

PLANNING COMMITTEE

TUESDAY, 6 OCTOBER 2020

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

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

10. Declarations of Interest

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

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

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

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

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

11. Minutes

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

12. Public Question Time

There were no public questions.

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

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

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

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

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

The application can be broadly summarised as:

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

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

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

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

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

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

Submissions opposing the application can be broadly summarised as:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The application can be broadly summarised as:

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

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

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

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

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

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

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

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

Reasons

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

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

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

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

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

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

Reasons

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

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

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

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

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

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

The application can be broadly summarised as:

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

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

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

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

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

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

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

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

Submissions opposing the application can be broadly summarised as:

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

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

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

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

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

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

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

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

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

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

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

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

The application can be broadly summarised as:

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

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

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

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

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

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

Submissions opposing the application can be broadly summarised as:

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

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

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

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

17. Protocol for Dealing with Planning and Related Applications

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

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

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

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

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

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