

# Swindon Borough Council

## Planning Committee

**Tuesday, 13 March 2018**

Council Chamber, Civic Offices

At 6.00 p.m.

### **Conservative Councillors**

*Kevin Parry  
Alan Bishop  
Malcolm Davies  
Nick Martin  
Eric Shaw  
Gary Sumner  
Timothy Swinyard*

### **Labour Councillors**

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

### **Liberal Democrat Councillors**

*Stan Pajak*

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

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

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## **AGENDA**

### **1. Apologies for Absence**

### **2. Declarations of Interest**

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

### **3. Minutes (Pages 1 - 2)**

To receive the minutes of the meeting held on 9<sup>th</sup> January 2018

### **4. Public Question Time**

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

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

### **6. S/18/0126/RA Erection of a two storey pavilion, construction of a 3G playing pitch and 8no. 15 metre high floodlights, 4.5 metre high ball stop fencing, 2 metre high pitch perimeter fencing, erection of a storage container, construction of new car parking and associated landscaping works. Playing Field County Ground, County Road, Swindon (Pages 6 - 24)**

**7. S/OUT/17/2041/HC Outline application for the erection of 8no. dwellings - all matters reserved. Land South Of B4019, Broad Bush, Blunsdon (Pages 25 - 42)**

**Date of Despatch:** 01 March 2018

**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?sch=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, 9 JANUARY 2018**

PRESENT: - Councillors Kevin Parry (Chair), John Ballman, Alan Bishop, Malcolm Davies, Steph Exell, Nick Martin, Derique Montaut, James Robbins, Eric Shaw, Gary Sumner, Timothy Swinyard and Peter Watts.

Apologies for absence were received from Councillor Stan Pajak.

**31. Declarations of Interest**

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

No such declarations were made.

**32. Minutes**

Resolved – That the minutes of the meeting held on 14<sup>th</sup> November 2017, be confirmed and signed.

**33. Public Question Time**

There were no public questions.

**34. 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 Councillor Weisinger in respect of application numbered S/HOU/17/1641.
- (e) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/17/1114	Aaron Smith	Agent
	Spencer Davies	Hannington Parish Council
	Guillaume Proost	Hannington Parish Protection Committee
	Kelli Salone	54 Queens Road
S/HOU/17/1641	Pauline Webster	Highworth Town Council
	Mrs J Bishop	Highworth Town Council
S/HOU/17/1559	Mr S Madhani	Applicant

Resolved – (1) That, in respect of application numbered S/17/1114:

- (a) the Head of Planning, Regulatory Services and Heritage be authorised to grant planning permission subject to the conditions set out in the Committee report together with any amendments, omitted or additional conditions including an additional condition precluding the installation of street lighting and if required, the completion of a Section 106 planning obligation to secure the necessary mitigation in respect of recreational open space.
- (b) In the event that the applicant fails to agree an extension of time to allow sufficient time for the Local Planning Authority to deal with this matter the Head of Planning, Regulatory Services and Heritage be authorised to refuse planning permission.
- (c) In making their decision, the Committee were advised by the Planning Case Officer that the reference to 'no weight' in line 2 of paragraph 31 of the Officer's Report should read 'limited weight'.
- (d) The Head of Conveyancing, Environment and Contracts provided an update on legal issues pertaining to a third party request to Court to inhibit the Committee's ability to consider the application in advance of the adoption of the Hannington Neighbourhood Plan, but that no such request had been granted

(2) That permission be granted in respect of application numbered S/HOU/17/1559 subject to the conditions listed in the Committee report.

(3) That permission be granted in respect of application numbered S/HOU/17/1641 subject to the conditions listed in the Committee report and also subject to the imposition of an additional condition that removes permitted development rights to erect a two story extension at or near the boundary of no.4 Bydemill Gardens, in the interests of residential amenity.

## Determination of Planning and related Applications

**Planning Committee**

**Date: 13<sup>th</sup> March 2018**

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

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### **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

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Further information on the subject of this report can be obtained from Iain Tucker, Direct Dial Telephone Number, (01793) 463605, [itucker@swindon.gov.uk](mailto:itucker@swindon.gov.uk).

# **Determination of Planning and related Applications**

**Planning Committee**

**Date: 13<sup>th</sup> March 2018**

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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)
  - Wroughton Neighbourhood Plan (2016): for applications in Wroughton Parish
  - Highworth Neighbourhood Plan (2017): for applications in Highworth Parish
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



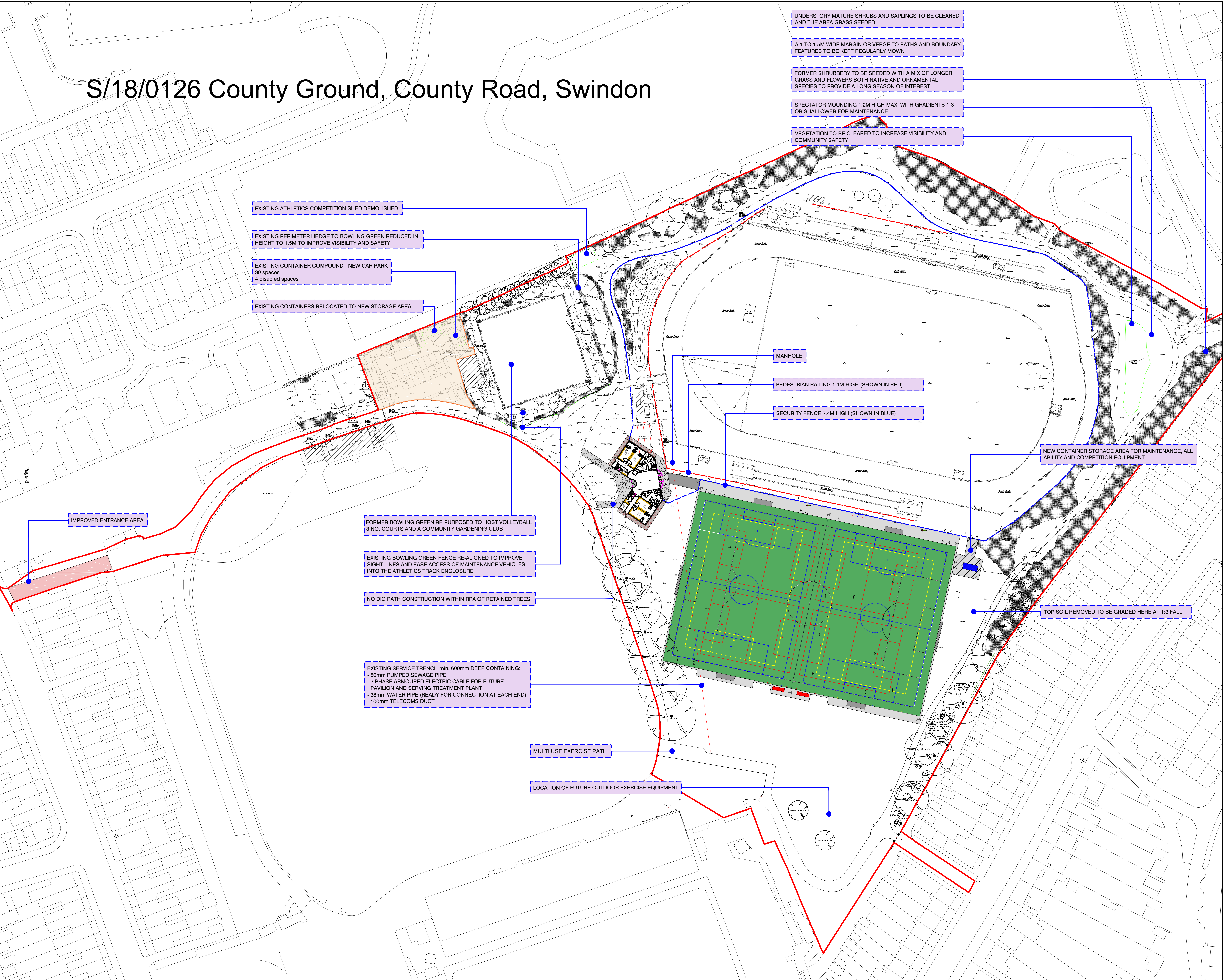








S/18/0126 County Ground, County Road, Swindon



LEGEND

IMPROVED ENTRANCE AREA

EXISTING CONTAINER COMPOUND - NEW CAR PARK

BODPAVE

ARTIFICIAL GRASS PITCH

PERMEABLE HARD SURFACE

NEW CONTAINER COMPOUND

APPLICATION BOUNDARY

0m

5m

10

20

30

40

50

north

PROPOSED SITE PLAN  
THE COUNTY GROUND

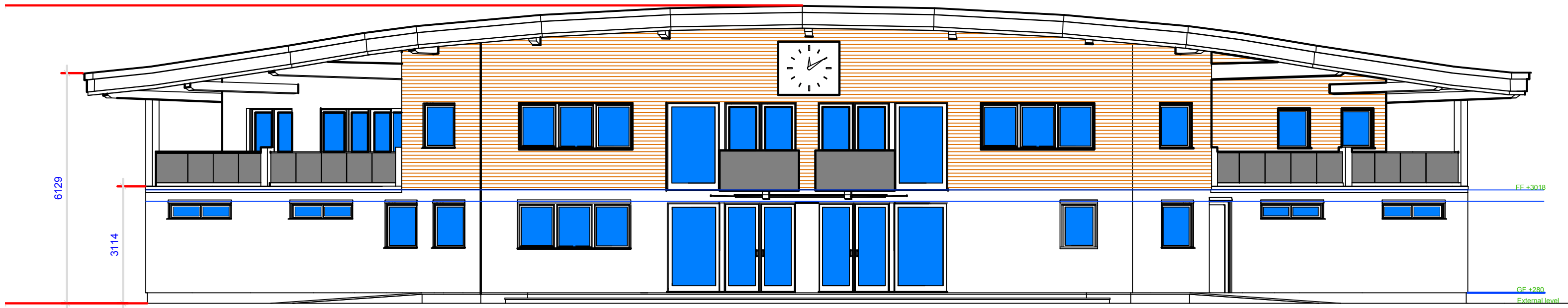
STFC  
FOOTBALL IN THE COMMUNITY TRUST

Designed SCH	Scale 1:500 @ A0 LS	Status CONSULTATION	Date JAN 2018	Revision
Drawn	Drawing no.			
Checked	SC.2481.02			

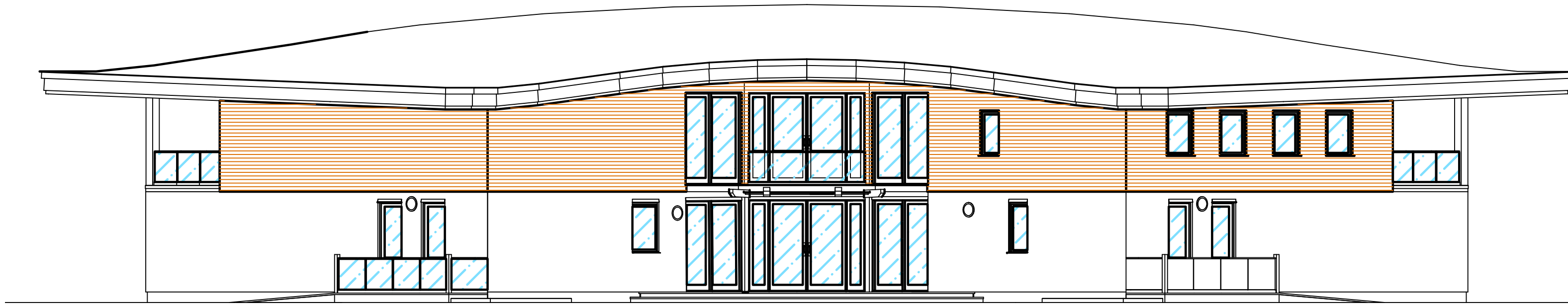
DO NOT SCALE FROM DRAWINGS



S/18/0126 County Ground, County Road, Swindon



FRONT ELEVATION @ 1:100



REAR ELEVATION @ 1:100



SIDE A ELEVATION @ 1:100



SIDE B ELEVATION @ 1:100

issue	description	by	date
ONE		AF	13.03.17
TWO		CP	04.05.17
THREE	New Pavilion layout	CP	19.06.17
STATUS: DESIGN STAGE			

3  
PROPOSED  
COUNTY  
GROUND  
FACILITY

STFC FOOTBALL IN  
THE COMMUNITY  
TRUST

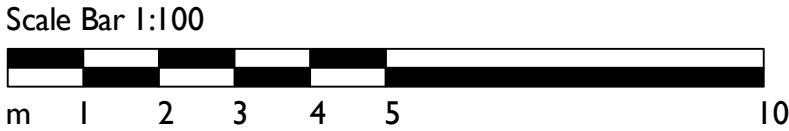
PROPOSED ELEVATIONS

DRAWING No.	SC-2481- 03
SCALE	1:750 @ A1
PROJECT DATE	FEB 2017
DRAWN BY	AF
DRAWING DESCRIPTION	PROPOSED ELEVATIONS

SPORTS CLUBHOUSES  
182 BRIGHTON ROAD, COULSDON, SURREY, CR5 2NH  
TEL: 0208 660 0555

steve@sportsclubhouses.com  
www.sportsclubhouses.com

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## COMMITTEE REPORT

**Item Number:** 6

**Ward:** Central

**Application Number:** S/18/0126/RA

**Parish:** Central Swindon South

**Proposal:** Erection of a two storey pavilion, construction of a 3G playing pitch and 8no. 15 metre high floodlights, 4.5 metre high ball stop fencing, 2 metre high pitch perimeter fencing, erection of a storage container, construction of new car parking and associated landscaping works.

**Site Location:** Playing Field County Ground, County Road, Swindon

**Case Officer:** Miss Rachael Adams

**Contact details:** Tel 01793 466012 Email [radams@swindon.gov.uk](mailto:radams@swindon.gov.uk)

**Agent:**

Mr Steve Macdonald  
Sports Clubhouses  
182 Brighton Road  
Coulsdon  
Surrey  
CR5 2NH

**Applicant**

Mr Jon Holloway  
Swindon Town Football In The  
Community Trust  
County Ground  
County Road  
SWINDON  
SN1 2ED

## Officers Report

### Background

This application is brought before the Committee for consideration at the request of Cllr Bob Wright.

An application for a similar scheme was considered by Planning Committee in November 2017. The only difference being the actual position of the 3G pitch. The scheme was recommended for approval by your officers but was refused by Members for the following reasons:

*1 The proposed development would result in the loss of open space/ playing field where no alternative provision of an equivalent or better size, quality and accessibility is being made locally. As such the proposal would reduce the amount of such open space enjoyed in the area to the detriment of users of the open space contrary policy EN3 of the Swindon Borough Local Plan 2026 and the NPPF.*

*2 The proposed development by virtue of the noise and disturbance associated with the use of the 3G artificial pitch and the appearance and impact of the acoustic mitigation would be likely to cause harm to the living conditions of the occupants of neighbouring dwellings, to the detriment of their residential and visual amenity. As such the proposal is contrary policies DE1 and ENV7 of the Swindon Borough Local Plan 2026 and the NPPF.*

*3 The proposed development would be likely to have a detrimental impact on the visual amenity enjoyed by users of the County Ground by virtue of the erection of a 3 metre high acoustic barrier. As such the proposal is contrary policy DE1 of the Swindon Borough Local Plan 2026 and the NPPF.*

Following discussions with officers the applicant has taken on board concerns about the impact of noise and disturbance and acoustic mitigation therefore addressing the reasons for refusal. This has resulted in the re-alignment of the 3G pitch, which is now proposed to run horizontal to the athletics track.

A further public consultation event was carried out by the applicant in December 2017 and a summary of the responses and feedback are included within the application documentation.

### **Summary of Recommendation:**

1 That planning permission be GRANTED with Conditions

### **The Proposal:**

2 The Swindon Town Football Club Football in the Community Trust (STFCFitC) are seeking permission for the erection of a two storey pavilion, construction of a 3G artificial playing pitch and 8no. 15 metre high floodlights, 4.5 metre high ball stop fencing, 2 metre high pitch perimeter fencing, erection of a replacement storage container, construction of new car parking and associated landscaping works. The application also includes the widening of the County Road access to the site; improvements to the existing car parking and the creation of a new car park; repurposing of the former bowls green to incorporate a number of community activities and removal of the storage units adjacent to the bowling green.

### **The Site and Surroundings:**

3 This application relates to the existing grass playing field and associated land at the County Ground. The playing field itself is bounded by mature trees to the east and west. Directly to the north lies the Athletics track, to the east lie the residential properties of Shrivenham Road, to the south is the Swindon Town Football Stadium and to the west is the Swindon Cricket Ground.

### **Representations:**

## Neighbours:

4 At the time of writing this report, 10 letters of objection have been received from the following local residents – 5, 33, 47, 68, 72, 94 and 100 Shrivenham Road, 11 Bevisland, 73 Gladstone Street and 60 Graham Street. Their main points of concern are as follows:

- Noise disturbance and light pollution
- Loss of open space/playing field
- Floodlighting
- Fencing

5 A petition against the development has also been received containing 183 signatures.

6 In addition, 97 letters of support have also been received from the residents of Swindon including a letter from Robert Buckland MP.

## Parish Council:

7 The South Swindon Parish Council have no objection subject to the following comments:

- More car parking is provided on site to prevent parking on local roads. It was identified that further parking could be located adjacent to the old Bowls Club.
- Work to improve the drainage for the whole site including remaining grass area which is known to be very wet and unusable in the winter months.
- The outdoor exercise equipment should be removed completely or move to a different location nearer to the pavilion.
- The pitches should make provision for more sports to be played and not just football.
- The storage container should be removed and the storage should be incorporated within the pavilion.

## Consultee Comments:

8 Environmental Health: No objection subject to conditions.

9 Local Highway Authority: No highway objection is raised subject to conditions.

10 Local Lead Flood Authority: No objections subject to a condition.

11 Sport England: No objection subject to conditions.

## Policy Context:

*National Planning Policy Framework 2012 (NPPF)*

12 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Of particular relevance to this application is section 8 'Promoting healthy communities'

13 Paragraph 73 states that; Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of

communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

14 Paragraph 74 states that; Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

#### *Swindon Borough Local Plan 2026 (SBLP)*

15 In terms of the adopted Swindon Borough Local Plan 2026 the following policies are relevant to this application:

- DE1 (High Quality Design); seeks high standard of design for all development
- CM2 (Active, Healthy and Safe Lifestyles); seeks to promote active and healthy lifestyles
- EN3 (Open Space); seeks all development to provide or contribute towards public;
- EN6 (Flood Risk); seeks to minimise the risk and impact of flooding;
- EN7 (Pollution) seeks to control pollutants to a point where there is no significant loss of amenity for existing land uses.
- 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;

16 The following documents are also of relevance in the consideration of this application:

- Open Space Audit and Assessment Review (2014)
- Swindon Borough Council Playing Pitch Strategy (2016-2021)

### **Planning Considerations:**

#### *Principle*

17 In terms of the principle, the erection of the pavilion and the 3G pitch will be located on land currently taken up by grass playing field and is owned by the Council. The use proposed is the same as the current use i.e. the use of the land for sport and recreation activities. The use of the land for sport and recreation is already established and thus in this context the principle of further sports usage is acceptable. The proposal is to construct an adult 3G artificial football pitch on the land which will replace a former youth pitch.

18 Whilst the proposal will result in the loss of a natural turf playing pitch (classified as 'open space' within the adopted Swindon Borough Local Plan 2026) the proposal will create a 3G artificial sports pitch that can be used during all weather conditions and when dark, unlike the playing fields at present.

19 The new 3G artificial pitch will be of benefit to Swindon Town Football Club Football in the Community Trust (STFCFitC), its partner organisations and the local community. When



not in use by STFCitC the facility will be available for the public and community usage and will allow activities to take place throughout the whole year. It will also bring about a community benefit in terms of providing playing pitch provision for individuals and local teams.

20 Local Plan policy CM2 is relevant and states that active, healthy and safe lifestyles will be enabled by the provision of open space, sports and leisure facilities, improving the stock of playing pitches and in particular increasing capacity at the County Ground.

21 It is considered that this applications accords with the aims of the NPPF and policy CM2 of the adopted Local Plan.

*Loss of open space/grass playing pitch*

22 The site of the new 3G artificial pitch replaces an area of grass playing field previously marked out as a youth playing pitch, which is used informally. The area is known as the County Ground Playing Field and forms a significant area of open space (outdoor sports facilities – playing pitches) which is protected by Policy EN3 of the Local Plan.

23 The County Ground is within the Central ward, where there is a shortfall in open space provision, including outdoor sports facilities and playing pitches, as identified in the Open Space Audit and Assessment 2014 (OSAA).

24 The Swindon Borough Council Playing Pitch Strategy (SPPS) for the period 2016-2021 was approved by Cabinet on 7<sup>th</sup> February 2018. The strategy was produced in partnership with Sport England, national governing bodies and county sports associations, and includes data on the quality and use of pitches in the Borough. The strategy uses Sport England's Community Use categories, which are set out in the Sport England Sport England 'Playing Pitch Strategy Guidance' (2013) to determine whether a pitch is available for use and used by community teams. Within the strategy the County Ground Playing Field is categorised as a site with no community use, as it is no longer marked out as a pitch and therefore not used by any teams/clubs. However, it is understood that informal use does take place at this site.

25 Local plan policy EN3 is therefore relevant, which states that open spaces will be protected from development unless:

- o It can be demonstrated that alternative provision can be made locally of equivalent or better size, quality and accessibility; or
- o The proposed development is ancillary to the main use of the site and protects its public open space function; or
- o The proposed development is subject to an open space appraisal to ensure it does not adversely affect local needs and/or existing quality of open space within the area in accordance with the Councils standards as set out in Appendix 3 and in the most recent open space audit and assessment; or
- o When assessed against the open space appraisal, the proposed development provides community benefit which outweighs the loss of open space

26 The proposal is for a full size adult 3G artificial pitch, which will be flood lit and available for use 7 days a week until 9.30pm in the evenings. A new Pavilion building will provide changing rooms and ancillary facilities for use by the football trust, athletics club and other

sporting groups. The remaining area of grass playing field will still be available for general amenity and casual play.

27 The applicant has recognised the need for the proposed facility to be available for community use, and discussion has taken place with local clubs and groups. A draft usage plan has been provided, which details the proposed users of the facility throughout the week and weekend, including clubs, educational use, and community and disability groups. The usage plan also details that there will be slots available for 'Free Community Use'.

28 The proposed development offers new sporting facilities at an already established playing field, therefore retaining the recreational use of the site in a highly accessible location in central Swindon. It is recognised that Artificial Grass Pitches can provide increased capacity for training in the evenings and winter months, and full size 3G pitches can provide additional capacity for weekend matches and reduce overplay on traditional grass pitches, as well as providing a reliable alternative for matches during periods of bad weather. It is noted that there is support from the FA, Wiltshire County FA and the Football Foundation as well as local clubs.

29 Sport England (SE) have stated that Swindon has a strategic need for 4.5 protected community use 3G Artificial Grass Pitches for football. The proposed new 3G artificial pitch is a full size pitch, larger than the current football pitch on site and will have more usage than the current natural pitch and have the ability to grow the game. SE have confirmed that subject to conditions, the proposed development is satisfactory and is of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field, which accords with SE exception policy E5.

30 It is considered the proposal meets the aims of Policy EN3 of the adopted Swindon Borough Local Plan 2026 in that alternative provision is proposed that is arguably better in terms of the all-weather surface, allowing greater usage and improved quality, including during inclement weather when grass pitches are affected and will also be available for community usage.

### *Design*

31 Policy DS6 seeks to ensure that the development is of a high quality design, whilst making sure that access arrangements are suitable and that neighbourhood amenities are protected. This policy seeks this through development which is well laid out and sympathetic to the local context and character; is acceptable in terms of scale, mass and siting; has an acceptable appearance and be compatible with, and protect the amenity of, nearby land uses in terms of visual intrusion and privacy.

32 It is proposed to erect a new two storey pavilion, providing changing rooms, toilets, meetings rooms, office space etc for the Football Trust and the Athletics Club. The pavilion is located adjacent to the athletics track and the new 3G pitch and will include external balconies for spectators to use as a viewing area. A new secure pathway will link the

pavilion to the pitch.

33 The proposed building is considered to be acceptable in terms of its design and external appearance and accords with policy DS6.

#### *Residential Amenity*

34 Policy EN7 states that development that is likely to lead to emissions of pollutants such as noise or light (amongst others) that may adversely affect existing development shall only be permitted where such emissions are controlled to a point where there is no significant loss of amenity for existing land uses.

35 The application was accompanied by a Lighting Impact Assessment and a Noise Impact Assessment. These documents have been assessed by the Councils Environmental Health officer (EHO) who has provided the advice outlined below.

36 In terms of the lighting, it is proposed to erect 8 no. 15 metre high flood lights around the 3G pitch. The EHO is satisfied that the proposed scheme has been designed so that lighting will not exceed the relevant pre and post curfew thresholds for environmental zone 2 (low district brightness areas); as set out in the ILE guidance notes for the reduction of obtrusive light. Therefore, it is not considered that the floodlights would result in a significant loss of amenity for the occupiers of the Shrivenham Road properties.

37 In terms of the noise generated by this facility, it can be broken down into 3 sources; people noise (i.e. shouting, cheers etc.), whistles and the impact noise of balls on the fence panels surrounding the pitch.

38 People noise is in general relatively low frequency for both men and women but, the key point is that, what is heard is automatically recognisable to a listener and will undoubtedly generate annoyance (particularly in the event of expletives being used). The use of a whistle is predicted to be the loudest of all three sources but is much more frequency specific. The impact of footballs on fencing is predicted to be extremely loud and is less instantaneous than the other sources due to the resonance within a fence causing the sound of impact to ring for a short time. This type of noise spans a significant range of frequencies but is fairly significant at lower frequencies – meaning it is more difficult to mitigate.

39 All three sources of noise are intermittent and random in nature and highly intrusive. For this reason, in order to adequately assess the noise it is important to consider the maximum sound levels (the highest instantaneous sounds – peak types of noise) as well as the average sound levels (the average is obtained across a period of time).

40 The Noise Impact Assessment demonstrates that the propagation of sound from behind a goal is significantly less (approximately 15dB) than propagation along the length of an artificial 3G Pitch. Therefore, as a result of the re-orientation of the pitch (to run horizontal to the athletics track), the average sound levels at the nearest properties are predicted to be at a level that will not require an acoustic barrier in order to ensure noise is at an acceptable

level.

41 However, it is still required that noise sources, which produce elevated maximum sound levels are mitigated to ensure that the amenity of nearby properties is not adversely affected as a result of the development. The noise sources of concern are whistles and ball impacts on the ball stop fencing.

42 As such there are two measures proposed to mitigate the impact of noise from the proposed development. The first is a prohibition of the use of whistles after 1900hours, and the second is to replace the proposed industry standard 868 mesh ball stop fencing around the pitch with fencing that produces lower impact noise levels. Both of which the applicant is agreeable to and will be secured via planning conditions.

43 Therefore, subject to the imposition of the conditions outlined above, the Councils EHO raises no objections.

## **Highways**

44 Policy TR2 (Transport and Development) of the Swindon Borough Local Plan 2026 applies with regards to appropriate means of access and the consideration of parking provision.

45 A Transport Statement (TS), prepared and submitted as part of this application, has been assessed by the Local Highway Authority.

46 The site is located close to the town centre, accessed from County Road. The local highway network benefits from good facilities suitable for a choice of travel modes to the site, including signalised crossing facilities for those walking and cycling to the site.

47 The proposal will include widening the access road to 6metres for the first 40metres and to 4.5metres wide thereafter, suitable to accommodate simultaneous access and egress. Appropriate visibility splays are proposed at the site access.

48 The proposal seeks to amalgamate existing facilities to provide a co-ordinated approach and reduce the need to travel between sites. Due to the nature of the development first principles have been used to determine the trip generation based on the existing use as Grange Leisure and Kingsdown School. The existing traffic flows have been set out in section 4 of the Transport Statement.

49 The existing facilities have an associated trip generation, the provision of upgraded facilities to amalgamate facilities is predicted to result in a negligible increase in trips, the peak on the busiest day only being 3 trips a minute between 17:40 – 18:00. The proposed use timetable indicates that the facilities are unlikely to be used before 10am except for maintenance, with only small amounts of traffic in the PM peak hour, most of which can occur without the need for planning permission.

50 The Local Highway Authority have confirmed that no highway objection is raised subject to conditions.

## **Drainage**

51 The proposed development is greater than 1 hectare within Flood Zone 1, and therefore Policy EN6 (Flood Risk) applies. As such a Flood Risk Assessment (FRA) was submitted with the application. In terms of the FRA the document has been reviewed by the Lead Local Flood Authority and no objections are raised subject to the imposition of a condition requiring a detailed surface water drainage scheme to be submitted and agreed.

## **Other Matters**

### *Ecology*

52 No ecological constraints have been identified. The only pond is 193m from the nearest proposed building, and the new 3G artificial pitch would be 164m from the pond. Although the pond has great crested newt potential, it is considered unlikely that it contains great crested newts: it has been built in the last 20 years, is fed by road run-off, and is isolated from any potential source sites by a busy road. Even if it did contain great crested newts, the pond is separated from the proposed development by a wide area of closely mown sports pitches. Given the site is already floodlit, and in a town centre location, no additional impact on bats is anticipated, if they are using the site at all.

### *Trees*

53 An Arboricultural report produced by Certhia Consulting Ltd accompanied the planning application which concluded the following:

- The proposal will not affect, nor be affected by, any of the trees on site when considered alongside the identified and necessary tree management.
- Irrespective of any development proposals, the line of Black Poplar's will require extensive works commensurate with their individual condition.
- Tree protection measures must be employed *throughout* the construction phase to ensure the trees and their rooting areas are fully protected.

54 The Councils Arboricultural officer has assessed the document and concurs with the conclusions that the proposal will not affect, nor be affected by, any of the trees on site when considered alongside the identified and necessary tree management. The recommended tree works are necessary and appropriate when considering these trees current condition and in-line with best practice for trees of this size, species and position.

### *Planning Obligations*

55 Whilst the proposal is liable to the Community Infrastructure Levy, the relevant threshold is £0 per square metre for leisure development and hence no payment is required in this case.

### *Response to Neighbour Concerns*

56 In terms of responding to the concerns raised by local residents, the report deals specifically with the issue of loss of open space and the need for the pitch. With regard to noise and disturbance the Councils EHO has reviewed the Noise Impact assessment and suggested conditions to secure mitigation measures in order to safeguard residents. In

terms of traffic generation and parking, the Local Highway Authority consider the parking provision is acceptable and there is no evidence to suggest that the development will have a detrimental impact on the local highway network.

57 In response to the comments made by the Parish Council, officers can confirm the following:

- additional car parking is proposed next to the Bowls Club
- a drainage scheme for the site will be implemented
- the outdoor exercise equipment can be removed
- the 3G pitch will be used for other sports and not just football for example Drove School will utilise the facility for their PE lesson.
- the storage container is necessary as it will hold the machinery for the 3G pitch maintenance.

### **Concluding Comments**

58 It is considered, that the scheme comprises an acceptable use of the land and the development is designed without adversely affecting the character of the locality or amenity of neighbouring residents to a degree that will justify withholding permission subject to the required mitigation. Overall, officers are satisfied that the scheme complies with the National Planning Policy Framework (2012) and the relevant Local Plan policies.

### **Recommendation**

59 That planning permission be GRANTED with Conditions.

## **Conditions**

### **Time Limit**

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

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

### **Approved Drawings**

2 This approval shall be in respect of the following drawings and documents

Location plan, proposed site plan and drawing numbers SC-2481-02, SC-2481-03, SS2241 02 rev 05, SS2241 06 rev 02 and SS2241 08 rev 05 received by the LPA on 29<sup>th</sup> January 2018

Arboricultural Report, Design and Access Statement, Flood Risk Assessment, Ground Investigation Report, Lighting Impact Assessment, Noise Impact Assessment and Transport Statement received by the LPA on 29<sup>th</sup> January 2018

Drawing number SK01 received by the LPA on 6<sup>th</sup> February 2018

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

### Construction Method Statement

3 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. specify point of construction access and access route to the site;
- iii. provide for the parking of vehicles of site operatives and visitors;
- iv. provide for the loading and unloading of plant and materials;
- v. provide for the storage of plant and materials used in constructing the development;
- vi. provide for wheel washing facilities;
- vii. specify the intended hours of construction operations;
- viii. measures to control the emission of dust and dirt during construction

Reason: To reduce the potential impact on the public highway during the site preparation and construction phase(s) of development.

### Junction Completion

4 No works shall commence on site (other than those required by this condition) on the development hereby permitted until the junction improvements as detailed on drawing numbered SC-2481-02 of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

Reason: To reduce potential highway impact by ensuring that there is a satisfactory access at the commencement of construction works and for the duration of the development.

### Drainage

5 Development shall not begin until a surface water drainage scheme for the site, in accordance with the approved drainage strategy 'County Ground, Swindon Flood Risk Assessment & SuDS Assessment – Rev 03, January 2018', has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include, but not be limited to:

- ☐ Details of how the drainage scheme has incorporated SuDS techniques to manage water quantity and maintain water quality in accordance with best practice guidance including the latest SuDS Manual C753;
- ☐ Detailed drainage plan showing the location of the proposed SuDS and drainage network with exceedance flow routes clearly identified;
- ☐ Details to demonstrate the SuDS Scheme has been designed in accordance with best practice guidance including the latest SuDS Manual C753;
- ☐ General arrangement, which should be coordinated with the landscape proposals and the master plan;
- ☐ Manhole Schedules;
- ☐ Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change to demonstrate that all SuDS features and the drainage network can cater for the critical storm event for its lifetime;
- ☐ Details of how the scheme shall be maintained and managed after completion;

□ Any drainage systems offered for adoption will be designed to Sewers for Adoption 7th edition and/or SBC standards as part of the detailed design and relevant technical approval processes.

□ The submission of evidence relating to accepted outfalls from the site, particularly from any third party network owners.

Reason: To ensure development does not increase the risk of flooding elsewhere.

### **Materials**

6 No development comprising the erection of any building above ground level shall take place until details of all external facing materials shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with these approved details.

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

### **Soft Landscape**

7 The development hereby permitted shall not be brought into use until a soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; finished ground levels; an appropriately scaled planting plan to include the species, location, numbers, size, spacing and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site. The drawing shall include or be accompanied by a detailed specification setting out an appropriate methodology for implementing the scheme in accordance with the appropriate British Standards to include BS 8545:2015, BS 4428:1989 and BS 5837:2012. The submission must include a detailed programme of implementation.

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

### **Hard Landscaping**

8 The development hereby permitted shall not be brought into use until details of the hard landscaping of the site including the surface treatment of any roadways or other parts of the site which will not be covered by buildings, shall have first been submitted to and approved in writing by the Local Planning Authority.

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

### **Boundary Treatments**

9 The development hereby permitted shall not be brought into use until, a plan indicating the positions, design, materials and type of boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be implemented before the dwellings are occupied and shall be retained in the approved form for so long as the development hereby permitted remains on the site.

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

### **Construction of Pitch and Changing rooms**

10 The Artificial Grass Pitch and the changing pavilion hereby permitted shall not be constructed other than substantially in accordance with Sport England and National Governing Body Technical Design Guidance Notes Sport England's Pavilions and



Clubshouses1999; *The FA Guide to Foot Turf Pitch Design Principles and Layouts 2013*; *The FA Guide to Floodlighting 2013*; and *The Football Foundation Data sheet- changing Accommodation*.

Reason: To ensure the development is fit for purpose and sustainable.

### **Management and Maintenance Scheme**

11 Before the Artificial Grass Pitch is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. This is to include measures to ensure the replacement of the Artificial Grass Pitch within the manufacturer's specified period and testing to meet FIFA's Quality Accreditation. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Artificial Grass Pitch.

Reason: To ensure that a new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport.

### **Community Use Agreement**

13 Before the artificial grass pitch is first brought into use, a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The agreement shall include details of pricing policy, hours of use, access by non-educational establishment users/non-members, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility and to ensure sufficient benefit to the development of sport.

### **Arboriculture**

14 The proposal must be carried out in accordance with the recommended Tree Protection measures contained with the Arboricultural Report dated January 2018.

Reason: To ensure that trees to be retained are not adversely affected by the development proposals in accordance with BS 5837:2012 and to ensure that the approved method statement is complied with for the duration of the development.

### **Use of Pitch**

15 The pitch and pavilion shall not be used and the associated floodlights shall not be lit, outside the following hours:-

09:00 – 21:30 Monday to Friday and 10.00 - 21.00 Saturdays and Sundays

Reason: To safeguard the amenities of the area.

### **Restriction on whistles**

16 The use of whistles in association with the 3G Pitch shall not be used after 1900 hours on any day.

Reason: In the interests of amenity.

**Ball Stop Fencing**

17 Prior to the bringing into use of the 3G Pitch hereby permitted, details of the ball stop fencing surrounding the 3G pitch shall be submitted and approved in writing by the Local Planning Authority. In conjunction with other mitigation measures, the approved fencing shall achieve a maximum noise level of 57dBLA<sub>max</sub>(fast) at the façade of the nearest dwelling.

Reason: In the interests of amenity.

**Floodlighting**

18 The floodlighting associated with the 3G pitch hereby permitted shall be designed, installed and maintained in accordance with the approved details and shall comply with the obtrusive light limitations for exterior lighting installations for environmental zone 2 of The Institution of Lighting Professionals (ILP): Guidance Notes for The Reduction of Obtrusive Light GN01:2011.

Reason: In the interests of amenity.

**Parking**

19 The development hereby permitted shall not be brought into use until the areas for the manoeuvring, parking, loading and unloading of vehicles as indicated on drawing numbered SC-2481-02 have been made available, surfaced and marked out, and the areas shall subsequently be maintained for these purposes at all times.

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

**Access Restriction**

20 The vehicular access to the development shall be gained only from County Road.

Reason: To reduce potential highway impact by ensuring that there is no additional vehicular access to/from Shrivenham Road and use of a road considered unsuitable to serve this development.

**Hours of Work**

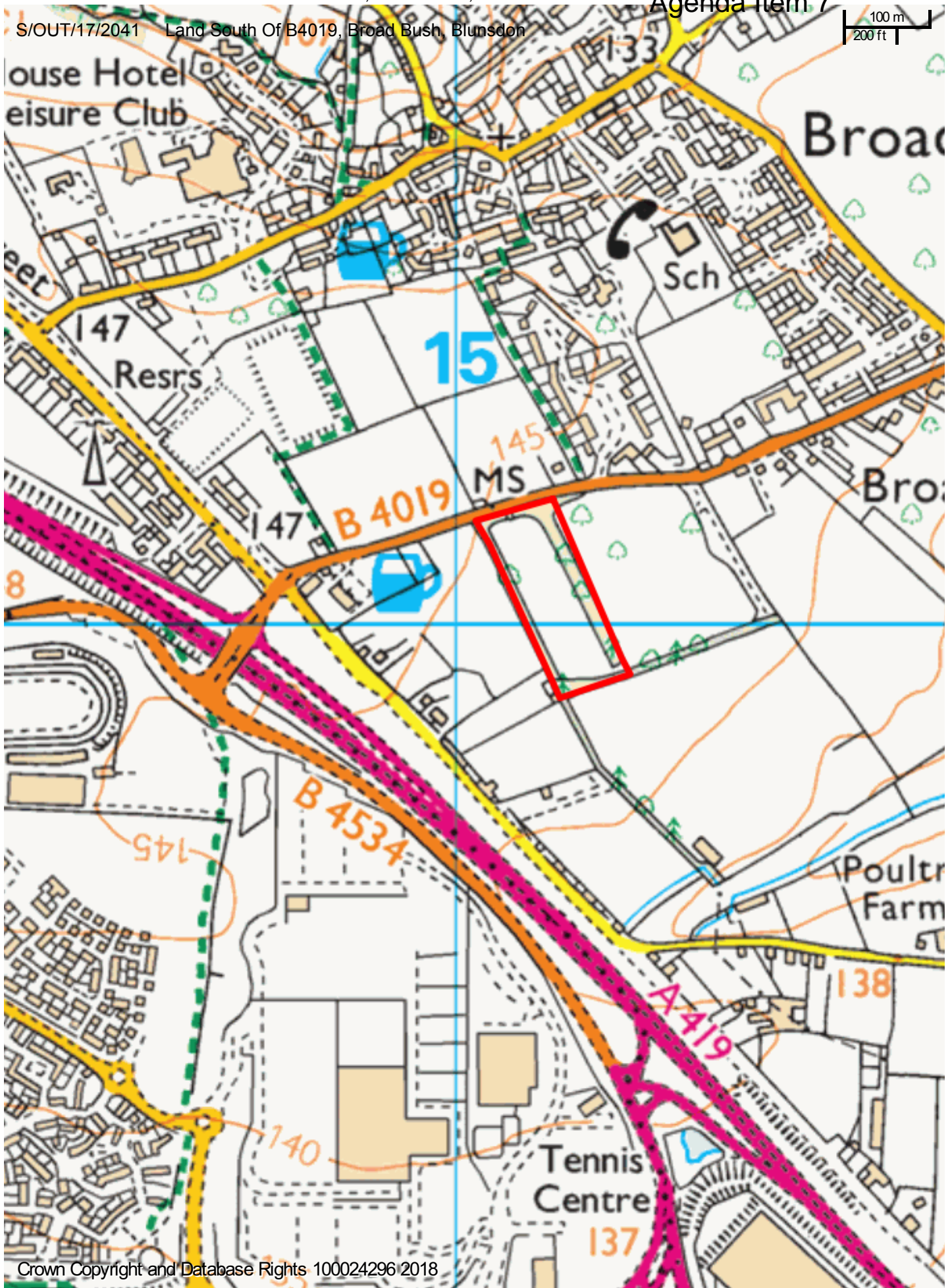
21 Construction works associated with the development hereby permitted shall only take place between 0800 hours to 1800 hours on Mondays to Fridays and 0900 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity.

**Informatives**

Wheel Wash and Winter

1. The weather will have an impact on construction sites which in turn will require roads to be swept in addition to using wheel wash facilities. Swindon Borough Council are on winter service alert for gritting roads around the Borough from mid-October to mid-April each year, the treated roads are shown on the attached plan. The de-icing material used for road treatment by this council is Thorox, this material is rock salt treated with an agricultural by-product similar to molasses and has the advantage of being active on the carriageway for up to three days providing there is no substantial precipitation or sweeping. It is imperative that any salt removed from the treated network by sweepers clearing mud and debris is replaced straight away at a spread rate of 15g/m<sup>2</sup>. Where a sweeper is used on the roads around your site, you have a responsibility to retreat roads after washing or sweeping to ensure safety of road users is maintained during the winter period. In order to assist with this retreatment, Swindon Borough's Highway Operations Team can provide a filled grit bin at a cost available on request for use by developers, it should be noted that once delivered the bin and its contents will be in the property of the developer. In the first instance, please contact, Duty Winter Service Engineer, 01793 466354 to discuss and confirm site specific requirements.



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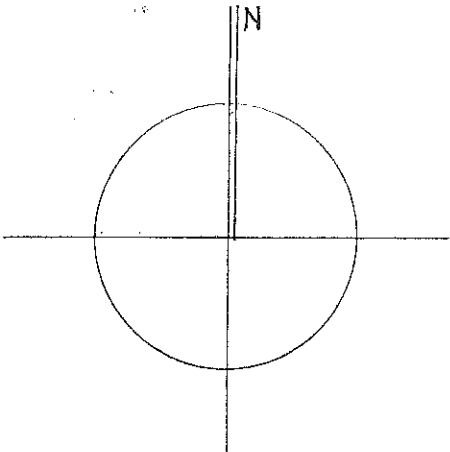
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Scale: 1:3001

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S/OUT/17/2041 Land South Of B4019, Broad Bush, Blunsdon



SITE PLAN

0 50m

SCALE 1,1250/A3  
DRG No LPC,4253,17,03  
DATE 11 SEPTEMBER 2017



## COMMITTEE REPORT

**Item Number:** 7  
**Application Number:**  
S/OUT/17/2041/HC

**Ward:** Blunsdon And Highworth  
**Parish:**  
Blunsdon

**Proposal:** Outline application for the erection of 8no. dwellings - all matters reserved.

**Site Location:** Land South Of B4019, Broad Bush, Blunsdon

**Case Officer:** Miss Heather Carlisle

**Contact Details:** Tel: (01793) 466305 Email: hcarlisle@swindon.gov.uk

**Agent:**  
Andrew Miles  
LPC (Trull) Ltd.  
Trull  
Tetbury  
GL8 8SQ

**Applicant**  
Messrs Slattery, Gallagher & Hall  
  
c/o Agents

### Officers Report

**Background:**

The application has been called into Planning Committee by Cllr Bishop due to the need for executive housing, Swindon's policy on self-build and the need to reach our quota of housing and by Councillor Elliot so as to have a fair and balanced view on the application.

Pre-application discussions submitted under application S/PRE/17/1611/HC.

**Summary of Recommendation:**

1 That planning permission be REFUSED

**The Proposal:**

2 The proposal seeks outline planning permission with all matters reserved for the erection of 8 dwellings. The applicant's design and access statement states that the proposed development of 8 homes accessed from the B4019 would be for self-build housing. The site is bounded on all four sides by mature trees which are subject to a Tree Preservation Order.

3 The application documents indicate the scheme would be large 8 'executive style houses' to be built on a self-build basis. Illustrative documents have been submitted which give an indicative of the type of housing. The illustrative plans (indicative only), shows the size of the houses and garden size.



**The Site and Surroundings:**

4 The application site is currently a green field which lies south of the B4019, one of the main routes from Swindon/Blunsdon to Highworth. The site is also close to the Cold Harbour junction providing access to the strategic road network. There is largely nineteenth century ribbon development to the south to the B4019 to the east of the site beyond the plantation, in the hamlet of Broadbush, which has been subsumed into Broad Blunsdon as a result of development in the 1970s. However, the land to the south, east and west of the site is currently open countryside.

5 The current use of the site is currently agricultural and the site is approximately 1.4 hectares. The site to be accessed from the B4019 from an existing access position. The site is enclosed by trees which are subject to a tree protection order (TPO). These trees are not within the application site, but do overhang the site to a material degree.

**Residential development within the Blunsdon area:**

6 At the time of writing this report, the following permissions have been granted around the village of Broad Blunsdon within Blunsdon Parish:

- S/14/1304 – Land North Of Ermin Street and High Street, Blunsdon – 69 dwellings
- S/13/1223 – Land At And To The Rear Of 99 Ermin Street, Blunsdon – 61 dwellings
- S/13/0364 – Land To The Rear Of 83 Ermin Street, Blunsdon – 57 dwellings
- S/OUT/16/2034 – on land south of High Street, Blunsdon – 53 dwellings
- S/17/0528 – Land on the northern side of the B4019 – 54 dwellings

7 Permission has therefore been granted or resolved to be granted for 294 dwellings around the village of Broad Blunsdon in the plan period to date.

8 Planning permission was refused for application S/OUT/17/1032 – Outline application for the demolition of Hill Cottage and erection of up to 100no. dwellings with associated open space, landscaping, road and drainage infrastructure - Means of Access not Reserved. Land at Hill Cottage Blunsdon Hill Blunsdon Swindon SN26 8BZ. An appeal against that refusal is currently underway.

**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 Neighbours:

**9 Turnpike Road, Blunsdon: objection**

Whilst I appreciate that the Swindon Borough Council have to meet housing growth targets set by the government it should be done so taking into account all factors of the area. Blunsdon appears to be in demand by developers at the moment and we have already seen Hills Development on Ermin Street. There are also applications in place for the golf course, the persimmon development from Broad Blunsdon through to Kingsdown Lane, Thames Water site development, Beech Lea (across from this application number I am emailing about today). All of these developments will put more pressure on the Turnpike/Ermin Street/Broad Blunsdon junction near the Cold Harbour pub. Our village cannot cope with the existing traffic and the Turnpike /Ermin Street/Broad Blunsdon junction as it is. We see a huge traffic build up, turning into Turnpike is often dangerous as traffic coming from Broad Bush fail to stop at the roundabout, we see people in that queue of traffic



travelling on the Broad Bush road (B4019) now cutting through Sam's Lane/High Street and coming out along Ermin Street to avoid sitting in traffic queues. More development in our village will cause even more traffic chaos! I would urge the Planning team to spend time reviewing the traffic situation before agreeing to any further developments in the Blunsdon Area. I absolutely oppose the development S/OUT/17/2014 based on traffic/road safety

#### The Heathers, Broadbush, Blunsdon: objection

The land in question is designated as being part of the Kingsdown non-coalesce area. The land is outside settlement boundary. The land in question is designated as being part of the Kingsdown non-coalescence area. The entrance to the proposed development is extremely close to the existing traffic calming, gateway feature and will cause conflict with vehicles coming through the gateway feature. The access to this development is in close proximity to the proposed Hills development and will be in conflict with the access to that site. There is no pavement along the proposed development side of Broad Bush, so pedestrian access would require crossing Broad Bush, which is a very busy over loaded road. This development will only exacerbate the existing problems along Broad Bush, which is an extremely busy and over loaded road, where traffic frequently backs from the junction with Ermin Street to past the entrance to Sams Lane, causing pollution to the local environment.

#### Adelaide, 2 Broadbush, Blunsdon: Objection

Entrance to this proposed development is 50 metres from the traffic calming installation on the B4019. This narrowing of the road has caused a serious danger spot. Traffic coming from the direction of the Cold Harbour Public House increase their speed to go through this chicane to beat oncoming traffic. I regularly drive through this area and walk past it, I have personally had numerous near misses with oncoming traffic which should give way. I have also witnessed the same whilst walking. This area of road is not safe and creating an additional entrance onto the B4019 just 50 metres away will increase the danger.

There is already a problem with the amount of traffic on the B4019, queues already back up to Sams Lane. Traffic is steadily increasing due to all the building developments in Blunsdon and the lack of any improvement in the infrastructure. Having attended numerous meetings concerning developments in Blunsdon it seems that there is no plan to change any of the road junctions. Unfortunately another example of the lack of planning in Blunsdon. The words Plan and Planning are frequently used in Swindon Borough Council's literature. There seems to be little thought that has gone into these Plans and Planning. A simple survey of the area would clearly show that the building of these numerous developments is not possible without causing major problems. Eventually the B4019 will be gridlocked hindering access of the emergency services.

#### 5, BEECH LEA, Blunsdon. Objection

It is outside the settlement boundary and therefore deemed to be countryside and should not be built on.

This location is protected by the SBC Local Plan as being an area of non-coalescence between the village and the 1,650 houses to be built as Kingsdown Urban Extension, NC5. It is a dangerous location for pedestrians as there is no pavement on the south side of B4019, Broadbush so they must cross a very busy road. The access from the site to the B4019 is very close to the traffic calming pinch point and would cause danger to oncoming traffic through the pinch point. It would also cause conflict with access from the new Holdcroft development of 54 dwellings. It is not a sustainable site as the village has very limited facilities and the access by foot to these facilities is not easy or safe. There is limited

employment in Blunsdon and a poor bus service which would mean, once again, more traffic generated on the B4019 from another new development using this road. Surely SBC can validate that?

Blunsdon is being over developed as there is already sufficient new housing developments to meet local needs and more than the SBC Local Plan proposed. Overall this is a very inappropriate location for any development and I hope that the Council will agree and refuse it.

**11 Parish Council:** Blunsdon Parish Council: Objection.

The Parish Council note that the design and lower density were very positive, but not this location and therefore agreed to object for the following reasons:

The adverse impact outweighs the benefits, the site is in an area of non-coalescence the provision for access is inadequate, there is no support for core services ie pedestrian access/footpath, the site is outside the settlement boundary, the additional impact on Cold Harbour is not sustainable and the character of the area would be adversely affected.

**12 Forward Planning:** Objection: The proposed development is in conflict with the Swindon Borough Local Plan. It is necessary, in accordance with the NPPF to determine whether or not the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

**13 County Archaeologist:** Advised that archaeological evaluation would be required. Documents to indicate any archaeological assessment or evaluation has been carried out have not been included.

**14 Local Highway Authority:** No objection subject to appropriate conditions being added.

**15 Local Lead Flood Authority:** Objection. Additional information required.

**16 Landscape/Arboricultural Officer:** Consider that the scheme would be harmful to the character of the landscape in this area and object to the proposed scheme.

**Planning Considerations:**

17 In accordance with the National Policy Framework (NPPF) 2012 and the Swindon Borough Local Plan 2016, the main issues in this case are as follows:

- a) The principle of development as assessed against the sustainable development strategy in the Swindon Local Plan 2026
- b) The traffic and transport issues associated with development
- c) The landscape impact, including impact on TPO trees
- d) Other matters, including the provision of affordable housing, archaeology and design/layout including custom build housing.
- e) Other issues raised within the representations received will also be covered.

**Planning Policy:**

**National Planning Policy Framework (NPPF)**

18 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.

19 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)**

20 The Swindon Local Plan 2026 was adopted on 26<sup>th</sup> 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
- DE2 (Sustainable 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;
- TR2 (Transport and Development); seeks to ensure development is located/designed to encourage the use of sustainable transport modes and provide access that is appropriate;
- SD2 (*The Sustainable Development Strategy*); aims to meet Swindon's development needs whilst protecting the Borough's most important assets.
- EN4 (Biodiversity and Geodiversity); seeks to ensure development does not have a negative impact upon such.
- Policy EN1 (Green Infrastructure Network)
- EN3 (Open Space) seeks all development to provide or contribute towards public open space
- EN5 (Landscape Character and Historical Landscape) seeks development proposals to take account of their natural surroundings.
- EN6 (Flood Risk) seeks development to ensure the risk and impact of flooding are minimised.
- EN7 (Pollution) seeks development to ensure does not have an impact on pollution and air quality
- NC5 (Kingsdown East of A419) which states that the character and identity of Broad Blunsdon including Broadbush shall be protected by a principle of non-coalescence, and land between the strategic site and the village shall remain part of the countryside.
- IN1 (Infrastructure Provision)

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

### **Housing Supply:**

22 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%.

23 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.

**Principle of development:**

24 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.

25 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.

26 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.

27 The proposed development would be contrary to Local Plan Policy SD2 in that it lies outside of the rural settlement boundary and does not fall within any of the categories of development that are supported in rural areas.

28 The sustainable development strategy in Policy SD2 seeks to focus development upon the Swindon urban area and the urban extensions. Below Swindon and the urban extensions in the strategy sit Highworth and Wroughton and then finally other villages. At least 100 dwellings are planned to be delivered in the period to 2026 at other villages "proportional to their size and function" within settlement boundaries, on sites allocated within neighbourhood plans, and in accordance with rural exception site policy.

29 The application site is not allocated in a neighbourhood plan, nor does it accord with a rural exception site policy. At the time of writing the following permissions have been granted or resolved to be granted around the village of Broad Blunsdon, Permission has therefore been granted or resolved to be granted for 294 dwellings around the village of Broad Blunsdon in the plan period to date. The cumulative scale of development is significant and not proportional to the size and function of Broad Blunsdon, which is a village of 603 dwellings and has limited services and facilities. The proposed development is therefore contrary to policy SD2.

29 The application also conflicts with Local Plan Policy NC5 (Kingsdown) which states that the character and identity of Broad Blunsdon including Broadbush shall be protected by a principle of non-coalescence, and land between the strategic site and the village shall remain part of the countryside. Limited exceptions to this are provided, including where the development would be an essential requirement directly related to the economic or social needs of the rural community. The site lies within the non-coalescence area shown on the Local Plan policies map and the proposed development would not meet the criteria for development which would be permitted in this area.

30 The applicant's planning statement refers to a planning permission for development of 5 houses in the non-coalescence area in March 2016 (ref. S/15/1352). That application involved the redevelopment of previously developed land and so is different from the current proposal.

### **Other material considerations: NPPF policy**

31 As the proposed development would not accord with the development plan, it is necessary to look at whether other material considerations would indicate in favour of the grant of permission.

32 The NPPF is an important other material consideration. At the time of writing, it is not possible to demonstrate a five year supply of deliverable housing development land in Swindon Borough. In consequence, paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be regarded as up to date. This in turn engages paragraph 14 of the NPPF which states that, where relevant policies are out-of-date, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

33 Paragraph 17 of the Framework sets out a number of core planning principles which should underpin decision-taking. These include (paraphrasing slightly):

- planning should be genuinely plan-led;
- planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable;
- Planning should deliver sufficient community and cultural facilities and services to meet local needs.

34 Assessed against these principles and the NPPF more widely, the proposed development would support the delivery of new homes, contributing to addressing the land supply shortfall in the Borough. Construction work would be created. The site is proposed to be developed for self-build housing, contributing to diversifying the local housing market.

35 The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) creates a duty on Local Planning Authorities to grant sufficient planning permissions in respect of serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area, as evidenced by the self and custom build register. There are currently 40 entries of the Borough Council's self and custom build register. This means that in accordance with the Act, the LPA must grant permission for 15 units by 30 October 2019 (15 was the number of entries on the list at the base period ending 30 October 2016) and a further 25 by 30 October 2020. As at 30 October 2017, 14 such permissions had been granted. The demand evidenced by the register, and the progress to granting sufficient permissions in accordance with s2A of the Self-build and Custom Housebuilding Act 2015, are material considerations.

36 Against these benefits would need to be weighed adverse impacts, as highlighted above. These include:

- The proposed development would conflict with the Local Plan's strategy by building in a non-coalescence area.
- The proposed development may, subject to the comments of the Design Officer, fail to respect the character and appearance of the area or demonstrate that good design can be achieved.
- There may be issues in terms of impact on TPO trees.
- The proposed development would lead to additional growth at a small village contrary to the Local Plan's sustainable development strategy. Cumulatively it would contribute to a scale of growth not commensurate with Broad Blunsdon's role, services and facilities.
- The proposed development would fail to promote the fullest possible use of walking and cycling.

37 In conclusion the Council acknowledges at present it cannot demonstrate a 5-year supply of housing in accordance with the NPPF and therefore paragraph 49 of the Framework is invoked. This means that conflict with SD2 of the Local Plan alone is insufficient to outweigh the benefits of the proposal, which would make a modest contribution of up to 54 dwellings towards addressing the shortfall. Other harm would need to be demonstrated in order to significantly and demonstrably outweigh the benefits of granting permission, as per paragraph 14 of the NPPF.

38 Whilst the above comments regarding planning policy are relevant, there are however other material considerations which should be assessed in weighing the planning balance. This is in accordance with paragraph 10 of the NPPF which states: "*Plans and decisions need to take local circumstances into account so that they respond to the different opportunities for achieving sustainable development*". Furthermore, paragraph 11 of the NPPF states: "*Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise*" (added emphasis).

### **Design, Layout and Character:**

39 The application has been submitted in Outline, with all matters reserved. However, a plan showing how the stated maximum of 8 no dwellings could be accommodated on the site has been submitted. This site layout plan (Illustrative site plan) is indicative only and therefore does not form part of the formal consideration of the application. 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 8 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.

40 Swindon Local Plan policy DE1 states that high standards of design will be required for all types of development. In terms of the development as the application is outline, full details of the layout, scale, design and external appearance cannot be considered at this stage. Although applied for in outline, concerns have been raised by officers that the proposed development would fail to deliver high standards of design as required by Local Plan Policy DE1 due to the uninspiring layout. In particular:

- Houses would be located in close proximity to existing dense planting, which may give rise to issues of overshadowing for future residents.
- The long cul-de-sac would be fronted along much of its length by the fences of private back gardens. This layout would create a poor street scene and is not characteristic of the village of Blunsdon.
- Pedestrian access within the site does not appear to be shown.

41 The proposed urban linear form of development running perpendicular to the B4019 would not respond to the context and character of existing development, which is rural in feel with some frontage development. The site lies outside of the settlement boundary as is allocated in the Swindon Borough Local Plan 2026 as an area of non-coalescence. The applicant refers to the need for more housing, but also specifically notes in para 4.3 in the Planning, Design and Access Statement that “In purely numerical terms, a further 8 dwellings is not significant and will not have any impact whatsoever on the proportion of new dwellings compared to existing ones within the village or the services and facilities that are available there.” This raises concern as to how this application contributes to the supply of housing. The location is unsustainable in planning terms and housing proposed on this site would have an adverse impact on the existing character and context. The proposal seeks to create an insular development in a cul-de-sac layout form with no real connectivity to the existing settlement pattern within the countryside.

42 In addition, Policy HA1 of the Swindon Borough Local Plan makes clear that provision of housing should not come at the expense of the character of the locality and states housing development should be design-led, in particular: densities, house types and sizes should reflect the character of the surroundings.

43 In regards to the character and context of the proposal, the proposed pattern of development does not reflect the pattern of development which currently exists and which reinforces the rural context fronting the B4019. Given the nature of the proposed pattern and form and how it relates to its local distinctiveness is contrary to section 4 of the Swindon Residential Design Guide, (SRDG) and NPPF para 58. Also it is noted the existing tree and hedgerow vegetation emphasises the rural nature of the site however the view of these will be negatively obscured by the erection of extensive property boundary treatments to the foreground of this vegetation.

44 In respect to the proposed layout as shown on the indicative plan if the scheme came forward in this manner, concerns include:

- The cul-de-sac arrangement with no connectivity to the east, west and south of the site is a poor urbanised response to a rural context.
- The walkable distance to the local primary school from some plots measure further than 800m which is contrary to the SRDG, p.19 and policy DE1.
- The insular pattern with the lack of communal space imposes on the safeguard for inclusivity in compliance with Policy DE1 and the SRDG, p.23, para 3.25 and 3.28.
- There has been no attempt to create a sense of place to the development through the provision of central communal space.
- The primary access through the site will be negatively affected where fronted with gable ended facades and numerous boundary partitions which cause inactive and poorly designed pedestrian space.
- The layout results in poor quality outlook for some plots facing garage buildings.

- Appendix 3 p.10-13 of the tree survey demonstrates that the site can become rather shaded. This causes concern regarding the implications to remove trees in order to provide satisfactory residential amenity provision in compliance with Policy DE1.

45 Policy DE1 of the Swindon Local Plan 2026 also requires consideration of amenity in terms of light, privacy, outlook, noise, disturbance, smell, pollution and space when considering development proposals. Issues of separation distances between dwellings, overlooking, visual dominance, and the impact of the development on the night time sky cannot thus be considered. However, the potential introduction of street lighting would lead to a further urbanisation of the area.

### **Impact on Landscape**

46 In landscape terms the site is outside of any settlement boundary and set away from Blunsdon village where development within or adjoining the settlement boundary would be favourable. The site is therefore in open countryside. The proposed site also lies within the Mid Vale Range 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.

47 It is noted that the roadside frontage vegetation has already been cleared to provide much of the splays required. The vegetation surrounding the actual site is covered by a Tree Protection Order (TPO). This vegetation is historic and it would appear that it was planted as part of the Oldcroft House land. It is acknowledged that the trees that are the subject of the tree preservation order are important visual amenities and setting of in Broad Blunsdon. The parcel of land adjacent to the main road (B4019) contains a large number of trees; some in strips of narrow woodland around the periphery of the fields and also some individual specimen trees in the middle of the field. The trees are highly visible landscape features from the main road, and also benefit local fauna, acting as wildlife corridors for their movement. The landscape officer, has highlighted in this case, where the trees are protected because of their amenity value and importance, it is a designation that clearly contributes directly to landscape quality. In this respect, the Landscape officer disagrees with statements within the submitted information where it reports 'the proposal...would not be within an area designated for its landscape quality'. Officers do not agree that this scheme is somehow 'protecting the trees' and that 'no development' would provide better protection. The enjoyment of these trees is not limited to a specific view and officers consider the scheme will cause harm to how these trees are enjoyed as a matter of principle. Additional comments have been added relating to potential boundary treatments which were noted at pre-app stage as a potential issue. Landscape officers agree with this point and, irrespective of the style or extent of the treatment, it will change the character of the site and the setting of these trees. Officers are aware this would be normally be reserved for discussion at reserved matters, however the principle of boundary treatments is an important concern at this stage.

48 The scheme proposes inclusion of a linking path within the perimeter woodland, referred to within the submitted information and it is considered this is a fundamental matter of principle that cannot be left to reserved matters. The inclusion of such a path is considered to have considerable adverse impacts on vegetation and character and as such this path



should be avoided. It is acknowledge that the perimeter vegetation does provide a fair degree of screening, but in reality, a significant proportion of this is provided by the ivy that covers most of the trees and not the trees themselves. With improved management, this ivy would probably be removed and visibility would increase significantly.

49 The existing trees on the site as detailed are protected by a Tree Protection Order (TPO). The wording of the TPO is very specific in the reason why these groups are protected – it is their visual amenity in respect of the wider Blunsdon area. Officers consider that this development would place pressure on these trees and this would potentially have very harmful visual effects.

50 Irrespective of the style or number of houses on the site, there is a fundamental change from rural to urban character. In this case, officers do not accept that this protects or enhances the character of the landscape. Local Plan Policy EN5 states that development will only be permitted where the intrinsic character, diversity and local distinctiveness of the landscape are protected, conserved and enhanced. Landscape Officers do not consider that the change to the character of the adjacent land (from rural paddock to urban housing development) will be an enhancement as such in conclusion, officers consider that the scheme would be harmful to the character of the landscape of this area and object to the proposed scheme.

51 Also as detailed above and in view of the significant number of trees subject to Tree Preservation Orders on site, concerns have been raised regarding about the impact of the development on visually important trees and such the proposal is contrary to Policy EN1: Green Infrastructure Network).

### **Flood Risk and Drainage:**

52 The Local Lead Flood Risk Authority (LLFA) have reviewed the submitted information and at present there is an objection to the proposal. As the Surface Water Management Strategy is not in-line with current guidance and policy (Such as the SuDS Manual C753 or Non-statutory SuDS technical Standards and therefore the National Planning Practice Guidance) due to an inappropriate SuDS scheme or lack of SuDS implemented into the Strategy. The Surface Water Management Strategy has not demonstrated the method of disposing surface water is feasible. At present it has not been demonstrated that the development will not increase the risk of flooding elsewhere and therefore is contrary to Paragraph 103 of the National Planning Policy Framework (NPPF) and Policy EN6 of the adopted Swindon Local Plan 2026. However, given that the LLFA have not indicated that a suitable scheme cannot be achieved this element can be conditioned.

### **Highway Access, Safety and Parking:**

53 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.

54 The Transport Development Officer recommends that no highway objection be raised subject to a condition being attached relating to The development to be served by an access road(s) laid out and constructed in accordance with the approved reserved matters details and no dwelling on the development shall be occupied until the road (including vehicular turning head(s), street lighting, drainage and footways where proposed) providing access from the nearest public road to that dwelling has been completed to at least binder course

and footways to surface course level in accordance with the details so approved.

55 The application is in outline, with all matters reserved. Notwithstanding that, highway officers have assessed the ability to form a safe access to the site and believe that a means of vehicle access could be achieved that satisfies appropriate design standards. Similarly the Local Highway Authority consider the development as proposed could be achieved with an on-site highway arrangement meeting appropriate adoptable design standards.

56 The substantive issue then is whether suitable opportunities exist for movement by a range of transport modes, as required by Policy TR2 of the Local Plan. In that regard, officers have assessed (a) the availability of services and facilities within a reasonable walking and cycling distance, (b) the availability of the necessary infrastructure to support walking and cycling to them and (c) the availability of public transport services as an alternative to travel by private car. The 'Planning, Design and Access Statement' (December 2017) suggests that the presence of a bus stop and a footpath linking the site with Broad Blunsdon High Street constitute sustainable transport opportunities. It is important to note however that neither the footpath nor the existing bus stops are accessible on foot without the need to cross the B4019 (potentially twice to access the bus stop on the town-bound side of the road) and no protected crossing facilities exist. The footpath to Broad Blunsdon is not a suitable all-weather route to the village and the range of services and facilities on offer in the village is limited.

57 In respect of cycling, whilst the traditionally accepted reasonable cycling distance of 5km takes in a wide range of strategic travel destinations, the B4019 is not, in the vicinity of the site, conducive to cycling. It would be possible to improve the walking and cycling accessibility of the application site but this would involve investment that far exceeds what could be expected as a condition of granting permission for development. In respect of public transport, these are served by only very occasional services, the main services to Highworth bypassing this stretch of the B4019 to serve the village.

#### **Other Matters:**

58 Blunsdon Parish Council is currently preparing a Neighbourhood Plan for the area including the site of this proposal. It is at a relatively early stage, with no documents having yet been published.

#### **Archaeology:**

59 The Council's consultant archaeological advisor (the Wiltshire Country Archaeologist) has recommended that the site has archaeological potential and recommends a condition if 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.

#### **Air Quality:**

60 Officers acknowledge that poor air quality can cause problems to health and the environment and any development should not harm existing air quality. The development should apply appropriate measures to minimise traffic impact of the development. The proposals appear to meet with local plan policy EN7 relating to pollution.

#### **Ecology:**

61 The National Planning Policy Framework (NPPF) 2014 requires biodiversity to be taken into consideration during the determination of application as does Local Plan Policy EN4: Biodiversity and Geodiversity. The planning application is not supported by an ecology assessment.

### **Affordable Housing:**

62 In accordance with Policy HA2 of the SBLP, 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 information and no unilateral undertaking has been provided. However, during discussions within the planning agent during the application process they have offered a financial sum could be provided on a more sustainable location.

### **Infrastructure Requirements:**

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

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

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

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

65 As the proposal contains a net gain in floorspace, the development's floorspace would be CIL liable in principle. The design and access statement suggests the individual plots will be self-build, however that does not by default affect the principle of CIL being charged. In order to manage CIL in the future it would be necessary for any forthcoming applications (under Reserved Matters, should outline permission be granted at any point) to be submitted in a phased way on plot-by plot basis to assist with any CIL Self-build Housing Exemption claims an individual would wish to make.

66 Local Plan Policy EN3 of the adopted SBLP details a requirement to provide contributions towards off-site open space. The scheme does not proposes to provide 'local' open space on site

67 Any contributions towards affordable housing and open space would need to be secured by means of a Section 106 legal agreement, which the applicant has indicated they would be willing to enter into, however no draft agreement has been submitted.

68 No highway related contributions have been deemed applicable

### **Custom Build:**

69 Within the submitted statement there is a comment which identifies the applicant's

willingness to enter into a legal agreement with the council restricting the number of dwellings to 8 and they will be self-build and executive style housing. However, no draft agreement has been submitted and the application. If members are mindful to grant this application, a legal agreement will need to be completed to secure the 8 units of the site, dwellings, affordable housing contribution and self-build element.

### **Concluding Comments:**

70 The applicant claims the proposal will provide public benefits including the provision of 8 executive self-build homes. 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 by virtue of urbanising. In terms of assessing the planning balance, there is a five year housing land supply shortfall in the Borough and this is a significant issue. The NPPF is clear on the decision making process to be undertaken in such circumstances. Assessed against the policies of the Framework as a whole, as explained above, it is considered that the adverse impacts of permitting this development would significantly and demonstrably outweigh the benefits. The proposed development does not represent a sustainable development and an objection is therefore raised. The development proposal is therefore not in accordance with Local or National planning policy for the reasons identified in this report and it is not considered that other material considerations indicate in favour of granting planning permission.

### **Recommendation**

That planning permission be **REFUSED**

### **Reasons**

1 The proposed development would create a development in the countryside in an unsustainable location outside the village of Broad Blunsdon, contrary to the sustainable development strategy for the Borough as set out in Swindon Borough Local Plan (2026) Policy SD2 and the NPPF.

2 The proposed development fails to achieve acceptable standards of accessibility, connectivity and legibility. It would result in an isolated, unsustainable development which is poorly connected to the village of Broad Blunsdon. It would consequently not reduce the need to travel nor manage patterns of growth to make the fullest possible use of walking and cycling and would be likely to be reliant on the private car. It therefore fails to accord with policies DE1 and TR2 of the Swindon Borough Local Plan 2026, the NPPF and the Swindon Residential Design Guide SPD.

3 The proposed development is located within the Mid Vale Landscape Character Area and within an area of non-coalescence, and land between the strategic site and the village shall remain part of the countryside that contributes to the setting of Blunsdon. Development of this site would cause visual harm to the character area. It therefore fails to accord with policy EN5 and NC5 (Kingsdown) of the Swindon Borough Local Plan 2026 that seeks to protect, conserve or enhance the landscape character and setting of Blunsdon and the provisions of the NPPF.

### **Informatives**

1. This refusal is in respect of the following drawings and documents:

Location Plan (Scale 1:1250 @A3), Illustrative Site Layout Plan (Scale 1:1250 @A3), Planning, Design and Access Statement, 'Look and Feel' document received by the Local Planning Authority on 19th December 2017.

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](http://www.swindon.gov.uk/cil) or telephone the SBC CIL Team on 01793 466289 or 466397 or email [cil@swindon.gov.uk](mailto: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.