



# DRAFT COMMITTEE REPORT

**Item Number:**

**Application Number:** S/19/0495/RA

**Ward:** Liden, Eldene And Park South

**Parish:** Central Swindon South

**Proposal:** Demolition of existing buildings and erection of 149no. residential units and associated works.

**Site Location:** Former George Gay Gardens Kelham Close, Park South

**Case Officer:** Miss Rachael Adams

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**Applicant**

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## Officers Report

### Background

This application has been called to Planning Committee by Central Swindon South Parish Council due to concerns about the unit sizes not conforming to the National Standards.

An extension of time is agreed until 30<sup>th</sup> August 2019.

### Summary and Recommendation:

1 That the Head of Planning, Regulatory Services and Heritage be authorised to GRANT planning permission subject to the conditions set out in the report together with any amendments, omitted or additional conditions as may be necessary and written confirmation from the Applicant to secure the affordable housing provision and the open space contributions.

### The Proposal:

2 This application seeks planning permission for the demolition of the existing buildings and erection of 149no. residential units and associated works on the site of the former George Gay Gardens residential block and adjacent land at Queens Drive. These units were at, or are close to, the end of their life.

3 The proposal will see the demolition of a total of 86no residential units. The former George Gay Gardens, a four storey building which comprised 50 units was demolished in May 2019, (under prior approval reference S/DEM/18/0536). The other buildings to be demolished are on land to the south fronting Queens Drive which is currently occupied by 4no. 3-storey T blocks comprising 36 flats.

4 The proposed scheme will deliver 100 flats and 49 houses comprising the following mix:

56 x 1 bedroom (2 person) flats  
 44 x 2 bedroom (3 person) flats  
 15 x 2 bedroom (4 person) houses  
 22 x 3 bedroom (5 person) houses  
 2 x 3 bedroom (5 person) houses  
 10 x 4 bedroom (7 person) houses

5 The proposed tenure of the units will be 109 units for rent, 20 units for shared ownership and 20 units for the Swindon Housing Company to deliver market rental homes.

6 The development includes a mix of 3 and 4 storey flat blocks and terraced housing which range from 2-3 storeys in height. There are 3 areas of public open space on the site and a drainage balancing pond in the northern part of the site. A number of swales are also part of the scheme.

7 There will be no new vehicular access from Queens Drive. Access to the new units will be from Wolsely Avenue and the existing roads. A total of 191 car parking spaces are proposed, which includes; 161 residents parking bays, 2 disabled bays, 10 Electric Vehicle Charging Point Bays, 12 visitor bays and 6 spaces which will accommodate existing parking from Kelham Close that will be displaced by the development.

### **The Site and Surroundings:**

8 The application site is located on the east side of Queens Drive, a major route from the M4 into Swindon town centre and is intersected by Wolsely Avenue.

9 The site covers 2.47 hectares, within the Ward of Liden, Eldene and Park South and lies approximately 1.5 miles from the town centre.

10 The site was previously occupied by the four-storey George Gay Gardens residential block on the most northern part of the site, which was demolished in May 2019 and to the south, the site is still occupied by 4no three-storey 'T-Blocks'. An existing sub-station on this part of the site is to remain.

11 The existing T blocks are set back from Queens Drive and are spaced evenly across the site separated by grass land and a number of significant trees. There are a number of footpaths and public rights of way that lead through to the site to the residential development to the east.

## **Representations:**

12 Neighbours: The following comments were received from local residents as detailed below:

111 Leighton Avenue – concerned about loss of green space, road widths, car parking spaces, loss of sunlight and overlooking.

29 Broughton Grange – no objection to the demolition of the buildings.

4 Kelham Close – concerned about the type of planting proposed in areas and about the four storey building blocking light and impacting on privacy.

13 Central Swindon South Parish Council: Object for the following reasons:

1. Unit sizes under the planning framework minimum for 3 bedroom houses.
2. Flooding and drainage plan to be revised.
3. Loss of social housing in other areas.
4. Nesting birds survey to be completed no more than 24 hours before tree felling

14 Ward Councillor:

Cllr Soloman glad to see that the bedroom sizes have been increased but still concerned that both the bathroom and cloakroom have no windows. Hopes the trees that were removed around the area are replanted. Concerned that there is to be sufficient parking for the new builds.

15 Environmental Health: No issue regarding the Air Quality Assessment and no objections to the Noise Assessment subject to conditions.

16 Forward Planning: No objection.

17 Highways: No objections subject to conditions.

18 Housing Enabling Officer: No objection.

19 Landscape Officer: Concerns raised about the loss of trees on the site.

20 Lead Local Flood Authority: No objection subject to conditions.

21 Thames Water: No objection subject to conditions.

22 Urban Design: Concerns raised about the overall design.

23 Wiltshire Police: Concerned about the lack of defensible space for the plots which abut the public footpaths throughout the development and concerned about the public open space/communal garden and the ambiguity of ownership and/or use.

24 Letter also received from the Salisbury and Wilton Swifts (SAWS) who have requested the installation of swift nest bricks in the development.

## Planning Considerations:

25 The main considerations in the determination of this application are whether the proposal accords with the National Planning Policy Framework 2019 and the relevant policies of the Swindon Borough Local Plan 2026 (2015).

26 In accordance with this framework the following issues will be considered:

- Principle of residential development under the NPPF and Local Plan
- Access and Parking
- Design and Layout
- Landscape and Trees
- Other material planning issues including amenity issues not covered above, CIL and developer contributions
- Planning Balance and Conclusions

## Principle of residential development under the NPPF and Local Plan

27 The National Planning Policy Framework (2019) sets out the Government's planning policies for England and how these are to be applied. In respect of this application the following sections are relevant:

section 2, 'Achieving Sustainable Development'  
 section 5 'Delivering a sufficient supply of homes'  
 section 9 'Promoting Sustainable Transport'  
 section 12 'Achieving well-designed places'

28 The following policies of the Adopted Swindon Borough Local Plan 2026 (2015) are considered relevant to this application:

- SD1 'Sustainable Development Principles' sets out the development principles which underpin the local plan
- SD2 'The Sustainable Development Strategy' aims to meet Swindon's development needs whilst protecting the Borough's most important assets;
- SD3 'Managing Development' seeks to take a positive approach to reflect the presumption in favour of sustainable development
- DE1 'High Quality Design' seeks high standards of design for all development
- HA1 'Mix Types and Density' advises that housing development should be design led and respect the character of the surrounding area
- HA2 'Affordable Housing' seeks all developments of 15 homes or more, on sites larger than 0.5 hectares to provide 30% affordable housing
- HA3 'Wheelchair Accessible Housing' seeks all development of 50 dwellings or more to provide 2% of them to be suitable for wheelchair user occupation.
- EN3 'Open Space' seeks development to provide or contribute towards public open space
- EN6 'Flood Risk' seeks to minimise the risk and impact of flooding
- IN1 'Infrastructure Provision' seeks to ensure all new development makes a positive contribution to sustainable growth by mitigating its impacts upon infrastructure
- TR1 'Sustainable Transport' seeks to reduce the need to travel and support and

encourage the sustainable, safe and efficient movement of people

- TR2 'Transport and Development' encourages sustainable travel and seeks to mitigate the impact of development and ensure that suitable parking provision is provided

29 Also of relevance is Swindon Borough Council's Development Control Guidance Note: Technical Guidance on Parking Standards (2007) and the Swindon Residential Design Guide (2016).

30 The development strategy for the Borough is set out in Swindon Local Plan Policy SD2. This policy supports the key government objectives for sustainable development in the most accessible locations. The sustainable development strategy in Policy SD2 seeks to focus development on the Swindon urban area and urban extensions to Swindon. Urban concentration supports key government objectives for sustainable development in the most accessible locations focussing development opportunities within the Swindon urban area. As the site is within Swindon's urban area, it is a location in which the principle of residential development is in accordance with the Local Plan.

31 Policy SD3 reflects the NPPF's presumption in favour of sustainable development and the need for a positive approach to considering development proposals. This means the Local Planning Authority will work jointly with applicants to find sustainable solutions enabling proposals to be approved wherever possible and to secure development that improves economic, social and environmental conditions, and promotes health and well-being, for those people living and working in Swindon Borough.

32 Paragraphs 117 and 118 of the NPPF outline the importance of planning policy in promoting the effective use of land in meeting housing need. This includes attributing substantial weight to the value of using suitable brownfield land within existing settlements for new homes.

33 The proposal will provide a variety of different sized homes across tenures (affordable rent and ownership) in accordance with Local Plan Policy HA1. The net increase in number of units from 86 to 149 dwellings indicates a higher density layout and more efficient use of the site in accordance with government guidance.

34 The proposal complies with Local Plan Policy HA3 which requires developments of 50+ homes to provide 2% as wheelchair user homes. The 2 wheelchair user homes being provided are required to meet or exceed the minimum standards set out in Part M4 (3) Category 3 of the Building Regulations 2010, 2015 edition (incorporating 2016 amendments).

35 The site is considered to be a sustainable location for residential development, located within what is already a predominately residential area, bound by existing residential communities on three sides and is well connected in terms of public transport and local facilities.

36 The principle of residential development on the site is established by the existing residential use and remains in keeping with the nature of the surrounding area. Swindon Borough can currently only identify a housing land supply of 2.7 years against Local Plan targets, and this development will deliver a net 63 additional residential dwellings, which will make a significant contribution to Swindon's housing supply.

37 The site is therefore considered an appropriate and sustainable location for residential development, in accordance with the NPPF and Local Plan Policies.

## **Access and Parking**

### *Site Location and Accessibility*

38 The majority of the roads within and adjacent to the site are residential streets subject to a 20mph speed restriction, where some traffic calming is also present. These roads benefit from footways and lighting, and on street parking is permitted. The site is edged to the west by Queens Drive, a dual arterial route from the M4 and A419T to Swindon town centre. Queens Drive is subject to a 40mph limit, carries a bus route and benefits from footway/cycleway on the east side of the road adjacent to the site.

39 Pedestrians are well served by footways, there are regular and frequent bus services along Queens Drive, with easily accessible bus stops. Pedestrians and (dismounted) cyclists can cross Queens Drive at the Pelican Crossing to the south of Wolsely Avenue and at two informal crossings by Berrington Road by the northbound bus stop. An underpass is available approximately 200m north of Wolsely Avenue. Buses serving the site also serve Swindon town centre and the Hospital. From the town centre, routes across Swindon can be reached. Bus services run from early morning to late night so are suitable as a commuting choice for the majority of the week.

40 Whilst there have been some collisions in the locale, these have been attributed to driver or user error, rather than a defect in the highway layout. The Transport Assessment has detailed the collisions and their causation factors.

### *Site Access*

41 There will be no new vehicular access from the site onto Queens Drive. Accesses to the site will be from Wolsely Avenue, then Leighton Avenue and Kelham Close for the northern part of the site, and via Wolsely Avenue and Thornbridge Avenue, Henley Road and Berrington Road for the southern part of the site. Some of the existing routes across the site will be stopped up and re-provided elsewhere within the scheme to maintain the sustainable permeability of the site.

### *Development Impact*

42 The existing site contained 86 flats, thus the proposal is an increase of 63 units comprising 14 flats and 49 houses.

43 The industry recognised TRICS database has been used to predict the existing and proposed trip rates for the site. The existing trip rates could not be measured directly as the buildings had been closed and the residents moved out. However, the selection parameters chosen within the database are representative of the site characteristics.

44 Existing vehicle trips to the site have been detailed as 16 trips in the AM (08:00-09:00) peak hour and 21 in the PM (17:00-18:00) peak hour. The proposed vehicle trips for the larger quantum of dwellings is predicted as 46 trips in the AM (08:00-09:00) peak hour and 46 trips in the PM (17:00-18:00) peak hour. The net increase in trips is 30 trips in the AM (08:00-09:00) peak hour and 25 trips in the PM (17:00-18:00) peak hour. The level of

increased trips is not considered significant or severe in the context of the NPPF, (2019).

45 The assessment of modal share shows that 40% of all proposed trips generated by the site are by foot in the AM (08:00-09:00) peak hour and 57% in the PM (17:00-18:00) peak hour. Only 35% and 31% of the total trip generation in the AM and PM peak hours respectively will be by vehicles.

#### *Internal Layout*

46 The proposed units are served by 5.5m wide carriageways with 2m footways. A Swept Path Analysis of the roads has been undertaken and demonstrates that the refuse collection vehicle can traverse the site safely. This means that a fire appliance and delivery vehicles will also be able to safely traverse the site and serve the new dwellings. Pedestrian and cycle connections are proposed through the site to encourage permeability and sustainable travel modes.

#### *Parking*

47 The level of car parking required by the development has been determined by using the 2011 Census Data for the locale. [Appendix E of the Transport Statement provides the details]. This includes an assessment of the size and tenure of existing properties in the ward and takes account of the level of accessibility of the site, as detailed above.

48 The Census Data indicates that 107 parking spaces would be acceptable for this development in this location, whilst this is less than that specified in SBCs adopted Parking Standards, the standards do allow for robust evidence to be submitted to support a level of car parking that is not as specified within Appendix B of SBCs Parking Standards.

49 Notwithstanding the above, the application is actually proposing 191 car parking spaces, which comprises; 161 residents parking bays, 2 disabled bays, 10 Electric Vehicle Charging Point Bays, 12 visitor bays and 6 spaces to accommodate existing parking from Kelham Close that will be displaced by the development.

50 Cycle parking for the flats is proposed in secure and sheltered stores at a level of one cycle parking space per unit. The houses are provided with timber sheds in the gardens with space for 2 cycles.

51 Considering all of the above, the Local Highway Authority raises no highway objection subject to the Travel Plan being secured via Legal Agreement or other appropriate means and a number of conditions.

### **Design and Layout**

52 The Councils Urban Design officer consider the proposed development could do more to achieve high quality design as required by the Swindon Local Plan Policy DE1 for the following reasons:

- The proposal responds poorly to its existing context and lacks a strong sense of character and placemaking in its layout;
- Weak legibility, distinction and quality of public and private space dominated by parking arrangements;

- Lack of distinction and quality in the proposed architecture, and choice of render material

53 The Urban Design Officers concerns have origins in the way that the proposal has had to respond to site constraints. It is clear that this response should not be to the detriment of quality. The site is highly visible and would theoretically provide an opportunity for an iconic, transformational scheme. However, on site constraints including access, ecology, noise and air quality issues necessitate a different approach. It is this approach that has shaped the submitted scheme. The application manages to provide an appropriate number of units whilst providing a compliant level of parking, designing in an acceptable access and maintaining key assets.

54 The need to address these constraints, and deliver a compliant scheme has meant that elements of site design have been challenging. The design is alien to the surrounding area, but provides a significant improvement on the previous residential buildings, which themselves were out of character with their surroundings. Nevertheless, the scheme is large enough to develop its own character, and whilst the design may appear unspectacular, it is not unacceptable.

55 The need for on-site parking and constraints around built footprints has led to public and private areas lacking distinction, which makes for a weaker than ideal public realm. Additional concerns remain around the choice of render material, but that can be secured by condition.

## **Landscape and Trees**

56 The Councils Landscape Architect raises concern around the impact of the proposed development on existing trees on the site.

57 There are 80 trees on the site but only 4 trees of these are proposed to be retained. On the former George Gay Gardens site, an Ash and a Willow remain in the top northern corner of the site and a Black Walnut on the corner of Leighton Avenue and Wolsley Avenue. On the land to the south of Wolseley Avenue, a large Oak is also shown to be retained.

58 It is accepted that a number of smaller and perhaps less important trees have to be removed to facilitate the scheme but there are a number of quality trees which have significant long term value and are very important within the wider landscape. These trees are considered to play a key part of the green corridor leading into the town centre along Queens Drive.

59 Of the 80 individual trees surveyed, only 2 show less than a 10 year life expectancy with the majority being somewhere between 20-40+ years. Furthermore, out of the 80 individuals, there are only 2 categorised as 'poor' and 11 as 'fair'. The remaining 67 trees are 'good'. It is, therefore, of concern that so many of these trees are to be removed.

60 The Arboricultural Impact Assessment submitted with the scheme categorises 9 of the



trees as category A and 22 as category B. None of these figures paint a picture of a tree population in poor condition or with a short life expectancy, which would be of a quality to justify consideration for Tree Preservation Orders if they were on private land.

61 It is important to agree the most appropriate mitigation package available by providing significant replacement tree planting either on the site itself or in the area. This should include the creation / installation of a new avenue of trees along the Queens Drive frontage with semi-mature trees and pre-established hedging plants so there is a degree of maturity at the outset. The internal areas of the site must also benefit from a scheme of significant replacement tree and hedge / shrub planting.

62 It is noted that the scheme includes a relatively large number of new trees across the site but it is important to ensure that this planting is based on up to date information regarding the location of existing and proposed services in the ground to ensure that the mitigation planting can be successfully delivered. As such officers suggest a condition is imposed on any permission requiring a detailed scheme to be submitted and agreed.

## **Other Matters**

### **Infrastructure Requirements**

63 The infrastructure requirements and obligations listed below are those that are relevant to the application scheme and are required in order to mitigate the impact of the proposed scheme in line with the tests set under Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). The Council considers that provision is required for the planning obligations detailed below and these are:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

64 In the event that the Council sells the application site to a developer, the Council will be expected to require the developer through the contract for the sale of the application site to enter into a section 106 agreement comprising the planning obligations set out below. However, as it is envisaged that the application site will be developed by the Council, the planning obligations set out below will be carried out by the Council without a formal legal agreement.

65 Swindon is a Community Infrastructure Levy (CIL) Charging Authority. 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.

66 The development is CIL liable but given that 129 of the units are to be affordable the scheme may benefit from a CIL Social Housing Relief Claim. The applicant is advised to contact the Councils S106 Planning Obligations & Community Infrastructure Levy (CIL) Manager in this regard.

67 It should be noted that as George Gay Gardens has been demolished prior to the grant of planning permission it cannot ever count against CIL because those buildings must be on

the relevant land at the point of grant of permission for CIL purposes. Furthermore the 3 year in-use test timescale works backward from the grant of the permission for CIL purposes.

68 In accordance with Policy HA2 of the Local Plan, 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. Of the 149 units proposed, 129 are affordable as detailed in paragraph 4 of this report. Securing this provision is normally achieved through a legal agreement however in this case as the applicant is the Council, this obligation will be secured via correspondence from the Applicant.

69 Adopted Local Plan Policy EN3 requires consideration of Open Space requirements. This is amplified by the Open Space Audit & Assessment (2014 update) [OSAA] that considers the quantity, quality and accessibility of the different types of open space by Ward. An open space calculator translates the requirements of Policy EN3 and associated Appendix 3 of the adopted Local Plan 2026 into the relevant area requirements. Where the scale of development does not trigger or justify the need for on-site provision due to location, there may be grounds to secure off-site provision proportionate to the scale of the development for investment locally.

70 In this case the site is located within the Liden, Eldene and Park South Ward. The OSAA identifies that the provision of general recreation space in the Ward is over the local plan standard, however the Ward is deficient in the provision of children's play areas, playing pitches and allotments. The site also exceeds the recommended walking distances for children's play areas.

71 Based on the proposed number and mix of dwellings, the Open Space Calculator calculates that there should be an on-site provision of 0.94 hectares of open space.

72 The development is proposing 1115sqm/0.11 hectares of open space, which is a significant shortfall.

73 The proposed open space consists of 3 areas across the site, one area of 310sqm in the top northern corner of the site where the Ash and Willow trees are retained, the second area of 215sqm again in the northern part of the site to the rear of plots 33-37 and 44-47 and the third area of 510sqm is proposed to the rear of plots 82-85.

74 Given the deficiency of play spaces in the Ward and the lack of accessibility to existing play spaces, the preferred mitigation would be to achieve on-site play provision to LEAP standard. In view of the nature of the development, this has not been achieved and there are no children's play area/equipment proposed as part of the scheme.

75 In view of this, it is appropriate and necessary to request the following contributions to be spent on open space/play area/pitches in the vicinity:

<b>Contribution</b>	<b>Amount</b>	
Off-site Formal Play Facilities (e.g. LEAP/NEAP)	£43,005.49	To be spent on improvements to Lordsmiths Green play area and open space at Cranmore Avenue
Off-site Local Open Space	£79,015.01	As above
Off-site Outdoor Sports Facilities	£56,533.38	To be spent on improvements to Buckhurst playing pitches
<b><i>TOTAL Combined</i></b>	<b>£178,553.88</b>	

76 Again securing the payment of these contributions is normally achieved through a legal agreement however in this case as the applicant is the Council, this obligation will be secured via correspondence from the Applicant.

#### Response to Representations

77 In response to the comments made by the Police Crime Prevention Officer, the applicant will ensure that the rear gardens that immediately back onto the open space will be fitted with locks so that they are secured against public access. In addition, the recess formed within the internal corners of the 4 blocks of flats identified will be infilled with mature defensible planting so as to ensure that it is not used as a hiding place or congregation area.

78 In response to the issues raised by the Parish Council, the applicant has acknowledged that the 3 bedroom 5 person houses are slightly smaller than the National Standards (85sqm as opposed to 93sqm). However, these 3 bedroom units have been delivered on previous Swindon Borough Council and part Homes England funded sites at Euclid Street and the former Royal British Legion in Penhill. Furthermore correspondence from Homes England confirms that although the units are below the national standards, the units would still be eligible for funding. It should also be noted that minimum Space Standards have not been adopted by the Council.

79 Regarding the request by the Parish Council for the flooding and drainage plan to be revised, officers would draw attention to the fact that the Lead Local Flood Authority (LLFA) have raised no objection to the proposed drainage strategy subject to conditions.

80 In response to the concerns raised by the residents of 4 Kelham Close regarding the proximity and height of the proposed flat block, the minimum separation distances have been maintained between the existing and proposed houses, including between windows lighting habitable rooms, namely living rooms, bedrooms, studies and kitchens.

## **Planning Balance and Conclusions:**

81 The NPPF directs LPAs to apply the presumption in favour of sustainable development and to approve development in accordance with an up-to-date development plan without delay. The site is sustainably located within Swindon's urban area where there is a presumption in favour of development. The site is previously developed 'brownfield' land and was last used for residential purposes. The principle of development is, therefore, established and in this respect the scheme is compliant with the Swindon Borough Local Plan.

82 The provision of a net 63 additional dwellings is a material consideration in the proposals favour in the context of a lack of a demonstrable five year housing supply in the Borough.

83 It is necessary to consider whether the adverse impacts that have been identified, including the loss of the trees, the failure to meet the national space standards [for the 3 bed 5 person houses] and the urban design officers concerns, would sufficiently and demonstrably outweigh the benefits which include delivering 149 new homes, of which 129 would be much needed affordable homes, completions of which are running significantly below adopted Local Plan expectations. These homes should be considered as a significant community benefit.

84 It is considered that the scheme responds to a series of constraints on and around the site. These constraints have inevitably dictated the form of development which has been designed to respect and mitigate them. The urban design concerns have validity and provide suggestions as to how core principles could be incorporated. However, the scheme is a product of the nature of the site and provides for an acceptable scheme that is significantly better than the previous scheme on the site, and provides for a much improved living environment.

85 It is accepted that the 3 bedroom homes are slightly below national space standards. These standards are not adopted, and Homes England has confirmed that the units would qualify for funding on grounds of size. As such, there is no planning reason to substantiate a refusal based on the size of rooms.

86 It is also noted that a large number of non-protected trees will be lost to development. This is regrettable, but inevitable if the scheme is to be delivered. Mitigation can be provided both on and off site, with the intention of ensuring that any overall loss is minimized.

87 Applying the presumption in favour of sustainable development in accordance with the Local Plan, and taking into account the facts that the main concerns can either be justified or acceptably mitigated, the significant housing land supply shortfall, the condition of the demolished and existing units on the site, and the urgent need for new affordable homes, officers are of the view that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission should be granted subject to conditions and obligations set out above.

## **Recommendation:**

88 That the Head of Planning, Regulatory Services and Heritage be authorised to GRANT planning permission subject to the conditions set out in the report together with any

amendments, omitted or additional conditions as may be necessary and written confirmation from the Applicant to secure the affordable housing provision and the open space contributions.

## **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 the following drawings and supporting documents:

0001 rev P1, 0005 rev P1, 0204 rev P3 0209 rev P3, 0210 rev P2, 0211 rev P2, 0212 rev P2, 0213 rev P3, 0215 rev P3, 0216 rev P3, 0221 rev P3, 0229 rev P3, 0230 rev P3, 0235 rev P3, 0240 rev P3, 0620 rev P1, 0621 rev P1, 0622 rev P1 and 0721 rev P1 received by the LPA on 25th March 2019

Flood Risk Assessment and Drainage Statement, Transport Assessment and Transport Scoping Study, Arboricultural Impact Assessment, Historic Environment Desk-Based Assessment, Preliminary Ecological Appraisal, Air Quality Assessment, Desk Study and Ground Investigation Report received by the LPA on 25th March 2019

0700 rev P5, 0701 rev P5, 0702 rev P3, 0703 rev P3, 0704 rev P3, 0705 rev P3, 0706 rev P3, 0707 rev P4, 0708 rev P3, 0709 rev P4, 0711 rev P4, 0712 rev P3, 0713 rev P5, 0715 rev P3, 0716 rev P4 and revised Design and Access Statement and revised Environmental Noise Assessment received by the LPA on 23rd April 2019

Revised Travel Plan received by the LPA on 14th May 2019

0006 rev P02, 0010 rev P06, 0011 rev P02, 0016 rev P06, 0017 rev P06, 0018 rev P06 received by the LPA on 7th June 2019

0200 rev P05, 0201 rev P05, 0203 rev P05, 0205 rev P05, 0206 rev P05, 0208 rev P05, 0214 rev P05, 0217 rev P04, 0218 rev P04, 0220 rev P04, 0222 rev P04, 0223 rev P05, 0231 rev P04, 0232 rev P05, 0233 rev P05, 0234 rev P05, 0241 rev P05 and 0720 rev P02 received by the LPA on 29th July 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. The development hereby approved shall not commence until a detailed scheme of landscaping to include a planting schedule and time table of works, shall have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the positions, species and crown spread of all existing trees and hedgerows on the land, detailing those to be retained, together with measures for their protection during development. The approved scheme shall be implemented as per the approved timetable. 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.

4. Prior to the commencement of works on site in connection with the development hereby permitted, details of temporary protective fences to safeguard the trees to be retained on the site shall have first been submitted to and approved in writing by the Local Planning Authority and shall be erected in accordance with the current BSI 5837 and maintained to that standard until the development has been completed or the Local Planning Authority has confirmed, in writing, that the fencing can be removed.

Reason: To ensure that adequate protection is afforded to the trees and/or hedges on the site.

5. 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.

6. Development shall not begin (excluding site clearance and demolition) until a surface water drainage scheme for the site, in accordance with the approved drainage strategy Flood Risk Assessment & Drainage Strategy, Queens Drive, Swindon, Issue 1 March 2019, 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 unacceptable risks to people and property from flooding by ensuring the satisfactory storage and disposal of surface water from the site.

7. Development shall not be occupied until a surface water drainage maintenance scheme for the site, in accordance with the approved maintenance regime contained within Appendix H Flood Risk Assessment & Drainage Statement, Queens Drive, Swindon, 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 unacceptable risks to people and property from flooding by ensuring the satisfactory storage and disposal of surface water from the site.

8. Prior to the commencement of above ground works (excluding demolition and site investigation) 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.

9. Prior to the commencement of above ground works (excluding demolition and site investigation) on site in connection with the development hereby permitted, details of the hard landscaping of the site including the surface treatment of any roadways or other parts of the site which will not be covered by buildings, 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.

10. Prior to the commencement of above ground works (excluding demolition and site investigation) on site in connection with the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. This boundary treatment shall be implemented before the building(s) are occupied, and shall be retained in the approved form for so long as the development hereby permitted remains on the site.

Reason: In the interests of the amenities of the area.

11. No development shall take place, including any works or demolition, until a Construction Environmental Management Plan has been submitted to and agreed in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise, vibration, dust and light emanating from the site. The approved plan shall be adhered to throughout the construction period.

Reason: In the interests of residential amenity.

12. The development hereby approved shall not commence until an Environment Management Plan, that incorporates ecological measures that achieves a net biodiversity gain, has been submitted to and approved in writing by the Local Planning Authority. The mitigation contained within the approved plan shall be implemented and managed in full accord with the approved details and agreed timescales.

Reason: To mitigate the biodiversity loss arising from the development.

13. 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.

14. The dwellings hereby permitted shall not be occupied until the cycle parking facilities associated with those buildings have been provided in accordance with the submitted plan [drawing no.QD1-QDA-V1-00-DR-A-0010 Rev P06] fitted with sliding gates, and those facilities shall be maintained available for those purposes thereafter.

Reason: To promote and encourage sustainable transport and travel.

15. Prior to the development being brought into use, details of electric car 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.

16. The dwellings hereby permitted shall not be occupied until the vehicular parking and turning facilities associated with those buildings have been provided in accordance with the submitted plan [drawing no.QD1-QDA-V1-00-DR-A-0010 Rev P06], 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.

17. No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from 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.

18. No less than 2% of the total residential development shall provide for wheelchair user occupiers in accordance with a plan or schedule, which shall have been submitted to and approved in writing by the Local Planning Authority. These approved design features and provisions shall be retained for so long as the buildings hereby permitted remain in use as dwelling houses.

Reason: In the interests of people with disabilities.



19. The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

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

Resting 35 dB LAeq,16hour (0700 - 2300)

Dining 40 dB LAeq,16hour (0700 - 2300)

Sleeping 30 dB LAeq,8hour (2300 - 0700)

45dB LAFmax not exceeded more than ten times per 8hr period (2300 - 0700)

55 dB LAeq, 16hour in external amenity spaces

Reason: In the interests of residential amenity.

21. All mitigation measures, as set out in Noise Impact Assessment Report M4239 16th April 2019, shall be installed and retained in its approved form for the duration of the use.

Reason: In the interests of residential amenity.

22. 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 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 applicant shall liaise with the Local Planning Authority, who will select a number of completed dwellings, not exceeding 10%, in which to undertake the validation survey. The survey shall demonstrate compliance with the following criteria:

Resting 35 dB LAeq,16hour (0700 - 2300)

Dining 40 dB LAeq,16hour (0700 - 2300)

Sleeping 30 dB LAeq,8hour (2300 - 0700)

45dB LAFmax not exceeded more than ten times per 8hr period (2300 - 0700)

55 dB LAeq, 16hour in external amenity spaces

Reason: In the interests of residential amenity.

## 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. 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

3. 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)

4. 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.

[http://www.swindon.gov.uk/info/20031/roads\\_parking\\_and\\_transport/321/apply\\_for\\_street\\_name\\_or\\_number](http://www.swindon.gov.uk/info/20031/roads_parking_and_transport/321/apply_for_street_name_or_number)

5. The proposed development is located within 15m of Thames Waters underground assets, 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-largesite/>

Planning-your-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email:

developer.services@thameswater.co.uk

6. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>

End of Report

