



COMMITTEE REPORT

Item Number:

Application Number: S/18/1429/RM

Ward: Eastcott

Parish: Central Swindon South

Proposal: Erection of 23no. residential units and associated works.

Site Location: Land Off Morse Street, Swindon, Wilts

Case Officer: Rhian Morris

Agent:

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UK

Applicant

Mr Harry Barclay

Morse St Developments Ltd
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Teddington
TW11 0NL

Officers Report

Background:

The application has been requested to be considered at planning committee by Councillor Pajak and South Swindon Parish Council for the following reasons:

- *over development of the site;
- *parking issues despite provisions on site,
- *the area has parking issues from inadequate supply of residential parking spaces and enforcement of the scheme and town centre visitors.
- * Development is out of keeping with the terraced housing of the area.
- * The proposed site plan indicates a pedestrian access in the backway between 33 Morse Street and 33 Newhall Street. Which is a difficult path to use.
- * The development takes majority ownership of this unadopted path and therefore as part of this scheme should make it both safe and usable either as part of the application or as a condition.

Summary of Recommendation:

That planning permission be **GRANTED** subject to Conditions

1.0 The Proposal:

1.1 The scheme proposes 23 residential units in 3 blocks, to include 2 studios; 8 x 1 bed and

13 x 2 bed units. Electric vehicle charging point; 12 parking spaces including a disabled parking space, cycle storage availability; communal external space and landscaping.

2.0 The Site and Surroundings:

2.1 The site is a commercial repair garage, located south of the main central area of the town centre and benefits from good pedestrian access to the town centre. The application site is approximately 0.22ha in total and is currently occupied by a vehicle repair workshop and an informal car park. The site perimeter is enclosed almost on all sides with fencing/retaining wall.

2.2 Morse Street and Newhall Street adjoin the site's boundary and link with Commercial Road. The site is triangular in shape and stretches east to west. It is bounded by a wall and heavily vegetated slope up to a back way to the rear of properties on Dixon Street to the south. The topography of the site generally slopes downwards from south to the north and the north west. Outside of the site are a series of external steps to manage the change in level between the upper access way to the south of the site and the lower lane to the west.

3.0 Representations:

3.1 South Swindon Parish Council Comments: Objection for the following reasons:

1. Out of keeping with the area, the design of the apartment blocks is completely to the surrounding Victorian terraced houses.
2. Overdevelopment of the plot in terms of the height of the apartment blocks, which will be oppressive on the surrounding small terraced houses.
3. Impact on the amenity of neighbouring properties. The apartment blocks will overlook the gardens of the end properties in Morse Street and will create a shadow over the houses and have a detrimental effect on the light in the gardens and the houses.
4. Parking. This area is already known to have parking problems. It is noted that parking spaces are not being provided for all the flats in the development and an assurance is requested that the flats without parking will not be eligible for the Residents' Parking Scheme.
5. Cycle Storage. The cycle storage does not appear to be sufficient for the number of apartments.
6. Surface Water & Drainage. The site is known to have an underground spring. There is nothing mentioned in the plans about how this will be addressed.
7. Highways. The Highways Officers are supported.
8. Crime. The comments of Wiltshire Police are supported.
9. Wider site Issues. There is a strip of land between the houses in Morse Street and the north side of the development site which has not been included in the plans but needs to be addressed. The area is used locally for fly-tipping and the dumping of rubbish. The developer needs to be aware that they may also own this land and will be responsible for removing fly-tipping in the future.

Revised plans:

Call the application into planning committee and make representation at the next Meeting.

3.2 Wiltshire Crime Officer:

Original plans: Expressed concerns

Comments on revisions:

Pleased to see changes to the pedestrian routes, but notes there are no details of postal arrangements request a condition requesting the post arrangements.

3.3 Contaminated Land Officer:

The land is a former contaminative use (motor vehicle repairs) recommends appropriate conditions to address this.

3.4 Housing Officer:

I note in the planning statement that they mention a viability assessment has confirmed that they cannot provide AH or a commuted sum with the development

3.5 Neighbours: 30A ; 39; 42; 43 Dixon Street; 10 Aymer Place:

The overlooking impact assessment stopped at 31 Dixon Street, and block 3 would overlook the garden and rear windows of no. 30A Dixon Street closer than the existing windows of 33 Newhall Street.

The nature of these properties does not fit in with the scale and design of neighbouring properties.

The run down nature of the area are cited to justify building large apartment blocks.

The houses are regularly done up. The public areas need cleaning up.

There is already a car parking problem and not issuing parking permits will not help the situation. Possibly up to 2 cars per unit ie 48 cars on this site.

The flat roofed structures do not fit into the area and appear to be out of scale with the surrounding area.

The site has a natural spring on it.

Could be a problem of subsidence, the site is built on Kimmeridge Clay and is sandy and subject to movement and this needs to be considered. Houses in Dixon Street do not have foundations and worried this could lead to subsidence.

Neighbour comments on revised plans 30A; 39, 40 Dixon Street;

Making these additional comments;

The new plans don't address the main complaint which is that the proposed buildings are inappropriate for this location.

The development will overbear the existing housing.

There will be a significant loss of light at certain months of the year.

There are springs on the southern edge of the development and concerns about the effect of piling on the integrity and safety of older properties on Dixon Street.

The development is too big for the site and does little to respect the original Victorian nature of the area and the people who live there.

The movement of development through the site should be prevented. The use of the pedestrian access as it is a short cut between Deacon St and Newhall St and there may be issues with cars and pedestrians.

The reduction of just one unit, from 24 to 23, and reconfiguration of ground floor flats

in Block 1, is in response to SBC identifying that the gross internal area of the apartments were below the nationally described space standards. The overall footprint of the buildings however remains the same.

3.6 Transport Management:

Comments on Original Plans:

The site is located within the residential area of Swindon Town Centre which resides within sector 1 of SBC's Parking standards, vehicle parking is not required however cycle storage is compulsory at 1 space per flat.

There would be only one vehicle access via Morse Street with pedestrian access either side, with the existing vehicle access from Newhall Street to be closed. The proposed sole vehicle access is to incorporate a stairway to the footway located on the east side of road, this would cause issues to wheelchair users, prams/pushchairs and cycle storage users, as a cycle storage is proposed just off of this footway. There is also pedestrian access via a road adjacent to Morse Street, again via a stairway, this is the same for the access from the south side of the site. To the west of the site the above drawing number shows the sole access to the western facing flats and the cycle storage located here, is via a stairway. This would all, in turn hinder the use for wheelchair and cycle users, thus a ramp would need to be incorporated within these areas to ensure fair accessibility for all pedestrians and safe access to the cycle store.

Comments on revised plans:

The concern over the pedestrian access via Morse Street which incorporate a stairway to the footway located on the east side of road has been replaced with a ramp and is adequate for all users to access the site and also the cycle storage located off the footway.

The disabled space has been moved from the west of the site to the east which now ensures the link to the main entrance of the dwellings are via a safe and level route, in accordance to SBC's Parking Standards.

The cycle storage facilities which are to be incorporated into the site, 2 external secure facilities which each contain storage for 10 cycles via Sheffield Stands and an internal cycle storage area which shows storage for 4 cycles via cycle hoop stands. The proposed is now in accordance with SBC's Parking Standards.

The cycle storage located to the west of the site shows the sole access to the western facing flats and the cycle storage situated here, is via a stairway. This would in turn hinder the use for wheelchair and cycle users, thus a ramp would need to be incorporated within these areas to ensure fair accessibility for all pedestrians and safe access to the cycle store.

No objections subject to conditions.

Further comments on revised plans:

No highway objections are now raised.

The plan shows a reduction in car parking spaces by 1; as the site is located within sector 1 of SBC's parking standards, any parking permitted on the site is beneficial to the area.

The steps which were shown in between block 2 and 3 are shown to be replaced with landscaping and pedestrian access.

3.7 Drainage Engineer:

Original comments: Seeks Additional information.

Further Comments: No Objections.

Following revisions to the plans the drainage engineer states that the site is well planned in terms of surface water drainage and the site can be managed via condition.

3.8 Thames Water:

There are public sewers crossing or close to the development; and the risk of damage needs to be minimised;

A groundwater risk management permit will be required from Thames Water for discharging groundwater into a public sewer. Request an informative attached to the permission to ensure that the assets are protected during works.

Thames Water would advise that with regard to waste water network, waste water process infrastructure capacity, water network and water treatment infrastructure capacity, do not have any objection to the planning application, based on the information provided.

3.9 Urban Design comments:

The scheme proposes a high density scheme (109dph), which is considered to be high, with the lack of available open space. It is suggested that the number of units is reduced in order to achieve the correct built form and landscape balance. It should be considered that the proposal could offer the surrounding context a real character enhancement if a more appropriate balance of hard and soft landscaping is offered. It is considered that the hard landscaping is excessive due to the areas of highway and parking layout. It is suggested that the more central communal green space and street planting to facilitate a greener environment and attractive Morse Street vista termination.

It is felt that the space given to highways should be reduced and a pedestrian link be facilitated through a communal green space at the heart of the scheme linking to the existing pathway to the rear of Dixon Street. This would be a legible continuation of the pedestrian access from Morse Street and the built structure frontages would contribute to the safety of the route.

The disabled access parking is located adjacent a stairwell to access the rear of block 1 and is approximately 17m from the front entrance. In order for disabled parking to function as it is intended the siting of disabled parking should be close to the communal entrance in compliance with Part M4 (2) p.13.

Form:

The 3.5 storey height element was raised as a design review panel concern, where the scale of some of buildings at 3.5 storeys appeared excessive in the context of the site.

Although the revised plans now illustrate a maximum height of 3 storeys there remains objection from residents regarding how block 3 will impact upon No.33 Newhall Street in particular.

Comments on the revised scheme

There have been positive changes to the scheme particularly the compliance with GIA space standards. It has been suggested that block 1& 2 could offer improved definition to the buildings character. There are some discrepancies in the window uniformity.

The brick choice will need to be agreed, however it is expected that the brick detail offer various tones, a mix of greys and reds to offer both interest and texture to a simplified built form.

In response to the design review panel concern regarding the termination of the view from Morse Street, it is disappointing that a car parking space has been included at this location. It was suggested that a specimen tree of suitable size would be sited at this location.

Comments on further revisions:

The majority of the issues raised have now been addressed.

4.0 Planning Considerations:

4.1 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).

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

- Principle of residential development under the NPPF and Local Plan
- Access and Transport
- Design and Layout
- Other planning issues including CIL and developer contributions
- The conclusions

4.2 Principle of residential development under the NPPF and Local Plan:

Policy:

4.3 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;
- 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
- EN3 'Open Space' seeks all development to provide or contribute towards public open space
- 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

4.4 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).

4.5 The development strategy for the Borough is set out in Swindon Local Plan Policy SD2. The 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.

4.6 The Development Strategy is clearly defined in Local Plan Policy SD2. Urban concentration supports key government objectives for sustainable development in the most accessible locations therefore the policy focuses 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.

4.7 Paragraph 73 of the NPPF requires local authorities to identify and update annually a supply of specific deliverable housing sites sufficient to provide a minimum of five years' worth of housing against their requirement. In evidence for the recently determined appeal at Hill Cottage, Broad Blunsdon (Planning Inspectorate reference: APP/U3935/W/17/3192234, SBC reference: S/OUT/17/1032) the Council's position was that it is able to demonstrate 2.7 years' supply of housing land in the Borough. The lack of a demonstrable 5-year housing supply is not in itself a reason for approval, but in this case the contribution this site can make to the supply of housing is a material consideration in its favour.

4.8 The site is a commercial garage and some parking, and is considered to be previously developed land (brownfield). Paragraph 118 of the NPPF gives substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and supports appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

4.9 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 giving substantial weight to the value of using suitable brownfield land within existing settlements for homes.

4.10 The site is a sustainable location for residential development, located within a predominately residential area, bound to the west and south by residential communities and is well connected in terms of public transport and local facilities.

4.11 Local Plan Policies SD1 and SD2 outline the Borough's strategic vision, including promoting the delivery of development in sustainable locations and realising development opportunities within Swindon's Urban Area.

4.12 The site is therefore considered an appropriate and sustainable location for a residential development, in accordance with the NPPF and Local Plan Policies SD2 and SD1. The design, mix and layout of these dwellings will be considered in later sections of this assessment.

Access and Transport

4.13 The vehicular access to the site will be via Morse Street, and pedestrian access via Newall Street and Deacon Street has access along the side of the property 38a Deacon Street for pedestrians and cycles.

4.14 The proposal is for 23 residential units and associated works; this includes 12 parking spaces one of which is a disabled space, larger external bike store to accommodate 12 bikes.

4.15 Sector 1, no parking is required for the site, however the proposal includes 12 spaces but there is no indication as to which dwellings these would be associated with. In line with Policy SD1, the site is well connected in terms of sustainable transport and local services, with its proximity to Swindon centre, train and bus routes provides alternatives to the car. It was noted that a reduction in the parking requirement allows for improved private outdoor space for some apartments.

4.16 As Sector 1 has limited capacity for parking with the exception of disabled persons, no owner or occupier of any flat would be entitled to a residential parking permit. As the existing use of the site is for a vehicle repair workshop, the proposal of flats is likely to provide a decrease in trip generation onto the highway.

4.17 There is potential for SuDS to be incorporated when aligning retaining structures with public open space and car parking.

Design and Layout

4.18 The NPPF (Chapter 12) and the Local Plan Policy DE1 place great emphasis on the importance of good design in development. The NPPF and Local Plan require buildings, streets and spaces to respond in a manner which promotes inclusive and sustainable development and contributes positively to the relationship between urban and natural environments and general character of the location.

4.19 The design proposals and site layout have been developed to reflect the site's context, local character and surrounding development patterns; and the final proposals follow extensive pre-application consultation with SBC and the South East Design Review Panel.

4.20 In line with Local Plan Policy HA1 and Swindon's Residential Design Guide, the scale, density and massing of the buildings, which are primarily three storeys in height reflect the site's context, which is primarily suburban in nature. The massing of the buildings ensures the amenity of surrounding neighbourhoods are not impacted following extensive input from the urban design officer.

Design and Review Panel

4.21 This site was reviewed by the design and review panel, which was suggested following the submission of a pre application. The panel were encouraged by the proposals and offered some guidance as to how some aspects of the scheme could be further. The design team subsequently made further improvements to the design in response to the design review panel's recommendations prior to submitting the application.

4.22 The Review Panel made the following comments: the site is characterised by the boundary, wall treatments to all sides that are in a poor state of repair, the design team are currently seeking structural engineering reports to fully appreciate the constraints relating to the retaining structures around the site and a report concerning the extent of any site contamination. There are no trees worthy of retention within the curtilage of the site.

4.23 The site is in a sustainable location within the central area boundary close to the town centre and so is suitable for residential development. There are no apparent constraints apart from possible contamination on the site.

4.24 It was clear that the proposed parking on the site exceeds the Local Authorities requirements, these would require between 4 and 6 spaces. The proximity to the centre, train and bus routes provides alternatives to the car. It was noted that a reduction in the parking requirement could allow for improved private outdoor space for some apartments. Improved parking across the site could be distributed across the site to better effect.

4.25 There is potential for SuDS to be incorporated when aligning retaining structures with public open space and car parking.

4.26 The Panel commended the applicant for wanting to secure a community feel to the scheme, and to promote it to first time buyers but did not think that duplexes would necessarily assist this aim. (The duplexes were the proposal suggested to the panel).

4.27 The use of this typology within the context of the desired unit total of 21 had dictated the massing and height of the buildings. The scale of some buildings appeared excessive in the context of the site. The Panel also queried how the fourth floor layout would be accommodated with the roofspace and suggest that some area will need to be re planned if an acceptable headroom was to be provided.

4.28 It is suggested that if the principal driver for the site was the extension of Morse Street then the building lines of Morse Street should be adopted by following the line of the existing frontages. It was suggested that moving the turning head further into the site could be explored as a way to reinforce the extension of Morse Street. It was further suggested that the visual axis of Morse Street could be terminated with the inclusion of a specimen tree of a suitable size. In addition to a simple palette of materials the panel recommend careful consideration of good quality window and door and suggest balconies or French doors.

4.29 A review of the outside space is recommended, in particular the sun path to make the best use of usable shared spaces. Careful consideration needs to be given to the height and material of the boundary fences.

4.30 In conclusion, there is a need to re-connect with Morse Street, by extending the street to help the overall urban design concept on the proposed site. The interplay between public and private space if clearer and bolder will help in establishing a community. The challenging levels provide an opportunity and help generate the elevational design as well as dictate where to borrow views and add carefully positioned trees.

Viability Report:

4.31 Policy IN1 'Infrastructure Provision' seeks to ensure all new development makes a positive contribution to sustainable growth by mitigating its impacts upon infrastructure. The applicant submitted a viability report to demonstrate that the scheme was not viable and was not therefore able contribute to affordable housing.

4.32 This Independent appraisal on the viability of the proposed development in the context of planning policy, was considered, with regard to policy HA2 of the Swindon Borough Local Plan 2026 taken in the context of the Governments Viability guidance dated 24 July 2018 which was released with the 2018 NPPF.

4.33 Within the viability assessment they demonstrate that a policy compliant scheme (ie 30% affordable being 7 units) is rendered unviable. They therefore propose nil affordable housing on the site.

4.44 Conclusion the independent valuer stated that, following the testing of two schemes one a policy compliant scheme (30% affordable housing) and one no affordable housing. It is evident that neither scheme is viable, the residualised output falling below the minimum Bench Mark Land Value. It is considered that the policy compliant scheme provides a negative land value and should be disregarded.

Conclusion:

4.45 Following the independent assessment it is agreed that the proposed development is unviable and not able to provide a policy compliant level of affordable housing. With no affordable housing the site is able to generate a positive land value, although this falls below the minimum benchmark suggesting there is no margin to allow for affordable housing provision. As such it is considered that the development should proceed with no affordable housing.

Open Space

4.46 A landscaping scheme is proposed for the site, including shared treed and grassed areas for the occupiers of the units. In addition to the communal and public amenity spaces, residential units within the scheme will be served by balconies. Due to the lack of viability, no contribution towards on or off site open space is sought (Policy EN3)

Land Contamination

4.47 The land is a former contaminative use (motor vehicle repairs) and the contaminated land officer suggests a condition which can be attached to the planning permission.

CIL requirements

4.48 In addition to affordable housing which has been addressed above, this section considers the potential wider infrastructure implications. The overarching infrastructure

policy framework is set out through Policy IN1 of the adopted Local Plan. The Community Infrastructure Levy Charging Schedule was adopted on 26th March 2015.

4.49 The Community Infrastructure Levy Regulations 2010 (as amended) 'CIL Regs' came into force on 6th April 2010. The CIL Regs Regulation 122 embedded three of the five tests of Circular 05/2005 as statute. Regulation 122 states that where an item of infrastructure may be requested as a planning obligation, in order to support a decision the three following test must be satisfied:

- Necessary to make the development acceptable in planning terms
- Directly related to the Development, and
- Fairly and reasonably related in scale and kind to the development.

Compliance with Regulation 122 is therefore material to any contributions that will inform a decision to grant planning permission.

4.50 The Council 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. The development constitutes CIL Liable 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.

4.51 Additional comments from the agent:

Agents Response to the residents main points:

- Proposed development will lead to overlooking, overshadowing, loss of amenity and loss of light.
 - Do not consider that the proposal will lead to overlooking, overshadowing or the loss of light. The blocks have been orientated to avoid overlooking and shadowing and maintain privacy distances between the proposed and existing blocks.
- Proposed development is overdevelopment/proposed density is too high.
 - The urban design principles have been used to develop a layout that relates and responds to the massing of the neighbouring development and seeks to improve the public realm and maximises the site potential. The proposal maximises the uses of previously developed land in in line with national and local policy. In addition, there is a shortfall of land in the Borough.
- Impact on character of the area
 - The main principle driving this scheme is to provide a sensitive approach, by maximising the site's potential whilst also being sensitive to its contextual properties. Due to the shape of the site, the scheme is designed to keep with the grain and linear layout of Morse Street and Newhall Street. The tree proposed blocks would step back from the roads and follow the building lines and frontages of the two streets, and onto the public realm to ensure a higher quality outlook and maximise the amount of surveillance. It is considered that strong building lines have been established by Morse Street and Newhall Street and help to enclose the two streets and define their spaces. The

properties in Dixon Street, are substantially higher than the site with relatively small distances between buildings helping to reinforce the same feeling of enclosure.

- Traditional style housing in this location would better reflect the existing character
 - The proposal has adopted a modern architectural style, the dwellings would be finished with materials to match the context of the site.
- Due to the existing car parking issues in the area the proposed development will make the problems worse.
 - The proposed site is located within the Swindon Central Area and within a sustainable location and offer the opportunity for travel other than via the private car. Cycle parking is provided and connection to existing networks and facilities is proposed.
- The site has a natural spring on it
 - Extensive research as not resulted in the discovery of a spring.
- Issues of subsidence could impact on neighbouring properties
 - Suitable soil investigations have been completed on the site and the results will be factored into the buildout of the site. And a phase 1 and 2 Environmental Risk Assessment have been undertaken and a construction management programme will be undertaken and will be subject to Building Regulations.
- Houses adjacent on Dixon Street were not built with foundations so suggest that there be reconsideration of retaining walls and their strength to hold any movement of the land .
 - The retaining walls will be replaced to modern standards.

4.52 Agents Response to Parish Council Comments:

- Out of keeping with the area, design is unsympathetic to the surrounding Victorian terraced houses
 - The client is happy for suitable materials to be used via a planning condition.
- Over development of the plot in terms of height of the apartment blocks.
 - Discussed above in local residents section.
- Overlooking, overshadowing and loss of light. Parking issues; cycle storage, surface water and underground spring.
 - Discussed above in local residents section.
- Wider site issues, there is strip of land between the houses in Morse Street and the north side of the site which has not been included in the plans but needs to be addressed. The area is used locally for fly-tipping and rubbish dumping. The developer needs to be aware that they may also own this land and will be responsible for removing fly-tipping in the future.
 - The land is not within the ownership of the client, and the client is willing to negotiate a suitable financial contribution to help fund some improvements to this land.

Agents further comments following revisions were submitted in May 2019;

- The number of dwellings has been reduced, increased the amount of soft landscaping and ensure a balance between hard and soft landscaping; changes to the pedestrian and cycle access points; internal and external changes to blocks in line with the Council's urban design officer and the introduction of an Electric Vehicle

Charging point.

Agents further amendments were supplied in July 2019; incorporating amendments to the appearance of the blocks in line with the urban designer's comments;

5 Conclusion

5.1 Following lengthy discussions with the applicants/ agents revisions have been made to the scheme including reducing the number of units from 24 to 23 units. The site is located within the residential area of Swindon Town Centre which resides within sector 1 of SBC's Parking standards, vehicle parking is not required however cycle storage is compulsory at 1 space per flat. Despite there not being a need for car parking to be provided in this central location 12 spaces have been provided on the site.

5.2 Following the independent assessment it is agreed that the proposed development is unviable and not able to provide a policy compliant level of affordable housing. With no affordable housing the site is able to generate a positive land value, although this falls below the minimum benchmark suggesting there is no margin to allow for affordable housing provision. As such it is considered that the development should proceed with no affordable housing.

5.3 The NPPF (Chapter 12) and the Local Plan Policy DE1 place great emphasis on the importance of good design in development. The NPPF and Local Plan require buildings, streets and spaces to respond in a manner which promotes inclusive and sustainable development and contributes positively to the relationship between urban and natural environments and general character of the location.

5.4 The design proposals and site layout have been developed to reflect the site's context, local character and surrounding development patterns and the final proposals follow consultation with SBC and the urban design officer.

5.5 In line with Local Plan Policy HA1 and Swindon's Residential Design Guide, the scale, density and massing of the buildings, which are primarily three storeys in height reflect the site's context, which is primarily suburban in nature. The massing of the buildings ensures the amenity of surrounding neighbourhoods are not impacted.

5.6 The proposed development is considered to acceptable and complies with local plan policies, the NPPF and is recommended for approval.

Recommendation

That planning permission be **GRANTED** with Conditions

Conditions/Reasons

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

C12165.PL.003 Existing Site Plan;

C12165.PL.051 Proposed site plan;

C12165.PL.111; 121; 131 floor plans;

C12165.PL.211; 212; 231; 241; 242; Elevations;

C12165.PL.250; street scene;

C12165.PL.901; bin store and elevations;

C12165.PL.902 Cycle store and elevations received by the Local Planning Authority 28 May 2019.

C12165.PL.064 Rev A proposed site plan showing levels received 30th 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. 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. Prior to the commencement of works on site in connection with the development hereby permitted, a 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.

5. No glass other than obscure glass manufactured to a privacy level of 4 or above shall be used in the glazing to the north and south elevations of blocks 1, 2 and 3

Reason: In the interests of residential amenity.

6. Prior to the commencement of works 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 buildings 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.

7. Development shall not begin until a surface water drainage scheme for the site, in accordance with the approved drainage strategy 'Surface Water Drainage Statement for Proposed Residential development - Morse Street, Swindon, Issue 2, December 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:

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.

8. With the exception of disabled persons, no owner or occupier of any flat hereby permitted shall be entitled to a permit that enables on street parking within any existing or future controlled parking zone designated by the Council.

Reason: To promote sustainable transport and to avoid additional pressure upon limited on-street parking spaces.

9 Notwithstanding the submitted details, no dwelling hereby permitted shall not be occupied until the cycle parking / storage facilities associated with that dwelling has been provided in accordance with details that have first been submitted to and approved in writing by the Local planning authority. Such provision shall thereafter be maintained in the approved form
Reason: To promote and encourage sustainable transport and travel.

10. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before the properties are occupied. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

11 No property on the development hereby approved shall be occupied until the pedestrian access and roadways (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that property 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.

12. Prior to the development being brought into use, details of the timing of provision, location and number of electric car charging points shall be submitted to and approved in writing by the Local Planning Authority. The charging points shall be installed in accord with the approved details and thereafter maintained in that form.
Reason: To provide opportunity for sustainable transport modes.

13 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 and those facilities shall be maintained available for those purposes thereafter.
Reason: To ensuring that the parking and manoeuvring facilities are retained for that purpose in the interest of 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 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_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. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

3. 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 Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road,

Reading, Berkshire RG1 8DB

4. Thames Water expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

