

Swindon Borough Council

Planning Committee

Tuesday, 12 July 2016

Council Chamber, Civic Offices

At 6.00 p.m.

**Conservative
Councillors**

*Vera Tomlinson
Nick Martin
Alan Bishop
Kevin Parry
Cathy Martyn
Timothy Swinyard
Gary Sumner*

**Labour
Councillors**

*John Ballman
Peter Watts
Steph Exell
Derique Montaut
James Robbins*

**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 5.30 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 - 4)

To receive the minutes of the meeting held on 14th June 2016

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 5 - 7)
6. **S/TC/16/1038 Prior notification application for the erection of a 15 metre high monopole, equipment cabinet, electricity meter cabinet and associated works. Land at the junction of Thamesdown Drive and Torun Way, Haydon End, Swindon** (Pages 8 - 20)
7. **S/TC/16/1042 Prior notification application for the erection of a 15 metre high monopole, radio equipment cabinet, electricity meter cabinet and ancillary works. Land at the junction of Thamesdown Drive and footpath to Gaynor Close, Swindon** (Pages 21 - 33)
8. **S/TC/16/1040 Prior notification application for the erection of a 15 metre high monopole, radio equipment cabinet, electricity meter cabinet and ancillary works. Land at Haydon End Lane, Swindon** (Pages 34 - 46)
9. **S/TC/16/1070 Prior notification application for the erection of an 8 metre high lattice tower, equipment cabinets and associated works. Land at Tadpole Lane, Blunsdon, Swindon** (Pages 47 - 59)
10. **S/OUT/16/0412/HC Outline application for the erection of up to 14 houses (Means of access not reserved). Land to the North of Hanger C2, Orbital Road, Wroughton** (Pages 60 - 81)
11. **S/16/0432/CHHO Erection of a first floor rear extension and side dormer window 6 Wills Avenue, Marshgate, Swindon** (Pages 82 - 93)
12. **S/16/0912/BLOWC Erection of a first floor front/side and single storey rear extensions 26 Wingfield, Kingsdown, Swindon** (Pages 94 - 103)
13. **Local Development Order Updates** (Pages 104 - 131)

Date of Despatch: 04 July 2016

Key:

Officers:

HPRS&H - Head of Planning, Regulatory Services and Heritage

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 Officer 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, 14 JUNE 2016

PRESENT: - Councillors John Ballman, Vera Tomlinson, Peter Watts, Alan Bishop, Kevin Parry (Chair), Cathy Martyn, Stan Pajak, Timothy Swinyard, Steph Exell, Derique Montaut, James Robbins and Gary Sumner.

Apologies for absence were received from Councillors Nick Martin.

119. Appointment of Vice-Chair

Resolved – That Councillor Vera Tomlinson be Vice-Chair of this Committee for the Municipal Year 2016/17

120. Declarations of Interest

The Chair reminded Councillors to declare any known interests before the start of that item. No declarations of interest were made.

121. Minutes

Resolved – That the minutes of the meeting held on 14th April 2016 be confirmed and signed, subject to the addition of the following paragraph to Minute no. 115:

“(3) That the Government be requested to consider the possibility of incentivising developers to build planning applications as soon as permission is granted “

122. Public Question Time

There were no public questions.

123. Determination of Planning and Related Applications

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments of Councillors Dixon and Bob Wright in respect of application numbered S/15/2017
- (e) The comments of Councillors Dixon and Moffatt in respect of application numbered S/15/2030
- (f) The comments of Councillor Moffatt in respect of application numbered S/16/435
- (g) The comments of Councillor Milner-Barry in respect of application numbered S/OUT/15/2051
- (h) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/15/2017	Martha Parry Jo Heaven Ash Mispray Natalie	Swindon Civic Voice Tented Market Tented Market Tented Market
S/15/2030	Mr Jeffries Simon Cater Michael Gray Stuart Hillart	Swindon Tenants Voice Agent 22 Prospect Place 14 South Street
S/OUT/15/2051	Kate Barker	Applicant
S/OUT/16/97	Peter Lawson	Agent
S/16/435	Carol Whitson	41 Cheney Manor Road

Resolved – (1) That permission be refused in respect of application numbered S/15/2017 for the following reasons:

1 The site lies within the retail core of the town centre as defined by the Swindon Borough Local Plan 2026. The proposal fails to accord with Policy EC3 of the Swindon Borough Local Plan 2026, Policy CAAP13 of the Central Area Action Plan and the National Planning Policy Framework as it would result in the loss of an existing market and replacement with an over concentration of Class A3 uses that fails to make provision for small Class A1 units and would be likely to detract of the vitality and viability of the town centre.

2 The proposal fails to accord with Policy DE1 of the Swindon Borough Local Plan 2026, Policy CAAP1 of the Central Area Action Plan 2009 and the National Planning Policy Framework as it would result in a building that fails to achieve a high standard of urban design, is unsympathetic to the local context by reason of its appearance, fails to improve the character of the Town Centre and fails to provide an efficient use of the site.

(2) That permission be refused in respect of application numbered S/15/2030 for the reasons set out in the Committee report.

(3) That permission be granted in respect of application numbered S/16/463 subject to the conditions listed in the Committee report.

(4) That, in respect of application numbered S/OUT/15/2015; the Head of Planning, Regulatory Services and Heritage be authorised to:

(a) grant full planning permission for 91 no. dwellings and 74 no. age restricted retirement dwellings and associated works and subject to the conditions listed in the Committee report. and

(b) grant outline planning permission for the development of up to 313 no. dwellings, public open space and a play area and the reserved matter in respect of the means of access and subject to the conditions listed in the report

That both be granted together with additional conditions in respect of on-site highway and drainage related matters and any amended, additional or omitted conditions as necessary, and subject to the following technical and legal matters being resolved:

- (i) agree all outstanding detailed highway design issues within the detailed part of the application site (retirement blocks 1 and 2 and residential blocks 1 and 2) pertaining to visibility splays, turning heads, road and footway widths, traffic calming measures, allocation of parking spaces, and swept path drawings to demonstrate the clear passage of larger vehicles, and
- (ii) the satisfactory completion of a supplemental legal agreement in order to secure matters relating to affordable housing and age restricted dwellings.

(5) That outline planning permission be granted in respect of application numbered S/OUT/16/97 subject to the conditions listed in the Committee report with all detailed matters reserved for future consideration.

(6) That Listed Building Consent be granted in respect of application numbered S/LBC/16/657 subject to the following condition:

This decision shall be in respect of the drawings numbered; C12027.15.100 and C12027.15.200, received by the Local Planning Authority on 8 April 2016. Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

(7) That permission be refused in respect of application numbered S/16/435 for the following reason:

The proposal by reason of its size and location will have an adverse impact upon the residential amenity enjoyed by the occupants of no.41 Cheney Manor Road by reason of its overbearing nature, loss of light and outlook and fails to represent good design. The proposal is contrary to Policies SD1 and DE1 of the Swindon Borough Local Plan 2026 (2015) and the Adopted Supplementary Planning Document Residential Alterations & Extensions (2011):

124. Swindon Residential Design Guide Supplementary Planning Document (SPD)

The Head of Planning, Regulatory Services and Heritage submitted a report summarising the comments received following public consultation on the Swindon Residential Design Guide Draft Supplementary Planning Document which underwent an 8 week period of public consultation from 26th August to 21st October 2015.

Resolved – (1) That the Swindon Residential Design Guide be adopted as a Supplementary Planning Document in support of the Swindon Borough Local Plan 2026, amended as set out in the report and with the addition of the following paragraph in order to provide further clarification to the table as set out on page 12 of the document:

“This Matrix gives a general flavour of the type of areas found across the Borough. It is not a definitive summary of the development (in terms of density, house types and characteristics) that would always be appropriate in each area. Rather it is a starting point upon which local identity and character influences should build. There will be situations where the appropriate response to an individual site conflicts with the matrix. Provided development is design-led and as a result of local context it will not be considered as conflicting with this SPD or policy DE1.”

(2) That the Head of Planning, Regulatory Services and Heritage and the Director of Law and Democratic Services be authorised to make minor changes to the content of the document, if required, prior to publication in consultation with the Chair of this Committee and the Cabinet Member for Strategic Planning, as appropriate.

(3) That the setting up of a Swindon Design Review Panel as a mechanism to drive up standards of design in the Borough, be noted.

(4) That the work completed by Officers to produce the final version of the design guide, be recognised.

125. New Eastern Villages Developer Contributions Supplementary Planning Document

The Head of Planning, Regulatory Services and Heritage advised that the New Eastern Villages Developer Contributions Supplementary Planning Document, that Committee approved for consultation in the previous financial year has now completed its consultation period, and updates on costings from service areas had been received. This has led to minor amendments to some of the calculations, which may have a larger impact on developer contribution requirements. Once he is aware of the details of these changes, he may need to undertake some re-consultation.

He sought the Committee's acknowledgement that he may have to undertake additional consultation prior to the document being brought back to Committee for adoption.

Resolved – That the Head of Planning, Regulatory Services and Heritage be authorised to undertake additional consultation on the basis he set out, if necessary

Determination of Planning and related Applications

Planning Committee

Date: 12th July 2016

Author:	Head of Planning, Regulatory Services and Heritage
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 an 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 Iain Tucker, Direct Dial Telephone Number, (01793) 463605, itucker@swindon.gov.uk.

Determination of Planning and related Applications

Planning Committee

Date: 12th July 2016

5.2 Planning and related applications reported to this Committee for the first time.

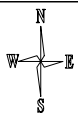
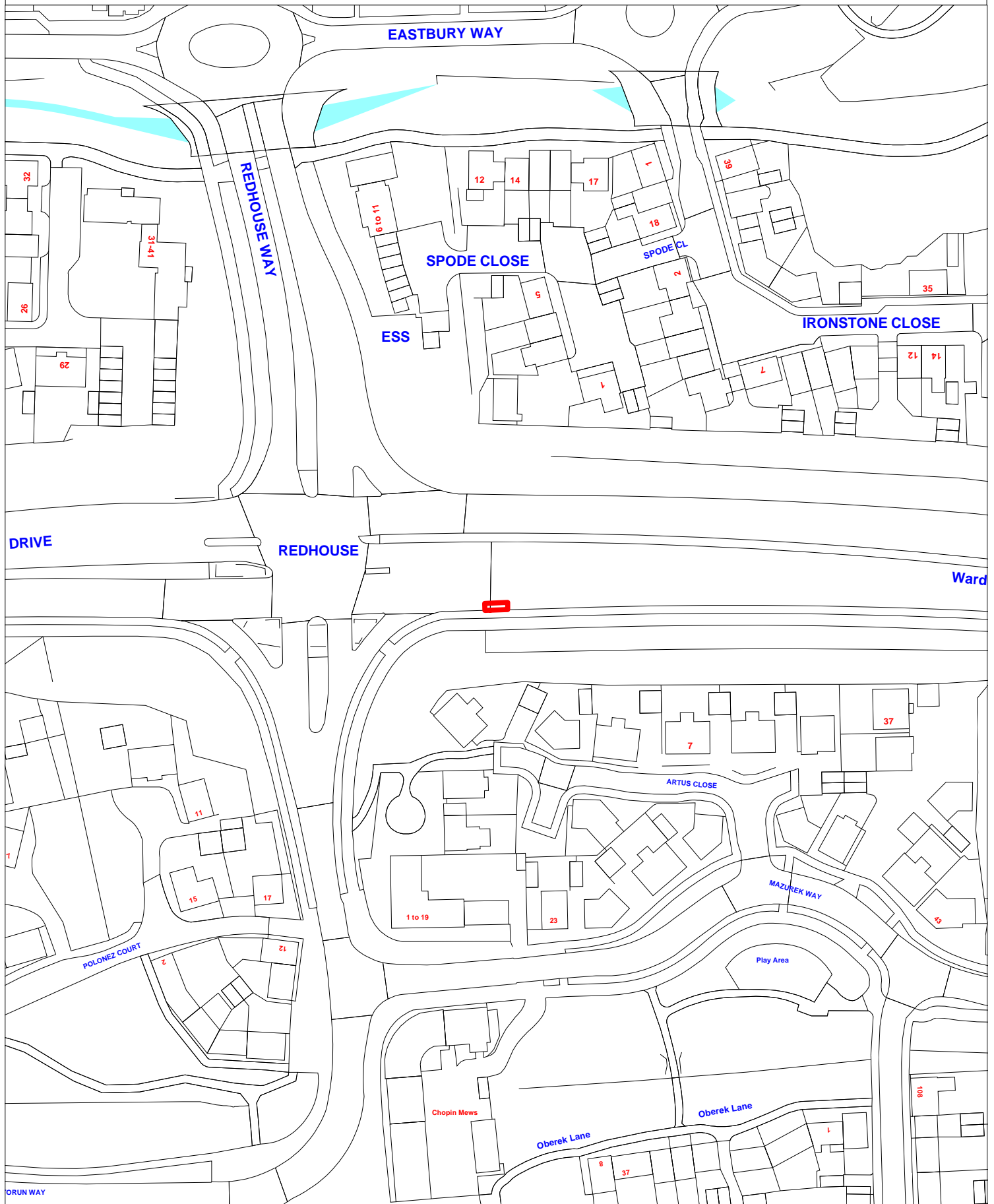
APPENDIX 1

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

Prior notification application for the erection of a 15 metre high monopole, equipment cabinet, electricity meter cabinet and associated works.

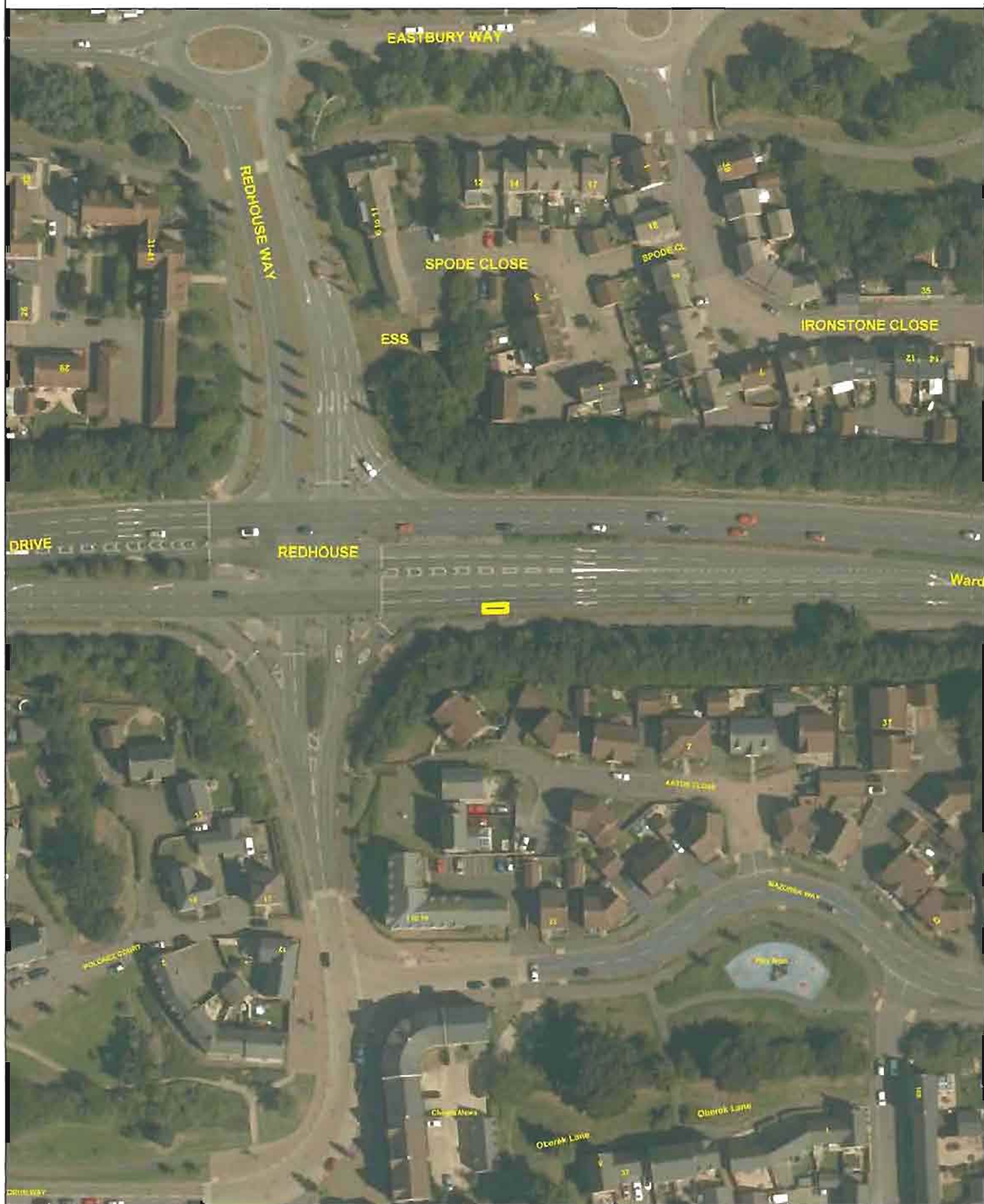
Land At The Junction Of Thamesdown Drive And Torun Way Haydon End Swindon



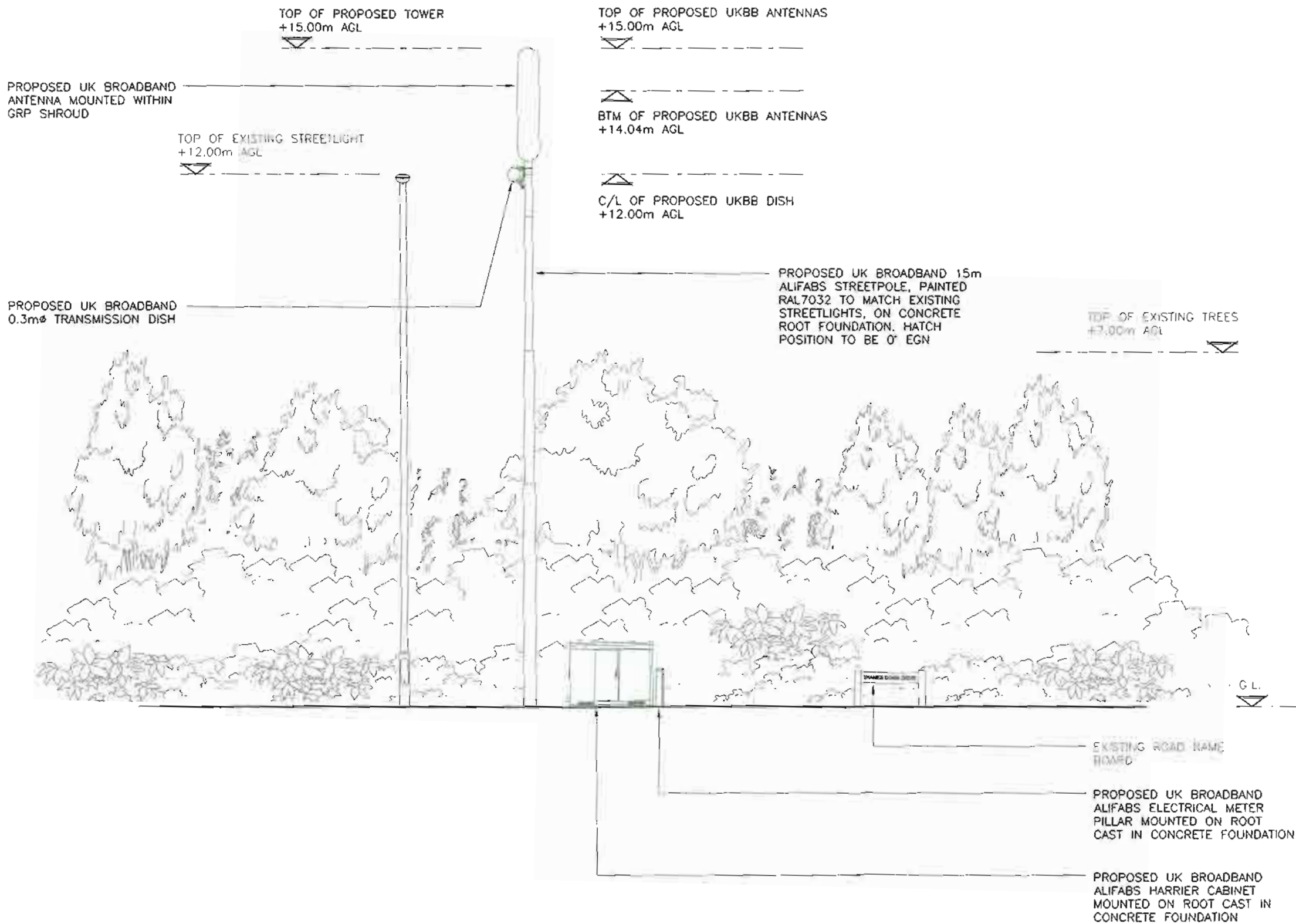
This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.

Prior notification application for the erection of a 15 metre high monopole, equipment cabinet, electricity meter cabinet and associated works.

Land At The Junction Of Thamesdown Drive And Torun Way Haydon End 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.



ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R E:412967 N:189036

08 JUN 2016

REV	Issued for Approval	PL	AK	03.05.16
MODIFICATION	BY	CH	DATE	

tsi Tecnicool Services Limited
Posterngate Farm
Harts Lane
South Godstone
Surrey RH9 8LZ
t: 01342 894570
e:accounts@tecnicool.com
e:admin@tecnicool.com
www.tecnicool.com



Site Name	Opt.
ARTUS	A
Site ID No	
SWI2005B	
Site Address / Contact Details	
GRASS VERGE THAMESDOWN DRIVE SWINDON WILTS SN25 1QZ	
Drawing Title:	PROPOSED ELEVATION 'A'
Purpose of Issue:	PLANNING
Drawing Number:	102
Surveyed By:	AK/ESS
Original Sheet Size:	A3
Issue	A
Drawn:	PL
Date:	03.05.16
Checked:	AK
Date:	03.05.16



Ordnance Survey map extract
based upon Landranger map series
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SITE PHOTOGRAPH

The map is a site plan showing the location of a site relative to surrounding streets and buildings. Key features include:

- Streets:** E WAY, SPODE CLOSE, REDHOUSE, ARTIS CLOSE, MAZURE.
- Buildings:** ESS, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.
- Site Location:** Indicated by a dashed line labeled 'Access Route' leading to a point labeled 'SITE PHOTO'.
- Other Labels:** 'Fig. 10' is visible in the bottom right corner.

Based upon Ordnance Survey map extract
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Her Majesty's Stationery Office.
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stretch 16/1038

PROPOSED ANTENNA KEY

ANT. REF	FUNCTION	ANTENNA TYPE	BEARING	HEIGHT TO TOP	TYPE	SIZE	LENGTH	NO. OF FEEDERS
31A/51B	4G	AW5279	N/A	15.00m	COAX	1/2"	14m	2
32A/52B	4G	AW5279	N/A	15.00m	COAX	1/2"	14m	2
33A/53B	4G	AW5279	N/A	15.00m	COAX	1/2"	14m	2

FEEDER KEY

REMOTE HEAD SCHEDULE

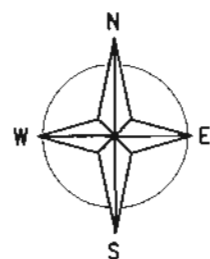
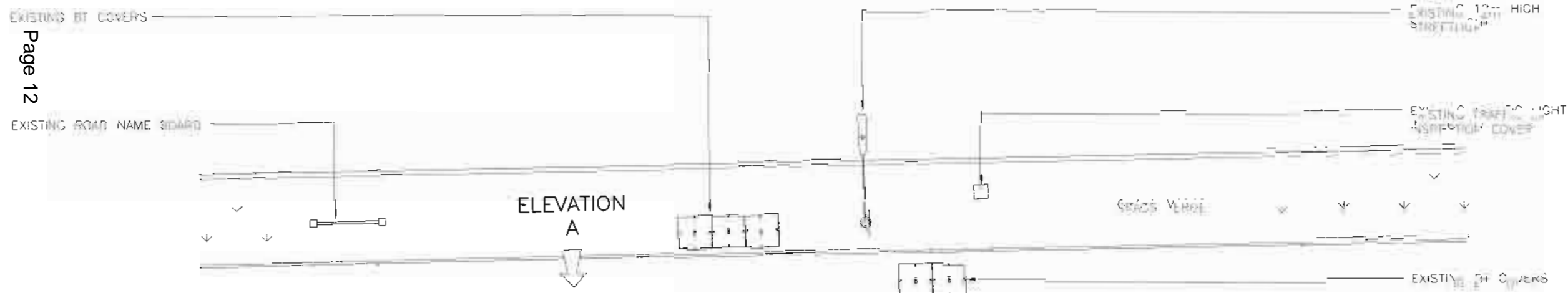
RR REF	ANTENNA REF	MANUFACTURER	TYPE	SIZE	FIXING METHOD	FIBRE/DC CABLE LENGTH
RH1	31A/51B	HUAWEI	TBC	TBC	HARRIER	5m
RH2	32A/52B	HUAWEI	TBC	TBC	HARRIER	5m
RH3	33A/53B	HUAWEI	TBC	TBC	HARRIER	5m

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R. E:412967 N:189036

NOTE:
PROPOSED UK BROADBAND POWER SUPPLY
DERIVED FROM REC SUPPLY.

08 JUN 2016

THAMESDOWN DRIVE
(40mph)PROPOSED UK BROADBAND 15m ALIFABS
STREETPOLE, PAINTED RAL7032 TO MATCH
EXISTING STREETLIGHTS, ON CONCRETE ROOT
FOUNDATION. HATCH POSITION TO BE OF EGNPROPOSED UK BROADBAND ALIFABS
ELECTRICAL METER PILLAR MOUNTED ON
ROOT CAST IN CONCRETE FOUNDATIONPROPOSED UK BROADBAND ALIFABS HARRIER
CABINET (1840x440x1400mm - 1.14m³)
PAINTED FIRE GREEN (RAL6009) MOUNTED ON
ROOT CAST IN CONCRETE FOUNDATIONGROUND LEVEL
+0.00m AGL

TORMAC FOOTPATH

TREES & BUSHES
APPROX. 3.5m-7.0m HIGH

tsi Tecnicool Services Limited
Posterngate Farm
Harts Lane
South Godstone
Surrey RH9 8LZ
t: 01342 894570
e: accounts@tecnicool.com
e: admin@tecnicool.com
www.tecnicool.com



Site Name Opt.

ARTUS A

Site ID No

SWI2005B

Site Address / Contact Details

GRASS VERGE
THAMESDOWN DRIVE
SWINDON
WILTS
SN25 1QZDrawing Title:
PROPOSED SITE PLANPurpose of issue:
PLANNINGDrawing Number:
101

Surveyed By: AKSESS Original Sheet Size: A3
Drawn: PL Date: 03.05.16 Date: 03.05.16 A

EQUIPMENT SCHEDULE

MANUFACTURER	TYPE	SIZE	COLOR	NOTES
ALIFABS	HARRIER	1840x440x1400mm	GREEN	INSTALLED ON NEW FOUNDATION
ALIFABS	STREETPOLE	15m HIGH	RAL7032	C/W ALIFABS 0.2m SHROUD
ALIFABS	SMP METER PILLAR	0.35x0.15x0.8m	GREEN	INSTALLED ON NEW FOUNDATION

PROPOSED SITE PLAN
(1:100)The drawings comply with Standard ICNIRP guidelines.
Designed in accordance with UK Broadband document: UKB_4GD_DEL_DES_MISC_001

DISH KEY

DISH REF	DISH DIA	REAR DIA	HEIGHT TO CENTRE (AGL)	UNIK TAG
01	630	112	2.00m	-



COMMITTEE REPORT

Item Number: 6

Ward: Priory Vale

Application Number: S/TC/16/1038

Parish: Haydon Wick

Proposal: Prior notification application for the erection of a 15 metre high monopole, equipment cabinet, electricity meter cabinet and associated works.

Site Location: Land at the junction of Thamesdown Drive and Torun Way, Haydon End, Swindon

Case Officer: Ian Halsall

Agent:

Mr Chris Andrews
Waldon Telecom Ltd
Phoenix House
Pyrford Road
West Byfleet
Surrey
KT14 6RA

Applicant:

UK Broadband Ltd
c/o Agent

Officers Report

Background:

i This application has been brought before planning committee at the request of Councillor Tomlinson owing to public interest that a number of similar proposals relating to the roll out of infrastructure associated with the SuperfastSwindon superfast broadband network across the borough has generated.

ii In addition to this application there are a further three applications on this agenda which generate the same planning issues. These include a second application in Priory Vale ward at land in Haydon End Lane (application number S/TC/16/1040); within Haydon Wick ward at land at the junction of Thamesdown Drive and the footpath leading to Gaynor Close in Abbey Meads (application number S/TC/16/1042); and within St. Andrews ward at land at Tadpole Lane, Blunsdon St. Andrew (application number S/TC/16/1070).

iii It is important that the committee takes note that this and the other three applications, which are proposed as part of securing the delivery of fourth generation superfast wireless broadband to communities across the borough based on a network of radio base stations, are for **PRIOR APPROVAL** and not full planning permission. Statutory Instrument 2015 No.596, the Town and Country Planning (General Permitted Development) (England) Order 2015 gives deemed planning permission as the height of the monopoles and in the case of Tadpole Lane a short lattice tower and associated cabinets fall below the threshold criteria

requiring the submission of a full planning application. However the prior approval of the local planning authority is still required as to the **siting** and **appearance** only.

iv As the local planning authority has considered that prior approval is required for the siting and appearance of the development, the applicant must receive notification of its decision within 56 days of the date in which the application is received. Failure to issue a decision within the requisite period will result in approval being given by default. The 56 day period will expire on the 3rd August 2016. Owing to the committee timetable, it is only possible to consider this application at the July committee. The agenda will go to print before the end of the statutory 21 day public consultation period, which is the 6th July. Any representations received after going to print will be reported verbally to the committee.

v Consultation has been carried in accordance with the procedure agreed by the planning committee which is wider than required by legislation. This includes notifying all properties within a 100 metre radius of the proposed equipment.

vi The development will assist delivery of government standard superfast broadband coverage to all commercial and domestic premises in the borough by 2017, which is a Priority Pledge within the Vision for Swindon .

Summary of Recommendation:

1 That the prior approval of the local planning authority is REQUIRED and is **GIVEN**.

The Proposal:

2 This application seeks prior approval under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 for the installation of a 15 metre high grey galvanised steel slim line monopole with a 2.5 metre long fibre glass shroud at its top, a 300 millimetre transmission dish at a height of 12.5 metres above ground level, an associated green cabinet 0.5 metres to the east of the pole measuring 1.85 metres in width, 500mm in depth and 1.4 metres in height, and an adjacent air conditioning cabinet measuring 350mm in length, 200mm in depth and 850mm high. The equipment will be mounted on a concrete base.

3 The development is to provide superfast broadband services to the local area and the installation will have a coverage radius of approximately 500m offering coverage over central Redhouse and central and eastern Haydon End. The service will be available to subscribers who can install a receiver on their property within range and sight of the pole.

The Site and Surroundings:

4 The equipment will be installed within a gravelled area on the edge of the footway on the southern side of Thamesdown Drive, approximately 45 metres to the east of the centre of Torun Way at its junction with Thamesdown Drive. The rear gardens of properties in Artus Close are immediately to the south of the site and substantially screened by the mature 15 metre wide landscaped bund that runs parallel with the whole length of Thamesdown Drive.

Representations:

5 Parish Council: Haydon Wick Parish Council's comments are still to follow.

6 Neighbours: No representations have been received as the agenda goes to print. The consultation expiry date is the 6th July so any representations will be reported verbally to the committee.

Planning Considerations:

Legislative Background

7 Schedule 2, Part 16, Class A of the General Permitted Development Order (GPDO) "Communications - Electronic Communications Code Operators", requires the applicant, who is a code system operator to apply to the local planning authority for a determination as to whether approval of the siting and appearance of their development is required under their "permitted development" rights.

8 The local planning authority considers that prior approval is required for the siting and appearance of the development, and must notify the applicant of its decision within 56 days of the date in which the application is received. Failure to issue a decision within the requisite period will result in approval being given by default. The 56 day period will expire on the 3rd August 2016.

9 It is therefore important to note that the prior approval process is separate and distinct from a development that requires express planning permission as the considerations are limited only to those of siting and appearance and the full weight of the Local Plan does not apply.

National Planning Policy Framework

10 Paragraph 21 of the National Planning Policy Framework (NPPF), 2012 which carries significant weight when making planning decisions advises that local planning authorities should plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries. Paragraph 42 emphasises that high quality communications infrastructure is essential for sustainable economic growth and affirms that the development of high speed broadband technology and other communications also play a vital role in enhancing the provision of local community facilities and services.

11 The NPPF encourages local planning authorities to support the expansion of electronic communication networks including telecommunications and high speed broadband (paragraph 43). It states that the numbers of masts and the sites for such installations should be kept to a minimum, whilst sites need to be justified and sympathetically designed and camouflaged where appropriate.

12 The NPPF (paragraph 45) further states that applications for telecommunication development, **including those for prior approval** *[planning officer's emphasis]* should be

supported by the necessary evidence to justify the proposed development. Applications should include the following:

- The outcome of consultation with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college.
- A statement that self certifies that the cumulative exposure, when operational, will not exceed International Commission on Non-ionising Radiation Protection guidelines (known as an “ICNIRP declaration”).
- Evidence that the applicant has explored the possibility of erecting equipment on existing buildings, masts or other structures before selecting the proposed site.

13 The NPPF (paragraph 46) emphasises that local planning authorities must determine applications on planning grounds and should not seek to prevent competition between different operators, nor should it question the need for the system or determine health safeguards if the proposal meets the aforementioned International Commission guidelines for public exposure.

The Swindon Borough Local Plan (2026) as a material consideration

14 For the purpose of determining this prior approval application, in accordance with section A.3 (3) of Part 16 of the General Permitted Development Order, consideration can only be given to the **siting and appearance** of the development. However despite the fact that the policies in the Local Plan do not apply in the same way as they would in the case of an application for planning permission, in the determination of this prior approval application, the general principles of the policies of the Swindon Local Plan 2026 can still be used to guide the local planning authority as to the suitability of the proposal in terms of its siting and appearance. Therefore the following policies are of relevance and can be used to inform the council in its determination of the siting and appearance of this development.

15 Policy SD1 (Sustainable Development Principles) states that in enabling the delivery of sustainable development and supporting sustainable communities, relevant to this proposal, development proposals should be of a high quality design, respect, conserve and or enhance the natural built and historic environments and provide or contribute to the assessed local and borough wide infrastructure and service requirements.

16 Policy IN3 (ICT and Telecommunications) states that telecommunication proposals should be sited and designed in a way that has considered the appearance of the surrounding area and proposals should only be supported if the siting and any other additional equipment does not unduly detract from the appearance of the surrounding area or form an adversely intrusive addition to the streetscene. Secondly, the policy states that the amenity of any neighbouring sites should not be unacceptably harmed by the proximity of the proposal. Thirdly, the policy states that the colour and profile of the equipment should be sympathetic to the site's surroundings and the size of the development should be kept to a technical minimum to ensure any adverse impact on the environment is minimised. Policy IN3 further notes that the plan is supportive of proposals that make provision to incorporate super-fast broadband.

17 Policy DE1 (High Quality Design) requires proposals to be assessed in respect of their context and character, particularly with regards to existing built characteristics and acknowledged features of importance such as trees. Consideration should also be given to

the siting, orientation, scale amongst other criteria when considering the layout form and function of the development. Furthermore and again relevant to this proposal, consideration should be given to the amenity implications of the proposal in terms of outlook.

18 Based on the principle of siting, highway safety factors are also a consideration and the guiding principle to inform the council as to the suitability of the monopole and ancillary equipment. This is considered under policy TR2 (Transport and Development) which states that proposal should not be detrimental to highway safety and local amenity with regards the scale, type and location of the development in question.

Outcome of Pre-Application Consultation

19 The submitted Design, Access and Supporting Statement sets out the pre-application consultation that the applicant undertook prior to the submission of their application in accordance with the requirements of the NPPF. The ward members representing Priory Vale and St. Andrews plus Haydon Wick and Blunsdon St. Andrew parish councils were consulted by email on the 25th May 2016. Discussions were also held with planning and highway officers.

20 The applicants have advised that no formal responses were received in respect of the pre-application notification, whilst your officers provided planning guidance which is consistent with the above recommendation.

Compliance with Public Exposure Guidelines

21 The application is accompanied by a self-certified declaration of conformity with the public exposure guidelines. Government guidance is explicit that local planning authorities must determine applications on planning grounds only and should not determine health safeguards if the proposal meets with public exposure guidelines. This declaration states that the proposed monopole:

“is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP), as expressed in an EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (0Hz to 300 GHz).”

As a declaration of compliance with the international guidelines has been submitted, no weight can be attributed to any objection on health grounds.

Justification for Site Selection

22 The local planning authority cannot question the need for the service only make a decision based upon the siting and appearance of the required infrastructure. However by way of background, the applicant who is working in partnership with the council to provide a 4G network providing the ability to deploy multiple 20Mhz channels to meet rapidly growing wireless data demands states that the proposed 4G broadband service is based on a network of radio stations. For operational reasons, these have to be situated in relatively high locations such as on tall buildings and located close to the projected customer. For this reason the use of lamp columns or shorter monopole structures below the heights of

surrounding buildings is not technically feasible. These base stations typically consist of a set of antennas and one or more small equipment cabinets, which are connected to the wider network by transmission dishes or fibre-optic cables.

23 The applicant advises that when selecting base station sites, use is made of existing telecommunication sites in the first instance when this will achieve the required network coverage. However where no such structures exist, as in this case a new mast or street works style installation will be required. This is fully in line with the government's guidance on site selection.

24 The technical constraints affecting the siting of the proposed base station including the limited range of customer reach is necessitating the installation of a network of several masts within the Priory Vale and St. Andrew's wards together with the requirement for subscribers to have antennas installed on their properties within view of the masts. This present site has been selected as an alternative location to a previous site further south west in Torun Way which was both recommended for refusal and refused by the planning committee in February 2016 on siting and appearance grounds. As a consequence this has resulted in the selection of monopole sites in four new locations within north Swindon leading in a net increase in masts overall from five to six, four of which are to be discussed on this agenda with a further two in respect of a siting at Redhouse Way and one at Cassini Drive in Oakhurst now being the subject of planning appeals. However the committee is advised that whilst this proposal will form part of a wider network, this specific application at the junction of Thamesdown Drive and Torun Way must be considered in isolation from any others and determined on its own merits.

25 Taking the above into account it is considered that the applicant has demonstrated that where there had been technical potential to locate the proposed monopole on an alternative site to that now proposed, all were deemed inappropriate for reasons including highway safety, close proximity to even more residential properties than at present and would have had an even greater visual impact as was deemed to be the case in respect of five previous proposals which were refused by the planning committee.

Appearance

26 The proposal will comprise the erection of a 15 metre high monopole with a minimum diameter of 300mm and a maximum diameter of 500mm at its highest point. Monopoles and their associated cabinets have a utilitarian function as part of delivering communication services, in this case the provision of superfast wireless broadband which will be of significant benefit to the local community. However despite their relative height, monopoles are generally an accepted part of urban street furniture whether they are for providing broadband services or mobile phone services, just like other infrastructure such as street lighting columns, the nearest comparable tall structure within an urban environment which within this road corridor, a classified dual carriageway are approximately 12 metres high and frequent in number. Many similar structures are familiar objects within the streetscene across the borough and the country. The impact of their appearance can be minimised, as with this application by ensuring that the structure attempts to be as inconspicuous as possible through its colour (grey) and finish (matt).

27 It is not considered that there will be any residential properties that will be directly affected by the appearance of this infrastructure certainly to any unacceptable level. The

nearest residential property is in Artus Close and is approximately 20 metres to the south of the installation but significantly obscured by a substantial band of landscaping that frames the southern side of the Thamesdown Drive road corridor. Although the very top of the pole will be visible from Artus Close, the fact it can be seen is no reason to object to the proposal as it will not cause any significant harm to the outlooks of those residential properties. There is similar mature landscaping along the northern edge of the highway which also provides a significant screen from the nearest residential properties 50 metres north in Spode Close and 75 metres north east in Ironstone Close in Redhouse. Again, if the mast can be seen this will be in peripheral vision and only the very top of the structure will be visible and this will not have any unacceptable impact on the living conditions of residents. On that basis it is considered that the presence of the monopole in the proposed location will not cause any visual intrusion to nearby residential properties and will cause no harm to amenity.

28 The cabinets are at low level and modest in size and will only be seen from certain positions or close up and will have no more of an overall visual impact than any other conventional street cabinet associated with traffic signals or telephone systems for example.

Siting

29 The applicant has sought to site the monopole and equipment on the edge of the highway. The highways officer has noted that the cabinet doors will open out over the footway / cycleway but is satisfied that as the doors will only be open when the equipment is being worked on and there will be appropriate safeguards put in place to warn pedestrians of any potential hazards. There will therefore be no highway safety implications of siting the monopole in this proposed location. Maintenance vehicles will not be permitted to stop and park on Thamesdown Drive without the agreement of the local highway authority but this would be a separate matter outside the scope of planning legislation.

30 The proposed siting has enabled the applicant to attempt where technically possible to minimise the impact of the pole by placing it close to the mature landscaped bund rather than in the highway verge where it would be slightly more prominent within the wider highway corridor. The structures do not fall within the notional crown spread of any trees within that landscaped buffer so will not cause any harm to that adjacent foliage.

31 It is considered that this location would not be visually harmful nor would it cause any unreasonable depreciation to the local environment in the context of its built and landscaped surroundings.

Concluding Comments

32 The proposed monopole may appear prominent on first installation given its height but as with other such structures, to those who are initially made aware of its presence it will become an accepted and likely tolerated part of the urban streetscene. On that basis it is not considered that the proposed monopole and associated equipment will be detrimental in visual terms to the amenities of the local area, the quality of the streetscene or residents living close to the site in its wider urban and landscaped context. The applicant has demonstrated that there is a technical need for the structure in this location with no existing sites available within the required area of coverage as part of the wider network to share

facilities and no other suitable new site being available without causing highway safety issues or having an even greater visual impact. The siting has been justified by virtue of the previous refusal of five prior approval applications in other locations across north Swindon. In planning terms and in the wider public interest of enabling significantly improved broadband services to be rolled out across the wider community, the proposal is in accordance with national and local policy and is considered to be an appropriate site.

33 Therefore in **pure planning terms** given the national and local planning policy requirements to encourage and support proposals that can secure and deliver broadband facilities to communities and as this application has to be determined by the 3rd August, if there were any perceived negative effects with regards the siting and appearance close up to the structure, this should be outweighed by the much wider public benefits that the facility will bring to central Redhouse and eastern and central Haydon End.

Recommendation:

That prior approval is REQUIRED and **GIVEN**.

Conditions

This decision shall be in respect of drawings SWI2005B 100 issue A, 101 issue A and 102 issue A, dated 03.05.16 and the following supporting documents:

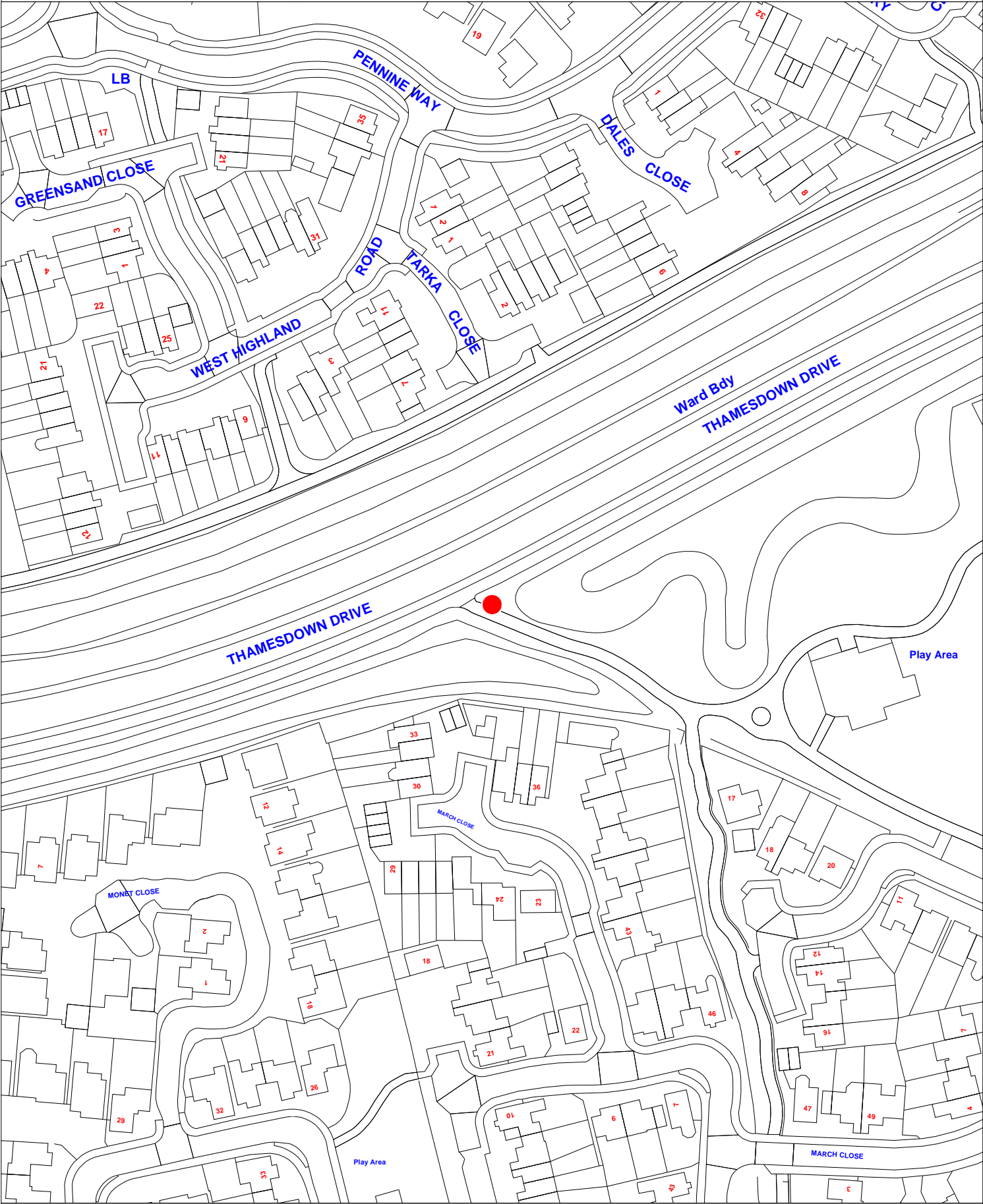
- Design, Access and Supporting Statement
- Statement of ICNIRP compliance
- Supplementary information

All documents were received by the Local Planning Authority on 8th June 2016.

End of Report

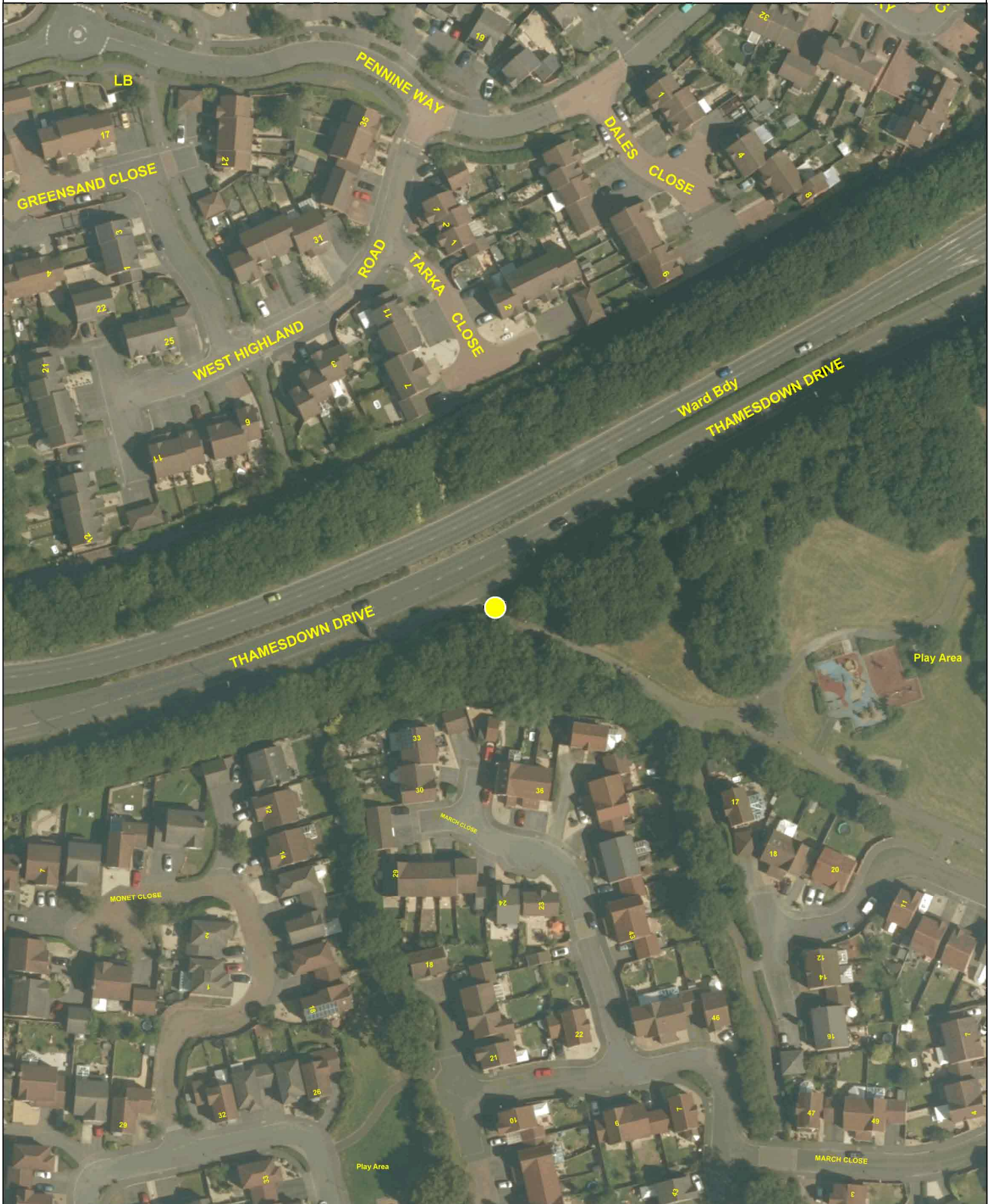
Prior Notification application for the erection of a 15 metre high monopole, radio equipment cabinet, electricity metre cabinet and ancillary works.

Land At The Junction Of Thamesdown Drive And Footpath To Gaynor Close Swindon

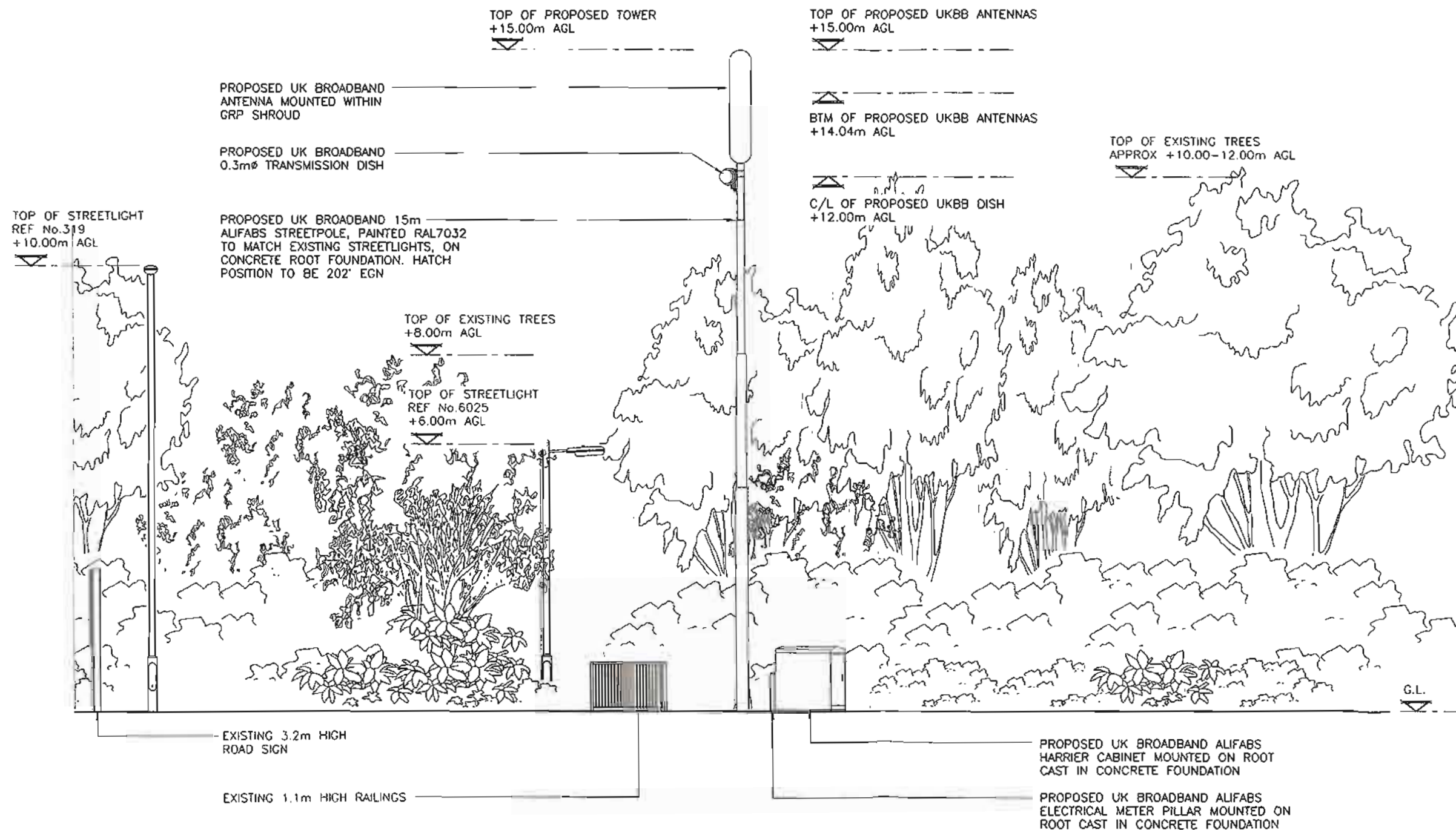


Prior Notification application for the erection of a 15 metre high monopole, radio equipment cabinet, electricity metre cabinet and ancillary works.

Land At The Junction Of Thamesdown Drive And Footpath To Gaynor Close 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.



PROPOSED ELEVATION 'A'
(1:100)

The drawings comply with Standard ICNIRP guidelines.

Designed in accordance with UK Broadband document: UKB_4GD_DEL_DES_MISC_001

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R. E:413994 N:189020

08 JUN 2016

STC/16/11042

A	Issued for Approval	PL	AK	03.05.16
REV	MODIFICATION	BY	CH	DATE

tsi Technicol Services Limited
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e:admin@technicol.com
www.technicol.com



Site Name	Opt.
LADY LANE	A
Site ID No	
SWI2015A	
Site Address / Contact Details	
THAMESDOWN DRIVE SWINDON WILTS SN25 4XU	

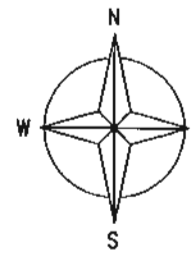
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Purpose of Issue:		PLANNING	
Drawing Number:		102	
Surveyed By:		Original Sheet Size:	Issue:
AK/ESS		A3	A
Drawn:	Date:	Checked:	Date:
PL	03.05.16	AK	03.05.16

SITE LOCATION



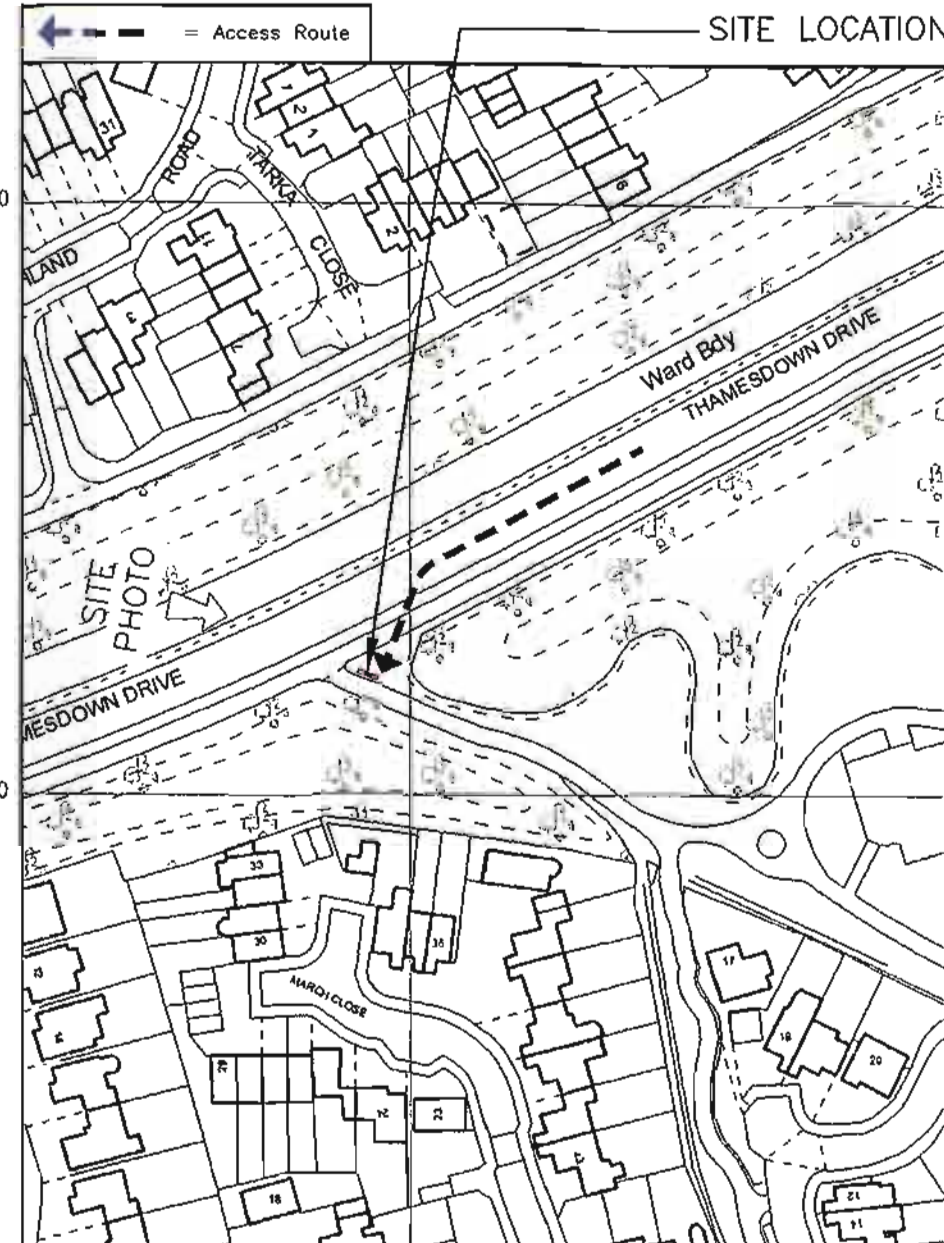
SITE LOCATION (Scale 1:50000)

Ordnance Survey map extract
based upon Londranger map series
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1891 00

1890 00



DETAILED SITE LOCATION (Scale 1:1250)

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SITE PHOTOGRAPH

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R E:413994 N:189020

NOTES:

08 JUN 2016

SITC11611042

Issued for Approval	PL	AK	03.05.16
MODIFICATION	BY	CH	DATE

tsi Tecnicool Services Limited
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admin@tecnicool.com
www.tecnicool.com

UK Broadband
Fast - Secure - Wireless

Site Name	Opt.
LADY LANE	A
Site ID No	
SWI2015A	
Site Address / Contact Details	
THAMESDOWN DRIVE SWINDON WILTS SN25 4XU	

Drawing Title:				
SITE LOCATION MAPS				
Purpose of Issue:				
PLANNING				
Drawing Number:				
100				
Surveyed By:		Original Sheet Size:		Issue:
AK/ESS		A3		
Drawn:	Date:	Checked:	Date:	A
PL	03.05.16	AK	03.05.16	

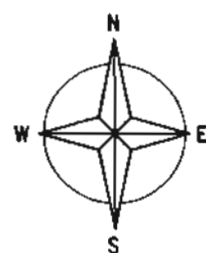
PROPOSED ANTENNA KEY					FEEDER KEY			
ANT. REF.	FUNCTION	ANTENNA TYPE	BEARING	HEIGHT TO TOP	TYPE	SIZE	LENGTH	No. OF FEEDERS
S1A/S1B	4G	AW3279	N/A	15.00m	COAX	1/2"	14m	2
S2A/S2B	4G	AW3279	N/A	15.00m	COAX	1/2"	14m	2
S3A/S3B	4G	AW3279	N/A	15.00m	COAX	1/2"	14m	2

REMOTE HEAD SCHEDULE						
RH REF	ANTENNA REF	MANUFACTURER	TYPE	SIZE	FIXING METHOD	FIBRE/DC CABLE LENGTH
RH1	S1A/S1B	HUAWEI	TBC	TBC	HARRIER	5m
RH2	S2A/S2B	HUAWEI	TBC	TBC	HARRIER	5m
RH3	S3A/S3B	HUAWEI	TBC	TBC	HARRIER	5m

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R E:413994 N:189020

NOTE:
PROPOSED UK BROADBAND POWER SUPPLY
DERIVED FROM REC SUPPLY.



THAMESDOWN DRIVE
(40mph)

GRASS VERGE

TARMAC FOOTPATH

GRASS VERGE

EXISTING 3.2m HIGH
ROAD SIGN

EXISTING 10m HIGH
STREETLIGHT REF No.319

ELEVATION
A

GROUND LEVEL
+0.00m AGL

TREES APPROX
8.0m HIGH

EXISTING BT COVERS

EXISTING MANHOLE COVER

PROPOSED UK BROADBAND ALIFABS
HARRIER CABINET (1840x440x1400mm -
1.14m³) PAINTED FIR GREEN (RAL6009)
MOUNTED ON ROOT CAST IN CONCRETE
FOUNDATION C/W 5No. 600mm² PAVING
SLABS TO FRONT & SIDE

PROPOSED UK BROADBAND 15m ALIFABS
STREETPOLE, PAINTED RAL7032 TO MATCH
EXISTING STREETLIGHTS, ON CONCRETE ROOT
FOUNDATION. HATCH POSITION TO BE 202° EGN

PROPOSED UK BROADBAND ALIFABS
ELECTRICAL METER PILLAR MOUNTED ON
ROOT CAST IN CONCRETE FOUNDATION

EXISTING 1.1m HIGH RAILINGS

EXISTING 6m HIGH
STREETLIGHT REF No.6025

EXISTING MANHOLE COVER

EXISTING 1.1m HIGH RAILINGS

TARMAC FOOTPATH

EQUIPMENT SCHEDULE

MANUFACTURER	TYPE	SIZE	COLOUR	NOTES
ALIFABS	HARRIER	1.34x0.44x1.4m	GREEN	INSTALLED ON NEW FOUNDATION
ALIFABS	STREETPOLE	15m HIGH	RAL7032	C/W ALIFABS 0.48m ³ SHROUD
ALIFABS	SMP METER PILLAR	0.38x0.18x0.87m	GREEN	INSTALLED ON NEW FOUNDATION

PROPOSED SITE PLAN (1:100)

The drawings comply with Standard ICNIRP guidelines.
Designed in accordance with UK Broadband document: UKB_4GD_DEL_DES_MISC_001

DISH KEY

DISH REF	DISH DIA	BEARING	HEIGHT TO CENTRE (AGL)	LINK No.
D1	0.3m	121°	12.00m	-
-	-	-	-	-

REV	MODIFICATION	BY	CH	DATE
-----	--------------	----	----	------

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Site Name	Opt.
LADY LANE	A
Site ID No	
SWI2015A	
Site Address / Contact Details	
THAMESDOWN DRIVE SWINDON WILTS SN25 4XU	

Drawing Title:				
PROPOSED SITE PLAN				
Purpose of Issue:				
PLANNING				
Drawing Number:				
101				
Surveyed By:		Original Sheet Size:		Issue:
AKSESS		A3		
Drawn:	Date:	Checked:	Date:	A
PI	03.05.16	AK	03.05.16	



COMMITTEE REPORT

Item Number: 7

Ward: Haydon Wick

Application Number: S/TC/16/1042

Parish: Blunsdon St. Andrew

Proposal: Prior notification application for the erection of a 15 metre high monopole, radio equipment cabinet, electricity meter cabinet and ancillary works.

Site Location: Land at the junction of Thamesdown Drive and footpath to Gaynor Close, Swindon

Case Officer: Ian Halsall

Agent:

Mr Chris Andrews
Waldon Telecom Ltd
Phoenix House
Pyrford Road
West Byfleet
Surrey
KT14 6RA

Applicant:

UK Broadband Ltd
c/o Agent

Officers Report

Background:

i This application has been brought before planning committee at the request of Councillor Tomlinson owing to public interest that a number of similar proposals relating to the roll out of infrastructure associated with the SuperfastSwindon superfast broadband network across the borough has generated.

ii In addition to this application there are a further three applications on this agenda which generate the same planning issues. These include two applications within the Priory Vale ward at land at the junction of Thamesdown Drive and Torun Way in Haydon End (application number S/TC/16/1038) and Land at Haydon End Lane (application number S/TC/16/1040), and within St. Andrews ward at land at Tadpole Lane, Blunsdon St. Andrew (application number S/TC/16/1070).

iii It is important that the committee takes note that this and the other three applications, which are proposed as part of securing the delivery fourth generation superfast wireless broadband to communities across the borough based on a network of radio base stations, are for **PRIOR APPROVAL** and not full planning permission. Statutory Instrument 2015 No.596, the Town and Country Planning (General Permitted Development) (England) Order 2015 gives deemed planning permission as the height of the monopoles and in the case of Tadpole Lane a short lattice tower and associated cabinets fall below the threshold criteria

requiring the submission of a full planning application. However the prior approval of the local planning authority is still required as to the **siting** and **appearance** only.

iv As the local planning authority has considered that prior approval is required for the siting and appearance of the development, the applicant must receive notification of its decision within 56 days of the date in which the application is received. Failure to issue a decision within the requisite period will result in approval being given by default. The 56 day period will expire on the 3rd August 2016. Owing to the committee timetable, it is only possible to consider this application at the July committee. The agenda will go to print before the end of the statutory 21 day public consultation period, which is the 6th July. Any representations received after going to print will be reported verbally to the committee.

v Consultation has been carried in accordance with the procedure agreed by the planning committee which is wider than required by legislation. This includes notifying all properties within a 100 metre radius of the proposed equipment.

vi The development will assist delivery of the government standard Superfast Broadband coverage to all commercial and domestic premises in the Borough by 2017, which is a Priority Pledge within the Vision for Swindon .

Summary of Recommendation:

1 That the prior approval of the local planning authority is REQUIRED and is **GIVEN**.

The Proposal:

2 This application seeks prior approval under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 for the installation of a 15 metre high grey galvanised steel slim line monopole with a 2.5 metre long fibre glass shroud at its top, a 300 millimetre transmission dish at a height of 12.5 metres above ground level, an associated green cabinet 0.7 metres to the west of the pole measuring 1.85 metres in width, 500mm in depth and 1.4 metres in height, and an adjacent air conditioning cabinet measuring 350mm in length, 200mm in depth and 950mm high. The equipment will be mounted on a concrete base.

3 The development is to provide superfast broadband services to the local area and the installation will have a coverage radius of approximately 500m offering coverage over eastern Redhouse, Ash Brake, the south east of St. Andrew's Ridge and central Abbey Meads. The service will be available to subscribers who can install a receiver on their property within range and sight of the pole.

The Site and Surroundings:

4 The site is located at the western end of a footpath / cycleway link that connects the footway / cycleway of Thamesdown Drive with Gaynor Close in Abbey Meads. The equipment will be installed in a grassed area in front of a dense landscaped area on the eastern edge of the path.

5 An area of open space is located to the south east of the site including a children's play area some 90 metres away. The nearest residential properties are located some 30 metres to the south in March Close through a significant area of mature planting whilst there are also residential properties to the north side of Thamesdown Drive at Tarka Close in Ash Brake, some 50 metres to the north, again significantly screened from Thamesdown Drive by planting.

Representations:

6 Parish Council: Blunsdon St. Andrew Parish Council's comments are still to follow.

7 Neighbours: No representations have been received as the agenda goes to print. The consultation expiry date is the 6th July so any representations will be reported verbally to the committee.

Planning Considerations:

Legislative Background

8 Schedule 2, Part 16, Class A of the General Permitted Development Order (GPDO) "Communications - Electronic Communications Code Operators", requires the applicant, who is a code system operator to apply to the local planning authority for a determination as to whether approval of the siting and appearance of their development is required under their "permitted development" rights.

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National Planning Policy Framework

11 Paragraph 21 of the National Planning Policy Framework (NPPF), 2012 which carries significant weight in making planning decisions advises that local planning authorities should plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries. Paragraph 42 emphasises that high quality communications infrastructure is essential for sustainable economic growth and affirms that the development of high speed broadband technology and other communications also play a vital role in enhancing the provision of local community facilities and services.

12 The NPPF encourages local planning authorities to support the expansion of electronic

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- The outcome of consultation with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college.
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- Evidence that the applicant has explored the possibility of erecting equipment on existing buildings, masts or other structure before selecting the proposed site.

14 The NPPF (paragraph 46) emphasises that local planning authorities must determine applications on planning grounds and should not seek to prevent competition between different operators, nor should it question the need for the system or determine health safeguards if the proposal meets the aforementioned International Commission guidelines for public exposure.

The Swindon Borough Local Plan (2026) as a material consideration

15 For the purpose of determining this prior approval application, in accordance with section A.3 (3) of Part 16 of the General Permitted Development Order, consideration can only be given to the **siting and appearance** of the development. However despite the fact that the policies in the Local Plan do not apply in the same way as they would in the case of an application for planning permission, in the determination of this prior approval application, the general principles of the policies of the Swindon Local Plan 2026 can still be used to guide the Local Planning Authority as to the suitability of the proposal in terms of its siting and appearance. Therefore the following policies are of relevance and can be used to inform the Council in its determination of the siting and appearance of this development.

16 Policy SD1 (Sustainable Development Principles) states in enabling the delivery of sustainable development and supporting sustainable communities, relevant to this proposal, development proposals should be of a high quality design, respect, conserve and / or enhance the natural built and historic environments and provide or contribute to the assessed local and borough wide infrastructure and service requirements.

17 Policy IN3 (ICT and Telecommunications) states that telecommunication proposals should be sited and designed in a way that has considered the appearance of the surrounding area and proposals should only be supported if the siting and any other additional equipment does not unduly detract from the appearance of the surrounding area or form an adversely intrusive addition to the streetscene. Secondly, the policy states that the amenity of any neighbouring sites should not be unacceptably harmed by the proximity of the proposal. Thirdly, the policy states that the colour and profile of the equipment should be sympathetic to the site's surroundings and the size of the development should be kept to

a technical minimum to ensure any adverse impact on the environment is minimised. Policy IN3 further notes that the Plan is supportive of proposals that make provision to incorporate super-fast broadband.

18 Policy DE1 (High Quality Design) requires proposals to be assessed in respect of their context and character, particularly with regards to existing built characteristics and acknowledged features of importance such as trees. Consideration should also be given to the siting, orientation, scale amongst other criteria when considering the layout form and function of the development. Furthermore and again relevant to this proposal consideration should be given to the amenity implications of the proposal in terms of outlook.

19 Based on the principle of siting, highway safety factors are also a consideration and the guiding principle to inform the council as to the suitability of the monopole and ancillary equipment. This is considered under policy TR2 (Transport and Development) which states that proposal should not be detrimental to highway safety and local amenity with regards the scale, type and location of the development in question.

Outcome of Pre-Application Consultation

20 The submitted Design, Access and Supporting Statement sets out the pre-application consultation that the applicants undertook prior to the submission of their application in accordance with the requirements of the NPPF. The ward members representing Haydon Wick and St. Andrews, as Thamesdown Drive forms the ward boundary; together with Haydon Wick and Blunsdon St. Andrew parish councils were consulted by email on the 25th May 2016. Owing to the reasonably close proximity of Abbey Meads Community Primary School, the head and chair of governors were also notified together with planning and highway officers.

21 The applicants advised that as ward member for Haydon Wick, Councillor Reynard raised no objections although would have preferred the structure to be located on the north side of Thamesdown Drive as it will serve the Ash Brake community also and could improve efficiency. In response the applicants advised the ward member that the proposed site was considered more suitable as there is more space to house an installation and secure access for both construction and maintenance reasons. No other formal responses were received in respect of the pre-application notification, whilst your officers provided planning guidance which is consistent with the above recommendation.

Compliance with Public Exposure Guidelines

22 The application is accompanied by a self-certified declaration of conformity with the public exposure guidelines. Government guidance is explicit that Local Planning Authorities must determine applications on planning grounds only and should not determine health safeguards if the proposal meets with public exposure guidelines. This declaration states that the proposed monopole:

“is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP), as expressed in an EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (0Hz to 300 GHz).”

As a declaration of compliance with the international guidelines has been submitted, no weight can be attributed to any objection on health grounds.

Justification for Site Selection

23 The local planning authority cannot question the need for the service only make a decision based upon the siting and appearance of the required infrastructure. However by way of background, the applicant who is working in partnership with the council to provide a 4G network providing the ability to deploy multiple 20Mhz channels to meet rapidly growing wireless data demands states that the proposed 4G broadband service is based on a network of radio stations. For operational reasons, these have to be situated in relatively high locations such as on tall buildings and located close to the projected customer. For this reason the use of lamp columns or shorter monopole structures below the heights of surrounding buildings is not technically feasible. These base stations typically consist of a set of antennas and one or more small equipment cabinets, which are connected to the wider network by transmission dishes or fibre-optic cables.

24 The applicant advises that when selecting base station sites, use is made of existing telecommunication sites in the first instance when this will achieve the required network coverage. However where no such structures exist, as in this case a new mast or street works style installation will be required. This is fully in line with the government's guidance on site selection.

25 The technical constraints affecting the siting of the proposed base station including the limited range of customer reach is necessitating the installation of a network of several masts within the Priory Vale, St. Andrew's wards and in this case falling just within the Haydon Wick ward together with the requirement for subscribers to have antennas installed on their properties within view of the masts. This present site has been selected as an alternative location to a previous site further north west in Eastbury Way which was both recommended for refusal and refused by the Planning Committee in February 2016 on siting and appearance grounds. As a consequence this has resulted in the selection of monopole sites in four new locations within North Swindon leading in a net increase in masts overall from five to six, four of which are to be discussed on this agenda with a further two in respect of a siting at Redhouse Way and one at Cassini Drive in Oakhurst now being the subject of planning appeals. However the committee is advised that whilst this proposal will form part of a wider network, this specific application at Thamesdown Drive and the footway leading to Gaynor Close must be considered in isolation from any others and determined on its own merits.

26 Taking the above into account it is considered that the applicant has demonstrated that where there had been technical potential to locate the proposed monopole on an alternative site to that now proposed, all were deemed inappropriate for reasons including highway safety, proximity to even more properties than at present and would have had an even greater visual impact as was deemed to be the case in respect of five previous proposals which were refused by the planning committee.

Appearance

27 The proposal will comprise the erection of a 15 metre high monopole with a minimum

diameter of 300mm and a maximum diameter of 500mm at its highest point. Monopoles and their associated cabinets have a utilitarian function as part of delivering communication services, in this case the provision of superfast wireless broadband which will be of benefit to the local community. However despite their relative height, monopoles are generally an accepted part of urban street furniture, whether they are for providing broadband services or mobile phone services, just like other infrastructure such as street lighting columns, the nearest comparable tall structure within an urban environment which within this road corridor, a classified dual carriageway are approximately 12 metres high and frequent in number. Many similar structures are familiar objects within the streetscene across the borough and the country. The impact of their appearance can be minimised, as with this application by ensuring that the structure attempts to be as inconspicuous as possible through its colour (grey) and finish (matt).

28 It is not considered that there will be any residential properties that will be directly affected by the appearance of this infrastructure. The nearest residential property is in March Close and is approximately 30 metres to the south of the installation but significantly obscured by a substantial band of landscaping that frames the southern side of the Thamesdown Drive road corridor. There is similar mature landscaping along the northern edge of the highway which similarly provides a significant screen from the nearest residential properties 50 metres north Tarka Close. On that basis it is considered that the presence of the monopole in the proposed location will not cause any visual intrusion to nearby residential properties as it will not be seen and will therefore cause no harm to amenity.

29 The cabinets are at low level and modest in size and will only be seen from certain positions or close up and will have no more of an overall visual impact than any other conventional street cabinet associated with traffic signals or telephone systems for example.

Siting

30 The applicant has sought to site the monopole and equipment on the back of the footpath. The highways officer is satisfied that there will no highway safety implications in the siting of the monopole in this proposed location. Maintenance vehicles will not be permitted to stop and park on Thamesdown Drive without the agreement of the Local Planning Authority but this would be a separate matter outside the scope of planning legislation.

31 The proposed siting has enabled the applicant to attempt where technically possible to minimise the impact of the pole by placing it close to the mature landscaping rather than in the verge where it would be much more prominent within the wider highway corridor. The structures do not fall within the notional crown spread of any trees within that landscaped buffer so will not cause any harm to that adjacent foliage.

32 It is considered that this location would not be visually harmful nor would it cause any unreasonable depreciation to the local environment in the context of its built and landscaped surroundings. Whilst a children's play area is located 90 metres to the south east, as is discussed in paragraph 22 above, health considerations or any concerns regarding exposure simply cannot be taken into account and any refusal of prior approval for this reason could lead to an application for costs against the council should the proposal be

taken to appeal.

Concluding Comments

33 The proposed monopole may appear prominent in the immediate locality on first installation given its height but as with other such structures, to those who are initially made aware of its presence it will become an accepted and likely tolerated part of the urban streetscene. On that basis it is not considered that the proposed monopole and associated equipment will be detrimental in visual terms to the amenities of the local area, the quality of the streetscene or residents living close to the site in its wider urban and landscaped context. The applicant has demonstrated that there is a technical need for the structure in this location with no existing sites available within the required area of coverage as part of the wider network to share facilities and no other suitable new site being available without causing highway safety issues or having an even greater visual impact. The siting has been justified by virtue of the previous refusal of five prior approval applications in other locations across north Swindon. In planning terms and in the wider public interest of enabling significantly improved broadband services to be rolled out across the wider community, the proposal is in accordance with national and local policy and is considered to be an appropriate site.

34 Therefore in **pure planning terms** given the national and local planning policy requirements to encourage and support proposals that can secure and deliver broadband facilities to communities and as this application has to be determined by the 3rd August, if there were any perceived negative effects with regards the siting and appearance close up to the structure, this should be outweighed by the much wider public benefits that the facility will bring to this part of North Swindon.

Recommendation:

That prior approval is REQUIRED and **GIVEN**.

Conditions

This decision shall be in respect of drawings SWI2015A 100 issue A, 101 issue A and 102 issue A, dated 03.05.16 and the following supporting documents:

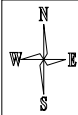
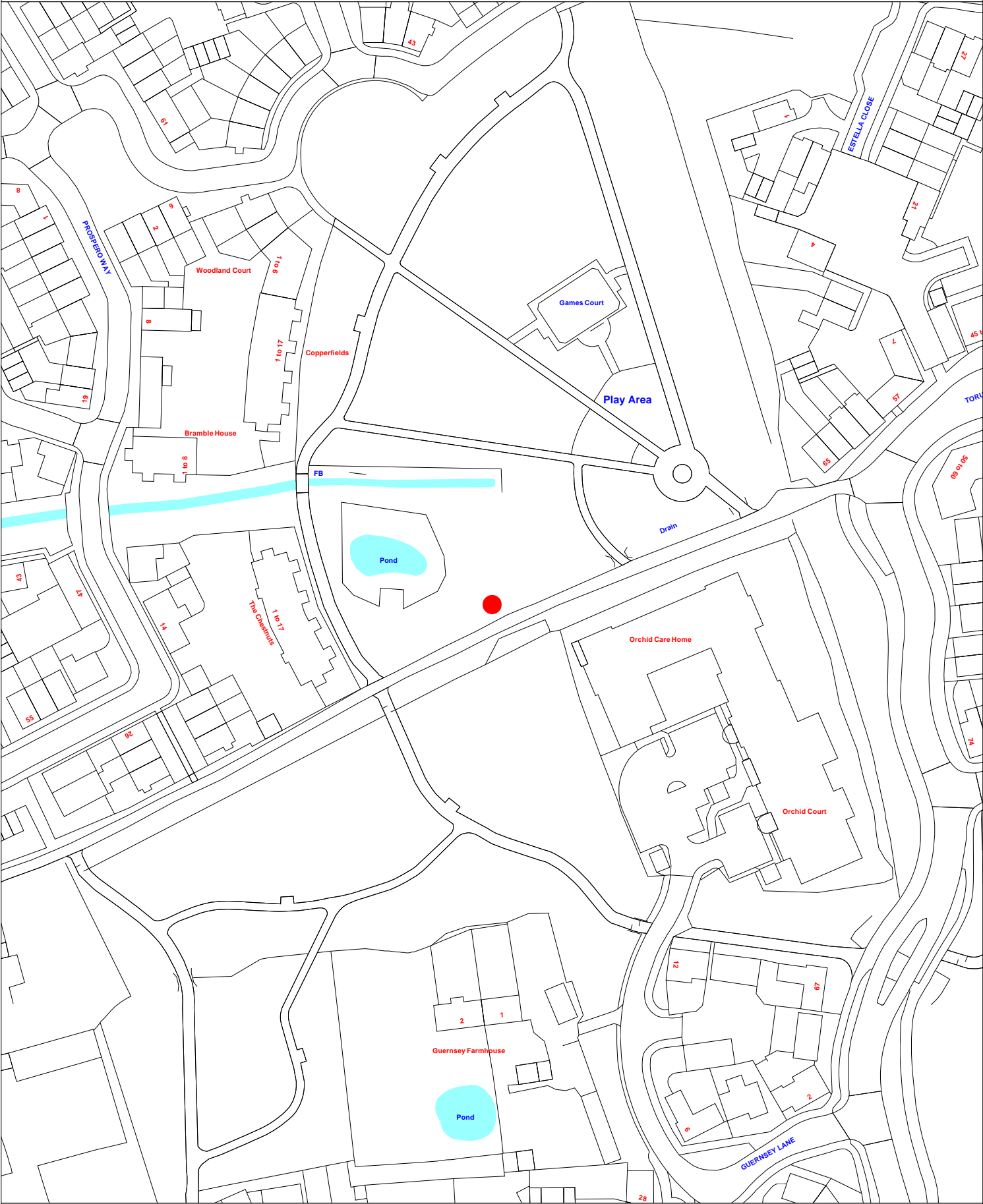
- Design, Access and Supporting Statement
- Statement of ICNIRP compliance
- Supplementary information

All documents were received by the Local Planning Authority on 8th June 2016.

End of Report

Prior Notification application for the erection of a 15 metre high monopole, radio equipment cabinet, electricity meter cabinet and ancillary works.

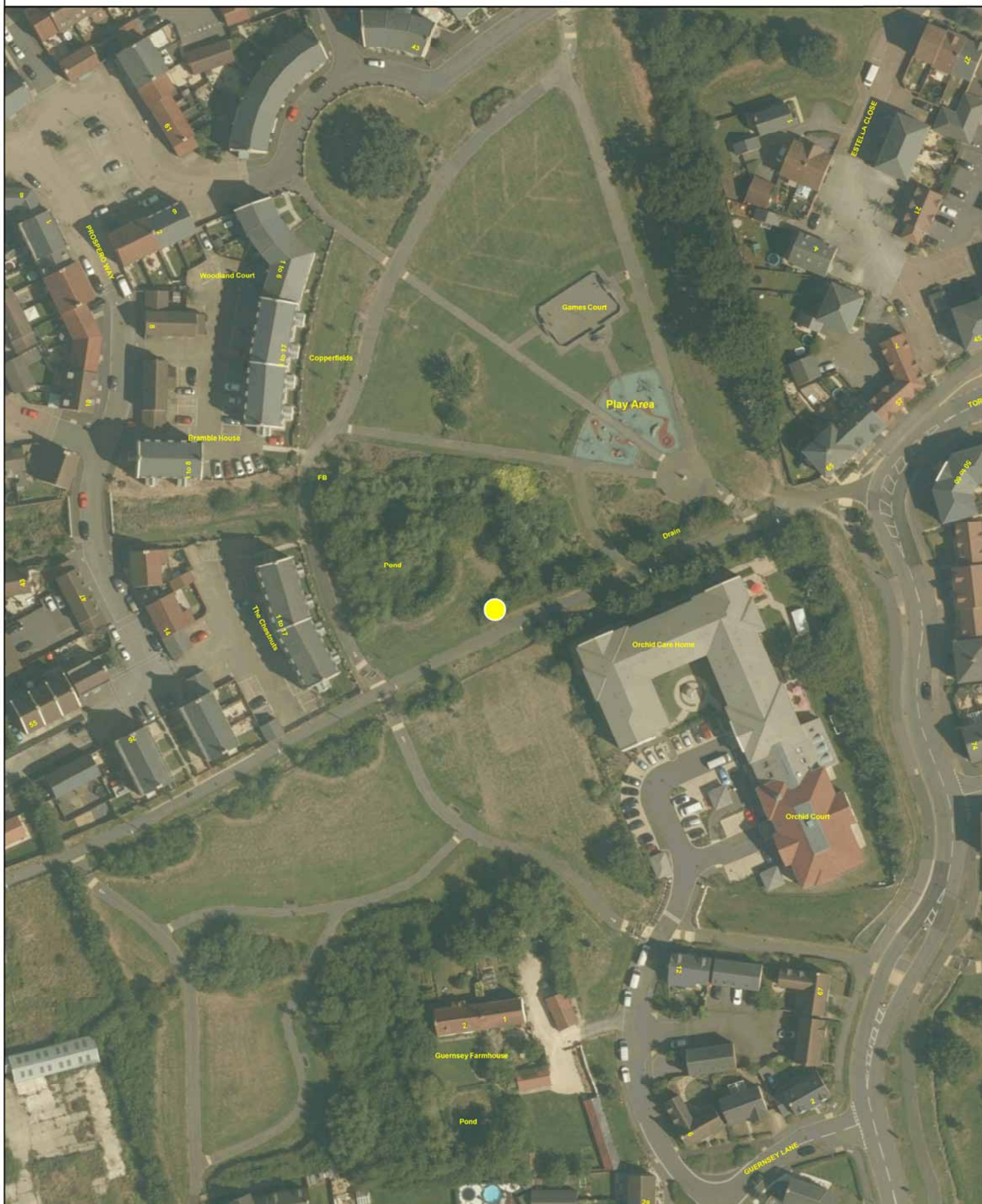
Land At Haydon End Lane Swindon



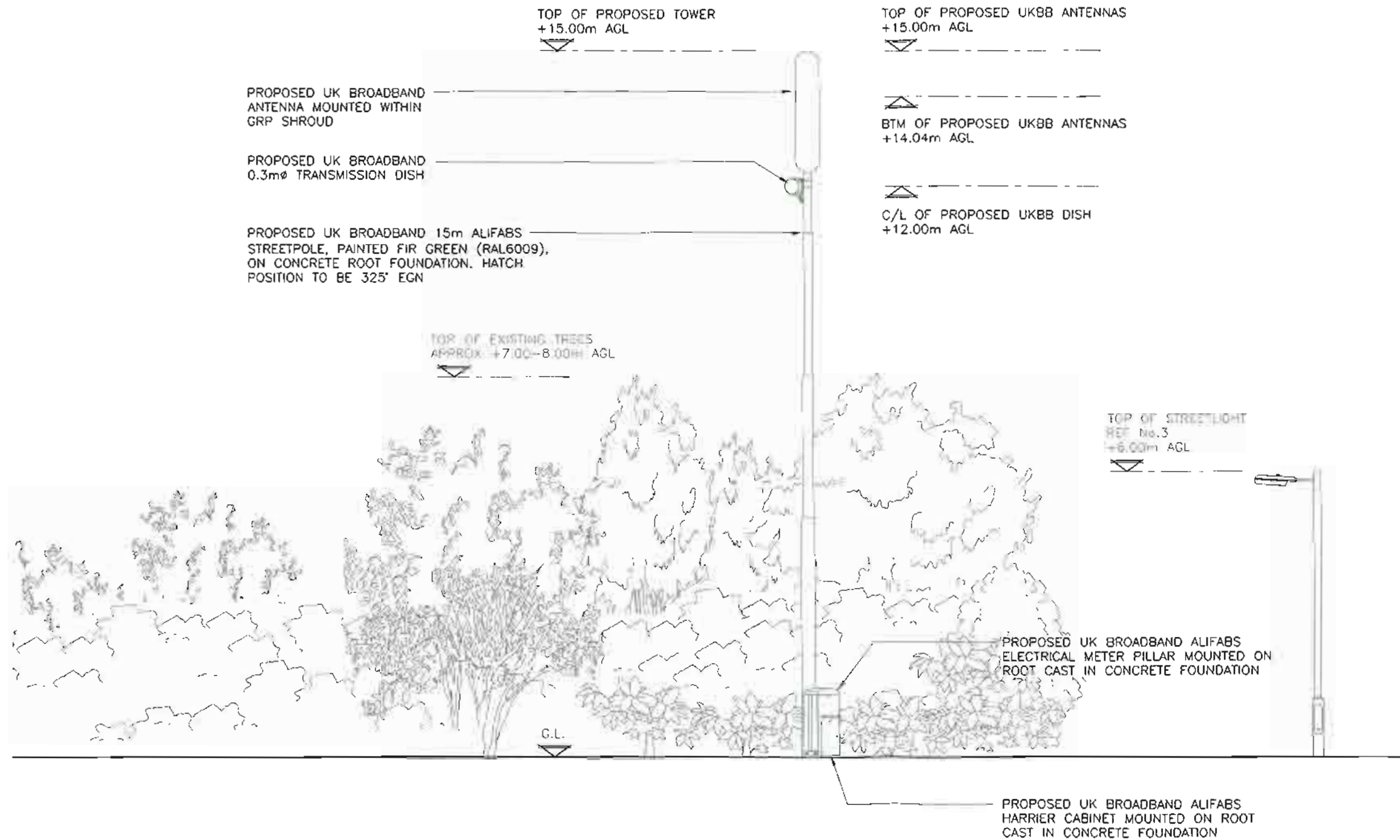
This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.

Prior Notification application for the erection of a 15 metre high monopole, radio equipment cabinet, electricity meter cabinet and ancillary works.

Land At Haydon End Lane 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.



PROPOSED ELEVATION 'A'
(1:100)

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R. E:412639 N:188648

08 JUN 2016

S/TC116/1040

REV	MODIFICATION	BY	CH	DATE
A	Issued for Approval	PL	AK	04.05.16

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Site Name	Opt.
HAYDON FARM	A
Site ID No	
SWI2004B	
Site Address / Contact Details	
HAYDON END LANE SWINDON WILTS SN25 1ST	

Drawing Title:		PROPOSED ELEVATION 'A'	
Purpose of issue:		PLANNING	
Drawing Number:		102	
Surveyed By: AK/ESS		Original Sheet Size: A3	Issue: A
Drawn: PL	Date: 04/05/16	Checked: AK	Date: 04/05/16

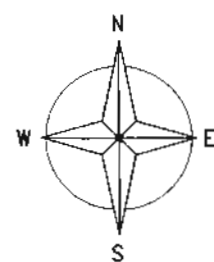


SITE LOCATION (Scale 1:50000)

Ordnance Survey map extract
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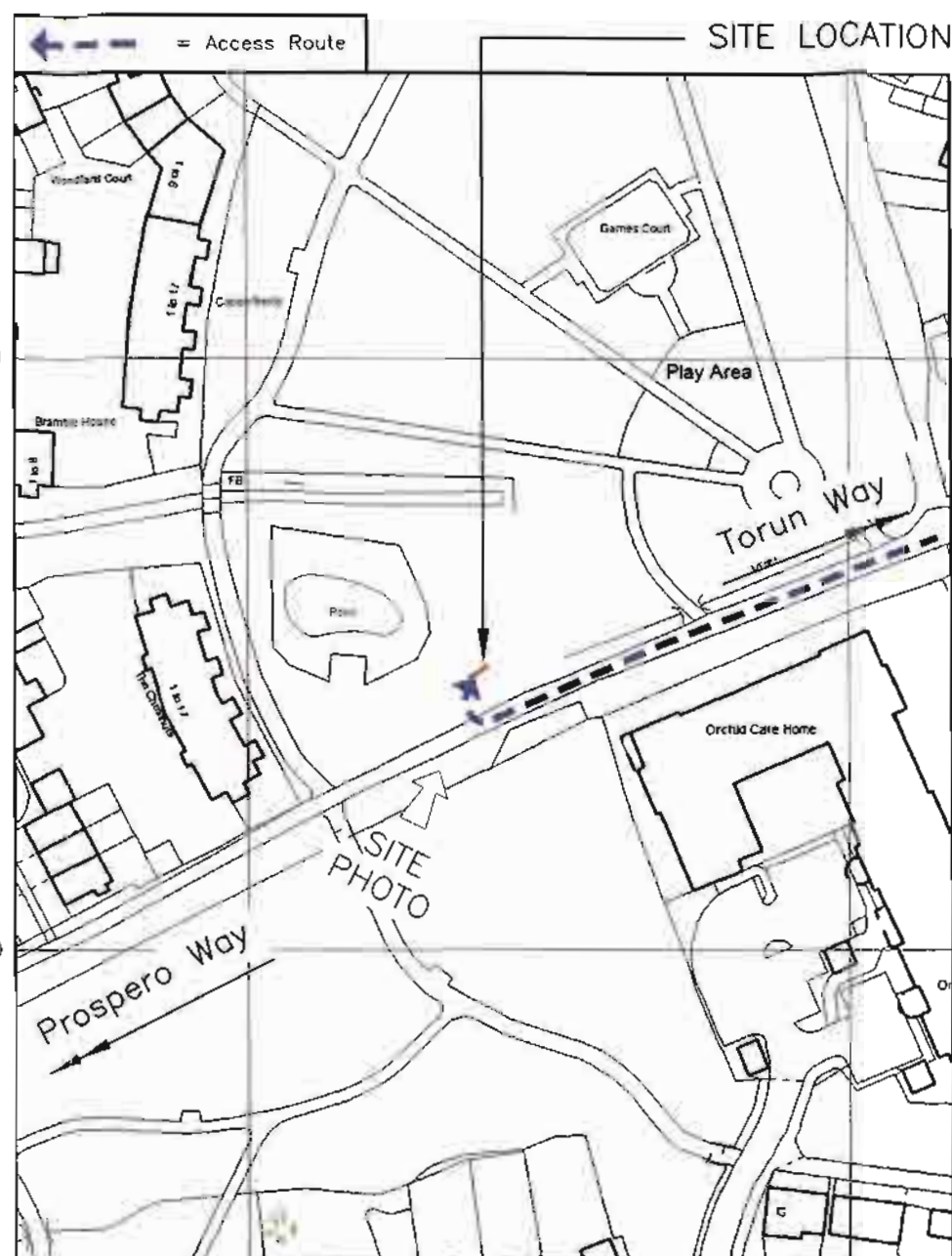


SITE PHOTOGRAPH



1887.00

1886.00



4126.00

4127.00

DETAILED SITE LOCATION (Scale 1:1250)

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N.G.R. E:412639 N:188648

NOTES:



SITC1161040

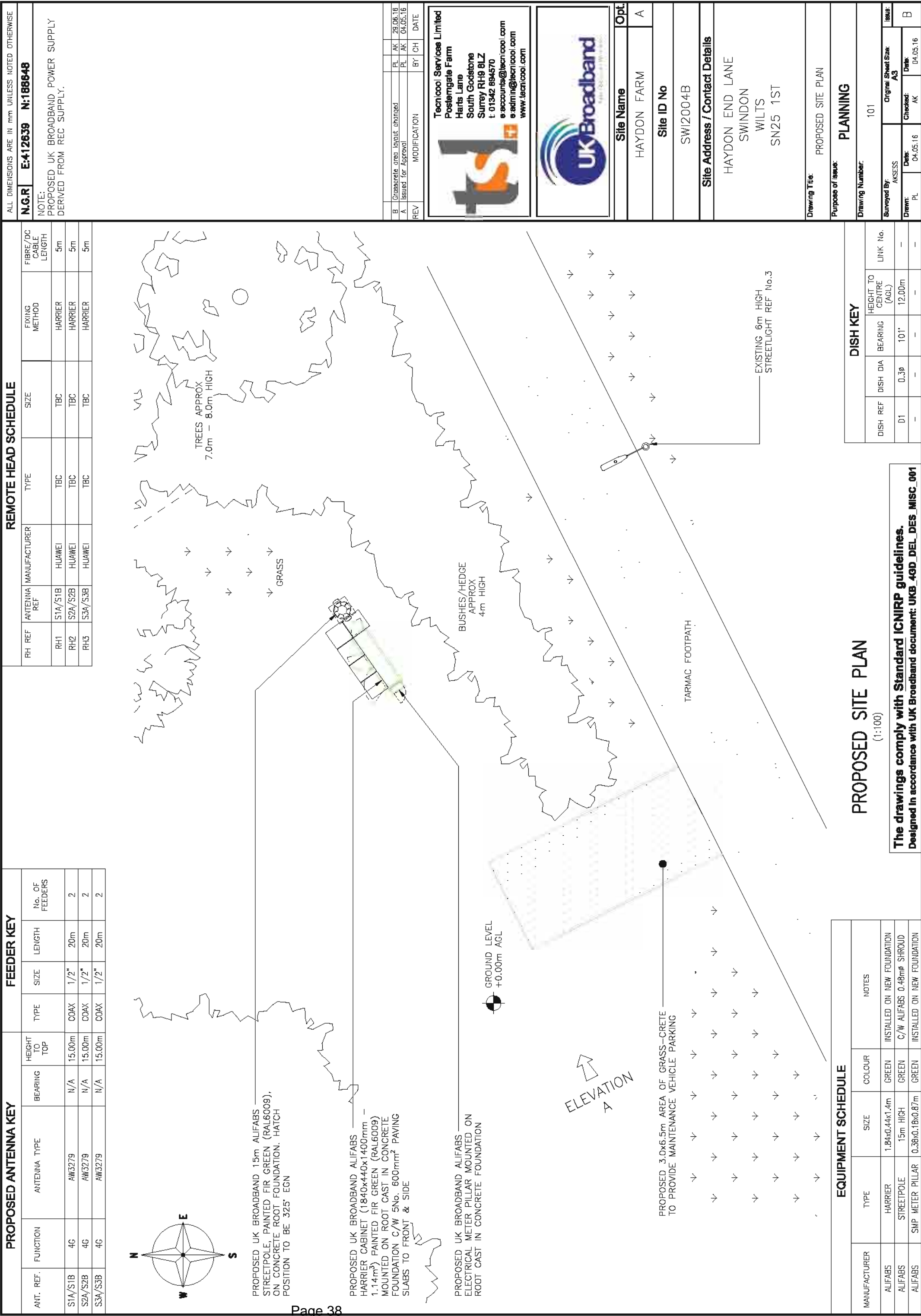
REV	MODIFICATION	BY	CH	DATE
A	Issued for Approval	PL	AK	04.05.16



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Site Name	Opt.
HAYDON FARM	A
Site ID No	
SWI2004B	
Site Address / Contact Details	
HAYDON END LANE SWINDON WILTS SN25 1ST	

Drawing Title:		SITE LOCATION MAPS	
Purpose of Issue:		PLANNING	
Drawing Number:		100	
Surveyed By: AK/ESS		Original Sheet Size A3	
Drawn: PL	Date: 04.05.16	Checked: AK	Date: 04.05.16



ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE															
N.G.R		E:412639 N:188648													
NOTE: PROPOSED UK BROADBAND POWER SUPPLY DERIVED FROM REC SUPPLY.															
REV		MODIFICATION				BY		CH		DATE					
B		Grasscrete area layout changed				PL		AK		29.06.16					
A		Issued for Approval				PL		AK		04.05.16					
<div><div></div><div><p>Technicol Services Limited Posterngate Farm Harts Lane South Godstone Surrey RH9 8LZ t: 01342 894570 e: accounts@technicol.com e: admin@technicol.com www.technicol.com</p></div></div>															
Site Name		HAYDON FARM										Opt.		A	
Site ID No		SWI2004B													
Site Address / Contact Details															
HAYDON END LANE SWINDON WILTS SN25 1ST															
Drawing Title:		PROPOSED SITE PLAN													
Purpose of issue:		PLANNING													
Drawing Number:		101													
Surveyed By:		AK/SSS		Original Sheet Size:		A3		Issue:		B					
Drawn:		PL		Date:		04.05.16		Checked:		AK		Date:		04.05.16	

PROPOSED SITE PLAN
(1:100)

The drawings comply with **Standard ICNIRP** guidelines.
Designed in accordance with **UK Broadband** document: **UKB_4GD_DEL_DES_MISC_001**

EQUIPMENT SCHEDULE				DISH KEY	
MANUFACTURER	TYPE	SIZE	COLOUR	NOTES	
ALIFABS	HARRIER	1.84x0.44x1.4m	GREEN	INSTALLED ON NEW FOUNDATION	LINK No.
ALIFABS	STREETPOLE	15m HIGH	GREEN	C/W ALIFABS 0.48mØ SHROUD	HEIGHT TO CENTRE (AGL)
ALIFABS	SMP METER PILLAR	0.38x0.18x0.87m	GREEN	INSTALLED ON NEW FOUNDATION	BEARING
					DISH DIA
					DISH REF
					D1
					0.3Ø
					101°
					12.00m
					—
					—



COMMITTEE REPORT

Item Number: 8

Ward: Priory Vale

Application Number: S/TC/16/1040

Parish: Haydon Wick

Proposal: Prior notification application for the erection of a 15 metre high monopole, radio equipment cabinet, electricity meter cabinet and ancillary works.

Site Location: Land at Haydon End Lane, Swindon

Case Officer: Ian Halsall

Agent:

Mr Chris Andrews
Waldon Telecom Ltd
Phoenix House
Pyrford Road
West Byfleet
Surrey
KT14 6RA

Applicant:

UK Broadband Ltd
c/o Agent

Officers Report

Background:

i This application has been brought before planning committee at the request of Councillor Tomlinson owing to public interest that a number of similar proposals relating to the roll out of infrastructure associated with the SuperfastSwindon superfast broadband network across the borough has generated.

ii In addition to this application there are a further three applications on this agenda which generate the same planning issues. These include a second application in Priory Vale ward at land at the junction of Thamesdown Drive and Torun Way in Haydon End (application number S/TC/16/1038); within Haydon Wick ward at land at the junction of Thamesdown Drive and the footpath leading to Gaynor Close in Abbey Meads (application number S/TC/16/1042); and within St. Andrews ward at land at Tadpole Lane, Blunsdon St. Andrew (application number S/TC/16/1070).

iii It is important that the committee takes note that this and the other three applications, which are proposed as part of securing the delivery fourth generation superfast wireless broadband to communities across the borough based on a network of radio base stations, are for **PRIOR APPROVAL** and not full planning permission. Statutory Instrument 2015 No.596, the Town and Country Planning (General Permitted Development) (England) Order 2015 gives deemed planning permission as the height of the monopoles and in the case of Tadpole Lane a short lattice tower and associated cabinets fall below the threshold criteria

requiring the submission of a full planning application. However the prior approval of the local planning authority is still required as to the **siting** and **appearance** only.

iv As the local planning authority has considered that prior approval is required for the siting and appearance of the development, the applicant must receive notification of its decision within 56 days of the date in which the application is received. Failure to issue a decision within the requisite period will result in approval being given by default. The 56 day period will expire on the 3rd August 2016. Owing to the committee timetable, it is only possible to consider this application at the July committee. The agenda will go to print before the end of the statutory 21 day public consultation period, which is the 6th July. Any representations received after going to print will be reported verbally to the committee.

v Consultation has been carried in accordance with the procedure agreed by the planning committee which is wider than required by legislation. This includes notifying all properties within a 100 metre radius of the proposed equipment.

vi The development will assist delivery of the government standard superfast broadband coverage to all commercial and domestic premises in the borough by 2017, which is a Priority Pledge within the Vision for Swindon.

Summary of Recommendation:

1 That the prior approval of the local planning authority is REQUIRED and is **GIVEN**.

The Proposal:

2 This application seeks prior approval under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 for the installation of a 15 metre high grey galvanised steel slim line monopole with a 2.5 metre long fibre glass shroud at its top, a 300 millimetre transmission dish at a height of 12.5 metres above ground level, an associated green cabinet 0.5 metres to the south west of the pole measuring 1.85 metres in width, 500mm in depth and 1.4 metres in height, and an adjacent air conditioning cabinet measuring 350mm in length, 200mm in depth and 950mm high. The equipment will be mounted on a concrete base. A grasscrete surface measuring 6.5 metres by 3 metres will be located adjacent to Haydon End lane to provide a parking place for maintenance vehicles.

3 The development is to provide superfast broadband services to the local area and the installation will have a coverage radius of approximately 500m offering coverage over parts of central and western Redhouse and Haydon End and Taw Hill. The service will be available to subscribers who can install a receiver on their property within range and sight of the pole.

The Site and Surroundings:

4 The equipment will be installed within a grassed area just 6.5 metres to the north of Haydon End Lane which is a designated footway and cycle route where motorised vehicles

are restricted access for access. The pole and cabinet will be positioned in a small clearing amongst landscaping comprising bushes and hedgerow of some 4 metres in height and trees of some 7 to 8 metres in height.

5 The site falls within an extensive landscaped corridor which links Havisham Drive to the north towards Queen Elizabeth Drive to the south west and comprises a neighbourhood play area and games court some 70 to 80 metres to the north east with residential properties, numbers 1 to 17 The Chestnuts being located approximately 40 metres to the west. The northern elevation of the Orchid Care Home fronts onto Haydon End Lane some 25 metres to the south east. The Grade II listed Guernsey Farm is located over a 100 metres due south with the listed Haydon End Farm located approximately 300 metres further to the south west.

Representations:

6 Parish Council: Haydon Wick Parish Council's comments are still to follow.

7 Neighbours: No representations have been received as the agenda goes to print. The consultation expiry date is the 6th July so any representations will be reported verbally to the committee.

Planning Considerations:

Legislative Background

8 Schedule 2, Part 16, Class A of the General Permitted Development Order (GPDO) "Communications - Electronic Communications Code Operators", requires the applicant, who is a code system operator to apply to the local planning authority for a determination as to whether approval of the siting and appearance of their development is required under their "permitted development" rights.

9 The local planning authority considers that prior approval is required for the siting and appearance of the development, and must notify the applicant of its decision within 56 days of the date in which the application is received. Failure to issue a decision within the requisite period will result in approval being given by default. The 56 day period will expire on the 3rd August 2016.

10 It is therefore important to note that the prior approval process is separate and distinct from a development that requires express planning permission as the considerations are limited only to those of siting and appearance and the full weight of the Local Plan does not apply.

National Planning Policy Framework

11 Paragraph 21 of the National Planning Policy Framework (NPPF), 2012 which carries significant weight in making planning decisions advises that local planning authorities should plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries. Paragraph 42 emphasises that

high quality communications infrastructure is essential for sustainable economic growth and affirms that the development of high speed broadband technology and other communications also play a vital role in enhancing the provision of local community facilities and services.

12 The NPPF encourages local planning authorities to support the expansion of electronic communication networks including telecommunications and high speed broadband (paragraph 43). It states that the numbers of masts and the sites for such installations should be kept to a minimum, whilst sites need to be justified and sympathetically designed and camouflaged where appropriate.

13 The NPPF (paragraph 45) further states that applications for telecommunication development, **including those for prior approval** *[planning officer's emphasis]* should be supported by the necessary evidence to justify the proposed development. Applications should include the following:

- The outcome of consultation with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college.
- A statement that self certifies that the cumulative exposure, when operational, will not exceed International Commission on Non-ionising Radiation Protection guidelines (known as an "ICNIRP declaration").
- Evidence that the applicant has explored the possibility of erecting equipment on existing buildings, masts or other structure before selecting the proposed site.

14 The NPPF (paragraph 46) emphasises that local planning authorities must determine applications on planning grounds and should not seek to prevent competition between different operators, nor should it question the need for the system or determine health safeguards if the proposal meets the aforementioned International Commission guidelines for public exposure.

The Swindon Borough Local Plan (2026) as a material consideration

15 For the purpose of determining this prior approval application, in accordance with section A.3 (3) of Part 16 of the General Permitted Development Order, consideration can only be given to the **siting and appearance** of the development. However despite the fact that the policies in the Local Plan do not apply in the same way as they would in the case of an application for planning permission, in the determination of this prior approval application, the general principles of the policies of the Swindon Local Plan 2026 can still be used to guide the Local Planning Authority as to the suitability of the proposal in terms of its siting and appearance. Therefore the following policies are of relevance and can be used to inform the Council in its determination of the siting and appearance of this development.

16 Policy SD1 (Sustainable Development Principles) states in enabling the delivery of sustainable development and supporting sustainable communities, relevant to this proposal, development proposals should be of a high quality design, respect conserve, and / or enhance the natural built and historic environments and provide or contribute to the assessed local and borough wide infrastructure and service requirements.

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surrounding area and proposals should only be supported if the siting and any other additional equipment does not unduly detract from the appearance of the surrounding area or form an adversely intrusive addition to the streetscene. Secondly, the policy states that the amenity of any neighbouring sites should not be unacceptably harmed by the proximity of the proposal. Thirdly, the policy states that the colour and profile of the equipment should be sympathetic to the site's surroundings and the size of the development should be kept to a technical minimum to ensure any adverse impact on the environment is minimised. Policy IN3 further notes that the Plan is supportive of proposals that make provision to incorporate super-fast broadband.

18 Policy DE1 (High Quality Design) requires proposals to be assessed in respect of their context and character, particularly with regards to existing built characteristics and acknowledged features of importance such as trees. Consideration should also be given to the siting, orientation, scale amongst other criteria when considering the layout form and function of the development. Furthermore and again relevant to this proposal consideration should be given to the amenity implications of the proposal in terms of outlook.

19 Based on the principle of siting, highway safety factors are also a consideration and the guiding principle to inform the council as to the suitability of the monopole and ancillary equipment. This is considered under policy TR2 (Transport and Development) which states that proposal should not be detrimental to highway safety and local amenity with regards the scale, type and location of the development in question.

Outcome of Pre-Application Consultation

20 The submitted Design, Access and Supporting Statement sets out the pre-application consultation that the applicant undertook prior to the submission of their application in accordance with the requirements of the NPPF. The ward members representing Priory Vale and Haydon Wick parish council were consulted by email on the 25th May 2016. Discussions were also held with planning and highway officers.

21 The applicants have advised that no formal responses were received in respect of the pre-application notification whilst your officers provided planning guidance which is consistent with the above recommendation. The applicant was advised that the application would have to demonstrate that the proposed siting and its appearance should in no way harm the setting and special interest of the listed Guernsey Farm and Haydon End Farm to the south of Haydon End Lane.

Compliance with Public Exposure Guidelines

22 The application is accompanied by a self-certified declaration of conformity with the public exposure guidelines. Government guidance is explicit that Local Planning Authorities must determine applications on planning grounds only and should not determine health safeguards if the proposal meets with public exposure guidelines. This declaration states that the proposed monopole:

"is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP), as expressed in an EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic

fields (0Hz to 300 GHz)."

As a declaration of compliance with the international guidelines has been submitted, no weight can be attributed to any objection on health grounds.

Justification for Site Selection

23 The Local Planning Authority cannot question the need for the service only make a decision based upon the siting and appearance of the required infrastructure. However by way of background, the applicant who is working in partnership with the Council to provide a 4G network providing the ability to deploy multiple 20Mhz channels to meet rapidly growing wireless data demands states that the proposed 4G broadband service is based on a network of radio stations. For operational reasons, these have to be situated in relatively high locations such as on tall buildings and located close to the projected customer. For this reason the use of lamp columns or shorter monopole structures is not technically feasible. These base stations typically consist of a set of antennas and one or more small equipment cabinets, which are connected to the wider network by transmission dishes or fibre-optic cables.

24 The applicant advises that when selecting base station sites, use is made of existing telecommunication sites in the first instance when this will achieve the required network coverage. However where no such structures exist, as in this case a new mast or street works style installation will be required. This is fully in line with the government's guidance on site selection.

25 The technical constraints affecting the siting of the proposed base station including the limited range of customer reach is necessitating the installation of a network of several masts within the Priory Vale and St. Andrew's wards together with the requirement for subscribers to have antennas installed on their properties within view of the masts. This present site has been selected as an alternative location to a previous site further west in Aiken Road which was refused by the Planning Committee in February 2016. As a consequence this has resulted in the selection of monopole sites in new locations within North Swindon leading in a net increase in masts overall from five to six, four of which are to be discussed on this agenda with a further two in respect of a siting at Redhouse Way and Cassini Drive now being the subject of planning appeals. However the committee is advised that whilst this proposal will form part of a wider network, this specific application on land in Haydon End Lane must be considered in isolation from any others and determined on its own merits.

26 Taking the above into account it is considered that the applicant has demonstrated that where there had been technical potential to locate the proposed monopole on an alternative site to that now proposed, all were deemed inappropriate for reasons including highway safety, proximity to heritage assets, proximity to even more properties than at present and would have had an even greater visual impact, as was deemed to be the case in respect of five previous proposals which were refused by the planning committee.

Appearance

27 The proposal will comprise the erection of a 15 metre high monopole with a minimum diameter of 300mm and a maximum diameter of 500mm at its highest point. Monopoles and

their associated cabinets have a utilitarian function as part of delivering communication services, in this case the provision of superfast wireless broadband which will be of benefit to the local community. However despite their relative height, monopoles do tend to be an accepted part of urban street furniture whether they are providing broadband services or mobile phone services, just as other infrastructure such as street lighting columns. The nearest comparable tall structure will be the 6 metre high lamp columns which in this case will be more than half the height of the proposed antenna. Many similar structures are familiar objects within the streetscene across the borough and the country. The impact of their appearance can be minimised, as with this application by ensuring that the structure attempts to be as inconspicuous as possible through its colour (grey) and finish (matt).

28 The cabinets are at low level and modest in size and will only be seen from certain positions or close up and will have no more of an overall visual impact than any other conventional street cabinet associated with traffic signals or telephone systems for example.

Siting

29 The applicant has demonstrated that there is no suitable alternative site for the proposed monopole which is a vital component in creating a unified network across North Swindon. The applicant has sought to site the monopole and equipment some 6 metres from the edge of Haydon End Lane. However the parking space to serve the structure will be located immediately adjacent to the lane. As pedestrians and cyclists have priority along this route, the highways officer was initially concerned that the location of the parking space for maintenance vehicles was not satisfactorily positioned because it was parallel with the lane and could have encouraged vehicles to simply continue their journeys westwards towards Queen Elizabeth Drive for convenience. The applicant has now amended the position of the space and moved this around by 90 degrees in order that any vehicle will turn in and reverse out of the space, or vice versa to encourage them to return to the point of entry at Torun Way some 90 metres east beyond the Orchid Care Home.

30 The surrounding area is considered to be a little more sensitive in terms of its proximity to residential properties and the adjacent play areas and open space, but the trees and foliage around the lower and middle parts of the mast will go some way to help screen the mast and cabinets from views from the north and east in particular. Although the mast will be more visible than within an highway corridor setting, your officers do not consider that the structure as proposed would be so visually intrusive, given that the nearest properties facing towards the site are some 40 metres away to the west with the care home being at least 25 metres to the south east but with no windows having any direct line of site towards the structure. It is therefore considered that the monopole will not cause any significant harm to the outlook of local residents nor will it unacceptably affect their present levels of enjoyment and appreciation of the surrounding area, including wider the setting of the local park or the wider suburban landscaped when viewed in context and as a whole.

31 An assessment has been made as to whether the proposed infrastructure could have any impact upon the nearest listed buildings which are located over 100 metres to the south of Haydon End Lane and your officers are satisfied that there will be no negative impact caused by the installation on those heritage assets.

Concluding Comments

32 The proposed monopole may appear prominent on first installation given its height but as with other such structures, to those who are initially made aware of its presence it will become a tolerated part of the local environment. It is not considered that the proposed monopole and associated equipment will be detrimental in visual terms to the amenities of the local area, the quality of the surrounding parkland setting or residents living close to the site in its wider context. The applicant has demonstrated that there is a technical need for the structure in this location with no existing sites available within the required area of coverage as part of the wider network to share facilities and no other suitable new site being available without causing highway safety issues or having an even greater visual impact. The siting has been justified by virtue of the previous refusal of five prior approval applications in other locations across north Swindon. The siting has been justified by virtue of the previous refusal of five prior approval applications in other locations across north Swindon. In planning terms and in the wider public interest of enabling significantly improved broadband services to be rolled out across the wider community, the proposal is in accordance with national and local policy and is considered to be an appropriate site.

33 Therefore in **pure planning terms** given the national and local planning policy requirements to encourage and support proposals that can secure and deliver broadband facilities to communities and as this application has to be determined by the 3rd August, if there are any perceived negative effects with regards the siting and appearance, this should be outweighed by the wider public benefits that the facility will bring to central Redhouse and eastern and central Haydon End.

Recommendation:

That Prior Approval is REQUIRED and **GIVEN**.

Conditions

This decision shall be in respect of drawings SWI2004B 100 issue A and 102 issue A, dated 04.05.16 and the following supporting documents:

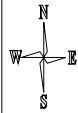
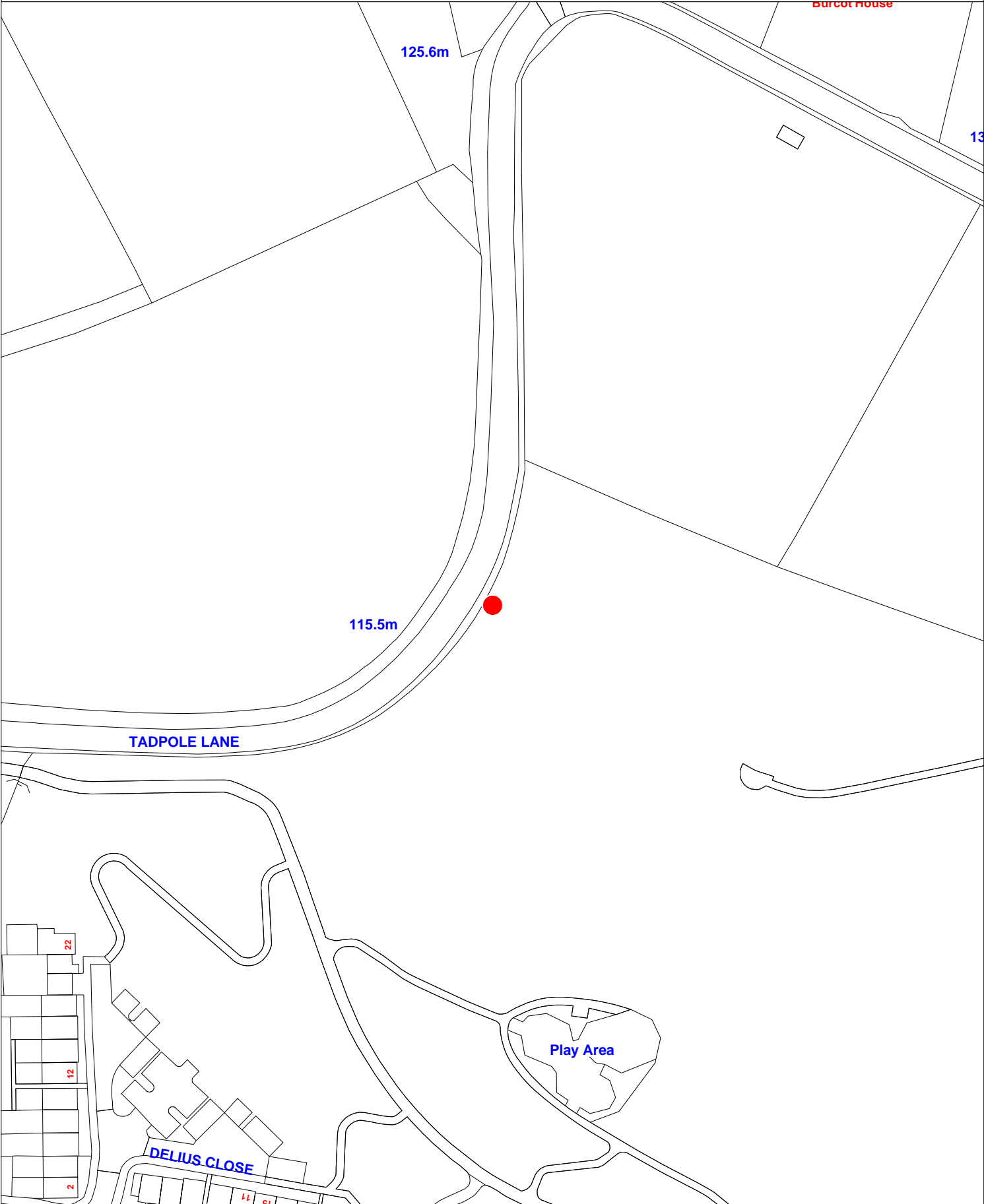
- Design, Access and Supporting Statement
- Statement of ICNIRP compliance
- Supplementary information

received by the Local Planning Authority on the 8th June 2016 and drawing SWI2004B 101 issue B, dated 04.05.16 and received on the 29th June 2016.

End of Report

Prior notification application for the erection of a 8meter high lattice tower, equipment cabinets and associated works.

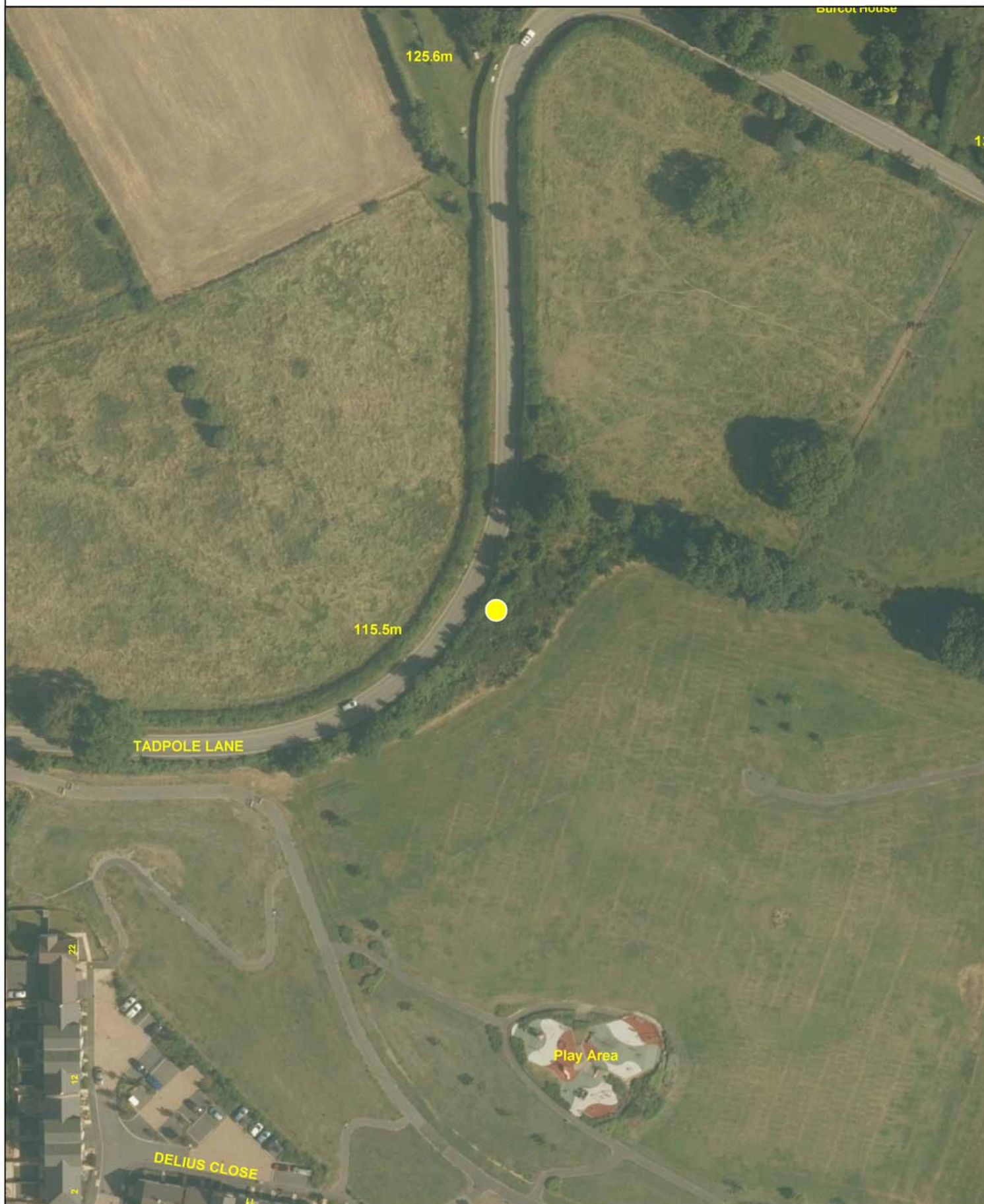
Land At Tadpole Lane Blunsdon Swindon Wilts



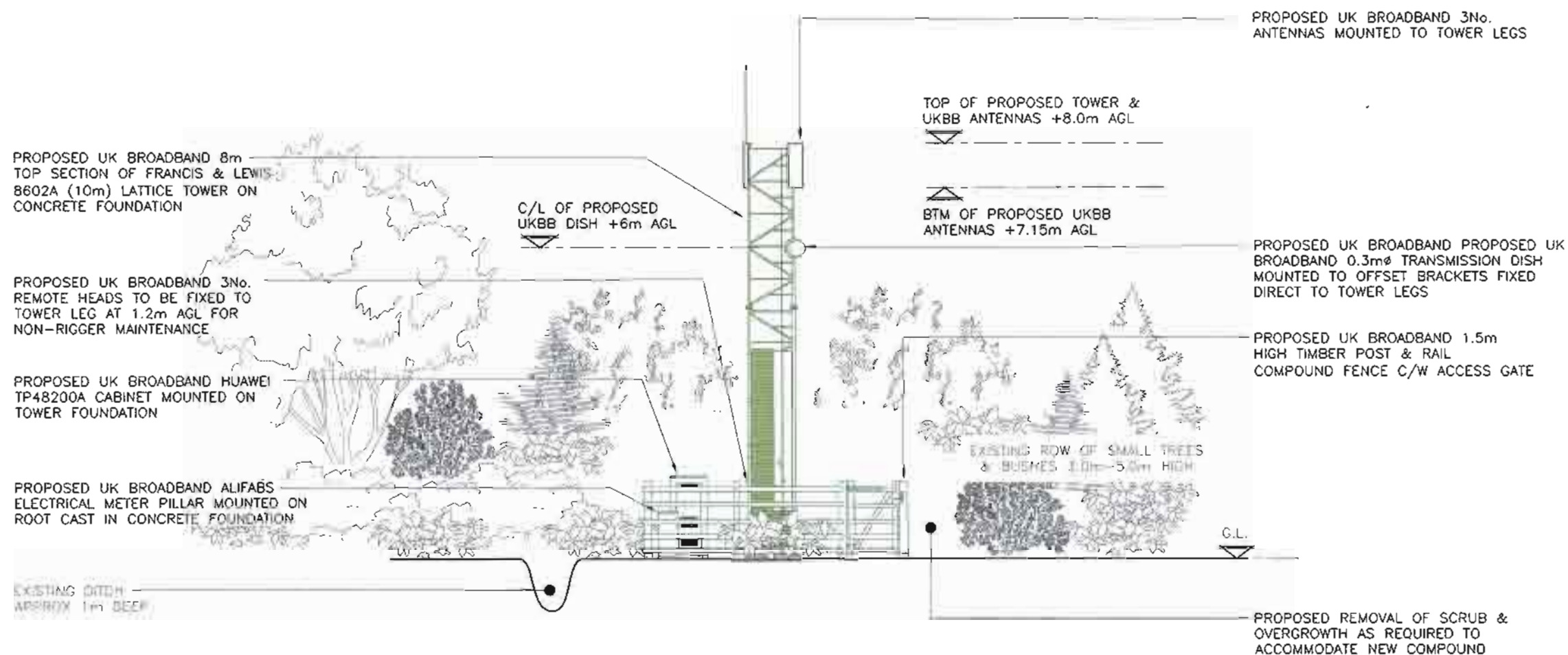
This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.

Prior notification application for the erection of a 8meter high lattice tower,
equipment cabinets and associated works.

Land At Tadpole Lane Blunsdon Swindon Wilts



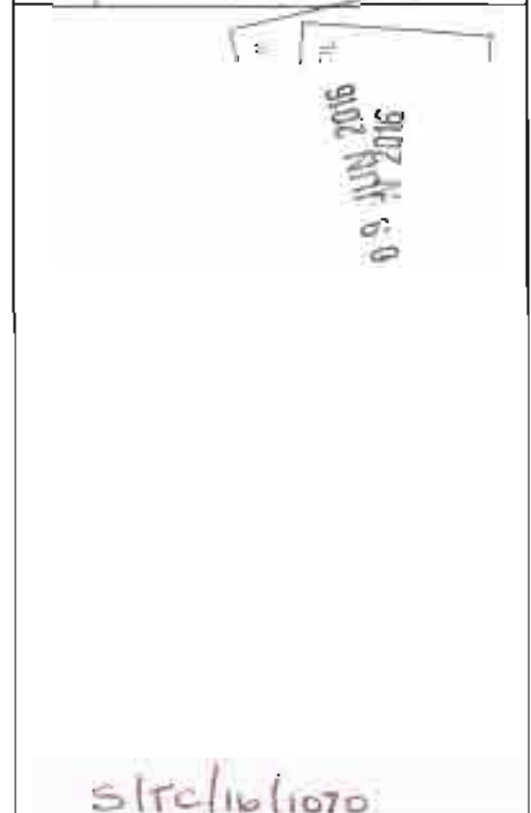
This Plan is for illustrative purposes only and is not intended to provide accurate
representation of the development.
In all cases references should be made to the submitted plans.



PROPOSED ELEVATION 'A'
(1:100)

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R. E:413243 N:189791



B	Compound Fence Revised	PL	AK	07.06.16
A	Issued for Approval	PL	AK	03.05.16
REV	MODIFICATION	BY	CH	DATE

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Site Name	Opt.
TADPOLE LANE	A
Site ID No	
SWI2003D	
Site Address / Contact Details	
TADPOLE LANE SWINDON WILTS SN25 2PD	
Drawing Title:	PROPOSED ELEVATION 'A'
Purpose of issue:	PLANNING
Drawing Number:	102
Surveyed By:	AK/ESS
Original Sheet Size:	A3
Issue:	B
Drawn:	PL
Date:	03.05.16
Checked:	AK
Date:	03.05.16

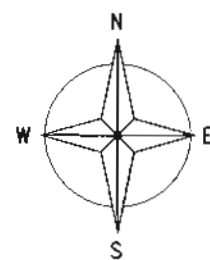
SITE LOCATION



0 1km
Scale

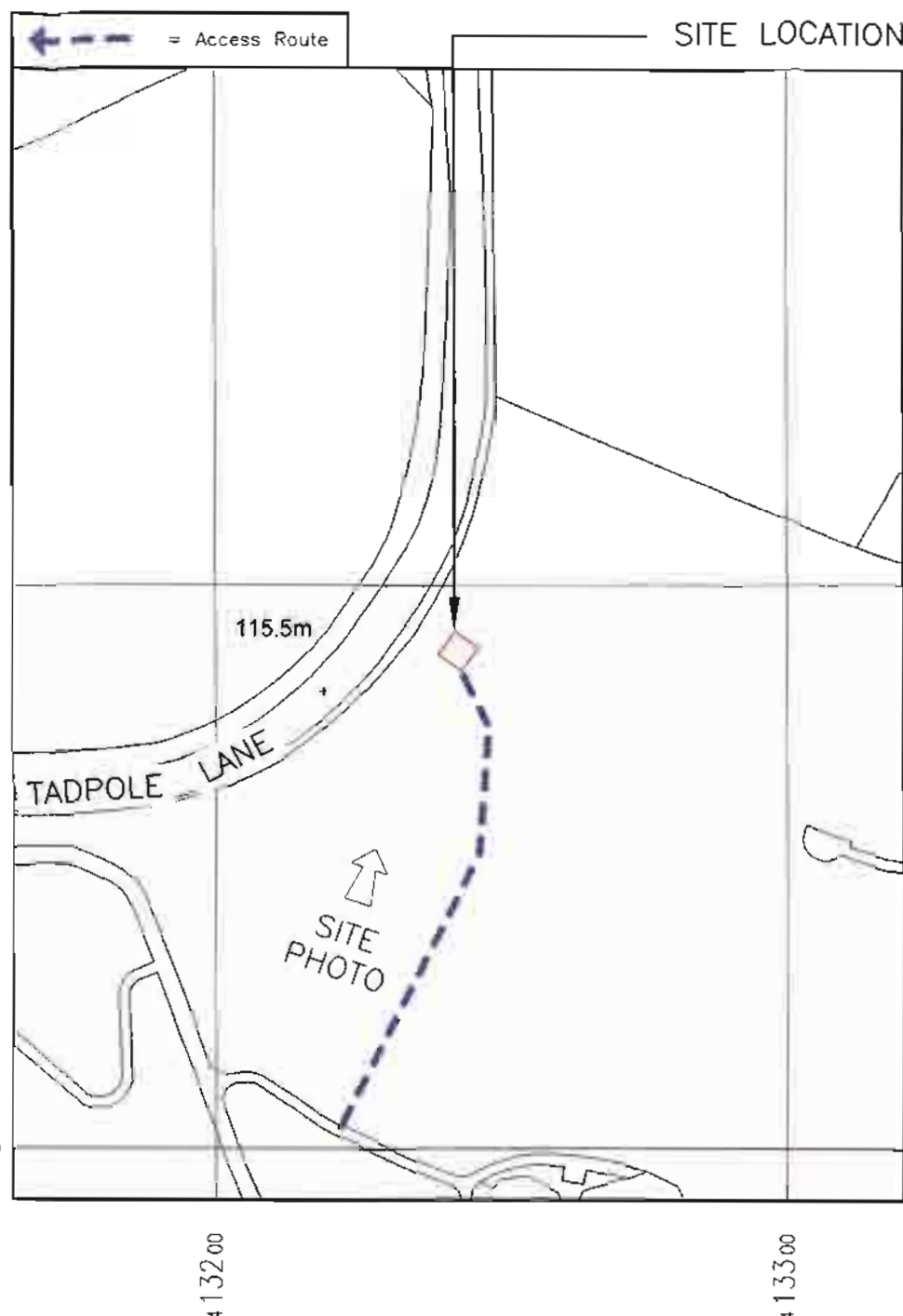
SITE LOCATION
(Scale 1:50000)

Ordnance Survey map extract
based upon Landranger map series
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1898.00

1897.00



4132.00

4133.00

DETAILED SITE LOCATION
(Scale 1:1250)

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SITE PHOTOGRAPH

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R E:413243 N:189791

NOTES:

STIC/16/1070

REV	MODIFICATION	BY	CH	DATE
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Site Name Opt.

TADPOLE LANE A

Site ID No

SWI2003D

Site Address / Contact Details

TADPOLE LANE
SWINDON
WILTS
SN25 2PD

Drawing Title: SITE LOCATION MAPS

Purpose of issue: PLANNING

Drawing Number: 100

Drawn	Date	Checked	Date	Issue
PL	03.05.15	AK	03.05.16	A

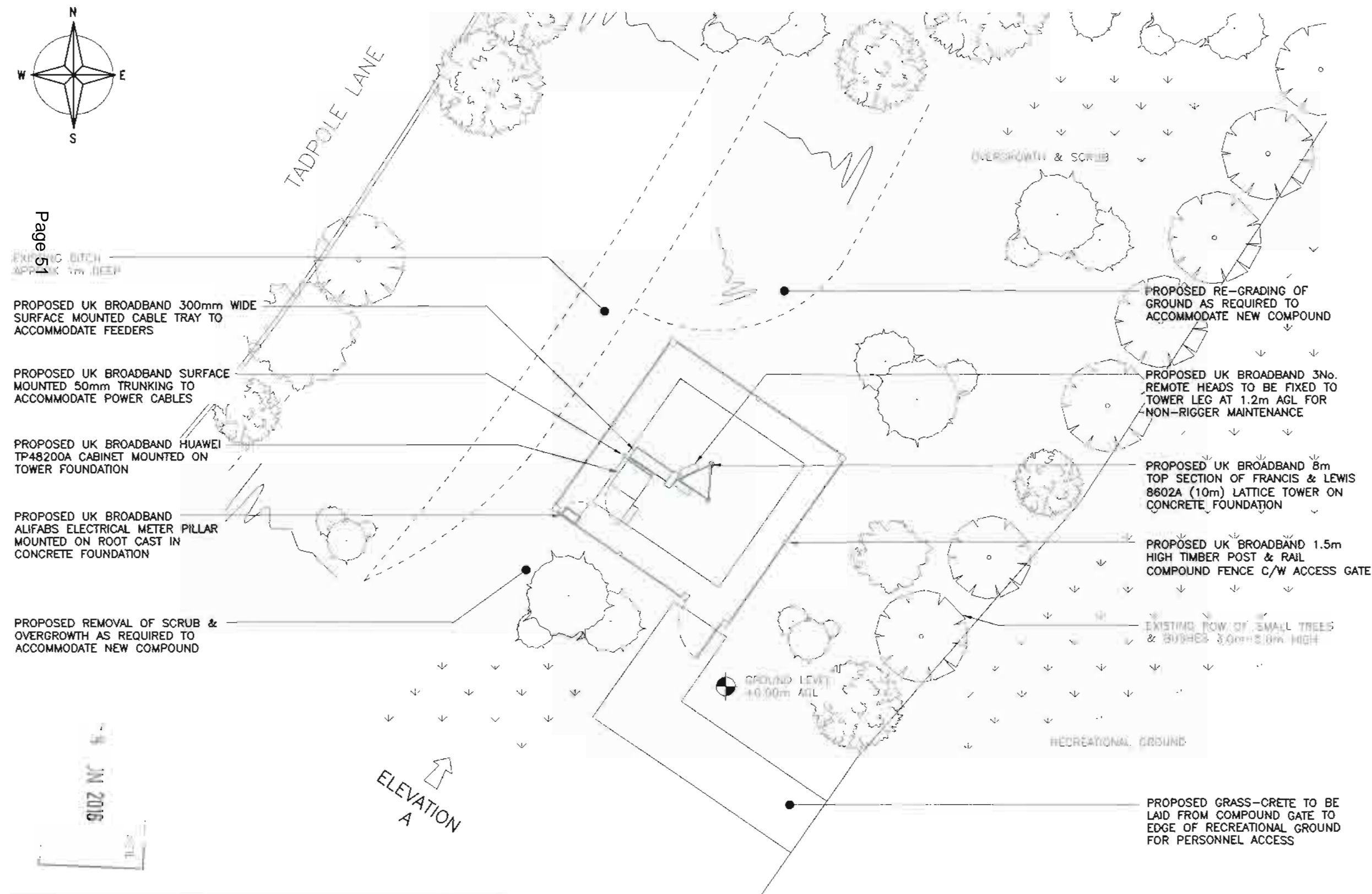
PROPOSED ANTENNA KEY					FEEDER KEY			
ANT. REF	FUNCTION	ANTENNA TYPE	BEARING	HEIGHT TO TOP	TYPE	SIZE	LENGTH	NO. OF FEEDERS
S1A/S1B	4G	SL1243BA	0°	8.00m	DOWN	1/2"	6m	4
S2A/S2B	4G	SL1243BA	140°	8.00m	DOWN	1/2"	6m	4
S3A/S3B	4G	SL1243BA	230°	8.00m	DOWN	1/2"	6m	4

REMOTE HEAD SCHEDULE						
RF REF	ANTENNA REF	MANUFACTURER	TYPE	SIZE	INSTALL METHOD	FIBRE/CABLE LENGTH
RH1	S1A/S1B	HUAWEI	TBC	TBC	TOWER LEG	5m
RH2	S2A/S2B	HUAWEI	TBC	TBC	TOWER LEG	5m
RH3	S3A/S3B	HUAWEI	TBC	TBC	TOWER LEG	5m

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

N.G.R E:413243 N:189791

NOTE:
PROPOSED UK BROADBAND POWER SUPPLY
DERIVED FROM REC SUPPLY.



REV	MODIFICATION	BY	CH	DATE
B	Compound Fence Revised	PL	AK	07.06.16
A	Issued for Approval	PL	AK	03.05.16

tsi Tecnicool Services Limited
Posterngate Farm
Harts Lane
South Godstone
Surrey RH9 8LZ
t: 01342 894570
e: accounts@tecnicool.com
e: admin@tecnicool.com
www.tecnicool.com



Site Name	Opt.
TADPOLE LANE	A
Site ID No	
SWI2003D	
Site Address / Contact Details	
TADPOLE LANE SWINDON WILTS SN25 2PD	

Drawing Title:	PROPOSED SITE PLAN
Purpose of Issue:	PLANNING
Drawing Number:	101
Surveyed By:	AKSESS
Original Sheet Size	A3
Issue	B
Drawn:	PL
Date:	03.05.16
Checked:	AK
Date:	03.05.16

EQUIPMENT SCHEDULE				
MANUFACTURER	TYPE	SIZE	COLOR	NOTES
HUAWEI	TP48200A CABINET	700x700x1600mm	GREEN	INSTALLED ON TOWER FOUNDATION
FRANCIS & LEWIS	8602A LATTICE TOWER	8m HIGH	GRV	ON CONCRETE FOUNDATION
ALIFABS	5M METER PILLAR	170x120x870mm	GREY	

PROPOSED SITE PLAN
(1:100)

The drawings comply with Standard ICNIRP guidelines.
Designed in accordance with UK Broadband document: UKB_4GD_DEL_DES_MISC_001

DISH KEY				
DISH REF	DISH DIA	BEARING	HEIGHT TO CENTRE (AGL)	LOOK TO
D1	0.7m	130°	15.00m	-
-	-	-	-	-



COMMITTEE REPORT

Item Number: 9

Ward: St. Andrews

Application Number: S/TC/16/1070

Parish: Blunsdon St. Andrew

Proposal: Prior notification application for the erection of an 8 metre high lattice tower, equipment cabinets and associated works.

Site Location: Land at Tadpole Lane, Blunsdon, Swindon

Case Officer: Ian Halsall

Agent:

Mr Chris Andrews
Waldon Telecom Ltd
Phoenix House
Pyrford Road
West Byfleet
Surrey
KT14 6RA

Applicant:

UK Broadband Ltd
c/o Agent

Officers Report

Background:

i This application has been brought before planning committee at the request of Councillor Tomlinson owing to public interest that a number of similar proposals relating to the roll out of infrastructure associated with the SuperfastSwindon superfast broadband network across the borough has generated.

ii In addition to this application there are a further three applications on this agenda which generate the same planning issues. These include two applications in Priory Vale ward at land at the junction of Thamesdown Drive and Torun Way in Haydon End (application number S/TC/16/1038), land in Haydon End Lane (application number S/TC/16/1040) and within Haydon Wick ward at land at the junction of Thamesdown Drive and the footpath leading to Gaynor Close in Abbey Meads (application number S/TC/16/1042).

iii It is important that the committee takes note that this and the other three applications, which are proposed as part of securing the delivery of fourth generation superfast wireless broadband to communities across the borough based on a network of radio base stations, are for **PRIOR APPROVAL** and not full planning permission. Statutory Instrument 2015 No.596, the Town and Country Planning (General Permitted Development) (England) Order 2015 gives deemed planning permission as the height of the monopoles, and in the case of this application at Tadpole Lane a short lattice tower and associated cabinets fall below the threshold criteria requiring the submission of a full planning application. However the prior

approval of the local planning authority is still required as to the **siting** and **appearance** only.

iv As the local planning authority has considered that prior approval is required for the siting and appearance of the development, the applicant must receive notification of its decision within 56 days of the date in which the application is received. Failure to issue a decision within the requisite period will result in approval being given by default. The 56 day period will expire on the 4th August 2016. Owing to the committee timetable, it is only possible to consider this application at the July committee. The agenda will go to print and will be considered by committee before the end of the statutory 21 day public consultation period, which is the 7th July. Any representations received after going to print will be reported verbally to the committee.

v Consultation has been carried in accordance with the procedure agreed by the planning committee which is wider than required by legislation. This includes notifying all properties within a 100 metre radius of the proposed equipment.

vi The development will assist delivery of the government standard superfast broadband coverage to all commercial and domestic premises in the borough by 2017, which is a Priority Pledge within the Vision for Swindon .

Summary of Recommendation:

1 That the prior approval of the local planning authority is REQUIRED and is **GIVEN**.

The Proposal:

2 This application seeks Prior Approval under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 for the installation of a 8 metre high grey galvanised steel three sided lattice tower with 3no. antennas fixed to the top of the tower legs measuring 0.85 metres in length plus a 300mm transmission dish fixed at a height of 6 metres and a slimline ariel antenna installed at the top of the tower measuring a further 1.5 metres. The installation will be accompanied by an adjacent green cabinet some measuring 1 metres in width, 300mm in depth and 1.6 metres in height, and an air conditioning unit 350mm in length, 200mm in depth and 900 millimetres in height . The equipment will be mounted on a concrete base within an enclosed area measuring 25 square metres (5 metres by 5 metres) comprising a 1.4 metre high wooden post and rail fence with an access gate.

3 The development is to provide superfast broadband services to the local area and the installation will have a coverage radius of approximately 500m offering coverage over eastern Redhouse. The service will be available to subscribers who can install a receiver on their property within range and sight of the tower.

The Site and Surroundings:

4 The proposed tower will be located on a hill top position immediately to the east of Tadpole

Lane in Blunsdon St. Andrew within trees and scrubland to the north west of a large area of public open space which is accessed by Addinsell Road in Blunsdon and a network of footpaths, cycle and bridleways connecting north Swindon. There will be no vehicular access to the tower once it has been installed with maintenance operatives being required to walk to the site from Addinsell Road approximately 150 metres to the south. The centre of a children's play area is located exactly 100 metres away from the tower whilst the nearest residential properties in Delius Close and Addinsell Road are all more than 100 metres away and further down the hill.

Representations:

5 Blunsdon St. Andrew parish council objected to the application for the same reasons as previous applications. As this proposal relates to an entirely new application on an entirely new site and is of an entirely different design to recent prior approval applications affecting the parish at Eastbury Way and Redhouse Way, your officers have advised the parish council that this reason cannot carry any weight in planning terms and a more site specific reason for objecting has been requested. As the agenda goes to print no additional response has been received so any update will be given verbally to the committee.

6 Neighbours: Although no neighbours fall within the 100 metre radius for notifications, your officers have still notified those properties in Delius Close and Addinsell Road who may have views of the tower from the front of their properties further down the hill. As the agenda goes to print, no representations have been received.

Planning Considerations:

Legislative Background

7 Schedule 2, Part 16, Class A of the General Permitted Development Order (GPDO) "Communications - Electronic Communications Code Operators", requires the applicant, who is a code system operator to apply to the local planning authority for a determination as to whether approval of the siting and appearance of their development is required under their "permitted development" rights.

8 The local planning authority considers that prior approval is required for the siting and appearance of the development, and must notify the applicant of its decision within 56 days of the date in which the application is received. Failure to issue a decision within the requisite period will result in approval being given by default. The 56 day period will expire on the 4th August 2016.

9 It is therefore important to note that the prior approval process is separate and distinct from a development that requires express planning permission as the considerations are limited only to those of siting and appearance.

10 Paragraph 21 of the National Planning Policy Framework (NPPF), 2012 which carries significant weight in making planning decisions advises that local planning authorities should plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries. Paragraph 42 emphasises that

high quality communications infrastructure is essential for sustainable economic growth and affirms that the development of high speed broadband technology and other communications also play a vital role in enhancing the provision of local community facilities and services.

11 The NPPF encourages local planning authorities to support the expansion of electronic communication networks including telecommunications and high speed broadband (paragraph 43). It states that the numbers of masts and the sites for such installations should be kept to a minimum, whilst sites need to be justified and sympathetically designed and camouflaged where appropriate.

12 The NPPF (paragraph 45) further states that applications for telecommunication development, **including those for prior approval** [*Planning Officer's emphasis*] should be supported by the necessary evidence to justify the proposed development. Applications should include the following:

- The outcome of consultation with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college.
- A statement that self certifies that the cumulative exposure, when operational, will not exceed International Commission on Non-ionising Radiation Protection guidelines (known as an "ICNIRP declaration").
- Evidence that the applicant has explored the possibility of erecting equipment on existing buildings, masts or other structure before selecting the proposed site.

13 The NPPF (paragraph 46) emphasises that local planning authorities must determine applications on planning grounds and should not seek to prevent competition between different operators, nor should it question the need for the system or determine health safeguards if the proposal meets the aforementioned International Commission guidelines for public exposure.

The Swindon Borough Local Plan (2026) as a material consideration

14 For the purpose of determining this prior approval application, in accordance with section A.3 (3) of Part 16 of the General Permitted Development Order, consideration can only be given to the **siting and appearance** of the development. However despite the fact that the policies in the Local Plan do not apply in the same way as they would in the case of an application for planning permission, in the determination of this prior approval application, the general principles of the policies of the Swindon Local Plan 2026 can still be used to guide the local planning authority as to the suitability of the proposal in terms of its siting and appearance. Therefore the following policies are of relevance and can be used to inform the council in its determination of the siting and appearance of this development.

15 Policy SD1 (Sustainable Development Principles) states that in enabling the delivery of sustainable development and supporting sustainable communities, relevant to this proposal, development proposals should be of a high quality design, respect, conserve and or enhance the natural built and historic environments and provide or contribute to the assessed local and borough wide infrastructure and service requirements.

16 Policy IN3 (ICT and Telecommunications) states that telecommunication proposals should be sited and designed in a way that has considered the appearance of the

surrounding area and proposals should only be supported if the siting and any other additional equipment does not unduly detract from the appearance of the surrounding area or form an adversely intrusive addition to the streetscene. Secondly, the policy states that the amenity of any neighbouring sites should not be unacceptably harmed by the proximity of the proposal. Thirdly, the policy states that the colour and profile of the equipment should be sympathetic to the site's surroundings and the size of the development should be kept to a technical minimum to ensure any adverse impact on the environment is minimised. Policy IN3 further notes that the plan is supportive of proposals that make provision to incorporate super-fast broadband.

17 Policy DE1 (High Quality Design) requires proposals to be assessed in respect of their context and character, particularly with regards to existing built characteristics and acknowledged features of importance such as trees. Consideration should also be given to the siting, orientation, scale amongst other criteria when considering the layout form and function of the development. Furthermore and again relevant to this proposal, consideration should be given to the amenity implications of the proposal in terms of outlook.

18 Based on the principle of siting, highway safety factors are also a consideration and the guiding principle to inform the Council as to the suitability of the monopole and ancillary equipment. This is considered under policy TR2 (Transport and Development) which states that proposal should not be detrimental to highway safety and local amenity with regards the scale, type and location of the development in question.

Outcome of Pre-Application Consultation

19 The submitted Design, Access and Supporting Statement sets out the pre-application consultation that the applicant undertook prior to the submission of their application in accordance with the requirements of the NPPF. The ward members representing St. Andrews ward and Blunsdon St. Andrew parish council were consulted by email on the 20th May 2016. Discussions were also held with planning and highway officers.

20 The applicants have advised that Councillor McCracken requested clarification regarding the type of structure proposed which the applicants responded to. Your officers provided planning guidance which is consistent with the above recommendation however did express initial concern about the visual impact an initial palisade fence around the tower would have caused thus leading to a revised timber post and rail fence being installed. No additional responses were received as a result of the pre application consultation.

Compliance with Public Exposure Guidelines

21 The application is accompanied by a self-certified declaration of conformity with the public exposure guidelines. Government guidance is explicit that Local Planning Authorities must determine applications on planning grounds only and should not determine health safeguards if the proposal meets with public exposure guidelines. This declaration states that the proposed lattice tower:

"is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP), as expressed in an EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic

fields (0Hz to 300 GHz)."

As a declaration of compliance with the international guidelines has been submitted, no weight can be attributed to any objection on health grounds.

Justification for Site Selection

22 The Local Planning Authority cannot question the need for the service only make a decision based upon the siting and appearance of the required infrastructure. However by way of background, the applicant who is working in partnership with the Council to provide a 4G network providing the ability to deploy multiple 20Mhz channels to meet rapidly growing wireless data demands states that the proposed 4G broadband service is based on a network of radio stations. For operational reasons, these have to be situated in relatively high locations such as on tall buildings and located close to the projected customer. For this reason the use of lamp columns and shorter monopole structures is not technically feasible. These base stations typically consist of a set of antennas and one or more small equipment cabinets, which are connected to the wider network by transmission dishes or fibre-optic cables.

23 The applicant advises that when selecting base station sites, use is made of existing telecommunication sites in the first instance when this will achieve the required network coverage. However, where no such structures exist, as in this case a new structure will be required. This is fully in line with the Government's guidance on site selection.

24 The technical constraints affecting the siting of the proposed base station including the limited range of customer reach is necessitating the installation of a network of several masts within the Priory Vale and St. Andrew's Wards together with the requirement for subscribers to have antennas installed on their properties within view of the masts. Taking that into account it is considered that the applicant has demonstrated that where there had been technical potential to locate the proposed structure on a different site, all were deemed inappropriate for reasons including highway safety, proximity to even more properties than at present, would have had an even greater visual impact and physical constraints of nearby tall buildings.

25 This proposal seeks to replace that monopole structure that had originally been proposed in Eastbury Way to the south east which had been recommended for refusal by officers and refused prior approval by the committee in February 2016. The cell area which would have been covered by the Eastbury Way mast has for technical reasons now had to be split into two sites in order to serve the projected postcodes and therefore has deemed it necessary increase the total number of transmitters across the north Swindon area from five to six, the second replacement for Eastbury Way forming the application at the junction of Thamesdown Drive and the pathway link to Gaynor Close (application number S/TC/16/1042), with the other four proposed installations including the Haydon End Lane, Thamesdown Drive and Torun way sites in addition to two previously refused sites at Cassini Drive and Redhouse Way which are now the subject of planning appeals.

Appearance

26 The proposal will comprise the erection of an 8 metre high triangular lattice structure, each side measuring 900mm in width. As with the monopole structures that are proposed at

the other sites as set out in this agenda, this structure and its associated cabinet does have a utilitarian function as part of delivering communication services, in this case the provision of superfast wireless broadband, which will be of benefit to the local community, much like the existing radio transmitters at Blunsdon close to the A419 some 500 metres to the east of this site. Those structures are quite visible within the landscape including down Blunsdon hill to the west along Tadpole Lane, but like this proposal form essential pieces of infrastructure in providing communication services to the wider area. On balance, given the wider benefits the infrastructure will bring to the community in accordance with policy IN3, it is not considered that the structure would be so visually harmful to the amenities of the area, result in any unreasonable depreciation to the local environment, or cause any substantial levels of distress to local residents who may be able to view the tower from much further afield within taking into consideration the wider landscaped context.

27 The cabinets are at low level and modest in size and will only be seen from certain positions or close up and will have no more of an overall visual impact than any other conventional street cabinet associated with traffic signals or telephone systems for example.

Siting

28 Whilst the tower will fall close to Tadpole Lane, owing to the double bend rising up Blunsdon hill, it is not considered safe to allow maintenance vehicles to park in this location thereby necessitating a climbable structure rather than a monopole. Although the tower will be installed within the open space, this is not a usable area of open space owing to the presence of existing vegetation. Some scrubland will need to be removed in order to facilitate construction however no trees will be removed or affected by the development.

29 The applicant has demonstrated that this is the only alternative solution to providing broadband coverage to the required part of Redhouse in lieu of the previously unacceptable Eastbury Way installation which would have directly affected the outlook and amenity of a large number of residents.

Concluding Comments

30 The proposed 8 metre high lattice tower and associated equipment will initially have a perceived negative impact on the local environment. However it is not considered that this will be so detrimental in visual terms to the amenities of the local area, the quality of the local landscape and residents living some reasonable distance away from the structure. The applicant has demonstrated that there is a technical need for the structure in this location with no existing sites available within the required area of coverage to share facilities and no other suitable new site being available without causing highway safety issues or having an even more significant impact upon visual amenity. The siting has been justified by virtue of the previous refusal of five prior approval applications in other locations across north Swindon. In planning terms and in the wider public interest of enabling significantly improved broadband services to be rolled out across the wider community. The proposal considered to be in accordance with national and local policy and is considered to be an appropriate site.

31 Therefore in **pure planning terms** given the national and local planning policy

requirements to encourage and support proposals that can secure and deliver broadband facilities to communities and as this application has to be determined which has to be determined by the 4th August, any perceived initial negative visual impact should be outweighed by the wider public benefits that the facility will bring to the north Swindon community.

Recommendation:

That Prior Approval is REQUIRED and GIVEN.

Conditions

This decision shall be in respect of drawings SWI2003D 100 issue A, 101 issue B and 102 issue B, dated 03.05.16 and the following supporting documents:

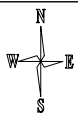
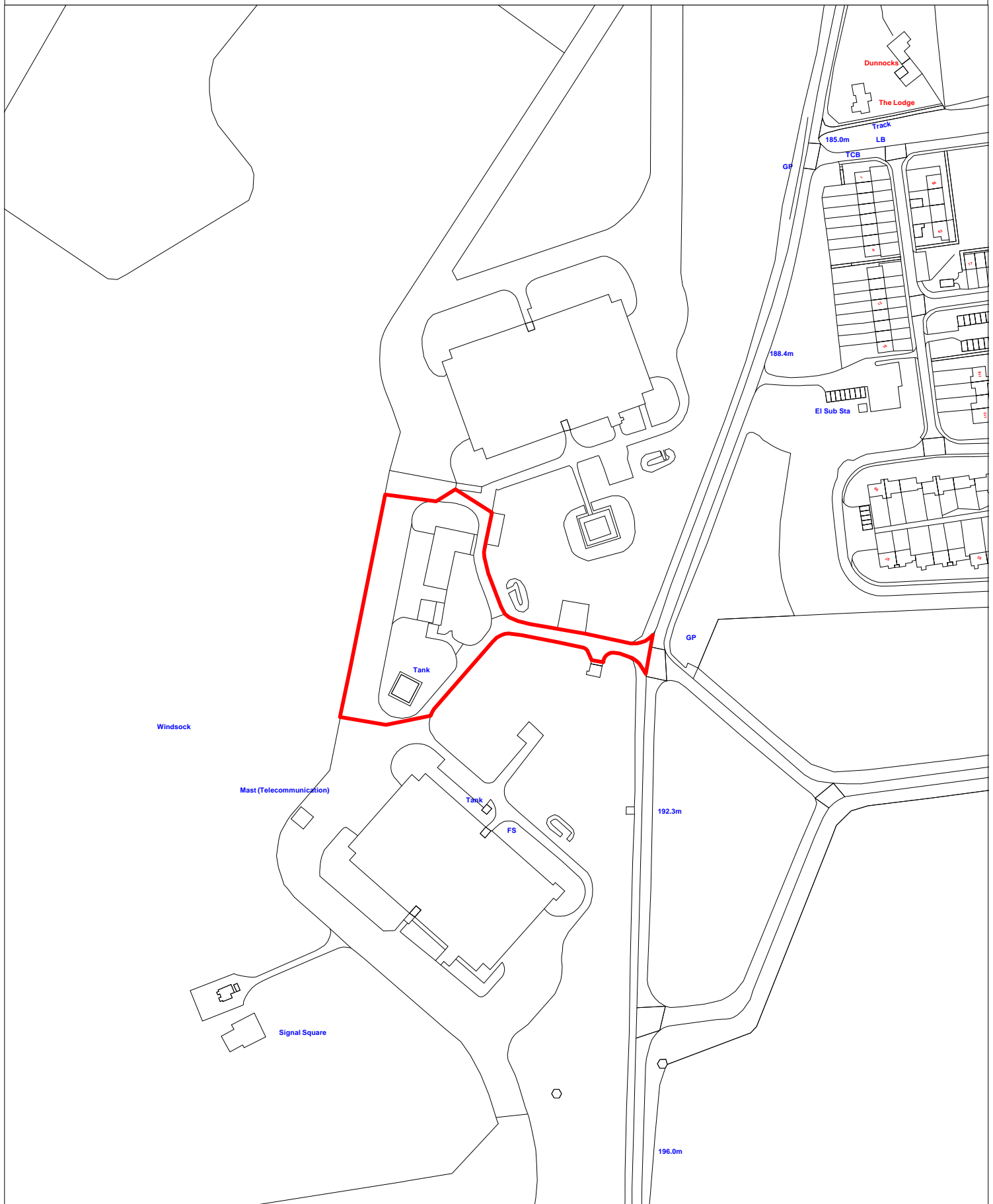
- Design, Access and Supporting Statement
- Statement of ICNIRP compliance
- Supplementary information

All documents were received by the Local Planning Authority on 9th June 2016.

End of Report

Outline application for the erection of up to 14 houses (Means of access not reserved).

Land To The North Of Hanger C2 Orbital Road Wroughton Swindon SN4 0QZ



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.

Outline application for the erection of up to 14 houses (Means of access not reserved).

Land To The North Of Hanger C2 Orbital Road Wroughton Swindon SN4 0QZ



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.



SITE VIEW FROM AIRFIELD



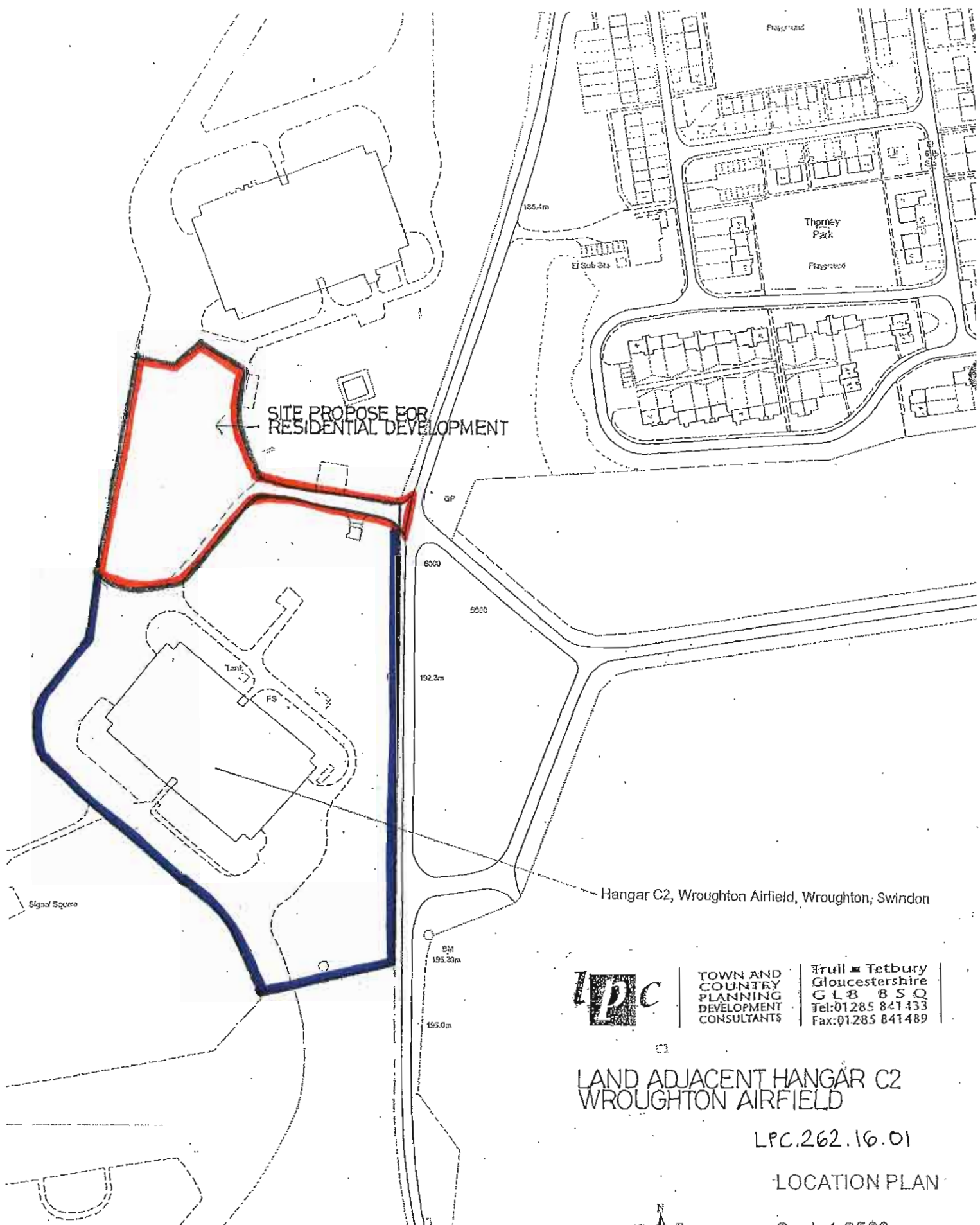
LAND ADJACENT HANGAR C2
WROUGHTON AIRFIELD
PROPOSAL FOR RESIDENTIAL DEVELOPMENT

SCALE 1:1000/A3
DRG No LPC.262.16.02
DATE 5 FEBRUARY 2016



TOWN AND
COUNTRY
PLANNING
DEVELOPMENT
CONSULTANTS

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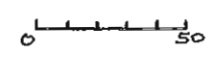
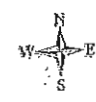
TOWN AND COUNTRY PLANNING DEVELOPMENT CONSULTANTS	Trull ■ Tetbury
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LAND ADJACENT HANGAR C2 WROUGHTON AIRFIELD

LPC.262.16.01

LOCATION PLAN

Scale 1:2500





COMMITTEE REPORT

Item Number: 10
Application Number:
 S/OUT/16/0412/HC

Ward: Wroughton and Wichelstowe
Parish: Wroughton

Proposal: Outline application for the erection of up to 14 houses (Means of access not reserved).

Site Location: Land to the North of Hanger C2, Orbital Road, Wroughton, SN4 0QZ

Case Officer: Miss Heather Carlisle
Contact number: 01793 466305

Agent:
 Andrew Miles
 LPC (Trull) Ltd
 Trull
 Tetbury
 Gloucestershire
 GL8 8SQ
 United Kingdom

Applicant

ActionDrome UK Ltd
 Hangar C2
 Wroughton Airfield
 Hackpen Lane
 Wroughton
 Swindon
 Wiltshire
 SN4 9NS
 United Kingdom

Officers Report

Background:

1 This application has been brought before Planning Committee at the request of Councillor Brian Ford to enable the residents to see a transparent process and that the decision has been reached by a committee of their elected Councillors.

Summary of Recommendation:

2 That outline planning permission be Refused.

The Proposal:

3 This is an application in outline for up to 14 dwellings, with permission sought for the means of access to the site. Whilst the matters of layout, scale, appearance and landscaping are reserved for subsequent approval; the application submission includes indicative details that demonstrate how the site could be developed. This indicative plan appears to demonstrate the provision of a mixture of linked detached houses, a pair of

semi-detached and two small terraces. These will be three and four bedroomed housing. The scheme is to deliver up to 14 units.

4 The application site is located on former military land adjacent to Wroughton Airfield, and is between two hangars to the south and to the north. The hangar to the south of the site is used as a go-karting centre, whilst the hangar to the north is used by the Science Museum.

5 The development would use the existing vehicular access routes into Hackpen Lane and use the existing (unadopted) service road. The supporting indicative illustrative master plan also shows the provision of public open space to the western part of the site. No designs have been put forward for approval or consideration at this stage but the Design and Access Statement advises to the rear east facing elevations will appear attractive.

The Site and Surroundings:

6 The site is located approximately 200 metres west of Thorney Park and located to the east of the existing boundary to the former airfield. The site is located between Hangar C2 and the hangar some 160 metres to its north and set back from Hackpen Lane.

7 The site forms part of the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The site has a feeling of openness. Also within the immediate vicinity is agricultural land and Wroughton Science Museum. The former hangars now used for commercial purposes including storage for the science museum with the nearest of these being used as an indoor go-kart arena/track. The airfield is currently having solar panels erected upon it.

8 The site is currently set down with tarmac with grass and some trees.

Representations:

9 In addition to notifying neighbouring properties, a site notice was displayed at the site and a public notice published in the Swindon Advertiser.

10 Parish Council Comments:

Wroughton Parish comments: objection

- Contrary to the Wroughton Neighbourhood Plan in that the site is not identified as a development site
- The development is within the North Wessex AONB, an area of designated for protection and not for development
- The development is outside the village settlement boundary
- The Design and Access statement says that the condition of Hospital Road will be improved as a result of the development. The road will not be brought up to an

adoptable standard and the condition of the road will be back to the current state in a couple of years

- The design and Access statement states that Swindon Borough Council does not have a sufficient housing supply, but this is now the subject of a Judicial Review
- The location between 2 hangers will have a very claustrophobic impact on the properties
- Visual impact on the views from the Ridgeway National Trail
- Impact on the history of the site. Wroughton airfield still remains much the same as when it was built in WW2. The addition of new housing on the site will have a major impact on the character of the site.
- It is an isolated site with no public transport or footpaths to the main village.
- The Parish Council request that this planning application is decided by the Planning Committee if the officer is minded to grant Planning Permission.

Wiltshire Fire and Rescue Service: Recommend improvements under Building Regulations and recommendations to improve safety and reduce property loss in the event of fire and also recommend if approving add a planning condition for fire hydrants.

Contaminated Land officer: Applicant would need to do further investigation work. See other matters section in main body of report.

North Wessex Area of Outstanding Natural Beauty planning advisor: Objection. Proposals contrary to national and AONB policy and clearly contrary to the authority's own development plan policies (RA2, EN5 and EN10). The site is not allocated in the Local plan, nor would it represent small scale infill development.

County Archaeologist: Site is close to where Iron Age features were found. Archaeological investigations and recording of the site would be required.

Environmental Health (Noise): No objection subject to conditions

Wiltshire and Swindon Biological Records; identifies the following:

Coombe Bottom (SU17.010) CWS within 500m of grid reference provided.

Lowland mixed deciduous woodland

Ancient/species-rich hedges (Priority Habitats) within 500m of grid reference provided.

Local Highway Authority: Transport Development Officer: No objection. Local Plan 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. However, subject to suitably worded conditions the proposal would comply with policies TR1 and TR2.

Landscape Officer: Objection. The site is outside the settlement boundary within the countryside and in the AONB as shown on the Local Plan policies map. Note that a Landscape Visual Impact Assessment (LVIA) has not been submitted so the Local Planning Authority have no means of assessing the landscape impact of the application and thus the application, albeit in outline, is, without an LVIA, incomplete.

11 Neighbours: 2 support and 3 objections see summary below.

No address given: support. Fully repair road. Road is vital. Ignore Parish Council objection.

107 Thorney Park: support. No impact on the village, the road is in dire need of repair, concerned the buses will stop because the road will not be repaired.

63 Thorney Park: objection: There has been an increase in Hanger traffic since the karting has commenced. A letter has been sent to local residents asking residents to support the proposal with reference to Hospital Road needing to be repaired. Concerned the residential development will lead to more traffic. No footpath, only a grass verge, no safe route for pedestrians. Development in the AONB and also historical importance in the area.

57 Thorney Park: objection: The site lies within the AONB, not within settlement boundary, located between two hangers, could open to further development on the site, not identified with the Local Plan, not a justified area. Impact on local area including Priors Hill.

90 Kerrs Way: objection. Within AONB, outside village settlement, not comply with Swindon Local Plan nor the Wroughton Neighbourhood Plan, benefits claimed by the applicant will not be long term. Applicant claims that repairing the Hospital road is a reason to accept the proposal, however the proposal does not secure the long term future of the road and applicant has not included provisions for the adoption of the hospital road. Will lead to additional traffic on Priors Hill.

12 Site History:

S/12/0717: Change of use of land and buildings from indoor leisure karting (Class D2) to a mixed use comprising indoor leisure karting (Class D2) and car auction use (Sui Generis) and associated works. Refused 12/1012

S/04/2664: Change of use to indoor karting. Granted. 29/11/04

Planning Considerations:

13 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 AONB
- d) Other matters, including the provision of affordable housing, archaeology and design/layout

Planning Policy:

National Planning Policy Framework (NPPF)

14 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.

15 Of particular relevance are sections: 2 'Achieving sustainable development'; 4 'Promoting Sustainable Transport', 6 'Delivering a Wide Choice of High Quality Homes'; 7 'Requiring Good Design'; 11 'Conserving and Enhancing the Natural Environment'.

The Swindon Borough Local Plan 2026 (SBLP)

16 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*) seeks high standards of design for all types of development
- 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;
- 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;
- RA2 (*Rural settlements*) Wroughton. Rural Settlements.
- SD2 (*The Sustainable Development Strategy*); aims to meet Swindon's development needs whilst protecting the Borough's most important assets.
- SD1 (sustainable development principle) enabling the delivery of sustainable development and support sustainable communities
- EN5 (*Landscape Character and Historical Landscape*). Ensures that any development will not impact on the landscape within the Borough. The Proposal lies within the Midvale Ridge Landscape Character Area.

- EN7 (Pollution)
- EN9 (Contaminated Land)

17 Also of relevance is Swindon Borough Council's adopted Supplementary Planning Guidance Note: Technical Guidance on Parking Standards (2007).

Housing Supply:

18 The NPPF, paragraph 47 sets out how Local Planning Authority should boost housing supply. This includes identifying a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement with an additional buffer of 5% however where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20%.

19 Paragraph 49 states 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.

20 The recent Inspector's appeal decisions for land at Berkeley Farm, Wroughton and Land north of Ermin Street in Blunsdon have found that at present a five-year supply of deliverable housing land cannot be demonstrated. In these instances the provisions of paragraph 14 of the NPPF were relevant. That is where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted
- the NPPF advises (para 115 and 116) that as the site is located in the AONB, this is a case where development should be restricted. Para 14 does not apply in this case. There are, therefore, key additional policy considerations that apply to this site, which were not relevant to the two appeal decisions.

Principle of Development:

21 The Development Strategy is clearly 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.

22 Furthermore Local Plan Policy SD2 states development within the rural area will be focussed primarily at Highworth and Wroughton, which of the rural settlements are the most accessible and maintain the largest range of facilities.

23 Policy SD2 states development will need to be in accordance with the local needs that have been identified and allocated through a Neighbourhood Plan/Neighbourhood

Development Order, or be in accordance with other policies in the Plan permitting specific development in the countryside.

24 The Swindon Borough Local Plan sets out the quantum of development required throughout the Borough over the plan period 2011-2026 including identification of the level of housing required for Wroughton. Reflecting the size and function of Wroughton, the Local Plan proposes (at least) 150 dwellings at Wroughton over the plan period.

25 The Wroughton Neighbourhood Plan (WNP) is at an advanced stage. The Plan allocates 5 sites to provide in total 160 dwellings. The WNP does not allocate this proposed development site.

26 Also, in relation to residential development in the countryside, the NPPF, paragraph 55 states that to promote sustainable development in the countryside housing should be located where it will enhance or maintain the vitality of rural communities, for example where there are groups of smaller settlements.

27 This proposal is located some distance outside of Wroughton but is close to Thorney Park which is a small established residential area, albeit one without a defined settlement boundary with no facilities, such as a shop, primary school or community facilities and the bus service. Therefore Thorney Park is not defined as a 'settlement' and given the distance of the proposal from Wroughton and other villages with facilities and services, it is considered this proposal will not necessarily enhance or maintain the vitality of rural communities. Officers acknowledge there is a convenience store, hotel with leisure facilities at Alexandra Park however this is a reasonable distance from this site and would not serve all of the day to day needs of potential occupiers of this proposal.

28 NPPF paragraph 111 states that planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield). As detailed, the application site is a vacant former military site, and therefore is in accordance with this aim of government policies.

29 The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

30 The Government launched the Planning Practice Guidance web-based resource on 6 March 2014. The content of the guidance has been considered but in light of the facts in this case the Planning Practice Guidance is not considered to offer any further new significant guidance that would materially affect the advice contained in the NPPF.

31 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.

32 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). This policy limits development in the countryside, defined as those areas that are not within a settlement boundary. Policy RA2 (Wroughton) reiterates that the proposal should be in accordance with Policies SD1 and SD2.

Paragraph 12 of the NPPF states that:

Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (added emphasis)

Paragraphs 196 and 197 of the NPPF state that:

The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions.

In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 10 of the NPPF states:

Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

Wroughton Neighbourhood Plan 2015-2026:

33 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 WNP's policies and objectives have come from the ideas, views and opinions of Wroughton residents. The WNP allocates sufficient housing to meet the quantum of development required for the village as set out in Policy SD2 of the Swindon Borough Local Plan. The WNP does not allocate the proposed application site.

34 The WNP is now close to adoption following a referendum in the Parish on 9th June at which the Plan was supported, the Borough Council is expected to agree to endorse the Plan later this week, meaning that it will become a formal part of the development plan for Wroughton. The WNP is therefore at a very advanced stage, and is a significant material consideration.

35 Policy RH3 of the WNP states that no housing development will be permitted on any greenfield or brownfield site outside the village settlement boundary, unless the site is allocated as a potential development site within the Wroughton Neighbourhood Plan. This

Policy effectively duplicates that part Policy SD2 of the Swindon Borough Local Plan and should be read in that context.

36 Given the location of this proposal, away from any named settlement with few facilities to serve the future residents of this development, and in an environmentally sensitive location (NPPF para 14) ie the North Wessex Downs Area of Outstanding Natural Beauty, it is considered that the presumption in favour of development where a 5 year housing supply cannot be proven, does not apply in this case. The proposal does not accord with the relevant provisions of the NPPF, the Swindon Local Plan and Wroughton Neighbourhood Plan.

37 Further, the applicant has submitted some information pertaining to developer contribution requirements, specifically pertaining to future upgrades to the access road should consent be issued. However, this offer does not meet the relevant tests for a planning obligation, in that it is not necessary to make the development go ahead. The terms of the applicant's draft obligation are vague and imprecise and unenforceable. The condition of the road has not been surveyed or the work costed, the proceeds generated from the development may not secure the enhancements in perpetuity, which could lead to requests for additional housing/funds. Therefore, caution should be exercised when considering the offer of highway improvements as part of this development.

Highway Access, Safety and Parking:

38 The Transport Development Officer recommends that no highway objection be raised subject to conditions being attached. Although not within the red line of the planning application, the proposal includes an offer to upgrade and allow public use of the former Hospital Road that runs from Priors Hill to the junction with Whittingham Drive. This road is private and is not maintained by SBC. No details of what the proposed upgrade includes has been submitted with the application. This is a significant length of road that is likely to require upgrading and at this stage is estimated to cost a 6 figure sum, and therefore unlikely to be able to be secured from the development.

Development Impact:

39 The Highway Officer states the likely vehicle trip generation for the development based on an average of 5 trips per dwelling per 12 hour day (TRICS) is 70 trips. This is not considered a significant number of trips over a 12 hour day; therefore the impact of these trips in capacity terms is negligible. Furthermore there are lawful uses on the site that have the capacity to generate trips so the proposed trips are not a net increase to the overall network. Pedestrian routes through the site will need to be provided as part of the detailed application at a later stage. The site links with public footpath 73 that follows the north side of the above mentioned road.

40 Given its rural location, the site is served by public transport with the 2 hourly service 71 serving Thorney Park and Alexandra Park linking with Swindon and the Ridgeway School in Wroughton. Thorney Park is approximately 200m from the site and can be accessed via public footpath 73. There are no medical facilities and no close shops within Thorney Park.

41 The Highway officer states that as access to the development is proposed via the existing access, which has been used by a variety of vehicles, the collision history has been reviewed. It is considered that there are no consistent contributory factors to the 3 recorded collisions. Whilst it would have been advantageous to have received a plan with the detailed access geometry and visibility splays as requested, the access is existing, and the road benefits from wide verges that provide visibility splays in accordance with the speed of the road (60mph).

42 The Highway officer indicates that Prior's Hill is not suitable for long vehicles due to the horizontal and vertical geometry of the road. However, an alternative route for construction, service and delivery vehicles is available via the former Hospital Road and other less direct routes. The existing residential development of Thorney Park is accessed from Prior's Hill and it is envisaged that an additional 14 dwellings would not create a significant increase in vehicles using Prior's Hill.

Mitigation

43 Paragraph 32 of the NPPF sets out when mitigation for highways and transport is required. The third bullet point states: *'improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'*.

44 As discussed above, the impact of the development is not considered to be significant therefore the upgrade of the road cannot be secured. Additionally, a 6 figure sum for the upgrade of the road is not considered *'cost effective'* Further, securing mitigation of this sort would not comply with the legal tests set out for planning obligations:

'Planning obligations should only be sought where they meet all of the following tests:

- *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'*.

Internal Layout

45 As this is a reserved matter application and not to be decided upon now, however alterations to the layout would be required. The number of proposed car parking is at an acceptable level for the number of units proposed in this location.

Enabling Development

46 The Design and Access Statement indicates that funds to upgrade the road will be raised from the sale of the dwellings. A draft Unilateral Undertaking has also been submitted with the application detailing that should planning permission be granted the road will be upgraded prior to commencement of development of the dwellings. The advice from the Borough Solicitor is that the obligation does not meet the relevant tests and should not be relied upon or entertained.

Design, Layout and Character:

47 The application has been submitted in Outline, with means of access not being reserved. However, a plan showing how the stated maximum of 14 dwellings could be accommodated on the site has been submitted. This site layout plan (Dwg 03) is indicative only and therefore does not form part of the formal consideration of the application.

48 It is, however, fair to suggest that the illustrative layout submitted gives a good indication about the potential scale and layout of the development proposed, indicating that 14 dwellings could be accommodated on the site. This is borne out by the Design & Access Statement which quotes the dwelling type and mix as shown on the indicative layout.

49 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 site plan appears to be acceptable, 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.

50 Local Plan Policy HA1 (Mix, Types and Density) states housing development should be design-led, in particular: densities, house types and sizes should reflect the character of the surroundings.

Noise and Residential Amenity:

51 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. 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 impact of the development on the night time sky and cannot thus be considered here.

52 The proposed housing is set between two commercial premises and this would also raise amenity issues. It appears landscaping is being heavily relied on as an acoustic buffer and visual screen of the large hangers. It is of particular concern given that one of the neighbouring structures is utilised as a go karting centre, which is characteristically noisy. Policy EN7 (Pollution) states that where development would be adversely affected by noise from an existing use, the proposal will only be permitted where the users of the future

development are protected from loss of amenity in accord with Policy DE1. The Council's Environmental Health officer has been consulted but raised no objection subject to suitably worded conditions being added to control potential noise issues.

Archaeology:

53 The Council's consultant archaeological advisor (the Wiltshire Country Archaeologist) has recommended that the site has archaeological potential as it is close to where Iron Age features were found. The Wiltshire County Council Archaeologist recommends a condition is planning permission were to be granted. 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.

Biodiversity:

54 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. No ecology appraisal has been submitted in support of the application.

Impact on Landscape /AONB/Countryside:

55 In landscape terms the site is outside of any settlement boundary and set away from Wroughton village where development within or adjoining the settlement boundary would be favourable. The proposed development does not therefore comply with policy RA2 of the Local Plan, there is also no cohesion or linkage with the existing housing some distance to the north east.

56 The proposed site also lies within the Down Plains Landscape Character Area. Policy EN5 seeks to protect and enhance the character and quality of the environment and development will only be permitted here where it takes account of this. In meeting the requirements of Policy EN5, a Landscape Character Assessment would be required to assess the potential impacts of the proposal upon a number of attributes, which include: landscape form and character, biodiversity and wildlife, visual amenity and landscape setting.

57 Swindon Borough Local Plan Policy EN5 states that proposed development in the countryside will only be permitted where it meets one of a number of criteria. In relation to this application, it needs to have to either demonstrated, that it is an essential requirement directly related to the economic or social needs of the rural community or it is otherwise permitted by other specific policies of the Local Plan. The development does not accord with this policy.

58 This policy states that within the countryside the Local Planning Authority shall seek to protect and enhance the character and quality of the environment and development will only be permitted where it takes account of this. The adopted Supplementary Planning Guidance Note: 'Landscape Character Areas' goes into further depth in outlining development considerations for each area. Insufficient evidence has been provided in support of the application to demonstrate how the development would protect or enhance the landscape character area or meet the relevant considerations set out in the SPG. Based on the details submitted the development proposed does not meet these requirements and would result in an unacceptable impact upon the character area, as reflected within the policy EN5.

59 There is no other housing development in the immediate vicinity. The proposal would bring development into the countryside in that this and would be highly visible within the Landscape Character Area and the AONB causing a detrimental impact upon both. The proposed residential development would introduce domestication into this area and the siting alone of housing in this location (no matter the design or scale) would represent a development that is out of character, and for which there is no justification.

60 There is a clear requirement upon Local Plans to conserve the high quality landscape of the AONB. The supporting text of EN5 is that there is a presumption against development within the AONB in order protect the designated area. There is no reason to suggest that a development of up to 14 houses justifies an exception to this presumption. The development will be prominently visible within the AONB, representing urbanising development outside of any settlement boundary with wide open views being possible from the south, particularly from the well-used Ridgeway National Trail and Barbury Castle. The proposal would result in a detrimental impact upon the character of the AONB contrary to Policy EN5.

61 The North Wessex Downs AONB Position Statement on 'Setting' which forms an extension of the principles set out within the AONB Management Plan (2014-2109) confirms that the primary purpose of AONB designation is to conserve and enhance the natural beauty of the area as confirmed by Section 82 of the Countryside and Rights of Way 2000 (Crow Act), whereby Local Authorities have a 'duty of regard' to the protected landscape.

62 The primary purpose of the AONB designation is to conserve and enhance the natural beauty of the area, as confirmed by Section 82 of the Countryside and Rights of Way Act 2000 (CRoW Act). Section 85 of that Act confirms that there is a duty on all relevant authorities to have regard to this purpose in exercising or performing any functions in relation to, or so as to affect land in AONB's.

63 The North Wessex Downs is particularly sensitive to developments that are visually prominent, of an urban, suburban or industrial nature.

64 The NPPF therefore supports a different approach to housing provision in the AONB compared to land outside the AONB, based on the need to conserve and enhance its

natural beauty. The NPPF recognises that “great weight” be given to AONB considerations and recognises it as an area with the highest status of protection.

65 The NPPF is clear that the presumption in favour of sustainable development does not apply in AONBs or National Parks. Paragraph 14 of the NPPF expects planning permission to be granted (unless material considerations indicate otherwise) where the Plan is out-of-date unless one or other of two cases arise. The first of these (adverse impacts that would significantly and demonstrably outweigh the benefits) is quoted in the report, but this test never applies in AONBs. In fact, because the site is in an AONB the second case applies: “specific policies in this Framework indicate development should be restricted”. Footnote 9 makes it clear that “land designated as ... an Area of Outstanding Natural Beauty” is included in this category. The presumption in favour of development therefore does not apply.

66 The AONB officer has strongly objected to the proposal and has highlighted that the applicant’s statement appears to undertake a simple balancing exercise, with housing need being balanced against other factors. The courts have ruled that such a simplistic approach is not acceptable. In *Mevagissey Parish Council vs. Cornwall Council 2013*, the judge ruled that paragraphs 115 and 116 of the NPPF do not allow a simple balancing exercise. It also advised on how ‘exceptional circumstances’ might be demonstrated, drawing a distinction between a pressing case for the development (e.g. for affordable housing) and a genuinely ‘exceptional’ need “in the sense of unusual or rare.” In assessing whether or not exceptional circumstances exist, the availability of sites elsewhere (outside the AONB) is also relevant, but this is not addressed. Therefore, because the presumption in favour of sustainable development does not apply, paragraph 47 of the NPPF which details ways Local Planning Authorities can boost supply of housing consequently carries significantly less weight in the AONB than elsewhere.

67 The landscape mitigation included within the indicative plan fails to reflect the landscape qualities of this locality which would be of detriment to the natural and scenic beauty of the AONB contrary to para 115 of the NPPF. The site is of an open character with minimal landscaping which is characteristic of the adjacent airfield.

68 Officers acknowledge the site would be visible from the Ridgeway and Barbury Castle both heritage assets of the AONB and local landscape character. The proposed landscape mitigation along with the proposed development would stand out from distance vistas as it goes against the existing grain of development and landscape character. The proposed development would urbanise this rural locality to the detriment of the natural and scenic beauty of the AONB which fails to comply with para 17 and 115 of the NPPF.

69 As the application is seeking outline permission, full details of the landscaping of the site are not for consideration at this stage and would be subject to a reserved matters application.

70 Within the design and access statement it states “*the site has no significant features such as important hedges or trees*”. Officers acknowledge that no drawings have been submitted to show the application site in the context of the records referred to above and not in context as the site is in open countryside and within the AONB. The site is outside a designated settlement boundary within the North Wessex Downs AONB and is thus contrary to policies SD2 and EN5 of the Current Local Plan (SBCLP 2026). No Landscape Visual Impact Assessment has been undertaken which is considered to be an essential component of the application, and would have assisted in officers consideration of the proposal in this location. However, from the information submitted the landscape stance it is considered that the development will be detrimental to the character of these designations and contrary to policy EN5 Local Plan.

Affordable Housing:

71 In accordance with Policy HA2, as the site is greater than 0.5 hectares, 30% affordable homes should be provided. It is acknowledged that no reference to the need of affordable housing has been identified in the submitted unilateral undertaking. However, within the supporting information submitted with the application the provision of affordable housing on the site has stated it will be provided.

Infrastructure Requirements:

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

Unilateral Undertaking: Planning obligation

73 Within the Design and Access Statement it states that the main reason for the submission of this application is to fund the upgrade of the road leading towards the former Princess Alexander Hospital Site. A unilateral agreement has been submitted to accompany the planning application. For the LPA to take account of a S106 in granting permission it needs to be convinced that without the obligation permission should be refused. As described earlier (para 45) the obligation as submitted does not meet all the relevant tests.

Services: Utilities & Water Supply:

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

75 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.

Other Matters:

76 Reference is given earlier in the report to recent appeal decisions outside the settlement boundaries of Wroughton and Blunsdon. The report notes that the circumstances of these are different, given the location of this site in the AONB. Of more relevance is an appeal decision (APP/U3935/W/15/3003607 dated 1st June 2015) nearby for 9 houses, where the Inspector agreed with the Local Planning Authority (LPA) that the development would harm the AONB. It is reasonable to take a similar stance in respect of this development.

77 The LPA must balance the sensitive location against the supply of housing and the NPPF is clear that unsustainable development should not go ahead. The applicant cites other benefits of improvements to a private road. As stated earlier, whilst this would be welcomed, the lack of precision, quantification and scale of the works and alleged improvements. Fail the tests of reasonableness and cannot be taken into account.

78 Local Plan Policy EN9 refers to contaminated land. This policy states that development of land that is either contaminated, or is strongly suspected of being contaminated, shall only be permitted when an evaluation has been submitted of the level and precise nature of any contamination and need for removal or treatment; and the decontamination measures required to achieve a level of land quality suitable for the proposed end use have been identified. As discussed this development will be located on former MOD land. It is understood that airfield buildings to the south were used for application of luminescent Radium based paints to aircraft instruments. After the war Wroughton was used as a scrap yard for demobilised operational aircraft. It is not known whether scrap materials were re-cycled back into industry or if the scrap was disposed of on the airfield. Circulars from the War Office at that time stated that all waste and scrap material should be buried or burnt on site and the export of waste from MOD sites (army and navy bases as well as airfields) should be avoided wherever possible.

79 This airfield is likely to have been a significant target for the Luftwaffe during the war. Most bombs and ordnance would have been expected to have detonated however, there is potential for sporadic ordnance to have failed to detonate. The site area is no exception and the contaminated land officer suggests that the presence of unexploded ordnance should be assessed. For the reasoning above the developer should approach the scheme as if it is potentially contaminated by radioactivity and/or buried munitions. Any development here would need to be preceded by investigations for these by specialist contractors. No information has been supplied as part of this application.

Concluding Comments:

80 The proposal is contrary to national and local plan policies, including the Wroughton Neighbourhood Plan. The site is not allocated in the Local Plan, or Neighbourhood Plan and nor would it represent small scale infill development. Furthermore the development would result in an unacceptable impact upon the character of the area including its designation as a landscape character area and AONB. Notwithstanding the objection set out above from the Wroughton Parish Council, and the current 5-year housing land supply position, the benefits of the proposal does not outweigh the harm of developing a non-allocated site located some distance up a hill approximately 1 mile outside the village settlement boundary.

81 Officers have significant concerns about the rural location of the proposed development; it is located some distance from the village of Wroughton and other defined settlements and therefore will not help to support or maintain the vitality of existing facilities and services within the rural community. Therefore the proposal is not in conformity with the NPPF.

82 The Wroughton Neighbourhood Plan is at an advanced stage. The Plan allocates sites to exceed the minimum requirement for housing development for Wroughton as set out in Policy SD2. As detailed, the Plan does not allocate the proposed site for development.

83 The site lies within the North Wessex Downs AONB. Officers acknowledge that the proposal is suggesting it will provide public benefits, including the provision of affordable housing to meet local needs, and proposed upgrades and public use of the nearby link road. However, the key consideration is therefore whether the proposed public benefits of the scheme meets the requirements of the NPPF paragraph 116 and outweighs the potential harm of the scheme to the AONB. However, the proposal would result in isolated dwellings in the countryside and would not promote the use of sustainable transport within open countryside and would harm the character and appearance of the area by virtue urbanising.

84 Therefore it is recommend that planning permission be refused.

Recommendation:

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

Reasons

1. The proposed development occupies a site located within an unsustainable location outside any defined settlement boundaries. Development of this site fails to comply with EN5 and Policy SD2 of the Swindon Local Plan 2026 that seek to locate new housing development within the Swindon Urban Area and within the settlement boundaries of primary rural settlements and the NPPF of the Submission Swindon Local Plan 2026.

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 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 policies SD2 and RA2 of the Submission Swindon Local Plan 2026 and the Wroughton Neighbourhood Plan.

3. The proposed development would result in a negative urbanising impact upon the area leading to a detrimental impact upon the Downs Plains Landscape Area and the North Wessex Downs Area of Outstanding Natural Beauty. As such the development is contrary to Policy EN5 of the Swindon Local Plan 2026 and the NPPF.

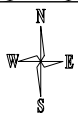
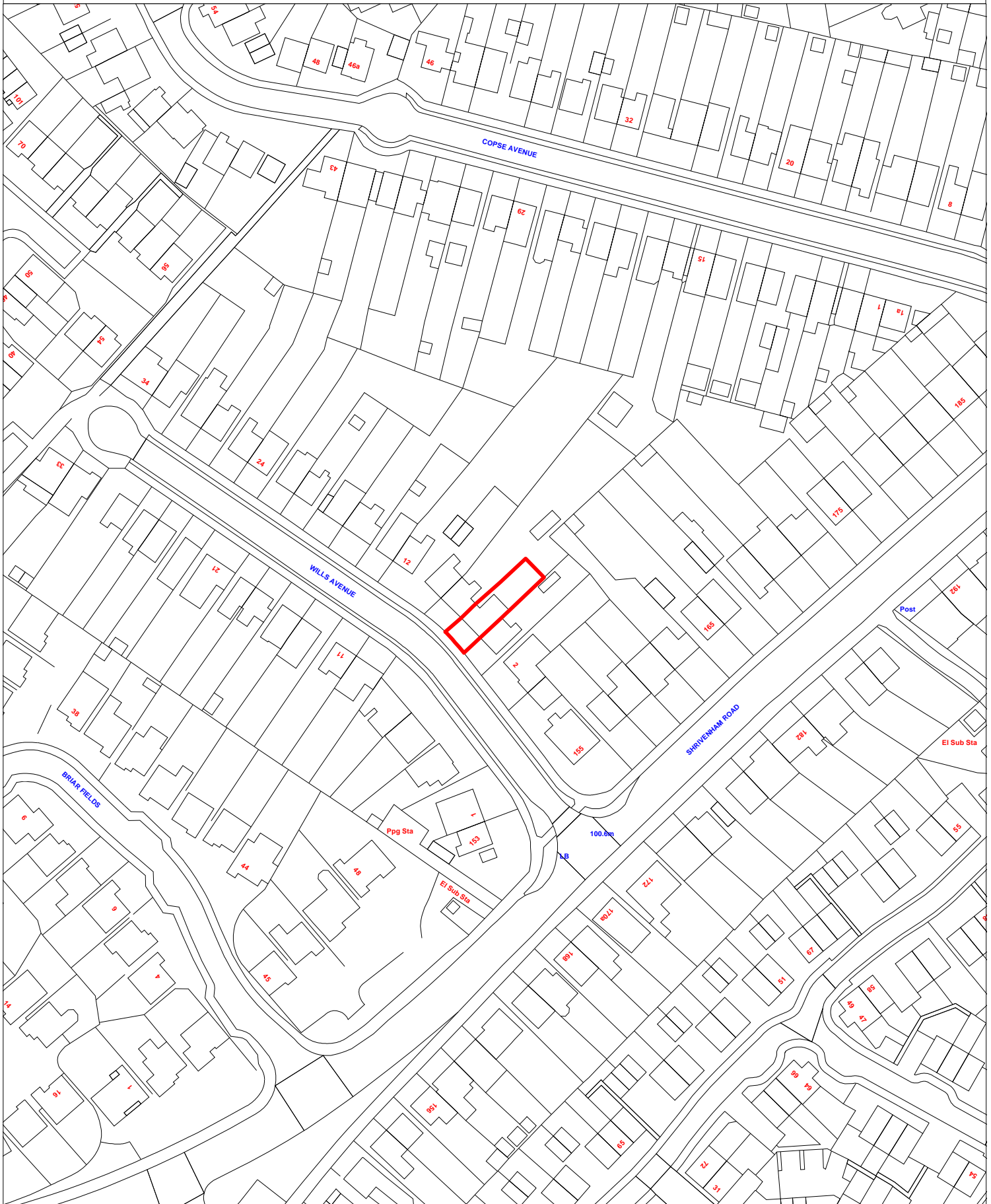
Informatives

1. This decision is in respect of drawings titled: Location Plan (Scale 1:2500), proposal for residential development (scale 1:100) and Planning, Design and Access statement received by the Local Planning Authority on 4th March 2016.

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 a first floor rear extension and side dormer window

6 Wills Avenue Marshgate Swindon SN1 2PZ

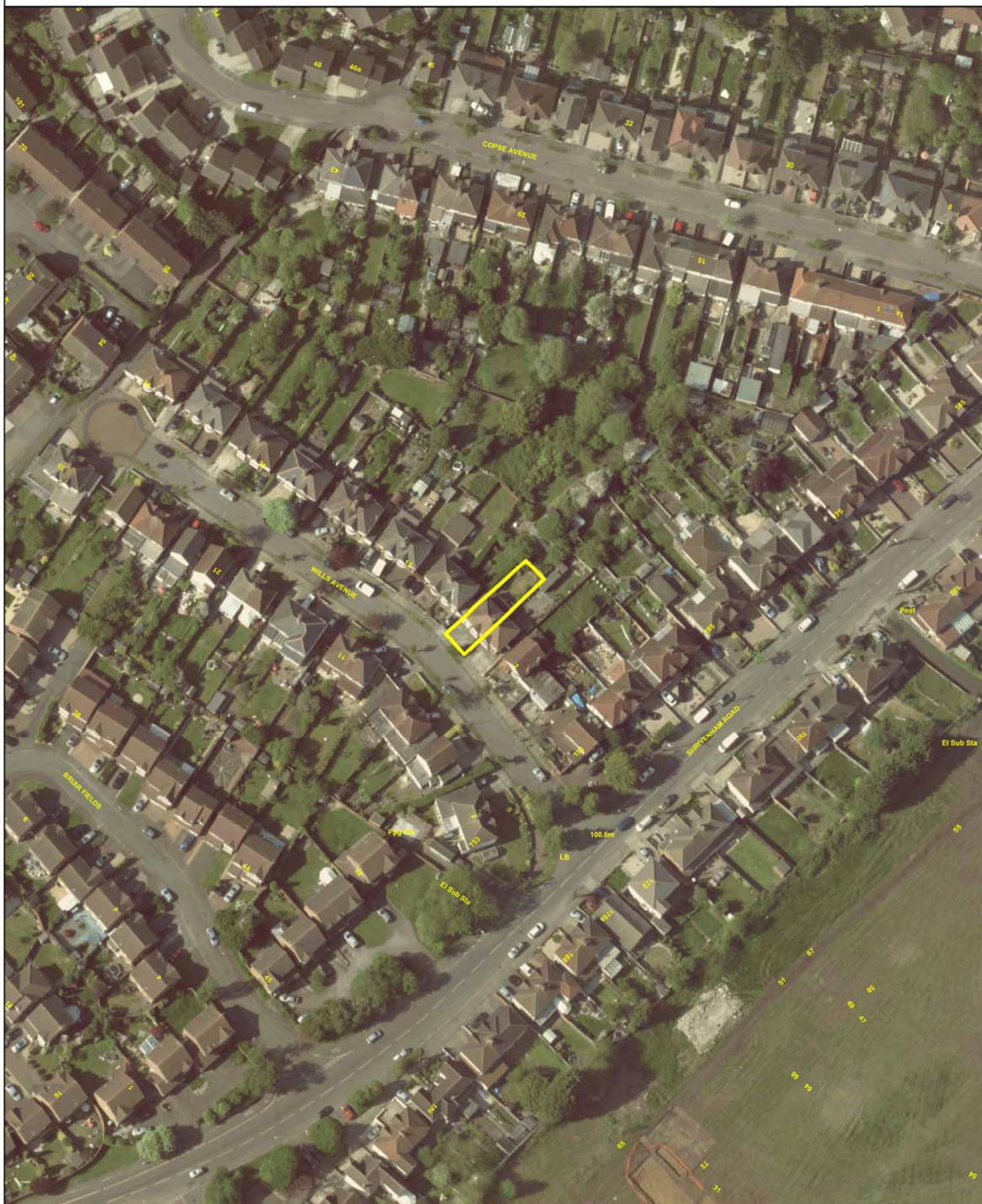


This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.

S/16/0432

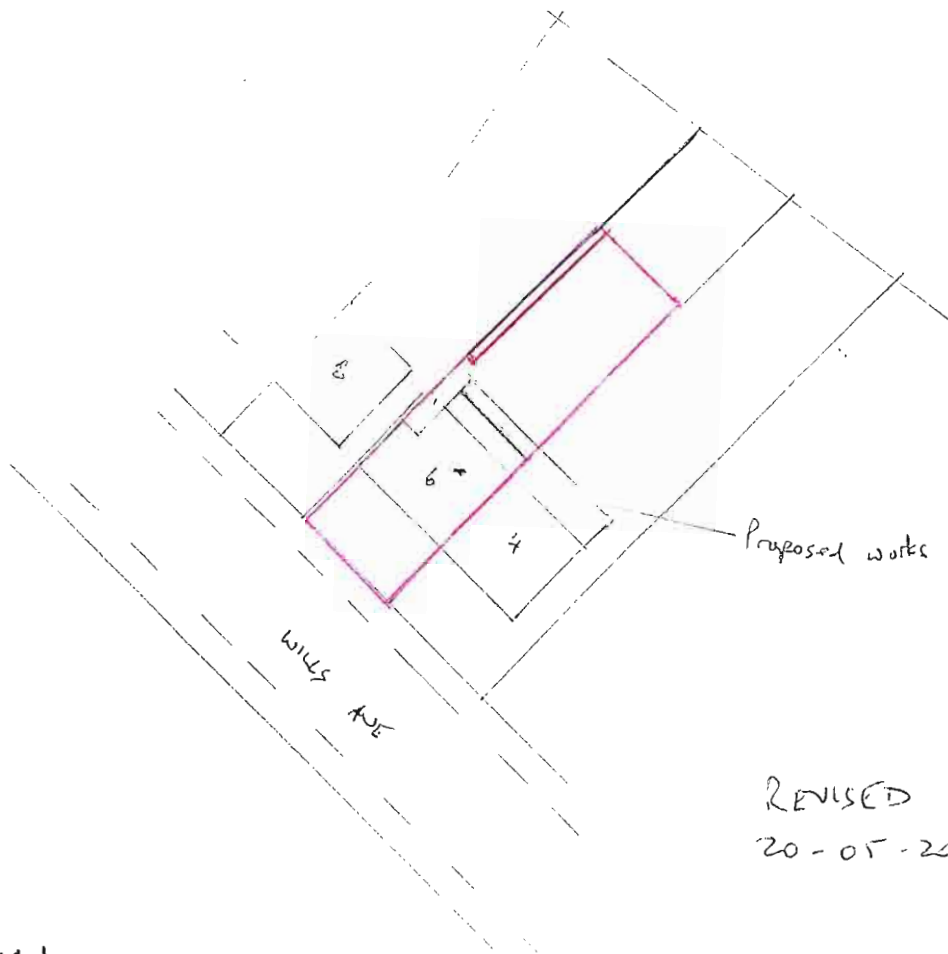
Erection of a first floor rear extension and side dormer window

6 Wills Avenue Marshgate Swindon SN1 2PZ



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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1:500

BLOCK PLAN

0 5 10 20

SCALE BAR
1:500

REVISED

20-05-2016

01 JUN 2016

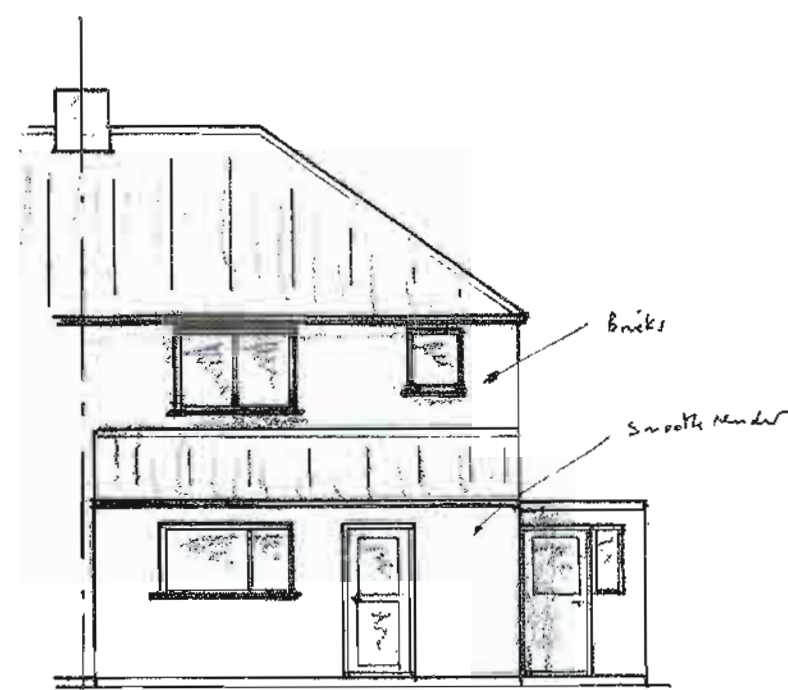
Swindon Borough Council
Planning Department

22 JUN 2016

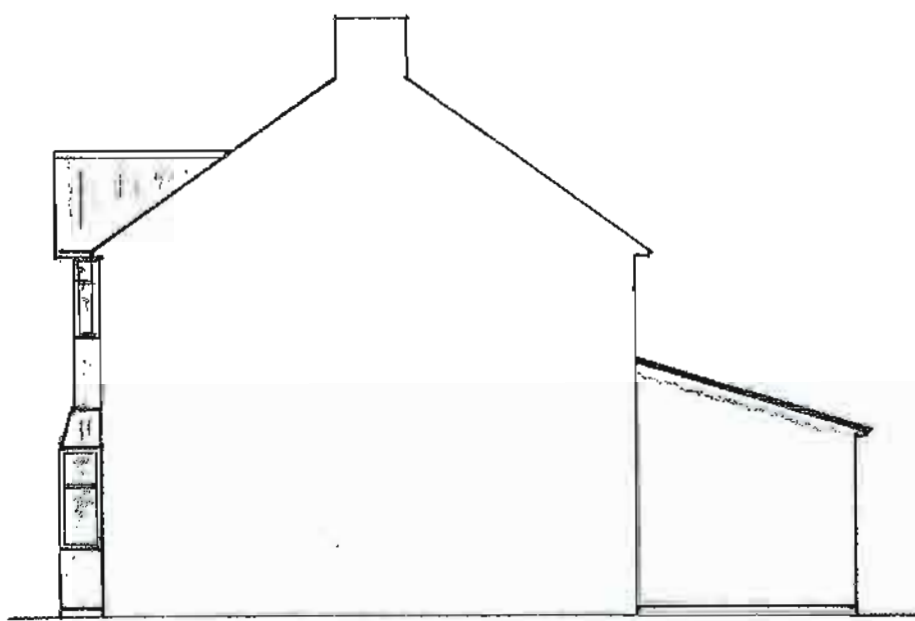
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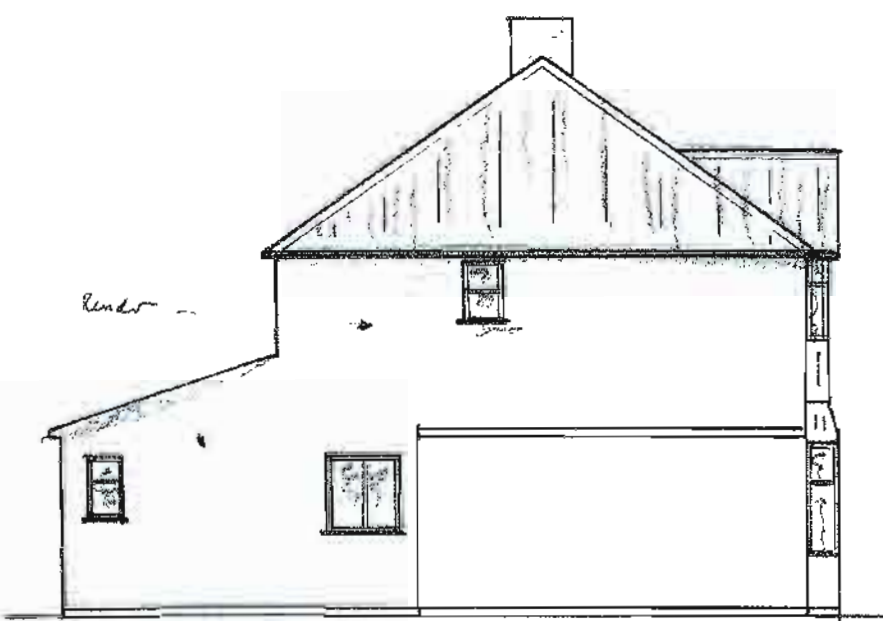
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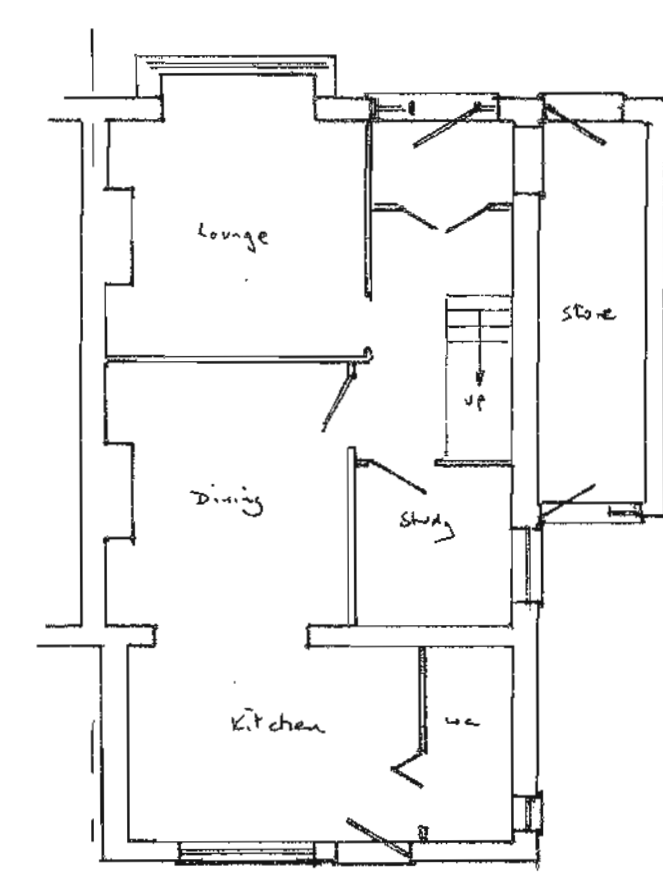
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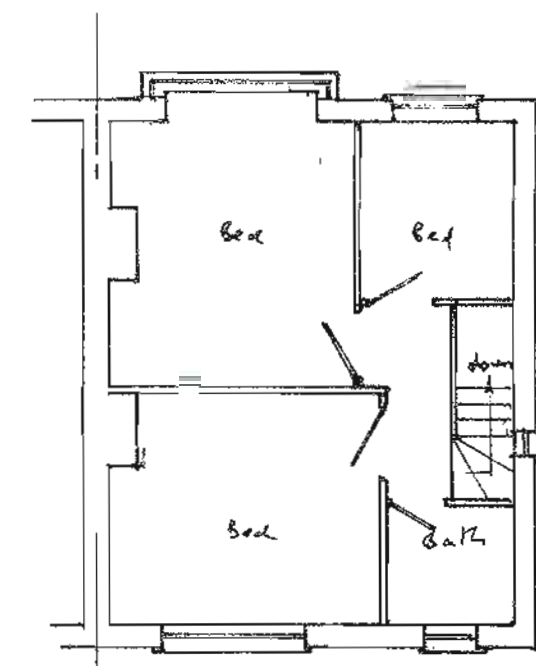
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EXISTING FRONT ELEVATION



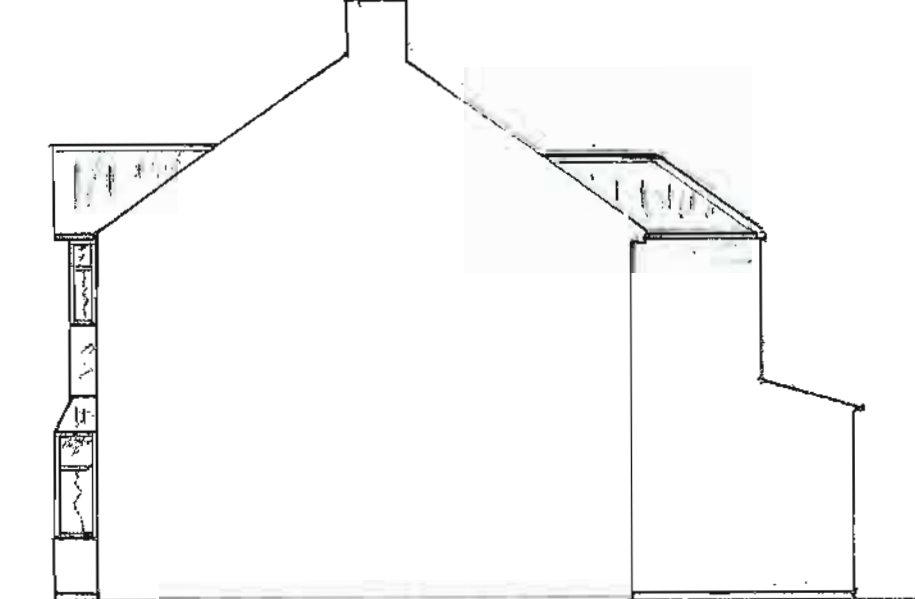
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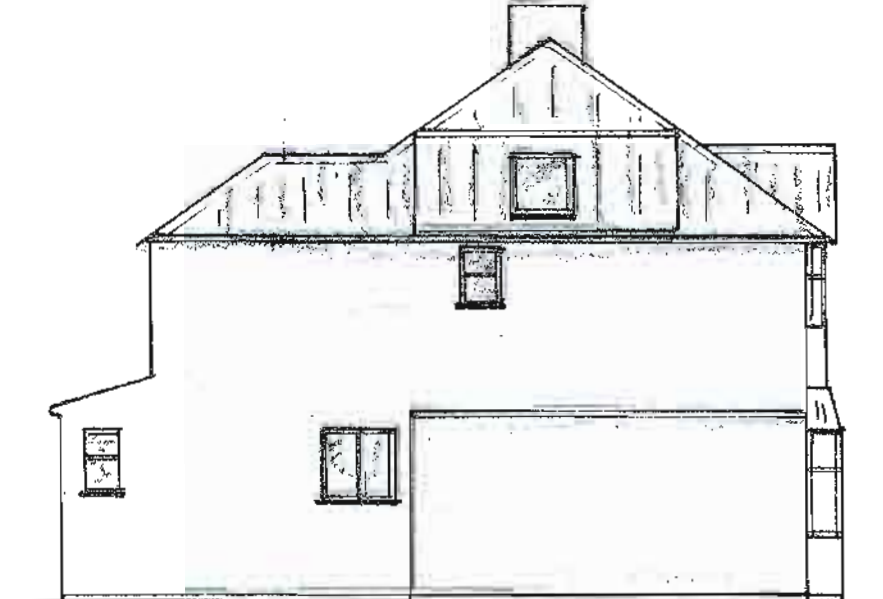
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PROPOSED REAR ELEVATION



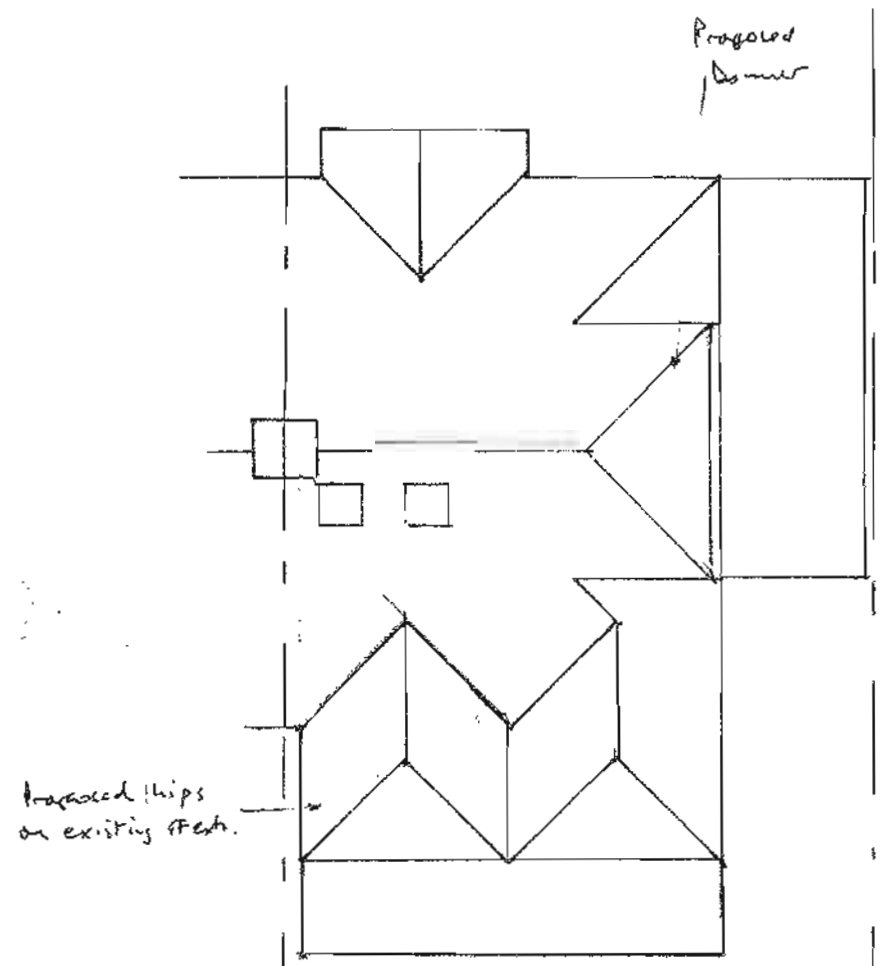
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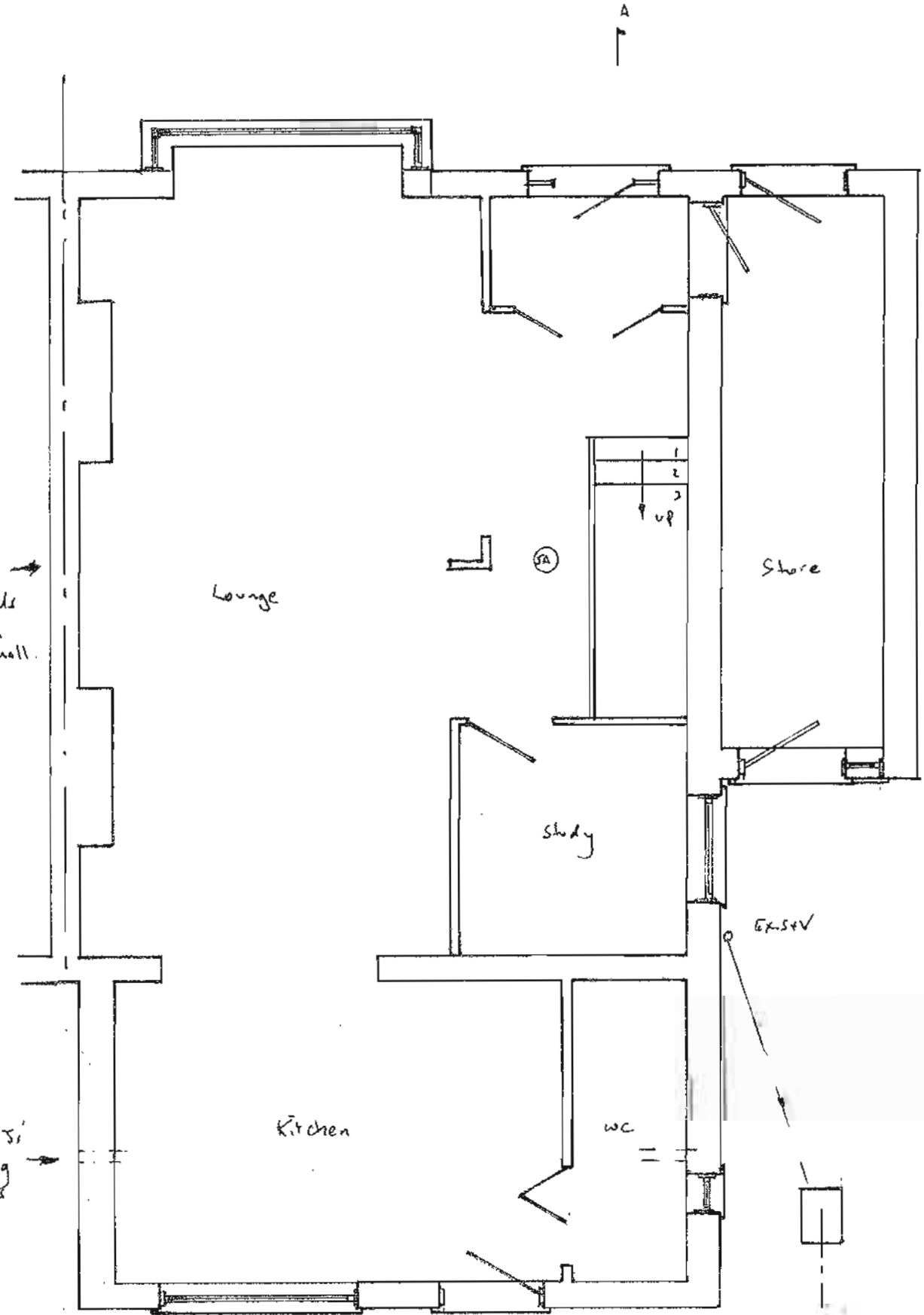
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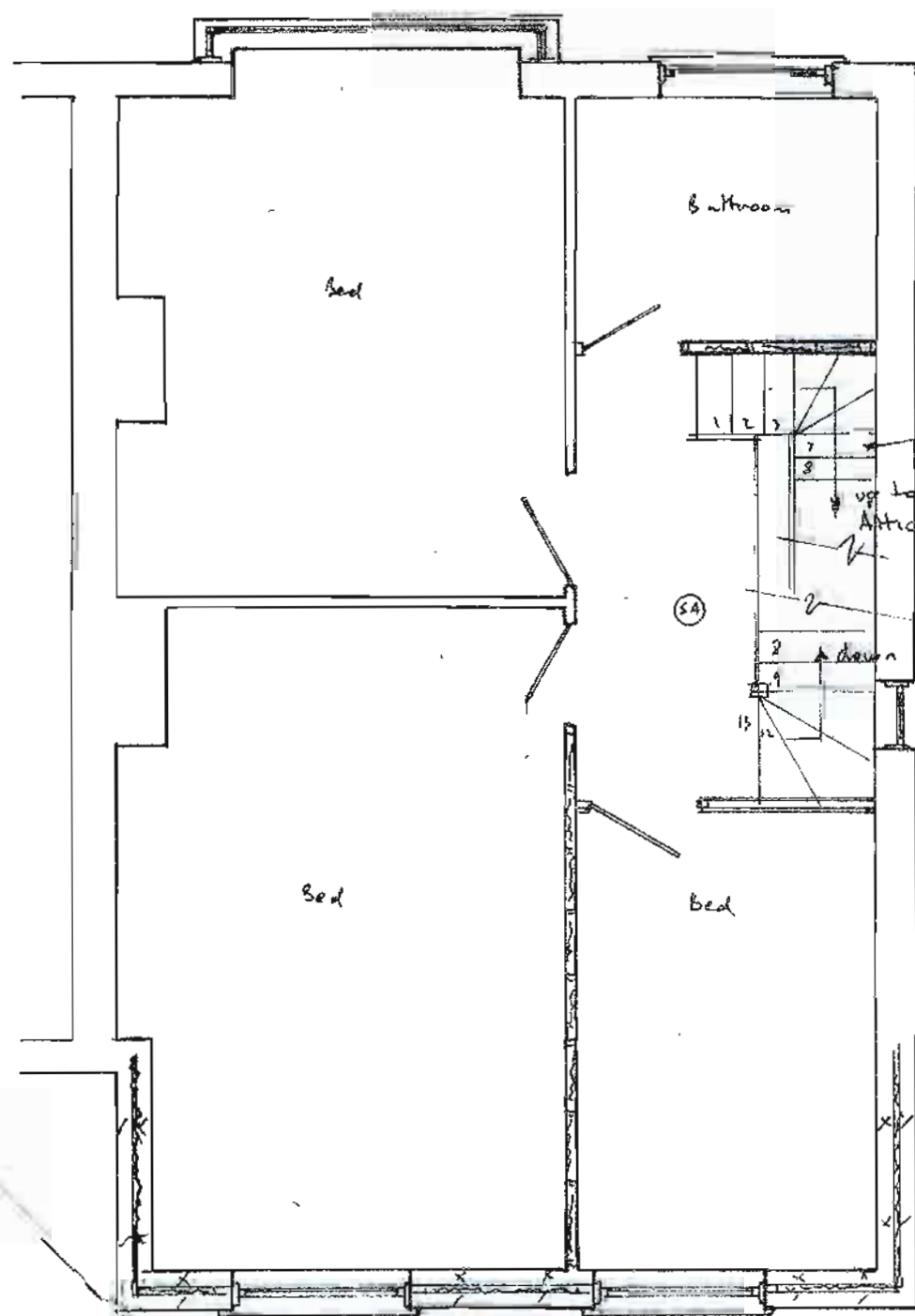
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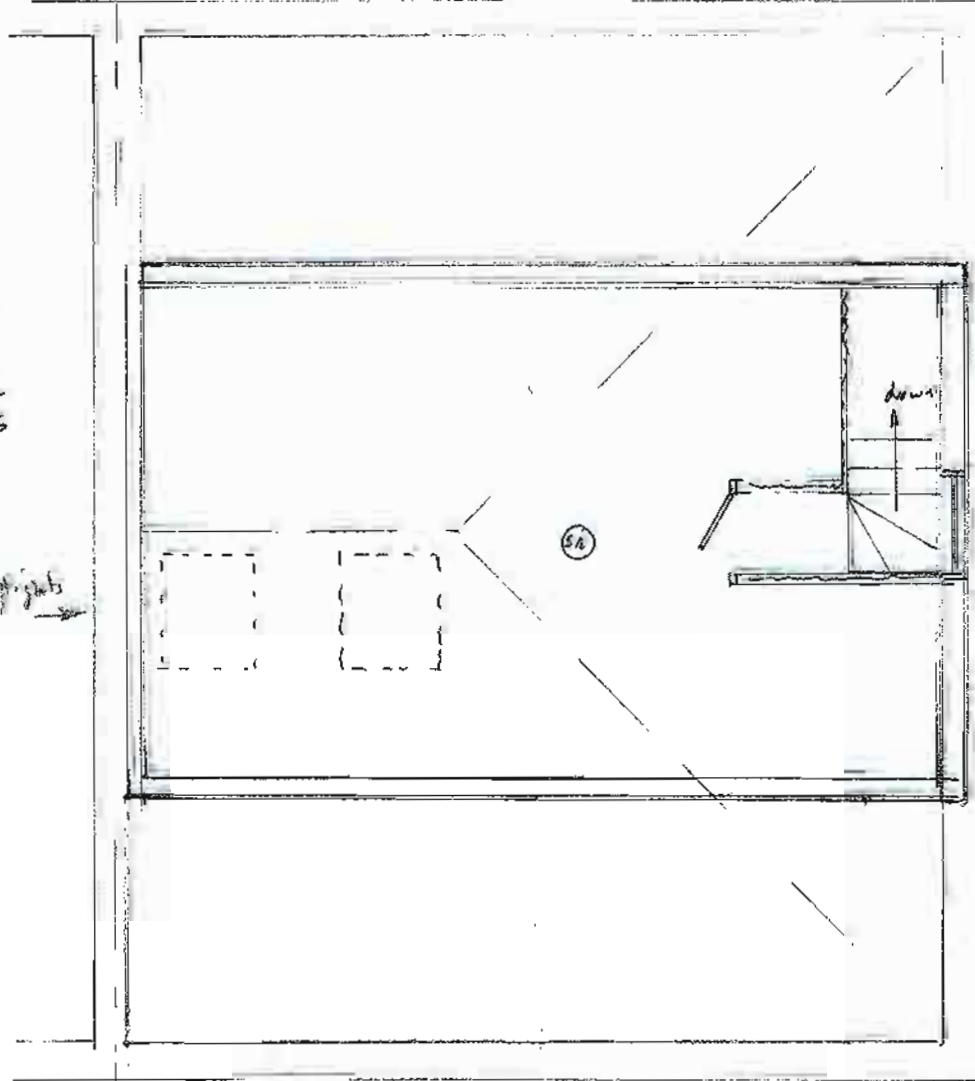
PROPOSED ROOF PLAN



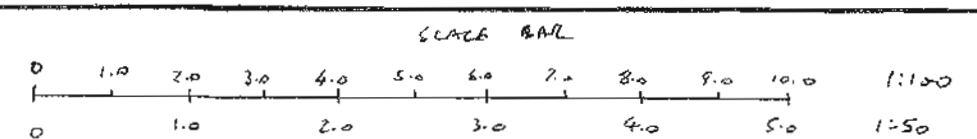
PROPOSED GF PLAN



PROPOSED FF PLAN



PROPOSED ATTIC PLAN



NOTES:
All dimensions must be checked on site and not scaled from this drawing.

FOR BUILDING REGULATION PURPOSES THESE PLANS ARE TO BE READ IN CONJUNCTION WITH THE WRITTEN SPECIFICATION & STRUCTURAL ENGINEER'S REPORT.

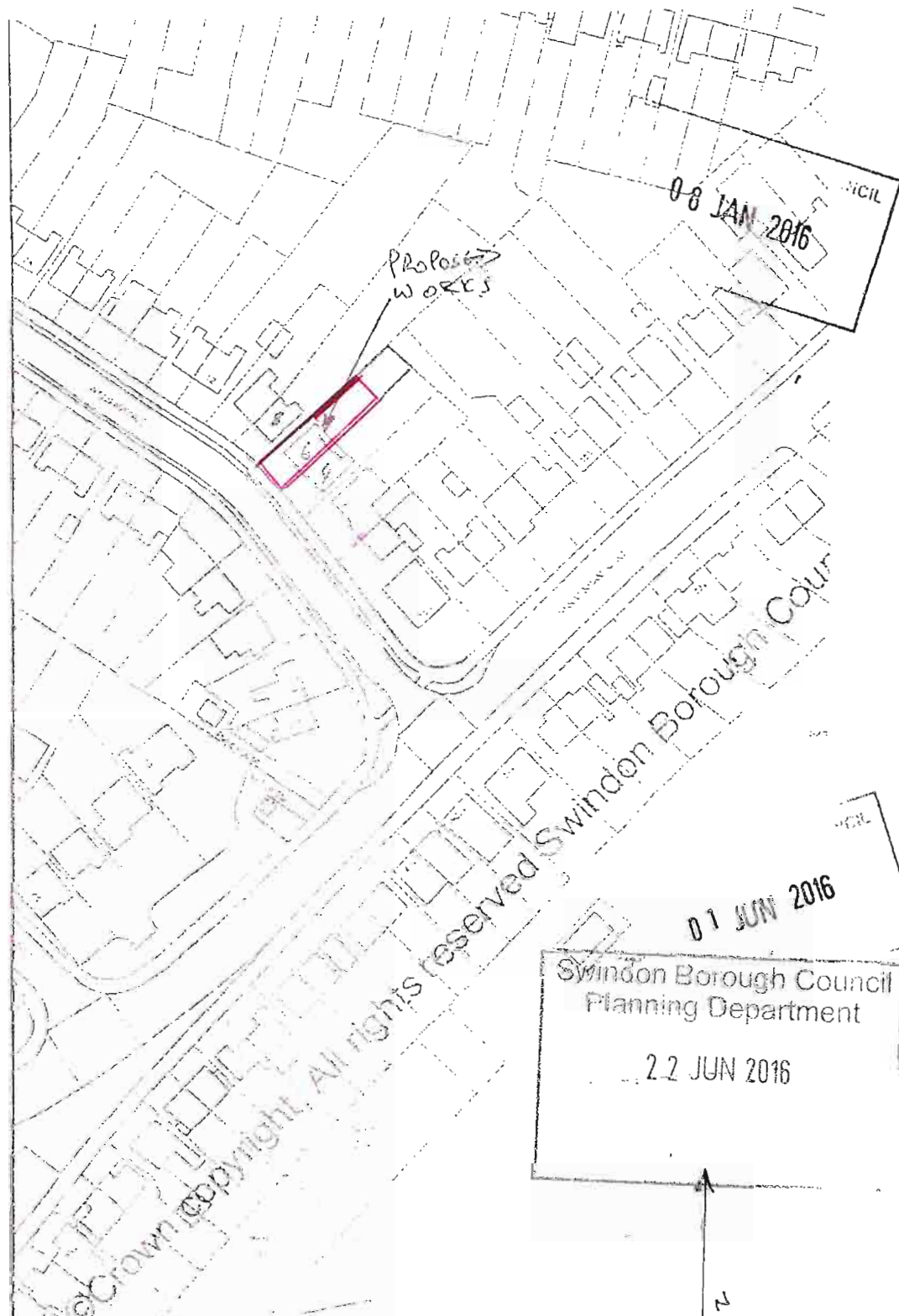
Date	Revisions
A 12/01/16	REAR SUMMIT REVISION

KEECH DESIGN SERVICE LTD
1 Harbour Close
Swindon SN25 3DL
01793 322610
07778 324228

Client
Job Title
Swindon Borough Council
Planning Department
29 APR 2016
- 1 JUN 2016

Drawing Title
SECOND STOREY EXTENSION TO REAR ELEVATION & GPT
CONVECTION AT NO 6 WILLS AVE.
SWINDON SN1 2PZ

Scale 1:50 1:100 1:500
Date DEC 2015 Drawn by PALLAN
Drg No. 15/079 (:) Rev. A



08 JAN 2016
RCL

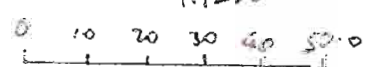
Proposed
Works

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Swindon Borough Council
Planning Department
22 JUN 2016



1:1250



SCALE BAR

Mu
22.06.2016

~~Shed/Workshop~~
REVISED
20.05.2016

REVISED



COMMITTEE REPORT

Item Number: 11

Ward: Central

Application Number: S/16/0432/CHHO

Parish: No Parish

Proposal: Erection of a first floor rear extension and side dormer window

Site Location: 6 Wills Avenue, Marshgate, Swindon

Case Officer: Miss Charlotte Hopkins

Agent:

Mr R Keech
1 Harbour Close,
Haydon Wick,
Swindon, Wilts.
SN25 3DL

Applicant

Mr A Phanwises
6 Wills Avenue
Marshgate
Swindon
SN1 2PZ

Officers Report

Background:

1.This application is brought before the Planning Committee at the request of Cllr Junab Ali and Cllr Bob Wright.

2.Revised plans have been submitted for this application of which interested parties were consulted on. The revised plans have omitted the rear dormer window from the proposal. The block plan and site location plan have also been amended to reflect the true boundary of the application site, following a site visit made by the planning officer and review of the land registry title plan.

Summary of Recommendation:

3.Planning permission be GRANTED with conditions

The Proposal:

4.This application seeks planning permission for the erection of a first floor rear extension and a side dormer window. 2 no. roof lights are also proposed in the rear roof space of the original dwelling house.

5.The first floor rear extension would be accommodated above the existing single storey rear extension which has a footprint of 2.9 metres depth by 5.6 metres width. The first floor element would have a depth of 1.7 metres by 5.6 metres, comprising of a twin-hipped gable roof with the remaining ground floor element being covered by a lean-to roof. The first floor extension would be externally finished in smooth render to match the existing extension, along with concrete roof tiles to match the host dwelling.

6. The side dormer window would be sited within the north- western roof slope of the dwelling. The dormer would have a length of 3.5 metres and a depth of 1.5 metres. The structure would have a hipped roof, the ridge of which would adjoin the main roof ridge of the dwelling. The dormer would be constructed in concrete tiles to match the existing roof and plain tile hangings to the dormer cheeks.

The Site and Surroundings:

7. The application site is a semi-detached dwelling, located in Marshgate, Swindon. The property is externally finished in a mix of pale render and red brick under a dark concrete tiled roof. The dwelling has an existing single storey rear extension with a lean to roof, along with a flat roof single storey side extension to the north west. The surrounding area is residential with pre-dominantly semi-detached properties which are similar in style. There is a hard standing area to the front of the dwelling for parking, which has existing dropped kerb access.

Site History:

8. A Certificate of Lawful development was submitted for the erection of a first floor rear extension and side and rear dormer windows (S/LDP/16/0064). The proposal was not considered to be permitted development, therefore a Certificate of Lawfulness could not be granted. This was because the proposed first floor rear extension would be constructed within 2 metres of the boundary of the curtilage of the dwelling and the height to the eaves exceeded 3 metres, failing to satisfy Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. The applicant was informed a Certificate of Lawful Development could not be granted and the application was withdrawn. The proposal was later submitted as a full planning application.

Representations:

9. Neighbours:

Original Plans

Eight letters of objection received from No.4, No.5, No.7, No.8, No.9, No.15 Wills Avenue. Each letter contains one or more of the following concerns: - dormer out of character with street scene and neighbourhood; dormer will destroy the symmetrical appearance of the semi-detached houses; concerns regarding party wall and roof; proposed rear extension will create overshadowing and block out natural daylight/loss of outlook; unacceptable bulk and mass; overlooking from side dormer; concern the 45 degree line is not complied with; overlooking; poor design; plans inaccurate/badly drawn; incorrect Land Registry boundaries. The land is approx. 32 feet shorter and 2 feet narrower than that shown in applicants plans; proposed parking is impractical in terms of spacing of vehicles. Concerns regarding extension of dropped kerb and potential removal of tree to accommodate access; potential for additional parking in the street if the development is intended to increase the occupancy of the house; proposed dormer does not achieve head height required under building regulations; proposal contravenes (H) and (I) of Class A of the General Permitted Development Order 2015.

Revised Plans

Three letters of objection received from No.4, No.5 and No.8 Wills Avenue. Objections reiterate previous concerns and add: the 45 degree line is uncorrected, with no source point given and no visit to the adjoining property to ascertain a correct line.

10. Parish: N/a

Planning Considerations:

11. The key considerations relate to the design and appearance of the proposal in relation to the host dwelling and surrounding area and the impact upon the neighbour's amenity.

12. The Swindon Borough Local Plan 2026 adopted on the 26th April 2015 is the development plan that is to be used. The policies that apply to this application are: DE1 and TR2. Also of direct relevance are the Residential Extensions and Alterations (2011) Supplementary Planning Document, the Technical Guidance on Parking Standards (2007) and the National Planning Policy Framework (NPPF).

13. Policy DE1 (High Quality Design) of the Local Plan seeks to ensure that there is a high standard of design of any development which is also sympathetic to the local context and character. It also ensures access arrangements are suitable and neighbouring amenities are protected. Development should also be acceptable in terms of scale, mass, and siting and have an acceptable appearance that would be compatible with, and protect the amenity of nearby land uses in terms of visual intrusion and privacy. In addition, Policy DE1 of the Local Plan seeks to ensure that there is no material detracting of enjoyment of light and privacy to a neighbour dwelling.

14. The Residential Extensions and Alterations (2011) ensures that any such development meets more detailed guidance on the criteria set out in Policy DE1.

15. The proposed first floor rear extension is considered to be acceptable in design terms, although not visible from the main street frontage of Wills Avenue and hence having no impact on it. The rear extension would be externally finished in materials to match the existing extension and roof tiles to match the host dwelling, ensuring the proposal harmonises with the existing building. Whilst the proposed rear extension would be sited in close proximity to the boundary with the attached neighbour (No. 4 Wills Avenue), the extension would only have a projection of 1.7 metres. This depth is compliant with guidance for first floor rear extensions as set out within the Residential Extensions and Alterations SPD, which stipulates a maximum depth of 3 metres. At 1.7 metres in depth, the first floor element is deemed to be a subordinate addition to the host dwelling which does not have an overbearing impact on neighbouring properties.

16. The 45 degree line to the quarter point of the first floor window of the attached neighbouring property (No.4 Wills Avenue), is not obstructed, as required by the adopted SPD. In addition, the extension would be sited to the north west of No.4 and thus No.4 will only suffer a minimal loss of direct sunlight, with the existing host dwelling (No.6 Wills Avenue) already blocking some evening sunlight.

17. The 45 degree line is not obstructed to the ground floor or first floor windows at No.8 Wills Avenue to the north west of the host dwelling, as stipulated by the adopted SPD. Through a combination of the set back of the extension from the boundary, the separation distance between the dwellings and the orientation of the dwellings, loss of direct sunlight will not be significant. As such the proposal is compliant with the Residential Extensions and Alterations SPD and Policy DE1, in that the extension does not create an unacceptable impact with regards to material detracting of light to the neighbouring properties.

18. No windows are proposed in either side elevation of the first floor rear extension, therefore the privacy of neighbouring properties is protected. The rear facing first floor windows are not considered to have an unacceptable impact on neighbour amenity. These windows would have a similar outlook to the existing first floor windows. There is no direct overlooking to windows of neighbouring properties, with a distance of 14 metres to the rear boundary of the site which is considered to be sufficient. Beyond this boundary is a section of garden space owned by No.8 Wills Avenue, which is the adjoining neighbour to the north west of the host dwelling. The garden space of No.8 Wills Avenue runs parallel to the garden of the host dwelling (No.6 Wills Avenue) and then wraps round to the rear of the host dwelling forming a 'L' shape. The section of the neighbouring garden at the rear of the application site is not considered to be the most sensitive part of private garden. Instead, the most sensitive part of the garden space is taken to be the area directly adjacent to the rear wall of the neighbours property, where a patio or decking area may typically be found. For the reasons outlined above, the first floor rear extension is not considered to create unacceptable overlooking or loss of privacy, in accordance with Policy DE1 and guidance contained within the Residential Extensions and Alterations SPD.

19. The Residential Extensions and Alterations SPD (2011) recognises that side dormers can have a significant impact upon the shape and form of the roof and may result in an inharmonious addition to the roof scape and street scene. The application proposes a dormer window on the western roof plane, with a hipped roof which joins the main hipped roof. The adopted SPD (2011) states box dormers on the side roof plane of hipped roof properties are rarely acceptable and can result in significant harm to the character and rhythm of the street scene.

20. The dormer extension would be prominently positioned, high up on the building and clearly visible within the streetscene. There is no other evidence within the vicinity of such roof extensions and thus the proposal would appear out of character with the street scene to the detriment of its appearance. It is apparent that the proposal would also alter the existing balance and symmetry that the host property experiences as one of a pair of semi-detached dwellings. Whilst officers acknowledge these points, it is a material planning consideration that the size and shape of this dormer can be carried out under permitted development rights. These permitted development rights derive from a general planning permission granted not by the local authority but by Parliament, meaning subject to compliance with a number of conditions and limitations, permission for certain types of development is granted in advance.

21. In accordance with the Schedule attached to the Town and Country Planning (General Permitted Development) (England) Order 2015 a roof space of a dwellinghouse may be enlarged or altered as permitted development and thus be lawful, subject to conditions and limitations set out in Part 1, Class B.

22. In reference to the above, it is apparent that the proposed side dormer window itself, benefits from these permitted development rights and does not require planning permission. The impact of this is that the side dormer window could be constructed lawfully without the submission of a planning application. Therefore there is a fall-back position for the applicant to carry out the side dormer window development without the need for an application, which is a strong material consideration in favour of the proposal. Government guidance within the NPPF states that the planning authority should deal with applications in a positive and proactive manner based on seeking solutions to problems. Therefore, taking this into

account it is considered that it would be seen as an unnecessary barrier to development if the Council were to refuse this application, when the side dormer window could be constructed lawfully under permitted development rights.

23. Policy DE1 and the Residential Extensions and Alterations SPD (2011) aim to safeguard the amenity of neighbouring residents. Concern has been raised by the neighbouring property (No.8 Wills Avenue) on the grounds of overlooking and loss of privacy caused by the proposed side dormer window, which would face a bedroom dressing room area window in the east side elevation of No.8 Wills Avenue. If an identified problem can be dealt with by means of a suitable condition, then the Local planning authority is required to consider this rather than by issuing a refusal. In this case, a condition could be imposed to ensure the proposed window is obscurely glazed, as indicated by the plans, as well as a condition to ensure this window is non-opening. These conditions would be in line with the conditions required for side dormer windows, as permitted under the Town and Country Planning (General Permitted Development) (England) Order 2015. These conditions in combination, would ensure privacy for the neighbouring property remains.

24. The 2no. proposed roof lights on the rear roof slope of the original dwelling are considered to be permitted development, not requiring planning permission. The windows comply with Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Parking

25. The property currently provides 3no. bedrooms and the proposed development would increase this to 4no. bedrooms, which requires the provision of 2no. on site parking spaces in compliance with Swindon Borough Council's Parking Standards (2007). The site is able to provide these spaces, with 2no. existing parking spaces on the hard standing area to the front of the property of the correct external dimensions (2.4m x 4.8m). As such the proposal complies with SBC's Parking Standards (2007) and Policy TR2.

26. Whilst planning permission is not required to extend the dropped kerb at 6 Wills Avenue given this is not a Trunk Road or Classified Road, separate Local Highway Authority approval for any extension to the dropped kerb would be required.

Other considerations

27. The red line of the block plan has been amended in the revised submission following a site visit by the planning officer and review of the Land registry title document. This is now corrected to represent the true boundary of the site.

28. Officers have measured the 45 degree line from the quarter point of the attached neighbour's first floor window, as detailed in the Residential Extensions and Alterations SPD (2011). The 45 degree line is not obstructed and officers have no evidence to suggest the 45 degree line shown on the plans is incorrect.

29. Comments made in relation to the headroom required in a loft conversion is a matter controlled under building regulations. Matters controlled under buildings regulations are non-material planning considerations, therefore this element is not relevant to the decision of whether to grant planning permission. Having noted this, the applicant's agent has since provided further clarification on the matter which appears to demonstrate the necessary headroom in order to meet building regulations. In addition, party wall agreements are not

controlled under planning, instead covered by a separate piece of legislation.

30. With regards to comments made in relation to the proposal contravening (h) and (i) of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, the proposed first floor rear extension does not comply with Class A and does require planning permission. It is beyond the scope of this application to speculate future alternative proposals at the application site and whether these would be lawful. Officer assessment is based on the application as it stands.

CIL

31. The Council adopted a Community Infrastructure Levy (CIL Charging Schedule) on 26th March 2015 and became effective on 6th April 2015. All relevant planning applications determined on or after this date will be subject to the consideration of CIL. The proposed extension is less than 100 sq. m in area and therefore in accordance with the adopted Charging Schedule is minor development and is exempt from CIL liability.

Concluding Comments

32. Overall, the proposed first floor rear extension is not considered to cause unacceptable harm to the character of the host property and to the character and amenity of the surrounding area, as well as the amenity of the neighbouring properties. Whilst in design terms, the side dormer window does not fully accord with adopted guidance, it is a material planning consideration that the side dormer window could be constructed under permitted development, not requiring planning permission. Taking this into account it is considered that it would be seen as an unnecessary barrier to development if the Council were to refuse this application. Therefore it is recommended that planning permission be granted.

Recommendation

33. That planning permission be GRANTED.

Conditions

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

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

2. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing buildings. Such facing materials shall be retained thereafter in their approved form.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no windows other than those hereby approved shall be formed in the north east (side) elevation or the north west (side) elevation of the first floor rear extension hereby permitted.

Reason: In the interests of residential amenity

4. No glass other than obscure glass manufactured to a privacy level of 4 or above shall be used in the glazing of the side facing dormer window hereby permitted. This window shall also be non-opening.

Reason: In the interests of residential amenity.

5. This approval shall be in respect of the drawings no. 15/079(i) Rev A, 15/079 (ii) Rev A received by the Local Planning Authority on the 1st June 2016 and Block Plan (1:500) and Site Location Plan (1:1250) received by the Local Planning Authority on the 22nd June 2016.

Informatives

1. The granting of planning permission does not authorise you to carry out any works on, over or under your neighbour's land or property without first obtaining their consent

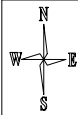
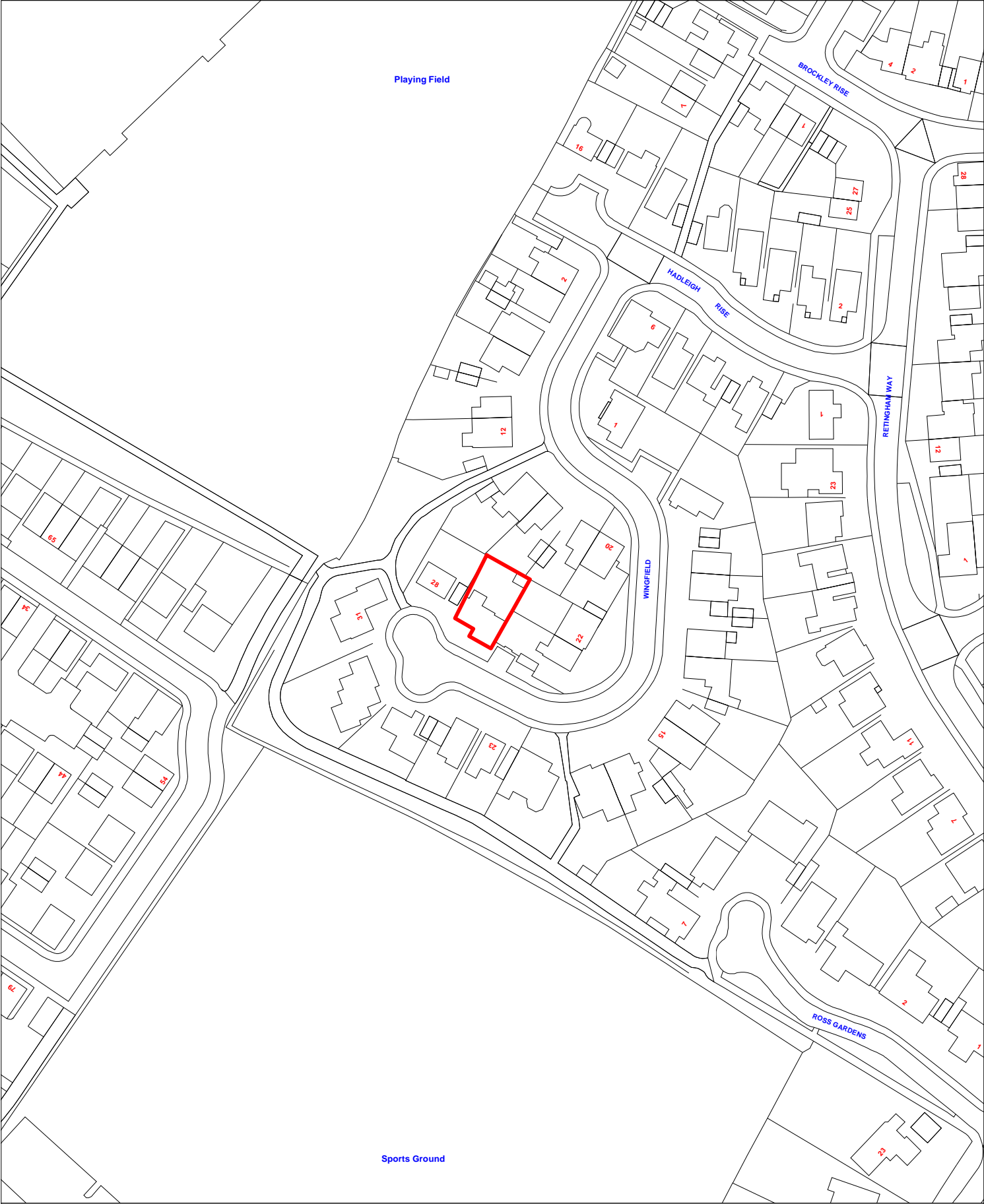
2. Separate Local Highway Authority approval for any extension to the dropped kerb would be required. The Applicant is required to obtain this approval before works commence and is therefore recommended to contact Swindon Borough Council's Street Works Management Department in this respect.

3. Whilst the development proposed generates a net gain in floor space, the development proposed does not constitute CIL liable development and is exempt from CIL liability as the proposal falls under the definition of minor development for the purposes of calculating CIL liability as the proposed net gain in Gross Internal Area (GIA) of floor space is below 100 sqm

End of Report

Erection of a first floor front/side and single storey rear extensions.

26 Wingfield Kingsdown Swindon SN3 4UR

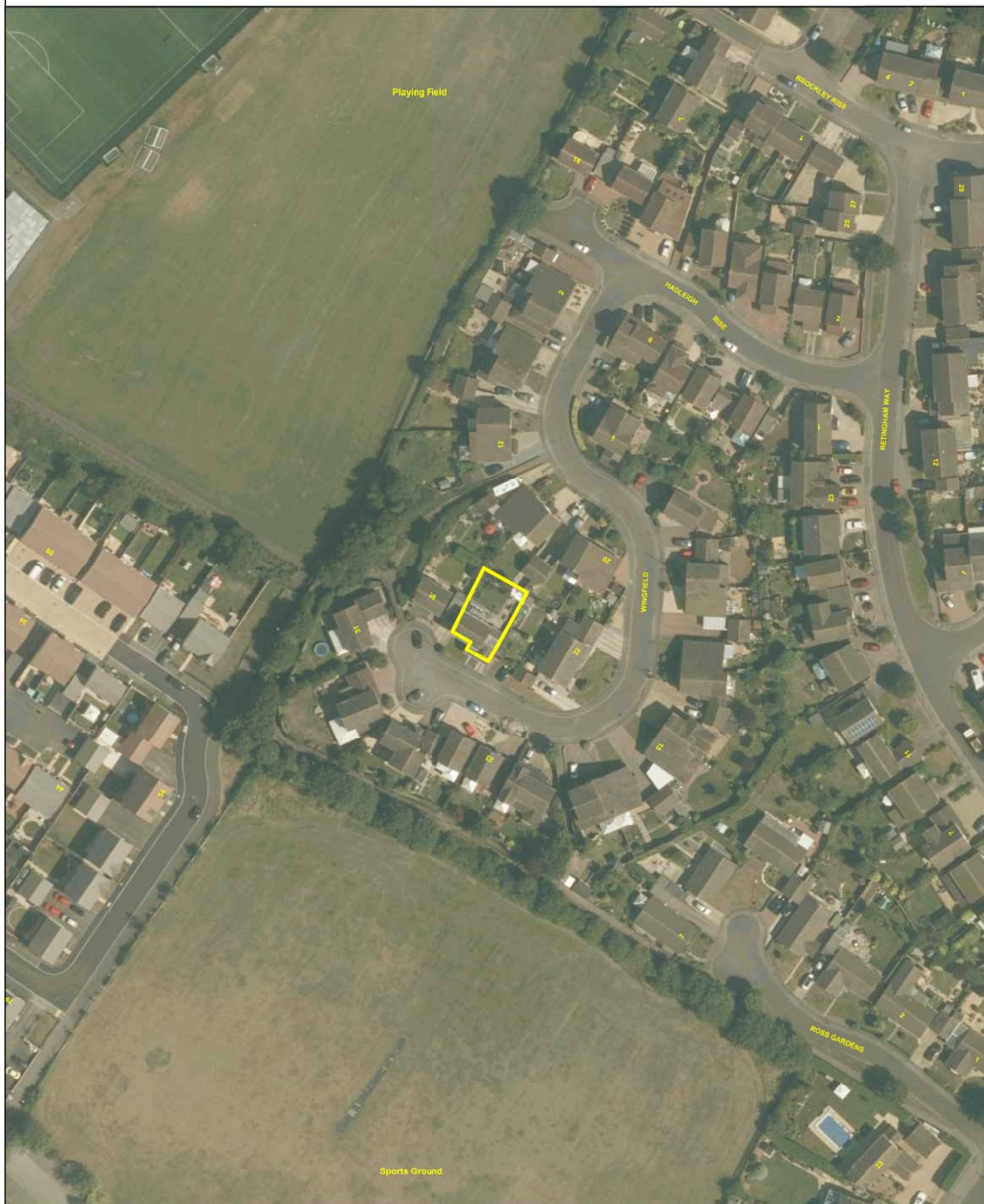


This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
In all cases references should be made to the submitted plans.

S/16/0912

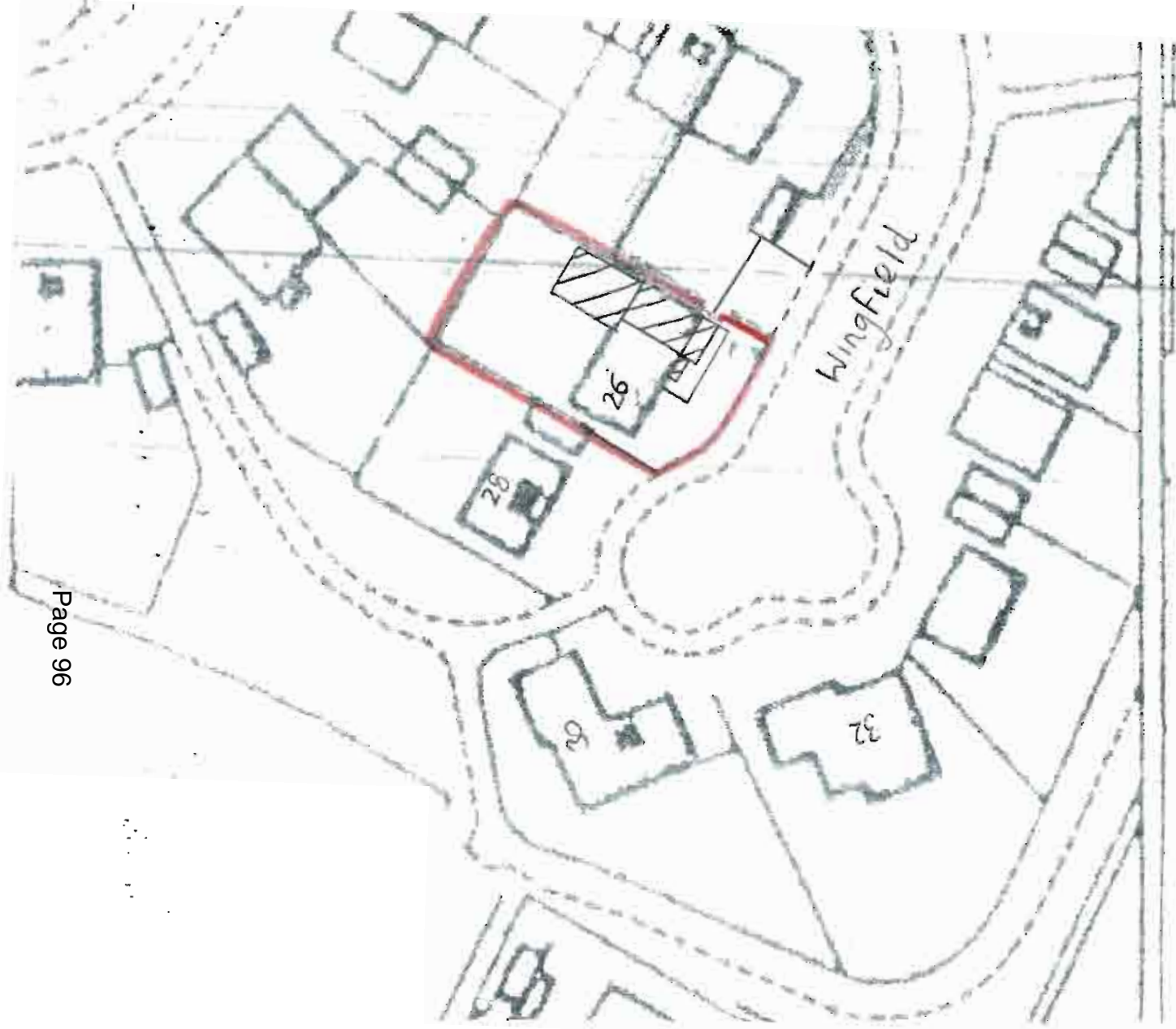
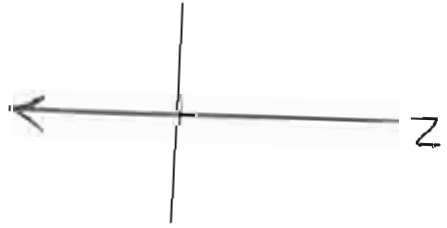
Erection of a first floor front/side and single storey rear extensions.

26 Wingfield Kingsdown Swindon SN3 4UR

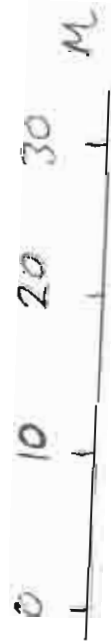


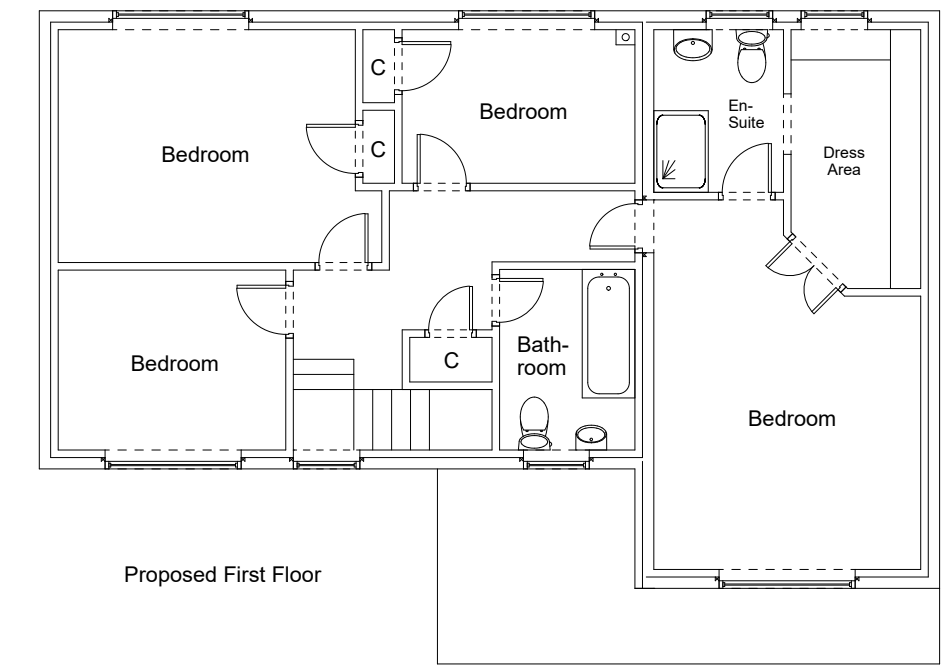
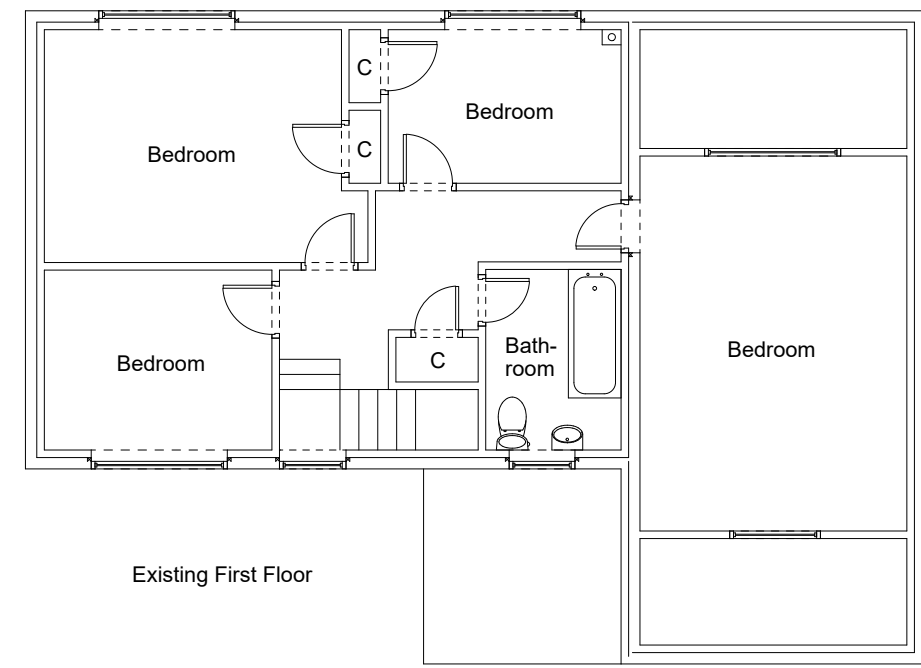
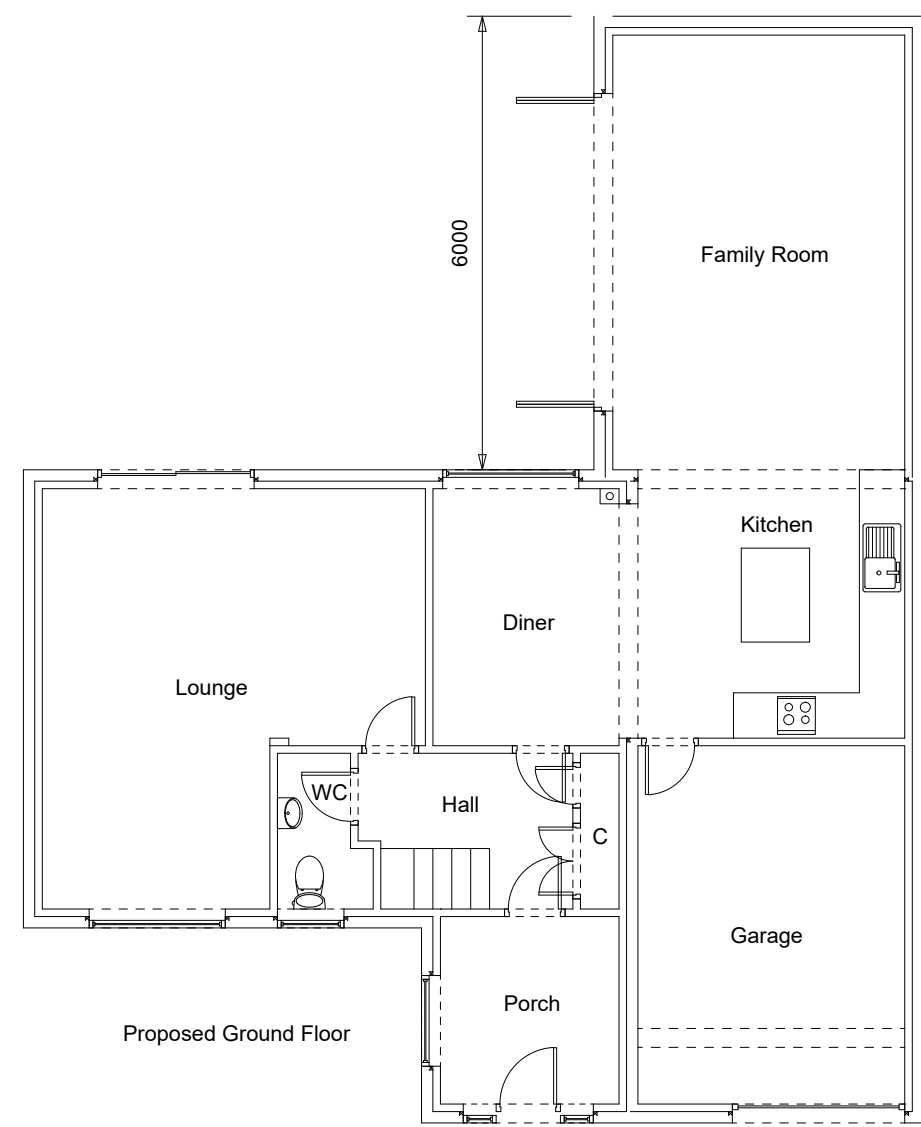
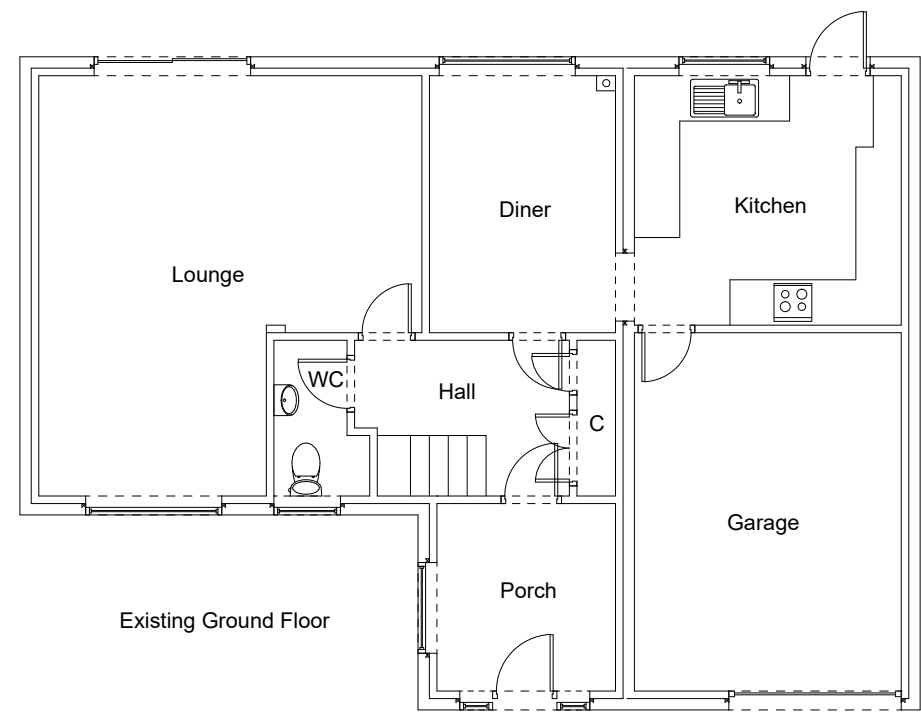
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In all cases references should be made to the submitted plans.

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Block Plan 1500 A4





Client
Mr J Pullen

Project
**26 Wingfield
Stratton
Swindon
SN3 4UR**

Drawing Title
Existing/Proposed

Drawing No.
1544.1 rev B

Date
March 2016

Scale
1:100 @ A2

Drawn by
MM

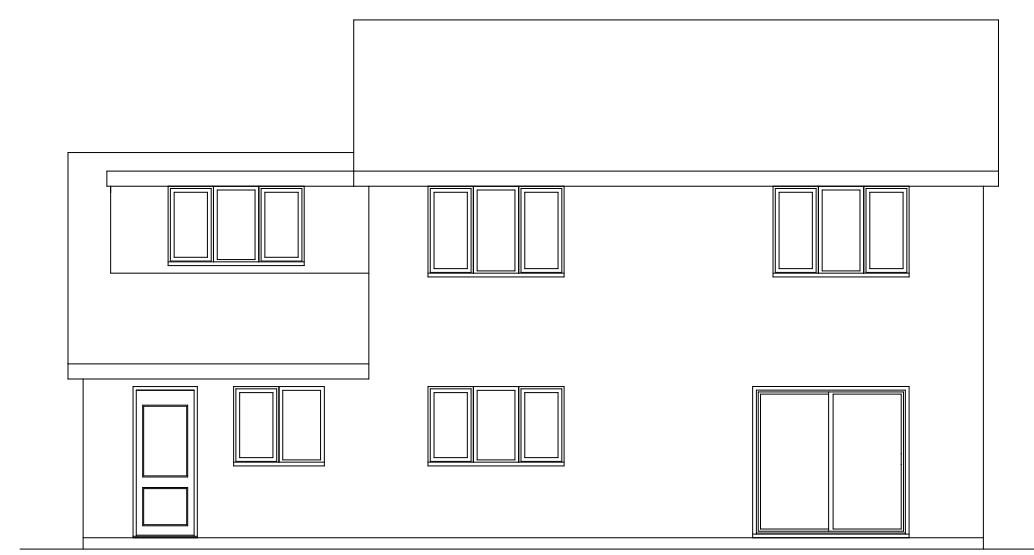
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RGN

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Highworth
Swindon
SN6 7AG

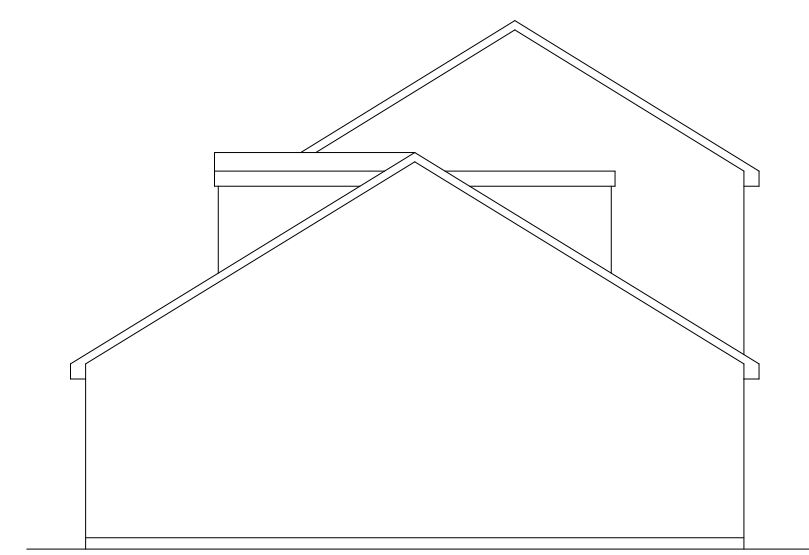
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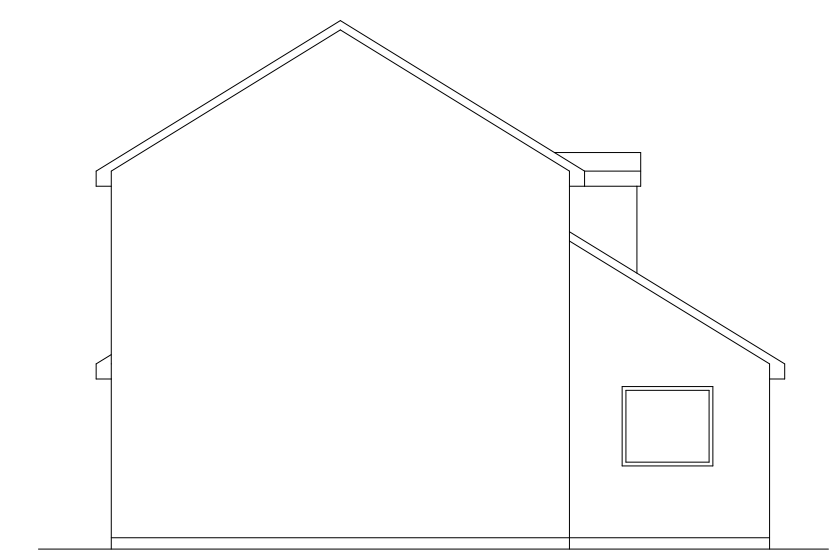
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Existing Rear



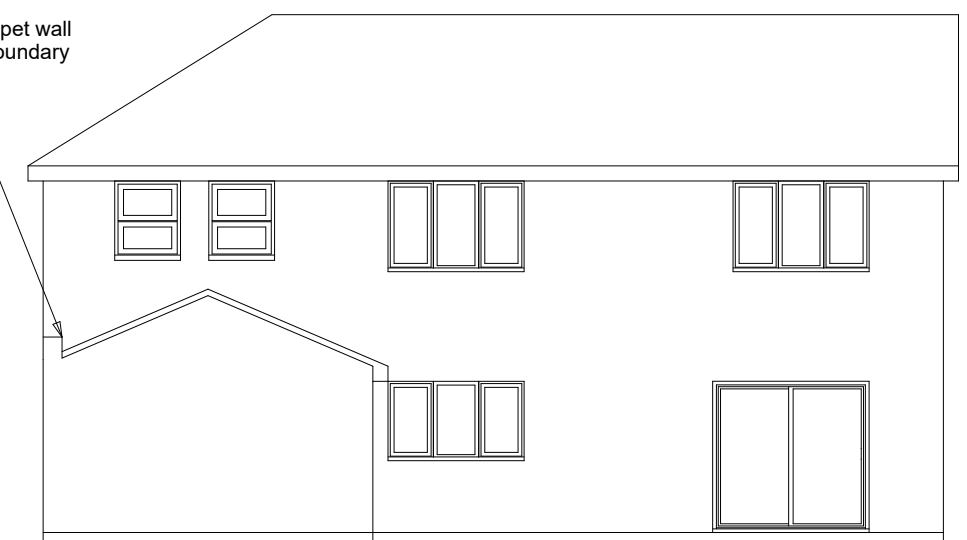
Existing Side



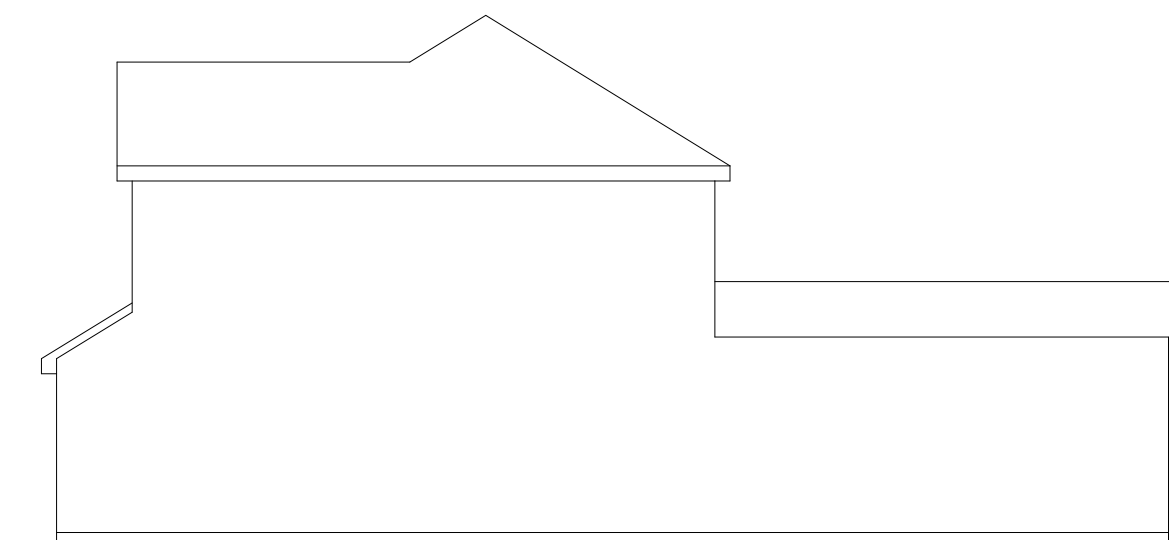
Existing Side



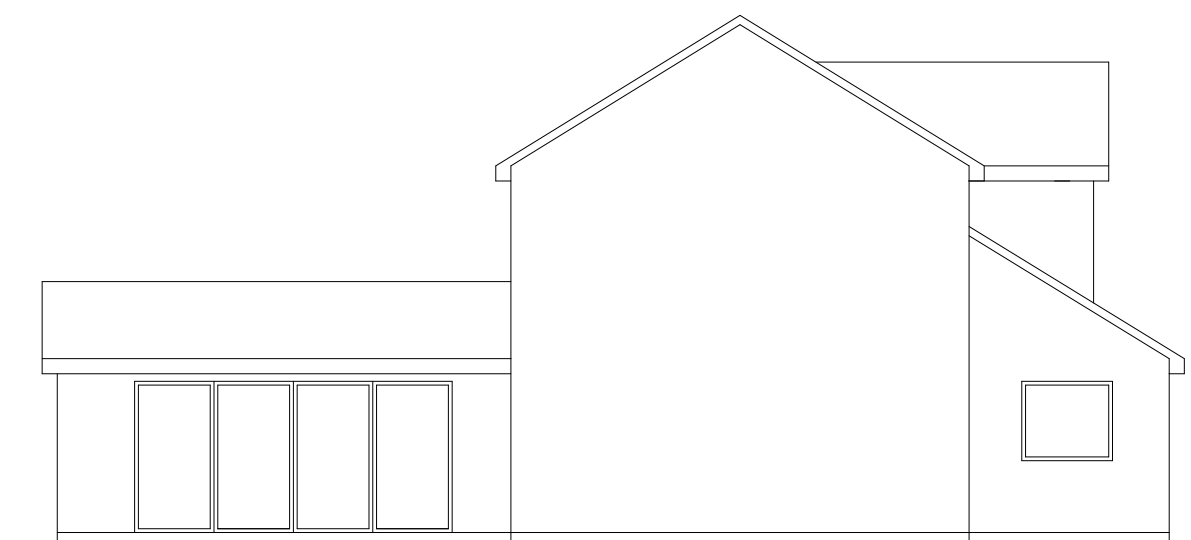
Proposed Front



ProposedRear



Proposed Side



Proposed Side



COMMITTEE REPORT

Item Number: 12

Application Number:
S/16/0912/BLOWC

Ward: St Margaret And South Marston

Parish: Stratton St Margaret

Proposal: Erection of a first floor front/side and single storey rear extensions.

Site Location: 26 Wingfield, Kingsdown, Swindon

Case Officer: Ms Catherine Blow

Agent:

Mr Rod Navarrete
Home Plan Design Services
27B High Street
Highworth
Swindon
SN6 7AG
United Kingdom

Applicant

Mr J Pullen

26 Wingfield
Kingsdown
Swindon
SN3 4UR

Officers Report

Background:

1 This application has been brought to Planning Committee at the request of Councillor Russell Holland due to the concerns raised by two of the neighbours to the site. Stratton St Margaret Parish Council has also objected and requested this application is considered by Planning Committee due to the size and its overbearing impact upon neighbours and the host dwelling.

Summary of Recommendation:

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

The proposal:

3 This application seeks planning permission for the erection of a first floor front and side extension and a single storey rear extension. The proposed rear extension would be 6 metres in depth and would be located adjacent to the eastern boundary of the site which forms the rear boundary of both 22 and 24 Wingfield. This element of the proposal would have a pitched roof with a ridge height of 3.4 metres in height.

4 The first floor side extension would replace an existing chalet style roof with dormers set

within the front and rear roof slope. The new extension would be two-storey with a hipped roof facing the eastern boundary. The ridge of the hipped roof would match the height of the main ridge of the property, with the forward projecting gable measuring 6.4 metres in height. This forward projecting gable would project 1.6 metres as measured from the front wall of the main dwelling.

5 The proposed development would provide an enlarged kitchen with family room and an enlarged master bedroom together with en suite bathroom. Parking provision would remain unaffected by the proposal.

The Site and Surroundings:

6 The application property is a detached two storey dwelling with an existing extension that resulted in the integration of the garage into the house and additional first floor accommodation. The application site is located to the west of the rear boundaries of 22 and 24 Wingfield, which are orientated perpendicular to the application property.

7 The surrounding area is characterised by properties constructed in the 1980s, with various house types. This part of Wingfield is characterised by simply designed, two storey detached or semi-detached properties. There are properties located to the east of the application site which consist of part two storey and part chalet style elements.

Representations:

8 Parish Council:- The Parish Council objects to the proposal on the grounds of the excessive size, the overbearing relationship with the adjacent neighbours and the impact upon the host property.

9 Neighbours:- Two letters of objection received in relation to the development. The representations were from 22 Wingfield and Cllr Russell Holland, on behalf of a resident at 24 Wingfield. The concerns raised are summarised below:

- The extension is large and out of keeping with the area;
- Detrimental visual impact due to the size, scale and mass of the proposal;
- Impact upon residential amenity affecting the use of the adjacent garden and rooms within the adjacent dwelling;
- Loss of light to adjacent properties;
- Loss of privacy;
- The proposal would encroach onto land outside the application site resulting in the removal of the boundary fence with elements of the proposal overhanging the boundary and the requirement for trespass;
- There may be an affect upon surface and foul drainage.

10 At the time of drafting this report the plans of the proposal had been amended and neighbours, ward members and the Parish Council had been reconsulted regarding those proposals. The consultation period had not expired. Members will be updated of any further responses received at the Planning Committee.

Planning Considerations

11 The main considerations relate to the design and appearance of the proposal, the impact upon the character of the dwelling and surrounding area and the potential impact upon neighbour amenity in terms of overbearing impact, loss of light, overlooking and loss of privacy. The policies relevant to this application are:

- Policy DE1 (High Quality Design) of the Local Plan seeks to ensure that there is a high standard of design of any development which is also sympathetic to the local context and character. It also ensures access arrangements are suitable and neighbouring amenities are protected. Development should also be acceptable in terms of scale, mass, and sitting and have an acceptable appearance that would be compatible with, and protect the amenity of nearby land uses in terms of visual intrusion and privacy. In addition, Policy DE1 of the SBLP seeks to ensure that there is no material detracting of enjoyment of light and privacy to a neighbour dwelling.
- Policy TR2 (h) (Transport and Development) of the Local Plan seeks to ensure parking provision can be provided in accordance with the Council's adopted parking standards.
- The Supplementary Planning Document "Residential Extensions and Alterations" (2011).

Design and Appearance

12 The proposed single storey rear extension has a pitched roof and running perpendicular to the main ridge and is a common style of development within residential areas. Although the proposed rear extension would exceed the maximum projection of 4 metres, this would not detract from the design chosen. The impact of this element of the proposal upon residential amenity is assessed in more detail below.

13 The proposed first floor side extension would result in a hipped roof extension to the main roof and a forward projecting bay that would project forward of the main dwelling by 1.6 metres. The Extensions and Alterations SPD requires the following:

- Resist terracing;
- Extend no more than half the width of the main dwelling;
- Ensure a minimum clearance of 75mm between eaves of extension and boundary will be expected intended to ensure that visually the individual properties retain their independent form and for maintenance of guttering;
- Ensure the external side walls are parallel with the existing side wall of the dwelling;
- The height of the ridge should be below the main ridge and the eaves set at the same height of lower than existing.

14 The proposed side extension would be no more than half the width of the main dwelling, would not result in terracing, would have a wall parallel to the main dwelling and would have a ridge lower than the main ridge in compliance with the SPD. However, there are some aspects that do not comply with the SPD.

15 The guttering would not be located the minimum 75mm from the side boundary. But, it would be in a similar position to the guttering on the side which serves the existing extension. The primary aim of the design criteria would be to maintain the separation of two closely sited properties. In this case, the application property is located at the end of the rear garden of the closest property; therefore, in this instance there is no issue with

separation distances.

16 The proposed extension would have a ridge height which is lower than the main ridge, thereby ensuring the extension appears subservient to the main dwelling. The existing dwelling already appears asymmetrical so the proposal would not result in any further unbalancing of the property. In addition, the pitched roof of the projecting gable would be lower than the main ridge. The design of the forward projecting gable would also be similar in design and scale to the extension at 21 Wingfield, located opposite of the site. The proposed side extension, would be acceptable in its external appearance and would not harm the character of the host property or the character of the surrounding area.

Neighbour Amenity

17 The proposed rear extension would be located approximately 12 metres from the rear walls of the original dwellings at 22 and 24 Wingfield. 24 Wingfield has a conservatory located approximately 10 metres from the side wall of the proposed extension. The proposed rear extension would exceed the maximum projection of 4 metres as stipulated in the Design and Alteration SPD. However, due to the intervening boundary fencing, the distance to the nearest dwelling and that the proposal would not encroach into a 45 degree angle of any window, the proposed single storey rear extension is not considered to detrimentally affect the amenity of adjacent properties. There are no windows proposed in the flank elevation adjacent to the eastern boundary so privacy of adjacent occupiers would also be preserved.

18 The proposed first floor side extension would not increase the height of the flank wall adjacent to the boundary of the site but would increase its bulk. The plans have been revised since the original submission to include a hipped roof rather than a gable end facing 22 and 24 Wingfield which would reduce the impact of the proposal upon the adjacent dwellings. The proposed development could affect direct sunlight to properties to the east, during late afternoon particularly during winter months. However, consideration has to be given to whether or not this affect would cause significant harm. The existing house and the existing side extension casts shadows over the adjacent rear gardens at 22 and 24. This increase in the bulk of the flank wall could reduce the level of light. However, as a result of the revisions to the proposal, with the introduction of the hipped roof, which would slope away from the boundary, the proposal is not considered to cause significant harm to the sunlight to the adjacent rear gardens to justify a refusal in this instance.

19 The Extensions and Alterations SPD requires a separation distance of rear to side elevations to be a minimum of 12 metres. This aims to relieve the impact of an extension on a neighbouring property and maintained residential amenity. It also seeks to ensure that minimum garden sizes and privacy is maintained. There appears to be a minimum separation of 12 metres between the proposal and the original rear of 22 and 24 Wingfield and the rear gardens are of adequate size. However, the existing conservatory at number 24 would be approximately 10 metres from the proposed extension. It is not considered that daylight to the rear of the property would be affected by the proposal and it is considered that the level of sunlight would not be adversely affected by this proposal.

20 There are no windows proposed within any flank elevation of the proposed development and so there would be no direct views over adjacent properties. The proposed windows to the rear would be in a similar position to the dormer window in the existing extension.

Therefore, the proposal would not give rise to any material harm arising from loss of privacy.

Parking Provision

21 The proposed development would not increase the number of bedrooms within the proposed and not affect the existing level of parking within the site. The existing garage would be retained. Therefore, the proposal would not result in increased harm to highway safety so would not conflict with Policy TR2 of the Swindon Local Plan 2026.

Other Considerations

22 The responses from residents raise issues with regards to party wall matters. It should be noted that the existing side extension appears to form the boundary with 24 Wingfield and that this point, has guttering that overhangs the boundary. The proposed side extension would repeat this situation, albeit at a level higher above ground. It is not considered that repeating the same guttering overhang for the same distance to serve the new first floor side extension could be considered detrimental to residential amenity bearing in mind the limited impact arising. However, the location of the boundary to the rear of the existing side extension is less clear with conflict between information held by the applicant and the location of the boundary fence. The proposed rear extension would follow the line of the flank wall of the side extension and would include a parapet wall. The parapet wall would prevent overhanging of what appears to be the boundary.

23 The rear boundary of 22 and 24 Wingfield consists of the flank wall of the existing extension and a shiplap fence which is attached to the existing extension and set in from the wall edge by approximately 100mm. There is a discrepancy between the boundary that currently exists compared to the information provided by the applicant. There appears to be a difference between the parties in relation to the exact location of the boundary. In any event if planning permission was granted the consent of the land owner would also be required and can be dealt with by an informative added to the planning permission.

24 Whilst the development proposed generates a net gain in floor space, the development proposed does not constitute CIL liable development and is exempt from CIL liability as the proposal falls under the definition of minor development for the purposes of calculating CIL liability as the proposed net gain in Gross Internal Area (GIA) of floor space is below 100 sqm.

Concluding comments

25 For the reasons outlined above the proposal is considered to be sympathetically designed in relation to the host dwelling and it will neither detract from the character of the property nor surrounding area. It is not considered that the proposal represents overdevelopment of the plot, which has a large rear garden. The proposal would not have any adverse impact upon neighbouring amenity and sufficient on-site parking is available. The proposal therefore is considered to accord with Policies DE1 and TR2 of the Adopted Swindon Borough Local Plan 2026 (2015) and as such it is recommended for approval.

Conditions

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

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

2. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing buildings. Such facing materials shall be retained thereafter in their approved form.

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

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no windows shall be formed in the east facing flank elevation of side or rear extension hereby approved.

Reason: In the interests of residential amenity.

4. This approval shall be in respect of Location Plan at scale 1:1250 and Block Plan at scale 1:500 received by the Local Planning Authority 20th May 2016 and Plan Reference 1544.1 rev B received by the Local Planning Authority 24th June 2016.

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

Informatives

1. Whilst the development proposed generates a net gain in floor space, the development proposed does not constitute CIL liable development and is exempt from CIL liability as the proposal falls under the definition of minor development for the purposes of calculating CIL liability as the proposed net gain in Gross Internal Area (GIA) of floor space is below 100 sqm.

2. The granting of planning permission does not authorise you to carry out any works on, over or under your neighbour's land or property without first obtaining their consent.

Local Development Order Updates

Planning Committee

12th July 2016

Author: Head of Planning, Regulatory Services, and Heritage

Parish / Wards Affected: Old Town, Rodbourne Cheney and St Margaret and South Marston

Purpose

- To seek the approval of the Planning Committee to consult on the inclusion of Land adjoining Nationwide Building Society and land within Cheney Manor Industrial Estate in the Solar Arrays Local Development Order as a site for solar arrays.
- To seek the approval of Planning Committee to consult on alterations to the Honda Local Development Order.

Recommendation

That the Planning Committee agrees that:

Land adjoining Nationwide Building Society and land within Cheney Manor Industrial Estate

1. the Head of Planning, Regulatory Services, and Heritage be authorised to publish for consultation the proposal to include land adjoining Nationwide Building Society and land within Cheney Manor Industrial Estate in the Solar Arrays Local Development Order as sites for solar arrays;
2. in the event that no material objections are received, that the Head of Planning, Regulatory Services and Heritage be authorised to proceed to amend the Solar Arrays Local Development Order to include the land adjoining Nationwide Building Society and land within Cheney Manor Industrial Estate as having deemed consent for solar arrays;
3. in the event that material objections are received, that the Head of Planning, Regulatory Services, and Heritage submits a further report to the Planning Committee with a recommendation as to whether the proposal should be pursued.

Honda

4. the Head of Planning, Regulatory Services, and Heritage be authorised to publish for consultation the proposed alterations to the Honda Local Development Order set out in this report;
5. in the event that no material objections are received, that the Head of Planning, Regulatory Services and Heritage be authorised to proceed to adopt the alterations to the Honda Local Development Order set out in this report;
6. in the event that material objections are received, that the Head of Planning, Regulatory Services, and Heritage submits a further report to the Planning

Further information on the subject of this report can be obtained from *David Dewart* on 466445 or Email ddewart@swindon.gov.uk.

Local Development Order Updates

Planning Committee

12th July 2016

Committee with a recommendation as to whether the proposal should be pursued.

General

7. the Head of Planning, Regulatory Services, and Heritage undertakes all action as necessary to publicise the proposed changes to the LDOs; and
8. the Head of Planning, Regulatory Services, and Heritage be authorised to make minor drafting changes to the content of the documents if required prior to publication.

1. Reasons

- 1.1 A Local Development Order (LDO) automatically grants planning permission for the type of development specified in it (subject to Conditions) and by so doing, removes the need for a planning application to be made for that development.
- 1.2 In June 2015 the Planning Committee resolved to adopt a suite of “Low Carbon” LDOs. The LDOs granted planning permission for solar arrays at several sites across the Borough.
- 1.3 In January 2014 the Planning Committee resolved to adopt a Local Development Order that granted planning permission for non-contentious new development at the Swindon Honda works.

2 Detail

Land adjoining Nationwide Building Society and land within Cheney Manor Industrial Estate

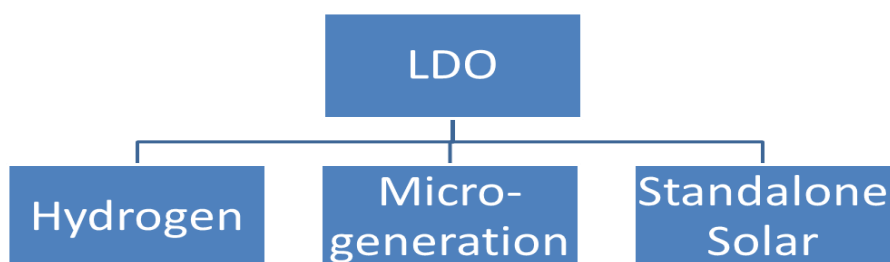
- 2.1 Swindon has made a commitment to generate 15% of its energy from renewable sources by 2021. The Low Carbon LDOs are an important tool to assist Swindon to deliver on this target.
- 2.2 Three LDOs have been progressed under the banner “Low Carbon LDOs”. The LDOs cover the following elements:
 - Introduction of permitted development rights for on-domestic air source heat pumps and district heating installations
 - Introduction of permitted development rights for Hydrogen and electric car fuelling infrastructure; and
 - Granting planning permission upfront for Solar Arrays at pre-identified suitable locations in the Borough.

Further information on the subject of this report can be obtained from *David Dewart* on 466445 or Email ddewart@swindon.gov.uk.

Local Development Order Updates

Planning Committee

12th July 2016



- 2.3 The Solar Arrays / Solar Farms LDO grants planning permission upfront for solar farms / solar arrays at identified suitable locations.
- 2.4 Work has been undertaken to find additional sites for inclusion in the Solar Arrays LDO.
- 2.5 Two sites have been identified that have been assessed as being suitable and viable for solar array development. These sites comprise land adjoining Nationwide Building Society and land within Cheney Manor Industrial Estate. The location of these sites is shown in the plans at Appendices 1 and 2 of this report.
- 2.6 It is noted that the land adjoining Nationwide Building Society also adjoins Croft Wood, which is designated as a County Wildlife site. It would be the expectation of any solar arrays scheme on this site must protect and enhance biodiversity assets in the area. An Ecological Appraisal is being prepared to inform the approach taken to deliver the solar arrays at this site. A Condition is proposed to be attached to the LDO to ensure that the measures recommended in the Ecological Appraisal are implemented as part of any solar arrays development at this site. If the Ecological Appraisal recommends that the site should not be developed, the site would not be taken forward.
- 2.7 The site within Cheney Manor Industrial Estate is currently being redeveloped to accommodate a factory for an aerospace manufacturing company called Dynamatic Technologies Ltd. An opportunity has been identified to deliver a solar scheme alongside the new factory building. The solar arrays allowed by the LDO would comprise a mix of roof mounted and canopy mounted solar arrays.

Next Steps

- 2.8 If agreed by Planning Committee, Officers would consult on the proposal to grant planning permission upfront for solar arrays at the land adjoining Nationwide Building Society and land within Cheney Manor Industrial Estate. If no material objections are received, it is proposed that Officers would amend the Solar Arrays LDO to include the land adjoining Nationwide Building Society and the land within Cheney Manor Industrial Estate.
- 2.9 To trigger the 'planning permission' granted by the Solar Farm LDO, a Certificate of Lawfulness application would need to be submitted to the Council. The

Further information on the subject of this report can be obtained from *David Dewart* on 466445 or Email ddewart@swindon.gov.uk.

Local Development Order Updates

Planning Committee

12th July 2016

application would be expected to be accompanied by a layout scheme and other details to demonstrate that no adverse impacts would arise from the scheme.

Alterations to the Honda LDO

- 2.10 Officers have been in discussions with Honda representatives on the scope for intensifying development activities at the Honda site. The Honda LDO is already in place to support activities at the site. However, Honda has highlighted limitations and ambiguities in the Honda LDO, which they have requested the Council to review. Honda is seeking planning certainty prior to progressing a number of investment schemes at the plant.
- 2.11 Honda has requested that the area covered by the LDO be extended to include parcels of land immediately to the north and south of the main buildings on the site. It is proposed that the LDO area be extended to include an existing area of hardstanding immediately to the north of the Honda plant. It is also proposed to extend the LDO area to the south of the “Line 2” building. The proposed additional areas are shown at Appendix 4.
- 2.12 The inclusion of the additional land is considered to be insignificant. The additional land already has the benefit of unimplemented planning permissions.
- 2.13 Honda has also requested clarification on the scope to increase existing building heights via the LDO.
- 2.14 The LDO allows new buildings, building alterations and building extensions, subject to Conditions. One of the Conditions states that “*The eaves of new buildings and building extensions should be of a height that is no greater than the eaves of existing buildings*”. Honda has sought clarification on how this Condition should be interpreted. There are several buildings at the Honda site, of a range of heights. It is proposed to alter this Condition to clarify the height limitations on any new buildings, building alterations and building extensions.
- 2.15 The main Line 1 (L1 PA) penthouse building is 21 metres in height, which with other existing fixed structures (not including chimneys) that are currently on the penthouse, increase the height of the building to 23 metres. It is proposed to amend the height restriction Condition to state “*The eaves of new buildings and building extensions should be of a height that is no greater than 23 metres above ground level*”.
- 2.16 It is proposed that clarification also be given that solar panels would be permitted by the LDO on existing and new roof structures.

Next Steps

Further information on the subject of this report can be obtained from *David Dewart* on 466445 or Email ddewart@swindon.gov.uk.

Local Development Order Updates

Planning Committee

12th July 2016

- 2.17 If agreed by Planning Committee, Officers would consult on the proposal to alter the Honda LDO as set out above. If no material objections are received, it is proposed that Officers would amend the Honda LDO accordingly.

3 Alternative Options

- 3.1 The LPA could require that a planning application be submitted to progress the land adjoining Nationwide Building Society and land within Cheney Manor Industrial Estate solar arrays schemes. However, the LDO provides the opportunity to streamline the planning process to help facilitate a low carbon Swindon.
- 3.2 The LPA could require a planning application be submitted to progress development schemes at Honda Works. However, the LDO provides an opportunity to facilitate further investment in Honda's Swindon plant.

4 Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 4.1 The impact on planning fee income is expected to be minimal as solar PV applications represent a very small proportion of planning applications received. The reduction in planning application fees will be in part mitigated by the requirement for applicants to pay the fee for a "Certificate of Lawfulness".
- 4.2 Under the Government's Business Rates Retention Scheme, any business rates that would be generated by renewable energy schemes would be retained by the Council.

Legal and Human Rights Implications

- 4.3 Local Development Orders were introduced with the Planning and Compulsory Purchase Act 2004 and allow local authorities to extend permitted development rights for certain forms of development with regard to a relevant local development document. The Planning Act 2008 made it easier for Councils to introduce LDOs by removing the requirement that they should achieve policies set out in adopted local development documents.
- 4.4 The legislation is amplified by the Town and Country Planning (Development Management Procedure) (England) Order 2015: Part 8 Local Development Orders Article 38.
- 4.5 The LDOs are subject to formal consultation, which provides the opportunity for comments to be made on the proposals. It is not envisaged that the content of this report will have any direct implications for human rights.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

Further information on the subject of this report can be obtained from *David Dewart* on 466445 or Email ddewart@swindon.gov.uk.

Local Development Order Updates

Planning Committee

12th July 2016

- 4.6 The Low Carbon LDOs support delivery of the Swindon Sustainable Energy Framework.

Links to One Swindon, Strategic Objectives, Plans and Policies

- 4.7 This report supports the achievement of One Swindon outcomes: with respect to deregulation, facilitating local decision-making and helping to deliver economic growth.

- 4.8 The Low Carbon LDOs would support delivery of the Swindon Sustainable Energy Framework and the Economic Strategy for Swindon.

Diversity Impact Assessment

- 4.9 A Diversity Impact Assessment (DIA) has been completed. We do not believe that the implementation of this proposal will create an adverse impact on the basis of age, disability, race, gender, sex, sexual orientation, religion or belief. A copy of the DIA is available from the report author on request.

Risk Management

- 4.10 An Environmental Impact Assessment has been prepared to inform the approach to the Solar Arrays LDO. Environmental Impact Assessment Scoping Reports have been prepared to inform the other LDOs.

Consultees

- The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

Background Papers

- Adoption of Honda LDO Planning Committee Report (January 2014)
- Adoption of Low Carbon LDOs Planning Committee Report (June 2015)

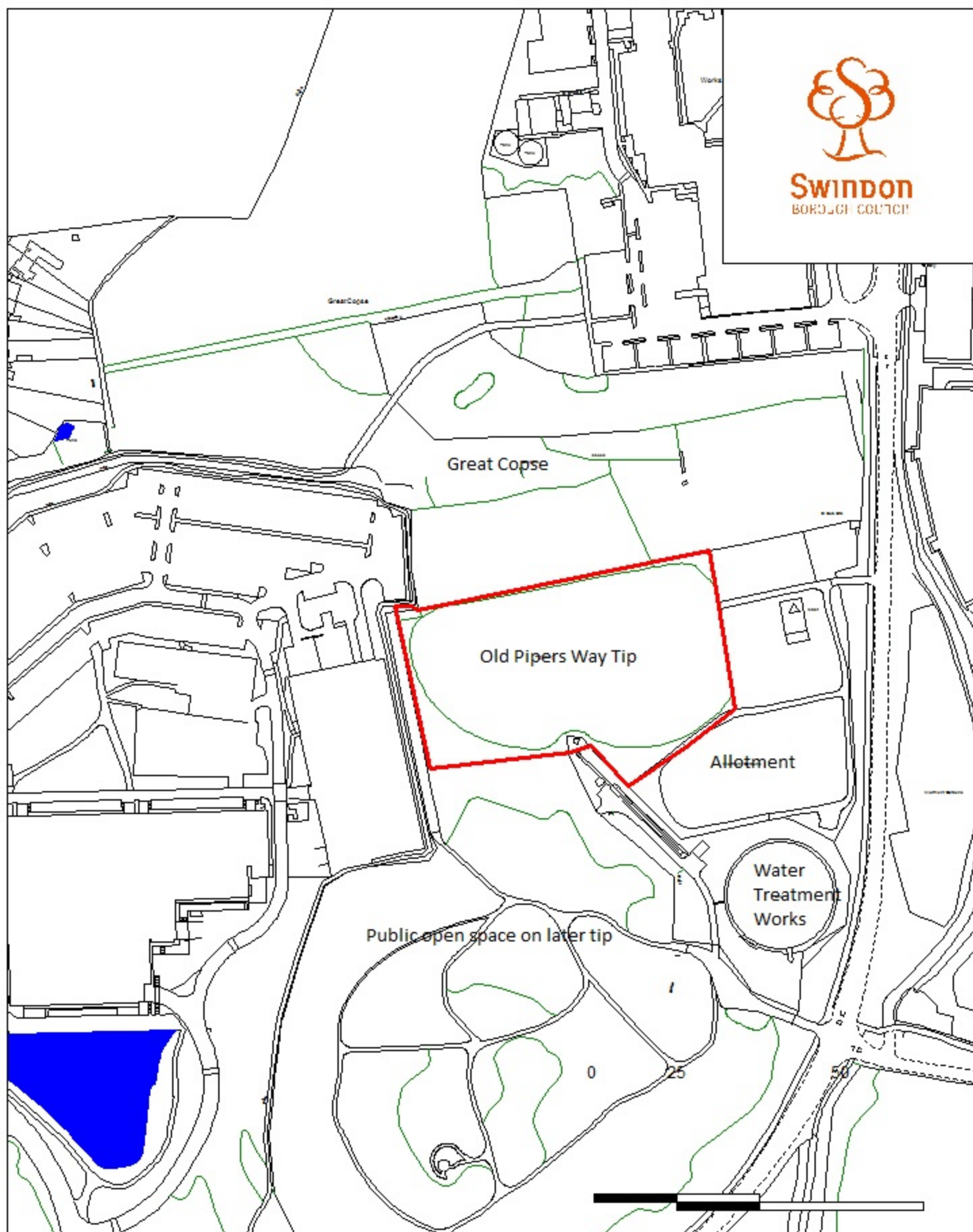
Appendices

- Appendix 1: Land adjoining Nationwide Building Society Location Plan
- Appendix 2: Land within Cheney Manor Industrial Estate Location Plan
- Appendix 3: Sites for Solar Arrays Local Development Order (Extract as Amended July 2016)
- Appendix 4: Proposed Extended Area of the Honda Local Development Order
- Appendix 5: Honda Local Development Order (As Amended July 2015)

Further information on the subject of this report can be obtained from *David Dewart* on 466445 or Email ddewart@swindon.gov.uk.



SWINDON
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Old Landfill Site, Pipers Way

Not to
scale

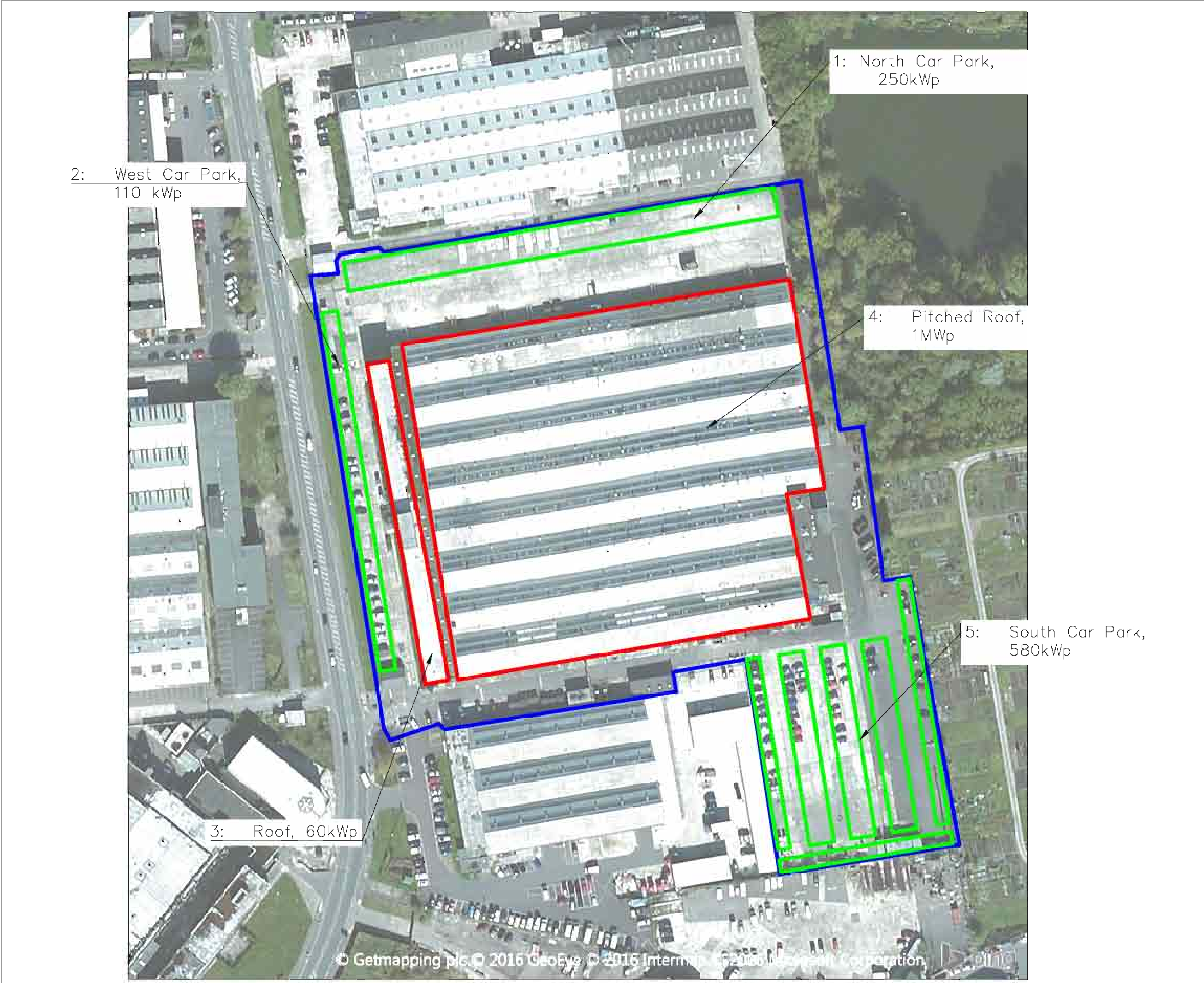
SITE LOCATION



Scale 1:8000 @ A1

Coordinates	
OS X (Eastings)	413516
OS Y (Northings)	186184
Nearest Post Code	SN2 2PZ
Lat (WGS84)	N51: 34: 28 (51.574363)
Long (WGS84)	W1: 48: 23 (-1.806364)

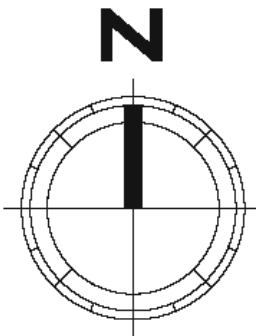
GENERATION CAPACITY
2MWp Total Capacity Car Park and Roof



Scale 1:1000 @ A1

This Drawing Is Copyright And Not Be Reproduced Or Used For Any Purpose Other Than That Intended Without The Prior Written Agreement Of Public Power Solutions Ltd

General Notes



LAND IN SAME OWNERSHIP —

- ROOF:**
- 3: Office Building, 60kWp
 - 4: Pitched Roof, 1MWp
- CAR PARK:**
- 1: North Car Park, 250kWp
 - 2: West Car Park, 110kWp
 - 5: South Car Park, 580kWp



Public Power Solutions Ltd
Waterside Park, Cheney Manor Industrial Estate, Darby Close Swindon, SN2 2PN
www.publicpowersolutions.co.uk

Project	DYNAMATICS Ltd. Cheney Manor Industrial Estate, Swindon, SN2 2PZ
2 MW	
3.6 Ha	
Date	29/03/2016
Scale	As Shown @ A1
Rev.	10.16.GE.FEA.Rev.1

Appendix 3: Extract from Low Carbon Local Development Order (As Amended July 2016)

Low Carbon Local Development Order 3: Sites for solar arrays and solar farms Former Tip, Pipers Way (Site 29)

This Local Development Order grants outline planning permission for the Installation of a solar farm and associated works at Former landfill land at Pipers Way, Swindon. The detailed specification of the solar farm shall be informed by the following reserved matters submissions.

Further Detail

A detailed Site Layout Plan shall be submitted along with the additional information required under condition 2. A Planning Statement shall also be submitted with the reserved matters which sets out how the scheme has incorporated the mitigation measures already identified in the assessments. This reserved matters information shall be submitted using the LDO application form along with the requisite fee. A lawful Development Certificate will then be issued by the Local Planning Authority to confirm if the submitted scheme is acceptable. The scheme cannot commence until a Lawful Development Certificate has been issued and the target timeframe for this is eight weeks from the date of validation. The development hereby permitted in outline shall only be implemented in accordance with the approved submissions.

An Environmental Impact Assessment (EIA) of the scheme and the proposed cable routing shall be required in accordance with the Environmental Impact Assessment Regulations. Where the scheme is not deemed to be an EIA Scheme, an EIA Screening Opinion should be obtained from the local planning authority. Where an EIA has been undertaken, the subsequent scheme must incorporate the mitigation measures identified in the Environmental Statement.

The solar farm hereby permitted is subject to the following Conditions:

1 Time Limit:

Approval of the layout, scale, appearance, landscaping and access (hereinafter called the reserved matters) shall be obtained in writing from the Local Planning Authority within five years from date of this Local Development Order. No development shall take place within the area of the LDO until all the details required by this permission have been submitted to and approved in writing by the local planning Authority.

Reason: To accord with Section 92 of the Town and Country Planning Act 1990 and to time limit the Local Development Order to enable the Order to be modified or revoked at the end of the five year period in response to the prevailing national and local policy.

2 Additional Information:

No development shall take place within the area of the LDO until the following additional details and information has first been submitted to and approved in writing by the local planning authority:

- Detailed layout plan
- Solar Panel detailed design(s) including cross sections
- Topographical Survey and earth works details
- Transformer Stations, Module details, Connection Substations and Invertor buildings to be installed within the development site

- Cable runs and proposed trunking system method statement
- CCTV, Lighting and Perimeter security details
- Boundary Treatments
- Photomontages
- A Biodiversity Survey (Phase 1 Habitat Survey);
- An Ecological Management Plan

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

3 Decommissioning:

Twelve months prior to the discontinuation of the use of the site for solar pv, a decommissioning method statement for all elements shall have been submitted to the local planning authority for approval.

Reason: To define the scope of this permission and in the interest of amenity and protection of the countryside.

4 Ecology:

Within 12 months of the commencement of development of the solar farm, all the mitigation measures described within the Ecological Management Plan, and Environmental Statement if required, shall have been implemented. The biodiversity measures shall be carried out in accordance with these measures throughout the solar farm's operation.

Reason: In the interests of maintaining and enhancing biodiversity on the site.

5 Landscaping Implementation:

Prior to the commencement of works on site in connection with the development hereby permitted, details of landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: a planting schedule detailed proposed species, size at planting, spacing, on-going management, maintenance and aftercare; a timetable of works; details of the positions, species and crown spread of all existing trees and hedgerows on the site, detailing those to be retained; and the surface treatment of any roadways, footpaths, footways or parking areas and the proposed boundary post and wire fence. The scheme shall be implemented in accordance with the approved details and timetable. Any tree or shrub planted in accordance with the scheme which is removed, dies or becomes diseased within a period of five years from first being planted shall be replaced by one of a similar size and the same species in the first available planting season.

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

6 Contaminated Land:

Installations must be designed to respect the integrity of existing environmental control and containment systems at the Landfill Site. A scheme to demonstrate compliance with this shall be prepared and submitted to the Local Planning Authority (and if necessary to the Environment Agency, if this is the regulatory authority for the land in question) for its approval in writing.

Reason: To prevent pollution of the environment in the interests of the amenity.

7 Construction Management Plan:

The permission shall be carried out in accordance with a Construction Management Plan which has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme for the duration of the works. This Plan shall provide for details relating to:

- Access and parking arrangements for site personnel, contractors, and visitor arrangements for delivery and removal of materials;

- Arrangement for loading, unloading, and storage of plant and materials;
- Provision for wheel washing facilities for construction traffic. It is a requirement of this condition that wheel washing facilities will be used by all operatives exiting the site operating lorries, HGV's, or larger vehicles;
- Detailed method statement for each construction activity, including identification of potentially noisy operations and details of noise control measures;
- A scheme for routing, control of traffic associated with the construction [including arrangements of heavy lorries], and temporary signage during the construction and decommissioning phases.
- Provision of a traffic management plan contained within the Construction Management plan showing layby access for safe passing and manoeuvrability.
Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety.

8 Drainage:

Development shall not begin until a surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance and management of the surface water drainage scheme. In accordance with paragraph 103 of the National Planning Policy Framework (NPPF).

9 Implementation of Flood Risk Assessment:

The development hereby permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA). Within 6 months of the commencement of development of the solar farm, all the mitigation measures described within the approved Flood Risk Assessment (FRA) shall have been implemented. The mitigation measures shall be carried out in accordance with these measures throughout the solar farm's operation.

Reason: To ensure there is no increase in rainfall rates and volumes leaving the site for a range of events up to the 1 in 100 year plus an allowance for climate change event as a result of the development. In accordance with paragraph 103 of the NPPF.

10 Minor amendments to the agreed Site Layout Plan:

Any minor amendments to the agreed Site Layout Plan shall be agreed in writing by the local Planning Authority

Reason: To define the scope of the development hereby permitted.

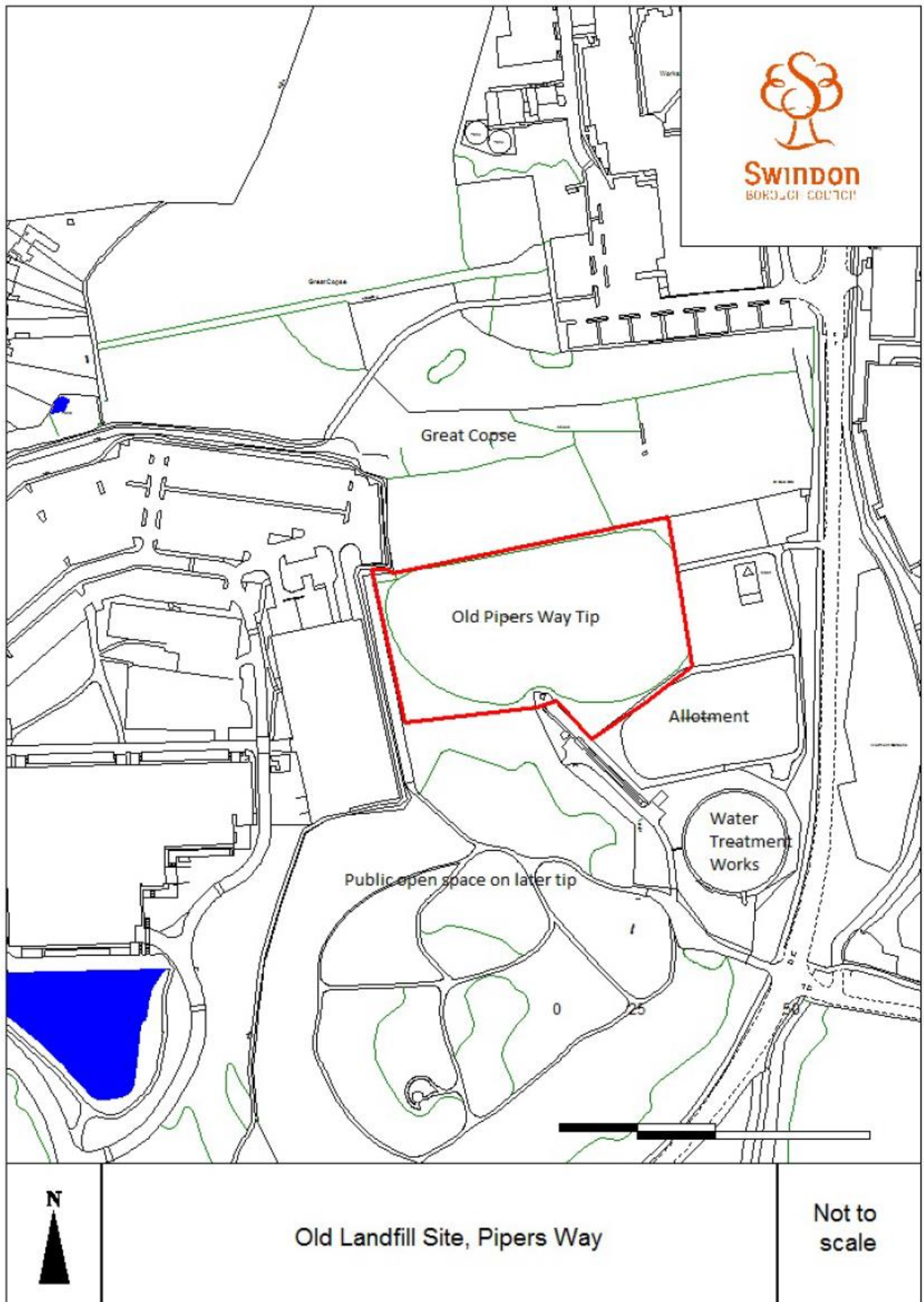
Informatives

- All development shall be carried out having regard to any actual or potential land contamination at the site. The responsibility for the safe redevelopment of the site in this regard rests with the developer, who must undertake and evaluate a risk assessment which incorporates specific remedial measures to deal with any land contamination. If you are in any doubt, please seek the advice of the Contaminated Land Officer on whether a contaminated land site investigation is needed.
- The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that the construction works would disturb any protected species.

- In addition to this consent, the Applicant will require separate Local Highway Authority approval of the Traffic Management Plan and all related Traffic Directional Signs and temporary changes to Traffic Regulation Orders. The Applicant is required to obtain this approval prior to any site-related construction traffic commencing, and is therefore recommended to contact Swindon Borough Council's Safe and Effective Highway Network Department in this respect as soon as possible.
- Where a proposed development does not fall within the permitted development rights allowed by this LDO or by the permitted development rights set nationally, this does not mean that the development is unacceptable and cannot be built. It means that an application for planning permission needs to be made so that the Local Planning Authority can consider all the circumstances of the case.
- Additional Environment Agency consents may be required. You are advised to contact the Environment Agency to ensure all necessary consents are achieved. Please contact the environment agency at www.environment-agency.gov.uk
- Water Main Crossing: Where there is a Thames Water main crossing your site, this may need to be diverted at your expense, or amendments may be necessary to the proposed development design so that the main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.
- The creation of new permeable surfaces for car parking should be designed in accordance with Environment Agency's 'Pollution Prevention Guidance 3 Use and design of oil separators in surface water drainage systems'.
- The LDO does not remove the requirement for Advertisement Consent.
- Compound areas and access routes into the sites are not identified in many of the site maps. These should be identified within the reserved matters submissions.



Swindon
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Low Carbon Local Development Order 3: Sites for solar arrays and solar farms Land at Cheney Manor Industrial Estate (Site 30)

This Local Development Order grants outline planning permission for the Installation of canopy and roof mounted solar arrays and associated works at Land at Cheney Manor Industrial Estate. The detailed specification of the solar arrays shall be informed by the following reserved matters submissions.

Further Detail

A detailed Site Layout Plan shall be submitted along with the additional information required under condition 2. A Planning Statement shall also be submitted with the reserved matters which sets out how the scheme has incorporated the mitigation measures already identified in the assessments. This reserved matters information shall be submitted using the LDO application form along with the requisite fee. A lawful Development Certificate will then be issued by the Local Planning Authority to confirm if the submitted scheme is acceptable. The scheme cannot commence until a Lawful Development Certificate has been issued and the target timeframe for this is eight weeks from the date of validation. The development hereby permitted in outline shall only be implemented in accordance with the approved submissions.

The solar farm hereby permitted is subject to the following Conditions:

1 Time Limit:

Approval of the layout, scale, appearance, and access (hereinafter called the reserved matters) shall be obtained in writing from the Local Planning Authority within five years from date of this Local Development Order. No development shall take place within the area of the LDO until all the details required by this permission have been submitted to and approved in writing by the local planning Authority.

Reason: To accord with Section 92 of the Town and Country Planning Act 1990 and to time limit the Local Development Order to enable the Order to be modified or revoked at the end of the five year period in response to the prevailing national and local policy.

2 Additional Information:

No development shall take place within the area of the LDO until the following additional details and information has first been submitted to and approved in writing by the local planning authority:

- Detailed layout plan
- Solar Panel, canopy and other installations detailed designs including cross sections.

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

3 Decommissioning:

Twelve months prior to the discontinuation of the use of the site for solar pv, entire development shall be removed and the land restored to agricultural use in accordance with the approved statement.

Reason: To define the scope of this permission and in the interest of amenity and protection of the countryside.

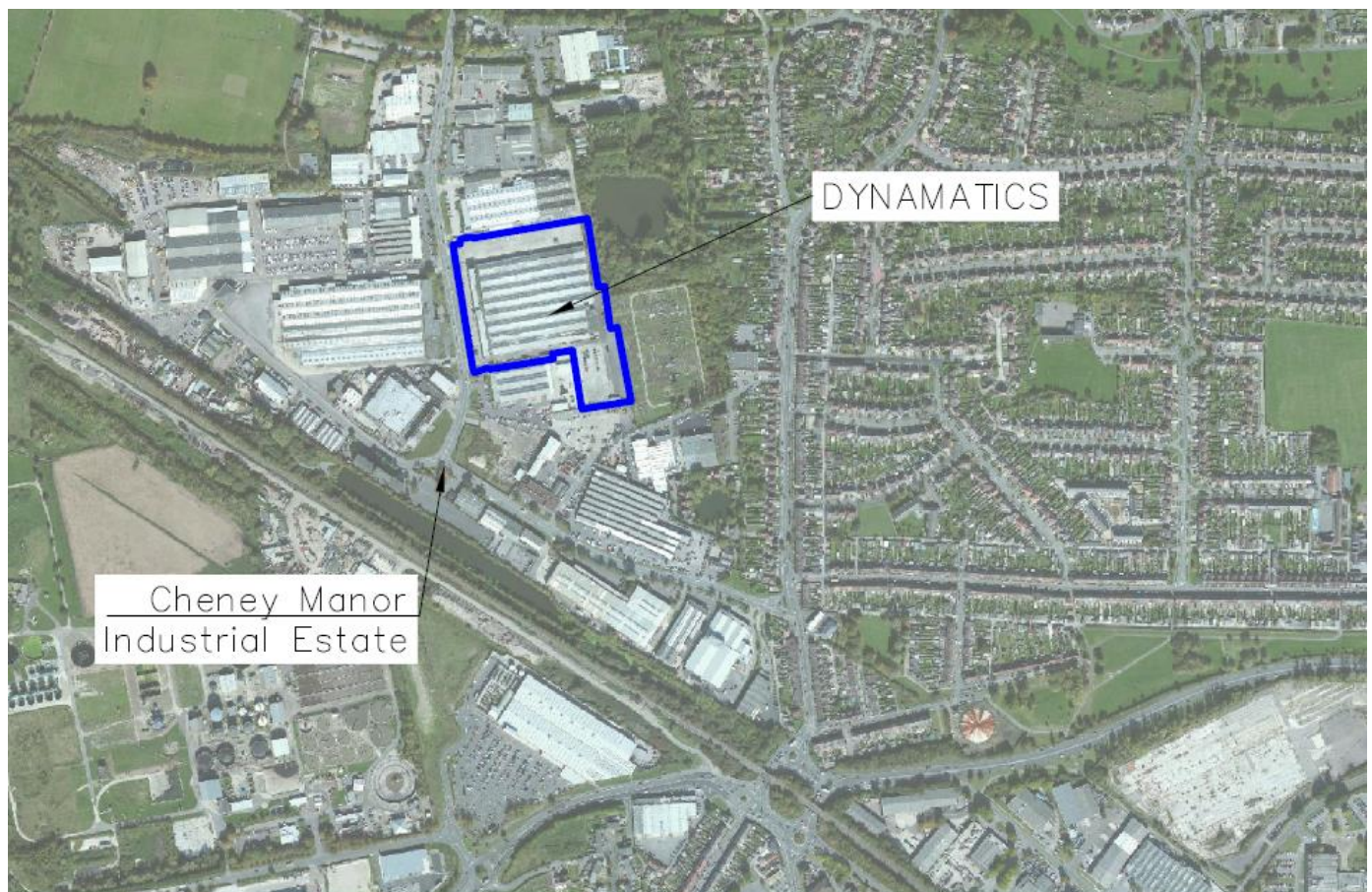
4 Minor amendments to the agreed Site Layout Plan:

Any minor amendments to the agreed Site Layout Plan shall be agreed in writing by the local Planning Authority

Reason: To define the scope of the development hereby permitted.






Informatives

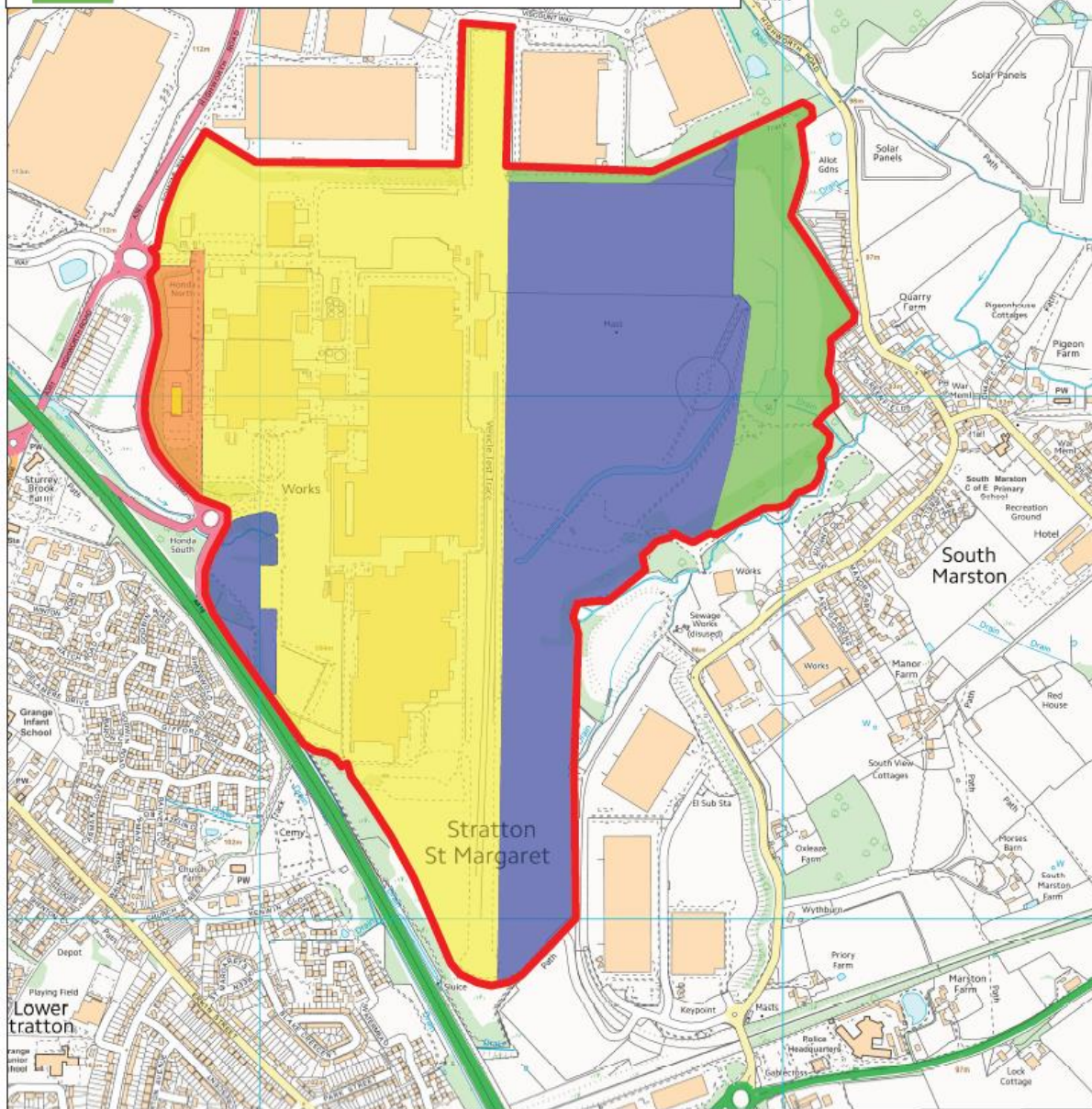
- All development shall be carried out having regard to any actual or potential land contamination at the site. The responsibility for the safe redevelopment of the site in this regard rests with the developer, who must undertake and evaluate a risk assessment which incorporates specific remedial measures to deal with any land contamination. If you are in any doubt, please seek the advice of the Contaminated Land Officer on whether a contaminated land site investigation is needed.
- The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that the construction works would disturb any protected species.
- In addition to this consent, the Applicant will require separate Local Highway Authority approval of the Traffic Management Plan and all related Traffic Directional Signs and temporary changes to Traffic Regulation Orders. The Applicant is required to obtain this approval prior to any site-related construction traffic commencing, and is therefore recommended to contact Swindon Borough Council's Safe and Effective Highway Network Department in this respect as soon as possible.
- Where a proposed development does not fall within the permitted development rights allowed by this LDO or by the permitted development rights set nationally, this does not mean that the development is unacceptable and cannot be built. It means that an application for planning permission needs to be made so that the Local Planning Authority can consider all the circumstances of the case.
- Compound areas and access routes into the sites are not identified in many of the site maps. These should be identified within the reserved matters submissions.



Honda Works (Swindon) Local Development Order Zoning Map

Legend

-  LDO Boundary
-  Area of relaxed planning controls
-  Area of potential future development
-  Area of relaxed planning controls, subject to noise protection area controls
-  Landscape buffer area (indicative)



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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Honda Plant Swindon (As Amended July 2016)

Local Development Order and Statement of Reasons

The Honda Plant

Honda Plant Swindon comprises a large, modern car production plant occupying a former airfield on the eastern side of Swindon. The Council is preparing a Local Development Order to support Honda in delivering improvements to the operation of the Plant.

The Plant is highly accessible, lying directly off the A419 trunk road and within 7 km of Junction 15 of the M4. The site benefits from a number of dedicated entrances via unconstrained, large trunk roads providing direct access to the dual carriageway.

The Honda Plant Site is effectively split into two parts, with the car production plant to the west of the old runway and a largely undeveloped area to the east of the runway. Whilst recognising that opportunities exist to develop the land to the east of the runway, this LDO relates to the car production area on the west-side of the runway.

The Honda plant site is identified as a Key Employment Area within the adopted and emerging Swindon Borough Local Plan.

Purpose of the Local Development Order

The Honda Plant Local Development Order (LDO) would grant planning permission for specified development in the area, subject to Conditions. The LDO would support minor alterations and improvements to the Plant as well as certain low impact larger developments.

Approximately 100 planning applications have been received at Honda over the last 30 years, the bulk of which have been granted as being low impact and in compliance with Council Planning policies.

When Honda want to develop their facilities, which in the majority of cases involve low impact proposals that are granted by the Council, they will need to submit a planning application. It takes up to eight weeks for a planning application to go through the planning process and there is no certainty for Honda on what the Council's decision will be until the decision notice is issued.

The purpose of the LDO is to support the ongoing improvements to the Honda Plant by making it simpler to secure planning approvals. In doing so, the LDO will give greater confidence to Honda to invest in the Plant. Success will be measured by the extent to which the Honda continues to develop and upgrade its Plant.

The Approach

Most of the improvements required will be in the form of low key, low impact developments for which a formal planning application should not be necessary.

There are also likely to be improvements of a larger scale. The LDO would be subject to controls (Conditions and land zoning), which will ensure that these developments will not have an adverse impact on nearby sensitive land-use uses.

To be successful the LDO needs to be flexible in what it allows and user-friendly in its approach. There is no separate Design Code or other supplementary material that will need to be referred to.

It is anticipated that the simple Zoning Map, the listing of uses that the LDO allows, and the sparing use of Conditions, will leave Honda in no doubt as to what they can achieve through the LDO.

A simple self-certification procedure will further assist in providing certainty to Honda in the planning for the future of the Plant.

LDO Objectives

The LDO will be monitored against the following Objectives:

- 1. *To support Honda in their investment in the Swindon Honda Plant by providing:***
 - ***flexibility in the type and extent of new development that can be delivered at the Plant; and***
 - ***certainty over the issuing of planning approval for new development at the Plant.***
- 2. *To ensure that development allowed by the LDO does not give rise to an adverse impact on local residents or on the local environment.***

Permitted Development Types

This Local Development Order grants planning permission for the following development proposals at Honda Plant Swindon:

- New buildings, building alterations (including mezzanines) and building extensions, up to a maximum of:
 - 2,500 sqm (gross internal area) of net additional floorspace for B1 (Business) Use; and
 - 4,000 sqm (gross internal area) of net additional floorspace for B2 (General Industrial) Use; and
 - 5,000 sqm (gross internal area) of net additional floorspace for B8 (Storage & Distribution) Use.

(The above floorspace allowances are over and above the existing and approved floorspace level as at April 2013).

- Replacement of existing buildings
- The demolition of existing buildings and structures

- The installation, alteration or replacement of ground source heat pumps or water source heat pumps
- The installation, alteration or replacement of solar PV or solar thermal equipment on buildings
- The installation, alteration or replacement of broadband infrastructure
- The installation of smoking shelters and cycle shelters
- The installation, alteration or replacement of exhaust extraction systems
- The installation, alteration or replacement of generators and fuel storage tanks (subject to control measures in the “noise protection area”)
- The installation, alteration or replacement of air conditioning units (subject to control measures in the “noise protection area” and on building facades facing onto the “noise protection area”)
- The installation, alteration or replacement of apparatus, equipment or machinery directly associated with the operational needs of the business (subject to control measures in the “noise protection area” and on building facades facing onto the “noise protection area”)
- The installation, alteration or replacement of air source heat pumps (subject to control measures in the “noise protection area” and on building facades facing onto the “noise protection area”)
- Re-cladding of building exteriors
- New building openings
- Boundary walls and fences no greater than 2 metres in height if facing the public highway and no greater than 4 metres in height where the walls and fences do not face the public highway
- The creation of new permeable surfaces for car parking or hardstanding (or alternatively for impermeable surfaces provision shall be made to direct run-off water from the hard standing to a permeable or porous surface within the curtilage)
- The reconfiguration of the site layout, subject to changes not impacting on the site access
- Site investigations, enabling works and temporary works and development
- Below-ground works, including trenching and laying of pipe and other apparatus

Conditions

Planning permission is granted for the above development proposals subject to the following Conditions:

Conditions Controlling the Parameters of the LDO

1. The LDO is confined to the parts of Honda Plant Swindon site identified as areas of relaxed planning controls on the LDO Zoning Map.
2. The LDO is active until 14th January 2021. Development which has started under the provision of the LDO before this date can be completed following the expiry of the LDO.
3. To take advantage of the relaxed planning controls allowed by the LDO you will need to submit a Self Certification Form where your development is for any of the following:
 - you are seeking to create new building(s) or building extension(s)
 - your development would lead to a loss of parking spaces
 - your development lies in a “noise protection area” or
 - your development would lead to a change in drainage arrangements.The LDO self-certification form can be downloaded at www.swindon.gov.uk/ldo . The purpose of the LDO self-certification form is to provide businesses with peace of mind by enabling the Council to issue a legally binding “Certificate of Lawfulness”.

Building Design Conditions

4. The eaves of new buildings and building extensions should be of a height that is no greater than 23 metres above existing ground level.

Parking and Circulation Conditions

5. Where new floorspace is proposed or where the proposal would result in the loss of existing staff and visitor parking spaces, it will need to be demonstrated to the satisfaction of the Local Planning Authority that parking provision, including disabled and cycle parking, is satisfactory to meet the needs of the site.

Noise Condition

6. In the “noise protection area” identified on the Zoning Map, for proposals involving external storage activities, plant or machinery, manufacturer’s noise emissions data should be submitted. The Council will need to be satisfied that the proposals in the “noise protection area” would not generate noise levels of 55dB or higher at nearby residential premises. Care should be taken that individual noise events do not exceed 65dB at the boundary of the site between the hours of 23:00 to 07:00. Should there be a likelihood of breaching this level an acoustic assessment may be necessary with consequent mitigation suggested and implemented to the satisfaction of the Local Planning Authority.

Contaminated Land Condition

7. All development shall be carried out having regard to any actual or potential land contamination at the site. The responsibility for the safe redevelopment of the site in this regard rests with the developer, who must undertake and evaluate a risk assessment which incorporates specific remedial measures to deal with any land contamination.

Prior to the commencement of development which has the potential to effect land contamination at the site, an investigation and risk assessment must be

completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The details of the scheme are subject to the approval in writing of the Local Planning Authority. A written report of the findings must be produced.

If you are in any doubt, please seek the advice of the Contaminated Land Officer on whether a contaminated land site investigation is needed.

If the findings of the investigation and risk assessment indicate that remediation will be required then, prior to the commencement of the development a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives, remediation criteria and timetable of works. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

An approved remediation scheme prepared in this way must be carried out in accordance with the agreed details prior to the commencement of development. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced submitted to the Local Planning Authority for its approval in writing.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Due to the high contamination risk, all installation, alteration or replacement of generators and fuel storage tanks will be subject to a site investigation.

Piling Condition

8. Piling or any other foundation designs using penetrative methods shall only be permitted with the express written consent of the Local Planning Authority, which will only be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Conditions controlling Potential EIA Development

9. Individual developments wishing to take advantage of this LDO will be screened by the Local Planning Authority as part of the self-certification process. Any developments which require an individual Environmental Impact Assessment (EIA) would need to be assessed through a formal planning application as such developments would fall outside the scope of this LDO.
10. By virtue of their potential environmental impact, all of the following are outside of the scope of by of the LDO:

- development involving a process designated as a 'scheduled process' for the purpose of air pollution control;
- development involving discharges to water which require the consent of the Environment Agency;
- development involving an installation which would give rise to the presence of environmentally significant quantities of potentially hazardous or polluting substances;
- development involving a process would give rise to radioactive or other hazardous waste;
- development that would fall under Council Directive 96182/EC on the control of major accident hazards involving dangerous substances (COMAH).

Condition controlling Drainage

11. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. The drainage strategy should strive to utilise sustainable drainage techniques in accordance with the SuDS management train (Ciria C609). No additional discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

With respect to smaller developments and developments that will not result in a change in drainage requirements a drainage strategy will not be required. Please seek the advice of the Local Planning Authority on whether your scheme generates a need for a drainage strategy.

Archaeology Mitigation

12. No development shall take place within any areas that have not been previously developed until;
 - a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.

Flood Risk

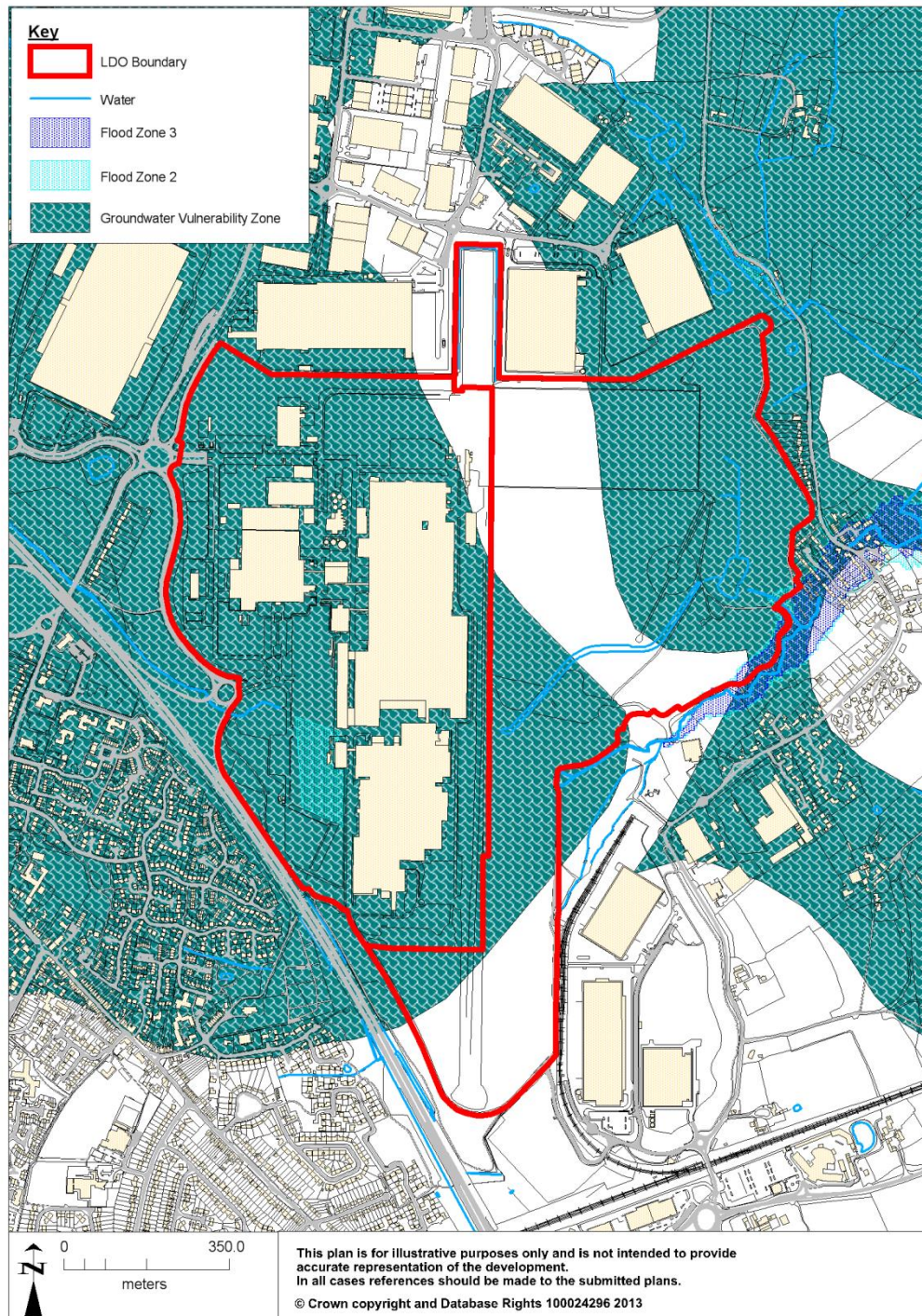
13. Development located within Flood Zone 2 shall not take place until a Flood Risk Assessment (FRA), has been submitted to and approved by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The FRA shall include details of how the development will avoid flood damage during the 1 in 100 year flood event plus climate change.

Please note for smaller proposals our Flood Risk Standing Advice (FRSA) may apply. FRSA can be viewed on our web site at the following:

<http://www.environment-agency.gov.uk/research/planning/82584.aspx>

If a proposed development is located within Flood Zone 2, and falls within the thresholds of our FRSA, the relevant FRSA forms would be accepted by the Environment Agency as the FRA, in line with the above condition requirements.

Hydrology Map of the Honda Site



Informatives

An explanation of your permitted development rights

- This LDO does not replace the permitted development rights set nationally by the UK Government (under the Town and Country Planning General Permitted Development Order). The LDO complements and expands upon the nationally set permitted development rights.
- Where a proposed development does not fall within the permitted development rights allowed by this LDO or by the permitted development rights set nationally, this does not mean that the development is unacceptable and cannot be built. It means that an application for planning permission needs to be made so that the Local Planning Authority can consider all the circumstances of the case.

Building Regulations

- The LDO does not remove the requirement for consents obtained under the Building Regulations. Further details on the Building Regulations can be obtained from the Swindon Borough Council Building Control Service. The Building Control Service can be contacted by email on buildingcontrol@swindon.gov.uk or by Telephone 01793 466069.

Other Consents

- Additional Environment Agency consents may be required. You are advised to contact the Environment Agency to ensure all necessary consents are achieved. Please contact the Environment Agency at www.environment-agency.gov.uk
- Please note that 'The installation, alteration or replacement of ground source heat pumps or water source heat pumps' may require an Environmental Permit (Environment Agency Consent).
- The storage of oil/fuel should be carried out in accordance with the Control of Pollution (Oil Storage) (England) Regulations 2001.
- The demolition of existing buildings/structures should be carried out in accordance with Environment Agency's 'Pollution Prevention Guidance 6 Working at Construction and demolition sites: preventing pollution'.
- The creation of new permeable surfaces for car parking should be designed in accordance with Environment Agency's 'Pollution Prevention Guidance 3 Use and design of oil separators in surface water drainage systems'.
- Water Main Crossing: Where there is a Thames Water main crossing your site, this may need to be diverted at your expense, or amendments maybe necessary to the proposed development design so that the main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.
- The LDO does not remove requirements under the Party Wall Act.

- The LDO does not remove the requirement for Advertisement Consent.

Electricity Distribution Network

- Where existing SSEPD Electricity Overhead lines or cables cross your site, these will need to be diverted at your expense, or amendments may be necessary to the proposed development design so that the mains cable/s can be retained in their existing positions. Unrestricted access must be made available at all times for maintenance and repair.

Connections for new development from the existing infrastructure can be provided but will be subject to study, cost and timescale.

Where existing infrastructure is inadequate to support the increased demands from the new development, the costs of any necessary upstream reinforcement required would normally be apportioned between developer and DNO (Distribution Network Operator) in accordance with the current Statement of Charging Methodology agreed with the industry regulator (OFGEM).

To ensure certainty of delivery of a development site, any anticipated additional loads or relocation of existing overhead lines or cabled network should be formally discussed and agreed with Southern Electric Power Distribution prior to submission of a planning application / Self Certification Form (Local Development Order).

Please contact SSEPD on 0800 048 3516 or connections.engineering@sse.com for further information.

Policy Objectives of the LDO

The adopted Swindon Borough Local Plan (2011) and the Draft Swindon Borough Local Plan (2026) both identify the Honda Plant as a 'key employment area'. The Local Plan seeks to protect and enhance employment areas for employment use. The LDO supports the Local Plan in this objective.

Compliance and Monitoring

To take advantage of the relaxed planning controls allowed by the LDO you will need to submit a Self Certification Form where your development is for any of the following:

- you are seeking to create new building(s) or building extension(s)
- your development would lead to a loss of parking spaces
- your development lies in a "noise protection area" or
- your development would lead to a change in drainage arrangements.

Written confirmation is provided by the Council in the form of a "Certificate of Lawfulness". There is a fee to cover the cost of processing this request.

Certificate of Lawfulness submissions would appear on the weekly list of planning applications.

Development which has started under the provision of the LDO can be completed following the expiry of the LDO. The uses that have taken place will therefore be allowed to continue to trade/operate but no new changes of use will be allowed under the terms of the LDO following its expiry without planning permission.

Area covered by LDO

The Area of LDO coverage is shown on the Zoning Map. The zones identified on the Zoning Map relate to areas of differing development constraints.

Assessment of the Risks

Residential properties (fronting onto Highworth Rd) lie in proximity to the Honda Plant. Residential amenity, in particular with respect to noise impacts arising from any development at the Honda Plant, is therefore a consideration for the framing of the LDO. Within the LDO area in proximity to these properties, developments which may have an impact on residential amenity, such as generators, air conditioning units or other such equipment are the subject of control measures.






Flood storage lagoons are situated at both the eastern and western end of the Honda site. These lagoons lie within the areas identified on the Zoning Map as being part of the “Area of potential future development”, and therefore lie outside of the scope of this LDO.

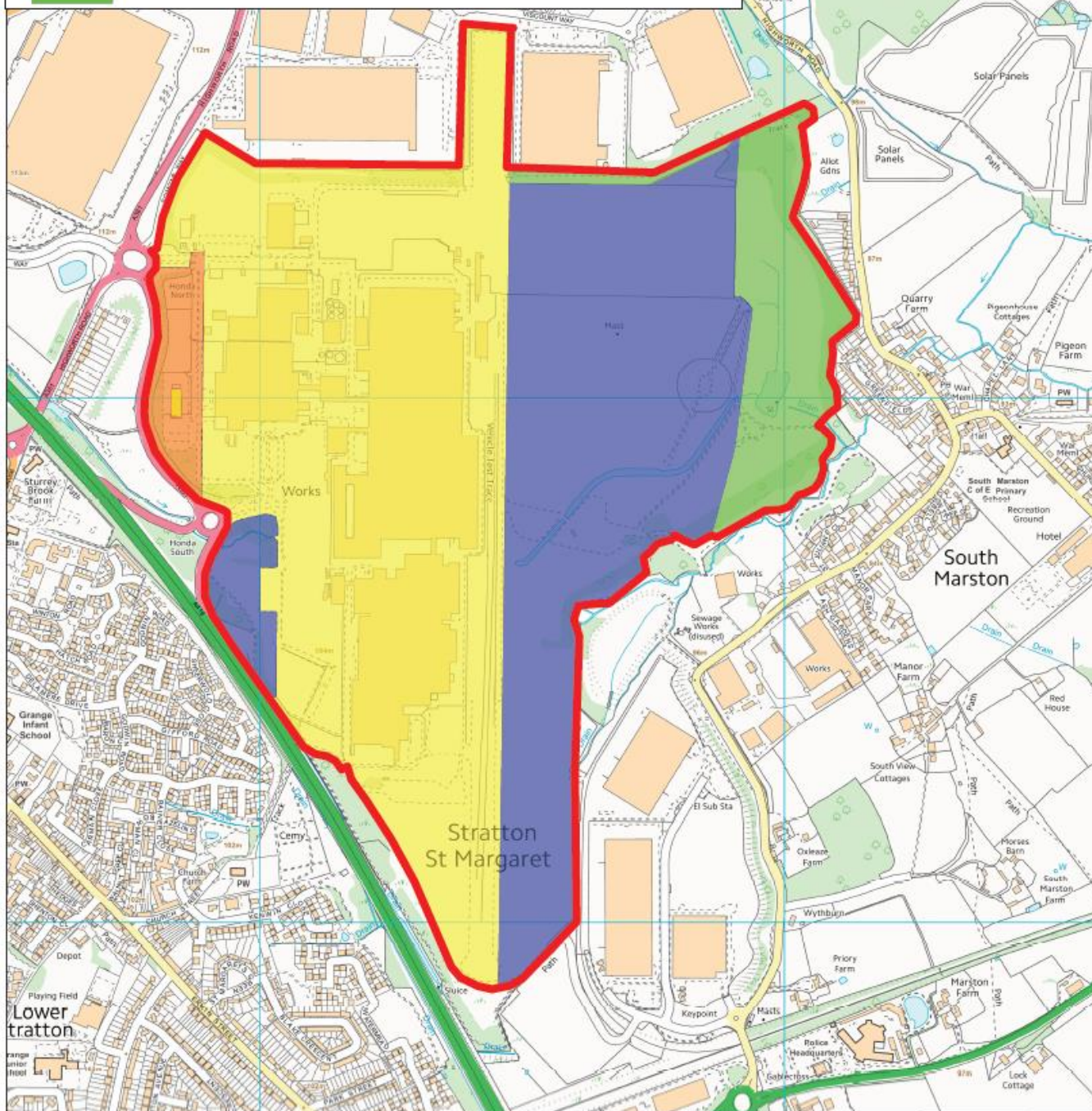
An Environmental Impact Assessment (EIA) screening exercise has been undertaken which concludes that an EIA would not be required. However, to provide for an additional safeguard, it is proposed that any developments which require an individual Environmental Impact Assessment (EIA) would fall outside the scope of this LDO.

The LDO does not supersede the requirement for development to comply with all other relevant legislation, for example, Building Control or Environmental Permits.

Honda Works (Swindon) Local Development Order Zoning Map

Legend

-  LDO Boundary
-  Area of relaxed planning controls
-  Area of potential future development
-  Area of relaxed planning controls, subject to noise protection area controls
-  Landscape buffer area (indicative)



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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