

COMMITTEE REPORT

Item Number:

Application Number: S/20/0851

Ward: St. Margaret and South Marston

Parish: South Marston

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

Location: Workshops, Manor Farm, Manor Farm Lane

Case Officer: Ralph Chakadya

Agent:

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

Applicant:

Mr & Mrs Griffiths
125 Croft Road
Swindon
SN1 4DS

Background

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

Summary of Recommendation:

4. Planning permission be Granted with conditions.

The Proposal:

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

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

The Site and Surroundings:

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

Representations:

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

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

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

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

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

Consultees:

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

Relevant Policies

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

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

21. Supplementary Planning Documents (SPD)

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

22. Other material considerations

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

Planning considerations

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

The principle of development

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

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

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

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

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

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

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

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

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

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

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

Impact onto Heritage Assets

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

Design and appearance

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

Residential Amenity

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

Noise impact

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

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

Ecology

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

Access and Parking

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

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

Landscaping and design

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

Contaminated land

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

Drainage and Flood Risk

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

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

Community Infrastructure Levy

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

Concluding Comments:

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

Recommendation

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

Conditions

1. The building works hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990.
2. This approval is in respect of the following drawings and details
 - Drawing No. 19001/01 Rev A LOCATION PLAN

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

all received 13 July 2020

- PRELIMINARY ROOST ASSESSMENT received 01 September 2020

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

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

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

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

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

Reason: In the interests of amenity

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

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

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

Reason: To promote and encourage sustainable transport and travel.

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To enable a net gain for biodiversity.

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

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

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

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

Reason: in the interests of the sustainable drainage.

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

Reason: in the interests of the sustainable drainage.

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

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

Foul water infrastructure

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

Reason: to prevent any sewage flooding and pollution.

Contaminated land

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

Part - 1. Site Characterisation

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

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

The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

* human health,

* property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

* adjoining land,

* groundwaters and surface waters,

* ecological systems.

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

Part - 2. Submission of Remediation Scheme

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

Part 3. Implementation of Approved Remediation Scheme

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

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

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

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

Part 5. Long Term Monitoring and Maintenance

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

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

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

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

Informatives

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