

Swindon Borough Council

Planning Committee

Tuesday, 13 October 2015

Council Chamber, Civic Offices

At 5.30 p.m.

**Conservative
Councillors**

*Colin Lovell
Vera Tomlinson
Nick Martin
Alan Bishop
Kevin Parry
Eric Shaw
Cathy Martyn
Timothy Swinyard*

**Labour
Councillors**

*Abdul Amin
John Ballman
Teresa Page
Peter Watts
Paul Baker
Steph Exell*

**Liberal Democrat
Councillors**

Stan Pajak

(Copy to all other Members of the Council – For Information)

Committee Officer: Iain Tucker (Telephone 01793 463605)
email: itucker@swindon.gov.uk

Swindon Borough Council can be contacted at the Civic Offices, Euclid Street,
Swindon, SN1 2JH (Telephone 01793 445500)

PLEASE NOTE: AN ADDITIONAL INFORMATION SHEET CONTAINING ANY INFORMATION RECEIVED AFTER PUBLICATION OF THIS AGENDA WILL BE PLACED IN COUNCILLORS' PIGEONHOLES FOR DELIVERY ON THE FRIDAY IMMEDIATELY BEFORE THE MEETING.

PUBLIC COPIES OF THE ADDITIONAL INFORMATION SHEET WILL BE AVAILABLE ON THE COUNCIL'S WEBSITE AND FROM APPROXIMATELY 4.30 PM IN THE COUNCIL CHAMBER.ON THE DAY OF THE MEETING

AGENDA

1. Apologies for Absence

2. Declarations of Interest

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

3. Minutes (Pages 1 - 2)

To receive the minutes of the meeting held on 8th September 2015

4. Public Question Time

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

5. Determination of Planning and Related Applications (Pages 3 - 5)

6. S/OUT/15/0912/JABU Outline application for up to 103no. dwellings, including up to 30% affordable housing units, landscaping and a new access from Marlborough Road - Access not reserved. Land east of Marlborough Road, Wroughton, Swindon

(Pages 6 - 29)

7. S/OUT/15/1204/TB Outline application for the erection of up to 100no. dwellings and associated works. (Means of access not reserved). Land at Berkeley Farm, Swindon Road, Wroughton (Pages 30 - 62)

8. S/15/0467 Erection of 5 no dwellings, a detached garage and construction of a new vehicular access. Land at Nursery Close, Wroughton, (Pages 63 - 79)

9. S/15/0623 Change of Use from Offices (Class B1) to rehabilitation day centre Units A and B, The Dorcan Complex, Faraday Road, Dorcan (Pages 80 - 90)

10. S/15/1373/JROD Erection of a first floor side and single storey front extension 56 Woodside Avenue, Old Walcot, Swindon (Pages 91 - 97)

Date of Despatch: 05 October 2015

Key:

Officers:

HP - Head of Planning

Public Question Time - Swindon Borough Council remains committed to increasing its accountability to the public and to promoting active citizenship. 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from the public about the work of the Committee (except for confidential matters, and matters relating to planning and licensing applications). We will give priority to those who submit questions in writing at least two days before the meeting. Questions must be relevant, clear, and concise. You may not use Public Question Time as an opportunity to make speeches or statements.

Questions in writing should be sent to the Committee Officer whose contact details appear on the agenda above or to the Director of Law and Democratic Services, we will publish it, along with the answer, alongside the Minutes. The process associated with asking a public question is set out in the "Public Question Time at Council Meetings Protocol and Guidance" available on the Council's Website.

(<http://ww5.swindon.gov.uk/moderngov/ecCatDisplay.aspx?sched=doc&cat=13338&path=0>) or from the Committee Officer named above.

Access Arrangements – *The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but*

have any special requirement to enable you to do so please contact the Committee Clerk above, as soon as possible prior to the date of the meeting.

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

WELCOME TO THE PLANNING COMMITTEE OF SWINDON BOROUGH COUNCIL

NEW GUIDELINES - PLEASE READ

IF YOU HAVE COME TO SPEAK ABOUT AN APPLICATION THAT INTERESTS YOU PLEASE READ THE FOLLOWING GUIDELINES. THEY EXPLAIN HOW THE COMMITTEE DEALS WITH EACH ITEM. THESE GUIDELINES ONLY APPLY TO APPLICATIONS LISTED ON THE MAIN SCHEDULE IN THE AGENDA

- 1. THE COMMITTEE CHAIR CALLS THE ITEM**
- 2. PLANNING OFFICER PRESENTS THE APPLICATION**
- 3. WARD COUNCILLORS MAY SPEAK**
- 4. APPLICANTS AND/OR AGENT (5 MINUTES MAXIMUM IN TOTAL) WHO HAVE NOTIFIED THEIR INTENTION TO SPEAK ON THE ITEM TO THE COMMITTEE CLERK BY 12 NOON THE DAY BEFORE THE MEETING.**
- 5. PUBLIC SPEAKERS (INCLUDING PARISH COUNCIL)- WHO HAVE NOTIFIED THEIR INTENTION TO SPEAK ON THE ITEM TO THE COMMITTEE CLERK BY 12 NOON THE DAY BEFORE THE MEETING.**

(MAXIMUM 5 MINUTES EACH UP TO 2 SPEAKERS, IF MORE THAN 2 THEN MAXIMUM 10 MINUTES TOTAL SPEAKING TIME FOR ALL SPEAKERS)
- 6. COUNCILLORS WHO HAVE DECLARED PERSONAL OR PREJUDICIAL INTERESTS MAY SPEAK**
- 7. MEMBER ONLY DISCUSSION, INCLUDING ANY FURTHER QUESTIONS TO OFFICERS OR ANYONE ELSE WHO HAS SPOKEN**
- 8. A PLANNING OFFICER WILL CLOSE THE ITEM BY COMMENTING ON ISSUES RAISED BY MEMBERS**
- 9. VOTE**
- 10. CHAIR BRIEFLY EXPLAINS DECISION IF NECESSARY**
- 11. NEXT BUSINESS**

THE 10 MINUTE MAXIMUM PUBLIC SPEAKING PERIOD WILL BE YOUR ONLY OPPORTUNITY TO SPEAK, UNLESS MEMBERS OF THE COMMITTEE WISH TO ASK YOU QUESTIONS UNDER GUIDELINE 7.

SPEAKERS WHO MERELY REPEAT POINTS ALREADY MADE BY OTHERS MAY BE ASKED TO STAND DOWN.

IF THERE IS MORE THAN ONE PERSON WISHING TO ADDRESS THE COMMITTEE EITHER AS AN OBJECTOR OR SUPPORTER, THEY ARE EXPECTED TO NOMINATE A REPRESENTATIVE FROM THE SPEAKERS LISTED TO REPRESENT THEIR COLLECTIVE VIEWS.

THE CHAIR AND THE COMMITTEE HAVE THE DISCRETION TO DEPART FROM THESE GUIDELINES, BUT WILL IN MOST CASES EXPECT ALL PARTIES TO ABIDE BY THEM.

PLANNING COMMITTEE

TUESDAY, 8 SEPTEMBER 2015

PRESENT: - Councillors Abdul Amin, Colin Lovell (Chair), Teresa Page, Vera Tomlinson, Peter Watts, Nick Martin, Paul Baker, Kevin Parry, Eric Shaw, Cathy Martyn, Stan Pajak, Timothy Swinyard and Steph Exell.

Apologies for absence were received from Councillors John Ballman and Alan Bishop.

70. Declarations of Interest

There were no declarations of interest.

71. Minutes

Resolved – That the minutes of the meeting held on 11th August 2015, be confirmed and signed.

72. Public Question Time

There were no public questions

73. Determination of Planning and Related Applications

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services, Heritage and Libraries;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (i) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/OUT/14/1912	Peter Lawson	Agent
S/OUT/14/1879	Peter Lawson	Agent
	Bob Berry	Local Resident
	Stuart Leech	Stratton Parish Council
S/14/470	Carl Tager	Agent
S/15/960	Anthony Buckley	Agent
	Stuart Leech	Stratton Parish Council

Resolved – (1) That the Head of Planning, Regulatory Services, Heritage and Libraries be authorised to grant permission in respect of application numbered S/OUT/14/1912 subject to the satisfactory resolution of outstanding highway matters

and subject to the conditions set out in the Committee report, with authority to amended, add or omit conditions as necessary to control the development.

(2) That the Head of Planning, Regulatory Services, Heritage and Libraries be authorised to grant permission in respect of application numbered S/OUT/14/1879 subject to a planning obligation being entered into to provide clarity over the occupancy criteria and minimum level of care with regard to the C2 element of the scheme, the satisfactory resolution of outstanding highway matters and subject to the conditions set out in the Committee report, with authority to amended, add or omit conditions as necessary to control the development.

(3) That permission be granted in respect of application numbered S/14/470 subject to the conditions listed in the Committee report.

(4) T That permission be granted in respect of application numbered S/15/960 subject to the conditions listed in the Committee report together with an additional condition regarding the type of garage door.

74. Development Briefs for the Former Rodbourne Farm North Allotment site at Barnfield Close, Swindon ('Site 1') and the Former Even Swindon Infant and Junior School site at Rodbourne Road , Swindon ('Site 2').

The Head of Planning, Regulatory Services, Heritage and Libraries submitted a report seeking the approval of the this Committee for the adoption of the Development Briefs for the Former Rodbourne Farm North Allotment site at Barnfield Close, Swindon ('Site 1') and the Former Even Swindon Infant and Junior School site at Rodbourne Road , Swindon ('Site 2').

Resolved – That this Committee:

- (1) Approves the Development Brief's for adoption for Development Control purposes; and
- (2) Authorises the Head of Planning, Regulatory Services, Heritage and Libraries, to make minor typographical and presentational changes to the content of the document if required.

75. Planning Committee Start Time

On Consideration:

Resolved – That for a trial period of the next three meetings, Planning Committee amends its start time from 6.00 pm to 5.30 pm.

Determination of Planning and related Applications

Planning Committee

Date: 13th October 2015

Author: Head of Planning and Regulatory Services
Wards: All Wards
Locality Affected: All Locality Area
Parishes Affected: All Parish Area

1. Purpose and Reasons

- 1.1 To determine the planning and related applications in the Committee reports that follow this report in the Committee Agenda, as may be amended by the additional information sheet circulated before the meeting

2. Recommendations

The Committee is recommended to:

- 2.1.1 determine the applications set out in the Committee agenda in accordance with the recommendations set out in the reports, including, where relevant, the additional information.

3. Alternative Options

- 3.1 The Committee could choose not to determine the Planning applications

4. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 4.1 There would be financial implications if, following a refusal to grant planning permission or the grant of conditional permission, costs are awarded against the Council on appeal. However, this would only happen if the Council was adjudged to have acted unreasonably

Legal and Human Rights Implications

- 4.2 There are no staffing implications. No comments have been received from relevant trade unions, unless specified in the attached schedule.
- 4.3 Human Rights considerations have been taken into account in compiling the reports. It is considered that the recommendations of the reports are compatible with Convention rights and that in accordance with the principle of proportionality any interference with the Convention rights of individuals is justified by the overall benefit to the community.

5. Appendices

- 5.1 Appendix 1 - Documents which may be relied on in the preparation of the application reports

Further information on the subject of this report can be obtained from Contact Person, Direct Dial Telephone Number, Employee@swindon.gov.uk.

Determination of Planning and related Applications

Planning Committee

Date: 13th October 2015

- 5.2 Schedule of planning and related applications reported to this Committee for the first time.

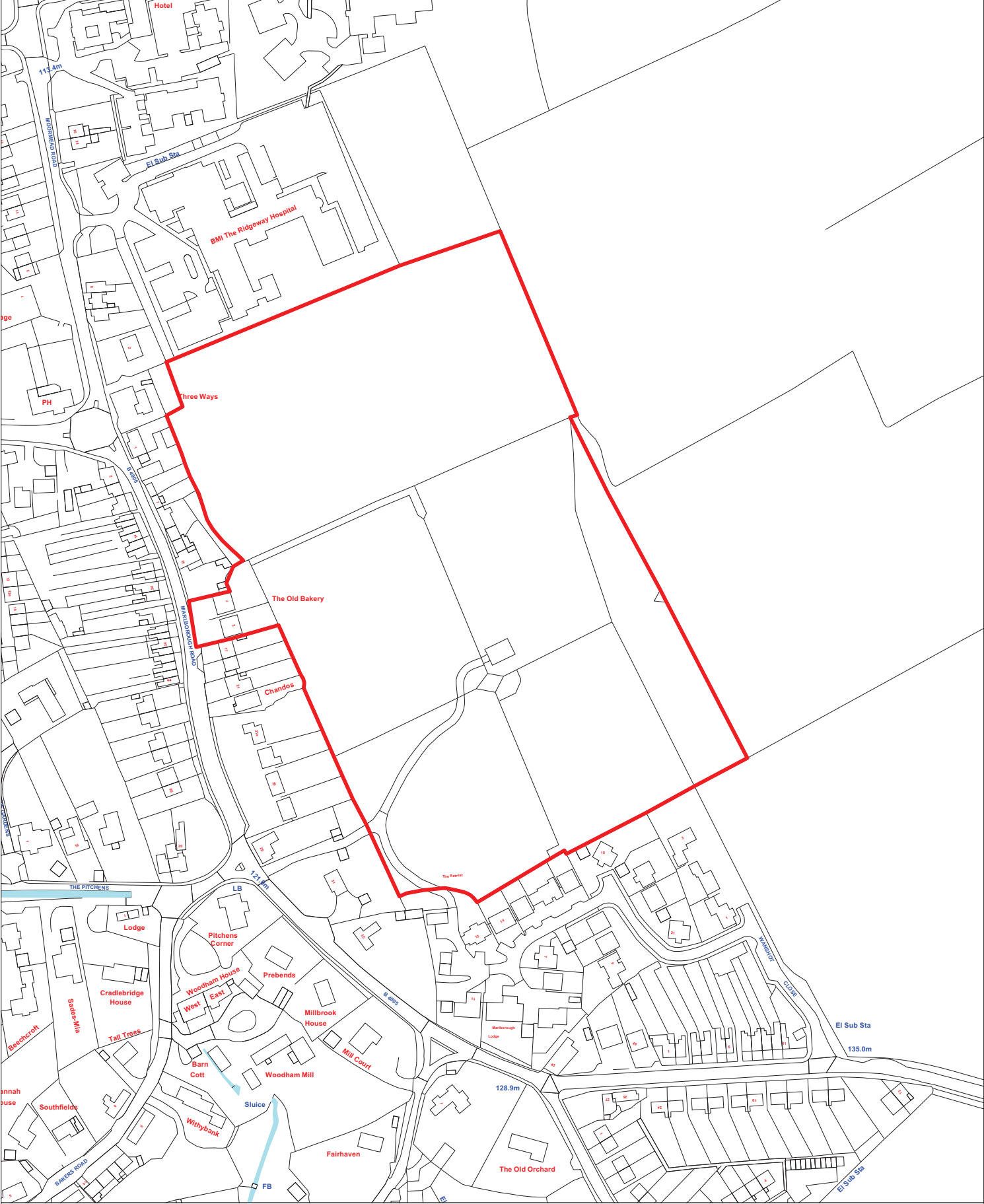
APPENDIX 1

DOCUMENTS WHICH MAY BE RELIED ON IN THE PREPARATION OF THE APPLICATION REPORTS

1. The approved Development Plan, consisting of
 - Swindon Borough Local Plan 2026, (2015), and the Swindon Borough Local Plan 2026 Policies Map (2015)
 - Wiltshire and Swindon Minerals Core Strategy, (2009)
 - Wiltshire and Swindon Minerals Development Control Policies DPD (2009)
 - Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan, (2013)
 - Wiltshire and Swindon Waste Core Strategy, (2009)
 - Wiltshire and Swindon Waste Development Control Policies DPD, (2009)
 - Wiltshire and Swindon Waste Site Allocations Local Plan, (2013)
 - Swindon Central Area Action Plan, (2009)
2. Adopted Supplementary Planning Guidance Notes, Supplementary Planning Documents and Development Control Guidance Notes
3. The National Planning Policy Framework, (2012); and policy statements, guidance and DCLG circulars that support the National Planning Policy Framework
4. Ministerial Statements and other guidance material to the consideration of applications
5. Relevant appeal decisions and case law
6. Relevant planning history, case files and related correspondence including the views of statutory consultees
7. Any emerging relevant Development Plan Documents

Outline application for up to 103no. dwellings, including up to 30% affordable housing units, landscaping and a new access from Marlborough Road - Access not reserved.

Land East Of Marlborough Road Wroughton Swindon



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.

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Outline application for up to 103no. dwellings, including up to 30% affordable housing units, landscaping and a new access from Marlborough Road - Access not reserved.

Land East Of Marlborough Road Wroughton Swindon



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.



NOTES:
1. All dimensions are in meters.
2. All dimensions are to the center of the building.
3. All dimensions are to the center of the road.
4. All dimensions are to the center of the path.
5. All dimensions are to the center of the boundary.

REVISIONS



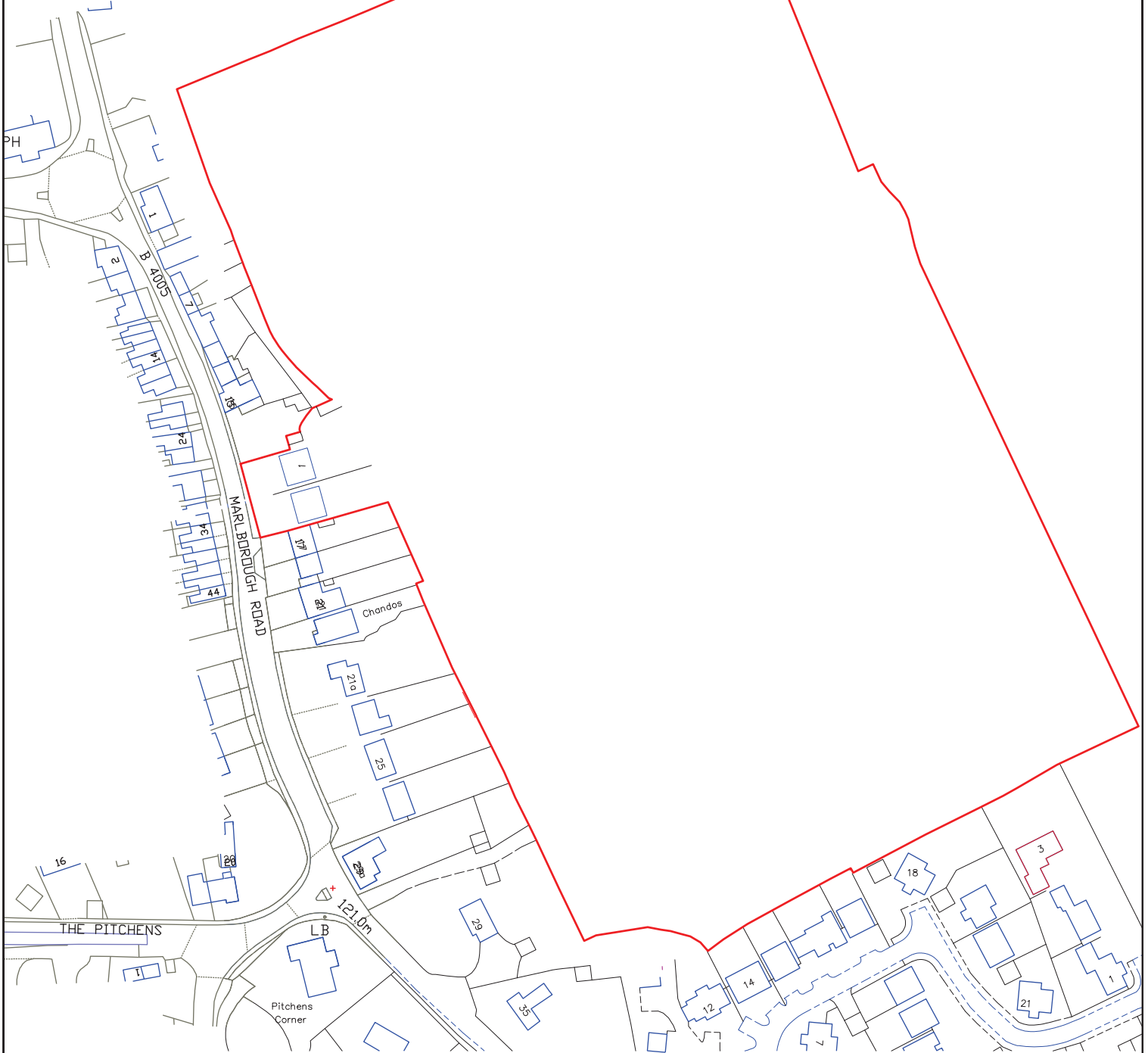
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12 JUN 2015
17 JUN 2015
PLANNING DEPARTMENT

ERIC COLE ARCHITECTURE

Eric Cole Ltd, 15 The Woodhouse, Clonsilla, Clonsilla, CL7 7PP
T: +44 (0)1286 641234 E: eric@ericcole.co.uk W: www.ericcole.co.uk

PROJECT:	MANLEIGH RD. WROUGHTON
DWG TITLE:	INDICATIVE MASTERPLAN
SCALE:	1:5000
DRAWN BY:	PH
CHECKED:	



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						JOB TITLE Marlborough Road, Wroughton		CLIENT Hannick Homes	
						DRAWING TITLE Site Boundary		Development Transport Planning <small>Kingswick House, Kingswick Drive, Sunninghill, Berkshire, SL5 7BH Tel: 01344 292366 Email: admin@developmenttp.co.uk</small>	
						DESIGNED BY TMS	DRAWN BY TMS	CHECKED BY AKJ	PASSED BY AKJ
						DATE 13/05/15	DATE 13/05/15	DATE 13/05/15	DATE 13/05/15
						SCALES @ A3 SIZE 1:1250		ISSUE STATUS PRELIMINARY	
						DRAWING NUMBER 65002-TA-002			REV.
REV		DE	DR	CH	PA	DATE			



COMMITTEE REPORT

Item Number: 6
Application Number:
 S/OUT/15/0912/JABU

Ward: Wroughton And Wichelstowe
Parish: Wroughton

Proposal: Outline application for up to 103no. dwellings, including up to 30% affordable housing units, landscaping and a new access from Marlborough Road - Access not reserved.

Site Location: Land east of Marlborough Road, Wroughton, Swindon

Case Officer: Mrs Janet Busby

Agent:
 Mr Jamie Lewis
 Hunter Page Planning
 18 High Street
 Cheltenham
 Gloucestershire
 GL50 1DZ
 United Kingdom

Applicant
 Mr Conor Lee

 Hannick Homes And Developments
 C/O Agent

Officers Report

Background

1 This application has been brought before Planning Committee at the request of Councillor Ford, and due to the high level of public concern. A broadly similar proposal, application reference S/OUT/13/1862 was refused planning permission on 13th June 2014.

Summary of Recommendation:

2 That planning permission be REFUSED

The Proposal:

3 This is an outline application, with all matters reserved, apart from the means of access to the development. It seeks permission to erect up to 103 no. dwellings (including 30% affordable housing units) following the demolition of numbers 1 and 2 The Old Bakery, Marlborough Road. It is a green field site with an approximate area of 5.71 hectares and is located to the east of Marlborough Road, Wroughton. An indicative master plan forms part of the application submission, together with other supporting documents including a Transport Assessment, an archaeological evaluation, an ecological appraisal, a flood risk assessment and baseline landscape appraisal.

4 The development proposes to construct a new access to the application site from Marlborough

Road in the form of a T-junction on land currently occupied by two detached dwellings, numbers 1 and 2 The Old Bakery, Marlborough Road, Wroughton.

5 This new application proposes a revised junction design and geometry to provide for turning movements without imposing additional car parking restrictions on Marlborough Road. The junction design proposes a taped access carriageway with a central area that is designed to be over-run. The proposed access junction provides for footways with dropped kerbs and tactile surfacing on sides, north and south of the proposed junction. The application drawings show a new footway on the eastern side of Marlborough Road to connect to the existing footpath north and south.

6 The application proposes residential development of up to 103 no. dwellings including the provision of 30% affordable housing units. An indicative masterplan forms part of the application submission to show how the site could be developed; this is provided for illustrative purposes only, as the layout, scale, appearance and landscaping of the development are reserved for subsequent approval. The Design and Access statement (D and A) describes the development proposed as predominantly detached and semi-detached dwellings with a number of short terraces. It refers to primarily two storeys in height and that a small proportion of development will be two and a half stories in height.

7 The supporting illustrative masterplan shows the provision of what is described as "semi-formal public spaces" and a larger area of public open space located along the eastern edge of the development. The D and A statement refers to the retention of an existing area of trees and that it is envisaged that this area will incorporate ecological enhancements such as native tree planting and areas of wildflower meadow, whilst also allowing for areas of informal play. The D and A statement describes that an equipped children's play area will be provided within the development and the master plan indicates a location within the layout. The D and A statement describes that development located along the site's western boundary will be laid out such that rear gardens back onto those of neighbouring dwellings to maximise back-to-back distances between dwellings and refers to a proposed landscaped buffer area adjacent to the western boundary, if required.

The Site and Surroundings:

8 The application site comprises an area of approximately 5.71 hectares of land located to the east of Marlborough Road and to the north of Wanshot Close, Wroughton. The site forms part of the countryside and is in agricultural use; it is currently sub-divided into fields by a mix of fences and hedgerows. There is a detached barn located within the centre of the site

9 The site is bounded to the west by residential development off Marlborough Road (B4005), the Ridgeway Hospital to the north, agricultural land to the north east, a wooded area to the south east and Wanshot Close to the south. There is a (private) access track from Marlborough Road to the south west of the site and a second field access located at the south western corner of the site from Wanshot Close.

10 The site is located approximately 450m from Wroughton village centre which provides local community, retail and other facilities and approximately 140m from the Morrison's convenience shop. The site is located adjacent to a bus route (the number 9 service to Swindon) and the Wroughton Infant and Junior schools and the Ridgeway secondary school are located at Wharf Road and Inverary Road.

Planning history

11 The previous application reference S/OUT/13/1862 proposed to remove a section of unrestricted on-street car parking located on the west side of Marlborough Road located in front of numbers 17 and 19 Marlborough Road to provide a traffic calming feature. The previous outline

application was refused planning permission for the following reasons;

1. The proposed development occupies a greenfield site located within the countryside outside the defined settlement boundary of Wroughton and within the Wroughton Landscape Character Area that contributes to the setting of Wroughton. Development of this site fails to comply with saved Swindon Borough Local Plan 2011 (2006) Policies DS1, DS5 and ENV9 that seek to locate new housing development within the Swindon Urban Area and within the settlement boundaries of primary rural settlements and fails to comply with saved Swindon Borough local Plan Policies DS6, ENV9 and ENV10 (iii) that seek to protect the landscape character and setting of Wroughton.

2. The grant of planning permission for the proposed development would harm the Council's strategy for housing growth, and would set a precedent for the release of further inappropriate unallocated greenfield sites to the overall detriment of the Council's development strategy as set out in the adopted and emerging development plan. The proposal fails to comply with the National Planning Policy Framework (NPPF) 2012, Swindon Borough Local Plan 2011 (2006) Policies DS1, H4 and ENV9 and policies SD2 and RA2(C) of the emerging Swindon Local Plan 2026.

3. No information has been provided to identify the presence or absence of archaeological deposits so as to formulate a recommendation for any possible mitigation measures. No demonstration has been made to suggest that the need for the development outweighs any adverse impacts on archaeological deposits. This will be contrary to the policy ENV6 of the Swindon Borough Local Plan 2011 (2006) and the National Planning Policy Framework (NPPF) 2012.

4. The proposed development is likely to generate an increase in pedestrian traffic on a highway lacking adequate footway with consequent additional hazards to all users of the road. As such the proposal is contrary to policies DS6 and T1 of the adopted Swindon Borough Local Plan 2011 (2006), policies TR1 and TR2 of the emerging Swindon Local Plan (2026) and the National Planning Policy Framework (NPPF) 2012.

5. The proposed development would result in an increased use by vehicles turning right into the site from the B4005 Marlborough Road, at a point where forward visibility from and of such vehicles is inadequate, which would create additional hazards to all road users. As such the proposal is contrary to policies DS6 and T1 of the adopted Swindon Borough Local Plan 2011 (2006), policies TR1 and TR2 of the emerging Swindon Local Plan (2026) and the National Planning Policy Framework (NPPF) 2012.

6. The proposed development would be likely to encourage the inappropriate parking of vehicles on the public highway, which would interrupt the free flow of traffic and prejudice the safety of road users at this point. As such the proposal is contrary to policies DS6 and T1 of the adopted Swindon Borough Local Plan 2011 (2006), policies TR1 and TR2 of the emerging Swindon Local Plan (2026) and the National Planning Policy Framework (NPPF) 2012.

7. The proposal would result in the loss of on-street vehicle parking facilities, and would therefore encourage parking on the highway with consequent risk of additional hazards to all users of the road. As such the proposal is contrary to policies DS6 and T1 of the adopted Swindon Borough Local Plan 2011 (2006), policies TR1 and TR2 of the emerging Swindon Local Plan (2026) and the National Planning Policy Framework (NPPF) 2012.

8. The proposal has failed to satisfy policies DS8 and R6 of the Swindon Borough Local Plan 2011 (2006), policies N1 and EN3 of the emerging Local Plan (2026) and the appropriate requirements of the adopted Development Control Guidance Note: Developer Contributions 2010 Update as no infrastructure mitigation package has been secured by means of planning obligation and or planning condition to meet infrastructure needs arising from the development.

Representations:

12 As part of the consultation process for this application, more than 195 neighbouring occupiers were notified of the application, a site notice was displayed at the site and public notices were published in the Swindon Advertiser.

13 A total of 81 letters of objection have been received, together with a further 398 "pre-printed" objection letters from both local residents and from other residents in Swindon. The main points of objection have been summarised below:

- a) Access for existing residents to their properties is already difficult due to parked cars on Marlborough Road and additional traffic will increase the risk of accidents and frequent near misses on already congested and dangerous roads. Marlborough Road is a busy and narrow "B" class road with inadequate pavement width. Marlborough Road is only just wide enough for two HGVs to pass one another and increases in traffic could result in vehicles mounting the pavement due to the narrowness of the roads and/or vehicles colliding with boundary walls. Many cyclists use the road to travel to Barbury Castle and there are concerns about their safety. The increase in traffic is unsustainable.
- b) The proposed access is located at the narrowest part of the road opposite residential parking making access onto Marlborough Road difficult and traffic travelling up and down Marlborough Road that already has to take account of and wait for traffic coming from the opposite direction; widening the pavement at this point will make the situation worse.
- c) The use of traffic data from 2013 is out of date and does not reflect current volumes of traffic. The submitted technical highway drawings give a false impression as to the width available on the road and accurate dimensions of vehicles using the road should be used. (drawing 65002-TA-003)
- d) Despite the slight change in the proposed junction and the inclusion of on-road parking this is still a poorly thought through, unsympathetic and unnecessary application. The junction design that shows traffic only exiting the site to the left is unrealistic as drivers will try to turn round to travel north. The previous application proposed prohibiting on-street parking outside 28 Marlborough Road and continuing southwards, but this application proposes to allow on-street parking. It cannot be good highway practice to have a junction located so close to parked cars as visibility is impaired. There are frequent accidents that are not reported.
- e) Footpaths are dangerously narrow and cannot accommodate an adult and a child walking side by side, or an adult and a pushchair or a wheelchair or mobility scooter user. This is not addressed in the application nor has any risk assessment been carried out; therefore reference within the application to carrying out journeys of less than 2k in length by walking/by foot ignores the risk. The area is less suitable for cyclists due to the steep gradient up to Chiseldon.
- f) There will be an increased demand for car parking on Marlborough Road and surrounding roads and all roads surrounding Marlborough Road/Wanshot Close are proposed to be made a 20mph zone to reflect the increased speed and demand of traffic in the area.
- g) The Wroughton Neighbourhood Plan carries significant weight since it has been developed in consultation with residents of Wroughton, maximises the use of brownfield sites and takes into account the impact on local schools that are close to capacity; it should not be ignored by builders/developers. This development would set a precedent for other inappropriate development already proposed to the east of Wroughton.
- h) An additional 101 dwellings above the proposals of the neighbourhood plan will have a significant impact on local services (schools and health). The doctors surgery has over 11,000/13,000 registered patients and there is no dentist. The Infant School is full and the Junior School is full with a waiting list and this application makes no provision for additional school places.
- i) The re-submitted application is not very different from the original proposal and fails to address the concerns of the local community whereas the neighbourhood Plan is sympathetic to the local community. Previous objections still stand and the small changes made to the application do not address concerns that have been raised. Therefore, the application should be rejected on the grounds that the objections raised on the original application are still relevant and have not been

resolved or addressed.

j) There are significant volumes of traffic, in Wroughton including traffic using junctions 15 and 16 of M4, including from new housing development in south Swindon and Wiltshire to offices at Pipers Way; further development without transport network improvement will have a negative impact.

Traffic already backs up in Marlborough Road which is a diversionary route when incidents occur on the M4 and there are difficulties existing Moormead Road/Perrys Lane during peak hours

k) There are concerns about drainage, flooding and the impact on the water table as there have been 3 occasions in 2015 when surface water has come down Bramble Hill and surrounding areas causing flooding in the village centre. Further development of these fields will reduce areas of natural soakaways around the village and exacerbate the problem. The proposed dwellings will be at risk of flooding. The application fails to address an existing underground stream that runs across the site.

l) Whilst further housing needs to be built, additional greenfield sites should not be proposed whilst so many housing developments (Wichelstowe) remain unused; alternative brownfield sites are available.

m) The proposal does not comply with the recently adopted Swindon Borough Local Plan (SBLP), the Neighbourhood Plan or the NPPF (para 17). Wroughton's Neighbourhood Plan identifies sufficient deliverable brownfield sites within the settlement boundary to meet the village's housing needs (200 units). The SBLP has only recently been adopted and outline applications for the new Eastern villages and the appointment of a development partner for Wichelstowe indicate that these sites are coming forward. The claim that insufficient sites are coming forward is premature. The SHLAA identified that the site was unsuitable for development

n) The development is not in keeping with the old part of Wroughton, its character, culture and landscape and borders a Conservation Area. The area's rural and village identity should be protected.

o) The development has never been supported by the local community and if building houses in Wroughton are not for the benefit of the local community then they should not progress.

p) This application should not be reviewed and public time and money has already been spent on the original application which was refused. There is nothing new in the application that reassures residents.

q) The site is of great beauty adjacent to the North Wessex Downs Area of Outstanding Natural Beauty and is surrounded by countryside and has wildlife/ecology value and it is in use for agricultural purposes. The development would result in the loss of trees and there are badgers within close proximity of the site.

r) Archaeological finds have been made and numerous features were observed and a suitable programme of mitigation should be implemented as a condition prior to any development and this is a rare opportunity to investigate Wroughton's earliest origins.

s) The development will result in noise disturbance and a loss of privacy to neighbouring occupiers.

t) The submitted Flood Risk Assessment is inaccurate as the land routinely has standing water, particularly following heavy rain. The wet areas are used by amphibians.

u) There is a need for housing to meet the needs of more single and elderly people but building family homes with a few token affordable homes does little to redress the balance.

v) In the 1970s there were proposals for a by-pass to take traffic south of the motorway to relieve congestion in Wroughton. Other proposals to re-locate Haskins garage, releasing a further brownfield site for development whilst retaining petrol sales and a service station in the village were also proposed, but now it is necessary to travel to Old Town to buy petrol. These options should be pursued as levels of traffic have increased.

Wroughton Parish Council

14 Two detailed and lengthy letters of objection have been received from Wroughton Parish Council; the Parish Council state that the development of this greenfield site is contrary both the Local and Neighbourhood Plans; that it will require the demolition of two family homes; the junction will be dangerous on a narrow and busy road that is unsuitable for pedestrians and that the site is

boggy and frequently floods. The points of objection raised are summarised below;

- a) The proposals are contrary to the Parish Council's policy document and the Wroughton neighbourhood plan and there are brownfield sites within Wroughton that could be developed on a smaller scale than this development to take the 150 home allocation identified in the Swindon Borough Local Plan 2026.
- b) The land is a greenfield site that forms part of the Vale of Wroughton and is outside the settlement boundary; this area is a habitat for bats, red kites, buzzards, owls, hares, roe and muntjac deer which would be destroyed.
- c) The development on the edge of the village would not encourage alternative forms of transport, other than the car.
- d) The access to the site is from Marlborough Road, a narrow "B" class road that is the main route from Wroughton to Marlborough and junction 15 of the M4. It is a busy road used by cars and lorries; the pavement is too narrow for a pushchair or wheelchair and the pavement on the other side is barely wide enough and at that point Marlborough Road is only wide enough for 2 cars to pass. It would be extremely dangerous for use by cyclists and by pedestrians to use this walking route to local schools and local transport.
- e) The development does not respect, conserve or enhance the natural or historic environments; it is a greenfield site within the Vale of Wroughton and the fields are low lying and regularly flood. The flood risk has not been properly addressed.
- f) The site is adjacent to the Wroughton Conservation Area and will do nothing to enhance the character of the surrounding area. The Parish Council feel that it is very important to preserve the historic conservation area and as there are very few such areas within Swindon. The site is clearly visible from the surrounding area and is relatively open and has limited screening by trees on the periphery and it is anticipated that a large development such as this one proposed would have a significantly adverse impact on the views to the landscape character area, particularly from the south.
- g) There is no mention of wheelchair accessible housing in the planning application.
- h) The application is contrary to the NPPF and despite the claim by the applicant that Swindon Borough cannot demonstrate a 5 year housing land supply, the Parish Council has identified sites for development within Wroughton of up to 200 dwellings and is confident that this can be achieved by 2026.
- i) The Wroughton neighbourhood plan (WNP) was submitted to SBC on 27th March 2015 and contains policies relevant to this application that were drawn up after extensive consultation with the local community. The applicant's claim that the WNP is not deliverable and can be given little weight does not accord with the Ministerial statement dated 10th July 2014 and recovered appeal decisions, including at Canal Road, Devizes. In this case the appeal was refused on the basis of a submitted, but not adopted neighbourhood plan. The Parish Council contends that the WNP is fully deliverable and identifies sites for 200 dwellings as it recognises that some may not come forward to ensure that the 150 dwelling requirement of the Swindon Borough Local Plan 20206 is achieved. The WNP will be in place until 2026 and it is very premature for the applicant to claim that the number of dwellings is not deliverable.
- j) There have not been any pre-application discussions between the applicant and the Parish Council either for this application or the previous proposals and public consultation with the local community would be expected for a development of this size. This conflicts with paragraphs 188 and 189 of the NPPF that encourages early engagement with the local community.
- k) The Parish Council has always understood that the Borough Council would not permit any major development south of the M4 and the grant of planning permission for land to the east of the settlement boundary would create a precedent for the release of further inappropriate greenfield sites which would be detrimental to the village. There have already been 3 other planning applications for land east of the village with one currently going to appeal (Berkeley Farm). Within the Parish of Wroughton there is already an outline planning permission for the development of 3,500 dwellings and at the Local Plan inquiry despite proposals by developers that Wroughton should support an additional 500-700 dwellings the Local Plan inspector was satisfied that the allocation of 150 dwellings for Wroughton should not be changed.

- l) The submitted Design and Access statement refers to local schools being located a little over 1km away; this is a considerably greater distance than the 600m to be achieved by excess of 90% of households within the revised Middle/West Wichel land use master plan. Walking and cycling to school are of dubious practicality especially for younger children and any increase in car transport for children will exacerbate an already problematic situation in the village where school traffic, particularly for the infant school is associated with blocked roads and inappropriate car parking. Any potential increase in school run cars is contrary to sustainable development.
- m) A report was produced for SBC as local highway authority in 2007 that proposed safety improvements for Brimble Hill and to date no satisfactory proposals to provide for pedestrian safety have been provided.
- n) The junction visibility is inadequate for traffic travelling at 30mph along Marlborough Road.
- o) The previously submitted landscape appraisal and flood risk assessment have not been submitted and previous comments made in relation to flood risk still apply. The conclusions of the surface water management strategy are unsatisfactory and the flood risk data used should not be used to inform the application due to the susceptibility of the site to surface water flooding.
- p) No archaeology survey was submitted with the application and as there are iron-age remains on the site a full assessment would be required.

Other consultation responses

15 Wiltshire Fire and Rescue Service; recommends planning condition for fire hydrants

16 Housing Enabling Officer; comments that 30% affordable housing should be provided as specified in application and makes a recommendation as to the mix of affordable housing that should be provided within the development.

17 Natural England; no objection subject to conditions.

18 Archaeological Consultant; advises that significant archaeological remains been found at the site and that these archaeological features are widespread dating from late Bronze age, roman and Saxon/medieval periods with particular evidence from late Bronze and Saxon periods; these finds are quite rare in the local area. It is recommended that if planning permission is granted then a planning condition to secure further investigation and recording of the site, in the form of a geophysical survey and excavation across the site should be included.

19 Thames Water; raise no objection and recommend a planning condition relating to the drainage strategy (waste) and for surface water; a further condition is recommended in relation to water supply.

20 Wiltshire and Swindon Biological Records; advise that ancient species rich hedgerows are located within 100m of the site's boundary.

21 Campaign to Protect Rural England (CPRE) (North Wiltshire and Swindon); object to the proposal and refer to their previous objection to application S/OUT/13/1862. The points of objection are summarised below;

- a) The site is locked-in development and the B4005 is wholly unsuitable in its present condition for safe pedestrian, cycle or wheelchair use for occupiers of up to 103 new dwellings. There is no suggestion of improvements to the roundabout junction of B4005 and A4361 and fails to comply with SBLP policies T1, T2 (a) and (b).
- b) The proposal is contrary to SBLP SD1 as it does not respect conserve or enhance the natural built environment and historic environments and is not safely accessible by walking or cycling.
- c) The site is outside the framework boundary for Wroughton; no recommendation for immediate review of the boundaries was made by the Local plan inspector following his examination of the local Plan. The site does not comply with policy SD2 bullet 3.

d) The Wroughton Neighbourhood Plan has been submitted to SBC for adoption and will continue to examination. In refusing an application against a decision by Wiltshire Council on land at Malmesbury the Inspector said that significant weight should be given to an "as yet unexamined neighbourhood plan". This comment was re-iterated at another appeal in Cricklade and before the interpretations put on "significant weight" at another appeal at Devizes (Coate Bridge).

e) With the SBLP recently adopted and the Wroughton neighbourhood plan awaiting adoption and examination and no boundary review envisaged time should be allowed for the new strategies to take effect.

22 Highways England; raise no objection to the proposals.

23 Environment Agency; offer no comments as the application does not fall into one of those categories for the type of development that the EA wishes to be consulted on.

24 NHS England; request developer contributions for health services.

25 Environmental Health/Public Protection Officer; advises that the application does not include any consideration of the code of good practice for noise and vibration on construction and open sites (BS 5228). Given the location of residential dwellings noise, vibration and dust will be of concern and it is recommended that planning conditions be imposed to address these issues.

26 Local Highway Authority; the Transport Development Management Officer objects to the proposals and the Local Highway Authority recommends the refusal of planning permission for the following reasons;

a) Insufficient information has been submitted to enable the Local Highway Authority to satisfactorily determine the implications associated with the development proposed.

b) The proposed development is likely to generate an increase in pedestrian traffic on a highway lacking adequate footway with consequent additional hazards to all users of the road.

c) The proposed development would result in an increased use by vehicles turning right into the site from the B4005 Marlborough Road, at a point where forward visibility from and of such vehicles is inadequate, which would create additional hazards to all road users.

d) The proposed development would be likely to encourage the inappropriate parking of vehicles on the public highway, which would interrupt the free flow of traffic and prejudice the safety of road users at this point.

e) The proposal would result in the loss of on-site vehicle parking facilities, and would therefore encourage parking on the highway with consequent risk of additional hazards to all users of the road.

27 Forward Planning Officer; raises a planning policy objection as the proposals do not accord with the Sustainable Development Strategy in the Swindon Borough Local Plan.

28 Landscape Officer; the site is outside the settlement boundary within the countryside as shown on the Local Plan policies map. It is within the Wroughton Vale Local Landscape Character Area. The Ecological Assessment is two years old and should be brought up to date, including an assessment of the group of beech trees, towards the centre of the site. If the Council was minded to grant planning permission for the development, then open space will be required to be provided in accordance with the Council's adopted standards.

29; Drainage Officer; advises that the submitted Flood Risk Assessment (FRA) should be updated to take account of new surface water flood mapping and recent changes in legislation; a revised FRA is required to address the issues and to provide a sustainable drainage strategy .

Planning Considerations:

Policy:

30 In accordance with the National Planning Policy Framework (NPPF) 2012 and the Swindon Borough Local Plan 2026, the main issues in this case are as follows;

- a) The principle of development as assessed against the sustainable development strategy in the Swindon Borough Local Plan 2026 and the Wroughton Neighbourhood Plan;
- b) The traffic and transport issues associated with the development;
- c) The landscape impact, including impact on the integrity of Wroughton as a village in a rural setting;
- d) Other matters, including the provision of affordable housing, archaeology, sustainable urban drainage and flood risk mitigation.

Planning Policy:National Planning Policy Framework (NPPF)

31 The National Planning Policy Framework (NPPF) (March 2012) replaced the previous Planning Policy Guidance and Statements. The overriding aim of the NPPF is the presumption in favour of sustainable development. This presumption requires that where development is in line with the Local Plan, it should be permitted without delay unless material considerations indicate otherwise.

32 Of particular relevance to this application are the following sections of the NPPF; part 4 'Promoting Sustainable Transport'; part 6 'Delivering a Wide Choice of High Quality Homes'; part 7 'Requiring Good Design'; part 11 'Conserving and Enhancing the Natural Environment' and part 12 'Conserving and Enhancing the Historic Environment'.

The Swindon Borough Local Plan 2026 (SBLP)

33 The Swindon Borough Local Plan 2026 (formerly known as the Swindon Borough Core Strategy and the Development Management Policies Planning Documents) is the main planning policy document for the Borough, providing the planning policy framework to deliver sustainable growth up to the year 2026 and beyond. The SBLP was formally adopted by the Council on 26th March 2015.

34 Policies SD1 (sustainable development principles), SD2 (the Sustainable Development Strategy), HA1 (mix, types and density), HA2 (affordable housing), HA3 (wheelchair accessible housing), EN3 (open space), EN5 (landscape character and historical landscape), TR1 (sustainable transport networks), TR2 (transport development), IN1 (infrastructure provision) and RA2 (rural settlements - Wroughton) are relevant to the application proposals.

35 The adopted supplementary planning guidance and documents are also relevant to the application proposals, including "Landscape Character Areas" (2004), "Tree Protection on Development Sites" (2004), the development control guidance note "Technical Guidance on Parking Standards" (2007) the "Sustainable Building Design and Construction" (2008) and the Swindon Borough Council's Open Space Audit (2011). The Council adopted a Community Infrastructure Charging Schedule Levy on 6th April 2015.

The Council's development strategy and the principle of the development.

36 The development strategy for the Borough is set out in policy SD2 of the SBLP; it states that development will be concentrated at Swindon, through a combination of sites within the Swindon urban area and allocated strategic sites (Wichelstowe, Commonhead, Tadpole Farm, Kingsdown and the New Eastern Villages. Outside Swindon, rural development will be located primarily at

Highworth and Wroughton and the scale of development should be proportional to the size and function of the settlement. Highworth and Wroughton as the larger rural settlements are the most accessible and maintain the largest range of local facilities, albeit these rural settlements do not provide the breadth of facilities that can be found in Swindon. The urban concentration of development is a key government objective, to deliver sustainable development in the most accessible locations, whilst protecting the best of the countryside, and the rural character of villages.

37 Policy SD2 makes a clear distinction between those parts of the Borough where the principle of new development is generally acceptable within settlements and the countryside areas, where development is unacceptable. Policy SD2 seeks to limit development in the countryside, defined as those areas that are not within a settlement boundary. The SBLP sets out the quantum of development required over the plan period to 2026 and identifies the level of housing required at Wroughton to support growth and to reflects the size and function of Wroughton; it proposes at least 150 dwellings at Wroughton over the Plan period; Since the refusal of the previous planning permission (reference S/OUT/13/1862) the SBLP 2026 has been adopted by the Council and Wroughton Parish Council has further advanced in its preparation of the Wroughton Neighbourhood Plan.

38 The application site is located outside of, although adjacent to the eastern boundary of the Wroughton settlement boundary and constitutes a relatively large extension to the village on a site that is not allocated for development. Policy SD2 of the SBLP states that development proposals in rural and countryside locations outside the rural settlement boundaries as shown on the Policies Map will be permitted where:

- o Local needs have been identified and allocated through a Neighbourhood Plan or Neighbourhood Development order and/or
- o It supports the expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in a rural service centre; or
- o It is in accordance with other policies in this Plan permitting specific development in the countryside.

39 The proposed development does not comply with any of these criteria and therefore does not comply with policy SD2 of the SBLP. Further, the Council has an up to date and recently adopted Local Plan and maintains that a five-year housing supply is in place; further there are a number of planning permissions and applications pending determination for residential development on allocated strategic sites, including at Tadpole Farm, Common Head, and the New Eastern Villages. Therefore the provisions of (paragraph 49) the NPPF that relevant policies for the supply of housing should not be considered up-to-date if a local planning authority cannot demonstrate a five-year supply of deliverable housing sites, does not apply.

40 Further the NPPF states (paragraph 111) that planning decisions and policies should encourage the effective use of land by re-using brownfield land that has been previously developed. As a greenfield site, the proposed development does not accord with the aim of making the most effective use of brownfield land, contrary to government policy.

41 The NPPF (paragraph 55) addresses promoting sustainable development in rural areas and states that;

'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.'

42 In this context, the application site is located adjacent to the existing settlement and within Wroughton are a number of local services and other facilities to support the proposal. There is a regular bus service serving Marlborough Road that gives access to other services and facilities including employment, in Swindon. However, as discussed in the traffic and transport section of

this report, pedestrian and cycle routes from the site to local amenities are inadequate, with only minimal enhancements proposed. Further, the applicants are not proposing a housing mix or housing types that would address identified village housing needs. By not proposing to tailor the housing to local needs, the proposal is likely to deliver housing for people commuting to Swindon, thereby limiting its contribution to enhancing and maintaining the vitality of the village.

Wroughton Neighbourhood Plan

43 The Wroughton Neighbourhood Plan (WNP) sets out how Wroughton can develop in a sustainable way whilst meeting the desires and aspirations of local residents. The policies and objectives of the WNP have been derived from the ideas, views and opinions of Wroughton residents. Pre-submission consultation on the WNP took place in October/November 2014 and a final draft was completed in March 2015. Subsequently the WNP was submitted to the Borough Council, but as no Strategic Environment Assessment (SEA) had been undertaken, the Council was not able to proceed to accept the Plan at this time.

44 The Wroughton Parish Council are currently consulting on the SEA and the consultation period closes on 9th October 2015. It is anticipated that the Wroughton Parish Council will re-submit the Plan to the Borough Council soon thereafter. Following submission of the WNP, the Borough Council will undertake a further 6 week period of consultation and responses received will be considered as part of the Examination of the WNP. Following the submission of the WNP an Examiner will be appointed and a timetable agreed for the Examination. Therefore it is considered that the WNP is at an advanced stage of preparation. The WNP allocates 7 neighbourhood plan sites to provide 200 dwellings in total; this is sufficient housing to meet the quantum of development required for the village, as set out in Policy SD2 of the SBLP. The WNP does not allocate the proposed site for development.

Other planning policy considerations

Affordable housing and wheelchair housing

45 The proposal includes the provision of 30 % affordable housing (31 units) (described in the application as "intermediate housing") and this percentage complies with policy HA2 (Affordable Housing) of the SBLP. The NPPF (paragraph 54) recognises the importance of delivering affordable rural area and states

"In rural areas local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs."

46 Further, policy HA3 of the SBLP states that development proposals of more than 50 dwellings shall provide at least 2 % of the dwellings suitable for occupation for wheelchair users. The application submission (Planning, Design and Access Statement) does not refer to policy HA3 of the SBLP, nor to the provision of wheelchair housing; rather it refers to "intermediate housing" and to the provision of 9 no. two bed houses, 18 no. three bed houses and 4 no. four bed houses. The Council's Housing Enabling Officer has commented (on the assumption that the applicant's reference to "intermediate housing" is affordable housing) that the mix of housing proposed should be revised to reflect the Council's current need as follows;

4 no. one bed flats or housing for rent
17 no. two bed (4 person) housing
8 no. three bed (5 person) housing
2 no. four bed (7 person) housing

47 Further the Housing Enabling Officer recommends that the affordable units should be a mix of

70% rented and 30% intermediate, including low-cost ownership housing; on this basis, 22 no. rented and 9 no. intermediate homes should be provided. The layout should ensure that the affordable housing is arranged in clusters of 10 -15 units and be fully integrated with the open market housing. The clusters of affordable units should be completely detached from one another and their separation solely by a road is unacceptable. Within each cluster the tenures should be mixed and the affordable housing units designed to be "tenure blind" to ensure that they are not be visually distinguishable from the open market units within the site, for example in terms of build quality, materials, details, levels of amenity space and privacy. The Housing Enabling Officer has made further detailed recommendations in relation to the affordable housing layout including the car parking provision. Finally the affordable housing should comply with the Homes and Communities Agency's "Design and Quality Standards (2007)" and the Department for Communities and Local Government's national space standards (2015) - or successor standards and be delivered through one of the Council's approved affordable housing partners.

48 However it is not considered that the provision of affordable housing within the application outweighs the objection in principle to the development of the site, arising from the conflict with the Council's development strategy and the emerging Wroughton Neighbourhood Plan.
Countryside and landscape impact

49 Policy EN5 (landscape character and historic landscape) of the SBLP states that the intrinsic character, diversity and local distinctiveness of landscape within Swindon Borough shall be protected, conserved and enhanced and that development shall only be permitted where it takes account of landscape character assessment.

50 The site is outside of the defined settlement boundary and comprises fields in agricultural use adjoining residential development along Marlborough Road on the western boundary and Wanshot close on the southern boundary. It is described as semi-improved and improved grazed pasture. The site is located within the Wroughton Vale Landscape Character Area. Policy EN5 "landscape character and historic landscape" of the SBLP states that proposals for development will only be permitted when the intrinsic character, diversity and local distinctiveness of landscape within the Borough is protected, conserved and enhanced. The policy further states that applications for development should demonstrate how landscape character assessments have been taken into account and assess the potential impact of the proposals on a number of listed landscape attributes, including form, features, topography and character; the contribution to biodiversity and wildlife; local geology and geo-diversity; views, visual amenity and the landscape setting; valuable historic and heritage assets and areas; environmental amenity and the existing social, physical, economic and environmental roles and functions of the landscape at the local and strategic scale. The application is accompanied by a landscape appraisal baseline report (dated June 2015) and ecological appraisal (dated May 2013).

51 It is considered that the proposed development does not reflect the existing pattern of buildings either in the Wroughton Vale Landscape Character Area or in this part of Wroughton where most residential development (particularly on the eastern side of Marlborough Road) is laid out such that it has an individual road frontage. This proposal to develop a greenfield site has not been designed to reflect the existing pattern of development. Instead, the scheme proposes a layout that is accessed from a single estate road into the development. As a result the proposals could be described as an urbanising "backland development" in a location where the prevailing character and form of residential development is not backland development, apart from those buildings with a community function, for example the Moormead hospital, a care home and the Prospect hospice; these buildings have been designed and planned to occupy a spacious, landscaped settings that are maintained and managed by the occupying building.

52 Consequently there are concerns that this proposal does not comply with policy EN5 of the SBLP 2026, as it will erode not enhance the local landscape. The local landscape and countryside surrounding Wroughton contributes to maintaining the rural character of the village and the

physical separation between Swindon and Wroughton. This is important as other sites located on the eastern edge of Wroughton (Artis Farm, Berkeley Farm) are proposed for development and in landscape terms the application site forms part of the wider landscaped setting of Wroughton. Therefore the development of this site may create a precedent for further development in the countryside on the eastern side of Wroughton, which would give rise to a harmful landscape impact. Therefore for these reasons it is considered that the proposal does not comply with policy EN5 of the SBLP 2026.

Open Space

53 Policy EN3 (Open Space) of the SBLP states that housing development of more than 25 dwellings is required to provide open space on site. The site is located in the Wroughton and Wichelstowe Ward and the evidence base of the Open Space Audit and Assessment (2013) notes that whilst there is overall surplus of open space within the ward, a deficiency of children's play areas and outdoor sports facilities in the ward was identified. Whilst the submitted Design and Access/Planning Statement refers to the provision of areas of "semi-formal" open space, to "larger areas of open space" and to providing "an equipped children's play area", these terms are not defined and details have not been provided within the illustrative master plan that accompanied the application. The application submission does not refer to the Open Space Audit nor to outdoor sport facilities.

Traffic and transport and highway safety

54 Policies TR1 (Sustainable Transport Networks) and TR2 (Transport and Development) of the SBLP are relevant to the proposals. The Transport Development Management Officer has recommended that planning permission be refused with respect to the following issues, set out below.

Insufficient information

55 The Transport Development Management Officer recommends that insufficient information has been submitted to enable the Local Highway Authority to satisfactorily determine the transport related implications associated with the development proposed; this relates to a number of matters detailed in the Local Highway Authority's (LHA) response. Firstly the LHA does not consider that the assessment of existing traffic conditions is acceptable as it is based on data that is two years old (from June 2013); it is unclear whether any adjustment has been applied to the data to take account of growth factors including the expansion of Wichelstowe. This includes data presented relating to a traffic count on Marlborough Road, a turning movement survey (both in 2013) and inadequacies relating to the accident/personal injury statistics provided. Other deficiencies identified relate to pedestrian and cycle movement, and the methodology for a manual traffic count at the junction of Brimble Hill and Wonshot Close used for vehicle trip data.

56 At the location of the proposed access to the development, the B4005 Marlborough Road has a width of 5.5m with a 1.1m wide footway on the western side; this is less than 1.5 metres specified in Manual for Streets (MfS) as the minimum requirement to allow a pedestrian and a pedestrian pushing a buggy/ wheelchair to safely pass one another. Existing street furniture (telephone poles) and overhanging vehicle wing mirrors further reduce the effective width of the footway such that it is difficult, if not impossible, for wheelchair users to safely use it. There is no footway on the eastern side of the B4005 Marlborough Road. The B4005 Marlborough Road has street lighting and is subject to a maximum speed limit of 30mph.

57 The nearest bus stops are located to the north and south of the proposed access to the development; the northbound bus stop on the west side of B4005 Marlborough Road. The southbound bus stop is located within a marked on-street parking bay on the eastern side of the B4005 Marlborough Road and forms part of the adopted public highway. This bus stop cannot be

accessed by an existing footway. There are no uncontrolled or controlled crossing points across B4005 Marlborough Road. On-street parking on the east side of B4005 Marlborough Road is prohibited by an existing "no waiting at any time restriction (double yellow lines) and unrestricted on-street parking on the western side, as far north as the northern boundary of number 28 is used by residents who do not have off-street parking provision. The B4005 Marlborough Road and Brimble Hill form part of the practice and test route for heavy goods vehicles (HGVs) associated with the HGV driving test centre in Chiseldon. No public rights of way are affected by the development and no new public rights of way are proposed within the development; no new cycle facilities are proposed as part of the development.

Sustainable development and facilities for pedestrians and cyclists

58 The Transport Development Management Officer has recommended that the development should be refused as the development will be likely to generate an increase in pedestrian traffic on a highway that lacks an adequate footway, resulting in consequent additional hazards to all road users. The application submission refers to journeys of up to 2km being made on foot and that journeys of up to 5km are within an easy cycle distance. However, the improvements proposed to the existing footways as part of the application proposals are minimal; existing footways are proposed to be widened to a minimum of 1m where their current width falls below this threshold. Although this widening complies with the requirements set out in "Manual for Streets" (MfS) for a wheelchair user travelling in one direction, it does not comply with the standard of 1.5 metres width that allows an pedestrian and wheelchair user travelling in opposite directions to pass one another safely, nor does it provide the desired minimum width of 2m. Such a compromised pedestrian provision is considered to be unacceptable, given that this is a major residential development proposal.

59 Further, the proposed highway improvements do not include provision to safely accommodate cyclists seeking to travel to local amenities in Wroughton. The application submission describes an alternative route for pedestrians using The Pitches to access local amenities in Wroughton. However, this may not be convenient to access the facilities at the eastern end of Wroughton, including the Morrisons "M local" shop. The Transport Development Management Officer also notes that this route may be unsuitable for residents with disabilities or visual impairments. With regard to a proposed walking route using Devizes Road, the western footway of Marlborough Road is generally 1m wide, narrowing to as little as 0.8m in front of numbers 14 to 18 Marlborough Road. The applicant proposes to adjust the existing kerbline to widen the footway to at least 1 metre and this will reduce the width of the carriageway to around 4.88m, similar to the existing narrowest carriageway width of 4.68m at a point slightly to the north. The Transport Development Management Officer has advised that Marlborough Road is a two-way bus route and provides access to and from the HGV driver training school in Chiseldon. It is considered that the proposed carriageway width of 4.88m may not be sufficient for two buses or lorries to pass one another safely without one vehicle being required to mount the adjacent pavement/footway which is to the detriment of pedestrian safety.

Right Turning Vehicles into Development

60 The Transport Development Management Officer has advised that the proposed development would result in an increased use by vehicles turning right into the site from the B4005 (Marlborough Road) at a point where forward visibility to and from such vehicles is inadequate causing an additional hazard to all road users. The local highway authority (LHA) notes that the geometry of the proposed access to the development site has been revised to accommodate turning movements by service and delivery vehicles without the need to impose additional on-street parking restrictions on Marlborough Road, thereby retaining the on-street parking spaces currently used by residents of Marlborough Road. Currently there is an area of on-street parking located on the west side of Marlborough Road, opposite the private driveways to numbers 1 and 2

Marlborough Road. The proposed junction details proposed in this application include the retention of the on-street parking spaces on the western side of Marlborough Road and consequently the applicant no longer proposes to provide car parking courts on the north and south of the proposed site access that previously was proposed as part of the previous application (reference S/13/1862) to replace parking for existing Marlborough Road residents.

61 However, retaining the on-street parking as proposed in this new application, located opposite the proposed priority junction, is contrary to guidance in the Highway Code, that states that vehicles should not stop or park opposite or within 10m of a junction, except in an authorised space. The LHA notes that the junction has been design to accommodate turning movements that were previously identified by the Council as being of concern. However, the amendment to the junction design that has increased the length of the crossing across the bell-mouth to approximately 14.8m is not acceptable, as some pedestrians, especially the elderly and those with reduced mobility may be unable to cross the junction in one movement and the "over-run" area may be used as a two-stage crossing, placing pedestrians in direct conflict with vehicles entering/exiting the development site, to the detriment of highway safety.

Development Likely to Encourage Parking on Highway

62 The Transport Development Management Officer has advised that the proposed development would be likely to encourage inappropriate parking of vehicles on the public highway that would interrupt the free flow of traffic and prejudice the safety of road users at this point. As described above, the construction of a proposed footpath on the eastern side of Marlborough Road, to the south of the proposed junction/site access will result in the loss of 3 existing on-street car parking spaces. This issue was raised previously in relation to the earlier application, reference S/OUT/13/1862 and comprised reason for refusal number 7. The applicant's transport consultant suggested previously that a car parking "beat survey" could be undertaken to establish both the level of use of the on-street car parking spaces on Marlborough Road and/or any spare capacity. The application submission does not clarify whether such a "beat survey" was commissioned by the applicant as the Council as the LHA requires these details to be provided as part of the planning application submission, to address the reasons for refusal. Therefore, as this issue remains unresolved it is considered that the loss of on-street parking as shown on the application drawing remain an unacceptable junction layout as it fails to comply with policies TR1 and TR2 of the SBLP 2026.

Other matters

Flood risk and the drainage strategy

63 The application site is not located within an flood zone 2 or 3, nor is it located within flood zone 1 which has critical drainage problems as identified by the Environment Agency (EA). For these reasons the EA has not commented on the application. However, as the Local Lead Flood Authority the Council's Drainage Engineer has reviewed the application submission and has advised that the submitted Flood Risk Assessment (December 2013) it is out of date as it does not refer to the most up to date surface water flood mapping and does not address changes in legislation. The most recent surface water flood maps published by the Environment Agency show that the site is at risk of surface water flooding. Marlborough Road to the west of the site is known to have flooded in July 2007 and it has been reported by local residents that the site is very wet for prolonged periods and historically was in use as watercress beds. It has also been reported that the local geology in the immediate area of the site is green sand which is different to the rest of Wroughton where the higher ground is predominantly chalk and the low lying areas are predominantly clay; this suggests that there is a significant difference in permeability from the site and the surrounding area.

64 Residents have also reported that springs appear in the road after periods of prolonged rainfall.

The topography along Marlborough Road and across the site falls steeply and predominantly from south to north becoming less steep to the north of the site. Any groundwater flows are likely to come to the surface where there is a significant change in slope and where there is a change in permeability in the soil and therefore there is potentially a risk of groundwater flooding, and also overland flooding, to the site that is not been fully addressed nor mitigated, in the Flood Risk Assessment (FRA). The Drainage Engineer has advised that a revised FRA is required to fully address the issues above and should include a sustainable drainage strategy. The strategy should include source control measures wherever possible especially measures such as permeable paving, swales and filter strips, provided for all trafficked areas to minimise any pollutants from being discharged into the watercourses. These may need to be under drained to a surface water system as infiltration drainage may not be feasible due to the local geology and potential groundwater issues. Infiltration tests and substantial groundwater monitoring over the winter period to support any proposals relying on infiltration will be required. The implementation of source control measures should limit the need for large attenuation basins and any attenuation features should be designed to be shallow and gradually sloped to ensure ease of maintenance. The proposed drainage strategy should be designed to be integrated into the development to have further benefits such as Amenity, improving water quality and Biodiversity. The strategy and the revised FRA must be coherent to comply with policy EN6 of the Swindon local Plan 2026 and guidance from DEFRA.

Design and amenity

65 Policy DE1 (High Quality Design) of the SBLP and the NPPF (part 7) apply in regard to design and amenity. As all matters apart from the means of access, including the layout, scale and appearance of the development are reserved, the Council's Design Officer has not commented on the proposals and it is considered that matters of design and the impact of the development on the amenities of neighbouring occupiers cannot be assessed at this stage.

66 A number of neighbouring residents have expressed concern that the development would result in overlooking and a loss of privacy, together with issues of noise and disturbance arising from the construction of the proposed residential development. As stated above, as this application seeks outline planning permission, with all matters reserved part from the means of access to the development, details of the layout, scale and external appearance of the development have not been provided and therefore it is not possible to make an assessment of the impact of the proposed residential development on the amenities and living conditions of neighbouring occupiers; therefore at this stage, it is not considered that in principle, the impact on amenity could constitute a reason to refuse permission.

67 Likewise, the impact of construction and associated noise, dust, vibrations and congestion, which could result in disturbance to local residents, are matters controlled by other legislation; this together with the conduct of the developers and their contractors cannot justify the refusal of planning permission. If notwithstanding the objection in principle to the development, were the planning policy circumstances substantially different and an application was considered more favourably, planning conditions could be imposed to control the hours of work on site for the construction of the development. Potential or actual damage that may be caused to other properties through construction or preparatory works are also not material planning considerations and are a civil matter between relevant parties.

Prematurity

68 The NPPG states that refusal of planning permission on grounds of prematurity will seldom be justified before the end of the local planning authority publicity period for a submitted Neighbourhood Plan. However, the NPPG also reiterates that planning applications are decided in accordance with the development plan, unless material considerations indicate otherwise. An

emerging neighbourhood plan, such as the Wroughton Neighbourhood Plan in this case, may be a material consideration. The NPPF (paragraph 21) sets out the weight that may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. Whilst a referendum ensures that the community has the final say on whether the neighbourhood plan comes into force, decision makers should respect evidence of local support prior to the referendum, when seeking to apply weight to an emerging neighbourhood plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

69 The application proposes to develop an additional 103 homes on land adjacent to Wroughton, which will comprise a significant proportion (68%) of the village's future needs over the next 12 years. In relation to the advice contained in the NPPG, it can be argued that the scale and location of the proposed development will prejudice the strategy contained of the WNP to meet its housing requirements on other sites that are available and, in the opinion of the local community, more appropriate over the Plan period. As the WNP is at an advanced stage of preparation and as the Plan has already been designated and as public consultation has taken place on the broad locations for future housing development, it is considered that some weight should be attached to the WNP in addition to the adopted policies in the SBLP.

Biodiversity, geo-diversity and ecology

70 The NPPF requires that the planning system should contribute to and enhance the natural and local environment, including recognising the wider benefits of ecosystem services and minimising the impacts on bio-diversity where possible, to contribute to the Government's commitment to halt the overall decline in bio-diversity. Policy EN5 of the SBLP is therefore relevant. The application site is located at the junction of the existing urban edge and the adjoining rural area comprising agricultural land that is a mixture of arable and grazing/pasture land with hedgerows and tree-lines. There is an area of broad-leaved woodland within the site at its eastern boundary that continues beyond the boundary of the application site to the east. This woodland is described as dense and is contained by established predominantly hawthorn hedge.

71 As part of the application submission an ecological appraisal was submitted dating from May 2013. This includes a habitat survey undertaken to inform the appraisal. The Council's Landscape Officer has advised that this appraisal should be updated as it is two years old; the applicant's agent advised that the appraisal would be updated and at the time of writing a new report has been submitted and is being reviewed/assessed by the Landscape Officer. Therefore, notwithstanding the objection in principle to the development, were the planning policy circumstances substantially different and an application was considered more favourably, the findings of the ecological appraisal and its conclusions and recommendations should be updated.

Archaeology

72 The Council's consultant archaeological advisor (the Wiltshire Country Archaeologist) has recommended that as the site has archaeological potential, an archaeological evaluation should be carried out prior to determination. This approach is in accordance with the NPPF that requires investigations to be carried out to establish the extent of archaeological deposits. The absence of such an evaluation previously led to reason for refusal number 3 of the previous outline planning application S/OUT/13/1862.

73 As part of this application an evaluation has now been carried out and the results reported. The Council's consultant archaeological advisor has reviewed the evaluation report and advises that significant archaeological remains have been found at the site and that these archaeological

features are widespread dating from late Bronze age, Roman and Saxon/medieval periods with particular evidence from late Bronze and Saxon periods; these finds are quite rare in the local area. Therefore it is recommended that were the planning policy circumstances different and positive recommendation was being made to grant planning permission, a planning condition to secure further investigation and recording of the site, in the form of a geophysical survey and excavation across the site should be required.

The infrastructure requirements associated with the development

74 The reason for refusal number 8 of the previous outline planning application, reference S/OUT/13/1862 related to the failure of that application to address the former saved policy DS8 of the former Swindon Borough Local Plan 2011 and the adopted Developer Contributions Development Control Guidance Note, 2010 update'; the "Guidance Note", that sets out the evidence base behind a variety of infrastructure items that may require mitigation as a consequence of the development proposal. Following the refusal of the previous application in June 2014, the Council adopted a community infrastructure charging schedule (April 2015). Whilst there may be other matters that would be required to be delivered through a section 106 obligation to mitigate the impact of the development, for example off-site highway improvements and/or playing field/pitches contribution, as there is an objection in principle to the development of the site, no discussions have taken place concerning any financial contributions that may be necessary to make the development acceptable, nor are these matters addressed in detail in this report.

Conclusion

75 The Council does not accept there is a significant shortfall in housing supply and therefore the provisions of paragraph 49 of the NPPF which "states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites" do not apply. Furthermore, the site is agricultural land located outside of identified settlement boundaries and the development strategy in the SBLP and the NPPF (paragraph 111) encourages the effective use of brownfield land; this greenfield site will not contribute to this policy objective. Therefore development of this site would fail to comply with Government policy set out in the NPPF, the newly adopted Swindon Borough Local Plan 2026, and the emerging Wroughton Neighbourhood Plan. It is considered that the applicant's contentions regarding the five year housing land supply do not provide justification to outweigh the harmful impact on the long-term development strategy for Swindon. Finally it is not considered that the proposal has respected the setting and landscape character of the surrounding area and the development would have an adverse impact upon the rural setting of Wroughton.

76 Furthermore, insufficient information has been provided to address the traffic and transport implications of the development; the proposals have failed to provide for the needs of sustainable development including for pedestrians and cyclists and there is poor connectivity to key local facilities. These failures would result in a scheme which would lead to occupiers of the new dwellings being highly reliant on their car to access facilities in Wroughton and beyond. Further, the proposals would interrupt the free flow of traffic and prejudice the safety of road users.

Recommendation:

That outline planning permission be REFUSED for the reasons set out below:

Conditions/Reasons

1. The proposed development occupies a greenfield site located within the countryside outside the

defined settlement boundary of Wroughton and within the Wroughton Landscape Character Area that contributes to the setting of Wroughton. Development of this site fails to comply with Policies SD1, SD2 and SD3 of the Swindon Borough Local Plan 2026 that seek to locate new housing development at Swindon and within the settlement boundaries of Highworth and Wroughton (of the rural settlements) and fails to comply with policy EN5 of the Swindon Borough Local Plan that seek to protect, conserve and enhance the intrinsic character, diversity and distinctiveness of landscape within Swindon Borough.

2. The grant of planning permission for the proposed development would harm the Council's strategy for housing growth, and would set a precedent for the release of further inappropriate unallocated greenfield sites to the overall detriment of the Council's development strategy as set out in the adopted and emerging development plan. The proposal fails to comply with the National Planning Policy Framework (NPPF) 2012 and policies SD2 and RA2(c) of the Swindon Borough Local Plan 2026.

3. The proposed development is likely to generate an increase in pedestrian traffic on a highway lacking adequate footway with consequent additional hazards to all users of the road. As such the proposal is contrary to policies DE1, TR1 and TR2 of the Swindon Borough Local Plan (2026) and the National Planning Policy Framework (NPPF) 2012.

4. The proposed development would result in an increased use by vehicles turning right into the site from the B4005 Marlborough Road, at a point where forward visibility from and of such vehicles is inadequate, which would create additional hazards to all road users. As such the proposal is contrary to policies TR1 and TR2 of the Swindon Borough Local Plan (2026) and the National Planning Policy Framework (NPPF) 2012.

5. The proposed development would be likely to encourage the inappropriate parking of vehicles on the public highway, which would interrupt the free flow of traffic and prejudice the safety of road users at this point. As such the proposal is contrary to policies TR1 and TR2 of the Swindon Borough Local Plan (2026) and the National Planning Policy Framework (NPPF) 2012.

6. The proposal would result in the loss of on-street vehicle parking facilities, and would therefore encourage parking on the highway with consequent risk of additional hazards to all users of the road. As such the proposal is contrary to policies TR1 and TR2 of the Swindon Borough Local Plan (2026) and the National Planning Policy Framework (NPPF) 2012.

Informatives

1. This development proposal constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL visit www.swindon.gov.uk/cil or telephone the SBC CIL Team on 01793 466289 or 466397 or email cil@swindon.gov.uk. To avoid additional financial penalties the requirements of the impact of CIL must be managed before a development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. CIL would remain relevant in the event that planning permission were allowed by planning appeal.

2. The applicant is advised that the Council's Drainage Engineer has reviewed the application submission on behalf of the Local Lead Flood Authority and advises that the submitted Flood Risk Assessment (December 2013) it is out of date as it does not refer to the most up to date surface water flood mapping and does not address changes in legislation. The most recent surface water flood maps published by the Environment Agency show that the site is at risk of surface water flooding.

3. This decision shall be in respect of drawings 13.043.101 (site boundary plan) and 130.43.SK5 Rev (indicative master plan), 65002-TA-003 (proposed access) 65002-TA-004 (pedestrian

infrastructure improvements), 65002-TA-002 (site boundary) and 65002-TA-001 site location and local facilities and the following accompanying documents;

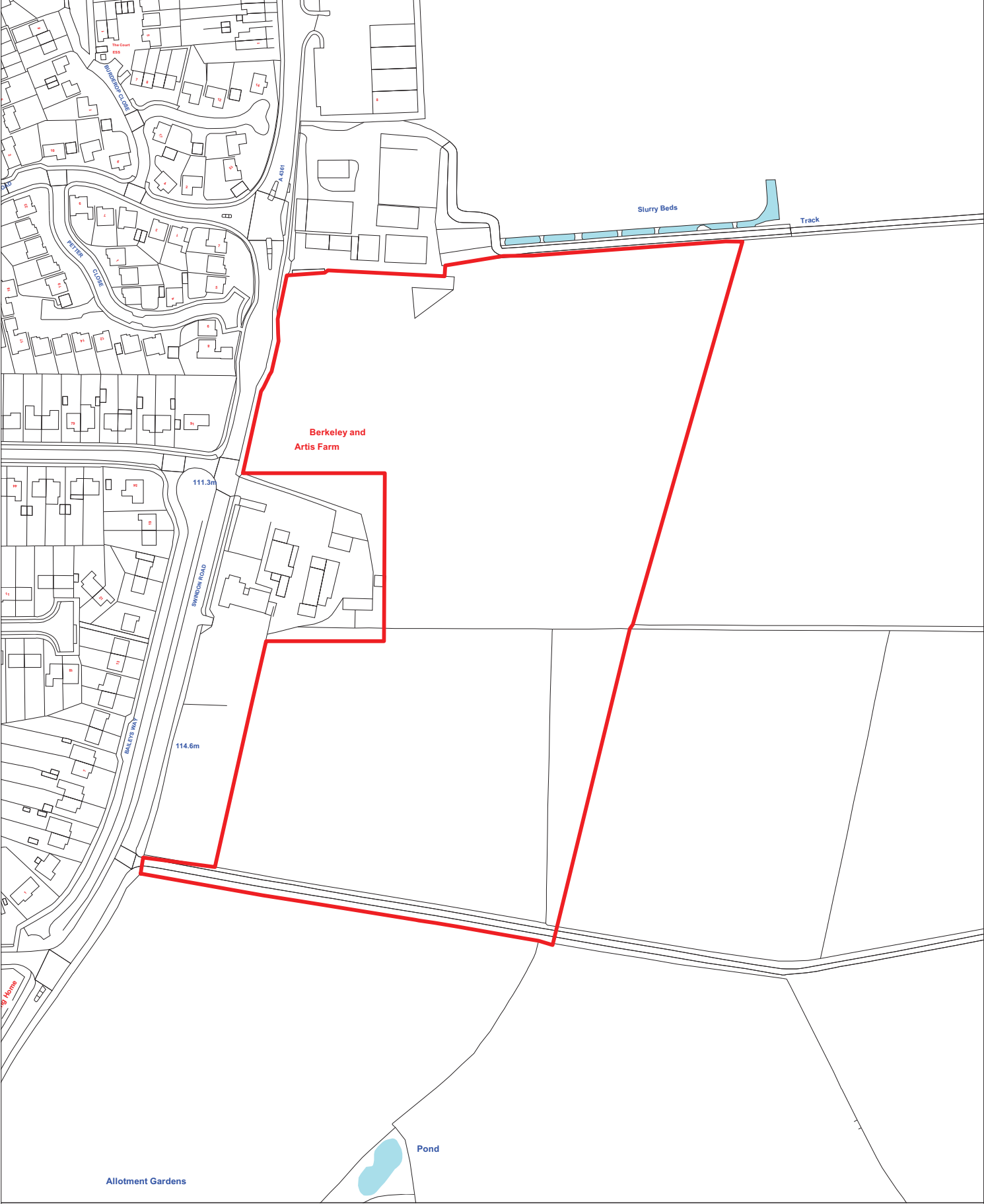
Archaeological Assessment (report 900/1) May 2015
Archaeological Evaluation (reference 1051) April 2015
Baseline Landscape Appraisal (mhp) June 2015
Ecological Appraisal (May 2013)
Flood Risk Assessment (reference SHF.165.010.R.001.B) (Dec 2013)
Planning Design and Access Statement (reference 3724) May 2015
Transport Assessment (reference 65002) June 2015
Transport Assessment (figures and drawings) June 2015

all received by the Local Planning Authority on 12th June 2015 .

End of Report

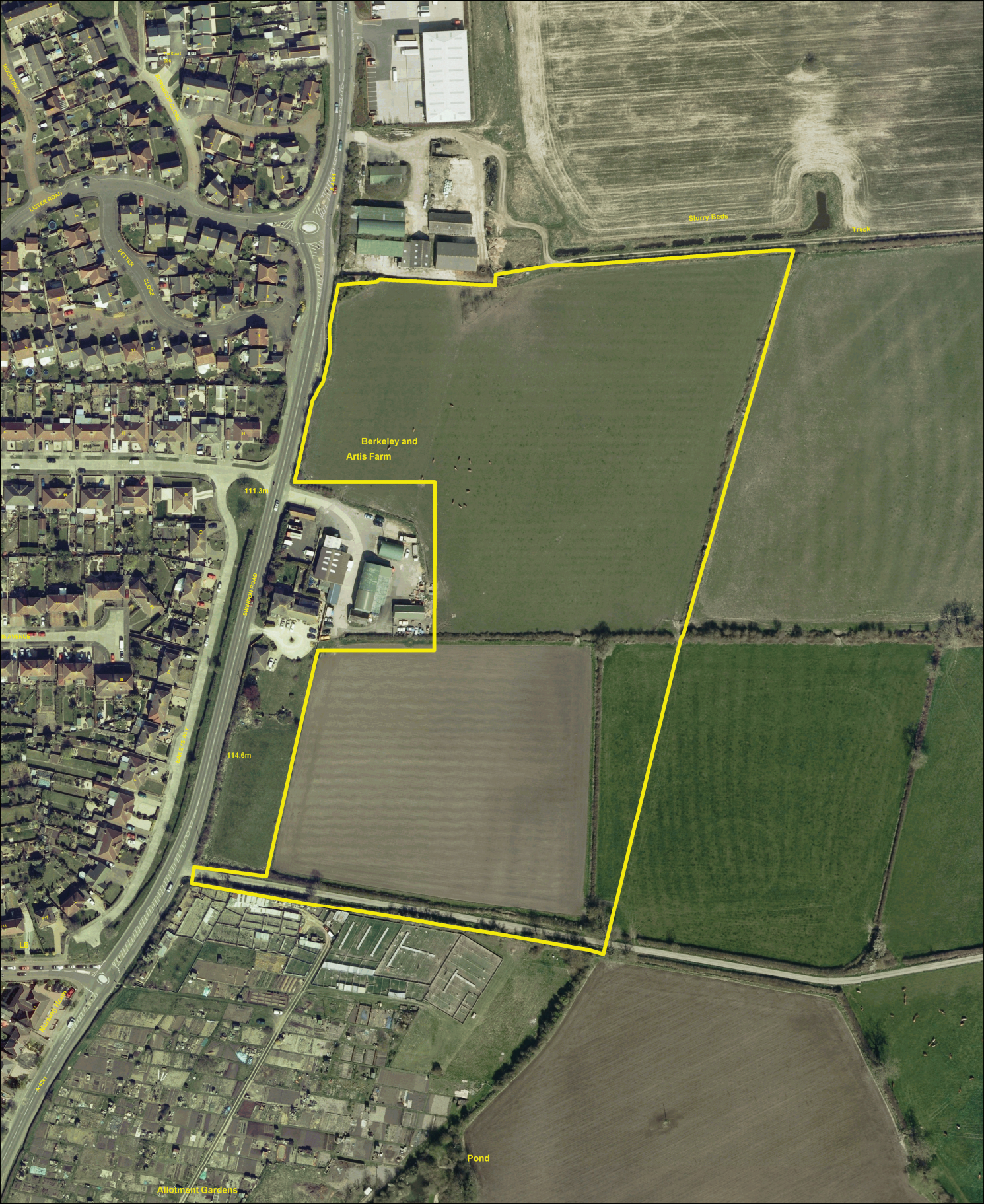
Outline application for the erection of up to 100no. dwellings and associated works.
(Means of access not reserved).

Land At Berkeley Farm Swindon Road Wroughton Swindon



Outline application for the erection of up to 100no. dwellings and associated works.
(Means of access not reserved).

Land At Berkeley Farm Swindon Road Wroughton Swindon



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.

Concept Masterplan

- Up to 100 Residential units;
- Main access to the site from the road;
- Main access to the site from the road;
- Soft edge to the eastern boundary with lower density development facing out onto the landscape space.
- Play area and open space incorporated into the landscape strip to the eastern boundary
- Buildings address the POS road with a shared space / private drive frontage to the landscape space
- All green spaces have frontages overlooking them to provide natural surveillance.
- Series of key spaces to promote legibility and incorporating existing trees / hedgerows, open to existing hedges and existing farm.
- Existing hedges and trees retained as far as possible.
- Indicative SUDS strategy to include ecological pond areas.
- Children's play areas, kick about space and informal usable public open space.
- View corridors allowing views towards the Ridge and Burdrip Wood.

	Development Boundary
	Access - all modes
	emergency only access
	Pedestrian / cycle / recreational routes
	Indicative pedestrian crossing position
	private drives
	key spaces
	local bus stop locations
	Hedges new / retained
	LEAP (play area)
	Public Open Space
	Existing trees / hedges (showing RZ that affect development area.)
	Proposed trees / hedges
	Depressed landscaped areas designed to manage surface water runoff for the development through balancing exceedance flows.
	Focal buildings / indicative built form

Schedule of Masterplan areas:

Gross red line area:	5.9ha
Net Residential Development:	3.5ha
Public Open Space:	1.0ha
Strategic Open Space (incl. Alternation/ ecological area, hedge corridors, access lanes, 1.0ha non-developed (incl roads, single frontage)	0.4ha

POS Calculation:
FT Standard provision: 2.8ha / 1000 population.
3.5 x 30/ha = 105units
105 x 0.028 = 2.94ha
2.94 x 1.000 = 2.94ha
2.94 x 1.000 = 2.94ha
POS can include children's play, kick about and public open space



Client:	Almscough Strategic Land
Project:	Berkeley Farm, Wroughton
Drawing:	Concept Masterplan
Scale:	1:1250 (A2)
Project Number:	ANAS202
Drawing Number:	3003
Date:	16.07.2015
Revision:	B



Client:	Almscough Strategic Land
Project:	Land at Berkeley Farm
Drawing:	Site Location Plan
Scale:	1:1250 (A2)
Project Number:	ANNA2002
Drawing Number:	1003
Date:	15.07.2015
Revision:	.
Status:	SUBMISSION
Drawn / Checked:	JWS / JR
Revision:	.

COMMITTEE REPORT

Item Number: 7

Ward: Wroughton And Wichelstowe

Application Number:

Parish:

S/OUT/15/1204/TB

Wroughton

Proposal: Outline application for the erection of up to 100no. dwellings and associated works. (Means of access not reserved).

Site Location: Land at Berkeley Farm, Swindon Road, Wroughton

Case Officer: Tom Buxton

Applicant

Agent:

Mr Jeff Richards
Turley
10 Queen Square
Bristol
BS1 4NT

Mr Liam Kenyon
Ainscough Strategic Land
C/o Agent

Officers Report

Background:

1. This application has been brought before Planning Committee due to the high level of public interest generated by the proposal.

2. This application follows the refusal of a near identical outline planning application at Committee in November last year (S/OUT/14/1005). The only difference between the previously refused application and the one currently before Members is that the supporting information has have been updated and the (indicative) concept master plan has been amended slightly.

NB The applicant has appealed the previously refused application and this will be determined by way of a Public Inquiry in November.

Summary of Recommendation:

3. That outline planning permission be **REFUSED**.

The Proposal:

4. This outline application, which reserves all matters apart from the means of access to the development, seeks permission to erect up to 100 dwellings on a green field site of 5.90 hectares in size, located to the east of Swindon Road, Wroughton.
5. Access to the proposed site will be in the form of a T-junction at the northern part of the site directly from/onto Swindon Road.
6. It is also proposed that minor highway changes take place adjacent to the development, near to the proposed access in terms of setting the existing bus stop and bus stop lay-by back into the site to allow for improved visibility at the new junction.
7. Whilst the matters of layout, scale, appearance and landscaping are reserved for subsequent approval the application submission includes an indicative masterplan that demonstrates how the site could be developed. This indicative plan appears to demonstrate the provision of predominately detached and semi-detached dwellinghouses, with a small number of short terraces. The design and access statement indicates that whilst the majority of the dwellings will be two-storey there will be some provision of single-storey and two and half storey properties. The scheme is to deliver up to 70 open market and up to 30 affordable units.
8. The indicative masterplan also shows the provision of public open space to the eastern part of the site and two 'play areas'.

The Site and Surroundings:

9. The site is 5.90 hectares in size and is adjacent to, but outside of Wroughton's defined urban area boundary to the east of Swindon Road, Wroughton. The site is currently made up of open agricultural fields used for grazing which are bounded up by post and wire fences and hedgerows. The site slopes gently downwards from west to east and is lower than Swindon Road.
10. Further agricultural land is located to the east and north east. Allotment gardens are located immediately to the south and to the north are agricultural buildings. Beyond Swindon Road to the west are residential properties and abutting the site to this west also are several dwellings and some light industrial uses (including a dairy and car repairs business)

Representations:

11. 28 letters of objection received in total from residents of Wroughton, the majority being from those living nearby with the remaining ones coming from the wider village.

The main points raised within the letters of objection are (*summary*):

- Highway related concerns: – traffic congestion, traffic safety, traffic pollution/smell of fuel emissions, access road and crossing being inappropriately sited.
- Principle :- site is outside of settlement boundary, site is a greenfield site, brownfield sites should be used first, contrary to Local Plan, contrary to Wroughton Neighbourhood Plan, proposal represents two thirds of Wroughton's housing development allocation, application S/OUT/13/1862 is similar and was recently refused, development would extend Wroughton too far to the east, would threaten Wroughton's status as a village, could set a precedent for further development to the east of Wroughton (no strong, physical containment to site), diminishing of separation between Wroughton and Swindon. Since previous refusal circumstances have only changed to further strengthen the Council's case in terms of the adoption of the Local Plan and progress with the neighbourhood plan.
- Sustainability: - most facilities are outside the recommended 1200 m from the site, a more sustainable/innovative approach should be considered.
- Need: - houses are not needed, Wichelstowe is not complete and has infrastructure in place for 1000s of homes.
- Loss / Impact on landscape / countryside:- detrimental impact upon Landscape Character Area, spoil vistas into and out of AONB, reference/comparisons made to previously dismissed appeal at Artis Farm.
- Wildlife :- impact upon wildlife habitat.
- Infrastructure: - impact upon infrastructure (schools, doctors surgeries etc), Wroughton doesn't have the infrastructure to cope, there are not sufficient school places, sewerage system will be unable to cope.
- Other: - flooding,

12. Wroughton Parish Council:

Object to application for the following reasons:

1. Policy

1.1 Contrary to Wroughton Parish Council's Policy Document adopted on 15 December 2008 and updated on 18 November 2013.

Planning Policy

Wroughton Parish Council will resist:

- 1. Further urban extension into the Parish before developing brown field sites within Swindon.*
- 2. Development of greenfield sites and advocates the development of brown field sites where all the necessary infrastructure should already be in place.*
- 3. Planning Applications for unsustainable developments, regardless of developer contributions.*
- 4. Developments where there is an unacceptable level of environmental damage, regardless of the housing or economic benefits.*
- 5. Any development where inadequate facilities are provided for non-motorised users, including footpaths, cycleways, bridleways and public transport connections between Wroughton and the surrounding area, as alternatives to the car.*

There are brown field sites within Wroughton that could be developed on a smaller scale than this development and would take the 150 homes allocation for Wroughton in the Local Plan 2026. This development would be unsustainable and have a major impact on the local services like local schools and the health centre.

The area being developed is a greenfield site which forms part of the Vale of Wroughton and is outside the settlement boundary. This area is a habitat for bats, red kites, buzzards, owls, hares, roe deer and muntjac deer which would be destroyed.

1.2 Contrary to Swindon Borough Council's Local Plan 2026 Policies

1. SDI – Sustainable Development Principles

To enable the delivery of sustainable development and sustainable communities in the Borough all development proposals will:

Be of high quality design;

Promote healthy, safe and inclusive communities;

Respect, conserve and enhance the natural, built and historic environments;

Assess and address the impact of climate change through mitigation and/ or adaptation measures;

Provide or contribute to the assessed local and borough wide infrastructure and service requirements;

Contribute to the retention and growth of the local economy and complement town centre regeneration;

Be accessible by walking, cycling and/ or public transport;

And, use land and resources (such as water, energy, minerals and waste) in an efficient and effective way.

This development does not respect, conserve or enhance the natural or historic environments. It is a greenfield site, outside the settlement boundary

and within the Vale of Wroughton. The fields to be developed are low lying and regularly flood. The flood risk has not been properly addressed and this is explained in more detail later in this document. The development will add to the number of cars using the roads in Wroughton. The development will not contribute to the local economy and will be a strain on local services.

2. SD2 – The Sustainable Development Strategy

c. Outside Swindon : rural development will be located primarily at Highworth and Swindon, which (of the rural settlements) are the most accessible and maintain the largest range of facilities.

*Development proposals in rural and countryside locations outside the rural settlement boundaries as shown on the Policies Map will be permitted where:
Local needs have been identified and allocated through a Neighbourhood Plan or Neighbourhood Development Order and/ or
It supports the expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in a rural service centre; or
It is in accordance with other policies in this Plan permitting specific development in the countryside.*

This development is outside the settlement boundary and has not been identified as a development site within the Wroughton Neighbourhood Plan. The site has not been identified in the Swindon Local Plan 2026 as an area for development in the countryside.

3. RA2 – Wroughton

Development at Wroughton shall be in accordance with Policies SD1 and SD2 and should support the following local priorities at Wroughton.

See above

4. EN5 – Landscape Character and Historic Landscape

*Proposals for development will only be permitted when:
The intrinsic character, diversity and local distinctiveness of landscape within Swindon Borough are protected, conserved and enhanced;
The design of the development and materials used are sympathetic to the surrounding landscape;
Unacceptable impacts upon the landscape are avoided and,
Where other negative impacts are considered unavoidable, they are satisfactorily mitigated.*

In meeting the requirements of EN5a, applicants for development should demonstrate how they have taken into account Landscape Character Assessments and assessed the potential impact of the proposal upon the following attributes of the landscape: existing landscape form, features, topography and character; the

contribution of the landscape to biodiversity and wildlife; local geology and geodiversity; views, visual amenity and the landscape setting; valuable historic and heritage areas and assets; environment amenity such as tranquillity and noise, pollution and light pollution and the existing social, physical, economic and environmental roles and functions of the landscape at the local and strategic scale.

The North Wessex Downs Area of Outstanding Natural Beauty (AONB) is a nationally recognised area of landscape protection. Proposals within the Borough which are within and /or abuts the North Wessex Downs AONB must accord with relevant criteria set out in the AONB Management Plan and paragraphs 115 and 116 of the NPPF. Proposals outside the AONB should not adversely affect its setting.

This site is within the Vale of Wroughton and is clearly visible from the surrounding area. It is relatively open land and has limited screening by trees on the periphery. It is therefore anticipated that a large development, such as the one proposed, encompassing the whole site would have a significantly adverse impact on the views to the Landscape Character Area, particularly from the south.

5. TR1 – Sustainable Transport Networks

The Council will use its planning and transport powers to help reduce the need to travel and support and encourage the sustainable, safe and efficient movement of people and goods within and through the Borough.

The access to the site on Swindon Road is very busy and it is envisaged that, with only one access road to the site, it will take a considerable time for vehicles to turn right in the direction of Swindon. The zebra crossing is positioned in the opposite direction to the majority of movement by pedestrians, which will either be using the bus stop, or walking to school via the Lister Estate and public footpaths.

The development on the edge of the village would not encourage alternative forms of transport other than the car. The access from the site is on to Swindon Road. This is an 'A' road which is the main route from Swindon to Devizes and is a very busy road with cars and heavy lorries, particularly during the morning and evening commute. Although a crossing point for pedestrians is shown on the plans at Swindon Road, this is not a controlled crossing point and the Parish Council would question whether it complies with highway regulations due to its position close to Berkeley Road and the south bound bus stop. Vehicles accessing the site will also have a significant impact on the flow of traffic using the major 'A' route and the rest of the village.

6. HA3 – Wheelchair Accessible Housing

Development proposal for 50 dwellings or more should provide at least 2% of the dwellings to be suitable for occupation by wheelchair users to ensure all delivered housing is of a high quality and there is a wide choice of housing available.

There is no mention of wheelchair accessible housing in the Planning Application.

1.3 Contrary to the National Planning Policy Framework (NPPF) for the following reasons:

1. *NPPF Para 17 – ‘Encourage the effective use of land by reusing land that has been previously developed (brownfield land) providing that it is not of high environmental value’.*

The developer has claimed that these policies should not be considered as they believe that Swindon cannot demonstrate an adequate supply of Housing Land.

2. *NPPF Para 50 – ‘Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes’*

There is no mention of providing housing for people with disabilities in accordance with this Policy.

1.4 Contrary to the Policies in Wroughton Neighbourhood Plan

The Right Housing in the Right Place

1. RH3

No housing development will be permitted on a greenfield or brownfield site outside the village settlement boundary (as defined by the Swindon Local Plan 2026) unless the site is allocated as a potential development site within the Wroughton Neighbourhood Plan 2015-2026.

2. RH5

All new development shall meet the following sustainable construction standards until superseded by national prescribed standards:

New residential development on previously developed land will be required to meet the energy and Carbon Dioxide (CO₂) and water components of the Code for Sustainable Homes Level 4 and the energy and CO₂ and water components of Code Level 5 from 1 April 2016.

All new residential development on greenfield sites will meet the full requirements of Code Level 5, because of the lower cost of developing such sites.

This policy will be reviewed every 3 years to ensure that future developments continue to meet the latest standards for low resource usage.

3. RH6

All new developments must have convenient and safe access for pedestrians, cyclists and road vehicles and each dwelling must be within 600 metres of a bus stop.

4. RH8

Housing developments will include a range of house types where appropriate, including a mix of starter homes, family homes and single level homes on a level site suited to the needs of older residents and those with disabilities.

The Wroughton Neighbourhood Plan was approved by the Parish Council on 16 March 2015 and was presented to Swindon Borough Council on 27 March 2015.

The Planning Statement claims that the Wroughton Neighbourhood Plan is not deliverable and can be given little weight as it has not yet been adopted. The Parish Council cannot agree with that statement and believe that the Wroughton Neighbourhood Plan is fully deliverable. The plan identifies sites for more than 200 homes, as it is recognised that not all the nominated sites will come forward. In addition, windfall brownfield and infill sites have already come forward. The Parish Council is confident that the allocation of 150 dwellings in Swindon Borough Council's Local Plan 2026 will be met by 2026 and the Neighbourhood Plan will be subject to regular review to ensure this is the case.

The weight that the Secretary of State gives to submitted Neighbourhood Plans is clearly demonstrated by the Ministerial Statement dated 10 July 2014 and subsequently 'recovered' appeal decisions such as Canal Road in Devizes, where the appeal was refused on the basis of a submitted, but not adopted Neighbourhood Plan. The Parish Council is aware of legal challenges to these decisions which has resulted in these decisions being referred back to the Planning Inspectorate, who have yet to report on any of these cases. The Parish Council has established from the stages of drawing up the Neighbourhood Plan and the public consultations that 86.7% of the public did not support development of greenfield sites in Wroughton. The consultations have identified brownfield sites within the parish that could accommodate future development.

More information about the Neighbourhood Plan and the procedures followed in the Statement of Community Involvement are available on the Wroughton Parish Council website. www.wroughton.gov.uk

1.5 Strategic Housing Land Availability Assessment 2013

The land adjoining Berkeley Farm and Artis Farm under ref 708 was considered as part of the SHLAA.

There were various issues identified with the site, which were:

Impact of Habitat for Fauna and Flora – There are hedgerows around the edge of the site which are likely to contain an array of biodiversity. Whilst this is not a constraint to development, there may be some disturbance to the flora and fauna in these hedgerows.

Landscape Character Area – Site within Wroughton Vale and protected by Policy ENV10 (Swindon Local Plan 2011). A large development would have a significant impact on the views of the Landscape Character Area, particularly

from the south and east.

Constraints – The site slopes from west to east. The gradient is highlighted and the site may require a small degree of land modelling.

Settlement Boundary – The site does not fall within the Wroughton settlement boundary. Development on Greenfield sites outside of identified settlements will be resisted.

Access to Services and Facilities – Distance to a primary school and convenience store has been identified as potential issue for accessibility.

1.6 Additional Comments on Policy

1. Wroughton Parish Council is well on course with their Neighbourhood Plan and invited the developer to a Planning Committee Meeting in accordance with their published Neighbourhood Plan – Developer Guidelines protocol. At the Planning Committee Meeting on 16 April 2014 the following comments were given to the developers (from the minutes):

RESOLVED that the following comment be passed to the Neighbourhood Plan Working Party to be used in drawing up development sites for inclusion in the Neighbourhood Plan;

- 1. Contrary to Wroughton Parish Council's Policy Document updated on 18 November 2013 and in particular Planning Policy 1,2,3,4 and 6 and Planning Policy Statement 1;*
- 2. The site is outside the settlement boundary;*
- 3. Proposed vehicle access to site would lead to unacceptable traffic delays on busy 'A' road;*
- 4. Proposed vehicle access to site is adjacent to bus stops on both sides of the road and would create a potential danger for road users;*
- 5. Identified as a possible development site in the SHLAA 2013 (plot 708);*
- 6. Site falls within the Wroughton Vale Landscape Character Area and would be contrary to Swindon Borough Council's Policy ENV10 (Swindon Local Plan 2011);*
- 7. Pedestrian safety including safe routes to schools as all residents would need to cross busy 'A' road to access any facilities in the village including schools;*
- 8. Sustainability as many local amenities like schools and the medical centre have no capacity for an additional 100 families;*
- 9. Insufficient parking space included within the site in an area of the village already suffering with lack of parking issues.*

2. Wroughton Parish Council has always understood that Swindon Borough Council would not allow any major development south of the M4. A development of this size would be a major development to the village of Wroughton.

3. The whole area around Swindon Road is already suffering with a lack of parking and issues with surrounding roads being congested and parking taking place on pavements. There is a lack of visitor parking identified on the plan which will lead to an increase in parking issues locally.

4. The development site will completely surround the dairy at Berkeley Farm, the workshop used by the Parish Council and the other industrial units. It is anticipated that there will be noise and light pollution to the development, especially from the dairy early in the morning and the movement of vehicles. There may also be dangerous fertilisers and chemicals on site. As this Planning Application has not changed from Planning Application No S/14/1005 the same comments apply on access and flood risk which are repeated below.

2. Access

Three access issues trigger objections to the proposed development
visibility splays
inappropriately located road crossing
excessive distance to existing facilities and services

2.1 Visibility splays

The proposed main access road to the site is 18m from the existing south bound bus stop (Transport Assessment para 2.2.7). In the morning and evening rush hours buses occupy the lay-by for up to five minutes. During this time the 59m visibility splay to the north is significantly impaired. The highway Code stopping distance at 30 mph is 23m. Based on the 85th percentile, the speed of weekday south bound traffic is 34.8mph (Transport Assessment para 2.2.5) thus a greater stopping distance would be required. The Highway Code 40mph stopping distance is 36m, thus a minimum visibility splay of roughly 29m would be appropriate.

It is unacceptable to claim (Transport Assessment para 2.2.7) that “this temporary obstruction to visibility will have no effect on the operation of the junction”. For five minutes each hour, or for over 8% of the hour, traffic would be exiting the proposed development with an unacceptable risk of an accident. The morning rush hour would make school bound cyclists particularly vulnerable.

2.2 Inappropriately located road crossing on Swindon Road

The need for a road crossing for the proposed development is acknowledged to ensure the safety of pedestrians, especially children, accessing schools, shops, the health centre and other facilities within the village.

Taking data from the Transport Assessment para 2.2.2 – The site access road is 26m north of the Berkeley Road junction, thus the zebra crossing would be centred some 13m north of Berkeley Road and 31m south of the south bound bus stop. In the previous section it was noted that the bus stop was occupied for up to five minutes per hour in the rush hour periods.

The Department for Transport Note 2/95 in para 2.3 Visibility, defines minimum distances for driver visibility for crossings in Table 1. Also pedestrians must be able to see and be seen by approaching traffic. Visibility should not be obscured. At the 85th percentile approach speed of 30mph the desired minimum visibility is 65m and the absolute minimum visibility is 50m.

The proposed crossing located 31m south of the south bound bus stop is well within the absolute minimum visibility requirement of 50m. As in the previous section on visibility splays there is an unacceptable risk of an accident involving pedestrians particularly during the morning rush hour.

2.3 Excessive distance to existing facilities and services

The Transport Assessment notes that the Ridgeway School and the Wroughton Junior School are situated approximately 1km to the west of the site. Google Maps confirms the walking distance is 1.1km (the driving distance is 1.2km). The Wroughton Infants School is 1.3km to the south west of the site.

This is considerably greater than the 600metres to be achieved by in excess of 90% of houses on the revised Mid/West Wichelstowe Land Use Master Plan. Walking and cycling to school are of dubious practicality especially for the younger children. Any increase in the car transport of children will exacerbate an already problematic situation further afield in the village. The school run currently, particularly for the infants school, is associated with blocked roads and inappropriate parking (SBC is aware of issues in the Perrys Lane area and lack of parking spaces in the Ellendune shopping centre at peak times) – any potential increase in school run cars is definitely contrary to sustainable development.

The walking distances (Google Maps) to representative village facilities and services are –

Coop supermarket and Post Office 1.4km

Morrisons Local (nearest food store) 900m

Ellendune shopping centre 1.3km

Ridgeway View health Centre 1.2km

Library 1.3km

St John and St Helen church (C of E) 1.8km

St Josephs (RC, the nearest church) 1.1km

The Check Inn and the Iron Horse(nearest pubs) 900m

The Fox and Hounds (furthest pub) 1.4km

The Chartered Institute of Highways and Transportation “Guidance for Providing for Journeys on Foot” states that “800m is the preferred maximum walking distance to a town centre and 1200m is the preferred maximum walking distance to other destinations” (Transport Assessment Para 3.4.1).

This indicates that the town centre, in our case village centre, and most other destinations are outside the preferred maximum walking distance.

2.4 Development on an unsuitable Road

The Swindon Road is a very busy ‘A’ class road and the main route from Swindon to Devizes. Adding further vehicle, cycle and pedestrian movement to an already major road is an unacceptable threat to the safety of both new and existing users of Swindon Road.

This is contrary to the National Planning Policy Framework (NPPF) paragraph 32, second bullet point, ‘safe and suitable access to the site can be achieved for all people’.

2.5 Berkeley Farm Dairy Buildings and units

The access road to the current Berkley Farm Dairy and units is not shown on the plan. This is very close to the access road to the development and it is questioned whether this would conform to highway regulations.

3. Flood Risk

Three Flood Risk issues trigger objections to the proposed development

Unquantified exceedance water

Ground conditions

Sewers as a potential source of flooding

Flooding is a devastating experience affecting physical and mental wellbeing. While recognising the personal devastation the first and third reasons for objection are primarily related to personal safety and health.

3.1 Unquantified exceedance water

The volume of water to be held on site is unknown. In turn the dimensions of the zones required to store the exceedance water during peak flows are unknown. The issue is intensified by the proposed development which imposes an impervious build on 66% of the site area – all rainfall has to be handled by one third of the surface area.

The attenuation areas for exceedance water are shown on the Masterplan (Flood Risk Assessment, Appendix A) under the legend heading “Depressed landscape areas designed to manage surface water run-off for the development through balancing exceedance flows”. These depressed areas are to the east of the proposed development in ground declared to be public open space.

In the absence of exceedance water volumes the following observation should be noted. In December 2013 Swindon experienced 129.4mm of rain, just over 175% of the average December rainfall. From 16 December there were 4 days where the average daily rainfall was more than four times the average daily rainfall and on 23 December 30.6mm fell in a day. This is 1,805cu metres over the whole site in one day and this followed four days over which 2,773 cu metres fell on the site.

Winter 2013-14 was exceptionally wet and the constantly waterlogged ground could not adsorb additional rainfall. As mentioned above the impervious build on 66% of the site would intensify the problem of rainfall absorption and runoff. In this instance the exceedance water volume on 23 December 2013 could be taken as 1,805cu metres in one day – more than twice the volume of water in Wroughton swimming pool.

This volume of water poses a serious safety issue. Any surface attenuation measures would be of massive dimensions - at an average depth of one metre the surface area would be 1,805 sq metres (nearly a fifth of a hectare). Bear in mind this storage is in a public open space and that RoSPA recognises water only as deep as baby's bath water height as potentially lethal. The proposed attenuation measures are seen as potentially lethal, particularly to children using normally safe open spaces.

This threat to safety is a powerful reason for objecting to the development.

3.2 Ground conditions

Ground conditions are one of the key factors in determining infiltration and run-off rates. The Flood Risk Assessment (para 8.5) in discussing soil properties, does not comment on the permeability of the soil on site (high, moderate or low?). The Magnetometer Survey Report comments on geology and soil in more detail. In particular para 1.5.2 states that "It consists of a slowly permeable, seasonally waterlogged, clayey soil" and Area 2 (the northern field) appeared to contain evidence of ground consolidation within the vicinity of barns and gateways.

For an earlier planning application to the east of Wroughton CH2MHILL reviewed the Flood risk Assessment (Marlborough Road, Wroughton, prepared March 2014 for Swindon Borough Council). This location is within 1km of the Berkeley Farm proposed development and in a similar location within the Vale of Wroughton. It contained many observations which might be applicable to a closely located site. In particular Observation 24 on the infiltration run-off rate which might be between twice and twenty times that considered in the Flood Risk Assessment.

The unknowns regarding geology/soil conditions give rise to the following reasons for objection.

The size and location of "below ground drainage systems proposed for part drainage of the site will be designed to accommodate rainfall events up to and including the 1 in 30 year return period storm" (Flood Risk Assessment, para 10.5)

BUT the exact ground conditions are unknown as are the below ground drainage requirements. The unanswered questions are WHAT, WHERE, HOW BIG and ANY LAND USAGE CONSTRAINTS on public or private land? Attenuation facilities on private land could also require a maintenance agreement and possibly right of access to perform maintenance tasks in addition to a covenant limiting land usage over a below ground drainage sump.

3.3 Sewers as a potential source of flooding

The Flood Risk Assessment, in section 5.2 does not see sewers as a potential risk of flooding. This might be relevant to off-site sewers.

On-site sewage will need to be pumped uphill to connect with the main sewer in Swindon Road. Infrastructure failure, possibly associated with excessive rainfall, might well introduce sewage to the exceedance water flow.

It is noted in the Utilities Report (section 7) that Thames Water Utilities have yet to establish the level of spare capacity in the existing foul network. Regardless of their answer there appears to be no fall back provision within the Flood Risk Assessment for handling sewage flooding in unusual and/or extreme conditions.

Though it is most unlikely to be on the scale of TV news reports last winter, if you are flooded, you are flooded!

4 Conclusion

The development of this site is contrary to Wroughton Parish Council's Planning Policy, Swindon Borough Council's Local Plan 2026, the National Planning Policy Framework and Wroughton Neighbourhood Plan.

It is a Greenfield site outside the settlement boundary.

The site lies within the Vale of Wroughton, an area known for wildlife.

It is not sustainable due to the effect on local services and the distance to walk to these facilities.

The access to the site will have a significant effect on the traffic flow on a major 'A' road through the village. The access road is very close to the existing access road to the Berkeley Farm Dairy site.

The site is on a gradient and known for being boggy and frequently flooding. There are a number of serious drainage issues.

The Parish Council fully accepts that Wroughton needs a modest amount of new housing, particularly affordable homes and is confident that these homes can be accommodated on brownfield sites within the settlement boundary.

Internal Consultees:

13. Arboricultural Officer:

No objections.

14. County Archaeologist:

No objection subject to an archaeological condition for further investigations being attached to any grant of consent.

15. Housing Enabling Officer:

There is limited information about the affordable housing (AH) element at this stage, however 30% AH has been stated within the documentation which is acceptable.

Would expect to see the following regarding AH when/if the scheme is further worked up:

- Based on 100 units proposed on site, I would seek 30 units to be AH (or 30% of final total)
- I would currently be happy with the following unit mix:
 - 4 x 1-bed 2 person flats/houses
 - 15 x 2-bed 4 person houses
 - 10 x 3-bed 5 person (and a few 6 person) houses
 - 1 x 4-bed 7 person houses
- The mix of AH units is to be in a 70/30 split between Rented and Intermediate (including Low Cost Home Ownership initiatives). So I'd be happy to see 21no. Rented and 9no. Intermediate units.
- The AH units are to be tenure blind and should not be visually distinguishable from the OM units on site in terms of build quality, materials, details, levels of amenity space and privacy.
- The AH units are to be arranged in clusters and fully integrated with the open market housing. I think 3 clusters would work well here i.e. clusters of 10 units. The clusters are to be completely detached from one another and separation by roads will not be acceptable. The tenures within each cluster are to be mixed.
- Car parking provision for the AH units should be at least equal to that provided for the OM housing. This also includes parking arrangements i.e. if the OM units have driveways and curtilage parking then so should the AH units
- The AH units are to be built to meet HCA Design and Quality Standards (2007) and meet DCLG's Nationally Described Space Standards (2015) - or successor standards that may be in place when the S106 agreement is signed.
- The AH units are to be delivered through one of SBC's approved Affordable Housing Partners or else some mechanism will need to be put in place to monitor the management and maintenance standards of an alternative provider.

16. Highway Authority:

No objections to access subject to conditions.

Awaiting response from CH2M regarding the FRA.

17. Landscape:

This site and the proposals for it bear a great similarity to the application for development several hundred metres further south and submitted under reference S/OUT/15/0912. From the landscape stance therefore I am of the opinion that many of the general comments made about that application are relevant to this application.

According to the adopted Swindon Borough Local Plan 2026 this application site is outside the settlement boundary the corollary of which is that the site is in the countryside thus policy SD2 of the adopted local plan applies to the proposal.

The site is within the Wroughton Vale Local Landscape Character Area thus policy EN5 of the adopted Swindon Local Plan applies to the proposal.

The landscape character of the Wroughton Vale is set out on pages 4 & 5 of the adopted Landscape Character SPG in which it is acknowledged that the settlement of Wroughton dominates the eastern end of the vale but aside from this the human (built) influences upon this character area are limited to scattered houses and farms.

The proposed site is within the Wroughton Vale Local Landscape Character Area within which development considerations should:

- Ensure existing ponds and wildlife habitats, and sites that adjoin, abut or link these with other wildlife habitats, are conserved and where possible enhanced,
- Reflect the existing pattern of buildings, be they on an individual basis or in small groups, Maintain, and where possible enhance, the perception of separation between Swindon and Wroughton, through the use of planting,
- Have regard to the area's close proximity to the North Wessex Downs Area of Outstanding Natural Beauty,
- Be accompanied by planting, whether woodlands, tree lines or hedgerows.
- Retain the perception of distinctiveness and separation from Swindon (within the Rural Buffer area identified in the Local Plan). NB Rural Buffer policy not saved.

The indicative masterplan submitted to support this application falls short of addressing a number of these development considerations as follows.

It does not reflect the existing pattern of buildings either in the Wroughton Vale or in this part of Wroughton where most residential development particularly on the eastern side of the A4361 has individual road frontage. This proposal does not have individual road frontage merely a collective single road access onto the A4361.

The development proposals could be described as backland development in a location where residential backland development is atypical, backland development in this part of Wroughton is principally limited to buildings that fulfil a community function viz: Moormead Hospital a Care Home and the Prospect Hospice, buildings that can and do sit within a corporately maintained and managed, spacious, landscape setting.

There is concern that this proposal will erode rather than enhance the perception of separation between Swindon and Wroughton. There is considerable interest in developing other similar sites on the eastern edge of Wroughton from which the application site is, in landscape terms, indistinguishable, the development of this site may create a precedent that is impossible to resist from the landscape stance.

18. Forward Planning:

A policy objection is raised.

Specific comments form part of the planning considerations section below.

19. Pollution Control Officer:

No objections raised subject to an appropriately worded condition to protect future residents from noise arising from activities at the adjacent commercial yard.

External Consultees:

20. CPRE: Campaign to Protect Rural England:

Have already objected to development at this site under the previous application S/OUT/14/1005 and now reiterate main points.

The site is outside of the settlement boundary and there is no intention by either the parish or SBC to subject it to review.

It is a greenfield site and as such does not accord with the adopted Local Plan.

The Wroughton Neighbourhood Plan has been presented to SBC and identifies sufficient sites within the settlement boundary to meet the housing target for the settlement.

It is clear from the neighbourhood plan that the community wish to protect the landscape character and setting of Wroughton from further development to the east of the Swindon Road.

Do not believe that the access has been adequately considered with regard to increased traffic.

21. Environment Agency:

Whilst the EA are no longer statutory consultees regarding surface water flood risk, a formal response has been submitted to the Planning Inspectorate as part of the appeal (against the refusal of the previous near identical application) which confirms they have no objections to the application in flood risk terms subject to a suggested condition.

22. Thames Water:

Waste Comments: Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would request a 'Grampian Style' condition imposed.

Water Comments: The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend that a condition be imposed should consent be granted.

Supplementary Comments: The utilities report states 'a preliminary potable loading analysis has been carried out. It is estimated that the development will require a potable water input of approx. 50l/s'. This number is very high for 100 houses even 5l/s would be excessive particularly when the waste volume is stated as 4.6 l/s. Recommend the developer revisit this potable load study work.

23. Crime Prevention Design Adviser:

It is noted in paragraph 5 of the Design and Access Statement, the applicant states "that it is designed in accordance with the principles of 'Secure by Design' (SBD) and 'Safer Places' to deliver a safe and secure environment for people to live and play." In view of this claim and in order that the principles of SBD can be assessed, should the application be granted I request that it be conditional on the developer agreeing to apply for full Secured By Design accreditation.

24. Wiltshire Fire & Rescue Service:

The Fire Authority will require the provision of water supply and hydrant facilities for fire fighting to meet the needs of the development. Recommend the use of sprinklers.

Planning Considerations:

25. The main considerations with regard to the determination of this application are the principle of the proposal and prematurity, precedence, the impact upon the character of the area, highway safety and the provision of developer contributions and in these respects whether the proposals are in accordance with the provisions of the relevant policies of the Swindon Borough Local Plan 2026, the National Planning Policy Framework 2012 and Planning Practice Guidance 2014. Other issues raised within the representations received will also be covered to include: residential amenity, design/layout and biodiversity.

Planning Policy:

Adopted Local Plan 2026

26. The Swindon Local Plan 2026 was adopted on 26th March 2015. The following adopted Swindon Local Plan 2026 policies are considered to apply and the degree of their weight in determining this application is discussed in the reasoning below.

- DE1 (High Quality Design)
- SD1 (*Sustainable Development Principles*); seeks the delivery of sustainable development and communities;
- SD2 (*The Sustainable Development Strategy*); aims to meet Swindon's development needs whilst protecting the Borough's most important assets;
- SD3 (*Managing Development*); seeks to oversee the delivery of sustainable growth;
- HA1 (*Mix, Types and Density*); seeks a variety of densities, house types and sizes within larger developments whilst ensuring that they respect the character of the area;
- HA2 (Affordable Housing); seeks all developments of 15 homes or more, or on sites larger than 0.5 hectares to provide 30% affordable homes;
- HA3 (*Wheelchair Accessible Housing*); seeks development proposals for 50 dwellings or more to provide at least 2% of the dwellings to be suitable for occupation by wheelchair users;
- TR1 (*Sustainable Transport Networks*) and TR2 (*Transport and Development*); seek to reduce the need to travel, and support and encourage the sustainable, safe and efficient movement of people and goods;
- IN1 (*Infrastructure Provision*); deals with infrastructure provision;
- EN3 (*Open Space*); seeks all development to provide or contribute towards public;
- EN5 (*Landscape Character and Historical Landscape*); seeks development proposals to take account of their natural surroundings.
- RA2 (Rural Settlements) Wroughton

27. Also of relevance is Swindon Borough Council's adopted Supplementary Planning Guidance Note: Technical Guidance on Parking Standards (2007); adopted Swindon Borough Council's Supplementary Planning Document 'Sustainable Building Design and Construction' (2008); adopted Swindon Borough Council's Open

Space Audit (2011) and adopted Swindon Borough Council's Landscape Character Supplementary Planning Guidance.

National Planning Policy Framework 2012 (NPPF)

28. The National Planning Policy Framework came into force on 27th March 2012. It sets out the Government's planning policies for England and how these are expected to be applied.

29. Of particular relevance are sections: 4 'Promoting Sustainable Transport', 6 'Delivering a Wide Choice of High Quality Homes'; 7 'Requiring Good Design'; 11 'Conserving and Enhancing the Natural Environment' and 12 'Conserving and Enhancing the Historic Environment'.

Principle of Development

30. The Development Strategy is defined in Adopted Local Plan Policy SD2. Urban concentration supports key government objectives for sustainable development in the most accessible locations, whilst protecting the best of the countryside.

31. Policy SD2 makes a clear delineation between the parts of the Borough in which the principle of development would be generally acceptable (within settlements) and those where it generally would not (in the countryside). The policy limits development in the countryside, defined as those areas that are not within a settlement boundary. Adopted local Plan Policy SD2 (part c) states that development within the rural area will be focussed primarily at Highworth and Wroughton.

32. The adopted Local Plan sets out the quantum of housing development required throughout the Borough over the plan period 2011-2026 including the level of housing required at Wroughton. Reflecting the size and function of Wroughton, the adopted Local Plan proposes at least 150 dwellings at Wroughton over the plan period. As explained in the supporting text to Policy SD2, the Neighbourhood Planning process allows for the additional allocation of specific number of dwellings above that set in adopted Local Plans, where they have been tested through the Neighbourhood Planning process, and the Neighbourhood Plan proceeds to adoption.

33. The proposed development is located outside, but adjacent to, the eastern boundary of the Wroughton settlement boundary and constitutes a relatively large extension to the village. This conflicts with adopted Local Plan Policy SD2 which states that development proposals in rural and countryside locations outside the rural settlement boundaries as shown on the Policies Map will be permitted where:

- local needs have been identified and allocated through a Neighbourhood Plan or Neighbourhood Development Order; and/or

- it supports the expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in a rural service centre; and/or
- it is in accordance with other policies in this Plan permitting specific development in the countryside.

At present, and in accordance with the NPPF paragraph 216, adopted Local Plan Policy SD2 can be applied. The overall housing requirement set out in SD2 was tested within the hearing sessions of the Local Plan examination last year in which the Council demonstrated that it has a five year housing land supply comprising 5.37 years of deliverable supply. The Council maintain that there is not a significant shortfall in housing supply, therefore the provisions of paragraph 49 of the NPPF do not apply.

34. Paragraph 111 of the NPPF encourages the effective use of brownfield land and as this site is greenfield, it will not contribute to this aim of government policy.

35. The site is located within a reasonable, distance of the retail centre of Wroughton where there are a number of services and facilities to support the proposed development. There is also a regular bus service which serves Marlborough Road for access to other services and facilities including employment. The proposal is therefore deemed to meet the requirement set out in the NPPF, para 55:

‘To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.’

36. The applicant has referred, in the Planning Statement, to the fact that this site is included in the 2013 SHLAA where it is assessed as suitable, available, and developable within five years. This is true, but it must be remembered that in accordance with Government guidance SHLAA sites are assessed without reference to local planning policies, and the disclaimer at the beginning of the SHLAA report makes clear that inclusion of a site in the SHLAA “*does not imply that the Council will necessarily grant planning permission*”.

Prematurity

37. It needs to be considered whether the proposal would be premature before the adoption of the emerging Wroughton Neighbourhood Plan. Whilst the NPPG states that refusal of planning permission on grounds of prematurity will seldom be justified before the end of the local planning authority publicity period of a submitted Neighbourhood Plan. However, the NPPG also reiterates that planning applications are decided in accordance with the development plan, unless material considerations indicate otherwise. An emerging neighbourhood plan, such as the Wroughton Neighbourhood Plan in this case, may be a material consideration. Paragraph 216 of the National Planning Policy Framework sets out the weight that may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. Whilst a referendum ensures that the

community has the final say on whether the neighbourhood plan comes into force, decision makers should respect evidence of local support prior to the referendum when seeking to apply weight to an emerging neighbourhood plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

The National Planning Policy Guidance (Ref 21b-014-20140306) indicates the circumstances where it might be justifiable to refuse planning permission on the grounds of prematurity. It states that grounds for refusal will only be justifiable where it is clear that the adverse impacts of granting permission would demonstrably outweigh the benefits. Such circumstances are likely (but not exclusively) to be limited to situations where:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and*
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.*

38. It is considered that 100 additional homes at Wroughton would be a significant proportion (67%) of the future identified needs at Wroughton over the next 12 years. In relation to the PPG, the scale, location, and phasing of the proposal could prejudice balanced and considered decisions about meeting the housing needs of Wroughton.

39. The Wroughton Neighbourhood Plan (WNP) sets out how Wroughton can develop in a sustainable way whilst meeting the desires and aspirations of local residents. The policies and objectives of the WNP have been derived from the ideas, views and opinions of Wroughton residents. Pre-submission consultation on the WNP took place in October/November 2014 and a final draft was completed in March 2015. Subsequently the WNP was submitted to the Borough Council, but as no Strategic Environment Assessment (SEA) had been undertaken, the Council was not able to proceed to accept the Plan at this time.

40. The Wroughton Parish Council are currently consulting on the SEA and the consultation period closes on 9th October 2015. It is anticipated that the Wroughton Parish Council will re-submit the Plan to the Borough Council soon thereafter. Following submission of the WNP, the Borough Council will undertake a further 6 week period of consultation and responses received will be considered as part of the Examination of the WNP. Following the submission of the WNP an Examiner will be appointed and a timetable agreed for the Examination. Therefore it is considered that the WNP is at an advanced stage of preparation. The WNP allocates 7 neighbourhood plan sites to provide 200 dwellings in total; this is sufficient housing to meet the quantum of development required for the village, as set out in Policy SD2

of the SBLP. The WNP does not allocate the proposed site for development. As the WNP is at an advanced stage of preparation and as the Plan has already been designated and that public consultation has taken place on the broad locations for future housing development it is considered that some weight should be attached to the WNP in addition to the adopted policies in the SBLP.

Precedence

41. Between the entrance to the Prospect Hospice and the M4, the east side of Swindon Road/Moormead Road is generally undeveloped (apart from frontage development of terraced housing at North Wroughton), comprising agricultural land and allotments. Development of the proposed site would introduce a residential estate into the open countryside without adequate justification, potentially setting a precedent for the site to be enlarged at a later date, or other similar development being proposed elsewhere to the east of Moormead Road. The proposed development in itself, and the possibility of subsequent development, would materially change the open character of this part of Wroughton.

Loss / Impact on Landscape / Countryside:

42. In landscape terms the site is outside of any settlement boundary consisting of fields adjoining Swindon Road and small-scale residential and commercial properties to the eastern boundary.

43. Swindon Borough Local Plan (SBLP) Policy SD2 (*The Sustainable Development Strategy*) states that development proposals in countryside locations shall be permitted where they (amongst other reasons) accord with other policies in the Local Plan. This application site is considered to be contrary to policy SD2 in that it is not within the settlement boundary of Wroughton, and although it is adjacent to Wroughton, it is considered within the countryside; within the Wroughton Vale Landscape Character Area. Urban concentration supports key government objectives for sustainable development in the most accessible locations, whilst protecting the best of the countryside. Wroughton is designated as a primary rural settlement in the Swindon Borough Local Plan. Wroughton does not have the range of facilities available at Swindon. For this reason, the Swindon Borough Local Plan expects large new residential proposals to be focussed in the urban centre of Swindon in the first instance.

44. The adopted Swindon Local Plan policy EN5 (Landscape Character and Historic Landscape) states that development will only be permitted when the intrinsic character and local distinctiveness of landscape within the Borough are protected, conserved and enhanced. Based on the details submitted and the scale of the development proposed the application does not achieve this.

45. As detailed by the Landscape Officer above, the development does not reflect the existing pattern of buildings either in the Wroughton Vale or in this part of Wroughton where most residential development particularly to the eastern side of the A4361 has individual road frontage. This proposal does not have individual road frontage merely a collective single road access onto Swindon Road.

46. There are concerns that this proposal will erode rather than enhance the perception of separation between Swindon and Wroughton in so far as there is considerable interest in developing other similar sites on the eastern edge of Wroughton from which the application site is, in landscape terms indistinguishable.

47. Overall, the proposed development is outside the settlement boundary in the open countryside of the landscape character area; Wroughton Vale, and from the landscape stance it is considered that the development will be detrimental to that character area and contrary to policy EN5.

Highway Access, Safety and Parking:

48. Policies TR1 and TR2 of the adopted Swindon Borough Local Plan 2026 seek to ensure access for developments that is appropriate to the scale, type and location of the proposal without detriment to highway safety, traffic movement and the local environment.

49. The applicant has assessed the local highway conditions and incorporated that evidence into the submitted Transport Assessment (TA) in support of the development. The TA also informs the local highway modifications, access design, traffic generation arising from the scheme and the impact upon local highway conditions.

50. The Highway Officer is satisfied that adequate visibility splays can be achieved in both directions for the proposed access. The proposed highway works and access are thus deemed to be acceptable as demonstrated in the submitted Transport Assessment and supplementary information.

51. On-site parking numbers and locations are details that would be assessed as part of the future reserved matters application for layout. Parking provision would be required to be in accordance with the adopted Technical Guidance on Parking Standards.

52. At the time of writing, the formal response of CH2M (the Council's external consultants) regarding the Flood Risk Assessment (FRA) had yet to be received. Whilst it is intended that an update will be provided at the meeting, as detailed in the representations section above, a formal response has been submitted to the Planning Inspectorate by the Environment Agency as part of the appeal (against the

refusal of the previous near identical application) which confirms that they have no objections to the application in flood risk terms.

Design, Layout and Character:

53. Swindon Local Plan policy DE1 states that high standards of design will be required for all types of development. Whilst the layout and form displayed on the illustrative masterplan (i.e. the indicative layout) is questionable in terms of how this would fit in with the form and character of the area, as the application is outline, full details of the design and external appearance cannot be considered at this stage.

Residential Amenity:

54. Policy DE1 of the Swindon Local Plan 2026 requires consideration of amenity in terms of light, privacy, outlook, noise, disturbance, smell, pollution and space when considering development proposals.

55. As the application is in outline details of design and layout cannot be assessed at this stage. Issues of separation distances between dwellings, overlooking, visual dominance and the like thus cannot be considered here. As confirmed by the Environmental Health Officer there is no reason to suggest that the proximity of the adjacent commercial units will lead to any unacceptable issues to future residents in terms of noise disturbance (subject to an appropriately worded condition).

Biodiversity:

56. The National Planning Policy Framework (NPPF) 2012 requires biodiversity and geodiversity to be taken into consideration during the determination of applications. Policy EN4: Biodiversity and Geodiversity of the Submission Local Plan 2026 is relevant.

57. An ecology appraisal has been submitted in support of the application, which includes a habitat survey to determine the type, quality and extent of habitats present. Whilst no protected species were discovered on site the hedgerow and ditch network along the boundaries of the site are concluded to be habitats of ecological value and hence a number of recommendations are made. In the event that outline planning permission were to be granted these could be secured via conditions and / or informatives.

Other Issues:

Archaeological Impact:

58. An archaeological assessment has been submitted in support of the application. The County Archaeologist has suggested an appropriately worded planning condition in the event that outline permission were to be granted.

Affordable / Accessible Housing:

59. In accordance with policy HA2 of the Swindon Borough Local Plan 2026 affordable housing will be sought on all suitable sites proposed for development that comprise 15 or more dwellings or sites of 0.5 hectares or more. This application proposes that 30% of the housing will be affordable, which equates to 30 units based on a total of 100 dwellings in a reserved matters submission. The Housing Enabling Officer has advised that this is acceptable. In the event that outline planning permission were to be granted this could be secured through the completion of a planning obligation.

60. As also detailed in adopted Local Plan policy HA3, proposals of more than 50 dwellings shall provide at least 2% of the dwellings for suitable occupation for wheelchair users. Again, in the event that outline permission were to be granted this could be secured through an appropriately worded planning condition.

Infrastructure Requirements:

61. In addition to affordable housing which has been addressed above this section considers the potential wider infrastructure implications. The overarching infrastructure policy framework is set out through Policy IN1 of the adopted Local Plan. The Community Infrastructure Levy Charging Schedule was adopted on 26th March 2015

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

*Necessary to make the development acceptable in planning terms

*Directly related to the Development, and

*Fairly and reasonably related in scale and kind to the development.

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

63. The development is located within the Council's adopted CIL Charging Schedule 6th April 2015 Residential Zone 2. The standard CIL rate as set out in the adopted CIL Charging Schedule is £55 per square metre of net increase of floor space.

64. With regard to contributions for non-CIL infrastructure, whilst a S106 package was agreed prior to the refusal of the previous near identical application at the site this was done prior to the adoption of the CIL Charging Schedule. A lot of the infrastructure items agreed previously are therefore no longer CIL compliant. Whilst at the time of writing a revised infrastructure contributions had yet to be agreed the applicant has shown willingness to enter into discussions (as part of this application and the appeal). The non-CIL infrastructure requests include contributions towards: allotments, open space/general recreation, outdoor sports and highways. These requests are justified as they constitute local provision, and are not accounted for within the framework of CIL.

65. With regard to Highway related contributions, whilst agreement has been made to make provisions for a pedestrian crossing no specifics have been discussed with regard to the costings of the required amendments to the adjacent bus stop or any other necessary highway contributions.

66. To conclude, whilst there is no completed S106 agreement to secure the developer contributions, the applicant has shown willingness to enter into discussions in this regard. This willingness to discuss contributions by entering into an obligation is deemed to be reason enough to not warrant a reason for refusal on the grounds of the applicant's failure to complete a S106 agreement.

Services: Utilities & Water Supply

67. Matters regarding water supply, sewerage and drainage will be regulated by Thames Water and the Environment Agency as statutory authorities for those aspects.

68. The development may result in additional pressure or demand being placed on the existing sewage and water supplies in the area. In order to comply with the appropriate legislation, the developers will be obliged to recognise such demands and make the necessary provisions in conjunction with Thames Water as supplier that meet the demands of the new development without compromising the statutory service being offered to existing residents. Thames Water have identified an inability of the existing waste water and water supply infrastructure to accommodate the needs of this application, however, they have raised no objection subject to suggested conditions being imposed on any outline permission that may be granted.

Conclusion:

69. In summary, the principle of residential development at this site is unacceptable as it lies outside, although adjacent to the Wroughton settlement boundary, in the countryside and so is contrary to the Development Plan. If consented the development would contribute to Wroughton's housing need. However, the proposal is of a scale that is considered to be of a scale that is beyond what is appropriate at the village of Wroughton, meeting the majority of the villages housing requirements to 2026 on a single site. This proposal would harm the rural character of Wroughton village. The site will not contribute to promoting the effective use of previously developed land.

70. The Council considers that the applicant's concerns over land supply do not provide justification to outweigh the impact of allowing this proposal, and the precedent it would set, on the long-term development strategy for Swindon. Indeed, the Council maintains that paragraph 49 of the NPPF does not have a bearing, as the Swindon Borough Local Plan 2026 has recently been found to be sound on the basis of the demonstration of a 5-year housing supply.

71. In its current form, in terms of the proposed scale and density it is considered that the proposal does not sufficiently respect the setting and landscape character of the surrounding area. This would have an adverse impact upon the rural setting of Wroughton.

72. A legal agreement has not been entered into and developer contributions have not been secured.

73. For these reasons the application is recommended for refusal.

Recommendation:

74. That outline planning permission be **REFUSED** for the following reasons:

Reasons for Refusal

1 The proposed development occupies a greenfield site located within the countryside outside the defined settlement boundary of Wroughton and within the Wroughton Landscape Character Area that contributes to the setting of Wroughton. Development of this site fails to comply with policy SD2 of the adopted Swindon Borough Local Plan 2026 which seeks to locate new housing development within the

Swindon Urban Area and within the settlement boundaries of primary rural settlements and fails to comply with Policy EN5 of the adopted Swindon Local Plan 2026 that seeks to protect the landscape character and setting of Wroughton

2. The grant of planning permission for the proposed development would harm the Council's strategy for housing growth, and would set a precedent for the release of further inappropriate unallocated greenfield sites to the overall detriment of the Council's development strategy as set out in the adopted development plan. The proposal fails to comply with the National Planning Policy Framework (NPPF) 2012 and Swindon Borough Local Plan 2026 Policies SD2 and RA2.

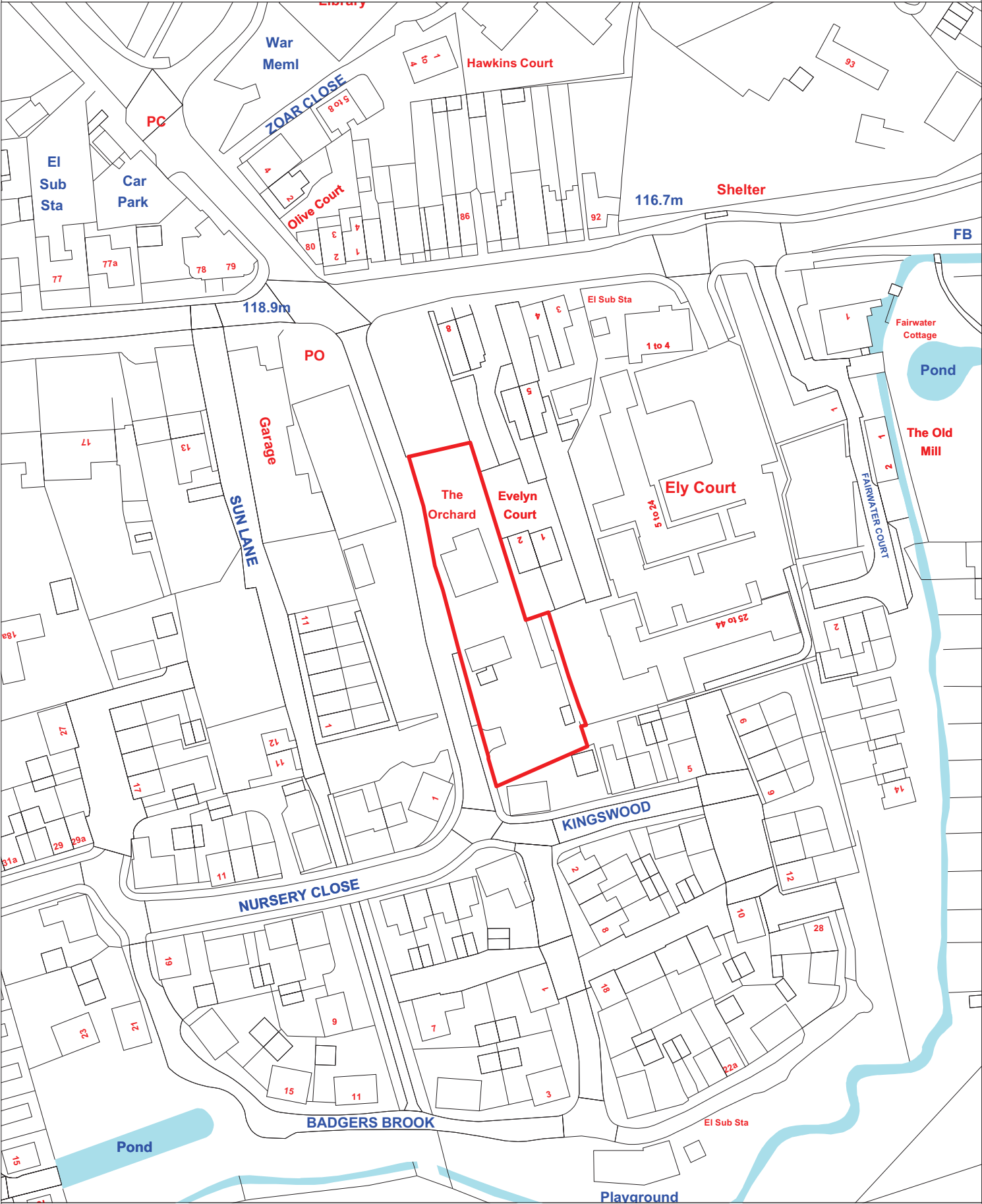
Informatives

1. This refusal is in respect of drawing numbers: 1003 and 3203 Rev B and the following supporting documents: Design and Access Statement, Planning Statement, Transport Statement, Flood Risk Assessment, Ecological Appraisal, Landscape and Visual Appraisal, Arboricultural Assessment, Record of Community Involvement, Archaeological and Heritage Assessment and Noise Impact Assessment received by the Local Planning Authority on the 24th July 2015.

2. This development proposal constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL visit www.swindon.gov.uk/cil or telephone the SBC CIL Team on 01793 466289 or 466397 or email cil@swindon.gov.uk. To avoid additional financial penalties the requirements of the impact of CIL must be managed before a development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. CIL would remain relevant in the event that planning permission were allowed by planning appeal.

Erection of 5 no. dwellings, detached garage, construction of new vehicular access

Land At Nursery Close Wroughton Swindon



S/15/0467

Erection of 5 no. dwellings, detached garage, construction of new vehicular access

Land At Nursery Close Wroughton Swindon

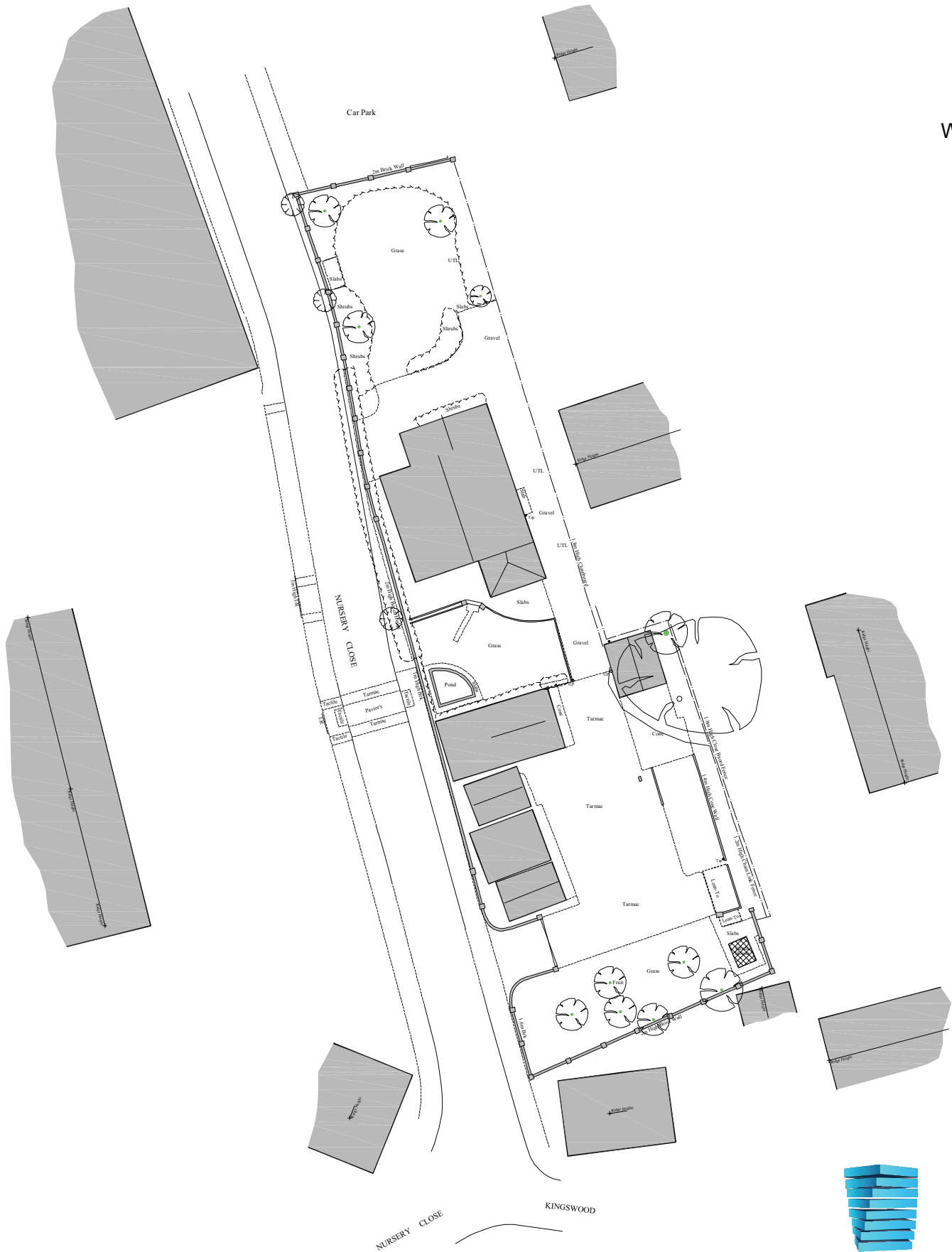
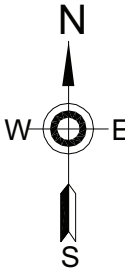


This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.

- NOTES:
1. Scaled dimensions must not be taken from this drawing.
 2. This drawing must be read in conjunction with all relevant drawings, documents and information prepared by the Architects, other Consultants and Specialist Engineers.
 3. Any discrepancy on this drawing must be referred to the Architects and clarification obtained before any action by others and prior to commencement of work.
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 5. The copyright of this drawing remains with the Architect.
 6. If in doubt ask!

REVISIONS

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PROJECT:	NURSERY CLOSE, WROUGHTON		
DWG TITLE:	EXISTING SITE LAYOUT		
SCALE:	1:500 @ A4	DRAWN: BT	CHECKED:
DWG NO:	14.039.99	REV:	DATE: 27.02.15



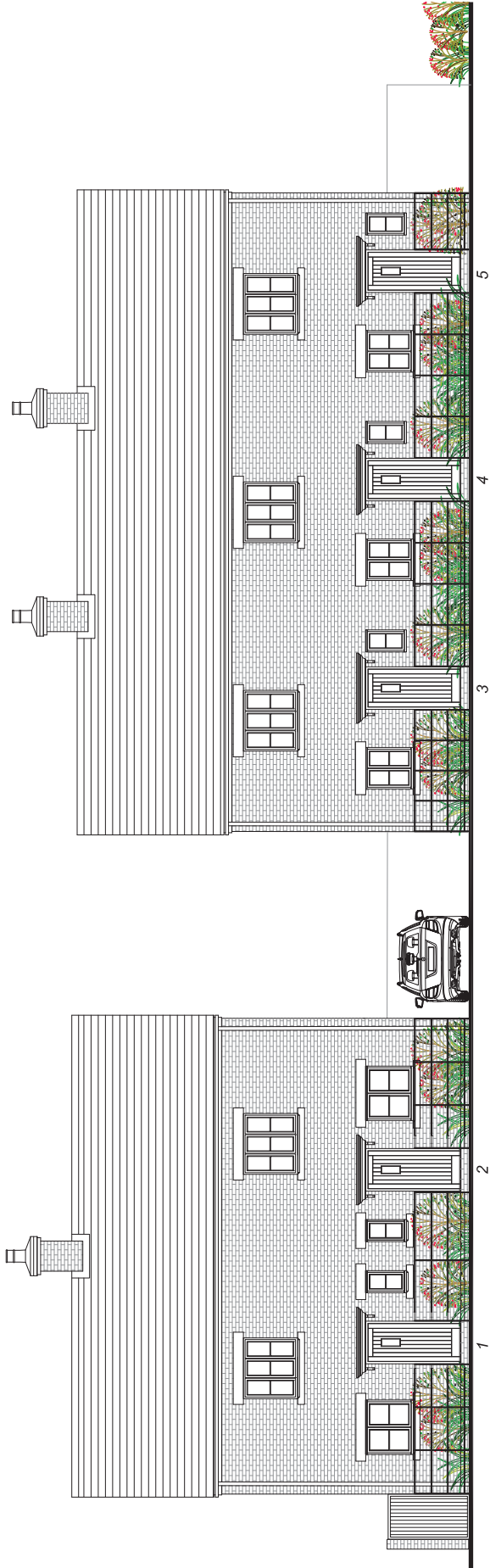
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25m

NOTES:
1. All dimensions are to the face of the work unless otherwise stated.
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5. All dimensions are to the face of the work unless otherwise stated.
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PROJECT:	NURSERY CLOSE, WROUGHTON
DWG TITLE:	STREET SCENE
SCALE:	1:100@A3
DRAWN BY:	BT
CHECKED:	
DWG NO:	14.039.16
REV:	
DATE:	JUNE 2015



NOTES
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New 900mm high brick wall with additional 900mm timber infill panels on top (1.8m total height) to match existing.

New double garage, refer to drawing 14.039.15



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PROJECT:	NURSERY CLOSE, WROUGHTON		
DWG TITLE:	PROPOSED SITE LAYOUT		
SCALE:	1/500BA4	DRAWN:	BT
		CHECKED:	
DWG NO:	14,039,100	REV:	N
		DATE:	JAN 2015





COMMITTEE REPORT

Item Number: 8

Application Number: S/15/0467

Ward: Wroughton and Wichelstowe

Parish: Wroughton

Proposal: Erection of 5 no dwellings, a detached garage and construction of a new vehicular access.

Site Location: Land at Nursery Close, Wroughton, Swindon

Case Officer: Heather Carlisle

Agent:

Mr Glenn Godwin
Pegasus Group
Pegasus House
Querns Business Centre
Whitworth Road
Cirencester
Gloucestershire
GL7 1RT

Applicant:

Hannick Homes & Developments Ltd
C/o Agent

Officer Report

1. Background:

This application has been brought before Planning Committee at the request of Councillor Martyn due to concerns of a local resident.

This application has been subject to a revision whilst it has been under consideration. This follows an objection from officers and the Parish Council to the initial proposal. This was amended and subject to a further period of consultation (revised scheme submitted 3rd July 2015). As a consequent of the revisions, Wroughton Parish Council has withdrawn their objection; however Cllr Martyn subsequently requested that the application be considered by members of the Planning Committee.

2. Summary of Recommendation:

That planning permission be **GRANTED** with Conditions.

3. The Proposal:

3.1 Planning permission is sought for the demolition of the existing outbuildings and workshop and the erection of 5 no three bedroom dwellings in two blocks with

associated car parking and access. The proposal is to develop the southern part of the site. The development would comprise two terraces of five three-bedroom dwellings. The terraced houses would all be two storeys in height.

3.2 A replacement double brick and tiled garage is also proposed, this to measure 4418mm in height and 6100mm in width and depth. The garage would serve the host property on the site. A 900mm brick wall with additional 900mm timber panels, to matching existing, are proposed along the Nursery Close entrance.

3.3 The development will be located on the north western side of Nursery Close and will be set back from the edge of the highway by 1.5 metres, and would approximately follow the same building line as the other residential developments along Nursery Close. The frontages of the proposed terraced properties would contain areas of small landscaped front gardens. The existing footway would serve the frontages of all the properties. The car parking court would be accessed between plots 2 and 3 and would provide rear access to all of the terraced properties. These properties will have private rear gardens measuring some 7metres in length.

3.4 A further hard surfaced area will be provided at the south end of the development adjacent to plot 5, which will provide two parking spaces for this unit.

4. The Site and Surroundings:

4.1 The site consists of what is in essence the curtilage of a residential bungalow. It lies on the east side of Nursery Close adjacent to the junction with the High Street. The site is divided into two parts, mostly garage and workshop within the southern part, and a garden area to the north part. The site has vehicular access at the southern end of the garden site.

4.2 The site has a brick wall of about 2m in height along the north, west and south boundaries and a close board fence along the east boundary. An established row of trees and hedges are located along the western boundary, which fronts onto Nursery Close.

4.3 Opposite the site is a car park which belongs to the Co-operatives convenience store and is used for their car parking.

4.4 To the east of the site is a mix of residential development, Evelyn Court and Ely Court. Beyond the south boundary lies curtilage of a detached 3 storey house, which has access from Kingswood Road. An existing residential housing development of about 60 properties is located to the south of the site with highway access from Nursery Close.

5. Representations:

5.1 Neighbours: Representations have been received from residents at 1 Kingswood and 8 Nursery Close: Their comments are summarised below:

5.2 Neighbour: 1 Kingswood: Wroughton: Summary of comments to first scheme: Privacy concerns, overdevelopment, no consultation from the developer direct with him,

highway safety and traffic, level of daylight and privacy, overlooking from bedrooms, concern for trees on the site, existing oak tree and fruit trees. Additional comments submitted relating to access to the bungalow in Nursery Close.

5.3 Summary of comments from revised scheme: still objects to revised proposal, infringement of privacy, overdevelopment, and separation gap of only 6m.

5.4 No. 8 Nursery Close: Objection to first scheme: not in keeping with surrounding estate, overspill of car parking onto neighbouring estate, concern over existing oak tree within the site and proposed development, beech hedge, concern over development failings in neighbouring estate.

5.5 Revised scheme: additional vehicular access, dismayed by this and loss of border, parking, no visitor parking provided, lack of turning space within parking court, negative impact on trees, additional burden on drainage, landscaping to front of the property, over development, remove plot 5 to save apple trees.

5.6 Manager of neighbouring Co-op store: No objection to the proposal however highlighted the car parking adjoining his store is exclusively for his customers.

5.7 Cllr Martyn: concerns raised from neighbour about separation distance to No 1 Kingswood, visitor parking, overdevelopment, removal of fruit trees.

5.8 Parish Council: Objected to the first scheme: Contrary to Local Plan, Contrary to design policy, drainage concerns, highway concerns and requested application be determined at committee if to be recommended to be granted.

5.9 No objection to the revised scheme subject to visibility splays being acceptable to highways and no noise from the cooling units located on the Co op store.

5.10 Highways: No objection subject to conditions.

5.11 Arboricultural Officer: No objection subject to the tree protection measures are followed as in the submitted report.

5.12 Urban Design Officer: first scheme, no positive frontage, poor quality of amenity in terms of outlook, no defensive space to front, side elevation on Nursery Close does not improve existing streetscene.

5.13 Policy: No objection to the principle of the development.

5.14 Wiltshire Fire and Rescue: Recommendations relating to Building regulations and recommendations to improve safety and property lose in the event of fire.

5.15 Environmental Health Officer: Noise. The proposed 1.8m fence should attenuate sound. Recommend a condition to protect first floor level properties from cooling units located on nearby co-operative retail store.

6. Planning Considerations:

6.1 The planning considerations relating to the proposals relate to the principle of the development, design appearance of the proposed dwellings and highway safety. Relevant policies comprise the National Planning Policy Framework and Swindon Borough Local Plan 2026 Policies SD1 (Sustainable Development Principles), SD2 (Sustainable Development Strategy) DE1 (High Quality Design) and TR2 (Transport and Development).

Principle of Residential Development:

6.2 The Swindon Local Plan 2026 Policies SD1, SD2 and SD3 apply to this development. In particular, Policy SD2(c) (The Sustainable Development Strategy) refers to development outside Swindon and states that rural development will be located primarily at Highworth and Wroughton, which (of the rural settlements), are the most accessible and maintain the largest range of facilities.

6.3 Policy HA1 (Mix, Types and Density) requires housing development to be designed. In particular, densities, house types and sizes should respect the character of the surrounding area.

6.4 Policy RA2 (Wroughton) reiterates the proposal should be in accordance with Policies SD1 and SD2.

Wroughton Neighbourhood Plan

6.5 The proposed development site is identified in the submitted Wroughton Neighbourhood Plan. The Wroughton Neighbourhood Plan allocates the site, as suitable for 8 dwellings.

6.6 The Wroughton Neighbourhood Plan (WNP) sets out how Wroughton can develop in a sustainable way whilst meeting the desires and aspirations of local residents. The policies and objectives of the WNP have been derived from the ideas, views and opinions of Wroughton residents. Pre-submission consultation on the WNP took place in October/November 2014 and a final draft was completed in March 2015. Subsequently the WNP was submitted to the Borough Council, but as no Strategic Environment Assessment (SEA) had been undertaken, the Council was not able to proceed to accept the Plan at this time.

6.7 The Wroughton Parish Council are currently consulting on the SEA and the consultation period closes on 9th October 2015. It is anticipated that the Wroughton Parish Council will re-submit the Plan to the Borough Council soon thereafter. Following submission of the WNP, the Borough Council will undertake a further 6 week period of consultation and responses received will be considered as part of the Examination of the WNP. Following the submission of the WNP an Examiner will be appointed and a timetable agreed for the Examination. Therefore it is considered that the WNP is at an advanced stage of preparation. The WNP allocates 7 neighbourhood plan sites to provide 200 dwellings in total; this is sufficient housing to meet the quantum of development required for the village, as set out in Policy SD2 of the SBLP. The WNP allocates the proposed site for development as suitable for 8 dwellings.

Design and Layout:

6.8 Policy DE1 of the Local Plan (High Quality Design) requires high standards of

design for all types of development. These should respect existing built characteristics, acknowledged features of importance and existing site conditions. They should be accessible, connected, permeable, legible, inclusive, safe, secure, efficient and adaptable. They should also be appropriate in terms of siting, orientation, scale, massing, materials and details whilst protecting levels of amenity in terms of light, privacy, outlook, noise, disturbance, smell, pollution and space and deliver quality public realm.

6.9 Extensive discussions have taken place with regard to the design and the revised scheme before Committee is now considered acceptable. The proposed development has been redesigned and relocated on the site taking on board comments from the urban design officer and Parish Council.

6.10 Initial concerns were expressed over the provision of windows of the terrace facing onto the rear of 1 Kingswood Close but this revised proposal has been repositioned on the site and as such there are now no openings within this elevation.

6.11 The design has been constrained by the proximity of the existing dwelling on the site and the Tree Protection Order (TPO) on the oak tree. The development would also be located about 6 metres from the modern housing development to the south. Given the density of the surrounding residential streets it is not considered that this would cause an adverse impact on the amenity of these residential units.

6.12 One of the main issues to be considered is whether the proposed external design is acceptable in relation to the character and appearance of the area in which it is located. The proposal has been amended and the facades are considered to represent an improvement on the previously proposed scheme. Officers have considered the design, and it is considered that the proposal is acceptable on design grounds subject to conditions including the need to submit the proposed facing materials prior to development. As such the proposed development complies with Local Plan Policy DE1.

6.13 The adopted 'Backland and infill Development' SPD identifies a number of requirements for Backland and Infill development. It states that proposals should be 'well laid out and appropriate to the local context and site coverage.' It also advises that new dwellings should appear to naturally 'belong' and make a positive contribution to the area in terms of materials and design. The most satisfactory form of development will look as though it has been planned as part of the original design of the area.

6.14 The proposed terraces would be in character of the local area and the proposal is in accord with the relevant provisions of the adopted Backland and Infill SPD in that it is sympathetic to the local context, character and site coverage and of an acceptable mass shape and proportion.

Impact on Neighbouring Properties:

6.15. The side flank wall of plot no 5 facing number 1 Kingswood is 6m away from the property. This property has an existing brick boundary treatment and no habitable windows above first floor. The separation distances are not uncharacteristic to housing in the immediate adjacent estate. Concerns have been raised by the local ward councillor and the neighbour at number 1 Kingswood regarding the distance between

the side wall of plot no 5 and No.1 Kingswood. Although a separation distance of 12m is listed as a minimum separation distance in the Backland and Infill SPD, the separation distance is considered not to apply in this case. Officers consider that the amenity of the adjoining property, which is principally designed to face away from the application site, would not be materially affected. Within the Guidance, under the heading Minimum Distances for Privacy", various minimum distances are set out, including: *"Between principal windows of one property and two storey walls of another - 12m"*

6.16 This relates to good planning practice to provide adequate privacy/distances where the principal rear elevation of a dwelling with its principal living room windows should be a reasonable distance from any 2 storey wall facing that elevation (12m). In circumstances where the 2 storey wall does not impact on the principal windows of No. 1 Kingswood, the 12m minimum distance is deemed not to be applicable. The windows on the elevation of 1 Kingwood facing plot no 5 belong to a kitchen. This room has secondary window and a door on property's east elevation, as such the development would not represent a significant harm of that property's amenity.

6.17 Officers acknowledge that there is an existing 1.8m high brick boundary treatment wall surrounding No.1 Kingswood adjacent to the development site. It appears that this property was designed with its principal elevations fronting the streets and onto the private garden area to the east. There are limited secondary windows in the north elevation facing the proposed development. It is not considered that the proposal would cause a detrimental effect upon the amenity of the occupiers of 1 Kingswood. However there would be some degree of loss of daylight to the kitchen and a slightly altered outlook. To ensure that there are no privacy issues between plot no 5 and number 1 Kingswood, a condition will be attached to prevent new openings to be inserted into the side wall of plot no 5.

6.18 The proposed development has been significantly altered from the original proposal and by virtue of its siting, and the fact that no windows would be provided within the end elevation of Plot 5, it is not considered the proposal will significantly harm the outlook or result in an unacceptable loss of light for the neighbouring occupants.

6.19 The Environmental Health Officer has raised a "slight" concern regarding the likely impact of noise from the condenser units located to the rear of the Co-op on the proposed development. The proposal includes a 1.8m fence which will attenuate sound to the ground floor from the condenser units. However, the first floor rooms will receive no such mitigation. A pre-habitation validation survey condition is proposed to ensure criteria for noise are met.

6.20 The proposal is in accord with the relevant provisions of the National Planning Policy Framework (NPPF), and Policy DE1 in that there is no significant visual intrusion, loss of amenity, light, privacy or noise nuisance.

Landscaping and Trees:

6.21 A single large mature English oak tree (*Quercus Rober*), which is subject to a tree preservation order, will be retained as part of the development and consequently the car parking spaces will be retrofitted around this tree to ensure that the tree remains undisturbed and protected. The Arboricultural officer has no concerns subject to the

development being carried out in accordance with the details stipulated in the submitted arboricultural report. A condition is proposed that would ensure the requirements set out in the arboricultural report are adhered to.

6.22 Neighbours have made reference to the existing fruit trees which are located adjacent to the southern site boundary, these fruit trees are not protected and can be removed at any time. It is considered that a condition seeking a detailed landscaping scheme and boundary treatments will be sufficient in this instance to ensure the planting and railings to the front gardens are characteristic to the setting. One neighbour has expressed concerns regarding the loss of the existing established 2m Beech hedge along Nursery Close. This hedge is not protected and as such can be removed at any time. A condition is proposed to ensure suitable replacement planting.

Highway Condition and Parking:

6.23 Although the proposed development is a relatively small-scale; the site, which will be accessed via Nursery Close, off the High Street in Wroughton, also serves a housing development of approximately 60 houses. Furthermore the site would be situated opposite Co-Op's customer car park. There is a potential issue for disruption during construction to residents, Co-op customers and other traffic and therefore the proposed development will need to comply with Policy TR2 (Transport and Development). The applicant makes reference to visitor parking at the nearby Co-op store, however this is for the use of the Co-Op store customers. Highway Officers have raised no objection, advising that the Parking standards state that in certain circumstances the Council will consider lesser numbers than defined within the Parking document. Highways officers consider the provision to be it acceptable without the need for a visitor spaces to be provided.

6.24 Issues regarding the reduced visibility splays have now been resolved following the submission of revised plans. Visibility splays are now considered commensurate with localised road speeds, conditions and safety requirements. Also the existing access would no longer be required for use by the proposed development, and as such the dropped kerb would be conditioned to be reinstated to full height kerbs, and the footway resurfaced to remove all trace of the former access. On the basis of the above, the development generates no objection from Highway Officers.

7. Community Infrastructure Levy:

7.1 The Council's Community Infrastructure Levy (CIL) charging schedule came into force in April 2015 whereby development comprising 100 square metres or more of new build floor space incurs a mandatory charge towards meeting the total cost of infrastructure required to support development within the Borough. The proposed development constitutes Community Infrastructure Levy liable development at a rate of £55 per square metre.

8. Other Matters:

8.1 The objections received have been considered within the body of the report, however one neighbour raised concerns that the developer did not consult with them prior to submitting the application to the Local Planning Authority. However, Officers

consider that our consultation procedures have been correctly followed. Also a neighbour raised concerns relating to the 'failing' in the adjacent development; however this is not a consideration of this planning application.

9. Concluding Comments:

9.1 The proposed development is within the Wroughton settlement boundary. The proposal occupies a suitable location and the proposed development of an appropriate scale. Whilst concerns have been raised to some of the design elements relating to amenity these are considered to have been overcome. It is considered the development would not pose any undue harm to residential amenity, would not have a detrimental impact on the immediate area and would not create any unacceptable impacts with regards to highway safety. As such this proposal is compliant with adopted Policies SD1 (Sustainable Development Principles), SD2 (Sustainable Development Strategy) DE1 (High Quality Design) and TR2 (Transport and Development) of the Swindon Borough Local Plan 2026 (2015).

Recommendation

That planning permission be **GRANTED** with Conditions as set out below.

Conditions

Time Limit:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990.

External Materials:

2. Prior to the commencement of works on site in connection with the development hereby permitted, details of all external facing materials shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with these approved details.

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

Boundary Treatments:

3. Prior to the commencement of works on site in connection with the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. This boundary treatment shall be implemented before the building is occupied and shall be retained in the approved form for so long as the development hereby permitted remains on the site.

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

Slab Levels:

4. Prior to the commencement of works on site in connection with the development hereby permitted, details of the proposed slab levels of the building in relation to the existing and proposed levels of the site and the surrounding land shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be constructed in accordance with the approved slab levels.

Reason: To ensure the details and appearance of the development is acceptable

Temporary Access:

5. No site development works, or use by site traffic, shall take place until a scheme for the provision of a temporary access and parking, turning, loading, unloading, and storage areas for site operatives and construction traffic, and for the on-site wheel cleaning facilities to be used by all operatives so to prevent mud and detritus being brought on to the public highway for the duration of site works, has been submitted to and approved in writing by the local planning authority. Construction and site works shall be carried out in accordance with the approved scheme for the duration of the works.

Reason: In the interests of highway safety

SUDS:

6. Prior to the commencement of any works on site, details of the provision for the sustainable disposal of surface water within the site, inclusive of SUDS, so as to prevent its discharge onto the highway or neighbouring properties, shall be submitted to and approved in writing by the Local Planning Authority, and fully implemented to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety

Dropped Kerb:

7. The approved accesses to the development shall be by means of dropped kerb crossings.

Reason: Visual acceptance by road users to this being a private access

Visibility Access:

8. The development hereby permitted shall not be occupied until the visibility splays are constructed and laid out in accordance with details and plans submitted to the Local Authority. The visibility splays shall thereafter be retained and maintained free of obstruction at all times.

Reason: In the interests of highway safety

Consolidated Assess:

9. Before the development hereby approved is first occupied, properly consolidated and surfaced accesses (not loose stone or gravel) shall be constructed for the existing property and the approved development for a minimum of 6.0m beyond the highway boundary, details of which shall have been submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety

Turning Area:

10. The dwellings hereby approved shall not be occupied until the turning areas shown on the submitted plan has been properly consolidated and surfaced to the satisfaction of the Local Planning Authority. Such turning areas shall not thereafter be used for any other purpose.

Reason: In the interests of highway safety

Existing Assess:

11. The development hereby approved shall not be occupied until the existing access

has been reinstated as raised footway and its use as an access permanently abandoned, in a manner to be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety

Use of Garage:

12. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any order revoking and re-enacting that Order), the use of the garage hereby permitted shall be limited to the domestic and private needs of the occupier and shall not be used for any business or other purpose whatsoever.

Reason: To safeguard the amenities and character of the area and in the interests of highway safety

Car Parking Spaces:

13. The area allocated for 10no. parking spaces and associated turning on the submitted plan shall be provided in accordance with Swindon Borough Councils Parking Standards. These parking bays shall be kept clear of obstruction, and shall not thereafter be used for any other purpose.

Reason: In the interests of amenity and highway safety

Landscaping:

14. Prior to the commencement of works on site in connection with the development hereby permitted, a scheme of landscaping to include a planting schedule and time table of works, shall have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the positions, species and crown spread of all existing trees and hedgerows on the land, detailing those to be retained, together with measures for their protection during development. The approved scheme shall be implemented as per the approved timetable.

Protective Fencing:

15. Works on site in connection with the development hereby permitted, relating to the protective fences to safeguard the oak tree which is to be retained shall be erected in accordance with the current BSI 5837 as detailed within the submitted arboricultural report and in situ until the development has been completed or the Local Planning Authority has confirmed, in writing, that the fencing can be removed.

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

Replacement Planting:

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

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

Hard Landscaping:

17. Prior to the commencement of works on site in connection with the development hereby permitted, details of the hard landscaping of the site including the surface treatment of any roadways or other parts of the site which will not be covered by buildings, shall have first been submitted to and approved in writing by the local planning authority in writing

The development hereby permitted shall be carried out in accordance with these approved details.

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

Sound Attenuation:

18. Prior to the occupation details a pre-habitation validation survey shall have first been submitted to and approved in writing by the Local Planning Authority. Such sound attenuation measures shall be implemented prior to the occupation / use, of the development and shall be retained thereafter in the approved form.

Reason: In the interests of the amenity

Windows:

19: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order amending, revoking or re-enacting that Order, no windows to be installed in the south (side) elevation of Plot 5 or the north (side) elevation of Plot 1.

Reason: In the interests of amenity.

Drawing numbers:

This approval shall be in respect of the following drawings:

Dwg no: 14.039.200 Rev A dated 26th March 2015

Dwg no: 14.039.100 Rev N

Dwg no: 14.039.12

Dwg no: 14.039.13

Dwg no: 14.039.14

Dwg no: 14.039.15

Dwg no: 14.039.16

Dwg no: 65005-001 Rev E

Received by the Local Planning Authority on the 2nd July 2015, and information contained with Tree King Consulting Report. Land at Nursery Close, Wroughton Dated March 2015 and Planning Statement by Pegasus Group dated 20th March 2015 CP/GG/CIR.H.0487

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

Informatives

Vehicular Crossing:

In addition to this consent, the proposed development will require separate Local Highway Authority approval to the construction of the proposed permanent vehicular crossing over highway land. The Applicant is required to obtain this approval **before works commence** and is therefore recommended to contact Swindon Borough Council's Street Works Management Department in this respect as soon as possible.

Street naming and numbering:

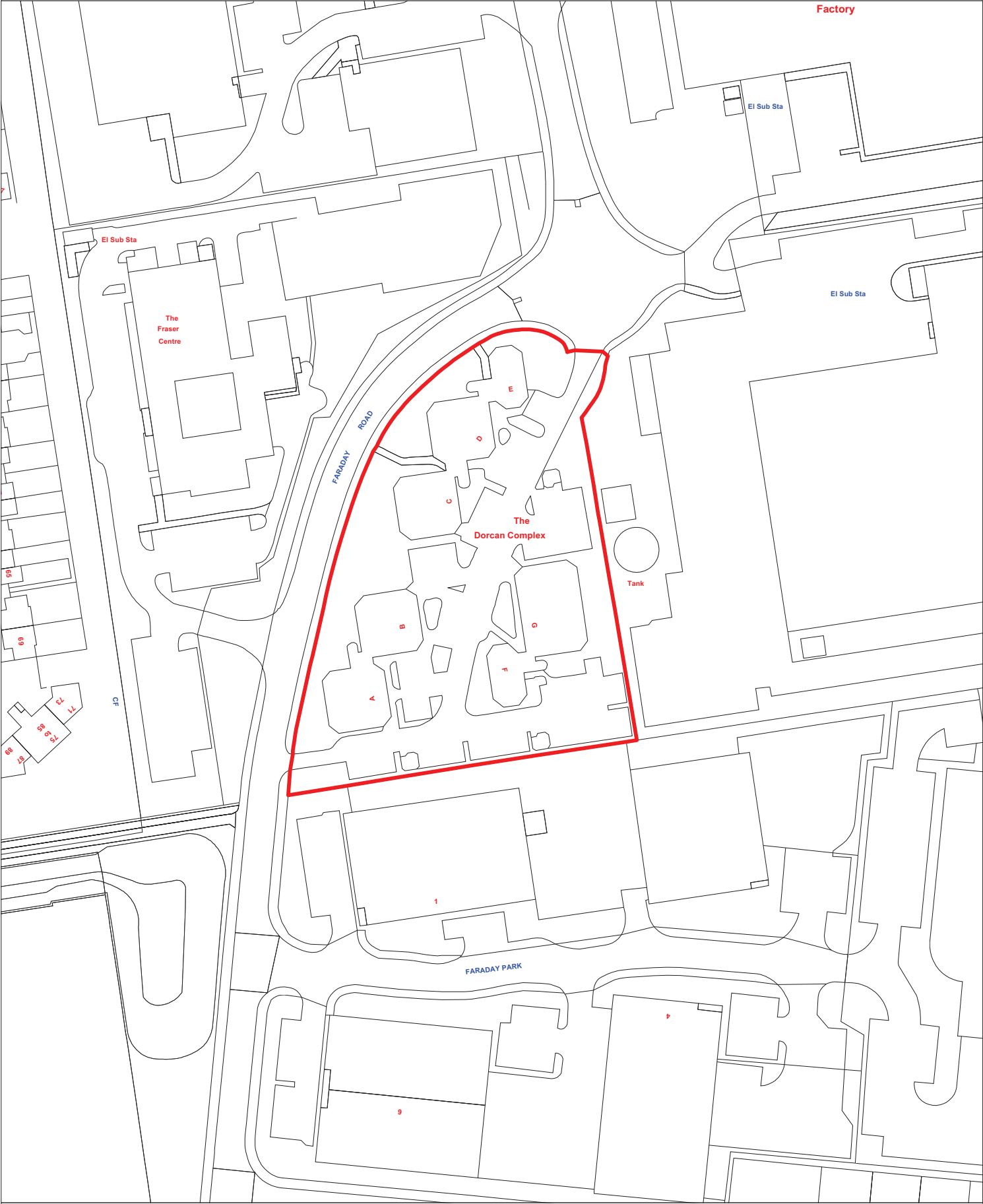
In addition to this consent, under the Town Improvement Clauses Act 1847 the applicant is required to contact SBC's Street Naming & Numbering Officer as soon as possible with regard to registering new or changes to the official address of any properties within this development.

CIL Liable Development:

This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL visit www.swindon.gov.uk/cil or telephone the SBC CIL Team on 01793 466289 or 466397 or email cil@swindon.gov.uk. To avoid additional financial penalties the requirements of the impact of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued.

Change of use from offices (Class B1) to rehabilitation day centre and ancillary offices (Class D1).

Units A & B The Dorcan Complex Faraday Road Dorcan Swindon SN3 5HQ



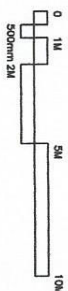
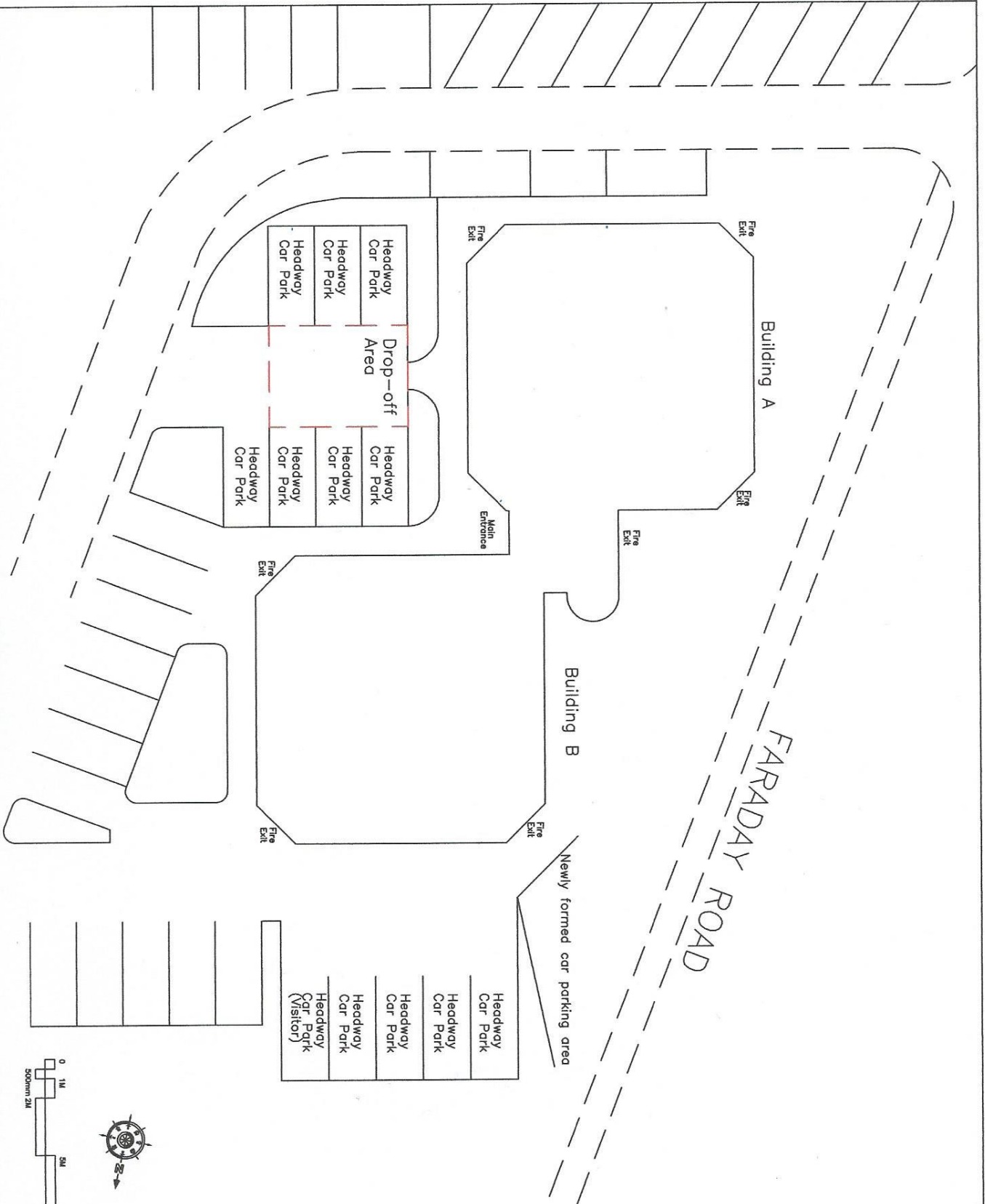
Change of use from offices (Class B1) to rehabilitation day centre and ancillary offices (Class D1).

Units A & B The Dorcan Complex Faraday Road Dorcan Swindon SN3 5HQ



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.

Boundary to Faraday Complex



STEPHEN DAVISON
DESIGNS

2 Chandler Close
The Manor
Middlesex
TW20 2JN
Tel: 0181 606 555
Fax: 0181 606 555

Notes: All plasterboard surfaces to be plaster skimmed finish

ISS.	REVISION	DRN.	DATE	DRAWN	S.P. DAVISON	DATE	CLIENT
				CH/D			Headway Swindon & District
				APP'D			Proposed Car parking allocation
							Location: Swindon, Wiltshire
							Scale: 1:100
							DATE: 17.06.15
							SD 053/SP
							SHEET 1
							OF 1

Notes

ALL DIMENSIONS MUST BE CHECKED ON SITE AND NOT SCALED FROM THIS DRAWING

- Conc Concrete Blockwork Wall
- S.P. Soundproof Partition Wall
- S.F.H. Solid Full Height Partition
- F.G. Full Glazed Partition
- D.G. Double Glazed panel
- V.P. Vision Panel
- S.C. Self Closing Device
- AD07 Door Identification
- AW08 Window Identification

Swindon Borough Council
Planning Department
1 MAY 2015
S15/02/23

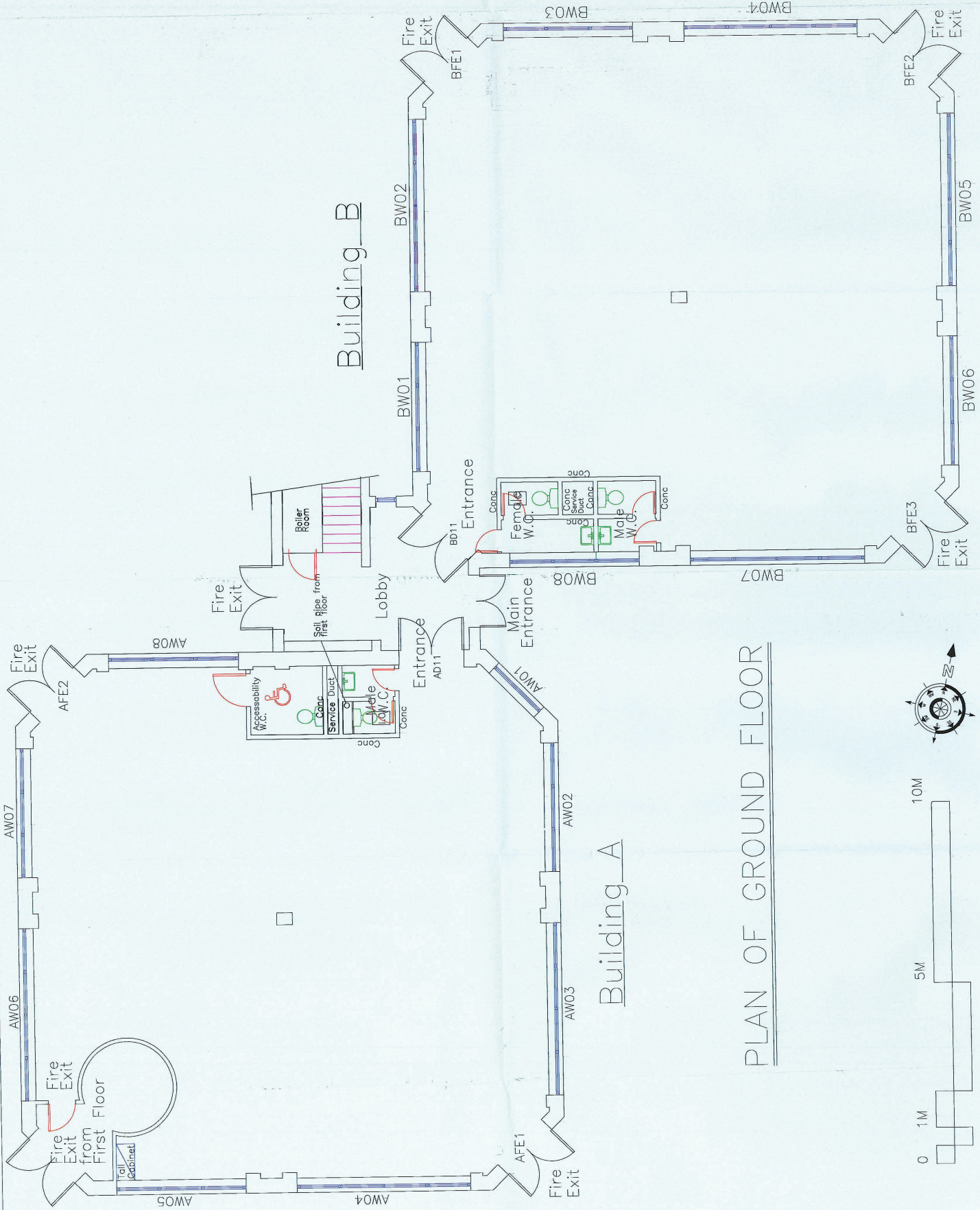
ISS.	REVISION	DRN.	DATE
A	This sheet added S.P.D.	18.04.15	

STEPHEN DAVISON

DESIGNS

2 Chequer Close
The Manor
Middleleaze
Swindon
Wiltshire
SN5 5TS
Telephone: (01753) 871163 E-Mail: swindon@stephendavison.com

CLIENT	Headway Swindon & District
TITLE	Existing Layout
LOCATION	Ground Floor, Existing Buildings
DRAWN	S.P. DAVISON
CHECKED	
APPROVED	
DATE	
DATE	18.04.15
DATE	
SCALE	1:50
SHEET	4
OF	4



PLAN OF GROUND FLOOR



COMMITTEE REPORT

Item Number: 9

Application Number: S/15/0623

Ward: Covingham and Dorcan

Parish: No Parish

Proposal: Change of Use from Offices (Class B1) to rehabilitation day centre

Site Location: Units A and B, The Dorcan Complex, Faraday Road, Dorcan

Case Officer: Heather Carlisle

Agent:

Mr Christopher Roberts
Turleys
10 Queen Square
Bristol
BS1 4NT

Applicant:

Miss Jane Weston
Headway Swindon and District
17B Headland Trading Estate
Headlands Grove
Upper Stratton
Swindon SN2 7JQ

Officer Report

1 Background

- 1.1 This application has been brought before Planning Committee at the request of Councillor Dale Heenan.
- 1.2 Headway is a Charity that supports people who have suffered brain injury, their families and carers. Swindon Borough Council have commissioned Headway to deliver this service.
- 1.3 Headway is currently located at the Headlands Industrial Estate. Their lease will terminate in November and they need of larger premises to meet existing and future demand.

2 Summary of Recommendation:

- 2.1 That planning permission be **REFUSED**.

3 The Proposal:

- 3.1 The application seeks permission for the change of use from office (use class B1) to a rehabilitation day centre (use class D1).

3.2 The proposal is to use the building for a Charity use (Headway). Headway provides rehabilitation/occupational therapy units in a number of locations across the country. Many of those attending will have been referred by health authorities serving the area. Headway would like to continue to offer this service in the Swindon area and would be accepting referrals from the Great Western Hospital, GPs, Social Services, Occupational Therapy, physiotherapists and self-referral.

3.3 Details submitted indicate that existing employee numbers are 4 Full Time and 7 Part Time. This is anticipated to rise to 5 Full Time and 10 Part time at the site. The proposed building is divided into a Unit A and a Unit B. The buildings would contain: a 2-seater managers office, a 3-seater office, a 7-seater computer room, 4 x 4-seater meeting tables, 5-seater support office and a 32-seater activities room.

3.4 The move to larger premises than the ones currently occupied would enable plans to be implemented that would increase the number of clients to 30.

3.5 The day centre element will open from 10am to 4pm, and the staff offices from 9.30am to 4.30pm. There would be occasional events in the evening or weekend.

4 The Site and Surroundings:

4.1 The Dorcan Complex is located adjacent to a roundabout on Faraday Road and is located alongside existing two storey office buildings. The units are a 1970's block, which have been joined by a common use entrance and staircase.

4.2 The site lies on a no-through road at the end of a large industrial estate on the western edge of urban Swindon. Units A and B form part of a small and compact business park comprising of seven two-storey units. Access and egress is on and off Faraday Road via a short one-way access road through the site.

5 Representations:

5.1 Neighbours: Original and Revised Plans - no representations received

5.2 Letter of support from the Commissioning Team at Swindon Borough Council: As commissioners of the Headway project in Swindon, we fully support the relocation of the service from Headlands Trading Estate to the larger premises in Dorcan. This would give the opportunity for Headway to expand and to offer the client group a wider range of activities that will help clients. Headway has supported 96 clients since January 2015, referrals are increasing from a range of professionals and there is unlikely to be a drop in service demand. The larger premises would enable Headway to extend their service offer and operate a new outreach programme. This will reduce the risk of clients being referred to other Local Authority or NHS services, or being placed on a waiting list and not getting the intervention required. A delay in service could impact overall recovery. I can confirm that transport is provided for the client group, either by taxi, Dial a Ride and bus with very few clients accessing the service with their own vehicle.

5.3 A delay in relocation would not only have a negative impact on the clients and their families, along with the level of service that is commissioned by Swindon Borough

Council, but it would also lead to an additional impact on Adult Social Care services where there is already a high demand.

5.4 Letter of support from Robert Buckland MP. Supporting the expansion of their services

5.5 Highways: Objection. Whilst the building meets the applicant's requirements regarding access and internal layout the level of proposed dedicated parking and the dropping off arrangements are inadequate. The Highway Authority therefore recommends that this application be refused. This will be discussed in more depth in the body of this report.

5.6 Policy: No objection to the principle of the use as it is employment generating and community use subject to highways.

6 Planning Considerations:

6.1 The main considerations in the determination of this planning application are:

- principle of development
- highway matters

Principle of development:

6.2 This application needs to be assessed on whether the proposal is consistent with the provisions of the National Planning Policy Framework and whether the proposal complies with the relevant policies of the Swindon Borough Local Plan 2026 (2015), in particular local Plan Policies SD1 (Sustainable Development Principles), SD2 (Sustainable Development Strategy) DE1 (High Quality Design) and TR2 (Transport and Development) are relevant with this proposal.

6.3 Officers consider the principle of the centre use is acceptable in this location. The proposal is well located in relation to shops and services within the town centre and is accessible by walking, cycling and public transport. In addition it is considered that there are public benefits in terms of the redevelopment of this vacant site and returning facility in Swindon.

6.4 Officers acknowledge that proposed development will result in the loss of B Class (office) employment land within Dorcan Key Employment Area. The relevant plan Policy EC2 (Employment Land and Premises) is to be applied in this stance and the Policy states:

The Key Employment Areas shall be retained primarily for employment generating uses within Use classes B1, B2 and B8'.

The policy goes on to state:

'The change of use or redevelopment of land and buildings or development for other uses, within the Key Employment Areas, and Central Swindon, shall only be supported where it can be demonstrated that:

- *The development proposal will not adversely impact upon the regeneration of the Swindon Central Area; and*

- *There has been genuine marketing for commercial (B Class) uses for at least 6 months, at reasonable market values, which has proved unsuccessful; and*
- *A site appraisal search has been undertaken that takes account of the current quality of the employment area such that loss of the highest quality of employment land is minimised, assessing the following factors:*
 - *Strategic and local road access;*
 - *Access to labour, public transport and services;*
 - *Compatibility of adjacent land uses;*
 - *Site characteristics, conditions and development constraints; and*
 - *Attractiveness to the market including vacancy and market activity.*

6.5 The applicant has provided correspondence from the commercial property agents Whitmarsh Lockhart, which explains how the unit has been marketed for commercial offices (B1 Class) at reasonable market value since March 2012. The Whitmarsh Lockhart report confirms that there has been very little interest due to the condition of the units, the cost of refurbishment, the fact that there are no raised floors or air conditioning. The report also noted the high amount of available office stock in the town.

6.6 As part of the application submission the applicant has also explained how a search for suitable premises has been undertaken. It was concluded that there were limited sites that could meet the needs of a rehabilitation centres.

Policy EC2 also states:

'In addition the change of use proposal should demonstrate at least one of the following criteria:

- *The development proposal will generate the same number, or more permanent jobs than could be expected from the existing, or any potential employment use; and/or*
- *The site is not appropriate for the continuation of its present or any employment use due to significant detriment to the environment or amenity of the area; and/or*
- *The site is no longer capable of meeting modern business needs; and/or*
- *It can be shown that the loss of a small proportion of employment floorspace would facilitate the redevelopment and continuation of employment uses on a greater part of the site, providing the same number or more permanent jobs than on the original whole site; and/or*
- *The change of use is to facilitate the relocation of an existing business from buildings that are no longer fit for purpose to more suitable premises elsewhere within the Borough and no other B-class occupiers are likely to take up the site; and/or*
- *The change of use is to secure the continued occupation of a heritage asset or landmark building.*

6.7 The Whitmarsh Lockhart marketing information has demonstrated that the existing office space does not currently meet modern business needs, in addition to this there is currently a large vacant office stock within the town.

6.8 The application states that the charity currently employs 11 members of staff and the proposed development will offer the opportunity to employ a further 4-6 members of staff in the next 5 years. It can therefore be concluded that the proposed development would support the continuation of employment uses in this Employment Area.

6.9 Local Plan Policy CM4 (Maintaining and Enhancing Community Facilities) supports new or extended community facilities, particularly where:

- The site is located within or adjacent to existing settlements;
- It is accessible for all members of the community and promotes social inclusion; and
- If possible they can be located with other community uses.

6.10 The proposed development is within the Swindon Urban Area, although not located within or immediately accessible to residential development. However, given the nature of the service, the facility will serve the Borough as a whole and will require vehicle access, drop off points and car parking. The proposed employment area location is deemed to be appropriate in this case.

6.11 Officers acknowledge that the proposed development will result in the loss of office space within a designated Key Employment Area. However, as the applicant has successfully demonstrated, in accordance with local plan Policy EC2, the unit will not adversely impact on the Employment Area, and in accordance with Policy CM4, would maintain and enhance community facilities in Swindon.

Highway Matters:

6.12 Officers consider that the use has a potential to impact on the Local Highway Network. Therefore Policy TR2 (Transport and Development) is to be applied.

6.13 Parking provision in the area is limited and its layout somewhat ad hoc having been evolved and expanded since the site's original construction. Recent expansion now gives some 94 spaces within the self-contained site. There is no overflow capacity with the surrounding industrial estate network, with roads having extensive double-yellow lining stretches. A parking plan was requested by officers and subsequently submitted which shows 12 car parking spaces in two groupings under the applicant's control. An application for additional car parking spaces within The Dorcan Complex has had a recent approval for an additional 14 spaces granted under application S/11/1717.

6.14 The current use as an office (Class B1) use has car parking requirements as calculated at 13 spaces (1 per 30m² for 378m² in total). Applying the accessibility formula as outlined above, gives a discount of 15% allowing the site to reduce its number of spaces to 11. However the proposed rehabilitation day centre (Class D1) use does not readily fall into any of the categories listed in terms of square floor space areas, consulting rooms, or staff/pupils ratios. Highway officers therefore treat this site and its use as a specific case. The Highway officers have considered the schemes potential impacts and implications in specific terms. The Highway officers would note in particular that the proposal would involve a large numbers of clients arriving daily, thereby generating a need for parking provision in excess of the 12 spaces provided.

6.15 Highway officers note that there is little onsite parking or on street parking to allow for picking up and dropping off people due to parking restrictions in the immediate surrounding area. Double yellow lines are prevalent in this area. Therefore, the users of this facility are likely to park illegally or cause congestion in the area resulting in highway safety concerns. This additional parking demand, when taken together with the other office uses in close proximity, is likely to result in significant parking under provision in the area to the detriment of highway safety.

6.16 The applicant was requested to consider options to increase parking provision. Subsequent to this request a parking plan was submitted showing 12 spaces in two groupings under the applicant's control. The only available dropping-off / picking-up space shown was located in the middle of the one of these groupings with the capacity to accommodate 1 vehicle.

6.17 A detailed Transport Statement supporting document was also submitted to address Highway officer concerns. This document contained a copy of a site-wide parking allocation plan. Within the travel plan it is indicated that the proposed users/clients (currently numbering up to 20 a day) would arrive during the morning and leave either after half a day or a full day. Clients would arrive by car, by taxi, community transport or be dropped off by relatives. Highway officers have subsequently reviewed the Transport Statement supporting document. Having reviewed this further information, Highway officers maintain of the view that this rehabilitation centre facility would require additional parking provision beyond that of other day-centres or equivalent office uses.

6.18 The Highway officers conclude that a total of 12 parking spaces and one drop-off/collection point falls short of the spaces needed to serve the facility.

7 Concluding Comments:

7.1 Officers would support the reasoning for the relocation of the service and welcome the re-use of the vacant units and the potential increase in employment that this proposal would bring in the area. However, on balance, the proposed use is not acceptable due to the lack of off parking to serve the property. A suggestion has been made to provide parking at nearby premises. However, this would be in conflict with the individual planning consents of those sites and no agreement has been suggested to formalise these provisions. The proposal is therefore not compliant DE1 (High Quality Design) and TR2 (Transport and Development) of the Swindon Borough Local Plan 2026 (2015) and as such officers recommend refusal.

8 Recommendation:

That planning permission be **REFUSED**.

REASONS

1 Adequate provision cannot be made on the site for the parking of vehicles in an

acceptable manner, which would be likely to result in the inappropriate parking of vehicles on both the private estate and the public highway, with consequent additional interruption to the free flow of traffic and the prejudicing of the safety of road users. The proposal fails to comply with policies DE1 (High Quality Design) and TR2 (Transport and Development) of the Swindon Borough Local Plan 2026 (2015).

Informatives

Drawings:

This refusal shall be in respect of drawings:

SD 053 sheet 4 of 4 dated 1 May 2015

SD 053 sheet 1 of 1 dated 25th June 2015

SD053 sheet 1 of 4 dated 1 May 2015

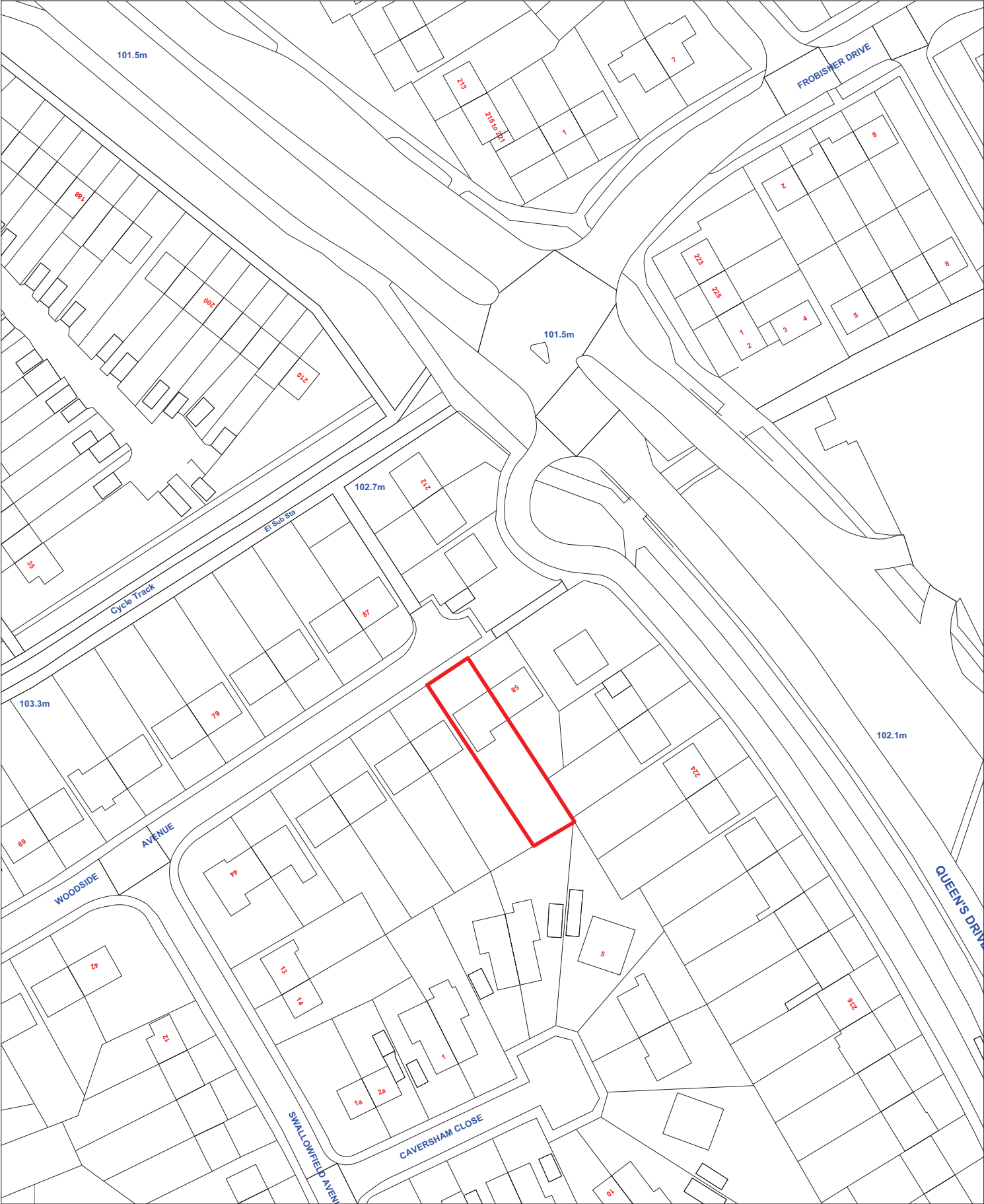
Site location plan dated 1 May 2015

Transport statement dated 14th August 2015

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

Erection of a first floor side and single storey front extension.

56 Woodside Avenue Old Walcot Swindon SN3 1DU



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.

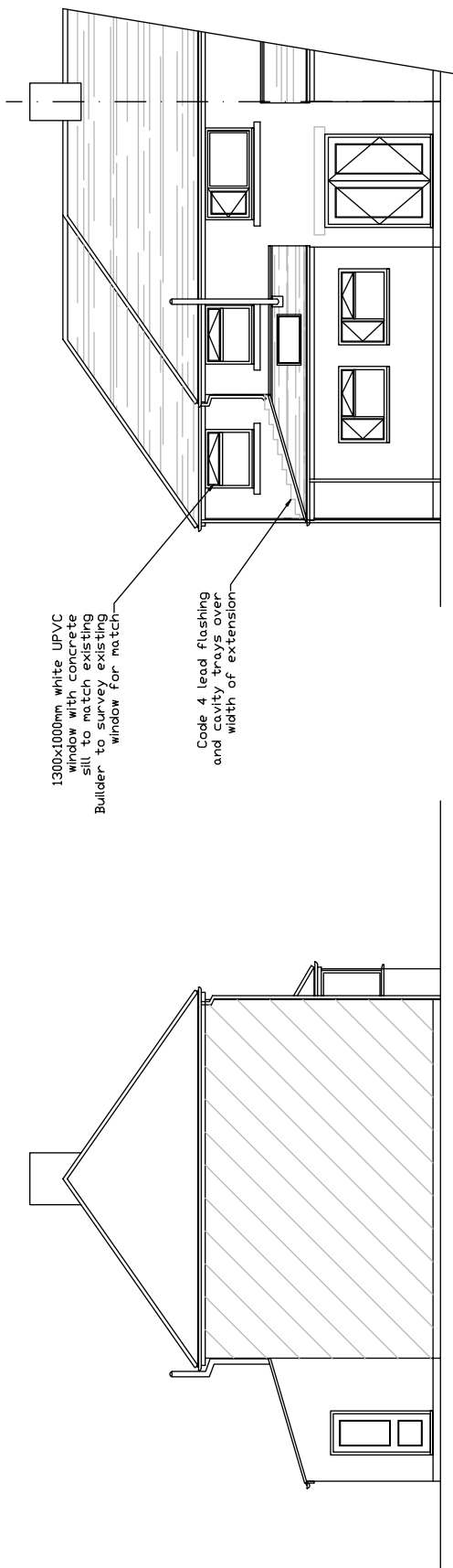
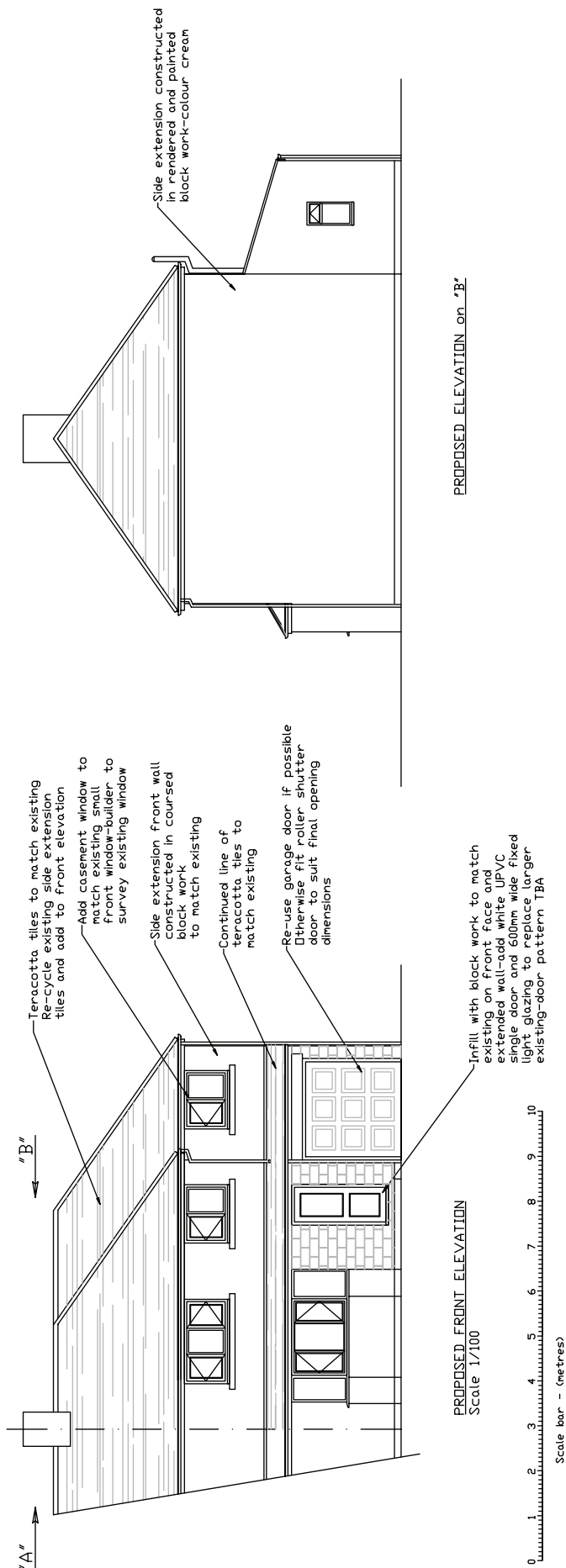
Erection of a first floor side and single storey front extension.

56 Woodside Avenue Old Walcot Swindon SN3 1DU



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In all cases references should be made to the submitted plans.





ACAD FILE NAME :- 46-15										PROPOSED ELEVATION on "A"									
All dimensions in mm unless otherwise stated										Which every effort has been taken to ensure the accuracy of this drawing, verification of all overall detail should be carried out before any form of isolation or alteration is undertaken.									
DRAWING TITLE: PROPOSED EXTENSION										JOB TITLE: 56 WOODSIDE AVENUE OLD WALCOT SWINDON WILTS SN3 1DU									
This Drawing should be read in conjunction with CONSTRUCTION NOTES										WRIGHT PLANNING SERVICES 10, Malscote Avenue Orange Park Swindon Wiltshire									
SCALE: 1/100 at A3										DATE: 07/15									
DRAWN BY: SFW										CHECKED BY:									
DRAWING NUMBER: 46-15 Sheet 5										REVISION:									



COMMITTEE REPORT

Item Number: 10

Ward: Walcot And Park North

Application Number: S/15/1373/JROD

Parish: No Parish

Proposal: Erection of a first floor side and single storey front extension.

Site Location:

Case Officer: Miss Jane Rodens

Agent:

Mr Steve Wright
Wright Planning Services
10 Mulcaster Avenue
Grange Park
Swindon
Wiltshire
SN5 6EH

Applicant

Mr And Mrs Aaron And Katie Thornton
56 Woodside Avenue
Old Walcot
Swindon
SN3 1DU

Officers Report

Background

1 This application is brought before Planning Committee at the request of Cllr Abdul Amin.

Summary of Recommendation

2 That planning permission be REFUSED

The Proposal

3 This application seeks planning permission for the erection of a first floor side extension and single storey front extension. The 1st floor element of the proposal is to extend out from the west elevation of the dwelling by 2.5m to accommodate a bedroom.

4 The front single storey extension is to protrude by 0.6m from the primary elevation and would be 2.5m in width. The attached garage would be subject to a minor extension to its front.

5 The front and rear walls of the extension are proposed to match the existing brick wall. The side wall is proposed to be block and render. The roof is proposed to be constructed of concrete tiles and the windows and doors would be white UPVC.

The Site and Surroundings

6 The application site comprises of a semi-detached two storey dwelling. To the rear is a garden and to the front is an area of parking. Attached to the property to the south west is

a garage. To the rear there is a single storey rear extension.

Representations

7 Neighbours: No comments received

Planning Considerations

8 The key considerations relate to the design and appearance of the proposal in relation to the host dwelling and surrounding area. The impact upon the neighbour's amenity also needs to be taken into consideration.

9 The NPPF expects Local Planning Authorities to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

10 Policy DE1 (High Quality Design) of the Swindon Borough Local Plan 2026 states that high standards of design are required for all types of development, including with respect to layout, form and function of the development, amenity and quality of the public realm.

11 The Residential Extensions and Alterations SPD (2011) provides more detailed guidance to ensure that any development is of high quality. With respect to side extensions, the SPD states that the ridge height of the extension should be set down at least 0.5m below the ridge height of the host dwelling and the extension should be set back a minimum of 900mm from the primary frontage of the host dwelling.

12 The proposed single storey front extension is acceptable. It is deemed to be a subordinate addition to the host dwelling. The front extension would be faced in the same material as the host dwelling. The garage would protrude forward to be in line with the primary frontage of the host dwelling on the ground floor. This arrangement is in accordance with the Residential Extensions and Alterations SPD (2011).

13 The proposed single storey front extension and the proposed first floor side extension would have minimal impact with regards to the amenity of the neighbouring properties. No additional windows on the side elevation are proposed. Also there would be no overshadowing as it is to be the side of the host dwelling and would be adjacent to 54 Woodside Avenue and next to the attached garage. Therefore in regards of amenity the proposal is in conformity with Policy DE1 of the Swindon Borough Local Plan 2026.

14 However, the proposed first floor side extension is of concern. The extension does not include a set back from the primary frontage and the ridge height is level with the roof height of the host dwelling. The resultant extension would create a dominant addition to the host dwelling. The addition would appear as a large and incongruous addition to the host dwelling when viewed from the street. The attached property 58 Woodside Avenue does not have a flush extension. The extension would therefore also have the effect of creating an unbalancing appearance to this pair of properties.

15 The applicant/agent has identified that there are 22 properties in Woodside Avenue that have a two storey side extension that are flush with the host dwelling (no.s 7, 8, 10, 12, 15, 16, 17, 26, 30, 31, 32, 42, 43, 44, 51, 65, 67, 72, 73, 75 and 77).

16 In assessing the history of these properties, officers discovered that only 6 properties

benefit from planning permission for these extensions, 5 of which were given planning permission before the Residential Extension and Alteration SPD was adopted and the most recent one, at no. 12, was allowed on Appeal in March 2012.

17 With respect to the Appeal Decision, the Inspector noted that the properties at numbers 7, 8, 10, 15, 16, 17 and 18 have all been extended in this way, such that the character of this part of Woodside Avenue has been altered, and the extended houses tend to dominate the streetscape. The Inspector concluded that *"In these circumstances I find that the additional first floor flush extension at No 12 would not make any significant difference to the character and appearance of the streetscape. Furthermore, a terracing effect would be avoided in view of the space which would remain between No's 10 and 12 which is reinforced by the change in levels between the two properties."*

18 However In the part of Woodside Avenue where the application site is located, there are no properties with flush extensions. Furthermore the attached property, no. 58 Woodside Avenue has not been altered. Therefore the character of this part of the street has not been altered in a way that would warrant setting aside the Council's guidance.

19 Officers consider that the proposed extension would be out of character and appearance with the street scene. It is therefore considered that the proposal is unacceptable and not in conformity with Policy DE1 of the Swindon Borough Local Plan and the Residential Extension and Alteration SPD.

Concluding Comments

20 The extension would harm the character and appearance of the host property and the neighbouring property. The development is not compliant with policy DE1 of the adopted Swindon Borough Local Plan 2026, Residential Extensions & Alterations Supplementary Planning Document (2011) and the NPPF. Therefore it is recommended that planning permission be refused.

Recommendation

21 That planning permission be REFUSED

Reasons

1. The proposed first floor extension in terms of its scale, design and proportion represents a dominant and inharmonious addition to the property, which would be detrimental to the character and appearance of the host dwelling and street scene. The proposal therefore fails to comply with Policy DE1 of the Swindon Borough Local Plan 2026, the adopted Supplementary Planning Document 'Residential Extensions and Alterations' (2011) and the NPPF.

Informatives

1. This refusal shall be in respect of drawing 46-15 Sheet 1, 46-15 Sheet 2, 46-15 Sheet 3, 46-15 Sheet 4, 46-15 Sheet 5 and 46-15 Sheet 6 received by the Local Planning Authority on 21st August 2015.

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

End of Report