24 With regard to the comments made within the representations section that have not already been covered above the following is noted. There is no reason to suggest an additional 16 dwellings will result in an unacceptable burden upon Wroughton's infrastructure (health centre etc). Whether there is more appropriate sites to provide housing or not is not a reason that can be used to resist this application. The site is not 'green belt' and is no longer agricultural land.

Concluding Comments:

25 The proposed development is acceptable in terms of design/layout, impact upon the surrounding area, residential amenity and highway safety. It is compliant with Policies DE1, SD2, TR2, HA1, HA2, EN3 and EN5 of the adopted Swindon Borough Local Plan, the Swindon Residential Design Guide and the NPPF

Recommendation

26 That the Head of Planning, Regulatory Services and Heritage be authorised to GRANT planning permission subject to the conditions set out in the report and the completion of a Section 106 agreement with authority to amend the terms / wording of the

conditions / S106 agreement if appropriate to secure the necessary mitigation relevant to the development.

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 numbers: 19962_OGL 0, 5567/503 received by the Local Planning Authority on 24th October 2019, the Swindon Road Wroughton (Replan) - House Type Pack received on 8th November 2018, drawing numbers 100-1 D and 102-1 A received on 30th April 2019 and drawing numbers: 100 L, 504 I and 503 J received on 23rd May 2019.

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 erection of the dwellings hereby permitted above ground level 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. No development comprising the erection of the dwellings above ground level shall take place until full details of the slab levels of the buildings hereby permitted in relation to the surrounding land have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

5. Construction works associated with the development hereby permitted shall only take place between 0800 hours to 1800 hours on Mondays to Fridays and 0900 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no additional windows shall be formed at or above first floor level in the: side elevation of plot 86, southern side elevation of plot 96, northern elevation of plot 103 or the eastern elevation of plot 94.

Reason: In the interests of residential amenity

7. For the avoidance of doubt the first floor windows to the side elevation(s) of plots 94 and 103 (shown on the floor plans as belonging to bathrooms) shall be obscurely glazed.

Reason: In the interests of residential amenity.

8. No dwelling on the development hereby approved shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and

street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To ensure a satisfactory means of access for occupants of the development.

9. The allocated private car parking spaces for each unit together with the visitor car parking space(s) on the highway in association with those units, shall be laid out and made available for use prior to the occupation of the each unit. These spaces shall thereafter be maintained only for the parking of motor vehicles in connection with the development hereby permitted.

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

10. All private accesses within the development shall be by means of a dropped kerb crossing.

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

11. No development shall take place or any works of site preparation until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) A temporary access to the site;
- ii) The parking of vehicles of site operatives, construction traffic and visitors;
- iii) Loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development; and
- v) Wheel washing facilities.

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

12. Development shall not begin until a surface water drainage scheme for the site, in accordance with the approved drainage strategy 'Flood Risk Assessment Technical Note (5567/02) - Proposed Residential Development at Berkeley Farm, Wroughton - Issue 1 October 2018', 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:

- o 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;
- o 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;
- o Detailed drainage plan showing the location of the proposed SuDS and drainage network with exceedance flow routes clearly identified;
- o Details to demonstrate the SuDS Scheme has been designed in accordance with best practice guidance including the latest SuDS Manual C753;
- o General arrangement, which should be coordinated with the landscape proposals and the masterplan;
- o Manhole Schedules;
- o 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;

- o Details of how the scheme shall be maintained and managed after completion;
- o 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.

13. Prior to the construction of the 24th dwelling hereby permitted details of the provision of a pedestrian crossing within the vicinity of the site shall be submitted to and approved in writing by the Local Planning Authority and shall be fully implemented prior to the construction of the 24th dwelling .

Reason: In order to promote sustainable transport choices and in the interests of Highway safety.

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

Resting 35 dB LAeq,16 hour (07:00 - 23:00)

Dining 40 dB LAeq,16 hour (07:00 - 23:00)

Sleeping 30 dB LAeq, 8 hour (23:00 - 07:00)

45dB LAFmax between the hours of 23:00 and 07:00

Reason: In the interests of amenity.

15. Where the BS 8233 guidance on sound insulation and noise reduction for buildings standards cannot be met with windows open, a scheme of noise insulation (to the standard laid down in the Noise Insulation Regulations 1975 or, any equivalent standard approved by the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before occupation of any building so affected. This may include the use of acoustic double glazing with sound attenuated means of ventilation where considered necessary.

Reason: In the interests of amenity.

16. Soft landscaping shall be carried out in accordance with the approved plans and in accord with the approved planting time table.

Any tree or shrub planted in accordance with the scheme which is removed, dies or becomes diseased within a period of five years from first being planted, shall be replaced by one of a similar size and the same species.

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

Informatives

1. CIL Liable Development: This development constitutes Community Infrastructure Levy (CIL) liable development. CIL is a mandatory financial charge on development. For more information on CIL visit www.swindon.gov.uk/cil or telephone the SBC CIL Team on 01793 466289 or 466397 or email 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_le

vy and <https://www.gov.uk/guidance/community-infrastructure-levy>. CIL remains relevant in the event that planning permission is allowed by Planning Appeal.

2. 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

3. In addition to this consent, please contact 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.

4. The proposed development will require works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the Local Highway Authority before commencing works on the development.
TransportDevelopment@Swindon.gov.uk

5. The Local Highway Authority will require the developer/landowner to provide a surety under the Advance Payment Code (APC) provisions within the Highways Act 1980 (Sections 219 to 225), to ensure the proper implementation of new private highway which may be offered for adoption to the LHA at a later date, either by way of a Section 38 Agreement, or at the request of the frontagers. Further information in this respect may be obtained by contacting Swindon Borough Council's Transport Development Management team. TransportDevelopment@Swindon.gov.uk

6. 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/m². 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

7. Booking Road Space

Road Space can be booked by contacting Streetworks@swindon.gov.uk giving 12 weeks'

notice.

End of Report