

Swindon Borough Council

Planning Committee

Tuesday, 13 November 2018

Council Chamber, Civic Offices

At 6.00 p.m.

Conservative Councillors

*Timothy Swinyard
Toby Elliott
Alan Bishop
Malcolm Davies
Fionuala Foley
Nick Martin
Vera Tomlinson*

Labour Councillors

*John Ballman
Steph Exell
Jane Milner-Barry
James Robbins
Peter Watts*

Liberal Democrat Councillors

Stan Pajak

Committee Officer: Shaun Banks (Telephone 01793 463606)
email:sbanks@swindon.gov.uk

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

AGENDA

1. Apologies for Absence

2. Declarations of Interest

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

3. Minutes (Pages 1 - 4)

To receive the minutes of the meeting held on 11th September 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 5 - 7)

6. S/OUT/18/0405/RA Outline application for the erection of up to 70no. dwellings, extension to cemetery, community shop/cafe with associated car parking and toilet facilities, open space, landscaping and associated works - Access not reserved (Pages 8 - 33) (HPRSL&H)

7. **S/18/0461/RA Erection of 14no. dwellings and associated works.**
(Pages 34 - 53) (HPRSL&H)
8. **S/18/0460/RA Erection of 6no residential dwellings with associated soft and hard landscaping, and a new play area to the north of the site, as an extension of the existing play area.** (Pages 54 - 70) (HPRSL&H)
9. **S/18/1373/SASM 77-78 St Philips Road, Stratton St Margaret, Swindon**
(Pages 71 - 87) (HPRSL&H)
10. **S/18/0719/HC Demolition of existing workshop and erection of 2 semi-detached dwellings and associated works.** (Pages 88 - 115) (HPRSL&H)
11. **S/RES/18/0027/JABU Reserved matters application (following outline planning permission S/07/1365) for the demolition of existing stadium and construction of a new stadium, racing building, training kennels, new stands, acoustic barrier, car parking and associated development including minor access works to western access and laying out of open space/linear park. (Modification to reserved matters approval reference S/RES/16/0036)**
(Pages 116 - 139) (HPRSL&H)
12. **S/18/1394/TB Erection of new pavilion, installation of cycling closed road circuit, BMX track, full size 3G artificial grass pitch, improvements to access routes and car park, and refurbishment and enhancement of existing recreation ground.** (Pages 140 - 152) (HPRSL&H)
13. **Development Brief: Land at Moredon Recreation Ground, Swindon.**
(Pages 153 - 179) (HPRSL&H)
14. **The Management of Houses in Multiple Occupation**
(Pages 180 - 185) (HPRSL&H)
15. **The Revised National Planning Policy Framework and compliance of Swindon Borough Development Plan Documents**
(Pages 186 - 210) (HPRSL&H)

Date of Despatch: 09 November 2018

Key:

Officers:

HPRSL&H - Head of Planning, Regulatory Services, Libraries 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, 11 SEPTEMBER 2018

PRESENT: - Councillors Timothy Swinyard (Chair), John Ballman, Alan Bishop, Malcolm Davies, Steph Exell, Nick Martin, Jane Milner-Barry, Stan Pajak, Maureen Penny, James Robbins and Peter Watts.

Apologies for absence were received from Councillors Toby Elliott and Vera Tomlinson.

18. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

19. Minutes

Resolved – That the minutes of the meeting held on 14th August 2018, be confirmed and signed.

20. Public Question Time

There were no public questions

21. S/18/0545/IH Demolition of car park and storage buildings and erection of 14no. dwellings (comprising 3no. two-bed town houses and 11no. one and two-bed apartments) and associated works. Warehouse, Albert Street, Old Town

In respect of application numbered S/18/0545/IH (Demolition of car park and storage buildings and erection of 14 no. dwellings (comprising 3 no. two-bed town houses and 11 no. one and two-bed apartments) and associated works. Warehouse, Albert Street, Old Town), the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Brian Mullin	Agent
Councillor Paul Dixon	Parish Councillor

Resolved – That consideration of application S/18/0545 be deferred in order to enable the design of the scheme and parking/cycle provision to be reviewed.

22. S/OUT/18/0942/TB Outline application for the erection of 5no. dwellings following demolition of existing equestrian buildings and dwelling. Longfield , Kingsdown Lane, Blunsdon

In respect of application numbered S/OUT/18/0942/TB (Outline application for the erection of 5no. dwellings following demolition of existing equestrian buildings and dwelling). Longfield , Kingsdown Lane, Blunsdon) the Committee considered: -

- (a) An application 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 the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Andrew Miles	Agent
Councillor Ian Jankinson	Parish Councillor

Resolved – (1) That the Head of Planning, Regulatory Services and Heritage be authorised to grant planning permission in respect of application numbered S/OUT/18/0942 subject to the conditions set out in the report of the Head of Planning, Regulatory Service and Heritage together with any amended, omitted or additional conditions and the completion of a Section 106 agreement to secure the necessary mitigation. 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 these matters then the Head of Planning, Regulatory Services and Heritage be authorised to refuse planning permission.

(2) That, further to (1) above, Condition 12 be amended to require details of Surface and Foul Drainage associated with the development be submitted for approval by the Local Planning Authority prior to the commencement of works.

23. S/18/0738/TB Erection of replacement shop (class A1) with ancillary office accommodation and associated works. 3-5 , Lagos Street, Swindon

In respect of application numbered S/18/0738/TB (Erection of replacement shop (class A1) with ancillary office accommodation and associated works), 3-5, Lagos Street, Swindon, the Committee considered: -

- (a) An application 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 at the meeting of Councillor Bob Wright (Ward Councillor) in respect of the application;
- (e) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Paul Oakley	Agent
Syed Ali	6 Lagos Street, Swindon

Resolved – (1) That, subject to (2) below, application S/18/0738/TB be granted in accordance with the recommendations and conditions set out in the report of the Head of Planning, Regulatory Service and Heritage.

(2) That, further to (1) above, Condition 7 (Delivery Management Plan) be discharged in Consultation with Central Ward Councillors.

24. S/HOU/18/0855/CHHO Erection of a detached garage, two storey side and rear extensions and creation of vehicular access via Back Lane Down Elms House, Back Lane, Blunsdon

In respect of application numbered S/HOU/18/0855/CHHO Erection of a detached garage, two storey side and rear extensions and creation of vehicular access via Back Lane Down Elms House, Back Lane, Blunsdon the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Councillor Ian Jankinson	Parish Councillor
David Hambling	Oakwood, Lower Village, Blunsdon

Resolved – That application S/HOU/18/0855/CHHO be granted in accordance with the recommendations and conditions set out in the report of the Head of Planning, Regulatory Service and Heritage.

25. S/HOU/18/0764/IH Erection of a two storey side extension 41 Rycote Close, Grange Park, Swindon

In respect of application numbered S/HOU/18/0764/IH Erection of a two storey side extension 41 Rycote Close, Grange Park, Swindon the Committee considered: -

- (a) An application 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 at the meeting of the following interested person:-

<u>Name</u>	<u>Address/Organisation</u>
Hassan Khalaghi	On behalf of the Agent

Resolved – That application S/HOU/18/0764 be granted in accordance with the recommendations and conditions set out in the report of the Head of Planning, Regulatory Service and Heritage.

Determination of Planning and related Applications

Planning Committee

Date: 7th October 2014

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

1. Purpose and Reasons

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

2. Recommendations

The Committee is recommended to:

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

3. Alternative Options

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

4. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

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

Legal and Human Rights Implications

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

5. Appendices

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

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

Determination of Planning and related Applications

Planning Committee

Date: 7th October 2014

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
 - South Marston Neighbourhood Plan (2017) for applications in South Marston Parish
2. Adopted Supplementary Planning Guidance Notes, Supplementary Planning Documents and Development Control Guidance Notes
3. The National Planning Policy Framework, (2018); 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



COMMITTEE REPORT

Item Number:

Application Number:

S/OUT/18/0405/RA

Ward: Blunsdon And Highworth

Parish: Blunsdon

Proposal: Outline application for the erection of up to 70no. dwellings, extension to cemetery, community shop/cafe with associated car parking and toilet facilities, open space, landscaping and associated works - Access not reserved.

Site Location: Land at Sams Lane, Blunsdon, Swindon

Case Officer: Miss Rachael Adams

Contact Details: Tel: 01793 466012 Email: radams@swindon.gov.uk

Agent:

Peter Stacey
Strategic Planning
19 Milton Avenue
Bath
BA2 4QZ

Applicant

Castlewood Commercial Properties
Ltd.
C/o Agent

Officers Report

Background:

0.1 This application has been called to Planning Committee by Blunsdon Parish Council and Cllr Weisigner

Summary of Recommendation:

1 That the Head of Planning, Regulatory Services and Heritage be authorised to GRANT planning permission subject to the conditions set out in the report together with any amendments, omitted or additional conditions and the completion of a Section 106 agreement to secure the necessary mitigation. In the event that the applicant fails to agree an extension of time to allow sufficient time for the LPA to deal with these matters then the Head of Planning, Regulatory Services and Heritage be authorised to REFUSE planning permission.

The Proposal:

2 This application seeks outline planning permission for the erection of up to 70 no. dwellings with all matters reserved, apart from the means of access to the development, on land at Sams Lane.

3 Access would be in the form of a new T-junction directly from/onto Sams Lane together with 2 no. additional proposed pedestrian links.

4 Whilst the matters of layout, scale, appearance and landscaping are reserved for subsequent approval the application submission includes an indicative masterplan that demonstrates how the site could be developed. The scheme proposes to deliver up to 49 open market units and up to 21 affordable units.

5 The indicative masterplan also shows the provision of land for an extension to the cemetery, a community shop/cafe with associated car parking and toilet facilities, on-site open space and an equipped play area.

The Site and Surroundings:

6 The application site comprises 6.8 hectares of greenfield land to the north east of Sams Lane. The site lies outside the rural settlement boundary. The northern site boundary borders properties fronting Burytown Lane and the Cemetery. The site's eastern boundary borders a field and hedgerow.

7 A mature hedgerow forms the south western boundary between the site and Sams Lane and directly to the south lies the remainder of the field, also within the applicant's ownership, but does not form part of this application. There are 4 protected trees on the site, 2 in the north-west corner on the boundary with Church Cottage and Herriets Cottage on Burytown Lane and 2 within the centre of the site.

8 The site borders the Broad Blunsdon Conservation Area on its north eastern edge and there are a number of listed buildings across Burytown Lane, including Church of St Leonard (Grade II*), Manor House (Grade II*) and The Old Rectory (Grade II). The listed War Memorial within the cemetery and the scheduled ancient monument, the Hillfort on Castle Hill lie further to the north east of the site.

Representations:

Initial Consultation - March 2018

9 Neighbours:

Letters of objection were received from 21 local residents (including the following addresses Churchhill Lane, Sams Lane, Sutton Park, High Street, Lonsdale Close and Beech Lea) the main points of concern are summarised below:

- Site is outside village boundary
- Traffic problems
- Noise and exhaust pollution
- Congestion at cold harbour junction
- Village has enough new housing
- Drainage problems
- Loss of wildlife and trees
- Harmful to conservation area
- No need for community centre

No capacity in local school
Doctor's surgery is full
Harm to the visual landscape
Lack of utilities infrastructure
Poor bus service would not meet demand
Houses are within area of non-coalescence

10 A petition against the development containing 254 signatures was also received following the initial consultation.

11 Blunsdon Parish Council:

Object to the development on the following grounds:

Lack of core services and infrastructure

Blunsdon swamped by developments no need for any more houses

Harmful to historic form and character of village

Visually intrusive

Excessive development leads to harm to the village

Harmful to historic form and character of village

Traffic concerns

Coldharbour junction congestion

Harmful to landscape

No requirement for community building

12 Conservation officer: Object as the proposal would cause irreversible harm to the surrounding designated and non-designated heritage assets.

13 County Archaeologist: There is some archaeological potential and so a geophysical survey should be undertaken followed by trial trenching.

14 CPRE: Object on the basis that the proposal does not conform to SBC policies and would lead to such cumulative harm as to outweigh any benefits of the proposal.

15 Ecologist: Report is out of date and significant further information is required.

16 Highways: Recommend refusal as the proposal fails to demonstrate safe and suitable access by virtue of lack of visibility splays and swept path analysis.

17 Highways England: No objections.

18 Historic England: Concerned that no analysis of the significance of the Hillfort's setting has been supplied or any analysis of the potential impact of the proposed development upon it. Additional information is required detailing any potential impacts.

19 Housing Enabling Officer: No objection on the basis the site is proposing 30% affordable housing.

20 Landscape Officer: No objections subject to conditions.

21 Lead Local Flood Authority: No objection subject to condition.

22 Thames Water – No objection subject to conditions.

Revised Consultation - June 2018 (description of development amended to include shop, café and public toilets within the community building and submission of revised access drawing, updated ecological survey, heritage assessment and archaeological note)

23 Neighbours:

Letters of objection received from 25 local residents (including the following addresses Sams Lane, Lonsdale Close, Sutton Park, Berton Close, Ermin Street, The Ridge, High Street, Holdcroft Close, Broadbush, Manor Close, Burytown Lane).

24 Generally the previous objections were reiterated but new concerns were raised in relation to the location of the traffic surveys being carried out, the village would not sustain 2 shops and there is no need for public toilets or café.

25 Letter received from the Blunsdon Village Shop Committee
Stating their intent to take on the shop/café with the associated car parking and toilet facilities should the development receive permission.

25 Blunsdon Parish Council:

The revised documents do not mitigate any of the previous concerns, all objections still stand and the Parish strongly oppose the provision of public toilets.

26 Ward Councillor:

This application should be refused for the following reasons:

Blunsdon is being over developed.

There is no way that Sams Lane could cope with the extra volume of cars that this development, if approved would bring.

The traffic volumes at the Cold Harbour roundabout are heavy enough already and this development would add to that

The feedback from residents at the open day held by the developers was that it is not wanted. It was felt that if approved then it is likely a further application will be submitted to develop the rest of the land.

With climates changing in this country and water shortages becoming more frequent how do the developers expect to supply these houses with a guaranteed supply of water, with no restrictions.

27 Conservation officer: Object as the proposal would cause irreversible harm to the surrounding designated and non-designated heritage assets.

28 County Archaeologist: The further information requested has not been provided.

29 Ecologist: Information still missing so report needs to be revised further.

30 Highways: The revised site access drawing has overcome previous concerns. No objections subject to conditions and securing the travel plan by legal agreement.

31 Historic England:

- (i) The applicant has submitted a Historic Environment Assessment. It concludes that the proposed development will have no effect on the setting of the nearby scheduled Hillfort as topography and intervening vegetation prevent inter-visibility between the site of the proposed development and the monument. It is accepted that this is the case.
- (ii) The report's analysis that the proposed development will cause a degree of harm to the character and appearance of the conservation area through erosion of its rural setting is also agreed. It notes that this would be partially mitigated by the provision of a large landscape buffer between the proposed development and Burytown Lane, and the retention of existing trees.
- (iii) Nevertheless, the recently-revised NPPF is quite clear at paragraph 194 that any harm to a heritage asset requires clear and convincing justification. In accordance with paragraph 196, the LPA will need to carefully consider whether the proposals offer meaningful public benefits that outweigh the harm to the character and appearance of the conservation area.

Further Revised Consultation – October 2018 (submission of bat survey and archaeological evaluation report)

32 Neighbours:

Letters of objection received from 9 local residents (including the following addresses Sams Lane, Beech Lea, Burytown Lane) reiterating their previous concerns and issues.

33 Blunsdon Parish Council:

Strongly maintain their original objections.

34 Conservation Officer: Maintain previous objections.

35 County Archaeologist: A considerable amount of significant archaeological remains, have been found mainly in the middle of the proposed development site. The remains appear to be Roman funerary remains, and other features scattered across the site appear to be later with some undated features as well. Given the fragile nature of the funerary remains, the applicant is advised that they are fully excavated prior to any development starting. Therefore an archaeological condition would need to be attached to any grant of permission to enable the excavation of archaeological remains across the site.

36 CPRE: Maintain their objections to the scheme

37 Ecologist: The submitted Bat Survey recorded the more common bat species and no Annex 2 bats, therefore previous concerns have been addressed and there is now sufficient ecological information. A number of conditions are suggested to be added to any permission granted.

Planning Considerations:

38 The main considerations in the determination of this application are whether the proposal accords with the National Planning Policy Framework 2018 and the relevant policies of the Swindon Borough Local Plan 2026 (2015).

39 In accordance with this framework the following issues will be considered:

- Principle of residential development under the Local Plan and impact on the character of Broad Blunsdon
- Impact upon the Conservation Area/Heritage Assets
- Highway Safety/Accessibility
- Landscape
- The benefits of the proposal
- Other planning issues including CIL and developer contributions
- The planning balance and conclusions

Policy:

40 The National Planning Policy Framework (2018) sets out the Government's planning policies for England and how these are to be applied. In respect of this application the following sections are relevant:

section 2, 'Achieving Sustainable Development'

section 5 'Delivering a sufficient supply of homes'

section 9 'Promoting Sustainable Transport'

section 12 'Achieving well-designed places'

section 16 'Conserving and enhancing the historic environment'

41 With regards to the application site's sensitive location adjacent to a Conservation Area, various Listed Buildings and a Scheduled Ancient Monument, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant. This requires that special attention is paid to desirability of preserving or enhancing the character or appearance of a Conservation Area (the Act). Similarly, Section 66 of the Act imposes a general duty in considering whether to grant planning permission for development which affects a listed building's setting, to have special regard to the desirability of preserving the building's setting or any features of special architectural or historic interest which it possesses. These duties are reflected in section 16 of the National Planning Policy Framework (NPPF), which sets out the government's policies on the historic environment. Paragraph 192 of the NPPF advises that local planning authorities should take account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF continues to state that in the consideration of applications the impact upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. (Paragraph 193, NPPF).

42 The NPPF advises in paragraph 195 that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or

a number of factors apply. The NPPF goes on to say in Paragraph 196 that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 197 of the NPPF advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

43 The following policies of the Adopted Swindon Borough Local Plan 2026 (2015) are considered relevant to this application:

- SD1 '*Sustainable Development Principles*' sets out the development principles which underpin the local plan
- SD2 '*The Sustainable Development Strategy*' aims to meet Swindon's development needs whilst protecting the Borough's most important assets;
- SD3 '*Managing Development*' seeks to take a positive approach to reflect the presumption in favour of sustainable development
- DE1 '*High Quality Design*' seeks high standards of design for all development
- HA1 '*Mix Types and Density*' advises that housing development should be design led and respect the character of the surrounding area
- HA2 '*Affordable Housing*' seeks all developments of 15 homes or more, on sites larger than 0.5 hectares to provide 30% affordable housing
- HA3 '*Wheelchair Accessible Housing*' seeks all development of 50 dwellings or more to provide 2% of them to be suitable for wheelchair user occupation.
- 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.
- EN10 '*Historic Environment and Heritage Assets*' seeks to sustain and where possible enhance Swindon's historic environment
- IN1 '*Infrastructure Provision*' seeks to ensure all new development makes a positive contribution to sustainable growth by mitigating its impacts upon infrastructure
- TR1 '*Sustainable Transport*' seeks to reduce the need to travel and support and encourage the sustainable, safe and efficient movement of people
- TR2 '*Transport and Development*' encourages sustainable travel and seeks to mitigate the impact of development and ensure that suitable parking provision is provided

44 Also of relevance is Swindon Borough Council's Development Control Guidance Note: Technical Guidance on Parking Standards (2007), Swindon Residential Design Guide (2016) and the Broad Blunsdon Conservation Area Appraisal.

45 Blunsdon Parish Council is currently preparing a Neighbourhood Plan for the area including the site of this current application. It is at a relatively early stage, with no documents having yet been published, and therefore has limited weight at the present time.

Principle of Development and the Character of Broad Blunsdon:

46 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.

47 The sustainable development strategy in Policy SD2 seeks to focus development on the Swindon urban area and urban extensions to Swindon. Below Swindon and the urban extensions in the strategy sit Highworth and Wroughton and then 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.

48 The application site is not allocated in a neighbourhood plan, nor does it accord with a rural exception site policy. Therefore it is not in accordance with Policy SD2.

49 Additionally, at the time of writing 425 new homes have been built or benefit from planning permission or a resolution to grant planning permission around the village of Blunsdon in the plan period to date. Recent permissions/resolutions to grant include:

- S/14/1304 – Land North Of Ermin Street and High Street, Blunsdon – 69 dwellings
- S/OUT/16/2034 – Land south of High Street, Blunsdon – 52 dwellings
- S/17/0528 – Land at Holdcroft – 54 dwellings
- S/17/0458 – Land to the rear of 89, 91 and 83 Ermin Street, Broad Blunsdon – 15 dwellings
- S/OUT/17/1032 – Land at Hill Cottage – 100 dwellings

50 The cumulative scale of development is significant and not proportional to the size and function of Broad Blunsdon, which in 2011 was a village of 603 dwellings and has limited services and facilities. This is a further reason why the proposed development is contrary to policy SD2.

51 This scale of growth causes harm to Blunsdon’s rural character by suburbanizing the village, in conflict with paragraphs 9 and 127 of the NPPF. It also raises conflict with NPPF policy on actively managing patterns of growth to promote walking, cycling and public transport and limit the need to travel and on providing the social, recreational and cultural facilities that a community needs.

52 This latter adverse impact is mitigated somewhat by the proposal’s contribution to enhancing the facilities available in Broad Blunsdon through provision of accessible open space and a new community building and cemetery extension, and the fact that the new housing would be well related to the primary school and bus stop (albeit that it has a limited service).

Conservation/Heritage:

53 The proposed site is adjacent to the boundary of Broad Blunsdon Conservation Area and forms part of the open landscape surrounding the conservation area which is noted as being part of the conservation area’s significance. It is considered that as a result of this relationship, that the development of the site has the ability to affect the setting of the conservation area, and hence lies within the setting of this conservation area. Given that the position within the pastoral landscape is part of the significance and experience of the following heritage assets, as a result of this relationship, the site also lies within the setting of Castle Hill hillfort and Lynchets (Scheduled Ancient Monument); St. Leonards Church (Grade II*); Manor House (Grade II*); the Old Rectory (Grade II), and the Broad Blunsdon War Memorial (Grade II). The site is also considered to be within the setting of Church

Cottage and outbuildings, buildings designated in the conservation area appraisal as a building of special local interest, a 'non-designated' heritage asset for the purposes of assessment within the NPPF.

54 A Historic Environment Desk Based Assessment by Cotswold Archaeology was submitted with the application, dated July 2016. The Conservation Officer did not consider the document to be a robust assessment of significance or harm upon that significance.

55 The report did not include the Broad Blunsdon War Memorial, (listed as a Grade II structure on 8th November 2017) due to the date of assessment. Furthermore, the report predominantly focussed on intervisibility and views; which although acknowledged as important considerations to determine harm, an assessment of views alone does not go far enough in assessing harm to a designated or non-designated heritage assets. Harm is based upon the 'experience' of those assets and their setting and which covers both intangible and tangible elements.

56 The subject land forms part of the pastoral landscape which surrounds the built form of the settlement of Broad Blunsdon and contributes significantly to the setting of the Conservation Area, as well as the setting of the designated and undesignated heritage assets. This significance is experienced on the approach roads such as Sam's Lane where on one side there is the built form of the settlement and on the other side there are the fields surrounding the village. There is an unspoilt experience of the pastoral landscape along Sam's Lane with glimpses across the fields to the cemetery in the distance which is surrounded by stone walls. As one is passing along Sam's lane experiencing the agrarian landscape to one side, to the end of the road in the distance is a large area of trees on an elevated position which forms the junction and historic core of the village and is where St. Leonard's Church, The Manor House and The Rectory are located. The loss of this pastoral landscape is quite concerning from a conservation perspective, given that this key area of significance to the listed building's setting and the Conservation Area's setting would be lost as a result of the principle of construction of dwellings in this location. The harm caused is exacerbated by the large urban access off Sams's Lane together with associated residential paraphernalia such as tarmac, lighting, vehicles and parking, and associated infrastructure which comes from a residential development which will change the character and appearance of the area.

57 The cemetery contains a grade II listed war memorial; however part of the war memorial's significance is related to the greater area of the cemetery as a place of contemplation and remembrance. The cemetery is deliberately placed to the edge of the village with long range views over the fields surroundings which create a tranquil and peaceful place overlooking the rural landscape which is also a component of the listed structure's significance and that of the conservation area. The erection of dwellings to two sides of the cemetery does cause harm to the setting of the listed building as the experience of the cemetery amongst the rural landscape harms which harms the experience of the war memorial and it's greater setting which contains the remainder of the cemetery. Although further screening is proposed, this form of mitigation is unconvincing when compared to the irreversible harm which is caused to the war memorial and its setting as a place of

contemplation and remembrance.

58 The Councils Conservation officer notes the amendments to the scheme and the submission of an up-to-date Heritage Statement dated June 2018 but still remains concerned about the impact of this development.

59 The Heritage Statement suggests that there has been no assessment of harm to the heritage assets by the Conservation Officer in accordance with the definitions given in the NPPF which introduce 'substantial,' 'less than substantial' and 'no harm.'

60 In order to provide some clarity, the Conservation Officer has assessed the harm given to the heritage assets, and is of the opinion that the harm could be categorised in the following ways,

- Castle Hill hillfort and lynchets Scheduled Ancient Monument (SAM): No Harm;
- Listed buildings and their settings which represent the historic core of Broad Blunsdon, which consist of the Church of St. Leonards (Grade II*), Manor House (Grade II*), and the Rectory (Grade II): Less than Substantial Harm;
- Broad Blunsdon Conservation Area: Less than Substantial Harm;
- Broad Blunsdon War Memorial and its setting: Less than Substantial Harm
- Church Cottage and outbuildings (Building of Special Local Interest): Negative Harm

61 The Conservation officer remains concerned about the lack of consideration given to the setting and historic landscape, which is considered to be part of the setting and experience of the surrounding designated heritage assets. The submitted information fails to consider the openness, pastoral and agrarian landscape, and purely focuses on views identified within a Landscape Visualisation Assessment. Heritage and landscape assessments are different assessments and therefore contain different outcomes. Landscape and Heritage considerations are not required to align and further illustrates previous comments that the assessment of harm and impact is purely related to views and landscape considerations with a failure to undertake a holistic heritage base approach as required by relevant guidance.

62 The Conservation officer remains concerned about the impact and harm caused by locating development in close proximity to the cemetery, which also contains the war memorial. The long ranging views and peaceful surround given its location on the periphery of the village, even if not originally intended, are now part of the significance of the Cemetery, and are required to be assessed and appreciated as part of any assessment. The applicant states that the value of the cemetery has been 'over-emphasised' with no appreciation of the separation distance between the cemetery and open parcel of land between. The Conservation officer remains unconvinced by these comments and any amendments made. It is quite clear that the setting of the cemetery is experienced with long range views to the south of the cemetery which would effectively be cut off by the encroachment of housing as well as further planting around the cemetery with hedges and so forth which would make the cemetery inward looking, detrimentally changing the experience of the cemetery. It is clear that consideration of the war memorial and its setting has been missed and was a key flaw to the heritage considerations in the original assessment.

63 The Conservation officer has given full consideration to the preservation and

enhancement of the character and appearance of the conservation area and the significance of designated and non-designated heritage assets, including their setting and on balance, objects for the reasons as set out above.

64 Historic England expressed concerns to the original submission on the basis that no analysis of the significance of the Hillfort's setting had been supplied or any analysis of the potential impact of the proposed development upon it.

65 Following submission of a Heritage Statement, which concluded that the proposed development will have no effect on the setting of the nearby scheduled Hillfort as topography and intervening vegetation prevent inter-visibility between the site of the proposed development and the monument, Historic England accepted this to be the case.

66 Furthermore, Historic England agreed with the analysis that the proposed development will cause a degree of harm to the character and appearance of the conservation area through erosion of its rural setting. But it is noted that this would be partially mitigated by the provision of a large landscape buffer between the proposed development and Burytown Lane, and the retention of existing trees.

67 Nevertheless, the NPPF is clear that any harm to a heritage asset requires clear and convincing justification and therefore officers need to carefully consider whether the proposals offer meaningful public benefits that outweigh the harm to the character and appearance of the conservation area.

68 The Conservation Officer has identified that the harm to the significance of the conservation area and listed buildings is, in the NPPF's terminology, less than substantial. In such circumstances, as noted above, the NPPF requires such harm to be weighed against the public benefits of the proposal. This weighing exercise gives effect to the presumptions in favour of conserving the settings of the listed buildings and the conservation area under Sections 66 and 72 of the Listed Buildings Act.

69 If Members of the planning committee find that the harm to the setting of the heritage assets isn't outweighed by the public benefits of the proposal, then planning permission should be refused. In such circumstances, the 'presumption in favour of sustainable development' in paragraph 14 of the NPPF doesn't apply.

Highways:

70 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.

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

72 Following the submission of a revised proposed site access plan, the Highway Officer is satisfied that the proposed access off Sams Lane is appropriate with regard to the development proposed and that the development will not unacceptably impact upon local

highway conditions. Car parking and cycle storage facilities will be provided in accordance with the Councils adopted standards, which will be dealt with at the reserved matters stage.

74 The Local Highway Authority therefore raises no objections subject to the imposition of conditions and the obligation to provide a Travel Plan, which shall be secured through a legal agreement.

Landscape:

75 This site is within the open countryside in a sensitive location given its proximity to the Blunsdon Conservation Area and the Cemetery. There are a number of protected trees within the site, which are proposed to be retained.

76 The site is generally flat and well screened from the wider landscape due to surrounding vegetation and the fact that it is away from the important 'ridge'. There are some longer distance views to / from the east and there is a public right of way (BL9) running along the eastern boundary.

77 The Landscape Architect considers that the site has capacity to accommodate some development providing it gives appropriate respect, in terms of distance, to the cemetery and the protected trees and stays as far back from the east side as possible. It is acknowledged that some perimeter vegetation will be lost to create the actual access off Sams Lane and the associated visibility splays. It is accepted that this will change the character of Sams Lane to a degree, but it is considered that an appropriately detailed scheme of planting and management could help to mitigate this.

78 A Landscape and Visual Appraisal was submitted with the application, the conclusions of which are broadly agreed with in that whilst it would change the character of the site and parts of the adjoining lane, there would be some albeit limited visual impact.

79 The Landscape Architect has no landscape based objections to the scheme subject to the imposition of appropriately worded conditions to any permission covering preparation, installation and management of a high quality planting scheme. A comprehensive landscape management package is also required to cover the existing and protected trees and perimeter hedging.

Benefits of the Proposal:

80 The proposed development would provide market and affordable housing to meet the Borough's housing requirement. As is discussed below, it is not currently possible to demonstrate a supply of 5 years of deliverable housing land when assessed against the requirement in the Local Plan and is at present only able to show 2.7 years' supply. This is a significant shortfall and increases the weight to be given to the benefit of delivering new market and affordable housing. The recent Hill Cottage appeal decision shows that benefit is given significant weight by government-appointed planning inspectors.

81 The housing would be well located within the village given its proximity to the primary school and bus stop, although the bus service is limited.

82 Of the 100 dwellings 30% would be affordable housing, which is policy compliant and again given the shortfall in supply of affordable housing, this is considered a significant

benefit.

83 The proposed development would provide three additional benefits beyond the provision of housing:

- The creation of an area of public open space including an equipped play area in a central location within the village which could therefore be expected to be of use to the wider community.
- Provision of land for an extension to the St Leonard's Church cemetery.
- The provision of a new community facility with associated parking. It is understood that the applicant is willing to construct the building and this is not just an offer of land.

84 Construction work would be created albeit this would be a short-term, limited benefit. Similarly, there would be new residents of the village which would spend money in the local businesses that there are, but again this is a limited benefit in the absence of evidence that any of those businesses require that extra custom.

Other planning Issues:

Archaeological Impact:

85 A considerable amount of significant archaeological remains, have been found mainly in the middle of the proposed development site. The remains appear to be Roman funerary remains, and other features scattered across the site appear to be later with some undated features as well. Given the fragile nature of the funerary remains, the applicant is advised that they are fully excavated prior to any development starting. Therefore an archaeological condition would need to be attached to any grant of permission to enable the excavation of archaeological remains across the site.

Affordable Housing:

86 In accordance with Policy HA2 of the SBLP affordable housing will be sought on all suitable sites proposed for development that comprise 15 or more dwellings or sites of 0.5 hectares or more. Affordable housing is required to be provided on site at a ratio of 30% as such the applicant is proposing 21 units.

Accessibility:

87 In accordance with Policy HA3 of the SBLP at least 2% of the houses will be required to be suitable for wheelchair occupancy.

Infrastructure Requirements:

88 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

89 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.

90 The Council is a Community Infrastructure Levy (CIL) Charging Authority. At the point of writing this report the adopted CIL Charging Schedule is that dated 6th April 2015. The proposed development for residential is located within CIL Residential Charging Zone 2 of this schedule. The development constitutes CIL Liab development chargeable at the relevant rate within the relevant Charging Schedule in place at the time of calculation, that rate which is subject to indexation annually. The CIL chargeable amount is calculated at the point in time that planning permission first permits development for CIL purposes. For an outline application this would be at the point of approval or reserved matters, should outline permission be granted. To inform the applicant/landowners of the relevance of CIL to the proposal a CIL liable informative will be added to the decision notice.

91 Policy EN3 of the adopted local plan requires consideration of Open Space requirements. This is amplified by the Open Space Audit & Assessment (2014 update) that considers the quantity, quality and accessibility of the different types of open space by Ward. The open space calculator translates the requirements of EN3 and associated Appendix 3 of the adopted Local Plan 2026 into the relevant area requirements. Where the scale of development does not trigger or justify the need for on-site provision due to location, there may be grounds to secure off-site provision proportionate to the scale of the development for investment locally.

92 In this case the application proposes on site open space and a LEAP and in addition an off-site playing pitch contribution of £36,200.33 is generated by the development to be used at Blunsdon Recreation Ground.

93 No highway related contributions have been deemed applicable.

94 The affordable housing and contribution towards off-site playing pitches will need to be secured by means of a Section 106 legal agreement together with a residential travel plan, provision of the community building and the cemetery extension.

The Planning Balance and Concluding Comments:

95 The proposed development would not accord with the development plan read as a whole. It is therefore necessary to look at whether other material considerations would indicate in favour of the grant of permission.

96 The NPPF is an important material consideration. There are two stages to considering this application under the NPPF.

97 First, as identified above, it is necessary to consider under paragraph 134 whether or not the harm to the setting of the listed buildings and the Conservation Area would be outweighed by the

public benefits of the proposal. In other words, whether the presumption in favour of conserving the setting of those buildings is outweighed.

98 In respect of the first stage, officers' assessment is that the harm to the setting of the designated heritage assets is outweighed by the public benefits of the proposal, as outlined in the section above.

99 On the basis that Members agree with the officer assessment, we then move to the second stage of consideration under the NPPF, which is to apply the 'presumption in favour of sustainable development' and recommend that planning permission is granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This second stage applies because, as highlighted above, the Borough is unable to demonstrate a five year housing land supply when assessed against its housing requirements.

100 It is necessary to consider whether the adverse impacts as a whole, including the conflict with Local Plan Policy SD2, harm to the character of Broad Blunsdon, and harm to the setting of the Heritage Assets, would sufficiently and demonstrably outweigh the benefits which include delivering market and affordable housing, creating a new public open space, a new community facility and land for a cemetery extension.

101 Applying that tilted balance, and taking into account the significant housing land supply shortfall, officers are of the view that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission should be granted, subject to the completion of a section 106 agreement and conditions.

102 In determining this application Members should have regard to the prospects of defending a decision to refuse planning permission at appeal. Officers' view is that following the recent appeal decision at Hill Cottage in Blunsdon those prospects would be limited, although each appeal is assessed on its own merits.

Recommendation:

103 That the Head of Planning, Regulatory Services and Heritage be authorised to GRANT planning permission subject to the conditions set out in the report together with any amendments, omitted or additional conditions and the completion of a Section 106 agreement to secure the necessary mitigation. In the event that the applicant fails to agree an extension of time to allow sufficient time for the LPA to deal with these matters then the Head of Planning, Regulatory Services and Heritage be authorised to REFUSE planning permission.

Conditions

Reserved Matters

1. Prior to the commencement of works on site in connection with the development hereby permitted, details of the layout, scale, appearance and landscaping (hereinafter called "the

Reserved Matters") shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with Section 92 of the Town and Country Planning Act 1990.

Timing of Reserved Matters

2. Application for the approval of the Reserved Matters referred to in condition 1, shall be submitted in writing to the Local Planning Authority before the expiration of 3 years from the date of this permission and shall be carried out in accordance with the approval.

Reason: To enable the Council to review the suitability of the development in accordance with Section 92(2) of the Town and Country Planning Act 1990.

Time Limit

3. The development hereby permitted shall be commenced either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Council to review the suitability of the development in accordance with Section 92(2) of the Town and Country Planning Act 1990.

Approved Plans

4 The development hereby permitted shall be carried out in accordance with the following approved plans:

- i. site location plan UP00131-09-A received on 19th March 2018
- ii. proposed site access drawing C770/04 rev B received on 18th June 2018

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

Broad accordance with illustrative masterplan

5 All reserved matters shall be in broad accordance with illustrative site layout UP00131-04-E received on 19th March 2018.

Reason: In the interest of the proper planning of the area and to provide a high standard of design.

Quantum of Development

6 The development hereby permitted shall provide no more than 70 no. dwellings falling within Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: For the avoidance of doubt and in the interests of proper planning.

Archaeology

7 No development shall commence within the area indicated until a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority; and the approved programme of archaeological work has been carried out in accordance with the approved details.

Reason: To enable the recording of any matters of archaeological interest.

Junction Completion

8 No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 15m 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.

Construction Method Statement

9 No development shall take place, including any site preparation works, 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 wet 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.

Drainage

10 Development shall not begin until a surface water drainage scheme for the site, in accordance with the approved drainage strategy 'Flood Risk Assessment_Castlewood Commercial Properties Ltd_Sams Lane, Blunsdon, Issue 2, February 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:

Evidence that the proposed flows from the site will discharge at or below greenfield runoff rates, or as close as practical for any areas that have been previously developed or if infiltration techniques are to be used infiltration testing results to BRE365 standard should be submitted;

Details of how the drainage scheme has incorporated SuDS techniques to manage water quantity and maintain water quality in accordance with best practice guidance including the latest SuDS Manual C753;

Detailed drainage plan showing the location of the proposed SuDS and drainage network with exceedance flow routes clearly identified;

Details to demonstrate the SuDS Scheme has been designed in accordance with best practice guidance including the latest SuDS Manual C753;

General arrangement, which should be coordinated with the landscape proposals and the masterplan;

Groundwater monitoring for a minimum of 6 months and must cover the winter months

(December, January, February)

Manhole Schedules;

Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change to demonstrate that all SuDS features and the drainage network can cater for the critical storm event for its lifetime;

Details of how the scheme shall be maintained and managed after completion;

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

Reason: To prevent unacceptable risks to people and property from flooding by ensuring the satisfactory storage and disposal of surface water from the site.

Electric Car Charging points

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

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

Access Roads

12 The development shall be served by an access road(s) laid out and constructed in accordance with the approved reserved matters details and no [dwelling/building] 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/building] has been completed to at least binder course and footways to surface course level in accordance with the details so approved.

Reason: To ensure a satisfactory means of access for occupants of the development.

Landscaping

13 The material submitted with the landscaping reserved matters shall include:

- i) Details of the species, location, diameter, approximate height, and general state of health and stability, of every tree, bush or hedgerow on the site which is to be retained and of each tree, bush or hedgerow which is on land adjacent to the site and to which paragraphs ii), iii), iv) and v) below shall apply;
- ii) No tree, bush or hedgerow which is to be retained and which has been identified in paragraph i) above, shall be topped, lopped, felled, destroyed or wilfully damaged, including any severance of its roots without the prior written consent of the Local Planning Authority;
- iii) No materials, plant, soil or spoil shall be stored underneath, and no burning of materials shall take place, within the furthest extent of the canopy of any tree, bush or hedgerow, which is to be retained and which has been identified in paragraph i) above without the prior written consent of the Local Planning Authority;
- iv) Details of the specification and position of fencing and of any other measures to be taken for the protection of any tree, bush or hedgerow, which is to be retained and which has been identified in paragraph i) above. Such fencing or any other measures shall be retained until the approved development has been completed or the Local Planning Authority has approved, in writing, that such fencing or any other measures may be removed;
- v) All works to protect any tree, bush or hedgerow, which is to be retained and which has been identified in paragraph i) above shall be carried out in accordance with BS 5837(2012);
- vi) A planting plan and timetable of works for the soft landscaping of the site; all works shall

be carried out in accordance with the approved plan and timetable; and any trees or plants, which within a period of five years from first being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation; and

vii) details of fencing and boundary treatments.

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

Wheelchair user housing

14 No less than 2% of the total residential development shall provide for wheelchair user occupiers in accordance with a plan or schedule, which shall have been submitted to and approved in writing by the Local Planning Authority. These approved design features and provisions shall be retained for so long as the buildings hereby permitted remain in use as dwelling houses.

Reason: In the interests of people with disabilities.

Ecology – lighting strategy

15 Prior to the occupation of the dwellings hereby permitted, a site-wide lighting strategy developed with ecological input to keep all areas of retained and planted natural vegetation dark, measured as no increase in night time light levels from present, shall have first been submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented in accordance with the approved details.

Reason: To protect foraging habitats for bats,

Ecology – bat boxes

16 Prior to the occupation of the dwellings hereby permitted, a scheme detailing the location of bat boxes on retained trees and built-in bat boxes on the new houses within the site shall have first been submitted to and approved in writing by the Local Planning Authority.

The bat boxes shall be incorporated and installed in accordance with the approved details.

Reason: To achieve net biodiversity gain.

Ecology – bird bricks

17 Prior to the occupation of the dwellings hereby permitted, a scheme detailing the location of bird boxes on retained trees and built-in bird bricks on the new houses within the site shall have first been submitted to and approved in writing by the Local Planning Authority.

The bat boxes shall be incorporated and installed in accordance with the approved details.

Reason: To achieve net biodiversity gain.

Ecology – management plan

18 Prior to the occupation of the dwellings hereby permitted, a site wide Landscape and Ecology Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The LEMP should include proposals for annual inspection, cleaning and replacement as necessary of all bird and bat boxes attached to retained trees.

Reason: To achieve net biodiversity gain.

Thames Water – waste water network

19 No properties shall be occupied until confirmation has been provided that either: all waste water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been

agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents

Thames Water - water

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

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

Thames Water – water main

21 No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

Thames Water – piling

22 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

Informatives

1 This development constitutes Community Infrastructure Levy (CIL) liable development. CIL is a mandatory financial charge on development. For more information on CIL visit www.swindon.gov.uk/cil or telephone the SBC CIL Team on 01793 466289 or 466397 or email cil@swindon.gov.uk. To avoid additional financial penalties the requirements of the impact of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Information on possible exemptions that may be capable of being applied for can be found at:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy and <https://www.gov.uk/guidance/community-infrastructure-levy>. CIL remains relevant in the event that planning permission is allowed by Planning Appeal.

2 The proposed development will require works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the Local Highway Authority before commencing works on the development. TransportDevelopment@Swindon.gov.uk

3 The applicant is advised that to fully comply with condition ## above, the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes. TransportDevelopment@Swindon.gov.uk

4 The Local Highway Authority will require the developer/landowner to provide a surety under the Advance Payment Code (APC) provisions within the Highways Act 1980 (Sections 219 to 225), to ensure the proper implementation of new private highway which may be offered for adoption to the LHA at a later date, either by way of a Section 38 Agreement, or at the request of the frontagers. Further information in this respect may be obtained by contacting Swindon Borough Council's Transport Development Management team. TransportDevelopment@Swindon.gov.uk

5 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/m². 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.

https://www.swindon.gov.uk/info/20040/road_safety_maintenance_and_repairs/737/find_o

ut_about_road_gritting

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

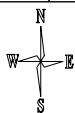
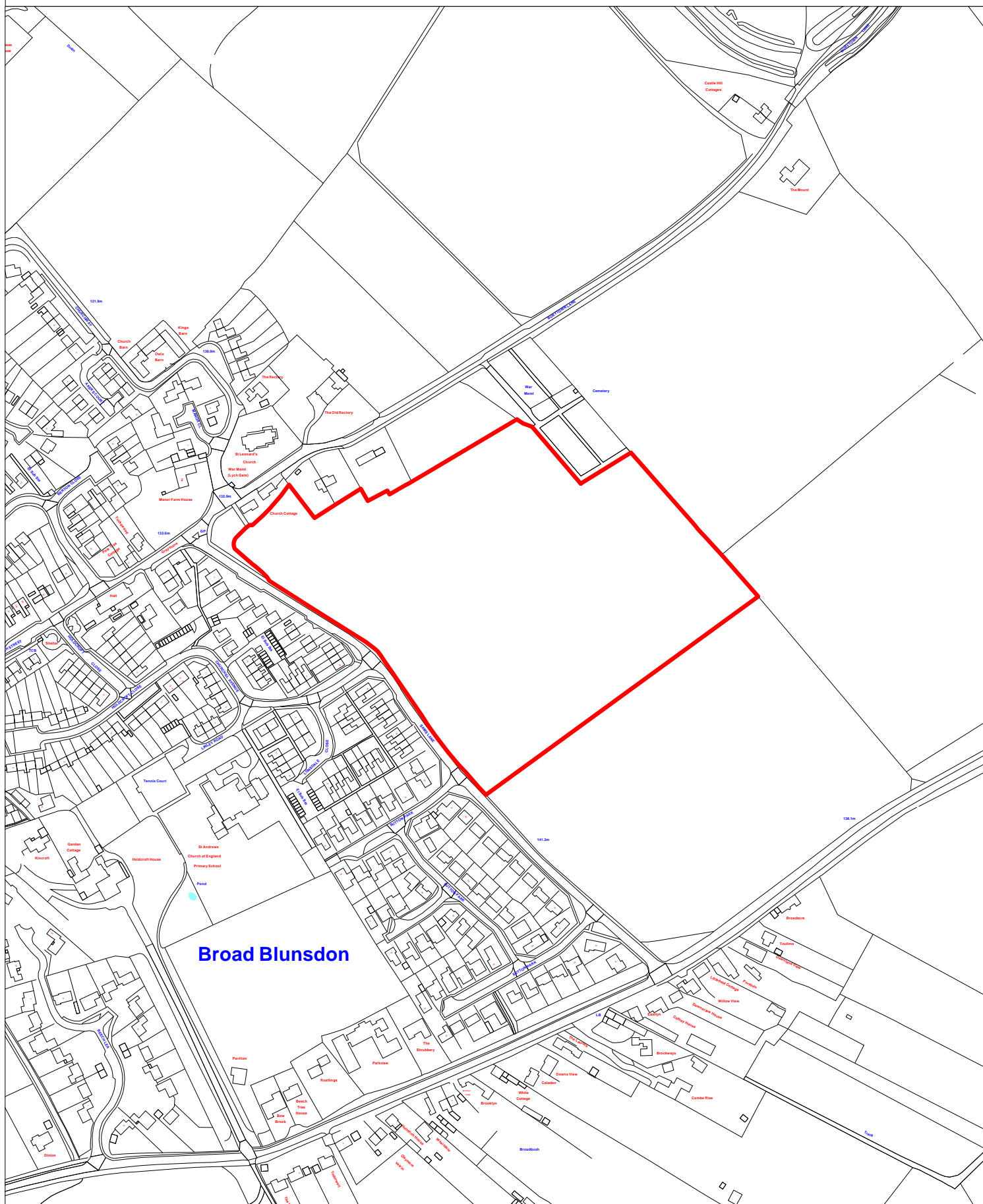
http://www.swindon.gov.uk/info/20031/roads_parking_and_transport/321/apply_for_street_name_or_number

End of Report

S/OUT/18/0405

Outline application for the erection of up to 70no. dwellings, extension to cemetery, community shop, cafe, public toilets and car parking, open space, landscaping and associated works - Access not reserved.

Land At Sams Lane Blunsdon Swindon



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

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Outline application for the erection of up to 70no. dwellings, extension to cemetery, community shop, cafe, public toilets and car parking, open space, landscaping and associated works - Access not reserved.

An aerial photograph of Broad Blunsdon, a village in Wiltshire, England. A large, irregularly shaped green field is highlighted with a thick yellow border. This field is situated between a residential area to the west and south, and agricultural land to the east. The residential area includes several streets, houses, and a church. The agricultural land consists of large, brownish-green fields. The text 'Broad Blunsdon' is written in yellow at the bottom left of the image.



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No:

Date:

Revision:

UP

Tel: 07766 164794

www.urbanperspective.co.uk

Notes: This drawing has been prepared for planning use only and is not for construction. Contractors are not to scale from this drawing. All dimensions to be checked on site and any discrepancies, ambiguities and/or omissions between this drawing and information given elsewhere must be reported to this office. If in doubt, ask.

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Client:

Castlewood Commercial Properties Ltd

Project:

Land off Sams Lane Blunsdon

Sheet Title:

Illustrative Site Layout

Date:

06.03.18

Scale:

1:1000@A1

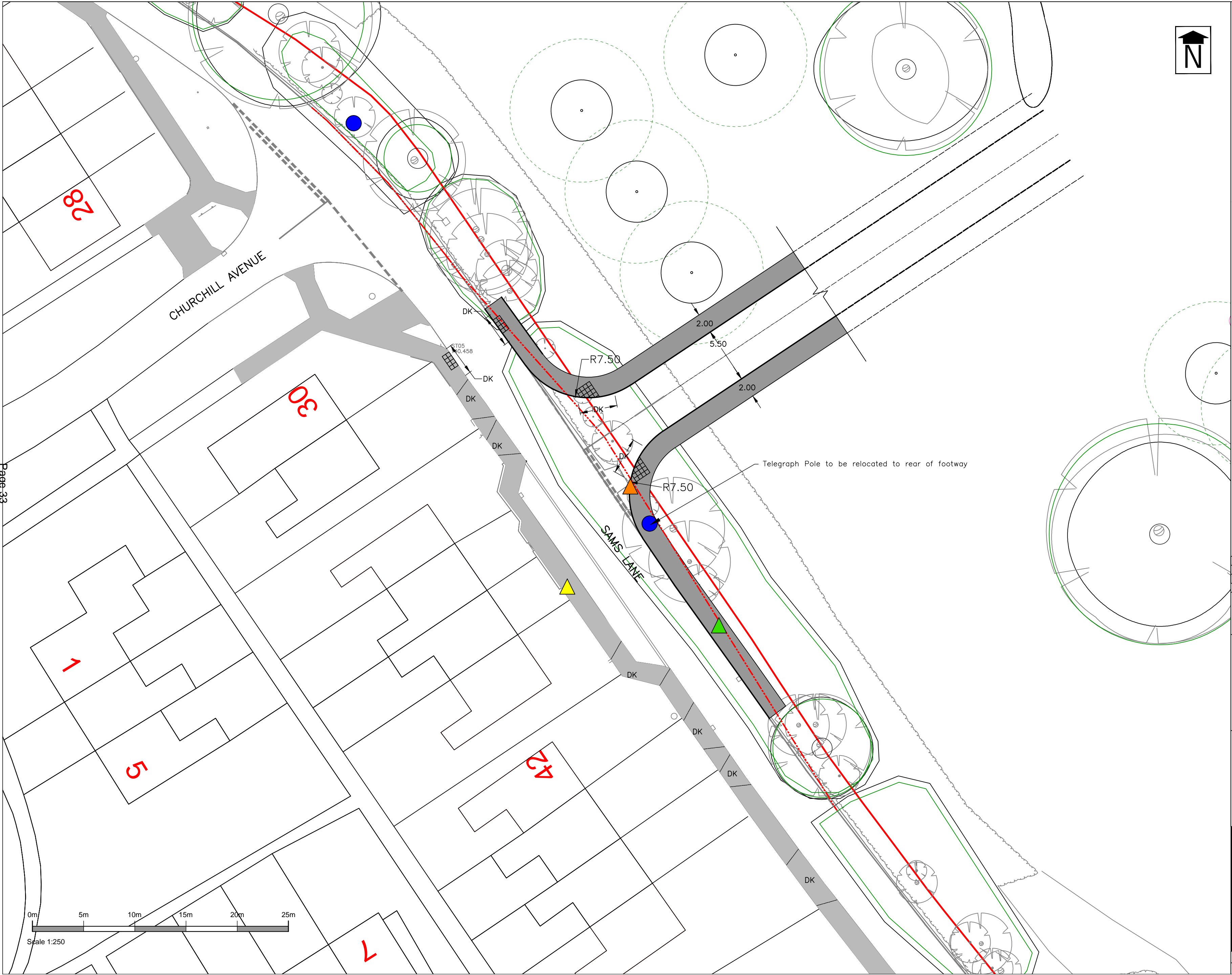
Drawn:

CHx

Dwg No:

UP00131-04-E

www.urbanperspective.co.uk



Page 33



Stratton Park House, Wanborough Road
Swindon, SN3 4HG

Telephone
01793 828000

Website
www.pfapl.com

For Planning
These drawings are produced for the purposes of supporting a planning application and should not be relied upon for tender, pricing, or construction purposes.

NOTES

1. Drawing based upon topographical survey drawing number 8161025-4100 to 4108 (dated 12/12/2016) undertaken by Glanville Group.
2. Drawing based upon Tree Constraints Plan drawing number Figure T01 (dated 15/03/2017) undertaken by Crestwood Environmental Ltd.
3. Lower level vegetation below tree canopies removed to provide visibility splays.

KEY

- 2.4 x 43m Visibility Splay
- Existing Bus Stop
- Existing Bus Stop (to be relocated)
- Proposed Bus Stop Relocation
- Existing Telegraph Pole
- Root Protection Area
- Proposed Pedestrian Crossing (indicative)
- Existing Footway
- Proposed Footway
- Proposed Carriageway

Rev	Date	Description	Drawn	Check
B	14/05/18	Dropped Kerb and Footway Amendments.	RH	PK
A	27/04/18	Site Access Radii Amended	THP	PK
#	16/08/17	First Issue	DC	PK

Status

FOR PLANNING

Client

Castlewood Commercial
Properties Ltd

Project

Sams Lane, Blunsdon

Drawing Title

Proposed Site Access

Drawing No.

C770/04

Rev B

Date: August 2017

Scale: 1:250 @ A2

E-Mail: pkey@pfapl.com



COMMITTEE REPORT

Item Number:

Application Number: S/18/0461/RA

Ward: Shaw

Parish: West Swindon

Proposal: Erection of 14no. dwellings and associated works.

Site Location: Pilgrim Close Play Area, Pilgrim Close, Ramlease

Case Officer: Miss Rachael Adams

Contact Details: Tel: 01793 466012 Email: radams@swindon.gov.uk

Agent:

Mr Jacob Wainwright
Quattro Design Architects Ltd
Matthews Warehouse
High Orchard Street
Gloucester Quays, Glos
GL2 5QY

Applicant

Mr Adam Gatier
Swindon Housing Development
Company
Wat Tyler House West
Beckhampton Street
Swindon
SN1 2JH

Officers Report

Background:

0.1 This application has been called to planning committee by Councillor Williams and the Parish Council on the basis of concerns around parking.

0.2 This application has been submitted by the Swindon Housing Development Company for the erection of 14 no. bungalows, designed to Assisted Living Standard.

0.3 The site was identified as one that could be developed for market housing by the Strategic Land Review process undertaken by the Council in 2016.

0.4 Pre-application discussions commenced in early 2017.

Summary of Recommendation:

1 That the Head of Planning, Regulatory Services and Heritage be authorised to GRANT planning permission subject to the conditions set out in the report together with any amendments, omitted or additional conditions and subject to the completion of a Section 106 agreement to secure the necessary mitigation. In the event that the applicant fails to

agree an extension of time to allow sufficient time for the LPA to deal with these matters then the Head of Planning, Regulatory Services and Heritage be authorised to REFUSE planning permission.

The Proposal:

2 The application proposes 14 no. two bedroom bungalows, to be built to assisted living standards, with each bungalow to be provided with 2no on-site car parking spaces.

3 There are 3no visitor car parking spaces proposed on the site for the development together with a total of 9 car parking spaces to be re-provided either side of the site entrance off Pilgrim Close for the use of local residents. (A total of 40 spaces).

4 The proposed bungalows are a contemporary design to be constructed using a mix of red and buff bricks with timber boarding details with grey windows and roof tiles.

5 The existing footpath/cycleway running through the site east to west is to be slightly diverted and will run adjacent to the access road through the development.

The Site and Surroundings:

6 The application relates to land at Pilgrim Close, currently green open space, which is located just off Ramleaze Drive in Shaw. The site falls within the Shaw Valley Parkway area of Open Space as identified in the Swindon Borough Open Space Audit and Assessment (2014) and is classified as general recreation space.

7 The western part of the site previously contained an area of play space, identified as the Pilgrim Close Play Area. However, this was removed a number of years ago.

8 The site includes also includes 16 car parking spaces, which provide informal parking for visitors to the Shaw Village Centre. A public footpath/cycleway runs through the site east to west connecting local people to the Village Centre.

9 The site is enclosed on its northern and eastern boundaries by a mix of trees and mature hedgerow. To the north lie the residential properties of Randall Crescent, to the east the site shares its boundary with 12 Angus Close, which forms part of a sheltered housing scheme, to the south lies the Ridge Green Medical centre and to the west lies George Tweed Gardens and the Shaw Village Centre.

Representations:

Original Consultation

Neighbours:

10 Three letters of objection received from residents of 11 Angus Close, 4 Randall Crescent and 5 Randall Crescent, their main points of concern are;

Loss of green open space
Inadequate parking
Noise and disturbance
Missing application documents

Impact on neighbouring properties
Failure to utilise the whole green space
Loss of trees and hedgerow
Sloping site is unsuitable for elderly/disabled occupants

11 Letter of objection from Ridge Green Medical Centre who accept that bungalows are needed but concerned about loss of parking spaces in the area, construction traffic blocking Pilgrim Close and maintenance of services during construction.

Shaw Residents Association:

12 Object to the development based on parking concerns:

Concerned that the parking survey is incorrect and not enough spaces are being provided for the public, insufficient parking for the actual development, Pilgrim Close could be blocked preventing access to George Tweed Gardens the footpaths will be obstructed by parked cars.

West Swindon Parish Council:

13 The Parish Council object to this application on grounds of insufficient parking. The site is already functioning with too few parking spaces with demand at 128% of available spaces. It is likely that residents in this development will have visitors or family occasions that will require more than two parking spaces, it is also likely that George Tweed Gardens will similarly require more parking at certain times. The Parish Council raises concerns about emergency vehicle access in the likely event that there is roadside parking on the approach to the development and George Tweed Gardens as an overflow to the proposed provision.

14 The Parish Council request that this application is called in to Planning Committee and asks that there is due consideration of securing reasonable parking provision, mitigating the impact of reducing existing parking provision at this site and amending the application to resolve these issues.

Revised Consultation – submission of amended landscape drawings, tree survey and ecology reports

Neighbours:

15 Five letters of objections received from residents of 3 Angus close, 11 Angus Close, 4 Granary Close, 4 Randall Crescent and 6 Romney Close reiterating previous concerns particularly about lack of parking.

Shaw Residents Association:

16 Continue to object to this proposal on parking grounds.

West Swindon Parish Council:

17 Reaffirm their initial position raising an objection to insufficient parking

Planning Considerations:

18 The main considerations in the determination of this application are whether the proposal accords with the National Planning Policy Framework 2018 and the relevant policies of the Swindon Borough Local Plan 2026 (2015).

19 In accordance with this framework the following issues will be considered:

- Principle of residential development/loss of open space
- Design and appearance
- Highways and Parking
- Landscape
- CIL/Developer Contributions

Policy:

20 The National Planning Policy Framework (2018) sets out the Government's planning policies for England and how these are to be applied. In respect of this application the following sections are relevant:

Section 2 'Achieving Sustainable Development'

Section 5 'Delivering a sufficient supply of homes'

Section 12 'Achieving well-designed places'

21 The following policies of the Adopted Swindon Borough Local Plan 2026 (2015) are considered relevant to this application:

- SD1 '*Sustainable Development Principles*' sets out the development principles which underpin the local plan
- SD2 '*The Sustainable Development Strategy*' aims to meet Swindon's development needs whilst protecting the Borough's most important assets;
- SD3 '*Managing Development*' seeks to take a positive approach to reflect the presumption in favour of sustainable development
- DE1 '*High Quality Design*' seeks high standards of design for all development
- HA1 '*Mix Types and Density*' advises that housing development should be design led and respect the character of the surrounding area
- EN3 '*Open Space*' seeks all development to provide or contribute towards public open space
- TR2 '*Transport and Development*' encourages sustainable travel and seeks to mitigate the impact of development and ensure that suitable parking provision is provided

22 Also of relevance is the Swindon Residential Design Guide (2016) and Swindon Borough Council's Development Control Guidance Note: Technical Guidance on Parking Standards (2007).

Principle:

23 The site is within the Urban Area where new housing will be concentrated through realising development opportunities (Policy SD2). The site is however designated as public open space under Policy EN3 of the Swindon Borough Local Plan.

24 Policy EN3 states that public open space will be protected from development other than in a number of specified circumstances. One of those circumstances is that "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 Council's Standards, as set out in Appendix 3 and in the most recent Open Space Audit and

Assessment”.

25 An open space appraisal has been provided with the application and concludes that Shaw Ward, within which the development lies, meets the Council standards for general recreation space and total open space. In fact the Open Space Audit and Assessment states that there is a large surplus of total open space within Shaw consisting of mainly general recreation spaces.’ It is therefore considered that post-development, the level and quality of accessible provision in the local area would remain consistent with the Councils standards.

26 The NPPF states that authorities should create inclusive and mixed communities, and plan for a mix of housing based on the needs of different groups in the community, including for older people and people with disabilities. The proposed development will extend the range of accommodation options available to elderly and/or disabled people within the community which in line with the aims of NPPF.

27 On this basis, the principle of residential development at this location is therefore considered to be subject to consideration of the details and impact arising from the scheme.

Amenity:

28 Policy DE1 of the Local Plan requires all proposals to be assessed against a number of design principles, including amenity, DE1 (c), in respect of: light, privacy, outlook, noise, disturbance, smell, pollution and space.

29 The nearest residential properties to the site are 6 and 5 Randall Crescent to the north and 12 Angus Close to the east. The proposed bungalows are positioned such that there is 5 metres between the side of plot 6 (blank wall) and the side elevation of 6 Randall Crescent, 13 metres between the side of plot 7 (blank wall) and the rear elevation of 5 Randall Crescent and 12 metres between the rear of plot 10 and the rear elevation of 12 Angus Close.

30 Given these distances between the proposed bungalows and the existing neighbouring properties, officers consider there will be no issues of unacceptable overlooking or loss of privacy.

31 The development is therefore considered to be acceptable and will not result in harm to residential amenity in compliance with Policy DE1 of the Swindon Local Plan 2026 and the adopted SRDG.

Design:

32 The Councils Urban Design officer has reviewed the scheme and is disappointed that opportunities to retain more boundary vegetation have not been taken and feels that the layout may lead to future requests to remove further planting, results in the properties having small gardens to the detriment of future occupiers and that an alternative layout could provide greater levels of surveillance.

Highways:

33 The proposal seeks to reduce the existing informal parking area on the east side of Pilgrim Close to provide an access into the site. A parking survey was undertaken by the applicant and demonstrates that the development, which includes a total of 9 no. replacement parking spaces along the Pilgrim Close frontage, does not displace existing parking onto the highway network.

34 The proposal relocates, but retains the existing footway/cycleway through the site to connect existing residents to the local facilities.

35 Car parking is proposed as 2 spaces per unit on plot, and 3 visitor parking spaces which complies with the Councils adopted Parking Standards. Cycle parking can be provided within the curtilage of each plot.

36 A swept path analysis of a 10.6m long vehicle accessing, turning and egressing the site has been submitted and demonstrates the suitability of the turning facilities proposed. In addition adequate visibility splays at the site access and through the site have been demonstrated.

37 It is noted that the main area of concern raised by residents and the Parish relate to parking but officers can confirm that the proposed car parking for the development is in accordance with the Councils adopted Parking Guidance, which includes 2 spaces per bungalow and 3 visitor spaces. Furthermore the road width as proposed is also sufficient for short term on street parking if required.

38 With regard to the existing informal parking area on the site, the applicant undertook a parking survey on 14th September 2017 to determine how many spaces were used to serve the local centre and the medical centre. The survey was undertaken at 5 locations between the hours of 7am to 7pm at 15 minute intervals. The results showed that at the peak times of occupation, 9 spaces were occupied and therefore these 9 spaces are to be replaced as part of the proposed development. The same survey showed that not all the spaces available for the above uses were used during peak times, therefore with regard to the evidence provided, your Highway Officers are of the opinion that the replacement of the aforementioned 9 spaces is acceptable and unlikely to result in displacement of parking.

39 The proposed parking provision to serve this development and adjoining uses is therefore considered to be appropriate and in accord with the NPPF and Local plan policy and the Councils adopted parking standards and therefore the Local Highway Authority raise no highway objection subject to the imposition of conditions on any permission granted.

Landscaping:

40 The Councils Landscape Architect has assessed the application and despite the revisions made to the scheme, still has concerns about the impact of the proposed development on the existing vegetation and the lack of biodiversity offer on the site. The main areas of concern are outlined below;

41 It is noted that some additional hedgerow planting will be carried out within some of the

hedgerow areas and an acknowledgement that the proposed tree works will need amelioration. Echoes the Urban Design officer's view that there are likely to be future requests to remove the remaining hedgerow given the modest size of the gardens.

42 Feels that what is a linear green network of mature hedgerow trees, with the visual amenity of an established treeline and all the ecological connectivity benefits this brings, will at best become a fragmented series of hedgerow 'clumps', contained in residential back gardens, behind plots defined by 1.8m close board timber fencing.

43 Notes that whilst small grassed areas of wildflower sowing are proposed. This unlikely to provide any meaningful habitat or biodiversity / ecology improvements.

Other Planning Matters:

Affordable Housing:

44 In accordance with Policy HA2 of the local plan, affordable housing will be sought on all suitable sites proposed for development that comprise 15 or more dwellings or sites of 0.5 hectares or more. The site is below the 0.5 hectares and the 15 dwelling threshold and therefore there is no obligation to provide affordable housing.

Infrastructure Requirements:

45 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

46 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.

47 The Council is a Community Infrastructure Levy (CIL) Charging Authority. At the point of writing this report the adopted CIL Charging Schedule is that dated 6th April 2015. The proposed development for residential is located within CIL Residential Charging Zone 2 of this schedule. The development constitutes CIL Liabile development chargeable at the relevant rate within the relevant Charging Schedule in place at the time of calculation, that rate which is subject to indexation annually. The CIL chargeable amount is calculated at the point in time that planning permission first permits development for CIL purposes. To inform the applicant/landowners of the relevance of CIL to the proposal a CIL liable informative will be added to any permission granted.

48 Adopted Policy EN3 requires consideration of Open Space requirements. This is amplified by the Open Space Audit & Assessment (2014 update) that considers the quantity, quality and accessibility of the different types of open space by Ward. The open

space calculator translates the requirements of EN3 and associated Appendix 3 of the adopted Local Plan 2026 into the relevant area requirements. Where the scale of development does not trigger or justify the need for on-site provision due to location, there may be grounds to secure off-site provision proportionate to the scale of the development for investment locally.

49 The site is located in Shaw Ward and the Open Space Audit & Assessment (2014 Update) indicates the site is within the Shaw Valley Parkway falling under general recreation. The applicant has submitted an Open Space Appraisal in accordance with adopted Policy EN3, to justify why it is acceptable to be developing on open space. It concluded the material benefit of housing offered by the proposal, outweighs the loss of the open space under the General Recreation category when the OSAA (2014) update concludes that there is an overprovision of such type within the Ward. In any event, whilst the proposal is modest in scale, this should not preclude consideration of the need for off-site contributions to other types of open space.

50 The OSAA (2014 Update) indicates that the Ward is deficient in play space. The scale of the proposed development does not justify on-site provision. For this reason an off-site contribution is justified to support improvements/enhancements to existing play provision in the vicinity. The open space calculator generates a potential off-site contribution of £4,920.05 towards a play area. The nearest play area which doesn't require crossing a major road is Tumpy Fields Play Area within the Shaw Ridge Linear Park and therefore the contribution could be invested here.

51 The OSAA (2014 update) identifies the Ward as being deficient in outdoor sports. The scale of development does not justify provision on-site. For this reason an off-site contribution is justified to support improvements/enhancements to existing outdoor sports provision in the vicinity. The open space calculator generates a potential off-site contribution of £5,140.05 towards outdoor sports. The nearest outdoor sport facility is the West Swindon Community & Youth Centre, which appears to be independent of, but adjacent the Link Centre and therefore the contribution could be invested here.

52 Both of these contributions are considered to be justified and necessary given the scale and location of the proposed development and will need to be secured by completion of a section 106 legal agreement.

Concluding Comments:

53 The proposed development results in the loss of an area of open space. However, it has been demonstrated that there is an over provision of open space in the ward, although any loss of open space is regrettable adequate provision of open space in the area would still remain.

54 Members will be aware of the concerns raised by Design and Landscape officers as detailed in this report, but the provision of much needed housing and in particular that the proposed bungalows are stated to have been designed to Assisted Living Standards in this location should be considered a significant community benefit.

55 Members will also be aware of the concerns about parking raised by the Parish Council

and local residents, which again have been considered and the Local Highway Authority have confirmed they are satisfied that this development provides the required parking provision and will not have a detrimental impact on the highway.

56 It is acknowledged that there will be harm arising from the loss of vegetation and the built development on the site. It is noted that no tree on the site is protected by a TPO. The scheme does propose retaining the majority of boundary planting. The concerns regarding a reduction in communal parking and the anticipated inconvenience is also recognised. However that harm has to be balanced against the need for housing and the lack of a 5 year housing land supply within the Borough.

57 In doing so officers are of the view that the harm identified is of limited weight and that there are significant benefits arising from the provision of housing on this site. In deed the harm identified does not outweigh the significant benefits of providing much needed housing in a sustainable location and that replacement play / sports facilities will be provided to further mitigate the impact.

Recommendation

58 That the Head of Planning, Regulatory Services and Heritage be authorised to GRANT planning permission subject to the conditions set out in the report together with any amendments, omitted or additional conditions and the completion of a Section 106 agreement to secure the necessary mitigation. In the event that the applicant fails to agree an extension of time to allow sufficient time for the LPA to deal with these matters then the Head of Planning, Regulatory Services and Heritage be authorised to REFUSE planning permission.

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:

Street scene 5552-P-72, Elevations 5552-P-70, Elevations 5552-P-71, Floor plans 5552-P-21, Floor plans 5552-P-20, Open space appraisal February 2018, Eternal levels 4406-C-300 rev D, Visibility splays 4406-C-101 rev D, Highway layout 4406-C-100 rev D, Drainage Strategy PIL-HYD-OO-GF-DR-C-7010 rev P8 received by the LPA on 23rd March 2018

Revised vehicle tracking 4406-C-102 rev A and revised design and access statement received by the LPA on 11th April 2018

Hydrock Maintenance and Management of Underground drainage report received by the LPA on 30th April 2018

Revised site location plan, revised existing site location plan, revised Arboricultural report June 2018 received by the LPA on 22nd August 2018

Revised landscape plan 5552-W-12 rev A, revised planting schedule ref 5552-P-3700 rev B received by the LPA on 5th October 2018

Revised Ecological Appraisal October 2018 received by the LPA on 12th October

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

Drainage

3. Development shall not begin until a surface water drainage scheme for the site, in accordance with the approved drainage strategy Drainage Strategy Site View Drawing Number: PIL-HYD-00-GF-DR-C-7010 Rev P8 Pilgrim Close, 5 March 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:

Evidence that the proposed flows from the site will discharge at or below greenfield runoff rates, or 5l/s;

Details of how the drainage scheme has incorporated SuDS techniques to manage water quantity and maintain water quality in accordance with best practice guidance including the latest SuDS Manual C753;

Detailed drainage plan showing the location of the proposed SuDS and drainage network with exceedance flow routes clearly identified;

Details to demonstrate the SuDS Scheme has been designed in accordance with best practice guidance including the latest SuDS Manual C753;

General arrangement, which should be coordinated with the landscape proposals and the masterplan;

Manhole Schedules;

Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change to demonstrate that all SuDS features and the drainage network can cater for the critical storm event for its lifetime;

Details of how the scheme shall be maintained and managed after completion;

Details of Overland Flow routing and management within the development proposals

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

Reason: To prevent unacceptable risks to people and property from flooding by ensuring the satisfactory storage and disposal of surface water from the site.

Construction Method Statement

4. 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.

Replacement parking

5 No works shall commence on site that remove the existing public car parking until a scheme for the relocation of those 9 spaces has been submitted to and approved in writing by the Local Planning Authority, the works shall then be carried out in accordance with the approved detail and the 9 spaces thereafter maintained unless or until adopted by a public body.

Reason: To reduce the potential impact on the public highway.

Junction Completion

6 No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 10m 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.

Visibility Splays

7. The proposed vehicular access shall not be brought into use until visibility splay lines have been provided in accordance with the submitted details, as shown on drawing numbered [4406-C-101 Rev D] with the area in advance of the splay lines cleared of all obstructions to visibility between 0.6m and 2.1m above the adjoining carriageway and thereafter be similarly maintained.

Reason: To ensure that adequate visibility is provided for the duration of the use and maintained in the interests of highway safety.

Access

8. Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan [drawing no. 5552-W-12 rev A] and with the area of driveway within at least 10m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: To reduce potential highway impact by ensuring the access is suitably laid out and constructed.

Parking and Turning

9. The dwellings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan [drawing no. 5552-W-12 rev A] and those facilities shall be maintained available for those purposes thereafter.

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

Road layout

10. No dwelling on the development hereby approved shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and

street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To ensure a satisfactory means of access for occupants of the development.

Materials

11. The development hereby permitted shall be constructed using the approved external facing materials. Such facing materials shall be retained thereafter in their approved form.

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

Landscaping

12. The development hereby permitted shall be carried out in accordance with the approved landscaping scheme as per the approved timetable. Any tree or shrub planted in accordance with the scheme which is removed, dies or becomes diseased within a period of five years from first being planted, shall be replaced by one of a similar size and the same species.

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

Boundary Treatments

13. Notwithstanding, the submitted details, prior to the commencement of works on site in connection with the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. This boundary treatment shall be implemented before the building(s) 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.

Slab Levels

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

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

Tree/Hedge Protection

15. Prior to the commencement of works on site in connection with the development hereby permitted, details of temporary protective fences to safeguard the trees and / or hedges to be retained on the site shall have first been submitted to and approved in writing by the Local Planning Authority and shall be erected in accordance with the current BSI 5837 and maintained to that standard until the development has been completed or the Local Planning Authority has confirmed, in writing, that the fencing can be removed.

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

Restriction on windows

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no windows other than those hereby approved shall be formed in the dwellings hereby permitted.

Reason: In the interests of residential amenity

Informatives

1. CIL Liable Development: This development constitutes Community Infrastructure Levy (CIL) liable development. CIL is a mandatory financial charge on development. For more information on CIL visit www.swindon.gov.uk/cil or telephone the SBC CIL Team on 01793 466289 or 466397 or email cil@swindon.gov.uk. To avoid additional financial penalties the requirements of the impact of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Information on possible exemptions that may be capable of being applied for can be found at:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy and <https://www.gov.uk/guidance/community-infrastructure-levy>. CIL remains relevant in the event that planning permission is allowed by Planning Appeal.

2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

3. The proposed development will require works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the Local Highway Authority before commencing works on the development.
TransportDevelopment@Swindon.gov.uk

4. 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/m². 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.

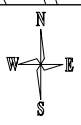
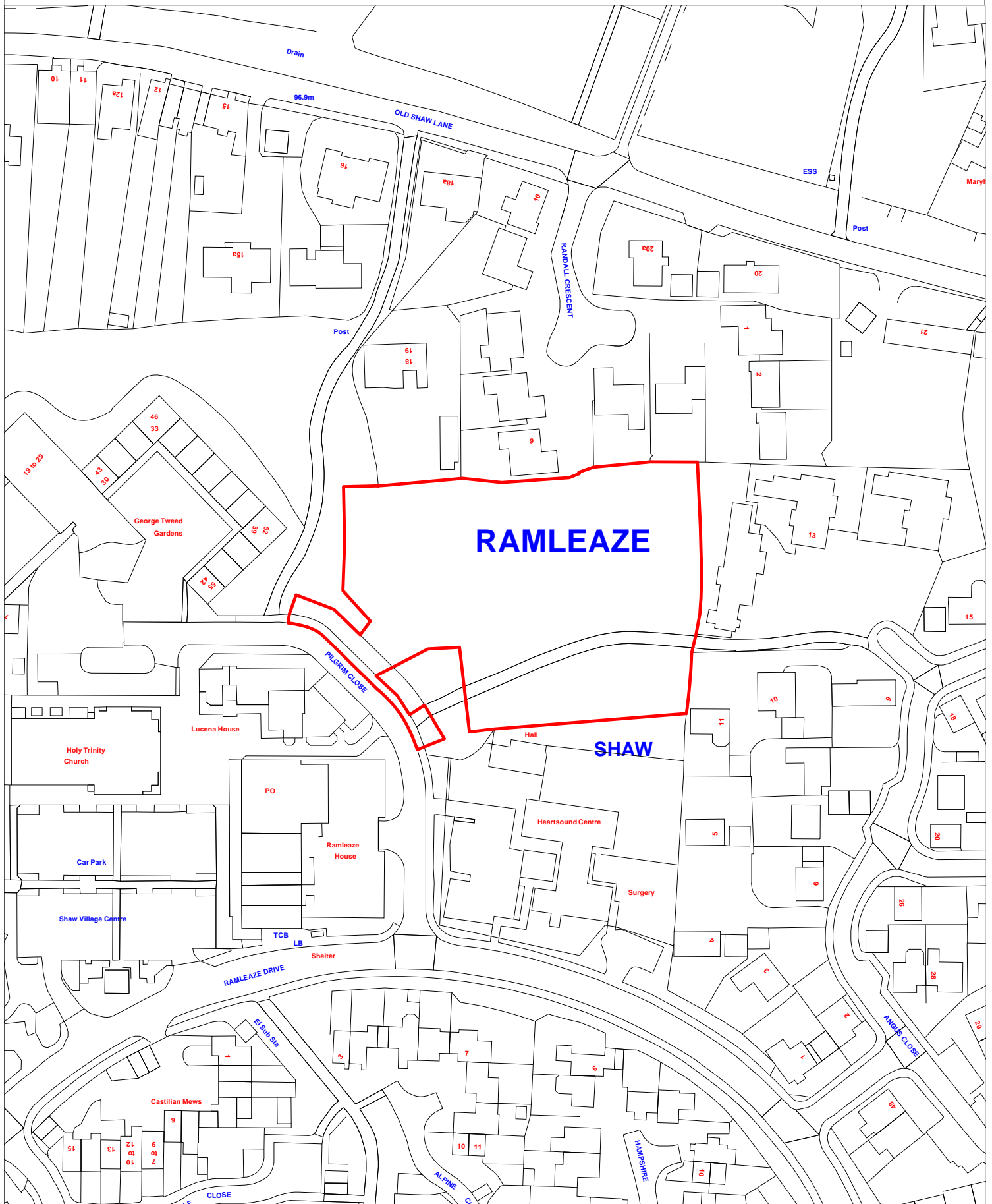
https://www.swindon.gov.uk/info/20040/road_safety_maintenance_and_repairs/737/find_out_about_road_gritting

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

development.

http://www.swindon.gov.uk/info/20031/roads_parking_and_transport/321/apply_for_street_name_or_number

End of Report



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

Erection of 14no. dwellings and associated works.

An aerial photograph of a residential area in Glasgow, Scotland. A large green field in the center is outlined in yellow and labeled "RAMLEASE". To the left of the field is a large, dark-roofed building labeled "George Tweed Gardens". Below this is a parking lot labeled "Car Park" and a building labeled "Shaw Village Centre". To the right of the field is a building labeled "Ramlease House" and a "Shelter". Further right is a building labeled "Heartsound Centre" and a "Surgery". The area is surrounded by various streets, including "OLD SHAW LANE", "RANDALL CRESCENT", "ALPINE CLOSE", "ANGUS CLOSE", "RAMLEASE DRIVE", and "ELGIN CLOSE". Other landmarks include "Holy Trinity Church", "Lucern House", "Post", "ESS", "Drain", "Post", "Hall", "TCB", "LB", "Shaw Village Centre", "Car Park", "Shelter", "Heartsound Centre", "Surgery", "Ramlease House", "PO", "George Tweed Gardens", "Castellan Mews", "El Sub Sta", "RAMPSHIRE", and "ALPINE C". The map also shows numerous smaller buildings, trees, and parked cars.



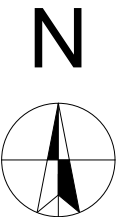
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REVISIONS

12/08/18 - MPL - TB: Drawing Created.
A: 26/09/18 - ZL - TB: OS Map showing adjacent properties added. Additional note clarifying the north eastern trees/hedgerow, and our clients seeking to retain as much as possible, ensuring that it is to survive/re-establish. If the hedgerows are unable to remain, and unable to provide screening, they will be replaced with new planting. Increased planting across the site, in particular along the public right of way, providing a net biodiversity gain. Arboricultural Strategy updated and wildlife friendly plants added. All of the above amendments are as per the Case Officers, Consultees and our Clients request (24-09-18).



This Drawing to be read in Conjunction with:

- The Plant Schedule & Specification Ref: 5552-P-3700, Aug. 2018
- The Ecological Appraisal Ref: WW18119, July 2018
- Arboricultural Report, June 2018 particularly Sections 6 & 7 and the Site Specific Method Statement, Section 8.0.

DRAWING TITLE

Landscaping Plan

PROJECT

Pilgrim Close, Shaw Village, Swindon

CLIENT

Swindon Housing Development Company Ltd

SCALE 1:200@A1

DATE Sept 2018



DRAWING NO. REV

5552-W-12 A

Matthews Warehouse, High Orchard Street Gloucester Quays, GL2 5QY T: (01452) 424234

KEY

- Site Boundary
- Site Area= 4,986 sqm
- Demarcation of ownership

PROPOSED DEVELOPMENT

- 14no.2B3P Bungalow @ 63sqm

- 14no. Total Units
- 28 Units Per Hectare

HARD LANDSCAPING

- New Adoptable Road
- New Shared Surface Road
- New Permeable Block Paving
- New Block Paving
- Footpath
- 2250x900mm Bin Store
- Demarcation of cycle path
- Parking Space
- 1800mm Timber Close Boarded Fencing

SOFT LANDSCAPING

- Proposed Garden
- Retention of trees and hedges to site perimeter
- Felled Trees
- Proposed Trees
- Existing Trees to be Retained
- Proposed Hedge Carpinus betulus (Common hornbeam)
- Proposed other hedges
- Proposed 750mm border, see Planting Schedule
- Proposed bat attracting planting
- Existing vegetation

OTHERS

- Cycle Path

NOTES

- Proposed Attenuation Tank as per Hydrock Drawings C-7010 & C-7011

- RPA Barrier Fence As per Arboricultural report

All felling of trees and shrubs in Groups G11, 12, 13, 14 to facilitate construction, must be carried out prior to construction commencement as per Arb. report, paragraph 6.0. If works are carried out during the breeding season, a qualified Ecologist must attend site for a bird check.

Protective barrier (RPA) to be erected 5m from boundary line. Post - construction, carry out weeding, and pruning of retained Field Maples as per Arb. report's Method statement.

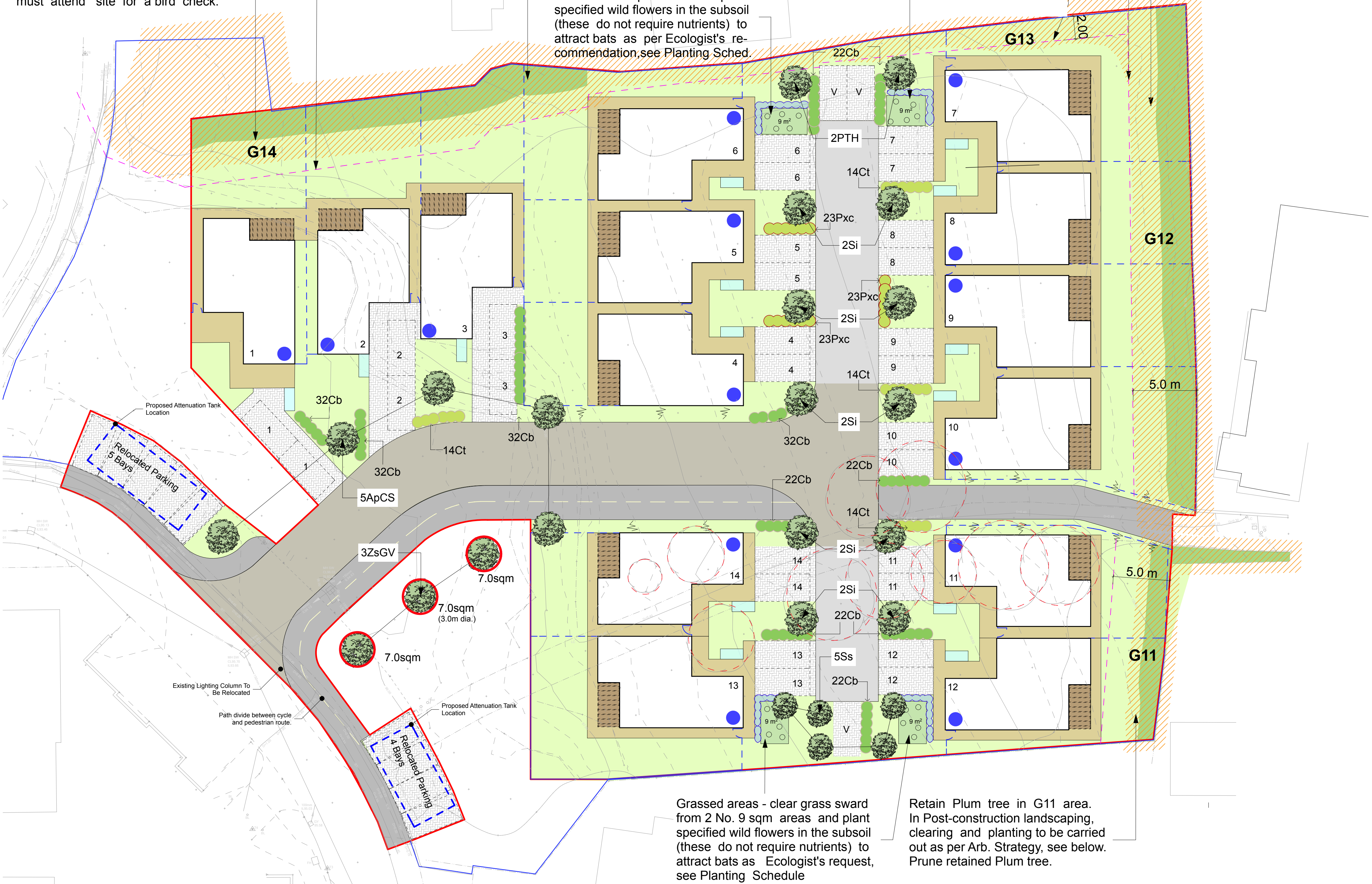
Post-construction when landscaping will be carried out, new planting to be introduced in gaps created by the previous felling and subsequent weeding (using Glyphosate like Roundup)

Grassed areas - clear grass sward from 2 No. 9 sqm areas and plant specified wild flowers in the subsoil (these do not require nutrients) to attract bats as per Ecologist's recommendation, see Planting Sched.

Protective barrier for RPA to be erected 5m from east boundary line, 2m from north boundary line

Wildflowers to attract bats in 2 No. cleared areas, each end of access road

Contractor to seek to retain trees, where possible, ensuring they will survive and re-establish. If unable to retain, new planting to provide a replacement screen, with the same ecological value.



ECOLOGICAL NOTES

Bat Boxes to be 4No type 2F Schwegler wood concrete diameter 16cm located on existing trees facing in a North-East or South-East orientation. Planting for bats to be as per Planting Schedule, Ref: 5552-P-3700

Thoroughfares for Hedgehogs: locations of low level openings in fences to be agreed with the Ecologist.

Nesting birds: Vegetation clearance should be undertaken outside the nesting season - March to September inclusive. If not possible, an expert Ecologist should be present to check for birds prior to work commencement.

ARBORICULTURAL STRATEGY

Note: Close inspection of vegetation was not possible at the time of the survey due to density of shrubs and trees. It is envisaged that the clearing process will be supervised by a qualified Arboriculturalist.

10No existing Horse Chestnut trees considered to be of low value due to bleeding cankers and leaf miner infection will be felled to provide for the development.

Area G11 (graded B2) - predominantly Dogwood offering good screening to neighbouring properties in Angus Close. Dogwood to be cut back retaining a 2m strip and hard pruned to within 100mm of ground to provide stronger framework for following year. Gaps to be planted with native dogwood.

Area G12 (graded B2) - Field Maple boundary trees, Hazel and Blackthorn providing complete screening for neighbouring properties in Angus Close. Clearing will remove all shrubs on garden side preserving a 2.5m -3m wide strip along the fence. Careful inspection will determine quantity of further shrubs to be removed anticipating approx. 20% retention of remaining natives including Maple trees. Individual pruning to be carried out where necessary. A staggered row of new under-planting will be located on the garden side to enhance the group, see Planting Schedule.

Grassed areas - clear grass sward from 2 No. 9 sqm areas and plant specified wild flowers in the subsoil (these do not require nutrients) to attract bats as Ecologist's request, see Planting Schedule

Retain Plum tree in G11 area. In Post-construction landscaping, clearing and planting to be carried out as per Arb. Strategy, see below. Prune retained Plum tree.



NOTES

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REVISIONS

- 06.05.2018 - JW - TB: Drawing Created.

PROJECTS

Pilgrim Close, Shaw Village, Swindon

SCALE 1:200@A3

CLIENT

Swindon Housing Development Company Ltd

DATE

March 2018

DRAWING TITLE

Proposed Street Scene



DRAWING NO.



5552-P-72

Matthews Warehouse, High Orchard Street
Gloucester Quays, GL2 5QY T: (01452) 424234

REV

-

MATERIALS KEY



Buff Brick
Red Brick
Red Engineering Brick
Grey Roof Tiles
Horizontal Timber Effect Boarding

Physical samples to be supplied to LPA

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REVISIONS

- 05.03.2018 - JW - TB: Drawing Created.



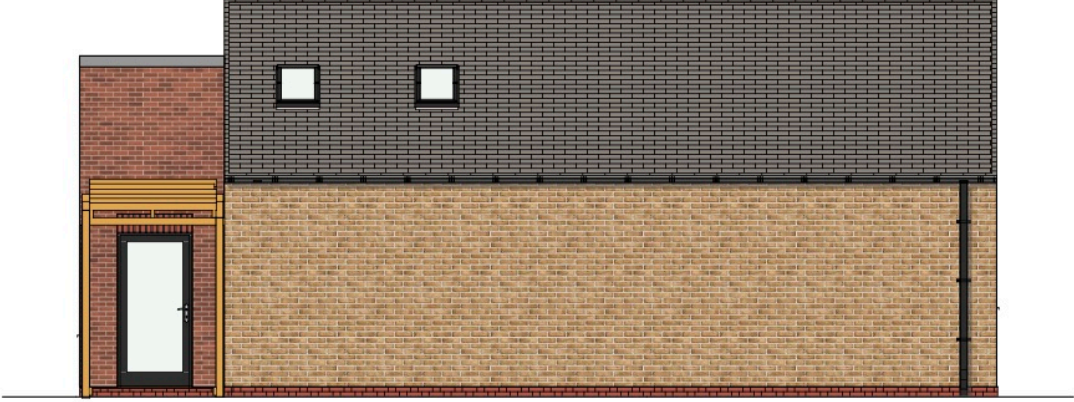
FRONT ELEVATION
Plot 2,3,4,7,9,11 &13



SIDE ELEVATION
Plot 2,3,4,7,9,11 &13



REAR ELEVATION
Plot 2,3,4,7,9,11 &13



SIDE ELEVATION
Plot 2,3,4,7,9,11 &13

DRAWING TITLE

Proposed Elevations Plot
2,3,4,7,9,11,13

PROJECT

Pilgrim Close, Shaw Village,
Swindon

CLIENT

Swindon Housing Development
Company Ltd

SCALE

1:100@A3

DATE

March 2018



DRAWING NO.

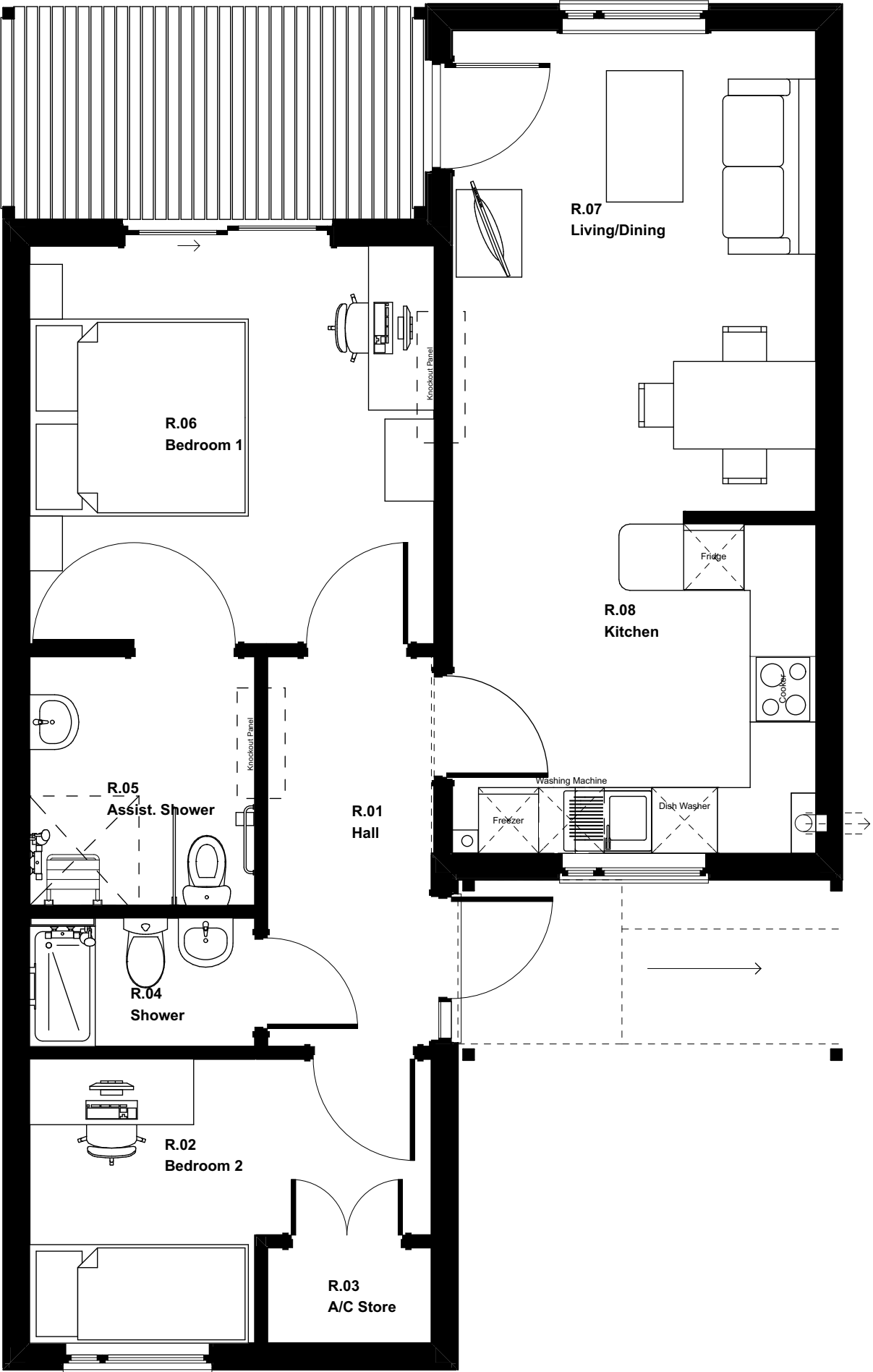
5552-P-70

REV

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Matthews Warehouse, High Orchard Street
Gloucester Quays, GL2 5QY T: (01452) 424234





PLOTS 2,3,4,7,9,11 &13 - 2B3P



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REVISIONS

-: 05.03.2018 - JW - TB: Drawing Created.

DRAWING TITLE

Proposed Ground Floor Plots
2,3,4,7,9,11,13

PROJECT

Pilgrim Close, Shaw Village,
Swindon

CLIENT

Swindon Housing Development
Company Ltd

SCALE 1:50@A3

DATE March 2018



DRAWING NO. REV

5552-P-20 -



COMMITTEE REPORT

Item Number:

Application Number: S/18/0460/RA

Ward: Shaw

Parish: West Swindon

Proposal: Erection of 6no residential dwellings with associated soft and hard landscaping, and a new play area to the north of the site, as an extension of the existing play area.

Site Location: Former Sparcells Community Centre, Sparcells Drive, Sparcells

Case Officer: Miss Rachael Adams

Contact Details: Tel: 01793 466012 Email: radams@swindon.gov.uk

Agent:

Mr Jacob Wainwright
Quattro Design Architects Ltd
Matthews Warehouse
High Orchard Street
Gloucester Quays, Glos
GL2 5QY

Applicant

Mr Adam Gatier
Swindon Housing Development
Company
Wat Tyler House West
Beckhampton Street
Swindon
SN1 2JH

Officers Report

Background:

0.1 This application has been called to planning committee by Ward Councillors.

0.2 This application has been submitted by the Swindon Housing Development Company for the erection of 6 no. detached dwellings.

0.3 The site was identified as one that could be developed for market housing by the Strategic Land Review process undertaken by the Council in 2016.

0.4 Pre-application discussions commenced in early 2017.

Summary of Recommendation:

1 That planning permission be GRANTED with Conditions.

The Proposal:

2 The application proposes 6no. four bedroom detached houses. Each house includes an integral garage plus a parking space on the driveway.

3 The proposed dwellings are two storey and will be constructed using a mix of buff bricks and re-con stone with grey windows and roof tiles.

4 There are 2no visitor parking spaces to be provided at the northern end of the site adjacent to the turning head.

5 The application includes re-provision of the toddlers play area (currently on the site) on open space to the north adjacent to an existing playground for older children.

The Site and Surroundings:

6 The application relates to land at Sparcells Drive, which comprises a toddler play area, a temporary car park and a grassed area of open space.

7 A former Community Centre was previously located on this site but the building was demolished a number of years ago.

8 To the north lies the open space known as Sparcells Field which contains a NEAP play area and a MUGA. A footpath wraps round the northern and eastern boundary of the site providing access to the park and play area.

9 Vehicular access to the site is off Sparcells Drive on the southern boundary and to the east the footpath separates the site from properties fronting onto Sparcells Drive and to the west lie the Melfort Close properties.

Representations:

Original Consultation

Neighbours:

10 letters of objection were received from residents of 3 Sandwood Close, 11 Hodds Hill, 9 Whitefield Crescent, 14 Portmore Close, 30 Melfort Close, 5 Horseshoe Crescent, 12 The Willows, 17 Melfort Close, 15 Gairlock Close and 9 Melfort Close, their main points of concern are as follows:

- Loss of toddler play area
- Over development
- Insufficient parking
- Overlooking
- Ground stability
- Loss of light
- Loss of trees

11 Shaw Residents Association:

Object on the grounds of inadequate parking provision and loss of a children's play area.

12 West Swindon Parish Council

Object to the proposed loss of amenity due to the loss of the toddler play area. In addition concerns raised about the potential lack of parking provision.

Revised Consultation – scheme amended to include re-provision of the toddler play area within the open space to the north

13 Neighbours:

Two letters of objection were received from residents of 9 Melfort Close and 15 Gairlock Close reiterating previous concerns.

14 Shaw Residents Association:

No further comments received on revised plans.

15 West Swindon Parish Council:

No objection.

Planning Considerations:

16 The main considerations in the determination of this application are whether the proposal accords with the National Planning Policy Framework 2018 and the relevant policies of the Swindon Borough Local Plan 2026 (2015).

17 In accordance with this framework the following issues will be considered:

- Principle of residential development/loss of open space
- Design and appearance
- Highways and Parking
- Landscape
- CIL/Developer Contributions
- Impact upon amenity

Policy:

18 The National Planning Policy Framework (2018) sets out the Government's planning policies for England and how these are to be applied. In respect of this application the following sections are relevant:

Section 2 'Achieving Sustainable Development'

Section 5 'Delivering a sufficient supply of homes'

Section 12 'Achieving well-designed places'

19 The following policies of the Adopted Swindon Borough Local Plan 2026 (2015) are considered relevant to this application:

- SD1 '*Sustainable Development Principles*' sets out the development principles which underpin the local plan

- SD2 '*The Sustainable Development Strategy*' aims to meet Swindon's development needs whilst protecting the Borough's most important assets;
- SD3 '*Managing Development*' seeks to take a positive approach to reflect the presumption in favour of sustainable development
- DE1 '*High Quality Design*' seeks high standards of design for all development
- HA1 '*Mix Types and Density*' advises that housing development should be design led and respect the character of the surrounding area
- EN3 '*Open Space*' seeks all development to provide or contribute towards public open space
- TR2 '*Transport and Development*' encourages sustainable travel and seeks to mitigate the impact of development and ensure that suitable parking provision is provided

20 Also of relevance is the Swindon Residential Design Guide (2016) and Swindon Borough Council's Development Control Guidance Note: Technical Guidance on Parking Standards (2007).

Principle:

21 The site is within the Urban Area where new housing will be concentrated through realising development opportunities (Policy SD2). The site contains a small area of open space and a toddlers play area, to which Local Plan Policy EN3 applies, as defined on the Local Plan policies map.

22 Policy EN3 specifies the circumstances in which the development of public open space would be permitted. These include where "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 Council's Standards, as set out in Appendix 3 and in the most recent Open Space Audit and Assessment;".

23 An open space appraisal has been provided with the application and concludes that Shaw Ward, within which the development lies, meets the Council standards for general recreation space and total open space. In fact the Open Space Audit and Assessment states that there is a large surplus of total open space within Shaw consisting of mainly general recreation spaces.'

24 Officers agree with the conclusions of that assessment that the loss of a small amount of general recreation space would not adversely affect local needs in view of the adequate existing quantity of open space in the area, in particular Sparcells Field to the north.

25 However, the assessment highlights that there is a shortfall of play space within the Shaw Ward. As the development proposes to remove the toddlers play area, in order to mitigate this loss, the application now includes the re-provision of the toddlers play area within Sparcells Field, the existing open space to the north of the site.

26 Subject to securing this provision, officers do not raise a policy objection and consider the principle of residential development to be acceptable.

Design:

27 The Councils Urban Design officer is disappointed that there is no direct pedestrian link from the development to the adjacent open space and would like to see additional landscaping to soften the boundary fence proposed along the edge of the open space.

Highways:

28 It is proposed to create a new vehicular access of Sparcells Drive to serve the development, with a turning head at the northern end. The existing access to the site will need to be closed and reinstatement of the footway and full height kerb.

29 Each dwelling is provided with 2 no. car parking spaces, comprising one garage and one open space on the driveway. The internal dimensions of the garages comply with the Councils current guidance (3m x 6m). In addition there are 2 no. visitor spaces located at the north of the site, adjacent to the turning area. Cycle parking can be accommodated within the private curtilage of each dwelling.

30 A suitable refuse collection point is proposed to the west of the entrance to the site and details have been submitted which demonstrate acceptable bin carry distances for each of the proposed units. And adequate visibility splays have been demonstrated in accordance with current guidance.

31 The proposed development is acceptable in highway terms and therefore the Local Highway Authority raise no highway objection subject to the imposition of conditions on any permission granted.

Landscaping and Trees

32 The Councils Landscape Architect note the proposals but feels that it is scope to further improve the scheme of both the play space layout and replacement tree planting including that the proposed planting of a single Common oak into the northern corner of the garden of plot 3 would be better located in the open space itself, as there is limited protection /control over trees in domestic gardens.

Amenity:

33 Policy DE1 of the Local Plan requires all proposals to be assessed against a number of design principles, including amenity, DE1 (c), in respect of: light, privacy, outlook, noise, disturbance, smell, pollution and space.

34 The closest adjacent properties are in Melfort Close and the proposal achieves the required separation distances as set out in the Councils adopted guidance.

35 Given these distances between the proposed dwellings and the existing neighbouring properties, officers consider there will be no issues of unacceptable overlooking or loss of privacy.

36 The development is therefore considered to be acceptable and will not result in harm to

residential amenity in compliance with Policy DE1 of the Swindon Local Plan 2026 and the adopted SRDG.

Other Matters

37 S106 planning obligations

Under the provisions of the on-line Planning Practice Guidance Paragraph: 031 Reference ID: 23b-031-20161116 (Revision date: 16 11 2016) this site falls under the definition of a small scale development site. This paragraph states that planning obligations (including for affordable housing) should not be sought from certain types of development and specifically apply to this proposal:

'contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area)'

Affordable Housing:

38 In accordance with Policy HA2 of the local plan, affordable housing will be sought on all suitable sites proposed for development that comprise 15 or more dwellings or sites of 0.5 hectares or more. The site is below the 0.5 hectares and the 15 dwelling threshold and therefore there is no obligation to provide affordable housing.

39 In this instance the combined gross floorspace for the 6 proposed dwellings is 717.6sqm. For this reason, the requirements of adopted policy EN3 (Open Space) have been overridden as a material consideration in this instance by the PPG and s106 obligations should not be secured.

Infrastructure Requirements:

40 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

Community Infrastructure Levy

41 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.

42 The proposed development constitutes CIL liable development. The site is located within the current adopted CIL Charging Schedule Residential Zone 2, and as such a CIL liable informative should be added to any decision notice issued.

43 Response to representations

With regard to the comments raised by neighbours, the loss of the toddler play area is no longer an issue and the concerns about insufficient parking have been dealt with in the Highways section of the report. In addition the loss of trees on the site has been acknowledged and a number of replacement trees have been accepted as suitable mitigation as shown on the submitted plans.

44 With regard to the comments about over development, officers consider the 6 proposed houses are an appropriate form of development which achieve the required separation distances between the existing neighbouring properties and provide adequate private garden space. It is not considered the development would give rise to a loss of privacy, overlooking or loss of light for the neighbouring properties.

Concluding Comments:

45 Members will be aware that the proposed development results in the loss of a small area of open space and a toddlers play area. However, re-provision of the toddlers play area is now proposed and its construction prior to any development works would be secured by the imposition of a condition to ensure continued provision.

46 Members will be aware of the comments made by Design and Landscape officers as detailed in this report, but the provision of much needed housing in what is a sustainable location should be considered a significant benefit.

47 Overall, given the significant housing land supply shortfall in the Borough, officers are of the view that in this case the adverse impacts as expressed by Design and Landscape officers, would not outweigh the benefits the provision of housing would provide. It is therefore recommended that permission is granted subject to conditions.

Recommendation

48 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 Plans

2. This approval shall be in respect of the following:

Open Space Appraisal (February 2018), Hydrock Drainage Strategy drawing number SPA-HYO-OO-GF-DR-C-7010 rev P7, Streetscene 5551-P-72, Elevations 5551-P-71 5551-P-70, Floorplans 5551-P-20 received by the LPA on 19th March 2018

Hydrock Maintenance and Management of Underground Drainage Report received by the LPA on 30th April 2018

proposed highway layout 4408-C-100 rev C, visibility splays 4408C-101 rev D, refuse collection 4408-C-102 rev A, external levels 4408-C-300 rev C received by the LPA on 29th May 2018

revised site location plan 5551/1/P/01 rev B, revised design and access statement, revised existing site plan 5551-P-05 rev D, Arboricultural Report June 2018, Arboricultural Report August 2018, Addendum to Tree Report received by the LPA on 21st August 2018

Revised landscape plan 5551-W-12 rev C, Sections 5551-W-12, planting schedule ref 5551-P-3700 rev B, replacement playground details received by the LPA on 5th October 2018

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

Play Area

3 No works in connection with the development hereby permitted shall be commenced until the new Toddlers Play Area as detailed on drawing number 5551-W-12 rev C and the submitted specification has been constructed and made available for use. The new Toddlers Play Area shall be retained in its approved form and maintained thereafter.

Reason: To comply with the terms of the application and to ensure that the play area is implemented.

Drainage

3. Development shall not begin until a surface water drainage scheme for the site, in accordance with the approved drainage strategy Drainage Strategy (Drawing Number: SPA-HYD-00-GF-DR-C-7010 Rev P7) - Sparcells Drive, 17 March 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:

Evidence that the proposed flows from the site will discharge at or below greenfield runoff rates, or 5l/s;

Details of how the drainage scheme has incorporated SuDS techniques to manage water quantity and maintain water quality in accordance with best practice guidance including the latest SuDS Manual C753;

Detailed drainage plan showing the location of the proposed SuDS and drainage network with exceedance flow routes clearly identified;

Details to demonstrate the SuDS Scheme has been designed in accordance with best practice guidance including the latest SuDS Manual C753;

General arrangement, which should be coordinated with the landscape proposals and the masterplan;

Manhole Schedules;

Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change to demonstrate that all SuDS features and the drainage network can cater for the critical storm event for its lifetime;

Details of how the scheme shall be maintained and managed after completion;

Details of Overland Flow routing and management within the development proposals

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.

CCTV survey of the existing connection into the Thames Water system and provide to the LLFA.

Reason: To prevent unacceptable risks to people and property from flooding by ensuring the satisfactory storage and disposal of surface water from the site.

Construction Method Statement

4. 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.

Access

5. Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan [drawing no. 4408-C-100 Rev C] and with the area of driveway within at least 5m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: To reduce potential highway impact by ensuring the access is suitably laid out and constructed.

Closure of existing access

6. The vehicular access hereby permitted shall not be brought into use until all existing vehicular accesses to the site (other than that intended to serve the development) have been permanently closed, and the footway/verge in front has been reinstated including full height kerb, in accordance with details to be submitted to and agreed in writing beforehand by the Local Planning Authority.

Reason: To reduce potential highway impact by ensuring there is no further use of an access that is deemed to be unsuitable to the serve the development.

Visibility Splays

7. The proposed vehicular access shall not be brought into use until visibility splay lines have been provided in accordance with the submitted details, as shown on drawing numbered 4408-C-101 Rev D with the area in advance of the splay lines cleared of all obstructions to visibility between 0.6m and 2.1m above the adjoining carriageway and thereafter be similarly maintained.

Reason: To ensure that adequate visibility is provided for the duration of the use and maintained in the interests of highway safety.

Parking and Turning

8. The building(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities [including garages where provided] have been provided in accordance with the submitted plan [drawing no. 4408-C-100 Rev C], and those facilities shall be maintained available for those purposes thereafter.

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

Road Layout

9. No dwelling on the development hereby approved shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To ensure a satisfactory means of access for occupants of the development.

Road Maintenance

10. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

Landscaping

12. The development hereby permitted shall be carried out in accordance with the approved landscaping scheme as per the approved timetable. Any tree or shrub planted in accordance with the scheme which is removed, dies or becomes diseased within a period of five years from first being planted, shall be replaced by one of a similar size and the same species.

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

Boundary Treatments

13. Notwithstanding, the submitted details, prior to the commencement of works on site in connection with the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. This boundary treatment shall be implemented before the building(s) 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.

Slab Levels

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

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

Tree/Hedge Protection

15. Prior to the commencement of works on site in connection with the development hereby permitted, details of temporary protective fences to safeguard the trees and / or hedges to be retained on the site shall have first been submitted to and approved in writing by the Local Planning Authority and shall be erected in accordance with the current BSI 5837 and maintained to that standard until the development has been completed or the Local Planning Authority has confirmed, in writing, that the fencing can be removed.

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

Informatives

1. CIL - Reg. 42 Exemption for Minor development: Whilst the development generates a net gain in floor space and is Community Infrastructure Levy (CIL) liable, it is exempt from CIL liability under CIL Regulation 42, as it constitutes minor development for the purposes of calculating CIL liability because the proposed extensions floorspace is below 100 sqm GIA.

2. Please contact the LLFA for the detailed specification that CCTV surveys are to be carried out to at LLFA@swindon.gov.uk. CCTV data is also to be sent to this address.

3. The proposed development will require works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the Local Highway Authority before commencing works on the development.

TransportDevelopment@Swindon.gov.uk

4. The applicant is advised that to fully comply with condition ## above, the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

TransportDevelopment@Swindon.gov.uk

5. The Local Highway Authority will require the developer/landowner to provide a surety under the Advance Payment Code (APC) provisions within the Highways Act 1980 (Sections 219 to 225), to ensure the proper implementation of new private highway which may be offered for adoption to the LHA at a later date, either by way of a Section 38 Agreement, or at the request of the frontagers. Further information in this respect may be obtained by contacting Swindon Borough Council's Transport Development Management

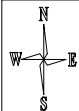
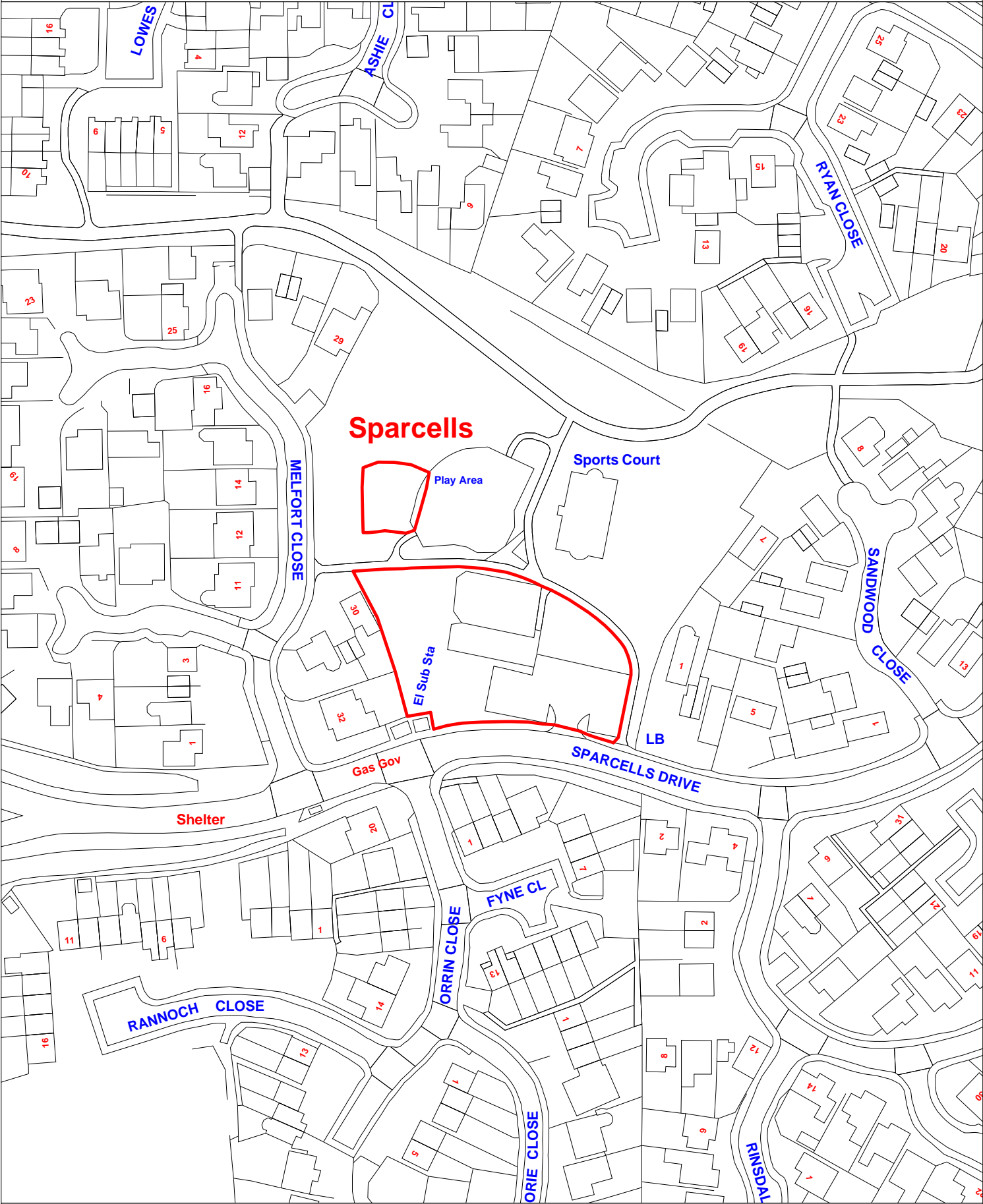
team. TransportDevelopment@Swindon.gov.uk

6. 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/m². 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.

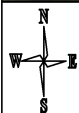
https://www.swindon.gov.uk/info/20040/road_safety_maintenance_and_repairs/737/find_out_about_road_gritting

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

http://www.swindon.gov.uk/info/20031/roads_parking_and_transport/321/apply_for_street_name_or_number



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



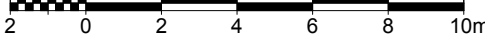
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In all cases references should be made to the submitted plans.

NOTES

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REVISIONS

- 13.09.18 - MPL: Drawing created
C: 26.09.18 - ZL - TB: Additional planting within the open space, to mitigate for the loss of trees. 3 Crataegus Crispum Cloud relocated, to provide a greater break from the play facility. Acer Truncatum Norwegian Sunset used within site. Section lines added. New gate to the play area. Wall and railing setback 1 metre from the path edge adjacent turning head. Extension of red line boundary to include new tree planting. All of the above changes are as discussed and agreed with the LPA and Client (24-09-18)



This Landscape Drawing to be read in conjunction with the Arboricultural Report by Cotswold Tree Surgeons

For Tree and Hedgerow details, see the Planting Schedule, ref : 5551-P-3700

DRAWING TITLE

Proposed Landscape Plan

PROJECT

Sparcells Drive, Swindon

CLIENT

Swindon Housing Development Company Ltd.

SCALE 1:200@A1

DATE Aug. 2018



DRAWING NO. REV

5551-W-12 C

Matthews Warehouse, High Orchard Street
Gloucester Quays, GL2 5QY T: (01452) 424234

KEY
Site Boundary = .3464 hectares

PROPOSED DEVELOPMENT

6no. - 4B7P - 119.6 sqm

HARD LANDSCAPING

New Block Paving
New Paving Slabs
Non-Adoptable road in tarmac
Pavement Repairs and Adjustments

Parking Space
Refuse + recycling storage

Refuse Collection Point, as per Drawing 4408-C-102A

Private access gate to gardens

1800mm Timber Close Boarded Fencing

1500mm Morticed Timber Post and 4No Rails Fencing with galv. fittings

New Crossing

Existing low level wall
New low brick wall with Timber Close Boarded Fencing to 1800mm

New low brick wall with 900mm power coated black hoop top fence

Drop kerb removed, replaced with pavement

1000mm High Powder Black Hoop Top Railing

SOFT LANDSCAPING

Proposed Lawns

Proposed Trees

Existing Trees to be Retained

Proposed Hedge
Carpinus betulus
(Common hornbeam)

Trees to be Felled

Root Protection Areas. See Arb. report for Barrier fencing

Vegetation to be removed

Root barrier 1.5m depth

OTHER

Proposed Attenuation Tank
As per Hydrock Drawing C-7010

RPA Barrier Fence as per Arboricultural



NOTES

T5 - Field Maple (C) : Tree Retained with 20% crown reduction and 10% crown thin.

T10 - Aspen (C) : Tree Retained with 20% crown reduction.

T11 - Aspen (C) : Tree Retained with 20% crown reduction.

T12 - Aspen (C) : Retained Tree. No action.

T13 - Felled Tree.

T16 - London Plane (B) : Retained Tree. No action.

Shrub and tree roots to be removed in accordance with the Arboriculturalist's Method Statement provided by Cotswold Tree Surgeons, see parag. 6.1.7, 6.1.8 and 6.2.5.

Barrier fencing for protection of Retained Trees to be as per Arboriculturalist's report, Section 7.

All Tree works to be undertaken outside of the bird breeding season (breeding season is Mar - Aug).

Refer to Arboricultural report by Cotswold Tree Surgeons for details of all Tree preservation and works.



NOTES

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REVISIONS

05.08.2018 - JV - TB: Drawing Created.

www.quattrodesign.co.uk

PROJECTS

Sparcells Drive, Swindon

SCALE 1:100@A3

CLIENT

Swindon Housing Development Company Ltd.

DATE

DRAWING TITLE

Street Scene

March 2018



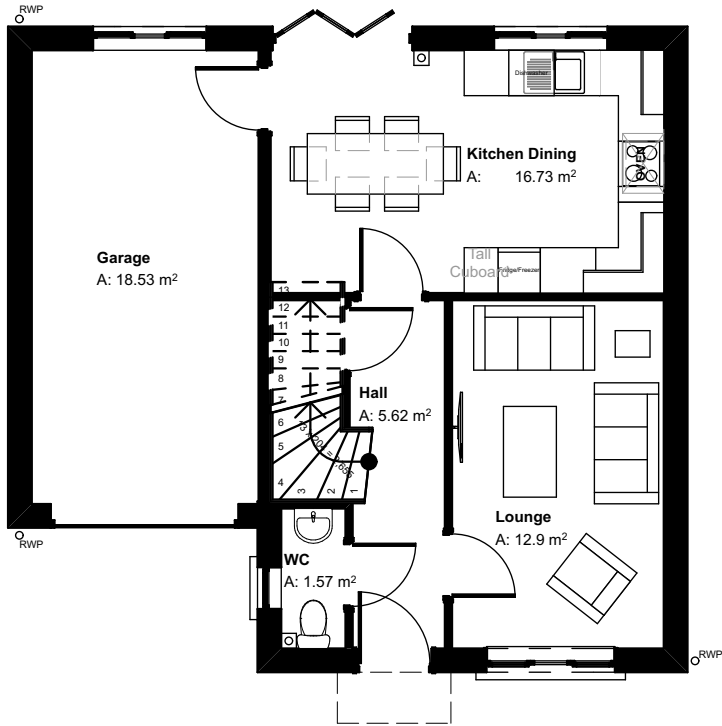
DRAWING NO.

5551-P-72

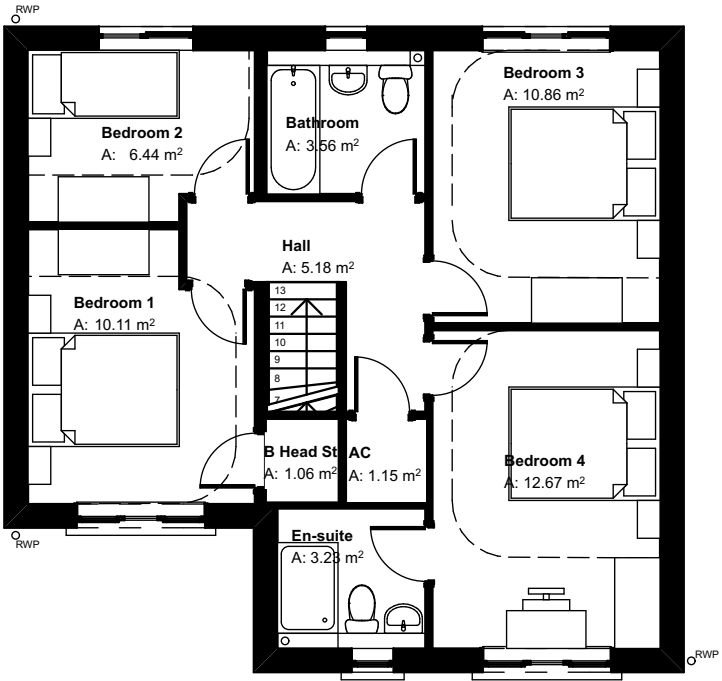
Matthews Warehouse, High Orchard Street
Gloucester Quays, GL2 5QY T: (01452) 424234

REV

-



GROUND FLOOR
Plot 1,2,3,4,5 & 6
4B7P @ 119.6 sqm



FIRST FLOOR
Plot 1,2,3,4,5 & 6
4B7P @ 119.6 sqm



NOTES

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REVISIONS

-: 05.03.2018 - JW - TB: Drawing Created

DRAWING TITLE

Ground and First Floor Plans -
Plots 1-6

PROJECT

Sparcells Drive, Swindon

CLIENT

Swindon Housing Development
Company Ltd.

SCALE 1:100@A3

DATE March 2018



DRAWING NO. REV

5551-P-20 -



COMMITTEE REPORT

Item Number:
Application Number: S/18/1373/SASM

Ward: Penhill And Upper Stratton
Parish:
Stratton St Margaret

Proposal: Erection of 2no. dwellings.

Site Location: 77-78 St Philips Road, Stratton St Margaret, Swindon

Case Officer: Mrs Sarah Smith

Agent:
Mr Gary Llewellyn
50 The Willows
Highworth
Swindon
Wiltshire
SN6 7DH

Applicant
Dean Jefferies Construction Co.

C/o Agent

Officers Report

Background: The application has been called to Planning Committee at the request of the Parish Council who object to the proposal.

Earlier this year in March a planning application (S/18/0086) for two dwellings was refused under delegated powers on the following grounds:-

1. The proposed development is contrary to policies DE1 and HA1 of the Swindon Borough Local Plan 2026 (2015), the Swindon Residential Design Guide Supplementary Planning Document (2016) and the National Planning Policy Framework (2012) as it will represent an overdevelopment of the site. This is by virtue of the inability to maintain a proportionate amount of private amenity space to serve the existing vacant dwellings, the need to accommodate the necessary parking and manoeuvring areas for vehicles within the site, and the poor design of the proposed bungalows rendering it likely that Permitted Development Rights would need to be removed to prevent any future enlargement of the proposed dwellings to avoid an oversaturation of built forms within the plot owing to the limited overall size of the site which could compromise the amenities of neighbours.

2. Contrary to policy DE1 of the Swindon Borough Local Plan 2026 (2015), the Swindon Residential Design Guide Supplementary Planning Document (2016) and the National Planning Policy Framework (2012), the potential re-establishment of the two existing dwellings together with the activities associated with the two new dwellings will have a detrimental impact on the amenities of neighbouring properties by virtue of light pollution,

noise, disturbance and security with particular regard to harmful effects on 34 and 35 Orchard Grove and properties opposite the only point of access, by virtue of the intensified movements and activities associated with four residential dwellings.

This revised application has been submitted in order to try and overcome the reasons for refusal on the previous application.

Summary of Recommendation:

1 That planning permission be GRANTED with Conditions

The Proposal:

2 Planning permission is sought to construct two single storey dwellings to the north west and south eastern ends of the site and to refurbish two small Victorian semi detached dwellings in the centre of the site. The two new single storey bungalows will be of a relatively modest size with two parking spaces. It is proposed to repair and refurbish the existing dwellings as one bedroom dwellings with the current second bedrooms in both properties being converted to bathrooms. One parking space for each of these existing dwellings is shown on the drawings. It is proposed that the access between No. 34 and 35 Orchard Grove will be re-surfaced with permeable block pavements for most of the access with a tarmac 6 metre strip where it joins Orchard Grove.

The Site and Surroundings:

3 The site is located in a narrow backland site between Orchard Grove and Haig Close measuring 94 metres in length. The site is currently accessed via an existing grassed driveway approximately halfway along the site between numbers 34 and 35 Orchard Grove. The existing driveway measures approximately 25 metres in length. The site opens out and adjoins the rear garden boundaries of multiple properties. The site is occupied by a pair of semi-detached two storey brick cottages, located in the middle of the site.

Representations:

4 Stratton St Margaret Parish Council Comments: Objection on the following grounds:- access into the site for construction vehicles, access into the site for numerous residential vehicles, width of access, overdevelopment of the site, health and well being for current residents, privacy, inconsistencies within revised plans.

5 Neighbours:- 11 letters of objection from 10, 11, 12, 31, 32, 34, 35, 39 Orchard Grove, 15, Haig Close, 73 St Philips Road and 491 Ferndale Road. A summary of the reasons for objection are set out below under the following planning themes:-

- i) Access and Parking
 - o Cul-de-sac not suitable for increase in traffic;
 - o Access does not belong to applicant.
 - o Only one vehicle will be able to use the access road at any one time increasing congestion at this access;
 - o Owing to the tight access, visitors will likely park in Orchard Grove impacting on

existing parking and blocking driveways;

- o Question over how emergency vehicles and refuse lorries will access the site.
- o Hazardous access shared with number 35 who utilise the existing dropped kerb;
- o There is a blind corner at the rear of 34 Orchard Grove which will create manoeuvrability difficulties.

ii) Design and Character of the Area

- o The development will be extremely built up;
- o The applicants have stated that the existing access will not be altered but the existing grass will be tarmacked;

iii) Amenity

- o Substantial effect on privacy given proximity of parking areas and accesses to rear gardens;
- o The proposed dwellings will be overlooked by existing houses;
- o How the Private Management Waste company will work is unclear and how long will this be in place?
- o Current fencing on adjacent gardens may be damaged.
- o Increased noise in the alleyway owing to passing vehicles;
- o Increase in light pollution.
- o Loss of privacy to number 35 from passing vehicles and pedestrians which has two windows looking directly over the access, plus vibration and fumes;
- o Potential loss of light and overshadowing to nearby residents;
- o Disturbance by headlights;
- o Once completed the bungalows could add loft conversions/ extensions which will exacerbate overlooking.
- o Loss of security to neighbouring residents

iv) Landscaping and Biodiversity

- o Loss of habitat -harm to foxes, bats and owls and other species as a result of the development and clearance of vegetation already taken place;
- o Damage to tree roots on the boundary;
- o Damage to green infrastructure - transition of wildlife between gardens

v) Other Matters

- o Building works have already started on site as there is evidence of vegetation being removed;
- o Construction traffic will increase the potential for congestion and the blocking of resident's accesses whilst highway safety will be compromised;
- o The tight access will make it very difficult for delivery vehicles to off load materials without blocking the street;
- o Construction works will create an increase in noise levels and pollution caused by dust, engine emissions;
- o Damage to properties each side of the access.
- o There is only a right of access to the two existing properties;

- o Question about responsibility for damaging boundary fences;
- o Will there be any time restrictions on construction?

Planning Considerations:

Planning Policy:

6 Development Plan

- o Swindon Borough Local Plan 2026 (2015)
- o SD1 Sustainable Development Principles
- o SD2 The Sustainable Development Strategy
- o HA1 Mix, Types and Density
- o DE1 High Quality Design
- o TR2 Transport and Development
- o EN4 Biodiversity and Geodiversity
- o EN10 Historic Environment & Heritage Assets

7 Material Planning Considerations

- o Swindon Residential Design Guide Supplementary Planning Document (2016)
- o Buildings of Significant Local Interest Supplementary Planning Guidance (2004)
- o Technical Guidance on Parking Standards Development Control Guidance Note (2007)
- o National Planning Policy Framework (2018)

Principle of Development

8 The site is located within the existing urban area of Stratton St. Margaret. Development at this location within the built up area is considered to accord with the provisions of Policy SD2 of the Local Plan (and the NPPF) which seeks to realise development on suitable sites within the Borough's urban areas. The site is considered to be well placed with good links to the wider Swindon area, in addition to the A419, A420 and the M4. There are bus stops nearby with good regular services and local shops within easy walking or cycling distance at Beechcroft Road. The site can therefore be considered as being located in a highly sustainable position where development in principle can be supported subject to design, highway, amenity and other planning considerations.

Access and Parking

9 It is acknowledged that the existing access is not sufficiently wide enough to accommodate two cars passing each other and the proposal does not propose any improvements to the restricted visibility splay at the northern end of the access where there will be potential conflict for traffic turning left towards the parking spaces of the existing number 78 and proposed 78A owing to the location of the present high boundaries of 34 Orchard Grove.

10 The existing access and driveway already serves two dwellings, albeit their appearance suggests that these have been vacant for considerable time. That said, there is no evidence to suggest in planning terms that the lawful use as two dwellings with access from Orchard Grove has been abandoned or that the access has become

redundant. Officers were able to gain access the site easily via this access way. Highways officers have assessed the access and are of the view that given the background, the existing visibility arrangements onto Orchard Grove are considered acceptable due to Orchard Grove is a cul-de-sac of likely slow moving traffic and most properties all access the highway from private driveways positioned perpendicular to Orchard Grove. Within the proposal site it is considered that vehicles will likely enter the highway in a forward gear by being given the ability to turn within the site. On balance it is not considered that safety will be compromised as the limited visibility until passing in front of numbers 34 and 35 will require drivers to use caution when leaving the site and onto the highway.

11 Concerns have nevertheless been raised by neighbours about the cumulative impact that a total of 6 vehicles (directly relating to the proposed properties) will cause resulting in a hazard to safety particularly at the point where the private lane accesses Orchard Grove and the driveway accesses of the two properties either side. The Highways officer has considered the safety concerns, including the limited width of the access and has concluded that there would not be sufficient reason to object to the proposal on safety grounds. This advice is however based upon the requirement that the lane would be properly surfaced and consolidated and illuminated to make it safe primarily for pedestrians.

12 On the previously refused application the Highways Officer observed that the site by reason of its restricted access, is inaccessible to Council refuse vehicles and noted that the dwellings will be a substantial distance from Orchard Grove. This would have meant that four households would have been required to convey their waste to the kerbside of Orchard Grove in the vicinity of numbers 34 and 35 which may obstruct the movement of vehicles in and out of the site. The revised application has provided additional details on this matter and proposes that the refuse from the development will be collected by a Private Management Company. This can be secured by condition

13 The previous application proposed eight parking spaces to cater for the 4 dwellings (he existing 2 and the two new dwellings). This current application has reduced the existing dwellings to one bedroom each (by converting the second bedrooms to bathrooms). This reduces the overall parking requirement in compliance with the adopted parking standards by two spaces so that now only six parking spaces are required on the site. This quantum is acceptable in terms of provision and has the effect of making the layout less cramped.

14 The development is laid out in a technically acceptable manner that satisfies highway safety, manoeuvrability, turning and parking concerns and as a result it is not considered that this would be a hazard for drivers, cyclists and pedestrians; both residents and visitors, including delivery drivers. Although finely balanced in this respect the amended design of this application is sufficient to overcome the previous objections on highway and access grounds.

Design and Character of the Area

15 The site is located in a backland site which only has access via a narrow lane measuring approximately 3 metres in width. Policy HA1 states that housing development should be design led and in particular, proposals should respect the character of the surrounding area. In addition Policy DE1 of the Local Plan 2026 seeks to ensure all types

of development have due regard for the context, character, layout, form, function and amenity. The Swindon Residential Design Guide also provides some detailed criteria in relation to backland development, to ensure development protects amenity and safeguards separation distances, ensures development is safe and secure, does not prejudice large scale redevelopment proposals, and protects existing accesses to existing dwellings whilst preventing an over-proliferation of separate entrances.

16 The area is characterised by semi-detached properties fronting the street, set on generous plots but there is a looser pattern of built form to the east and north east of the site. The existing site layout is uncharacteristic of the surrounding area owing to its historic status whereby the original two cottages have been enveloped and surrounded by later post war development that seen their access reduced to a narrow grass strip between numbers 34 and 35 Orchard Grove. This has resulted in the site taking a particularly awkward shape with its long length and narrow width. Paragraph 2.33 of the Residential Design Guide states that in general tandem development is likely only to be acceptable where the site is at least 0.4 Ha. The site area is approximately 0.1 Ha, which is a quarter of the size of the recommended site area. It is a unique site that officers could not assess or understand its context without visiting the property.

17 The site is presently underutilised and until recent clearance work was in an unkempt state. Despite the size constraints and a view that the development may lead to an overdevelopment, it is considered that two modest bungalows can be reasonably accommodated within the site together with a proportionate size of curtilage and would make an efficient use of the land whilst making a modest contribution to the Borough's housing supply deficit. Since the new dwellings are single storey in design they would not be visually dominant or overbearing, particularly given the spacing to neighbouring properties. Whilst not falling within the urban grain of Orchard Grove it could be argued that they would reflect the more scattered pattern of development that is laid out to the east and north east of the site, including the two existing cottages.

18 However in order to maintain levels of amenity and ensure that the bungalows remained at a sympathetic and sensitive scale and within a layout that the plots could comfortably accommodate, it is considered reasonable to remove permitted development rights to extend the units at any future date, including removing the right to introduce windows at first floor / within the roof.

19 It is for the above reasons and in acknowledgement of the reduction in the number of bedrooms in the existing dwellings - down from two to one to accommodate upstairs bathrooms - which leads officers to support this revised application. This reduces the requirement for outdoor amenity space and only one parking space is required for each one bedroom dwelling under the Council's adopted parking standards.

Amenity

20 Development proposals should take the opportunity to improve the safety and security of the area by creating a well-lit, well connected and overlooked public realm. The entrance to the site is via a narrow access with little natural surveillance. The narrowness of the entrance will make it difficult for pedestrians to use without coming into conflict with vehicles, although the access is not considered so long as to generate a hazard. The design of the bungalows have been amended to increase the level of surveillance

compared to the refused application.

21 The proposed development comprises single storey dwellings and rear gardens which are proportionate in size to those of Orchard Grove. The proposed new development would be single storey, with the proposed roofs sloping away from these boundaries and therefore it is considered that neighbours privacy is will not be compromised. At the time of the previous application it was considered that the increased intensity of the residential use and more specifically the siting of parking spaces and associated vehicular movements in close proximity to the rear more informal gardens of adjoining properties would be harmful to the amenities of those adjacent residents. Although finely balanced on this issue it is considered that with the reduced scale of the existing dwellings any potential disturbance would be outweighed by the advantages of bringing forward the re – use of a derelict site and the refurbishment of the existing dwellings. It is not considered that such a reason for refusal would be upheld on an appeal were the application to be refused. Subject to conditions the proposal is considered acceptable on amenity grounds.

Landscaping and Biodiversity

22 Although the site was in an overgrown state with a large number of trees, many of these have now been cleared even though they may have contributed towards maintaining the biodiversity of the area within this suburban setting. However, the site is not located within a conservation area and no trees were subject to any preservation orders. Therefore the works of the land owner can only be construed as being part of the maintenance of the site and does not represent commencement of any works. Although neighbours do report that there have been numerous wildlife species that have utilised the site no statutorily protected species have been identified by the Wiltshire and Swindon Biological Records Centre. It is not considered that in granting approval and subject to an appropriate landscaping scheme the development would significantly compromise biodiversity in this location.

Heritage Assets

23 The Conservation Officer recognises that the two existing dwellings warrant consideration as local assets based on their historical association with Upper Stratton prior to its suburbanisation particularly in the latter part of the twentieth century. Local Plan Policy EN10 states that proposes for development affecting heritage assets shall conserve and where appropriate enhance their significance and setting and any harm to the significance of a designated, or in this case non-designated heritage asset must be justified. The scheme proposes that the cottages are to be retained and refurbished which will safeguard them particularly if enabled by the development of the two proposed bungalows.

Other Matters

24 Concerns relating to who had the right of access over the lane are not a material planning consideration as covenants and ownership and legal rights would take precedence over any planning decision. Matters relating to the albeit temporary inconvenience of construction traffic and activity are not directly material planning considerations, however the Local Planning Authority does have scope to request a construction management plan and restrict construction hours by suitable conditions.

Infrastructure Requirements:

25. The Community Infrastructure Levy Charging Schedule was adopted on 26th March 2015. 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.

26. The site is located within Residential Zone 2 as set out in the Council's adopted CIL Charging Schedule 6th April 2015 and the development represents CIL Liable development, and will be chargeable in accord with the schedule at the appropriate rate'

The site size and development (2 new dwellings) is below the threshold for which affordable housing or open space contributions are triggered or can be sought

Concluding Comments:

27 The site in principle would see the restoration of existing and also the delivery of additional dwellings that would make efficient use of this presently unkempt residential land and satisfies highway concerns in respect of road safety and vehicles entering and leaving the site, together with securing the requisite amount of parking.

28 It is acknowledged that the development will be 'tight', however there are no technical highways objections and neighbours outlook, amenity and privacy is maintained. The development secures the refurbishment of two dwellings and for the erection of two additional bungalows. In assessing the planning balance, the concerns of the local community are recognised and understood but the limited adverse impacts identified are considered to be outweighed by the benefits, being mindful that the scheme does provide (limited) additional housing when the Council acknowledges that it has a less than 5 year housing land supply and that this will make a small contribution towards.

29 It is considered on balance that given the above, the application before members has been sufficiently revised to demonstrate that the reasons for refusal on the previous scheme have been sufficiently overcome and is considered to comply with the relevant Policies of the Swindon Borough Local Plan 2026 (2015), the provisions of the NPPF (2018) and is acceptable.

Recommendation

30 That planning permission be GRANTED with Conditions

Conditions/Reasons

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

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

2. This approval shall be in respect of Drawing Number 01 (Location Plan) at scale 1:1250, Drawing Number 100 (Existing Survey) at scale 1:200, Drawing Number 101 (Existing Floor Plans & Elevations) at scale 1:100, Drawing Number 151 (Proposed Floor Plans & Elevations) at scale 1:100, Drawing Number 152 (Proposed Bungalow 1 (3 bed) at scale 1:100 and Drawing Number 153 (Proposed Bungalow 2 (2 bed) at scale 1:100 received by the Local Planning Authority 13th August 2018 and Drawing Number 150 Rev A (Proposed Site Plan) at scale 1:200 received by the Local Planning Authority 1st October 2018 and the Design and Access Statement and Arboricultural report.

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

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

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order works to refurbish and renovate the two existing brick cottages (No's 77 and 78 St Philips Road) into one bedroom units of accommodation shall be carried out in accordance with approved plan 2305/151 (Proposed Floor Plans and Elevations) and thereafter no internal or external works shall take place provide a second bedroom to either property.

Reason: To prevent an over development of the site in an unacceptable manner.

5. The proposed new dwellings within the site shall not be occupied until the proposed access has been surfaced in accordance with the details shown on the approved Site Plan (Drawing Number 150 REV A) and for the avoidance of doubt, shall be constructed in a properly consolidated material (not loose stone or gravel) for a minimum of six metres beyond the highway boundary.

Reason: in the interests of highway safety.

6. The parking spaces shown on the approved plan shall constructed and made available use prior to the occupation of any dwelling and shall thereafter be kept clear of obstruction and retained only for the parking of motor vehicles in connection with the development hereby permitted.

Reason: To ensure that satisfactory provision is made for the parking of vehicles off the highway at all times.

7. 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 size, type and number of vehicles accessing the site,;
- 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.

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

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

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

9. No works for the erection of any new dwelling shall take until details of the proposed slab levels of the new building(s) in relation to the existing and proposed levels of the site and the surrounding land shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be constructed in accordance with the approved slab levels.

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order no windows, roof lights, dormers or roof extensions shall be inserted into any roof or wall above ground floor level other than shown on the approved plans without the express planning permission of the Local Planning Authority.

Reason: In the interests of residential amenity.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order no development comprising the extension or enlargement of any of the dwellings on the site falling within Schedule 2, Part 1 Class A of the Order shall be carried out without express planning permission of the Local Planning Authority.

Reason: To prevent an over development of the site in an unacceptable manner.

12. Prior to the occupation of the dwellings hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. This boundary treatment shall be implemented in accordance with a timetable that has first been submitted to and agreed in writing with the Local Planning Authority, 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.

13. Prior to the commencement of works on site in connection with the development hereby permitted, details of the proposed means of disposal of surface water from the development shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details.

Reason: In order to minimise danger and inconvenience to users of the highway.

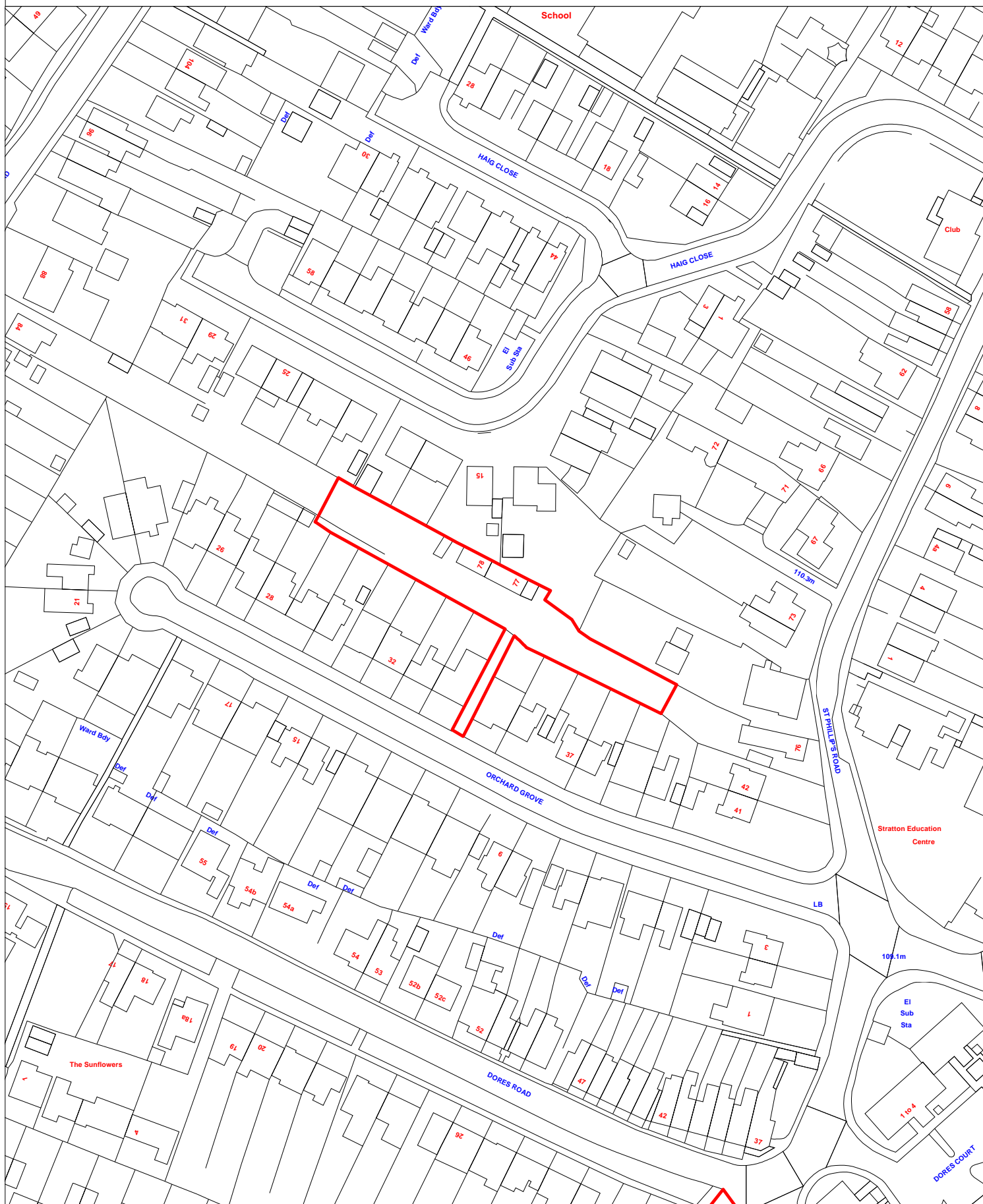
Informatives

1. CIL Liable Development: This development constitutes Community Infrastructure Levy (CIL) liable development. CIL is a mandatory financial charge on development. For more information on CIL visit www.swindon.gov.uk/cil or telephone the SBC CIL Team on 01793 466289 or 466397 or email cil@swindon.gov.uk. To avoid additional financial penalties the requirements of the impact of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Information on possible exemptions that may be capable of being applied for can be found at:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy and <https://www.gov.uk/guidance/community-infrastructure-levy>. CIL remains relevant in the event that planning permission is allowed by Planning Appeal.

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

End of Report



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

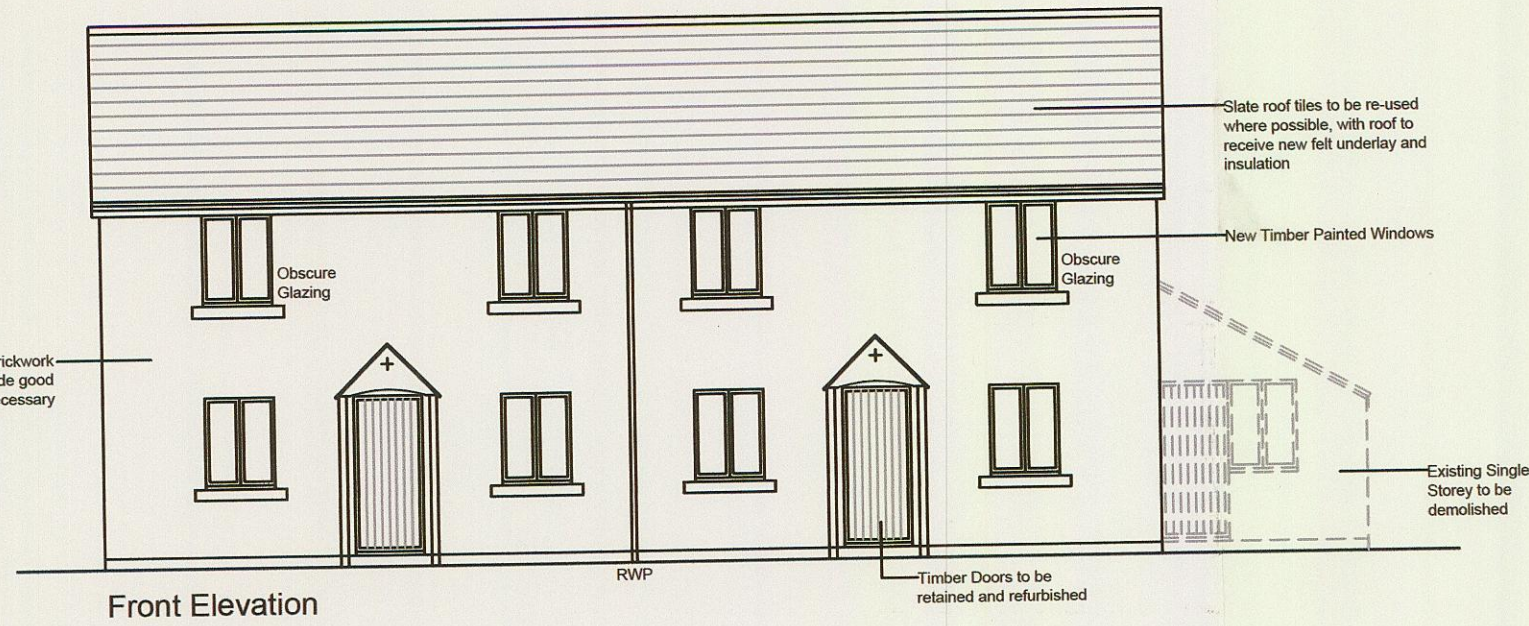
S/18/1373
Erection of 2no. dwellings.

77-78 St Philips Road Stratton St Margaret Swindon SN2 7QP

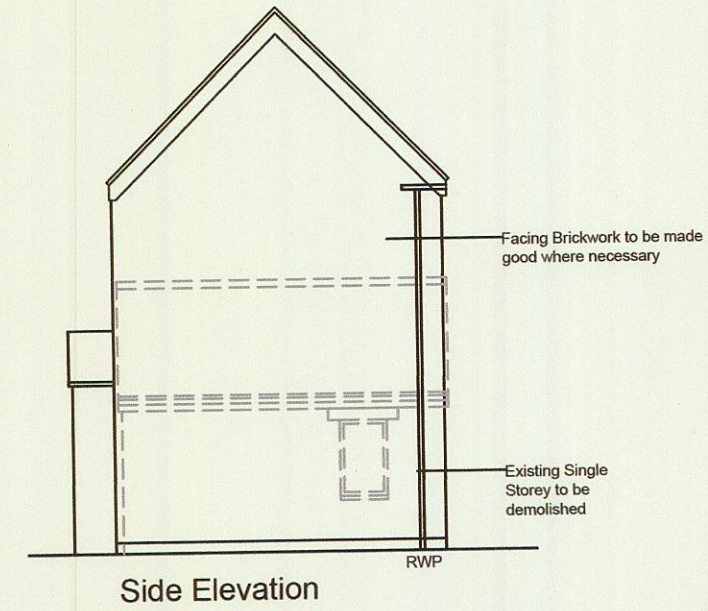


This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.
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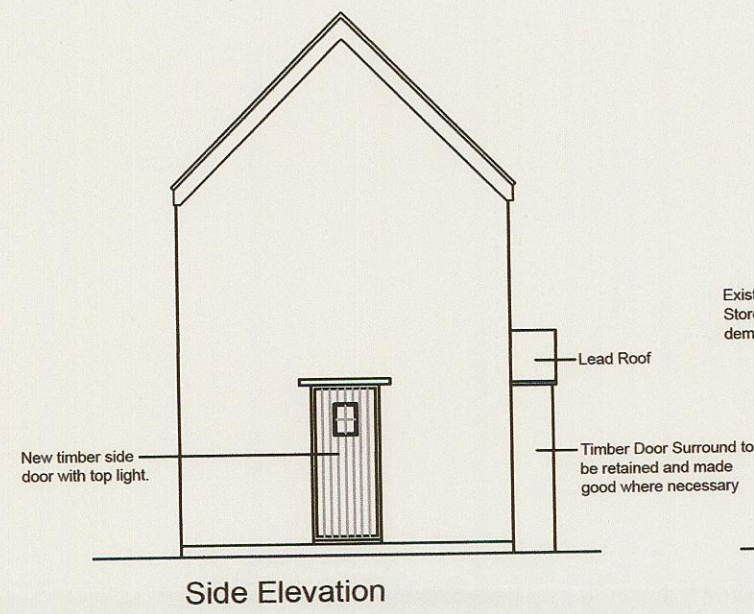
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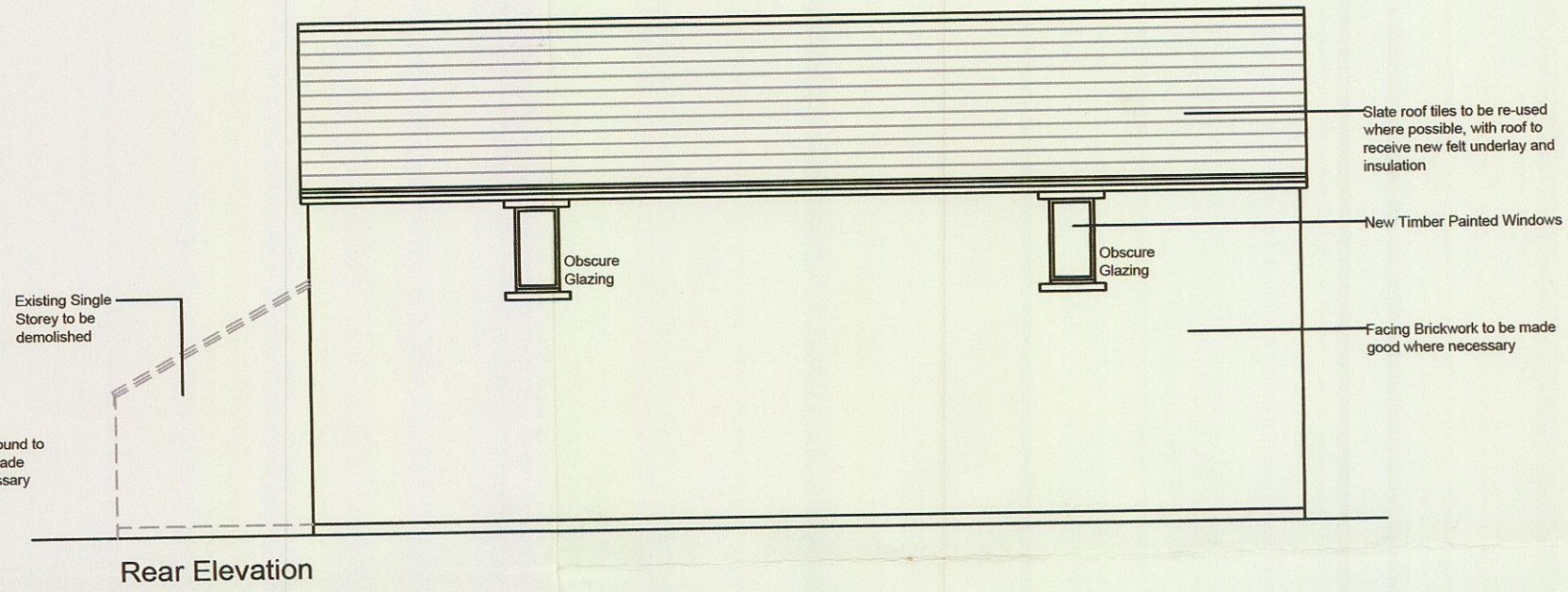
Front Elevation



Side Elevation

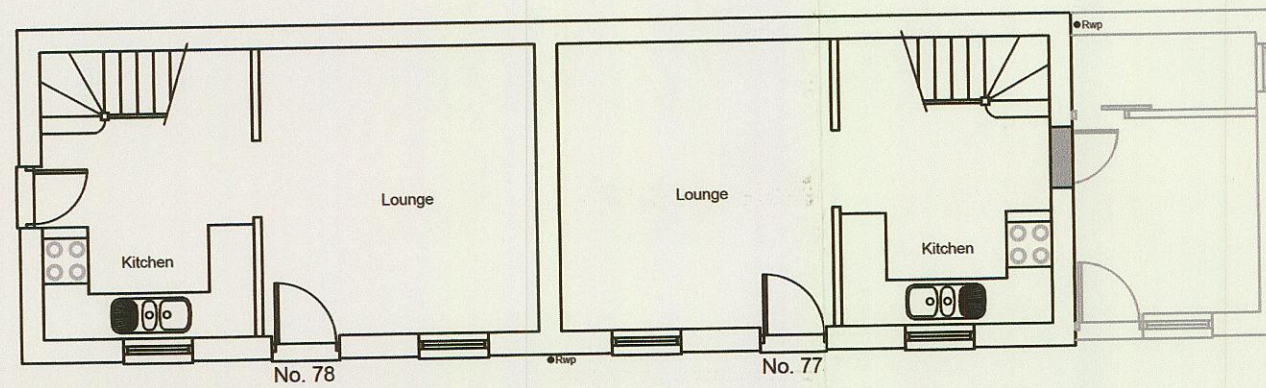


Side Elevation

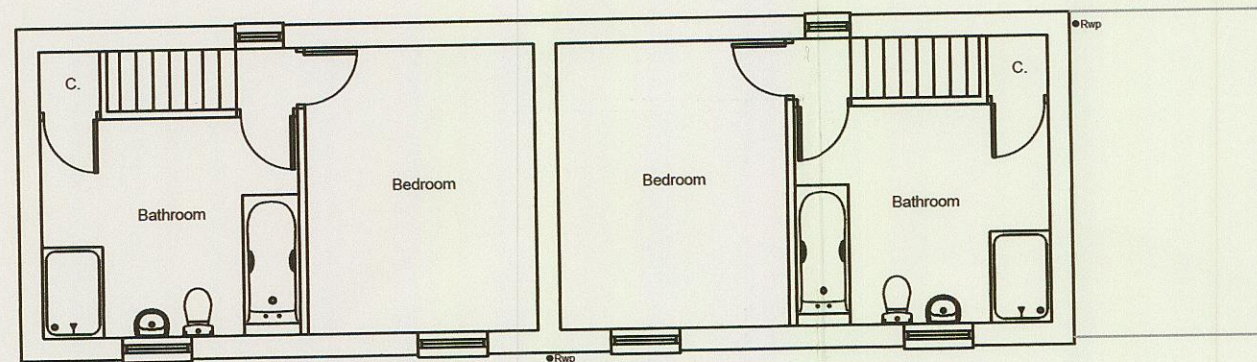


Rear Elevation

Note:
Cottages to be refurbished
and receives new timber
windows, new black
rainwater goods.
Internally to be decorated.
Roof repairs as noted.



Ground Floor Plan



First Floor Plan

SWINDON BOROUGH COUNCIL
13 AUG 2018
51811373
PLANNING DEPARTMENT

SCALE 1:100
0 1m 2m 3m 4m 5m

Rev	Date	Description

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Do not scale drawing for construction purposes
All dimensions to be checked on site

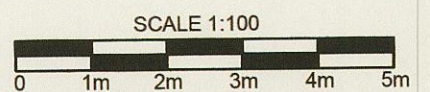
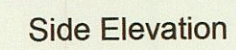
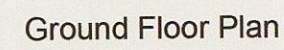
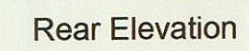
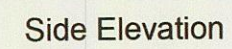
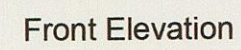
Project Title
**77 & 78 St Phillips Road
Stratton St Margaret
Swindon**

Client
Mr L. Thrush

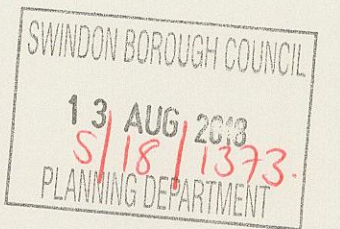
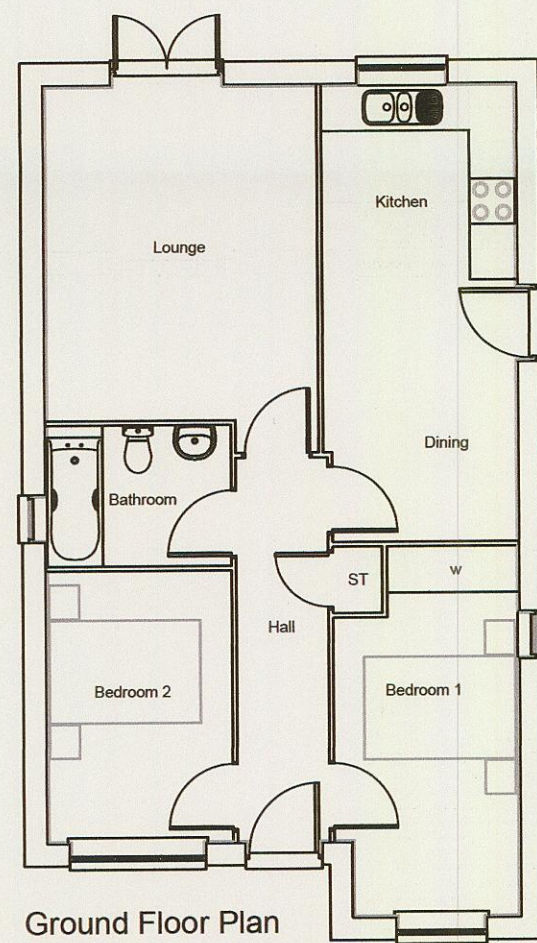
Ian Sullivan Architecture Ltd
101 Victoria Road, Swindon, Wiltshire SN1 3BD.
Tel/Fax 01793 612663 - E-mail: ian.sullivan@btconnect.com

Drawing Title
PROPOSED FLOOR PLANS & ELEVATIONS

Job No 2305	Drawing No 151	Rev -
Scale 1:100 @ A2	Drawn CE	Check ISA
Date June '18		



Ian Sullivan Architecture Ltd			
101 Victoria Road, Swindon, Wiltshire SN1 3BD.			
Tel/Fax 01793 612653 - E-mail- ian.sullivan@btconnect.com			
Drawing Title			
PROPOSED BUNGALOW 1 (3 BED)			
Job No	Drawing No	Rev	
2305	152	-	
Scale	Drawn	Chkd	Date
1 : 100 @ A2	CE	ISA	June '18



<ul style="list-style-type: none"> All drawings are copyright Report all discrepancies to project administrator Do not scale drawings for construction purposes All dimensions to be checked on site 	<h1>Ian Sullivan Architecture Ltd</h1>					
	101 Victoria Road, Swindon, Wiltshire SN1 3BD. Tel/Fax 01793 612663 - E-mail: ian.sullivan@btconnect.com					
	Project Title 77 & 78 St Phillips Road Stratton St Margaret Swindon					
	Drawing Title PROPOSED BUNGALOW 2 (2 BED)					
Client	Job No	Drawing No	Insert	Check	Date	Rev
Mr. L. Thrush	2305	153				-
	Scale					
	1 : 100 @ A2		CE	ISA	June '18	



COMMITTEE REPORT

Item Number:

Application Number: S/18/0719/HC

Ward: Blunsdon And Highworth

Parish:
Blunsdon

Proposal: Demolition of existing workshop and erection of 2 semi-detached dwellings and associated works.

Site Location: Land To Rear of Cobley House, Broad Bush, Blunsdon

Case Officer: Miss Heather Carlisle

Contact Details: 01793 466305

email: hcarlisle@swindon.gov.uk

Agent:

Mr Andrew Pywell
Plan-A Planning And
Development Ltd
Suite D
Swan Yard
9-13 West Market Place
Cirencester
GL7 2NH
United Kingdom

Applicant

Mr & Mrs G. Page

Cobley House
Broad Bush
Blunsdon
Swindon
SN26 7DH

Officers Report

Background:

i The application has been called into Planning Committee by Blunsdon Parish Council as they consider the properties are too close together, it would be an over intensification of plot, it is a greenfield site, outside settlement boundary and close to the area of non-coalescence.

ii Revisions and a change of description to the application have been consulted on during the application process. The application description has altered from 2 detached dwellings to a pair of semi-detached properties.

Summary of Recommendation:

1 That planning permission be **GRANTED**

The Proposal:

2 The proposal seeks full planning permission for the demolition of an existing workshop and the erection of a 2no.semi-detached dwellings within the residential curtilage to the rear of the existing dwelling at Cobley House. The existing dwelling will retain a good sized garden and an additional parking area is being proposed by providing additional hard surfacing.

The Site and Surroundings:

3 The application site is currently on an area of brownfield land occupied mostly by a large commercial workshop and store. The site is accessed from the B4019 via an existing entrance and tarmac drive. The rest of the site is currently laid to grass as well as providing vehicular access to a large paddock which is located to the rear to the south-east. The site currently occupies a semi-rural setting and is adjacent to residential dwellings to the west and east, on a row of ribbon development to the south to the B4019. Land to the south of the site is open countryside.

4 The application site is within easy walking distance of other local services and facilities, the local primary school and has access to bus services serving both Swindon and the surrounding area. The surrounding area (to the south of the B4019) is primarily residential in nature and comprises a variety of detached dwellings of differing ages and styles, which are generally set towards the front of relatively generous plots. However, there is also a significant amount of development on land to the rear of the road frontage, although much of this is not apparent from the streetscene, as the land falls away.

5 It is also located within an area of non-coalescence between Broad Blunsdon and the Kingsdown strategic allocation as shown indicatively on the Policies Map and a public footpath runs along the south western boundary of the site. The workshop is to be demolished and was previously in use as a base for a market garden business. Albeit this use is historic.

Representations:

Neighbours:

Objections/impartial observations from:

Malabar, Broadbush, Blunsdon:

Brockways, Broadbush, Blunsdon

64 Sams Lane, Blunsdon

9 Churchway, Blunsdon

10 Folkestone Road: on behalf of The Ramblers Swindon & North East Wiltshire Group.

Eastlyn, Broad Bush, Blunsdon

6 The comments below have been received and include comments for the revisions to the scheme which amended the drawings to alter the design, siting and design and description of development amended:

7 The new boundary fence would extend beyond the footprint of the existing workshop into the public footpath, significantly reducing the width of the footpath. The current public right of way boundary to the south of proposed development comes up level with the rear wall of the building to be demolished. However the new boundary has been drawn 6-8 feet behind the current effective boundary which would not seem to be correct.

8 Parking spaces located close to septic tank, protection of pipe work. Concerned about construction tracking, queuing, pedestrian safety for Eastlyn, drive capable of withstanding the weight of construction lorries.

Objection from: **Malabar**

The site is Greenfield, not Brownfield

- The existing building is a barn/shed and is a temporary wooden construction.
- The shed is used mainly for agricultural purposes. Historically the land was Market garden use, and barn was a store for associated produce and equipment.
- More recently, the barn and surrounding land has been used for agricultural purposes and tractor housing/parking.
- Whilst the tractor does not seem to have been parked here for the last few months, it still visits fairly frequently to re-fuel on Diesel.
- There is not, nor has been any known commercial use. The parking of some liveried vehicles is a façade, i.e. past 6 months only and are not connected to business commercial activity. The sudden appearance of 2 liveried vehicles seems to be an attempt to imply commercial / business activities.
- It does not seem that there are any properties or premises along Broadbush applying Business Rates. This either suggests that there has not been any Commercial Business use, or the business use is considered agricultural or farming, thus implying exemption from Business Rates.
- For the SN26 postcode there are currently 35 businesses listed under <https://www.tax.service.gov.uk/business-rates-find> . None of these businesses appear to relate to business or commercial activity at Cobley House.
- The Proposed developments extend beyond the Housing Line - The houses extend well beyond the housing line – some of the buildings cited in the plans in red are not houses, but are garden buildings – sheds and outbuildings, and so are not part of the existing housing line.
- Non-Coalescence - The proposed development breaches the area of non-coalescence for Broadbush and Blunsdon. And if they are approved, could well set a precedent for others to develop beyond the housing line and further breach / in-fill the area of non-coalescence.

Pedestrian & Vehicle Access, Roads, and Rights of Way - Close proximity to Eastlyn – Hazardous and safety implications

- Access to the site would be off the main road – B4019 – onto a shared driveway.
 - Whilst wide enough for single lane cars and large vehicles, including tractors, it is not a straight line, with a dog-leg at the gateway, and may pose a challenge for large vehicles when turning, especially those that are long, or have trailers.
 - The driveway, which is a shared driveway, immediately borders another residential property – Eastlyn. The driveway runs immediately alongside the Eastlyn, right passed the kitchen window, and right alongside the kitchen/back door, which opens right up onto the drive, down several steps.
 - There is no gateway, pathway or boundary.
 - Similarly the garden gate opens directly onto this driveway.
- This does not seem particularly safe for increased volumes of traffic generated by increased households with multiple vehicle ownership. And particularly unsafe for lorries, construction traffic etc. Elderly family members and young children are frequent visitors, so this would be particularly hazardous.
- The gateway entrance to the proposed development area is partway down the drive, at an angle, and with the adjoining house (Eastlyn) could potentially pose difficult/awkward access with having little turning room or room to manoeuvre.

- Noxious fumes emitted by multiple vehicles, perhaps often stopping or trying to turn / manoeuvre through the gate or waiting for gateway to be opened or right of way will emit fumes/noxious fumes right into Eastlyn – and into the kitchen area where food is prepared.
- The repeated weight of increased volumes of heavy traffic, including lorries/construction traffic could undermine the foundations/brickwork of adjoining properties, particularly Eastlyn as the shared driveway runs alongside the entire side of the house.
- Both during construction, and even once completed, the proposed dwellings will increase the amount of traffic by at least 4 cars on a regular basis, plus service/delivery vehicles etc. This is only a small single lane width driveway, going right passed the residential dwelling Eastlyn, and there is no room, space that allows for 2-way traffic. Again, not only would this be hazardous, but it would also have the potential to cause traffic blockages onto Broadbush, right on the junction with Sam's Lane. This has already been experienced with current household and service delivery vehicles.
- This is a private, single carriage driveway, and does not already support commercial vehicles as the plans suggest. There are no businesses underway. The only additional vehicles other than family vehicles is tractors early morning and end of the day. These, we are to understand, will continue, even once the dwellings are constructed.

Excessively close to foot path running along South West boundary

- There is also a public footpath that runs alongside the South West of the proposed development/s. The proposed developments are far too close to the footpath, even once built.
- Although it recognised that disturbance during construction cannot be cited as an objection, something that poses a safety risk should be considered – especially if not recognised, or considered, or ignored in the plans submitted
- During construction there is not sufficient room for digging, preparations of foundations, let alone scaffolding. Again, building work so close to a public right of way / footpath is very hazardous and a potential risk to life.

Boundary and Footprint discrepancy

- Even once construction completed, the back wall of both houses and additional external fencing will significantly breach the footpath, though the plans do not state what the distance from rear of house to the fence line would be. It looks impossible to have the back wall and the fence both on the original footprint of the barn.

Conflict in the Block Plans submitted

- Cannot follow line of fencing at Eastlyn under site section 06 and block plan 02 which indicates a dog-leg. If the trajectory of the fence line at EastLyn is followed, the line will continues right into the ditch on the opposite side of the footpath.

Waste Storage and Collection

- Given that the intended use of both semi-detached properties, is for occupation by family members of the Cobley House Household, the current practice of waste disposal by this household of burning household, garden and agricultural machine waste, engine oils, tyres, diesel, creosote and other toxic waste would have to be improved upon / stopped.

Please refer to evidence and examples in the previous set of comments / objections.

Foul Sewage

- Although the comment is that there are no proposals to connect to the existing drainage system, the plans do not state how else.
- Given that many of the households along this part of Broadbush are not connected to mains sewage, there is no indication on the plans of any foul water / sewage management or whereabouts of septic tank siting.
- It is unlikely that the existing septic tank would support 2 more, large 4 bedroomed residential households, and so it is not clear how the additional extra foul sewage would be managed and where it would be stored if additional tank/s are required.

Biodiversity & Geological Conservation

Much wildlife and protected / priority species exist on the site and will be adversely affected and irrevocably disturbed.

This includes

- Hedgehogs use the barn, surrounding area, footpath and hedgerow for forage and hibernation.
- Slow worms also frequent the area. – Photographic evidence has been provided.
- Bats have been observed coming out of the barn and photographic / video evidence has been previously provided. I understand that surveys / “desk surveys” have been carried out that have not revealed any evidence, but nevertheless they are most definitely in the barn area. Please note - it was I who spoke with Mike Dean and I stated that Bats had been seen flying out of the barn, so I am not sure why he wrote in section 2.3 that “Local residents provided responses stating that bats had been observed flying around, and possibly into, the workshop within the site.”
- Many species of Butterflies, many unusual /uncommon species, indigenous as well as migrants.
- Many species of Birds, many unusual /uncommon species – such as Turtle Doves, stock doves, Siskins, Redpolls, as well as lesser seen such as Bull Finches, Green woodpeckers, Nuthatches, spotted flycatchers, Tawny Owls and Barn Owls, Greenfinches - which are in rapid decline so need all the help and preservation possible,
- Also, other wildlife have been observed, such as Foxes, badgers, Deer, partridges, pheasants, weasels/stoats.
- There is a conflict in the protected species plan: The rubble / waste building materials observed and recommended to be removed outside hibernation period (typically any time from October to March/April), but the plan also recommends that the demolition of the workshop and any vegetation clearance works should therefore be timed to take place outside of the main bird nesting season (generally 1st March to 31st August), ie between September and February inclusive. - Basically, only September is a possibility it seems – Is that what is being stated ??

- For Slow worms (Slow-worms are protected under the Wildlife and Countryside Act 1981. It is an offence to kill, harm or injure them sell or trade them in any way) the mitigation suggested in the plan is inadequate. It should also state the need to allow enough time to capture and release the reptiles, and build this into the development plans. (large populations, this can take up to 3 years, capturing between March and September, for small populations, allowing 1 year) is usually enough. (From HM Govts Protected Sites & Species Guidance)
- The suggestion of a reptile hibernation site is too far from the existing site, and certainly would be damaging and obstructing the traversing of slow worms in the footpath vicinity and in Brockways.

Tree and Hedges

- Despite the claim that there are no trees or hedges, there most definitely are a rich variety of mature and established trees and hedgerows which harbour and foster a rich variety of flora and fauna.
- There is a key and significant hedgerow that borders the public foot path to the south west of the proposed dwellings, and any type of development will severely and adversely impact the hedgerow, both during the construction phases, but also once the dwellings are established, will severely deprive the hedgerow of light, sunlight and natural elements – eg wind, rain etc. which will inevitably leading to its demise.
- The image below on the left and running across to the right hand side, shows the main hedgerow that is alongside the footpath and will be compromised by the development :
- Losing the hedgerow will surely lead to the loss of much wildlife - which will be irrecoverable. Man-made structures, bird boxes, re-planting etc. will not be able to replicate nature, and cannot replace established habitats and cannot replenish hard to find wildlife food sources.

Hazardous Substances

- There is a large tank housed alongside the fence bordering the footpath, that is believed to store red diesel for agricultural purposes, and the tractor returns frequently to re-fuel. This tank is very close to the neighbouring garden of Eastlyn, and does not appear to have any safety practices and precautions in place.
- It is also not clear from the plans whether there are any proposals to keep the diesel tank as it is, or make it safe, or dispose of it – and if so how. The tank is sited on the area for proposed development, so would need to be considered.
- It is suspected that there is also contamination from toxic waste products at the corner of the barn, from diesel and various waste oils from servicing of various vehicles, cars and agricultural machinery. (Has been witnessed)

Light pollution

- A significant number of windows 12 + 2 doors , with lighting from inside flooding neighbourhood and gardens.
- There is also the possibility of external security /flood lighting also flooding neighbouring properties, gardens.
- Possibility of destroying habitat to light averse bats. - Night-light pollution means bats go hungry

Significant Loss of Privacy

- The proposed developments will significantly overlook neighbouring properties, particularly Brockways, and privacy will be compromised.
- 12 windows on the rear plus 2 doors on the back.
- This will look directly into the neighbouring properties, some of which have full length bedroom windows/doors.
- Particularly during construction, people/workmen will be able to look straight into our (Malabar's) clear glass bathroom window.

Visual Appraisal

- The site can be seen from multiple directions – as included in the plans, but also from the main Highworth to Swindon road - B4019. For some reason, these were not included in the plans submitted. See photos below.
- The height of both dwellings, particularly proposed dwelling 1 are significantly higher than the existing barn – thus making it more visible both from neighbouring properties, and also from the footpath and from various points on the B4019 running along Broadbush and Sams lane Junction.
- the increased height of 2 buildings along with additional lighting at night will make it very visible
- Can be seen clearly here from the kerbside opposite Eastlyn, and at the roadside by the footpath
- And even more obviously here coming up Sam's lane and on the Junction of Sam's lane :
- Our Privacy from the bathroom window of Malabar will be significantly impacted as can be seen from the following photo.
- Due to limited light as the upstairs is in the roofspace, the window is clear glass. So, any dwellings, particularly upstairs will be able to look into the bathroom. This lack of privacy will be considerably worsened during construction with scaffolders and workman at high levels.

Other Considerations :

- Supply of services – what are the proposals for the supply of services such as gas, and electricity etc ? Will there be any poles, cabling etc, and which poles etc will the supply be expected to come from – that is not clear. There is a "D" pole on the hedge-line to the south west of the proposed development , bordering Brockways, so both the hedge and pole should not be disturbed or damaged in any way.

Measurements -

- There is no indication of dimensions in the plans of the distance of the dwellings from the footpath, or from neighbouring properties. The straight line indicated on the map of the footpath is incorrect. If the houses are build where indicated on the south west side, the footpath would be non-existent and end up in the ditch/hedge line.
- There is also no indication of height of the properties. The proposals are for 2-storey developments with pitched roofs, which are clearly higher than the existing single-storey barn.
- These developments will exceed the existing footprint in terms of height .
- Extending beyond the Housing Line - The houses extend well beyond the housing line – some of the buildings cited in the plans are garden buildings – sheds and outbuildings, and so are not part of the existing housing line.

- Non-Coalescence - The proposed development breaches the area of non-coalescence for Broadbush and Blunsdon. And if they are approved, could well set a precedent for others to develop beyond the housing line and further breach the area of non-coalescence.
- Light Survey - Please can we recommend that a light survey is carried out on Light Survey
- Cons v Pros - Damage to environment and neighbouring properties outweighs the benefits for just 2 dwellings

Revised drawing: Objection from: Malabar

The houses extend well beyond the housing line – some of the buildings cited in the plans in red are not dwellings / houses, but are temporary / garden buildings – sheds and outbuildings, and so are not part of the existing housing line.

Boundary and Footprint discrepancy

- There is no clear outline where any external fencing will be positioned. Given the revised plans, even only shifting 1m north, any perimeter fencing will have to significantly breach the footpath. The plans do not state what the distance from rear of house to the fence line would be, but from the indications on the revised block plans, giving a reasonable distance from the back wall of the houses and a perimeter fence, it seems as though the boundary, including the fence-line would still significantly breach the footpath, although not indicated on the plan.
- Revised plans will mean that where the developments moves North East – they will be even more visible from the main road, and the junction of the B4019 and “Sams Lane” . Also, with the addition of an extra storey, the increased height will make it even more visible from many angles along the roadside, kerb, and footpaths.

Visual Appraisal

- Moving of the development 1m North East will make it even more visible and prominent from the road at B4019, and the footpaths. And even more obviously here coming up Sam’s lane and on the Junction of Sam’s lane

Parish Council: Blunsdon Parish Council: Objection. The properties are too close together, it would be an over intensification of plot, it is a greenfield site, outside settlement boundary and close to the area of non-coalescence. Following the submission of revised drawings, the Parish maintain their objection, however note the revised application does not resolve or mitigate any of these issues, although the PC notes the Footpath is now less compromised.

Ward members: No representation received

Forward Plans: Although the site is outside the settlement boundary, because of the provisions of paragraph 11 of the NPPF (2018), this is not sufficient to raise a policy objection.

Contaminated Land Officer: No objection subject to a suitably worded condition.

Rights of Way Officer: No objection following submission of a revised drawing

Local Highway Officer: No objection in principle to the access

Ecology: No objection subject to appropriately worded conditions

Archaeology: No objection to the proposed development.

Landscape: Objection to two detached dwelling, would not object to a single dwelling. Impact on PROW (Public Right of Way) is important.

Planning Considerations:

10 In accordance with the National Policy Framework (NPPF) 2018 and the Swindon Borough Local Plan 2026, the main issues in this case are as follows:

- a) The principle of development as assessed against the sustainable development strategy in the Swindon Local Plan 2026
- b) The traffic and transport issues associated with development including the Public Right of Way adjacent to the site
- c) Other matters, design/layout the impact upon the character of the area and host property, residential amenity
- d) Other issues raised within the representations received will also be addressed.

Planning Policy:

National Planning Policy Framework (NPPF)

11 The revised National Planning Policy Framework came into force in July 2018. It sets out the Government's planning policies for England and how these are expected to be applied.

12 Of particular relevance are sections: 2 'Achieving sustainable development', 5 'Delivering a sufficient supply of homes', 11 'Making effective use of land', 12 'Achieving well-designed places' and 15 'Conserving and enhancing the natural environment'.

The Swindon Borough Local Plan 2026 (SBLP)

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

- DE1 (*High Quality Design*) seeks high standards of design for all types of development
- HA1 (*Mix, Types and Density*); seeks a variety of densities, house types and sizes within larger developments whilst ensuring that they respect the character of the area;
- 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
- 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)

14 Also of relevance is Swindon Borough Council's adopted Supplementary Planning Guidance Note: Technical Guidance on Parking Standards (2007) and Swindon Residential Design Guide (2016).

15 Blunsdon Parish Council is currently preparing a neighbourhood plan but this has not been submitted to Swindon Borough Council as yet. In view of its relatively early stage of preparation, at present only very limited weight can be given to the Plan.

Principle of Development

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

17 Policy SD2 delineates between the parts of the Borough in which the principle of development would be generally acceptable (within settlements) and those where it generally would not (in the countryside). The policy limits development in the countryside, defined as those areas that are not within a settlement boundary.

18 The proposed development does not fall into any of the categories in which development is permitted in the countryside by the Local Plan and therefore the principle of development is in conflict with the Local Plan. The site falls within the Indicative Non-Coalescence Area between Kingsdown and Broad Blunsdon. Policy NC5 states that *(part f)*:

'the character and identity of Broad Blunsdon, including Broadbush will be protected by a principle of non-coalescence between the settlements. [...] The land between the Kingsdown development and the village shall remain part of the countryside. However, small scale development within this area, as defined on the policies map, will be permitted where it retains or enhances the existing character of the countryside and:

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

19 Whilst the proposed development does not meet the above criteria, the principle of Non-Coalescence seeks to maintain the separate identity of Blunsdon from the Kingsdown development. The proposed development is for two (semi detached) dwellings located within the curtilage of the existing residential dwelling at Cobley House, and it is the view of the Local Planning Authority this would not significantly harm the separate identity of Broad Blunsdon as specified in Policy NC5.

20 At the recent planning inquiry for housing on Land at Hill Cottage, Blunsdon in July and September this year the Council outlined its housing land supply position at 2.7 years. The Council therefore cannot currently demonstrate a five-year supply of deliverable housing land. Paragraph 11 (part d) of the NPPF is therefore of relevance and states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

21 Footnote 7 of paragraph 11 confirms that for applications involving the provision of housing, where the local planning authority cannot demonstrate a five year supply of deliverable housing sites, then policies which are most important for determining the application are out-of-date.

22 Paragraph of 14 of the NPPF does not apply in this instance as a consequence of Blunsdon/Broadbrush not having a neighbourhood plan and that at present the Council are unable to demonstrate a three-year housing land supply.

23 The lack of a demonstrable 5-year housing supply is not in itself a reason for approval and the proposal has to be assessed against the policies within the NPPF taken as a whole.

24 In relation to residential development in the countryside, the NPPF, paragraph 78 states to promote sustainable development in the countryside housing should be located where it will enhance or maintain the vitality of rural communities, for example where there are groups of smaller settlements.

25 The proposed development site is located on the periphery of Blunsdon, to the rear of a row of residential dwellings, and opposite an area of residential development to north of the B4019, therefore the development cannot be considered as isolated. The proposal is located within walking distance of Blunsdon High Street in which there are a number of services and facilities to support the proposal. It also in proximity to a primary school, within a 10 minute walking distance. However, officers acknowledge the proposal is for only two dwellings so it does not contribute significantly, to helping rural communities to thrive or to supporting facilities in rural areas.

26 The accompanying Planning, Design and Access Statement argues that the proposal is on previously developed or brownfield land. A High Court decision in 2016 (Dartford Borough Council v Secretary of State for Communities & Local Government, ref CO/4129/2015) held that only residential gardens within the "built-up area" were exempt from the definition of previously developed land within Annex 2 of the NPPF whereas, residential gardens outside "built up areas" were "brownfield".

Design, Layout and Character:

27 Swindon Local Plan policy DE1 states that high standards of design will be required for all types of development. The adopted Swindon Residential Design Guide (SRDG) also

requires high design standards as well as offered guidance on layout, context and character amongst other factors.

28 Whilst the design approach is an attempt to give an 'agricultural appearance' to the dwellings utilising timber cladding, the development does make an attempt to harmonise with the character of the area which is rural and reducing any urbanising effect. Policy DE1 of the adopted SBLP requires consideration of context and character to be given when considering design. The development is considered to be in context and character and sympathetic to local character therefore in accordance with Policy DE1 of the adopted SBLP and paragraph 127 of the NPPF respectively. Similarly the adopted Swindon Residential Design Guide requires that consideration be given to context and character in assessing the acceptableness of a development as well as requiring its use and form to be respectful. In this case the proposal would respect the context it is located in.

29 The NPPF sets out a number of core planning principles that should underpin both plan making and decision taking. One of the principles states in part, that planning should, "Always seek to secure high quality design". Policy DE1 (High Quality Design) of the Local Plan provides a number of design principles that proposals will be assessed against, including but not limited to, the principle of context and character. Policy DE1 (High Quality Design) strives for high standards of design, outlining the design principles against which proposals will be assessed. These include context and character, layout, form and function, and amenity.

30 Local Plan Policy HA1 (Mix, Types and Density) states housing should be design-led and that densities, house types, and sizes should respect the character of the surrounding area and meet local needs. The proposal is for the erection of 2no. four bedroom semi-detached dwellings, which are considered to be largely in keeping with the size and type of residential development along the row of residential development south of the B4019. The application site is also curtilage to the dwelling at Cobley House.

31 Paragraph 70 of the NPPF states that local authorities should consider the case for setting out policies to resist the inappropriate development of residential gardens, for example where it would cause harm to the local area. Therefore, it needs to be determined whether this development is appropriate, with regard to the neighbouring area. The Residential Design Guide SPD provides guidance on the types of backland development that is acceptable. Within the Residential Design Guide SPD tandem development, (whereby a new dwelling is placed immediately behind an existing dwelling and serve by the same vehicular access) states that such schemes often incur problems with overlooking, loss of amenity, overdevelopment, and impact adversely on the character of the area, and thus are often resisted. However, due to appropriate siting of the proposed dwellings and location of fenestration there are no concerns that the scheme is overbearing on the immediate environment or would create a negative impact on the amenity of the existing property at Cobley House.

32 The proposed dwellings are of traditional, 1.5 storey pitched roof design with brick and timber clad walls under a tiled roof. The scale of the two units is similar to that of the existing workshop building although the ridge has been staggered to help further reduce their overall scale and impact.

33 The application would not cause a detrimental effect upon the amenity of the occupiers of

the host property (Cobley House) or the future occupiers of the new dwellings due to the orientation and separation distances. As highlighted within the Residential Design Guide Supplementary Planning Guidance building plots should normally be of a similar size and shape to those in the immediate area. The design guidance contained within the Supplementary Planning Document Residential Design guide (2016) must also be taken into consideration. The host site is larger than most in the area. It is not considered that the proposed new dwelling would appear unduly dominant or harm the character or appearance of the streetscene in accordance with policy DE1 and the SPG

34 The scale of the new dwellings are considered to be in keeping with the character of the surrounding area in accordance with policy DE1 of the Swindon Local Plan 2026. The properties in within the immediate area are a variety of house types this new development would not be highly visible from street. The majority of the existing properties within the area are good sized houses with large gardens and this proposal would be built in one of these large gardens.

35 The development would retain an acceptable level of spaciousness, and officers do not consider the proposed development would be materially harmful to the character and appearance of the area. In this case it is argued that the proposal is able to comply with the principles of Policy DE1 of the adopted Local Plan as is the requirement of this part of the Design Guide. The plot is deemed to be adequately sized to be able to accommodate the development, whilst removing an existing large workshop. It is acknowledged the proposed size and design of the dwellings do not mirror the neighbouring properties it would not be read within the same streetscene context but as stand-alone unit. Furthermore it is evident that there is a variety of existing building sizes and architectural styles within the vicinity plus the dwelling would not be prominently visible, if at all from any public vantage point (i.e. from the street). In summary the proposed dwelling would not detract from the character of the streetscene or the wider area in compliance with the adopted Residential Design Guide and the NPPF.

Loss / Impact on Landscape / Countryside:

36 In landscape terms the site is outside of the settlement boundary although within the Mid Vale Ridge Landscape Character Area. The adopted SBLP policy EN5 (Landscape Character and Historic Landscape) states that development will only be permitted when the intrinsic character and local distinctiveness of landscape within the Borough are protected, conserved and enhanced. Similarly the NPPF requires the protection of valued landscapes.

37 Landscape Colleagues have cited as the site is outside the Housing Development Boundary there should be an 'in principle' objection. In assessing the landscape impact the fact that the majority of the site is previously developed, in that it contains numerous buildings, areas of hard surfacing is the fact that the majority of the site is not attractive in terms of being made up of old and unsightly outbuildings and areas of hardstanding so looking purely at the likely impacts of the scheme in Landscape terms the fact that there are already buildings in this same general location would lessen the impact. The proposed semi-detached dwellings would occupy the same footprint as the existing workshop building adjacent to the existing footpath and set against the existing boundary vegetation. The proposals design would further reduce their impact when viewed from the wider landscape.

38 Officers also note the site is largely surrounded by developed land (residential either

side) and the land to the north east is allocated for residential development as part of the Kingsdown allocation. Landscape officers had reservations and raised an objection for two dwellings as opposed to a single building and raised the impact on users of the PROW it be important, although they comment that, as buildings already existed in the view this is not considered to be a major issue. The fact the scheme has been amended so now proposing a single structure rather than two units on the same footprint is deemed to be acceptable in this location on a landscape stance. Officers consider that the development will not impact negatively on the Mid Vale Ridge Landscape Character Area or the wider landscape setting of Blunsdon As a result of the above it is not considered that there will be any significant landscape impacts and therefore the proposal is compliant with Policy EN5 of the SBLP and the NPPF in this regard.

39 There are no protected trees on the site and a planning condition has been added to ensure the retained boundary hedgerow along the SW side of the site will be protected during any construction works. It is considered appropriate to attach a landscaping condition to augment the planting on the site for the new dwellings. Plan Policy EN1 states development shall protect and enhance green infrastructure and assets which includes the requirement that development must provide for the protection and integration of visually or ecologically important existing trees, hedges and woodlands. There are no overwhelming policy reasons why this application should be refused on landscape grounds. A condition has been added to ensure the existing hedgerow along the PROW is protected which will continue to act as a visual buffer to the site.

Highway Access, Safety, Parking and PROW

40 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.

41 Neighbours have raised concern regarding lack of garages but off road parking is required and provided and this does not need to be in the form of a garage. The Transport Development Officer recommends no highway objection to the proposal. Your officers are satisfied the existing access appears to be adequate for the increase in residential traffic that is proposed for the new dwellings and the existing uses of the site. The existing parking and turning facilities to the front of Cobley House are suitable and should be retained. The access onto the B4019 is at least 6.2m wide for 9.5m into the site, which is sufficient for two vehicles to pass and prevent vehicles waiting on the classified road. Visibility at the B4019 access is adequate for the nature of the road and the use of the site. Although there may be a potential for conflict between vehicles entering the site and those manoeuvring around the Cobley House parking bays, this area is open in terms of indivisibility so such conflicts would be rare and minor in impact. The vehicular access which currently serves the existing workshop building is retained unaltered, although a new driveway extends as a continuation of it to allow access to the parking and turning area and provide a surfaced access into the paddock which lies beyond.

42 Local Plan Policy TR2 (Transport and Development) applies, particularly with regards to the proposed access and parking and also as a public right of way also runs along the south west boundary of the site. Part d) of Policy TR2 states that development that results in the loss of existing rights of way or their disruption shall only be permitted when adequate, acceptable alternative provision or diversions are arranged. Public Footpath 1 Blunsdon runs along the south west side of the site and the revised drawings have removed potential

obstructions from Public Footpath 1 Blunsdon and the Public Rights of Way officer has removed his objection to the proposal subject to appropriate planning conditions being added.

Biodiversity:

43 The NPPF requires biodiversity to be taken into consideration during the determination of applications. Policy EN4: Biodiversity and Geodiversity of the adopted SBLP is relevant. The planning application is supported by a revised 'protected species survey'. This "Protected Species Survey" addresses the key areas which were raised previously regarding reptiles and bats on the site. Further information was sought to how habitats will be enhanced off-site for slow worms to achieve net biodiversity gain and the additional surveys have confirmed the likely absence of great crested newts within 500m of the site. In regards to bats, data on the location of nearby roosts has been purchased and analysed, which suggests that bats using the site are common species which are not particularly light averse. Appropriate planning conditions have been added to the report to add further protection in regards to managing external lighting to rear of new properties and timings of the demolition of the workshop to protect nesting birds. To protect any reptiles suitable worded planning conditions have been added as the requirements for bird nest boxes. Ecology colleagues have reviewed the additional details submitted and are confident subject to appropriately worded conditions, previous areas of concern have been addressed and as such raises no objection and the development is compliant with policy EN5.

Noise and Residential Amenity:

44 The NPPF sets out a number of core planning principles that should underpin both plan making and decision taking. One of the principles states in part, that planning should, "Always seek to secure...a good standard of amenity for all existing and future occupants of land and buildings". Policy DE1 of the Local Plan requires all proposals to be assessed against a number of design principles, including amenity, DE1 (c), in respect of: light, privacy, outlook, noise, disturbance, smell, pollution and space.

45 The nearest residential properties to the site are Downsview, the host property (Cobley House), Eastlyn, Malabar and Brockways. The location of the proposal ensures there will be no unacceptable loss of light or visual dominance caused. The proposed new fenestration as presented given its siting and outlook would not lead to unacceptable overlooking or loss of privacy, to the immediate properties to the north, south and west of the site. A condition is proposed that precludes the insertion of new windows to prevent unacceptable levels overlooking or loss of privacy.

46 The positioning of windows means there are no unacceptable issues of overlooking. In summary the development is acceptable from a residential amenity point of view in compliance with Policy DE1 of the Swindon Local Plan 2026 and the adopted RDG. In respect to neighbouring properties the separation distance well exceeds the minimum of 22 metres set down within the adopted Residential Design Guide. This standard is based on a rear to rear separation. Whilst the adopted Residential Design Guide does not provide a minimum separation distance between first floor windows of new dwellings and private garden space, the now superseded Backland and Infill SPD suggested 10 metres as a minimum. The proposal far exceeds this. In addition to the proposed dwellings exceeding the suggested minimum distances the existing and existing boundary planting would also

aid in softening the impact of the dwellings and further reducing any opportunity for overlooking. On this basis it is considered that the dwellings will cause no unacceptable impact upon the residential amenity of the neighbouring properties in terms visual dominance, loss of light or loss of privacy.

47 The addition of extra dwellings utilising the existing driveway to the side of Cobley House and Eastlyn would not result in an unacceptable impact being created upon residential amenity of these properties. Also the new dwellings would not lead to an adverse impact in terms of noise or light. In conclusion, the proposed scheme is of a form that would not unacceptably harm the residential amenity of the neighbouring properties and is in line with Policy DE1 of the Local Plan, the SPD and the NPPF.

Other issues: Neighbours concerns not raised elsewhere in report:

47 With regards to the comments raised within the representation section that have not already been covered above the following is noted:

48 Concerns have been raised regarding the proposed parking spaces located close to an existing septic tank and protection of pipe work. Connection to the septic and the sewage network is covered by Building regulations. Concerns about construction tracking, queuing of lorries, drive capable of withstanding the weight of construction lorries will be addressed as part of a suitably worded condition to manage the construction process. Any damage caused to third party property would be a civil and private matter between the parties. Whilst the driveway access will immediately pass by the side door Eastlyn, this does not form a public highway. This side door is already present and in use and currently opens onto an existing driveway and would already have permission to open onto the access way. With the nominal number of vehicles, which can already pass this door it is not considered that this poses any risk to safety in amenity terms that would conflict with policy DE1. The width of the drive and access onto the road, whilst questioned by neighbours is considered acceptable.

Waste, refuse and sewage links

49 The bin collection area and collection distance has not been detailed on the proposed plans but can be secured via a suitably worded planning condition which has been added at the end of the report. Officers on balance, do not consider highways safety to be a serious issue, however acknowledge consideration must be given to highway safety in accordance with policies DE1 and TR2 of the Local Plan.

50 Matters regarding water supply, sewerage and drainage will be regulated by Thames Water and as statutory authorities for those aspects. The development may result in additional pressure or demand being placed on the existing sewage and water supplies in the area. In order to comply with the appropriate legislation, the developers will be obliged to recognise such demands and make the necessary provisions in conjunction with Thames Water as supplier that meet the demands of the new development without compromising the statutory service being offered to existing residents.

CIL/Infrastructure Requirements:

51 The Community Infrastructure Levy Regulations 2010 (as amended) 'CIL Regs' came into force on 6th April 2010. 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.

In addition to meeting the CIL Regulation 122 tests it is necessary to consider the CIL Regulation 123 pooling restriction, that restricts the Council from entering into no more than 5 obligations to deliver a type of infrastructure or specific project (counting that quantity starting on 6th April 2010). Compliance with Regulation 122 is therefore material to any contributions that will inform a decision to grant planning permission.

52 The Council is a Community Infrastructure Levy (CIL) Charging Authority. At the point of writing this report the adopted CIL Charging Schedule is that dated 6th April 2015. The proposed development for residential is located within CIL Residential Charging Zone 2 of this schedule. The development constitutes CIL Liab development chargeable at the relevant rate within the relevant Charging Schedule in place at the time of calculation, that rate which is subject to indexation annually. The CIL chargeable amount is calculated at the point in time that planning permission first permits development for CIL purposes.

53 This section considers the potential wider infrastructure implications. The overarching infrastructure policy framework is set out through Policy IN1 of the adopted Local Plan.

54 Policy EN3 of the adopted SBLP details a requirement to provide contributions towards off-site open space. The number of dwellings proposed falls below the threshold of 10 (as set out in the Planning Practice Guidance) and does not exceed the maximum combined gross floorspace of 1,000 square metres (gross internal area) threshold. As a consequence there is no justification for seeking contributions towards off-site open space in principle in this circumstance. Likewise, no highway related contributions have been deemed applicable.

Affordable Housing:

55 In accordance with Policy HA2 of the SBLP affordable housing will be sought on all suitable sites proposed for development that comprise 15 or more dwellings or sites of 0.5 hectares or more. Affordable housing is not required to be provided on this site.

Consultee Comments:

56 With regard to the comments raised within the representations section that have not already been covered above the following is noted. In regards to the supply of services for gas, electricity and sewers this is not covered within the planning process.

Contaminated Land:

57 During a site visit, a diesel fuel tank on site has been identified. The tank is 'unbunded' and the site is located over limestone and thus vulnerable groundwater, so a contaminated land condition has been recommended and added at the end of this report.

Archaeology:

58 The Council's consultant archaeological advisor (the Wiltshire Country Archaeologist) has raised no objection to the proposal.

Concluding Comments:

59 In conclusion to the above, there are no specific policies within the NPPF which have been identified which indicate this development should be restricted. As such it is then

purely a matter of a balancing exercise in relation to the first limb of the second bullet point of the decision-taking part of paragraph 11 of the NPPF as to whether any adverse impacts of the development would significantly and demonstrably outweigh the benefits.

60 In this regard an assessment of the impact of the development has been undertaken above which has concluded that whilst contrary to policy SD2 of the SBLP, the proposal will not result in any adverse impacts in terms of any harm to: highway conditions, residential amenity, landscape, PROW or biodiversity. Furthermore the design and layout of the proposal has been determined to be acceptable and that there will be no harm to the character of the area.

61 The benefits of the development in terms of the social dimension of sustainable development have been identified to be the provision of 2 new houses. In terms of the economic dimension the development would contribute towards economic growth during the construction phase, albeit that this would not be significant. Also, again not significant but the additional population created would also be likely to assist the local economy in terms of utilising local shops and services. With regard to the environmental dimension, due to the site's location and accessibility by alternative modes of transport the development would also be likely to reduce reliance on use of the private car as Blunsdon has relatively good public transport links and the village does have a range of services including a village shop, public house and church.

62 In addition, considerations that weigh in favour of the proposal and suggest why this recommendation is an exception to the general policy position include the location is on the edge of the settlement boundary and the development is not excessive in scale.

63 In conclusion to the above no specific policies within the NPPF have been identified which indicate development should be restricted. As such it is then purely a matter of a balancing exercise in relation to the first limb of the second bullet point of the decision-taking part of paragraph 11 of the NPPF as to whether any adverse impacts of the development would significantly and demonstrably outweigh the benefits. Officers have concluded on balance that they would not, and have therefore recommended that permission be granted.

Recommendation

That planning permission be GRANTED.

Conditions

1. Time limit

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

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

2. Drawings

This approval shall be in respect of drawing numbers and information submitted:

Protected Species Survey (MD Ecology)

Planning, design and access statement

Annexe 1 Visual appraisal

18/06:01 A Location and Block Plans dated 19th September 2018

18/06:02 A Block Plan – Proposed dated 19th September 2018

18/06:03 Proposed Ground Floor Plan dated 24th July 2018

18/06:04 Proposed First Floor Plan dated 24th July 2018

18/06:05 Proposed Elevations dated 24th July 2018

18/06:06 Site Section dated 24th July 2018

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

3. Materials

No works above ground level shall take place regarding the erection of the dwellings hereby permitted 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.

4. Landscaping

No works above ground level shall take place regarding the development hereby permitted, a scheme of landscaping to include a planting schedule and time table of works, shall have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the positions, species and crown spread of all existing trees and hedgerows on the land, detailing those to be retained, together with measures for their protection during development. The approved scheme shall be implemented as per the approved timetable. Any tree or shrub planted in accordance with the scheme which is removed, dies or becomes diseased within a period of five years from first being planted, shall be replaced by one of a similar size and the same species.

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

5. Boundary Treatments

The dwellings shall not be occupied until details indicating the positions, design, materials and type of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. This boundary treatment shall be implemented before the dwelling is occupied and shall be retained in the approved form for so long as the development hereby permitted remains on the site.

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

6. Slab Levels

The dwellings shall be constructed in accord with slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land that have first been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be constructed in accordance with the approved slab levels.

Reason: To ensure existing privacy is maintained

7. No additional windows, doors or roof lights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no roof lights, doors or windows other than those hereby approved shall be formed in the new dwellings.

Reason: To maintain the appearance of the building in the interests of residential amenity.

8. Parking and Turning

The dwellings hereby permitted shall not be occupied until the vehicular access, parking and turning facilities have been provided in accordance with the submitted plan [drawing no. 18/06:02 Rev a as submitted in September 2018], and those facilities shall be maintained available for those purposes thereafter.

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

9 Contaminated Land Condition

No development (including demolition) shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be made available to the Local Planning Authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before the properties are occupied.

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

Reason: To ensure contaminated land is adequately addressed

10 Construction Management plan

No development including the demolition of the workshop shall take place 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 and protect trees during the site preparation and construction phase(s) of development

11 External Lighting

No external lighting to be located on the rear of new properties.

Reason: To safeguard protected species and protect amenity for neighbouring properties

12 Demolition

Demolition of workshop to take place between 1 September and 28 February and not outside this period. To protect nesting birds.

Reason: To safeguard protected species

13 Bird Boxes

Prior to the occupation of the dwellings hereby permitted details of the incorporation of bird nest boxes suitable for sparrows to be built into each house shall be submitted to and approved in writing by the Local Planning Authority. These boxes shall be installed as per the agreed details prior to the occupation of the dwellings.

Reason: In the interests of the ecological enhancement of the site

14 Removal of rubble

Removal of existing pile of earth, rubble and building materials should be removed carefully and during the period 1 April to 30 September (i.e. avoiding the period when reptiles may be hibernating) and with a suitably experienced ecologist present to oversee the works; any animals encountered during this process should be released into a suitable area of retained habitat within the ownership of the applicant.

Reason: To safeguard protected species.

15 Reptile Hibernation site

A new reptile hibernation site to be constructed on land owned by the applicant and immediately adjacent to the site's south-eastern boundary. To be built in accordance with the indicative design provided at Appendix 3 and to be built at the location shown on Figure 2 of the "Protected Species Survey" (MD Ecology, July 2018, ref C113/R1/v3). If not already agreed, management proposals for the favourable management of the land adjacent to the new hibernacula for reptiles should be submitted to Swindon Borough Council for approval prior to construction starting.

Reason: To safeguard protected species.

16 Boundary hedge protection

The retained boundary hedgerow along the SW side of the site to be protected during construction works in accordance with BS5387:2012. A plan showing the location of the secure fencing to be supplied to and approved by Swindon Borough Council prior to commencement of works.

Reason: To ensure damage does not occur to the hedge during building operations.

17 PROW

Prior to the occupation of the dwellings hereby permitted the public right of way adjacent to the site shall be surfaced in asphalt and illuminated in accordance with details to be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. The applicant being required to enter into an Agreement under section 278 Highways Act 1980 to resurface the section of the public footpath between their site and the B4019 Blunsdon-Highworth Road to the Councils specification

Reason: To promote sustainable travel as a form of transport from the site

18 Parking Spaces

The dwellings hereby permitted shall not be occupied/brought into use until the parking spaces shown on the approved plan have been surfaced, marked out and made available for use. Thereafter the area shall be kept clear of obstruction and shall not be used for any purpose other than the parking of vehicles in connection with the new dwellings.

Reason: To ensure that satisfactory provision is made for vehicles to be parked off the highway at all times.

19 Bin/Waste Storage

Prior to the first occupation of the development hereby permitted, full details of the bin storage area shall have first been submitted to and approved in writing by the Local Planning authority. The approved bin storage details shall be completed and made available for use prior to the first occupation of the development and shall thereafter be retained in its/their approved form for as long as the development remains on site.

Reason: In the interest of amenity.

Informatives

1. CIL Liable Development

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

2. Sprinkler System

In the interests of safety, the applicant is recommended to incorporate fire prevention measures within the development, such as sprinkler systems. Further advice can be obtained from Wiltshire Fire Brigade by visiting www.wfb.org.uk

3. Street Naming and numbering

In addition to this consent, please contact gazetteers@swindon.gov.uk or ring 01793 466378 for information and advice regarding the registration of new or revised property addresses. The naming of streets and addressing of properties within the Borough, is controlled by Swindon Borough Council under the Town Improvement Clauses Act 1847. The Act is used to make sure that any new street names, building names and numbers are allocated logically and that a unique and unambiguous address is provided for every property within the borough.

4. Highway Works

In addition to this consent, the proposed development will require separate Local Highway Authority approval for the construction of works in, or adjacent to, the public the highway. The Applicant is required to obtain this approval before works commence and is therefore recommended to contact Swindon Borough Council's Streetworks Management Department in this respect as soon as possible. The works will be undertaken at the applicant's expense.

5. Public Rights of Way

The grant of planning permission does not permit any changes, alterations, obstructions, diversions, closures or additional use by motor vehicles of any public rights of way affected by the proposal, the developer is required to contact the Council's public rights of way team for permission prior to undertaking any works. Public Rights of Way

6. Public Rights of Way

In addition to this consent, the developer will require Local Highway Authority approval in connection with the Public Right of Way. The Applicant is required to obtain this approval

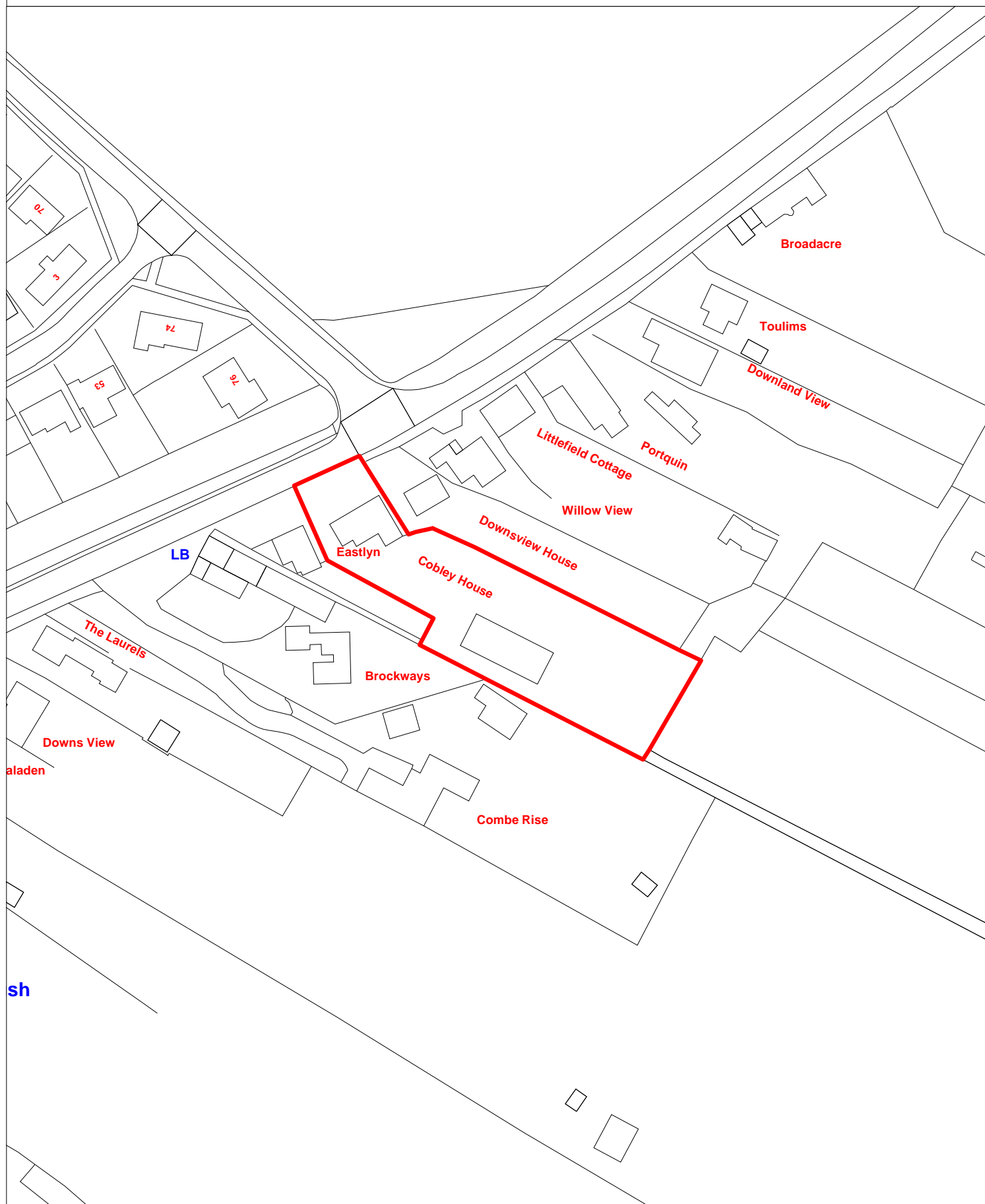
before works commence, and is therefore recommended to contact Swindon Borough Council's Highway Infrastructure Asset Management Department in this respect as soon as possible.

7. Waste Management

Please also advise the applicant that contact with SBCs Waste Management team should be sought in relation to refuse collection arrangements, as the Bin Collection Point is not obviously visible from the public highway, and collections crews may need to be specifically informed of the location.

S/18/0719

Demolition of existing workshop and erection of 2 semi detached dwellings and associated works.
Land To Rear Of Cobley House Broad Bush Blunsdon Swindon SN26 7DH



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

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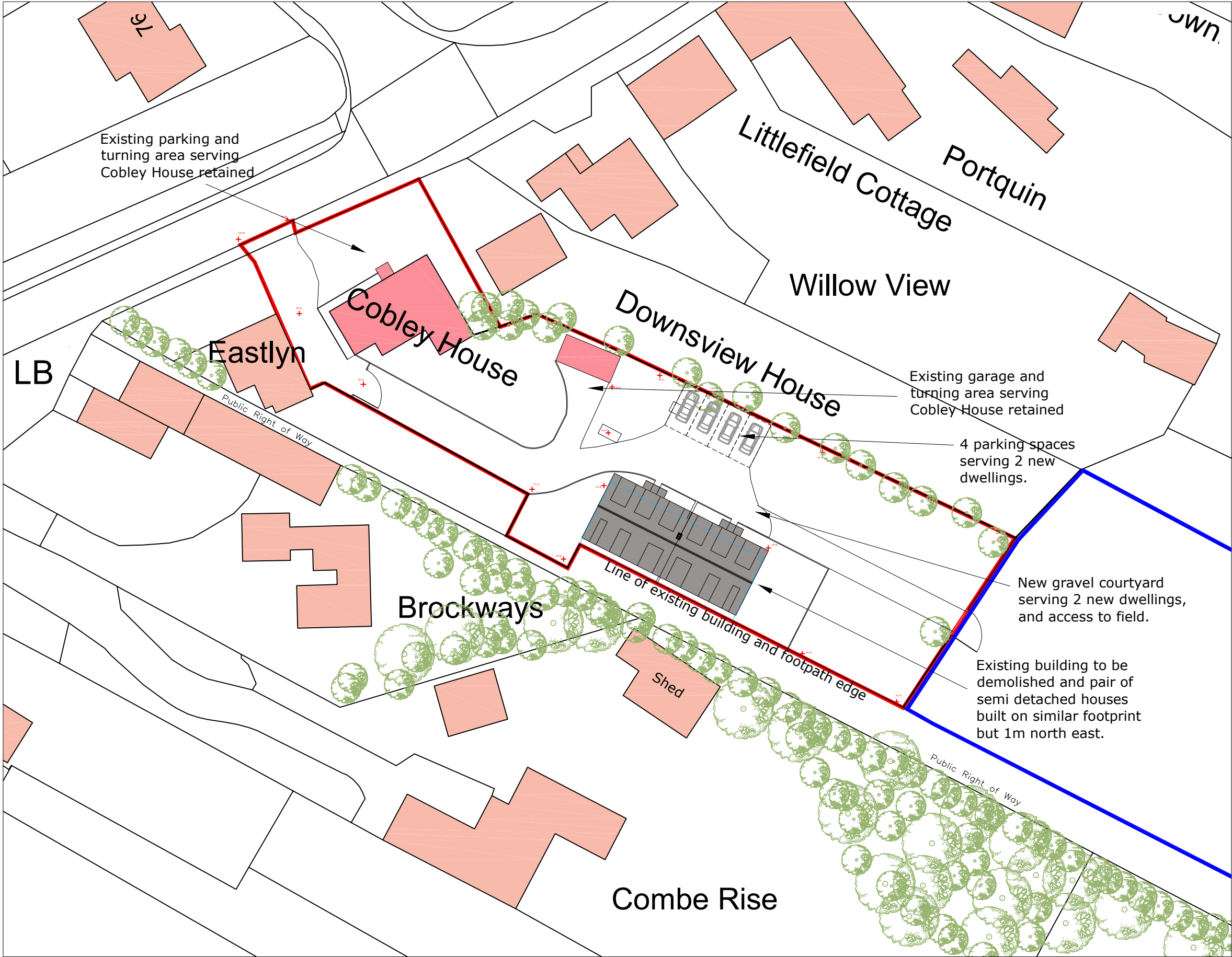
S/18/0719

Demolition of existing workshop and erection of 2 semi detached dwellings and associated works.
Land To Rear Of Cobley House Broad Bush Blunsdon Swindon SN26 7DH



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

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Revisions:

Rev	Date	Description
A	18/09/18	Boundary adjusted to edge of existing building line

ALPHA
PROPERTY SERVICES

Address: Cobley House
Broad Bush, Blunsden
Swindon, SN26 7DH
Project: New Dwellings

Drawing: **Block Plan Proposed**
Scale: **1:500 @ A3**
Date: February 2018

Number: **18/06:02 A**
Bridge House 14 Wharf Road Wroughton Swindon
Wiltshire SN4 9LB Tel: 07771 36 16 40
Email: alpha.ps@btinternet.com

Block Plan 1:500

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Red line denotes Application site boundary
Blue line denotes land in same ownership





Front (NE) Elevation



Side (NW) Elevation



Rear (SW) Elevation



Side (SE) Elevation

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Revisions:		
Rev	Date	Description
A	18/09/18	Brickwork lightened

ALPHA
PROPERTY SERVICES

Address: Cobley House
Broad Bush, Blunsden
Swindon, SN26 7DH

Project: New Dwellings

Drawing: **Proposed Elevations**

Scale: **1:100 @ A3**

Date: February 2018

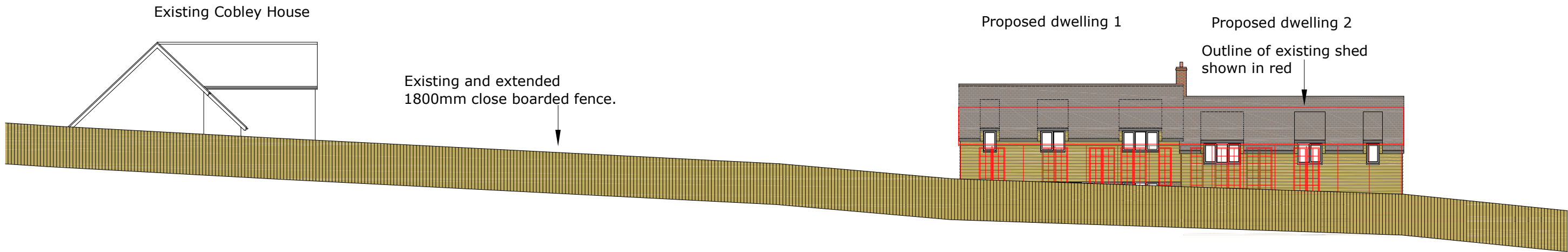
Number: **18/06:05 A**

Bridge House 14 Wharf Road Wroughton Swindon
Wiltshire SN4 9LB Tel: 07771 36 16 40
Email: alpha.ps@btinternet.com



Meters

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Rear (SW) Elevational Site Section
View from public footpath

Page 115

Revisions:

Rev	Date	Description

ALPHA
PROPERTY SERVICES

Address: Cobley House
Broad Bush, Blunsden
Swindon, SN26 7DH
Project: New Dwellings

Drawing: Site Section
Scale: 1:200 @ A3
Date: February 2018

Number: 18/06:06
Bridge House 14 Wharf Road Wroughton Swindon
Wiltshire SN4 9LB Tel: 07771 36 16 40
Email: alpha.ps@btinternet.com





COMMITTEE REPORT

Item Number:
Application Number:
S/RES/18/0027/JABU

Ward: St Andrews
Parish:
St Andrews

Proposal: Reserved matters application (following outline planning permission S/07/1365) for the demolition of existing stadium and construction of a new stadium, racing building, training kennels, new stands, acoustic barrier, car parking and associated development including minor access works to western access and laying out of open space/linear park. (Modification to reserved matters approval reference S/RES/16/0036)

Site Location: Abbey Stadium, Lady Lane, Swindon

Case Officer: Mrs Janet Busby

Agent: N/A

Applicant
George Edwards
Abbey Stadium
Lady Lane
Swindon
SN2 4DN

Officers Report

Background:

1 This application for the approval of reserved matters, relates to revised proposals to re-develop the Abbey Stadium on its existing site; it seeks approval of the access, the appearance, the landscaping, the layout and the scale of the development. The proposals are to modify to the existing track for greyhound and speedway racing, to construct a new stadium building, customer facilities, a new acoustic barrier, car parking and include the laying out of part of the open space/linear park, the equipped play area and multi-use games area (MUGA). The application is before the Planning Committee for determination as it has been referred by Cllr G Sumner Cabinet Member for Strategic Planning and as the Head of Planning, Regulatory Services and Heritage considers that the matters raised by the application should be debated.

Summary of Recommendation:

That the Head of Planning, Regulatory Services and Heritage be authorised to APPROVE the reserved matters, subject to the conditions set out in the report, together with any amended, omitted or additional conditions, upon the completion of a Section 106 agreement to mitigate the impact of the development and to ensure the satisfactory completion of the

stadium development and the other strategic infrastructure, including the open space and play areas and the construction of the necessary drainage infrastructure. In the event that the applicant fails to enter into an agreement or fails to agree to an extension of time for the determination of the application to enable the Council as Local Planning Authority to deal with these matters, then the Head of Planning, Regulatory Services and Heritage be authorised to refuse the approval of reserved matters.

2 It is recommended that the section 106 agreement should include the following matters;

- a) No additional housing is to be developed until the new stadium is operational and substantially complete. (The definition of operational and substantial completion are to be agreed.)
- b) Other extant permissions and approvals previously granted for alternative proposals (the revised outline S/OUT/14/0833 and subsequent reserved matters approval S/RES/16/0036 for the new stadium) will cease to have effect.
- c) A full application for an alternative re-development of the stadium that includes an area of land owned by the Council (S/16/0959) is to be withdrawn.
- d) The outstanding drainage details that are to be agreed by the Council and Lead Local Flood Authority to be constructed and implemented by an agreed long stop date.
- e) The changes to the laying out of the open space/linear park, including the equipped play area and multi-use games area (MUGA) consequent to the revised stadium proposals to be laid out and constructed by the applicant by an agreed long stop date.
- f) Replacement clauses/provisions are agreed to provide a site for the Dorset and Wiltshire Fire and Rescue Service and enacted.

3 At the time of writing the applicant had submitted a draft section 106 agreement in connection with a new timetable for the development; this was based on obtaining planning approval before the end of October 2018 and envisaged works commencing on site in November with completion of the new stadium by June 2019. Although it is anticipated that rapid progress could be made to agree the above Heads of Terms, as the application has been called to Planning Committee for determination at the time of writing, the above matters have not yet been agreed.

Planning history

4 The planning history of the Abbey Stadium is lengthy and complex. The first outline planning permission was granted in 2011 for the demolition of the existing stadium and construction of a new stadium, with youth training facilities, business floor space (16,745sqm) a care home and 450 dwellings with the means of access not reserved.

5 Subsequently, before any applications for reserved matters approval were submitted, a further outline application, made under section 73 of the Town and Country Planning Act 1990 (as amended) (reference S/12/1826) was granted in 2013. Principally this application modified some of the original outline planning permission conditions, to enable the development to be implemented in phases or sub-phases. Both of these permissions were linked to a section 106 agreement for the payment of developer contributions to mitigate the impact of the development and to control the phasing and implementation of the development. A planning condition set the time limit for the submission of applications for the approval of reserved matters before the expiration of 5 years, which was 8th August 2018.

6 In 2014, 2015 and 2016 several applications for reserved matters approval were granted for residential development at the site and for the construction of roads and strategic drainage. Two applications reference S/RES/13/0951 and S/RES/13/1188 were granted for residential development of 66 houses and 120 houses for Persimmon Homes/Charles Church. An application reference S/RES/14/1539 was approved for Barratt Homes for 121 houses together with a later application for 16 houses (reference S/RES/16/1050). A separate reserved matters application was approved for a 73 bed care home (S/RES/13/1656) and this was developed by the Milestones Trust. All these developments are completed and occupied apart from a final few plots on the Barratt Homes development.

7 A third outline planning permission was granted in April 2015, pursuant to application S/OUT/14/0833 to modify the original development for a mixed use development comprising up to 100 dwellings, car parking for stadium events, a fire station, access, landscaping and open space. This permission replaced the former employment element with additional housing and made a new provision for a site for a new fire station for the Dorset and Wiltshire Fire and Rescue Service (DFWFRS). This new permission was subject to a Deed of Variation to link to the existing s106 agreement and included triggers to control the implementation and delivery of the new stadium together with a revised phasing programme for the construction and laying out of the open space.

8 In August 2016 reserved matters approval, reference S/RES/16/0036 was granted for the demolition of the existing stadium and the construction of a new stadium, racing building, training kennels, market, new stands, car parking and associated development on land to the east of the existing site. This development has not been implemented.

9 Later in 2016 a modified proposal for full planning permission was submitted to re-develop the stadium on land located slightly to the east of the above proposals, including an area of land owned by the Borough Council. This application, reference S/16/0959 has not been determined, partly as the sale of the Council owned land did not proceed. The applicant was advised to withdraw this alternative proposal in advance of the current reserved matters application being determined, but at the present time the application remains current.

10 More recently another application for reserved matters approval for an additional 56 dwellings was approved for Persimmon Homes (reference S/RES/16/0357). Reserved matters approval was also granted for the laying out and construction of the open space/linear park. Both of these applications were submitted pursuant to the later 2016 outline planning permission S/OUT/14/0833. The additional 56 dwellings have been constructed, completed and are occupied, but the other reserved matters approval for the open space has not been implemented and this area has not been laid out. Overall 379 dwellings have been permitted at the site and the majority of these are built and occupied.

11 An application for the discharge of planning conditions relating to drainage was approved at the end of 2016, but the works to implement this drainage scheme have not been carried out. In August 2018 just in advance of the expiry date for any further reserved matters applications to be submitted, a final application for the approval of reserved matters for the construction of an additional 127 dwellings on land to the east of the existing stadium was made; this application is pending consideration and determination. A further discharge of condition application for the drainage scheme modified to reflect this application has been

submitted and this is pending consideration.

The Proposal:

12 The proposal is to demolish the existing stadium building and to build a replacement stadium building and to construct speedway and greyhound racing tracks within the current stadium site. The proposals include new racing facilities and kennels located within the ground floor of the new stadium building, together with offices and other ancillary facilities and new customer facilities on the first floor, including hospitality areas. The building design includes an external viewing platform located on the northern side of the new stadium building facing towards the tracks, together with new stands, a speedway pits building and maintenance compound, a new acoustic barrier, car parking, including disabled car parking spaces, space for taxi and bus drop off, motor cycle and cycle parking and associated development.

13 The market hall which was part of the original outline permission no longer forms part of the proposals, as the market use at the site ceased earlier this year. The access for the development is from Lady Lane on the northern side. The new stadium has been designed with an acoustic barrier located around the perimeter of the stadium to attenuate noise from speedway events to an agreed Race Noise Level. The application further includes details of part of the linear park and public open space, including the centrally located equipped areas of play; the location and form of the open space has been modified from that previously approved.

14 The proposals continue to make provision for the transfer to the Council of a site for the Dorset and Wiltshire Fire and Rescue Service (DWFRS), albeit in a modified location and of a different configuration. The transfer of this land is controlled through the existing section 106 planning obligation completed in 2015 and relates to 0.8 hectares. The applicant has confirmed that the site area for the DWFRS is the same as that previously proposed to be provided. The application drawings indicate that this area of land would be used by the stadium operator as a temporary car park until such time as it is required by the DWFRS for a new fire station north.

The Site and Surroundings:

15 This brownfield site is located on the northern edge of the Swindon urban area adjacent to St Andrews Ridge and Abbey Meads, within the former northern town expansion area. Salzgitter Drive is to the south and Lady Lane to the north and these two roads define the external boundaries of the original stadium site. The existing stadium is located towards the north and north-east part of the site and the former Motorola (now the Vygon) premises are to the east. The constructed and occupied new residential development and the care home are to the south and to the west and the St. Andrew's Ridge residential area and local centre, the public house, retail units and a nursery are located to the south of Salzgitter Drive.

16 The Abbey Stadium has been in continuous operation for more than 60+ years as a recreation and leisure site; it is home to the Swindon Robins speedway team and greyhound racing and other events.

17 For completeness full details of the applications, including those for the approval of reserved matters previously determined are listed below.

- a) S/RES/13/0344 for the construction of roads and strategic drainage (part of the site) pursuant to outline permission S/12/1826 was granted in April 2014 and this approval has been implemented.
- b) S/RES/13/0951 for the erection of 66 dwellings (Persimmon/Charles Church) pursuant to outline permission S/12/1826 was granted in December 2013 and this approval has been implemented and all the dwellings are occupied.
- c) S/RES/13/1188 for the erection of 120 dwellings (Persimmon) pursuant to outline permission S/12/1826 was granted in July 2014 and this approval has been implemented and all the dwellings are occupied.
- d) S/RES/13/1539 for the erection of 121 dwellings (Barrett Homes) pursuant to outline permission S/12/1825 and has been implemented and the majority of the dwellings have been implemented.
- e) S/RES/13/1656 for the erection of a 73 bed care home (Castle Oak) pursuant outline permission S/12/1826 was granted in July 2014 and this reserved matters approval has been implemented and the care home constructed and is operational.
- f) S/OUT/14/0833 new outline planning permission for a mixed use development of up to 100 dwellings, car parking in association with stadium events, a fire station and associated facilities including landscaping/open space was granted in April 2015 subject to a new section 106 agreement. This new outline permission replaced the business/employment development with additional housing and included a site for a new fire station for the Wiltshire Fire and Rescue Service. This section 106 agreement included provisions for the delivery of the new stadium and other strategic elements, including the open space/linear park and young person's training facility; the main provisions of the 2015 agreement are summarised below.
 - i) To transfer to the Council a site for the (former) Wiltshire Fire and Rescue Service (WFRS) a site for a new fire station;
 - ii) To vacate the "fire station site" once transferred to the Council; the site may be used temporarily by the stadium as car parking until it is required by the WFRS.
 - iii) Alternative provisions should the Council not serve notice within 5 years on the owners for the fire station site to be transferred;
 - iv) Not to submit further reserved matters applications unless and until the owners submit a reserved matters application for the new stadium. (This clause was complied with by the submission of this reserved matters application.
 - v) Not to occupy any additional residential units (granted pursuant to the new outline S/OUT/14/0833) unless and until practical completion of the new stadium. (This clause has not been complied with).

vi) The owners to use their "reasonable endeavours" to ensure and procure practical completion of the stadium by a "long-stop date" defined in the agreement as April 2017. (This clause has not been complied with.)

vii) The delivery of the open space and associated management plan. (This clause has not been complied with.)

g) Application reference S/RES/16/0272 for the development of open space/linear park; this reserved matters approval was granted on 26th August 2016, but has not been implemented.

h) Application reference S/RES/16/0357 for the development of 56 houses (Persimmon Homes); this reserved matters approval was granted in 26th August 2016 and has been implemented and these dwellings are occupied.

i) Application reference S/RES/16/1060 for the development of 16 dwellings (Barratt Homes); this reserved matters approval was granted on 9th September 2016 and is being implemented.

j) Application reference S/RES/16/0036 for the demolition of existing stadium and construction of a new stadium, racing building, training kennels, market, new stands, car parking and associated development; this reserved matters approval was granted on 26th August 2016. This approval has not been implemented.

18 Various applications to discharge of planning conditions relating to the original and subsequent outline planning permissions and the reserved matters approvals have been approved. Two applications to discharge surface water drainage conditions, reference S/COND/16/0270 and S/COND/16/0271 were discharged on 19th December 2017. The works to construct the permitted drainage scheme and the construction and laying out of the open space have not been implemented.

Representations:

19 St Andrews Parish Council; no objections.

20 Highways England - no objection

21 Dorset and Wiltshire Fire and Rescue Service (DWFRS);

i) Recommend a planning condition in relation to fire safety recommendations, including recommending commercial sprinkler protection.

ii) The application has not assessed future access and egress for emergency vehicles and requests an assurance from the Council as local highway authority that an additional access junction for 24 hour emergency response vehicles would be feasible. The DWFRS also refer to the need to ensure that the highway verge and any pedestrian path that is construction along the frontage would be able to report accommodate the weight of larger goods vehicles (20 tonnes).

iii) The DWFRS have commented in relation to the proposed change to the site for a new fire station, noting that the shape of the site has changed from a more desirable quadrilateral profile to a "restrictive narrower boundary" which the DWFRS state would impact on the movement of operational vehicles, the ability to conduct community safety

activities, the provision of a training environment and the capacity to facilitate future operational requirements. No further comments have been received from the DWFRS.

23 Transport Development Management Officer; no objection, subject to conditions.

24 Urban Design Officer; no comments.

25 Landscape Officer; the following concerns have been raised.

- i) The acoustic barrier will appear stark, substantial and potentially unattractive, however it is sited internally near to the stadium building and there will be planting to screen the east and west sides. Additional tree planting should be carried out on the north side of the car park.
- ii) The revised landscape and open space layout has affected the quality of the open space, particularly the extent of flat open usable areas.
- iii) The Neighbourhood Area of Equipped Play (NEAP) is the same as proposed previously and is unaffected by the changes.
- iv) The location of paths within the open space should be carefully considered if the area adjacent is developed for housing.
- v) Further details are required of the hard landscape details, boundary treatment, lighting and seating proposed.

26 Environmental Health Officer; no objection to the acoustic mitigation measures, subject to conditions.

Neighbours and Third party representations

27 A letter was received from Solicitors acting for Barratt Homes in February 2018, who have developed an area of land adjacent to the site for residential development. In summary the letter expresses concern about the proposed siting of the stadium and that it will have a detrimental effect on local residents who have recently purchased properties and future occupiers. The letter further queries the status of the application and its scope as a reserved matters application and to the change to the layout and the mix of uses. Further Barratt Homes expressed concern regarding the noise attenuation measures proposed. Barratt Homes did not make any further comments in response to the additional technical noise attenuation details that were submitted by the applicant in March 2018 and no further comments have been received.

Planning Considerations:

Policy:

28 The Swindon Borough Local Plan 2026 provides the strategy to deliver sustainable development and economic growth to 2026. In accordance with the development plan policies and the National Planning Policy Framework (NPPF 2018) the main considerations in the determination of this application for reserved matters approval are:

- The principle of the development.
- The layout, scale, external appearance and landscaping of the development.

- Highway safety, the access for vehicles and pedestrians and car parking; and
- The phasing and delivery of infrastructure, including the delay to the provision of open space, the equipped areas of play and the drainage proposals.

The National Planning Policy Framework

29 The NPPF (2018) refers to the presumption in favour of sustainable development and advises that where development accords with an up-to-date development plan, it should be approved without delay.

30 Local Plan policies SD1 (sustainable development principles), SD2 (the sustainable development strategy and SD3 (managing development) are relevant and these policies refer to delivering sustainable development in accordance with a number of key criteria. These include a high quality design, promoting healthy, safe and inclusive communities, accessibility including by walking/ cycling and public transport and the efficient use of land and resources (policy DS1). When considering development proposals the Council will take a positive approach reflecting the presumption in favour of sustainable development (policy SD3). Local Plan policy SD3 states that reserved matters submissions should be guided by an overarching design approach, including management strategies to secure the long term maintenance of infrastructure.

31 Policy DE1 (High Quality Design) refers to four key criteria and that high standards of design are required for all types of development; these criteria are firstly the context and character with respect to existing built characteristics, acknowledged features of importance and existing site conditions; secondly to layout form and function including accessibility, siting, orientation, scale, massing, materials and detailing; thirdly amenity with respect to light, outlook, privacy, noise/disturbance, pollution and lastly the quality of the public realm.

32 Policy TR2 (transport and development) refer to a number of criteria including providing access appropriate to the scale, type and location without detriment to highway safety and local amenity, promoting sustainable travel choices and providing parking including for cars and cycles in accordance with the Council's adopted standards.

33 Policy CM2 "Active, healthy and safe lifestyles" is relevant referring to sporting participation and improving the cultural offer in Swindon.

The principle of the stadium re-development:

34 The re-development of the Abbey Stadium was established through the grant of outline planning permission in 2011, to ensure the continued operation of stadium events, including racing facilities for the Swindon Robins speedway team, for greyhound racing and other events. Therefore the principle of the development is well established and this proposal seeks to re-develop the premises on its current site rather than moving the stadium to a new location on land to the east. There is no objection therefore to the principle of the development.

Layout and design:

35 In terms of the layout and the design, as previously proposed the main stadium building will be located on the southern side of the site and will provide the main entrance for visitors

and spectators. This layout is very similar to the arrangement previously approved for the earlier reserved matters approval in 2017 to re-develop the site to the east. The site layout includes a small ancillary building (WCs and refreshment kiosk) located on the track side, on the northern side. Adjacent to the main stadium building are stands for spectators to either side, together with changing rooms, car parking for competitors, the speedway pits and compound area.

36 The layout for car parking and access is very similar to the arrangement approved previously, including a designated area for bus/coach and taxi drop-off, cycle and motor cycle parking and accessible car parking spaces for the disabled.

37 The previous proposals included a separate building for dog racing, together with race kennels, paddock, speedway pits and racing workshop for speedway and greyhound racing. The race facilities are now located within part of the ground floor of the stadium building with the pits, changing rooms and competitor's car parking located to the east of the stadium building.

38 In terms of the layout and arrangement, the main stadium building has a similar design and appearance to the previous proposals and includes facilities for competitors and racing greyhounds, race veterinary facilities, a meeting room that could be made available to the local community and a garage workshop for the young person's training centre (the Wheels Project).

39 The design and visual appearance for the main building and the ancillary buildings are the same as previously approved and have a contemporary appearance using cladding, with areas of glazing with a grey metal roof. It is considered that the palette of materials, the visual appearance, the scale and the layout of the buildings are appropriate to their functional use whilst providing new facilities within the retained and re-developed site.

Access for All:

40 The buildings have been designed to ensure access for all, including the ancillary facilities and the area designated for disabled car parking is located immediately outside the entrance to the Stadium building. The drawings indicate that flush thresholds are proposed to the buildings for accessibility and the floor plan drawings show that a lift will be installed within the main reception area to provide access to the first floor. The application includes provision for the young person's training facility to take forward the existing "Wheels" project that currently operates from the stadium.

Landscape impact and public open space

41 The application proposes to modify and alter part of the linear park due to the change in location of the stadium and the area and the layout differs from that previously permitted in 2016 (pursuant to reserved matters approval S/RES/16/0272). The linear park is to provide for the open space needs for all the occupiers living within the residential development already completed and occupied on land at the stadium site and this element was a key component of the original Design Brief and original master plan proposals.

42 The open space is been affected by the location of 4 drainage basins and works to partially construct these basins were undertaken in 2015 in advance of the drainage design

being approved. However, the drainage scheme and these basins will require further modification as a result of the changes proposed in this application for the stadium, including to provide the drainage system for the development. The basins are linked together and discharge into a larger drainage basin that was constructed in 2014, located to the south-east adjacent to Salzgitter Drive. The depth, extent and gradient of the 4 basins has affected the amount of the land available as flat usable open space and the safety of users, due to the close proximity of the proposed pedestrian paths which are required to provide access to the development and to link with the surrounding area.

43 Revised details for the attenuation basins located within the open space have been submitted to the Council to discharge the drainage conditions and these revised proposals are being assessed by the Drainage and Landscape Officers. In terms of the impact on the usability of the open space, the Landscape Officer has assessed the modifications to the configuration and layout of the open space proposed in this application. The Landscape Officer has expressed concern that the application drawings do not show the full extent of the basin's footprints, and that basins 1 and 2 will occupy a greater area and land-take within the open space than has been indicated on the detailed drawings and that consequently these basins will adversely affect the usability of the linear park and will compromise its usability as public open space.

44 In response the applicant has indicated that the actual area of land proposed to be provided for open space is similar to that previously approved but has not revised or increased these areas of open space. The Landscape Officer has advised that additional flat land within the "residual/remaining" residential parcel should be made available to supplement the flat areas available for informal recreational use within the linear park as this would compensate for the loss of usable flat areas and the harmful impact on the quantity and quality of open space due to the location of the drainage basins. Proposals for the management and the maintenance of the open space have been submitted as part of this application, but some minor amendments are required before this element of the proposal which is required to be submitted for approval through the original section 106 agreement, can be agreed.

45 However, given the importance to Swindon to deliver the new stadium and ancillary facilities and taking account of the national planning policy in the NPPF (2018) and the delays that have affected overall scheme and the provision of open space for the new residential occupiers, it is considered that although the original design and layout of the linear park has been adversely affected by the drainage basins, in the planning balance this should be considered against the need to deliver some recreational open space, the equipped play area and MUGA to meet the needs of existing occupiers. Whilst Officers will seeking to negotiate some improvement and will seek some additional land to be made available for open space within the residential layout (for the application pending consideration for an additional 127 dwellings) this can only be achieved by agreement with the applicant. Therefore in terms of ensuring that the stadium re-development takes place without further delay and taking account of the exceptional and complicated circumstances that have affected this development, it is considered that the open space element of the proposals could be accepted, provided that the space is laid out and constructed within a reasonably short timescale, that there are no further delays and that this is controlled through a timetable within the new section 106 agreement.

Highways:

46 In terms of the transport and highway safety implication of the development, the Transport Development Management Officer has raised no objection, on the basis of the additional and supplementary details provided that has demonstrated that a safe and suitable means of access will be provided and that appropriate arrangements are in place, in accordance with the section 106 planning obligation for the Travel Plan and transport arrangements for stadium events. The Stadium Events Travel Plan has been updated to reflect the changes that have occurred since it was originally secured as part of the original outline permission and this element will be controlled and delivered through the section 106 agreement.

47 Pedestrian routes through the site have been included to provide safe routes for customers visiting the stadium, including routes to avoid traffic within the car park to reduce the risk of conflict. A pedestrian link to the site from the open space is provided and the application has demonstrated that coaches can be accommodated within a coach parking area to the south of the main entrance. The proposals also include a taxi drop-off point and dedicated car parking for the disabled (13 no. spaces) which is located close to the main entrance.

48 A planning condition (number 33 of the outline permission) restricts the number of parking spaces on site to 290 and the car parking provision accords with the previously approved layout for the re-development of the stadium, on land to the east. The deficit of spaces below the maximum permissible number of car parking spaces (controlled through the outline planning condition) is addressed within the updated Travel Plan. On this basis it is considered that the transport and highway safety elements of the proposal accord with policies DE1 and TR2 of the Swindon Borough Local Plan 2026 and will provide an appropriate means of access to the development including for pedestrians.

Noise attenuation

49 The application includes proposals to attenuate noise. During the speedway season from April to September racing typically starts at 19.30 finishing at 23.00, although racing is generally completed by 21.30. Although bike noise has reduced gradually due to measures to improve the environmental impacts of motor sport, speedway racing is a noisy activity. The previously approved proposals to re-build the stadium on the new site, to the east of the current site and at a different orientation, included similar noise attenuation measures and this design follows the previous proposals incorporating the same noise mitigation measures. These have been assessed by the Council's Environmental Health Officer who has previously monitored noise from speedway events at the site. The impact of noise from motorcycles has been considered in terms of the frequency of the noise, the direction and any variability around the race track. Detailed noise modelling has been carried out to assess the impact of an agreed target racing noise level and the measures to attenuate noise from speedway events includes the construction of a 3.5m high acoustic barrier to surround the race track circuit. The barrier has a visual appearance similar to a high fence, but is provided by a specialist acoustic contractor. The Environmental Health Officer has indicated that the proposed noise mitigation measures and target racing noise level are acceptable to provide an appropriate level of amenity for occupiers of neighbouring residential occupiers, including the new residential occupiers. This assessment is subject to a number of planning conditions, including a condition to requiring future monitoring and reporting to the Council of both noise levels and noise sources.

50 Whilst the acoustic barrier will be screened to some extent by proposed new landscaping, it will have a visual impact, but this impact has to be considered in the context of the mitigation and the overall improvement of the existing noise environment during speedway racing events. Whilst policy DE1 requires a high standard of design, this needs to be considered in the context of the functional need of the development and the existing site conditions, where there is currently no noise attenuation. The proposed noise mitigation measures will result in a reduction in noise disturbance and at or below the agreed target race noise levels across the existing and proposed residential areas. It is considered that the provision of the new noise attenuation barrier will be an important public benefit to ensure that speedway racing can co-exist alongside the new residential occupiers, enabling new facilities for Speedway racing to be provided whilst mitigating the impacts on residential amenity. On this basis it is considered that the proposals are acceptable in terms of noise and the impact on living conditions and accord with policy DE1 of the Swindon Borough Local Plan.

Section 106 agreement

51 The original section 106 agreement and subsequent Deeds of Variation required that part of the open space be laid out before the occupation of 100 dwellings; this included the construction of the equipped areas of play, with the remaining space and facilities, within 6 months of the practical completion of the new stadium. The Deed of Variation agreed in 2014 between the Council, the applicant and other parties with an interest in the land, inserted replacement clauses for the phasing and delivery of the open space that increased the number of houses that could be occupied to 307 dwellings before the open space was laid out; this was agreed to allow additional "enabling" development to come forward and to be carried out before the open space was constructed. However, despite this additional flexibility that was provided for additional residential occupations to take place the open space has not been constructed.

52 In 2015 the new s106 agreement agreed alongside the new 2015 outline planning permission sought to further safeguard the delivery of the new stadium, amongst other planning considerations and included the following requirements;

- a) To submit an application for reserved matters approval for the new stadium before the defined "long stop date" and to use their reasonable endeavours to obtain planning consent for the new stadium on or before the new stadium reserved matters planning application long stop date; this was defined as 12 months after completion of the agreement, namely before April 2016.
- b) That the applicant use "their reasonable endeavours to ensure and/or procure Practical Completion of the New Stadium" on or before the defined stadium construction "long stop date", defined as 18 months after the completion of the agreement in April 2015, namely before October 2017.
- c) Not to occupy any additional residential units constructed on land identified within the agreement (described as the "restricted zone" that is occupied by the existing stadium) until the practical completion of the New Stadium.
- d) To make provision for a site for the Wiltshire Fire and Rescue Service (now the

Dorset and Wiltshire Fire and Rescue Service) for a new fire station north.

53 As described above at paragraph 15 above, although an application for reserved matters approval for the new stadium was approved in August 2016, the works to carry out the development did get underway and the new stadium was not completed in accordance with the agreed "long stop date" of October 2017. The Borough Solicitor formally notified the applicant and other parties with an interest in the land, that the failure to provide the open space and to complete the new stadium was in breach of the s106 agreement.

54 In response the applicant and other parties have referred to delays to the implementation of the approved drainage works and to other delays resulting from the subsequent change to locate the stadium development on the existing site. Therefore in view of the time that has elapsed since the outline planning permission was first granted in 2011 and the overall delay that has been caused to the delivery of the open space and the new stadium, Officers recommend that approval of this reserved matters application should be linked to a new section 106 agreement to address the following matters;

- a) No additional housing is to be developed until the new stadium is operational and substantially complete. (Definition of operational and substantial completion to be agreed.)
- b) Other permissions and approvals (the revised outline S/OUT/14/0833 and subsequent reserved matters approval S/RES/16/0036 for the new stadium) are to fall away.
- c) The full application for an alternative re-development of the stadium on land owned by the Council (S/16/0959) is to be withdrawn.
- d) The outstanding drainage details to be agreed by the Council and Lead Local Flood Authority are to be constructed and implemented by an agreed long stop date.
- e) The changes to the laying out of the open space/linear park, including the equipped play area and multi-use games area (MUGA) consequent to the revised stadium proposals are laid out and constructed by the applicant by an agreed long stop date.
- f) Replacement clauses/provisions are agreed to provide a site for the Dorset and Wiltshire Fire and Rescue Service and enacted.

55 As described above, at the time of writing the applicant has submitted a draft s106 agreement, but the above Heads of Terms have not been agreed or finalised pending consideration of this application. Therefore as the matters raised are complex and have been difficult to resolve, it is recommended that Members consider and determine this application on this basis, in light of the conflicting planning considerations and legal issues set out above.

Concluding Comments:

56 The design and layout of the development is appropriate for the proposed use and the form and function of the development generally acceptable, apart from the harmful impact to the open space, it is not considered that there are significant adverse design impacts that outweigh the benefits of the development as a whole. The National Planning Policy Framework (NPPF 2018) advises that "decision-makers at every level should seek to

approve applications for sustainable development where possible." (para 38 NPPF 2018).

57 Taking account of all of the above material planning considerations, the new NPPF and the relevant policies in the Local Plan set out above, it is considered that provided that a new section 106 agreement is concluded with appropriate time limits and triggers for delivery, the proposals will secure the re-development of the stadium to provide new facilities for speedway and greyhound racing, whilst also mitigating the noise impacts and providing for the construction of the open space, the equipped areas of play and the drainage infrastructure in a timely manner without further delays or uncertainty.

Recommendation

58 That the Head of Planning, Regulatory Services and Heritage be authorised to APPROVE the Reserved Matters, subject to the planning conditions set out in the report, together with any amended, omitted or additional conditions, upon the completion of a Section 106 agreement to mitigate the impact of the development and to ensure the satisfactory completion of the stadium development and the other strategic development including the open space and play areas and the construction of the necessary drainage infrastructure. In the event that the applicant fails to enter into an agreement or fails to agree to an extension of time for the determination of the application to enable the Council as Local Planning Authority to deal with these matters, then the Head of Planning, Regulatory Services and Heritage be authorised to refuse the approval of reserved matters.

Conditions/Reasons

External facing materials

1. Prior to the commencement of works above damp proof course level to construct the stadium buildings, race buildings stands and for the avoidance of doubt other buildings shown on drawing 3320/0150 rev G (master plan) on site in connection with the development hereby permitted, details of all external facing materials shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with these approved details.

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

Boundary treatment

2. Prior to the commencement of works on site in connection with the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected during the course of construction works and for the development as shown on the master plan drawing reference 3320/0150 rev G shall be submitted to and approved in writing by the Local Planning Authority. This boundary treatment shall be implemented before the buildings are first occupied or in accordance with a timetable that has first been submitted to and agreed in writing with the Local Planning Authority, 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.

Water supply

3. No development hereby permitted above damp proof course level shall commence until

details for the provision of a water supply network and/or hydrants to meet the fire-fighting needs of the development (to include installation arrangements and the timing of installation) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be provided in accordance with the agreed details.
Reason: In the interests of safety

Drawings approved

4. This approval shall be in respect of the following drawings;

Original submission received 25 Jan 2016

Elevations 3320/301

Elevations Competitor Area 3320/300

Location Plan 3320/0110

Acoustic Plan 3320/0130

Training Kennels 33230/0210

Roof Plan 3320/205

Track Design

Ground Floor Plan Stadium 3320/203

First Floor Plan Stadium 3320/204

Swept Path Analysis for Taxi Lay-by 1307-31/SP08

Development Location Plan 1504-92/100

General Arrangement 1504-92/101

Original supporting documents received 25 Jan 2016

Design and Access Statement

Transport Statement

Phase II ecology surveys

Acoustic Report

Drainage Strategy

Geo-environmental Site Assessment Report

Archaeological Evaluation

Revised plans

Swept path 1307-31 SP05 rec E received 20 July 2016

Construction Details C SA 90 0003 A04 received 20 July 2016

Master plan-Altered site 3320/0150 rev G received 20 July 2016

General Arrangement C SA 90 001 A03 received 20 July 2016

Infrastructure Landscape Softworks Planting Plan to Balancing Pond AJA.2333.04 issue 05 received 1 July 2016

Open Space Layout Context Plan AJA.2333-11 issue 01 received 1 July 2016

Soft Landscape Scheme AJA.2435-01 issue 07 received 01 July 2016

Travel Plan (revised) received 31 May 2016

Ecology report 1st July 2016

received by the Local Planning Authority on the above dates.

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

Finished floor levels

5. Prior to the commencement of works on site to construct the stadium and buildings as shown on the master plan drawing 3320/0150 rev G in connection with the development hereby permitted, details of the proposed finished floor levels of the stadium and associated

buildings in relation to the existing and proposed levels of the site and the surrounding land shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be constructed in accordance with the approved slab levels.

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

Acoustic mitigation

6. The acoustic mitigation measures described in the Clarke Saunders acoustic report (reference AS7261.150513.RM1.2) shall be fully implemented as proposed in the report and detailed on the application drawings. The installation of the acoustic barrier shall be continuous and imperforate, with a minimum surface density of 12kg/m² and at a height of 3.5m above the local ground height datum.

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

7. In addition to the installation of the acoustic barrier to comply with condition 6 above, noise from stadium events shall be monitored. Details of a source noise monitoring scheme shall be submitted to the local planning authority for approval in writing and shall be implemented prior to the first Speedway racing event at the stadium. The noise monitoring scheme shall comprise a scheme for the accurate and continuous monitoring of Speedway noise levels, together with a reliable system and process of data management and storage and reporting to the local planning authority at regular intervals to be agreed with the local planning authority and/on demand at the reasonable request of the local planning authority. The noise monitoring scheme to be submitted for approval in writing shall include details of equipment precision, calibration, microphone location and measurement parameters.

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

8. Noise emissions shall be monitored for each Speedway event held at the stadium and measured against the race noise trigger level of 57dBLAeq15min at the nearest residential properties. Before the third Speedway event takes place (at the new stadium) the stadium operator shall submit details to the local planning authority for approval in writing, of a trigger noise value at the monitoring location at the nearest residential properties. Where the race noise level exceeds the trigger level on three consecutive events, the stadium operator shall submit a further acoustic assessment report to assess and evaluate whether or not there were any extenuating meteorological conditions that may have affected these results. Where no such mitigating factors are reported to the local planning authority that may explain or justify exceedance of the trigger noise levels, before the expiry of 28 days of the notifiable third Speedway event, the stadium operator shall submit further details to the local planning authority for approval in writing of a scheme to identify additional noise control measures and these shall be implemented prior to the next Speedway event.

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

9. Before the first Speedway event commences, a scheme shall be submitted to and agreed in writing by the Local Planning Authority to identify and specify measures and provisions to be made for the control of noise emanating from the site in accordance with the Code of Practice for Noise and Vibration Control on Construction and Open sites BS 5228. The noise mitigation scheme shall be fully implemented prior to the first use of the site. The scheme shall thereafter be maintained in its approved form and shall not be modified or altered unless otherwise first agreed in writing by the local planning authority.

Reason: In the interests of the amenities of neighbouring residents.

Hours of work

10. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays or on Public or Bank Holidays.

Reason: In the interests of the amenities of neighbouring residents.

Trees and hedges protection

11. Prior to the commencement of works on site in connection with the development hereby permitted, details of temporary protective fences to safeguard the trees and / or hedges to be retained on the site and on land adjacent and adjoining the site's eastern boundary shall have first been submitted to and approved in writing by the Local Planning Authority and shall be erected in accordance with the current BSI 5837 and maintained to that standard until the development has been completed or the Local Planning Authority has confirmed, in writing, that the fencing can be removed.

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

Ground remodelling

12. Prior to the commencement of works on site above damp proof course level in connection with the development hereby permitted, details of a scheme for the ground re-modelling and re-profiling of material currently stored at the site, including details of any tree protection measures necessary to protect trees at the site and adjacent to the site shall have first been submitted to and approved in writing by the Local Planning Authority. Such ground re-modelling/re-profiling measures shall be implemented in accordance with the approved details prior to the occupation / first use, of the development hereby approved.

Reason: In the interests of the amenity.

Pedestrian routes

13. The pedestrian routes and linkages to the adjacent open space shown on planning layout drawing 3320/0500 shall be constructed and made available for use prior to the first use or occupation of the development hereby approved, or in accordance with a timetable that has first been agreed in writing by the Local Planning Authority.

Reason: To accord with the terms of the permission and to ensure that pedestrian links are provided to the open space and surrounding pedestrian network.

Landscaping

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

their protection during development. The approved scheme shall be implemented as per the approved timetable.

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

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

Informatives

1. The applicant is advised that details of the surfacing of the car parking facilities submitted within the reserved matters have assumed a CBR of 5% which is not acceptable. This aspect is not to be decided at this stage as it is controlled by Condition 26 of the outline permission.

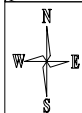
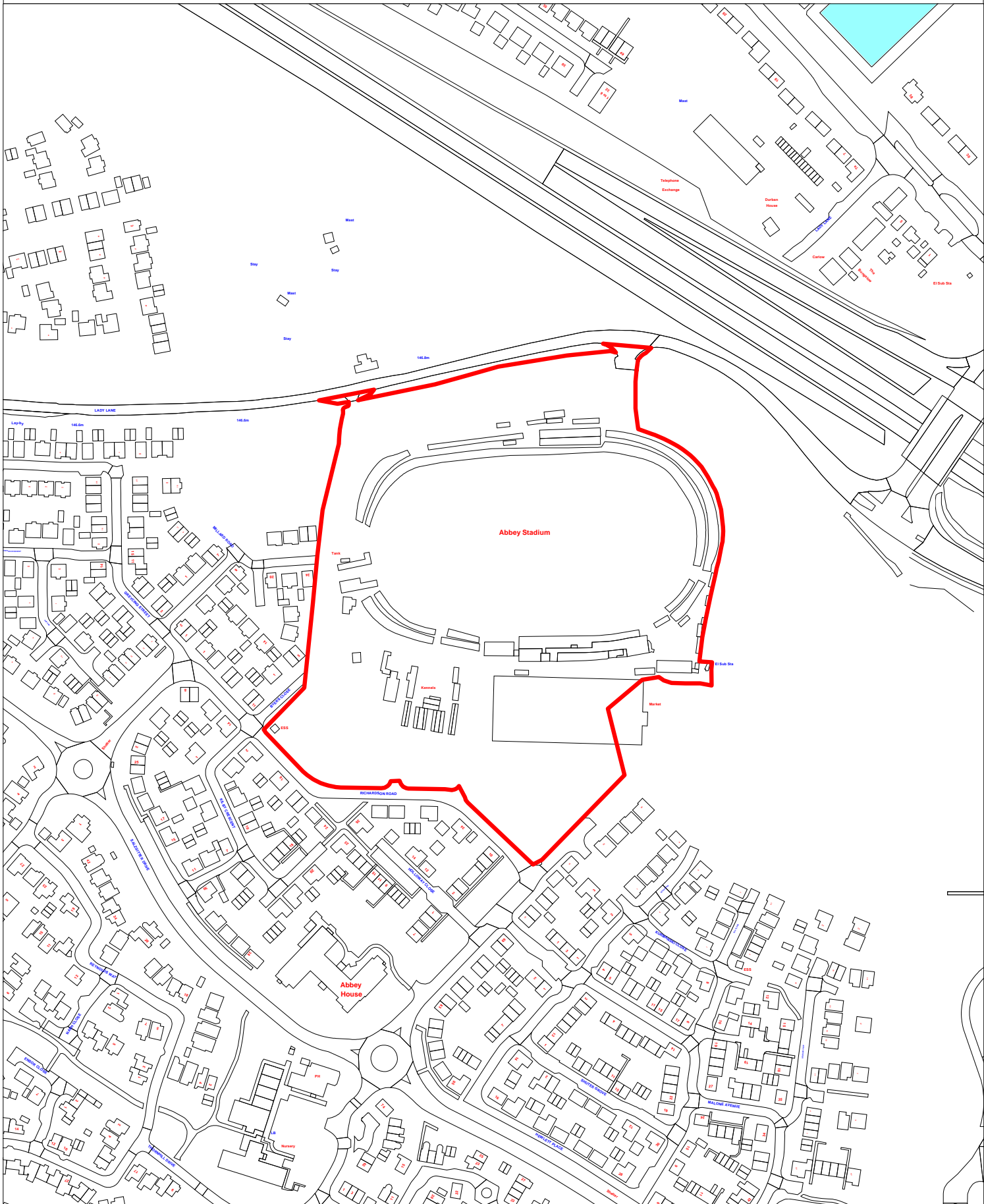
2. The applicant's attention is drawn to a number of pre-commencement planning conditions that form part of the outline planning permission S/07/1365 and S/12/1826 including but not limited to the following matters; construction management plan (condition 8); temporary access and car parking (condition 9) and wheel washing (condition 10).

3. The applicant's attention is drawn to the provisions of the section 106 planning obligations, specifically with respect to the implementation of the Travel Plan, delivery of the new stadium and other infrastructure.

4. The approval of reserved matters does not authorise any works to be undertaken on or over the public right of way and this route shall remain open and free from obstruction; further details can be obtained from the Council's Public Rights of Way Officer (Highways and Transport 01793 466382).

End of Report

Abbey Stadium Lady Lane Swindon SN2 4DN



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

S/RES/18/0027

Reserved matters application (following outline planning permission S/07/1365) for the demolition of existing stadium and construction of a new stadium, racing building, training kennels, new stands, acoustic barrier, car parking and associated development including minor access works to western access and laying out of open space/linear park.

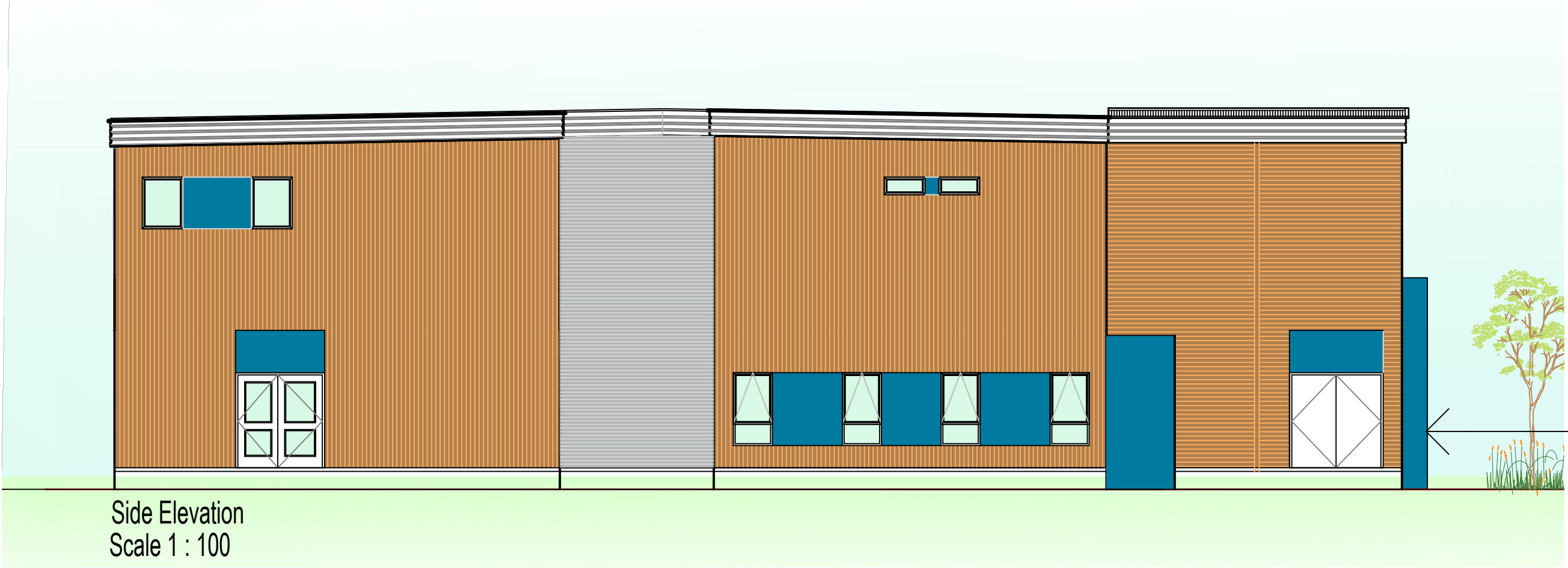
(Modification to reserved matters approval reference S/RES/16/0036)

Abbey Stadium Lady Lane Swindon SN2 4DN



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

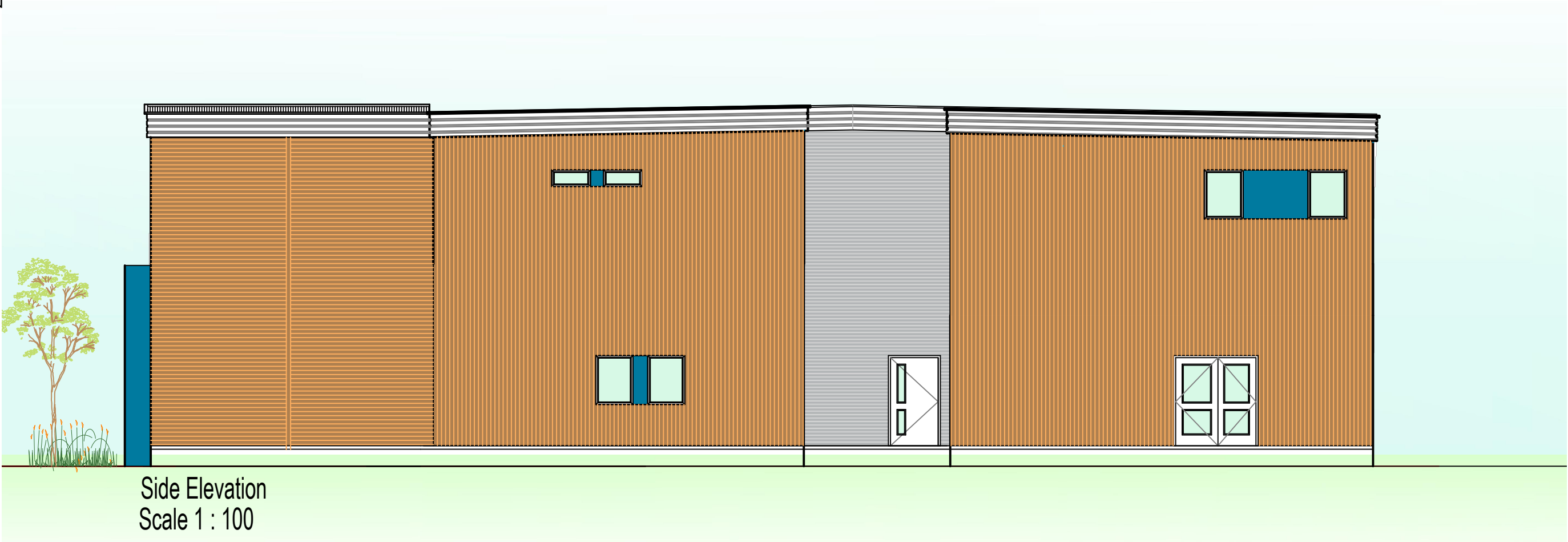
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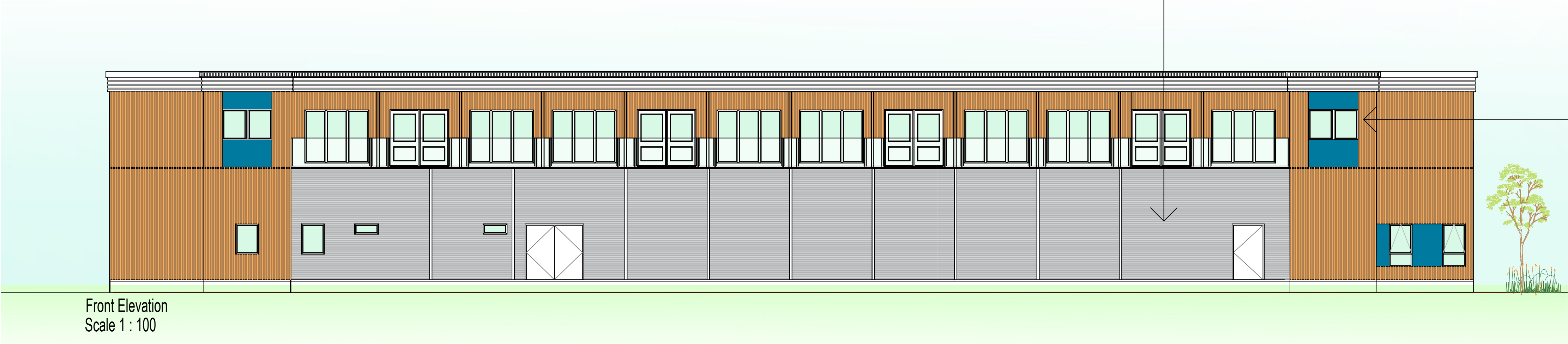
Side Elevation
Scale 1 : 100



Rear Elevation
Scale 1 : 100



Side Elevation
Scale 1 : 100



Front Elevation
Scale 1 : 100

- REGATTA BLUE - 18-E-53
- MERLIN GREY - 18-B-25
- THERMOWOOD



COLOURED ENTRANCE
FACADE FEATURES
TIMBER CLADDING



MICRO RIB CLADDING



COLOURED ACCENT
PANELLING

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REVISIONS	DATE	INL	CHD

NOTES

**PRELIMINARY
DRAWING
NOT TO BE USED FOR
CONSTRUCTION
UNTIL "APPROVED
FOR CONSTRUCTION"
STAMP IS APPLIED**

Wernick
BUILDINGS
TECHNICAL SERVICES DEPARTMENT
Kenfig Industrial Estate, Margam,
Port Talbot, SA13 2PE
Tel: 01656 747340
Fax: 01656 747375
e-mail: technical@wernick.co.uk
Web-site: www.wernick.co.uk

CLIENT
GAMING INTERNATIONAL Ltd

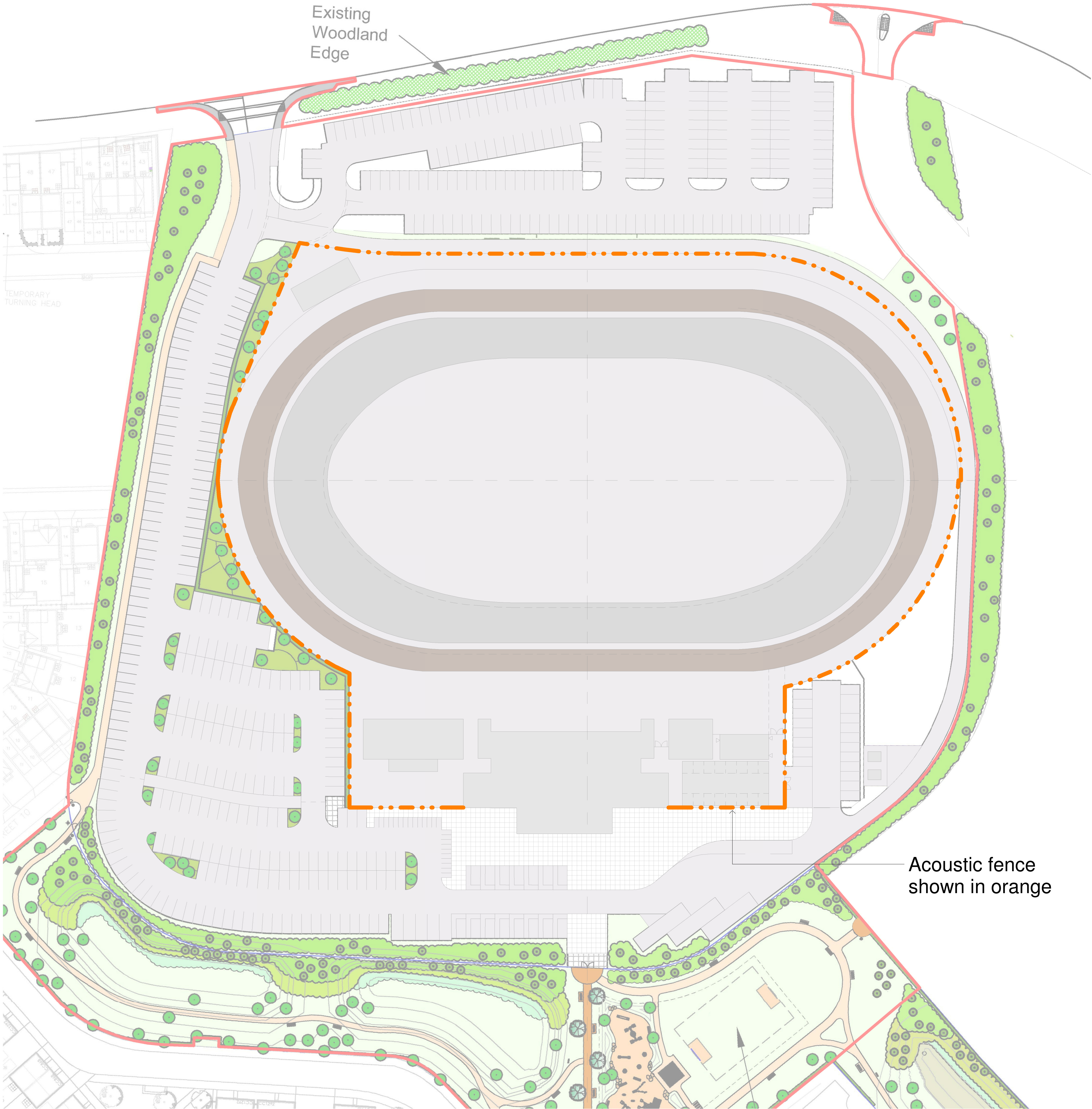
PROJECT TITLE
**ABBEY STADIUM
BLUNSDON
SWINDON**

DRAWING TITLE
Elevations

DRAWN MB	CHECKED	USER
ORIGINAL SCALE 1:100	DATE 05/01/18	
CONTRACT NO.	DRAWING NO. 9774/3/003	

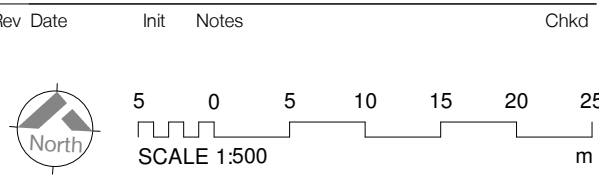
Wernick
GROUP
WB525

Notes
This drawing may be scaled for the purposes of Planning Applications, Land Registry and for Legal plans where the scale bar is used, and where it verifies that the drawing is an original or an accurate copy. It may not be scaled for construction purposes.
Always refer to figured dimensions. All dimensions are to be checked on site. Discrepancies and/or ambiguities between this drawing and information given elsewhere must be reported immediately to this office for clarification before proceeding. All drawings are to be used in conjunction with the specification and all works to be carried out in accordance with latest British Standards / Codes of Practice.



Existing
Woodland
Edge

Acoustic fence
shown in orange



Client

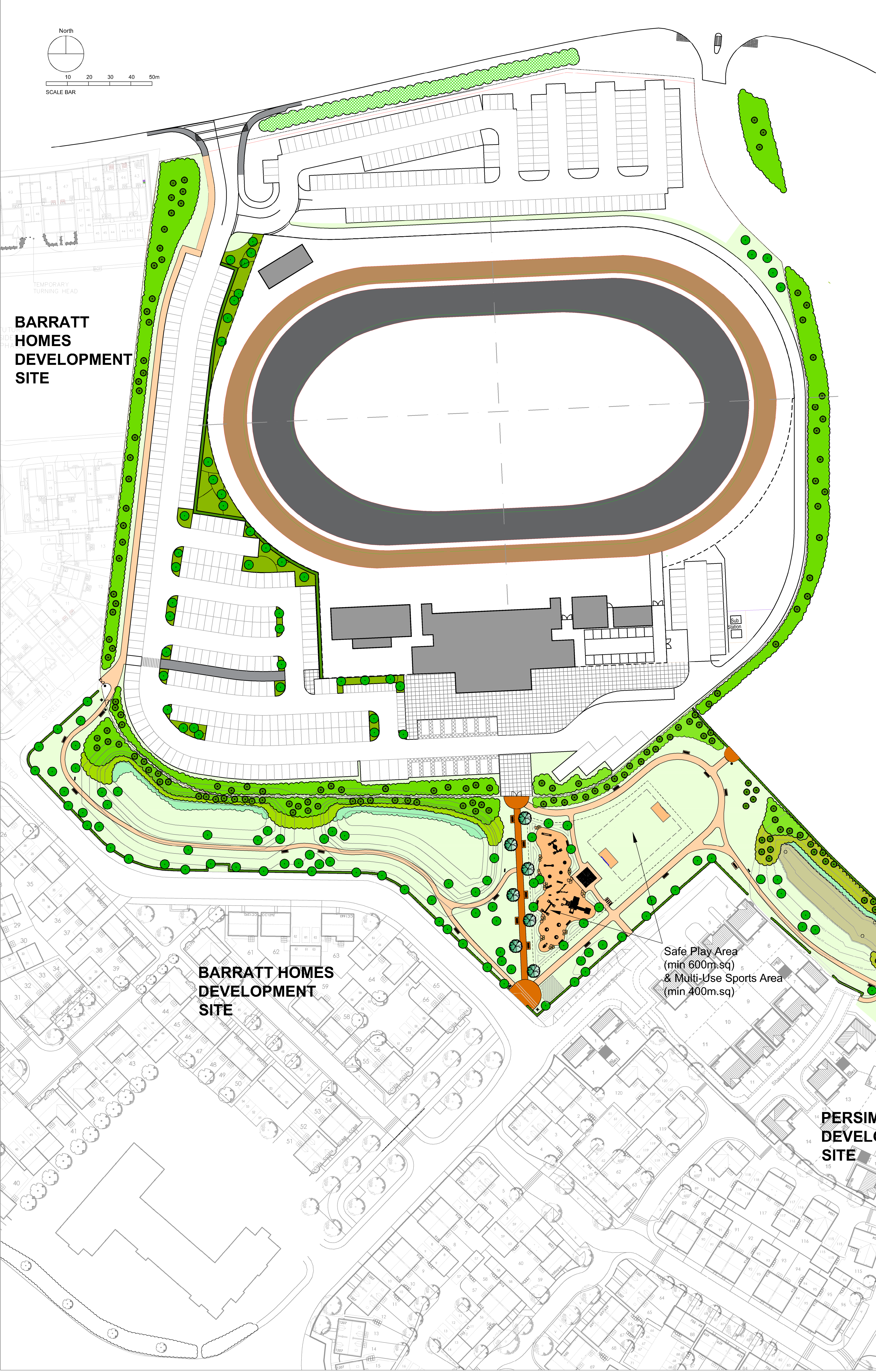
Drawing Originator

AWW inspired environments
London - 100 Weston Street London SE1 3QB 020 7160 6000
Bristol - Rivergate House, Bristol, BS1 4LS 0117 923 2535
Plymouth - East Quay House, Plymouth, PL4 0HX 01752 261 282
RIBA Chartered Practice www.aww-uk.com

Project Title
**Abbey Stadium
Blunsdon
Swindon**

Drawing Title
Acoustic Fence Location

Scale	Sheet	Drawn	Checked	Date
1 : 500	A1	JP	PB	20.12.17
Status	Project No.			
PLANNING	3320			
Drawing Reference	Drawing No.		Revision	
	0501			



Stadium & Linear Park Layout Scale 1:500

KEY					
Semi-mature Trees		Native Species Woodland		Main Path c.2.0m width / Resin Surface	
ANS Standard Trees		Native Species Woodland Edge		Secondary Pathways c.1.5m width. Surface: dressed chippings	
Feathered Trees		Bioswale Planting		Seats / Benches	
Native Species Hedgerow		Gravel Base (Basins 3 & 4)		Outfalls to Swales (For further Ref Eng Drgs)	
Hornbeam Hedgerow		Grassed Areas		Landform / Contours (For further Ref Eng Drgs)	

Issue 2 January 2018 - FOR PLANNING
Issue 1 November 2017 - FOR PLANNING

ANTHONY JELLARD ASSOCIATES
LANDSCAPE ARCHITECTURE * LANDSCAPE PLANNING * URBAN DESIGN

Client	Gaming International Ltd
Project	Abbey Meads Swindon
Drg Title	Open Space Layout Context Plan Scheme B
Date	January 2018
Scale	500 @ A1 / Refer to Bar Scale
Drg.Nr.	AJA.2473-01
Author:	AJ/RKR
Issue:	02

PEAR TREE COTTAGE * GROSDMONT * NR ABERGAVENNY * MONMOUTHSHIRE * NP23 6LG
TEL / FAX: 01608 750475

CONTINUES ABOVE / BELOW - AS INSET



Balancing Pond Layout Scale 1:500



COMMITTEE REPORT

Item Number:

Application Number: S/18/1394/TB

Ward: Rodbourne Cheney

Parish:

Central Swindon North

Proposal: Erection of new pavilion, installation of cycling closed road circuit, BMX track, full size 3G artificial grass pitch, improvements to access routes and car park, and refurbishment and enhancement of existing recreation ground.

Site Location: Moredon Recreation Ground, Cheney Manor Industrial Estate, Cheney Manor

Case Officer: Tom Buxton (Tel.: 01793 466240 E-mail: tbuxton@swindon.gov.uk)

Agent:

Mr David James
Swindon Borough Council
Wat Tyler House
Beckhampton Street
Swindon
SN1 2JH

Applicant

Mrs Kathy Sheratt
Swindon Borough Council

Officers Report

Summary of Recommendation:

1 Planning permission be GRANTED.

The Proposal:

2 This application seeks full planning permission for the redevelopment of the Moredon Recreation Ground to create a multi-use sports hub. The proposals include the erection of a new pavilion building to provide modern changing facilities, a closed circuit cycle track, a BMX 'pump' track, a full sized all-weather pitch (3G), amendments to existing grass football and cricket pitches/wickets, new car park facilities and associated landscaping. It is also proposed that the existing croquet pitches be retained.

The Site and Surroundings:

4 The site is the Moredon Recreation Ground and is approximately 15 hectares in size. The site currently accommodates 4 grass football pitches, 2 cricket wickets, croquet pitches, a model car club, a pavilion and ancillary storage building as well as car parking facilities. The site also includes areas of concrete slabs from a demolished school to the north west corner.

5 Immediately to the north of the site is open space and the Austradius brook, beyond which is Akers Way and residential development. Immediately to the west is Nova Hreod School and to the south and south east is Cheney Manor Industrial Estate.

Representations:

- 6 Neighbours:
No representations received.
- 7 Highways:
No objections subject to suggested conditions.
- 8 LLFA:
No objections subject to conditions.
- 9 Rights of Way Officer:
No Objections received
- 10 Ecologist:
Recommendations made regarding species protection and net biodiversity gain. A great crested newt survey and impact assessment is required.

NB the great crested newt survey and impact assessment has since been supplied.

- 11 County Archaeologist:
No objections raised subject to conditions.
- 12 Sport England:
No objections subject to suggested conditions.
- 13 Crime Prevention Design Advisor:
Request for lux plans to assess the lighting spread. However, note from the lighting plan given that there is no lighting in the middle of the cycling proficiency area. This would leave the centre of this area dark and provide hiding places. I would ask for lighting to be placed in this area for safety and security of the users.
Could not find anything relating to the safety and security of the users of the facilities or their property in submission.
- 14 Parish Council:
Whilst the Parish Council raise no formal objections they would echo the concerns of the Crime Officer and Rights of Way Manager re: lighting and the development effects on public rights of way and locations of footpaths.
It was also noted that no details have been provided re: the types of fencing to be installed. The Parish Council would ask that is ensured that any fencing is cyclist friendly.

Planning Considerations:

- 15 The main relevant considerations are the principle of the development, the impact upon the character of the area and highway safety. Of relevance to the determination of the application are Policies SD1, SD2, DE1, CM2, CM4, EN3, EN4, EN6 and TR2 of the adopted Swindon Borough Local Plan (SBLP) and the National Planning Policy Framework.

Principle:

- 16 The proposed development falls within Swindon's urban area in a sustainable location in compliance with relevant parts of Policies SD1 and SD2 of the adopted SBLP.
- 17 The majority of the site is classified as open space to which Policy EN3 of the

adopted SBLP applies. The only part that does not fall within this designation is the site of the former school to the north west corner of the site. As the proposed development proposes to retain and enhance the open space on site (with the only building works being the pavilion which is directly related to the use of the open space) it is compliant with the aims of Policy EN3. The former school site to the north west corner is not allocated with the adopted SBLP but is deemed to be classified as previously developed land. The NPPF is supportive of the re-use of brownfield land.

18 Policy CM2 of the adopted SBLP seeks to promote active, healthy and safe lifestyles through (amongst other things): the provision of open space, sports and leisure facilities and the protection and improvement in the stock of playing pitches. The policy also seeks that in order to meet demand and promote sporting participation: measures to increase the capacity and quality of existing sports centres and the co-location of sports centres with schools will be enabled. In this case the proposal seeks to not only retain but greatly enhance existing open space and sports and leisure facilities with the potential for them to be utilised by the adjacent school (as well as the general public). The proposal seeks to achieve a modern multi-use sports hub and is therefore in compliance with Policy CM2.

19 Policy CM4 of the adopted SBLP deals with the maintaining and enhancing of community facilities (open space and leisure facilities are classified as being community facilities). As above, the proposal seeks to retain and enhance the facilities and on the basis that the site is located within an existing settlement and is/will be accessible to all members of the community the development complies with Policy CM4.

20 In summary to the above it is deemed that the principle of the development is acceptable.

Impact Upon Area:

21 The built form proposed in this application is limited to the pavilion building which will be located towards the south east part of the site. Whilst it will extend up to a height of up to 9.5 metres this is not considered to be unreasonable in the context of such a large site and with the backdrop of larger industrial buildings to the south and east. The building will not appear out of character and will thus not harm the visual amenity of the area. The other 'built form' proposed is the fencing and lighting to the new 3G pitch and the lighting of the cycle track and car park. The dark green metal fencing to the 3G pitch would be 4.6 metres in height and the associated lighting columns would be 15 metres in height. This arrangement is not uncommon for such an all-weather type of sports facility and bearing in mind this is an existing leisure site plus that it is located to the south of the site, near to industrial buildings it is considered that it will cause no harm to the character of the area in compliance with Policy DE1 of the adopted SBLP. The lower lighting columns to the cycle track and car park (8m and 6m respectively) will also not cause harm as this is an existing urban area where one would expect to find such features.

22 The proposed development is located some distance from residential properties with the nearest being beyond open space and Akers Way to the north. Whilst the lighting of the cycle track and 3G pitch will allow for their use after dark this will not be during unsocial hours and will be conditioned as such. It is deemed that any increased noise and light from the intensification of use on the site will not cause any unacceptable impact upon residential amenity in compliance with Policy DE1 of the adopted SBLP.

Highways:

23 The car park is being improved as part of the application with the layout amended with an increase in spaces from 105 as existing to 150 spaces. This is expected to accommodate the proposed level of use, based on the arrival and departure profiles of the trip generation. It is also noted that there is a landscaped overflow car park providing additional car parking spaces, if/when events require it.

24 As a consequence of the upgrade of facilities on site plus the provision of new facilities it is highly likely that there will be an increase in vehicle trips. As a result the application proposes that the existing highway access (from Cheney Manor Industrial Estate Road) be upgraded to comprise a 3m wide shared footway/cycleway and a 6m wide carriageway. The Highway Officer is satisfied that the proposed access is suitable to serve the development and that sufficient car parking will be provided. The development will thus not relate in a highway related harm in compliance with Policy TR2 of the adopted SBLP.

25 A public right of way currently exists across the site (at present over the playing fields). The application proposes to re-direct this to along the western boundary of the site.

Other:

26 The application is supported by a Biodiversity Survey & Report, a Bat Survey, Extended Phase 1 Habitat Survey, a Reptile Survey and a Great Crested Newt (GCN) Survey. The Council's Ecologist has reviewed these documents (with the exception of GCN Survey which was requested by him) and subject to the conditioning of recommendations is satisfied. Whilst the GCN survey observed the presence of newts in several nearby ponds none of these are within the site (whilst the survey suggests one of the ponds is in the site this is no longer the case as the planning application has a smaller site area than was surveyed). The nearest of the ponds is beyond the south west corner of the site with the only works proposed to this corner being the re-alignment of existing grass pitches and some minor footpath works. The report concludes that there is no need for any further studies but sets out a number of recommendations and suggested enhancements to be followed. The above combined with recommendations set out by the Council's Ecologists means that the proposal will satisfy Policy EN4 of the adopted SBLP.

27 The County Archaeologist has advised that whilst there are archaeological remains within the site, given the restricted impact of the proposals there is no need for full scale evaluation trenching across. The details of the proposal are such that most areas of known archaeological interest can be preserved as little of no ground disturbance is proposed. Other areas will need to be subject to a programme of archaeological monitoring though. This will be secured by condition as will the need for construction activities such as footpaths and the proposed BMX track are built up rather than dug in.

28 The LLFA have raised no objections to the development subject to suggested conditions and hence officers are satisfied that there will be no flooding issues in compliance with Policy EN6 of the adopted SBLP.

29 With regard to the comments raised by the Crime Prevention Design Advisor and Parish Council that have not already been covered above the following is noted. It is not felt that the lack of lighting to the centre of part of the cycle track would lead to unacceptable harm in terms of crime or fear of crime. Having noted this though the specifics of lighting across the site will be conditioned to ensure acceptability. The detail of the types of fencing

proposed will be conditioned and lastly it is felt that sufficient detail has been supplied to allow for an adequate assessment of the application.

Concluding Comments:

30 The proposed development is acceptable in principle and will result in no harm being caused to the character of the area or in terms of highway safety. The development is compliant with Policies SD1, SD2, DE1, CM2, CM4, EN3, EN4, EN6 and TR2 of the adopted Swindon Borough Local Plan (SBLP) and the National Planning Policy Framework.

Recommendation

31 That planning permission be GRANTED.

Conditions

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

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

2. This approval shall be in respect of drawings: RC.02 PL003, RC.02 PL004 A and RC.02 PL006 received by the Local Planning Authority on 24th August 2018, drawing number RC.02 PL007 received on 27th September 2018, drawing numbers RC.02 PL001 B, RC.02 PL005 A and RC.02 PL005.2 received on 9th October 2018 and drawing number RC.02 PL008 received on 15th October 2018.

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

3. Prior to the development hereby permitted becoming operational a plan indicating the positions, design, materials and type of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. This boundary treatment shall be implemented in accordance with a timetable that has first been submitted to and agreed in writing with the Local Planning Authority, 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.

4. Notwithstanding the approved plans prior to the development hereby permitted becoming operational full details of external lighting of the site (including hours of illumination) shall have first been submitted to and approved in writing by the Local Planning Authority. The lighting shall be carried out and operated only in accordance with the approved details.

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

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

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

Reason: To ensure the appearance of the development is satisfactory and to safeguard archaeology.

6. Prior to the occupation of the development hereby permitted, the vehicular, pedestrian and cycle access shall be laid out and constructed in accordance with the submitted plan [drawing no. RC.02 PL001 Rev A.] and with the area within at least 15m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: To reduce potential highway impact by ensuring the access is suitably laid out and constructed.

7. The development hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading have been provided in accordance with the submitted plan [drawing no. RC.02 PL001 Rev A.], and those facilities shall be maintained available for those purposes thereafter.

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

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

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

9. The development hereby permitted shall not be occupied until secure and sheltered cycle storage facilities has been made available in accordance with details to be submitted to and approved in writing by the LPA in accordance with SBCs Parking Standards, and thereafter maintained.

Reason: To promote and encourage sustainable transport and travel

10. 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

11. A programme of archaeological monitoring and recording shall be secured for all areas of the development where ground works are proposed.

Reason: To safeguard archaeology.

12. Prior to any works taking place in archaeologically sensitive parts of the site (these being the south west corner of the site, the western part of the site and the part to the south of the croquet pitches as indicated in the Archaeology Survey) an archaeology management plan for those works shall have first been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the management plan.

Reason: To safeguard archaeology.

13. Prior to the demolition of the ancillary storage building and any external works taking place regarding the pavilion building a dusk survey for bats shall be carried out and submitted to the Local Planning Authority.

Reason: To safeguard protected species and to inform any protected species license application.

14. Any vegetation clearance/removal shall be carried out in accordance with the recommendations set out in the Extended Phase 1 Habitat Survey.

Reason: To safeguard wildlife.

15. Prior to the occupation of the development twenty bird nest boxes of a variety of types shall be erected around the site.

Reason: To improve nesting opportunities for birds and result in biodiversity enhancements.

16. Development shall not begin until a surface water drainage scheme for the site, in accordance with the approved drainage strategy 'Drainage Strategy - Moredon Sports Hub, Revision 1', 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:

- o Evidence that the proposed flows from the site will discharge at or below greenfield runoff rates, or as close as practical for any areas that have been previously developed;
- o 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;
- o Detailed drainage plan showing the location of the proposed SuDS and drainage network with exceedance flow routes clearly identified;
- o Details to demonstrate the SuDS Scheme has been designed in accordance with best practice guidance including the latest SuDS Manual C753;
- o General arrangement, which should be coordinated with the landscape proposals and the masterplan;
- o Manhole Schedules;
- o 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;
- o Details of how the scheme shall be maintained and managed after completion;
- o Any drainage systems offered for adoption will be designed to Sewers for Adoption 7th edition and/or SBC standards as part of the detailed design and relevant technical approval processes.

Reason: To prevent flooding.

17. The playing fields and pitches shall be constructed and laid out in accordance with the planning application S /18/1394, and Drawing No. RC.2 PL001 and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011) and the Croquet Association's design guidance, ECB design guidance and Football Foundation's Design Guidance, and shall be made available for use before first use of the development hereby permitted.

Reason: To ensure the quality of pitches is satisfactory and they are available for use before development of the Artificial Grass Pitch.

18. No development shall commence until details of the design and layout of the pavilion, the closed road track, the BMX track, and Artificial Grass Pitch have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The pavilion, the closed road track, the BMX track, the Artificial Grass Pitch shall not be constructed other than in accordance with the approved details.

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

Informatives

1. The proposed development will require works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the Local Highway Authority before commencing works on the development.

TransportDevelopment@Swindon.gov.uk

2. The grant of planning permission does not permit any changes, alterations, obstructions, diversions, closures or additional use by motor vehicles of any public rights of way affected by the proposal, the developer is required to contact the Council's public rights of way team for permission prior to undertaking any works.

3. In addition to this consent, the developer will require Local Highway Authority approval in connection with the Public Right of Way. The Applicant is required to obtain this approval before works commence, and is therefore recommended to contact Swindon Borough Council's Highway Infrastructure Asset Management Department in this respect as soon as possible.

4. CIL Liable Development: This development constitutes Community Infrastructure Levy (CIL) liable development. CIL is a mandatory financial charge on development. For more information on CIL visit www.swindon.gov.uk/cil or telephone the SBC CIL Team on 01793 466289 or 466397 or email cil@swindon.gov.uk. To avoid additional financial penalties the requirements of the impact of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Information on possible exemptions that may be capable of being applied for can be found at:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy and <https://www.gov.uk/guidance/community-infrastructure-levy>. CIL remains relevant in the event that planning permission is allowed by Planning Appeal.

5. The applicant/developer should be mindful of the recommendations/suggested enhancements set out in the Bat Emergence & Bat Activity Report when submitting details in relation to condition 4.

6. The applicant/developer should be mindful of the recommendations/suggested enhancements set out in the Extended Phase 1 Habitat Survey when submitting details in relation to condition 5.

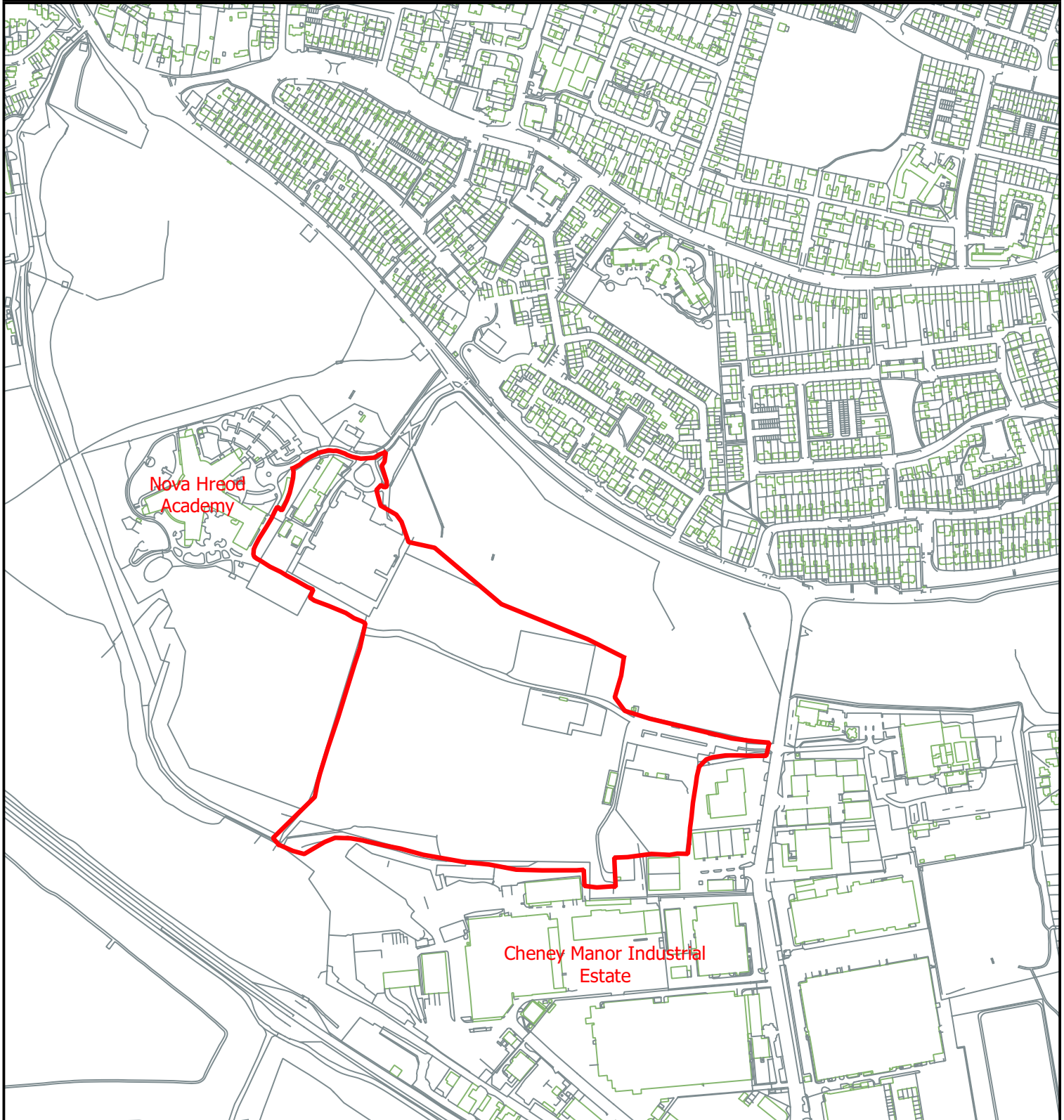
7. The applicant/developer should familiarise themselves with the recommendations set out in the Extended Phase 1 Habitat Survey, Great Crested Newt Survey, Reptile Survey and Bat Emergence & Bat Activity Survey prior to commencing works on site.

8. The applicant is advised that the design and layout of the 3G pitch should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. The applicant is also advised that the pitch should be tested in accordance with The FA standard code of rules and be registered on the FA Register for 3G Football Turf Pitches.

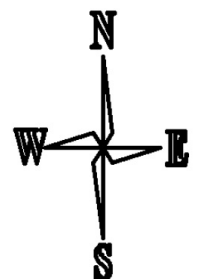
End of Report

S/18/1394 - Erection of new pavilion, installation of cycling closed road circuit, BMX track, full size 3G artificial grass pitch, improvements to access routes and car park, and refurbishment and enhancement of existing recreation ground.

Moredon Recreation Ground
Cheney Manor Industrial Estate



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

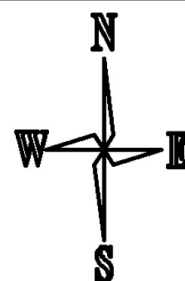


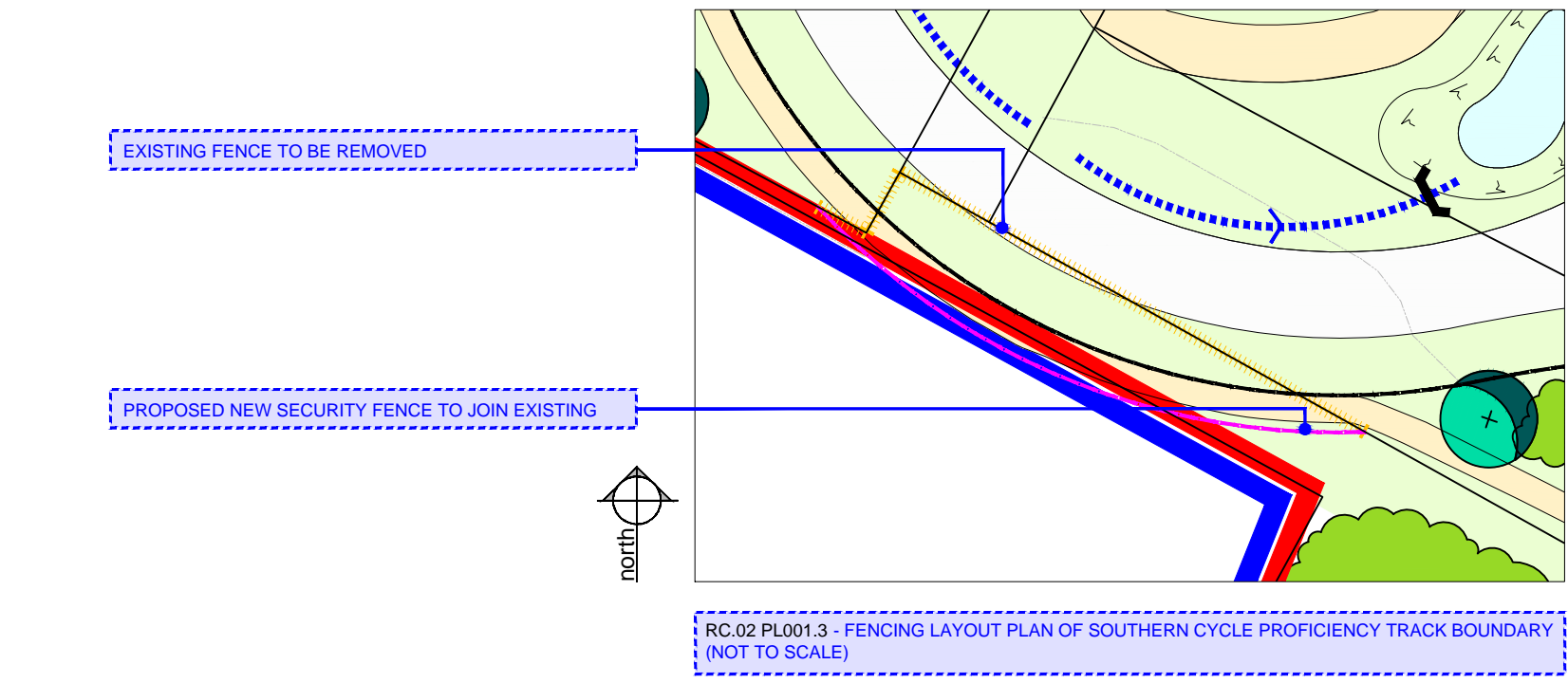
S/18/1394 - Erection of new pavilion, installation of cycling closed road circuit, BMX track, full size 3G artificial grass pitch, improvements to access routes and car park, and refurbishment and enhancement of existing recreation ground.

Moredon Recreation Ground
Cheney Manor Industrial Estate



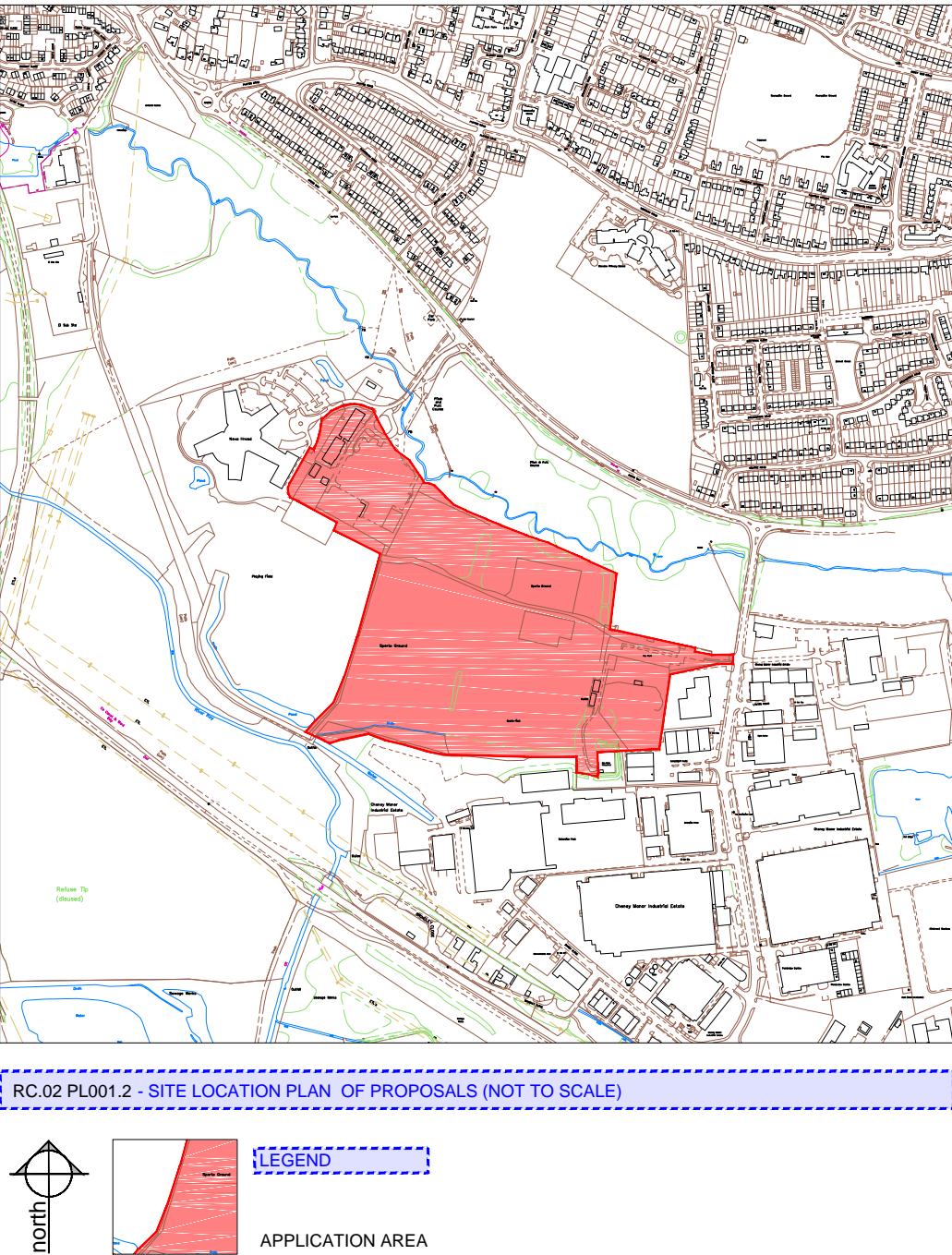
This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development. In all cases, references should be made to the submitted plans.





LEGEND

- BLUE LINE OWNERSHIP BOUNDARY
- RED LINE APPLICATION AREA
- FLOOD ZONE TWO EXTENTS



- A** Amended red line boundary to include western fenceline and increased approach foot/cyclepath width to 3m, accommodation of vehicular turning head with new turning area / mini bus parking
- B** Amended southern boundary to cycle proficiency track, amended drainage layout

SWINDON
BOROUGH COUNCIL

STEVE JORDEN
DIRECTOR OF COMMUNITIES AND HOUSING
WAT TYLER HOUSE
SWINDON SN1 2JH
TELEPHONE (01793) 463000

R.N. WEYMOUTH, CMLI
HEAD OF LANDSCAPE SERVICE






CLIENT: SBC

MOREDON SPORTS HUB
GENERAL ARRANGEMENT(BLOCK PLAN) / SITE LOCATION

Designed RNW	Scale 1:1250 @ A1 LS	Status PLANNING	Date Oct 2018	Revision
Drawn APN	Drawing no.			B
Checked	RC.02 PL001			

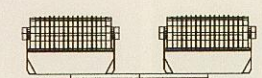
DO NOT SCALE FROM DRAWINGS


LEGEND : LIGHTING

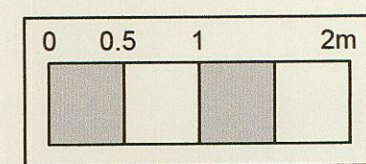
-  9No. PHILIPS 'GREENVISION' LUMINAIRES MOUNTED 2 PER COLUMN, ONTO 8m BASE HINGED COLUMNS
-  19No. PHILIPS 'GREENVISION' LUMINAIRES MOUNTED ONTO 8m BASE HINGED COLUMNS
-  16No. PHILIPS 'ESSENTIAL LINE BBP110' FIXED TO 6m COLUMNS, LOCATED OUTSIDE OF ADJOINING PARKING BAYS
-  6No. PHILIPS 'ESSENTIAL LINE BBP110' LUMINAIRES MOUNTED 2 PER COLUMN, FIXED TO 6m COLUMNS
-  6No. PHILIPS 'OPTIVISION gen2' LED LUMINAIRES MOUNTED ONTO 15m BASE HINGED COLUMNS

RC.02 PL004.2 LIGHTING SUMMARY / LEGEND

Page 152

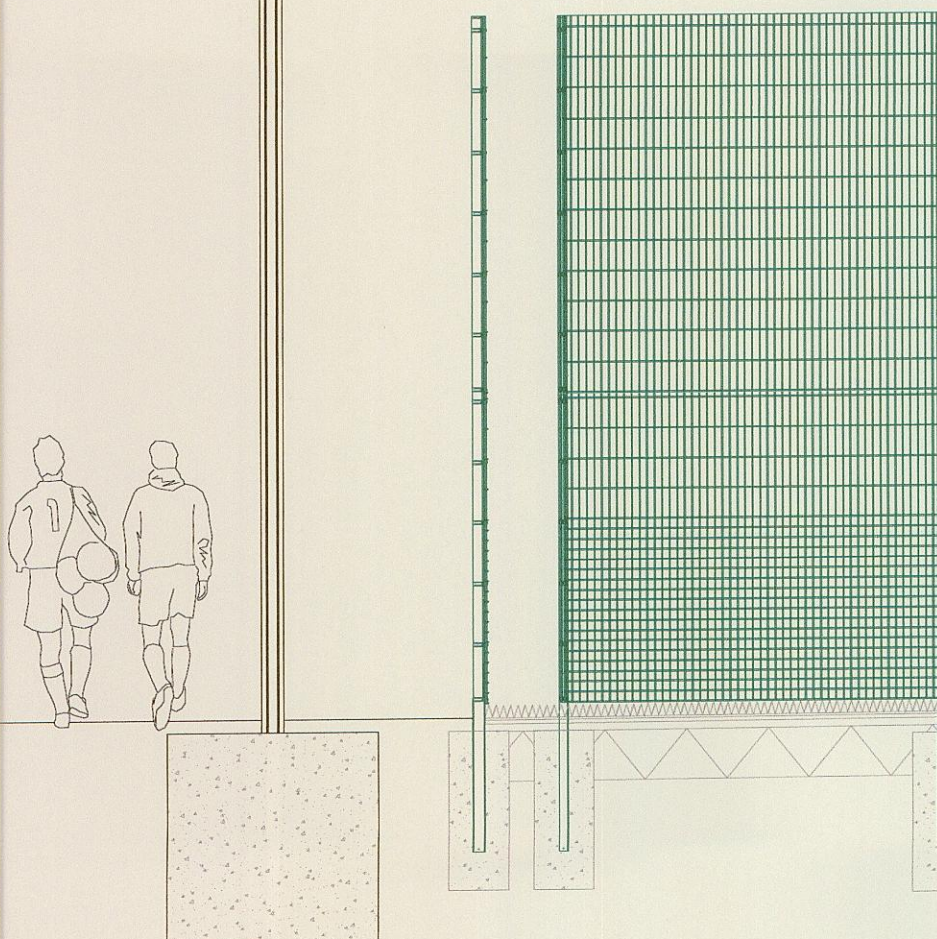


 PHILIPS 'OPTIVISION gen2' LED LUMINAIRES MOUNTED ONTO 15m BASE HINGED COLUMNS

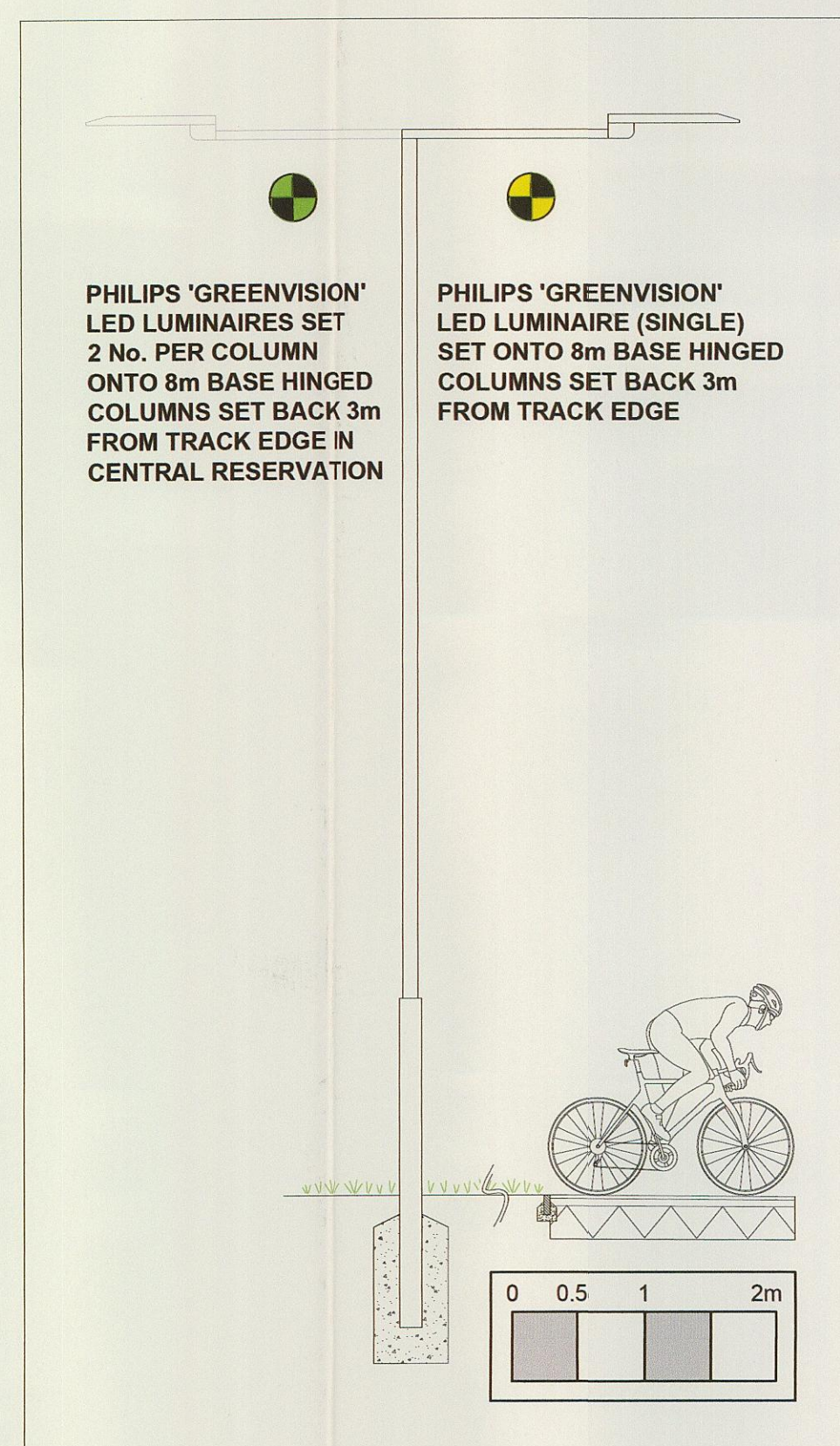
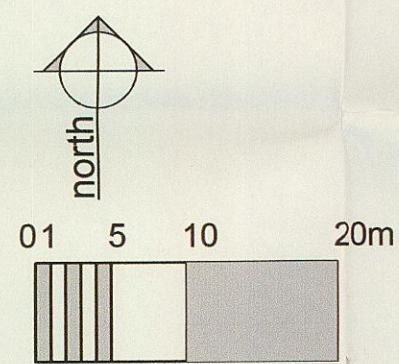


4.6m HEIGHT PERIMETER BALLSTOP FENCING MADE UP OF TWIN HORIZONTAL WIRES, WITH THE LOWER 1.2 METRES OF THE FENCE FABRICATED WITH 50mm X 66.6mm MESH PATTERN. FIXINGS EVERY 200mm AND RUBBER INSERTS AT EACH FIXING TO MINIMISE ANY RATTLE DURING PLAY

TO BE GALVANIZED AND POWDER COATED DARK GREEN

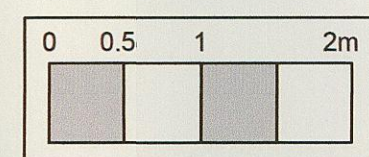


RC.02 PL004.3 1:50 - SECTION OF ALL WEATHER PITCH LIGHTING

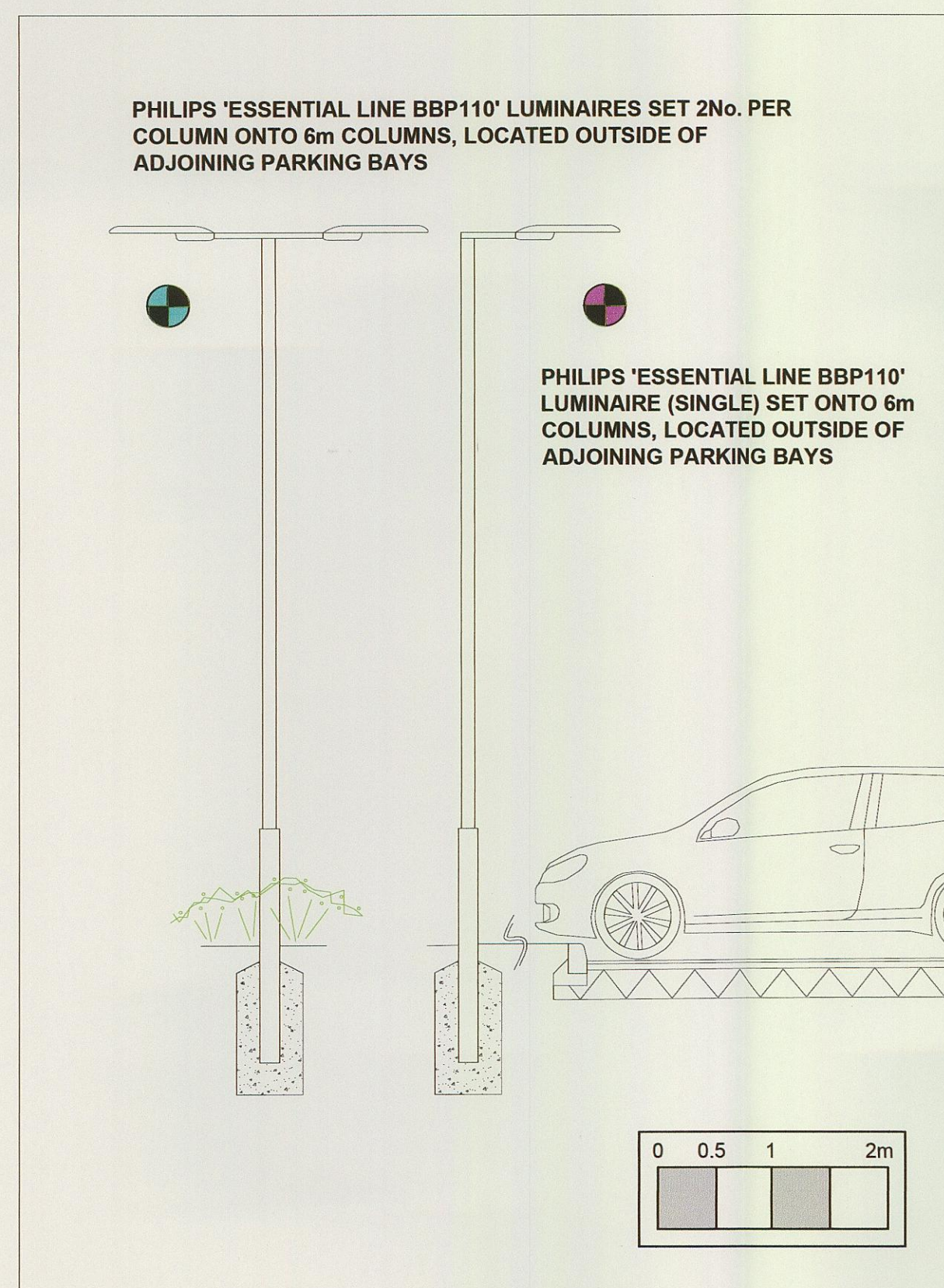


PHILIPS 'GREENVISION' LED LUMINAIRES SET 2 No. PER COLUMN ONTO 8m BASE HINGED COLUMNS SET BACK 3m FROM TRACK EDGE IN CENTRAL RESERVATION

PHILIPS 'GREENVISION' LED LUMINAIRE (SINGLE) SET ONTO 8m BASE HINGED COLUMNS SET BACK 3m FROM TRACK EDGE

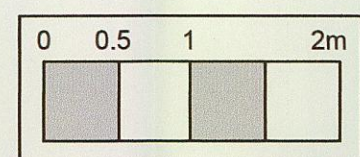


RC.02 PL004.4 1:50 - SECTION OF CLOSED ROAD CIRCUIT LIGHTING

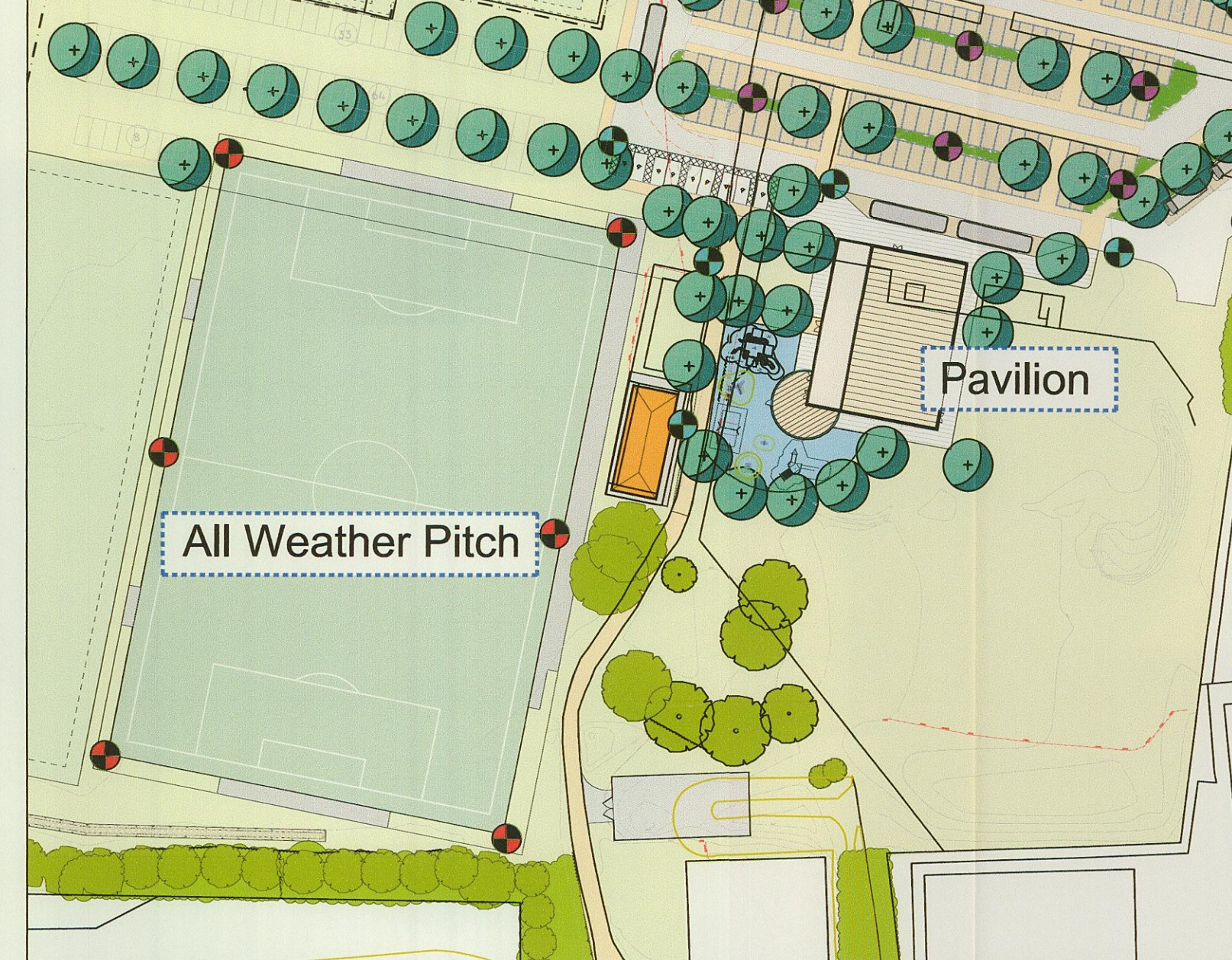


PHILIPS 'ESSENTIAL LINE BBP110' LUMINAIRES SET 2No. PER COLUMN ONTO 6m COLUMNS, LOCATED OUTSIDE OF ADJOINING PARKING BAYS

PHILIPS 'ESSENTIAL LINE BBP110' LUMINAIRE (SINGLE) SET ONTO 6m COLUMNS, LOCATED OUTSIDE OF ADJOINING PARKING BAYS



RC.02 PL004.5 1:50 - SECTION OF CAR PARK LIGHTING



RC.02 PL004.1 1:1000 - LIGHTING LOCATIONS

A INCLUSION OF SCALE BARS



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R.N. WEYMOUTH, CMLI
HEAD OF LANDSCAPE SERVICE

CLIENT: SBC

MOREDON SPORTS HUB
FENCING AND LIGHTING DETAILS

Designed	Scale	Status	Date	Revision
RNW	AS SHOWN	PLANNING	AUG 2018	
Drawn	Drawing no.			
APN				
Checked	RC.02 PL004			A

DO NOT SCALE FROM DRAWINGS

**Development Brief:
Land at Moredon Recreation Ground, Swindon**
Planning Committee

Date: 13th November 2018

Author: Head of Planning, Regulatory Services and Heritage.

Parish / Wards Affected: Central Swindon North/Rodbourne Cheney Ward

Purpose

To seek the approval of the Planning Committee for the adoption of the Development Brief for land at Moredon Recreation Ground, Cheney Manor Industrial Estate Road, Swindon

Recommendation

Planning Committee is requested to:

1. Approve the Development Brief for adoption for Development Control purposes.
2. Authorise the Head of Planning, Regulatory Services and Heritage, to make minor typographical and presentational changes to the content of the document if required.

1. Reasons

- 1.1 The land at Moredon Recreation Ground, Cheney Manor Industrial Estate Road, Swindon, the development brief site ('the Site') was included in a report to Cabinet relating to the wider Moredon Recreation Ground on 14th March 2018. The principle of enabling residential development formed part of the overall proposal put forward for the Multi Sports Hub on the remaining part of the recreation ground. Cabinet approval was given to create the Multi Sports Hub, associated works and the enabling residential development, subject to planning permission being secured.
- 1.2 To maximise the value of the Site and to ensure that a high quality development is achieved, the Head of Property Assets requested the preparation of a Development Brief ('the Brief'). The Brief will be used to support the marketing of the Site by identifying the form of development that is possible. Any potential purchasers can use the Brief as a basis for site appraisals to inform any offer they make. Accordingly the Brief has been

Further information on the subject of this report can be obtained from Tom Buxton on Direct Dial No. 466240 or Email tbuxton@swindon.gov.uk

Development Brief:
Land at Moredon Recreation Ground, Swindon
Planning Committee **Date: 13th November 2018**

prepared to set out the objectives and requirements to guide the redevelopment of the Site. The Brief makes a thorough assessment of the Site and sets out the Council's already approved planning requirements. It is stressed though that the Site will not be developed prior to the commencement of works on the Multi Sports Hub.

- 1.2 The Brief has been prepared by the Council's Planning Officers.
- 1.3 Ward members and the Parish Council have been consulted on the production of the Brief. Plans were displayed at a public consultation event held at a Moredon Community Centre on 26th July 2018, attended by both Ward Members and the public.
- 1.4 If approved, the Brief will act as Development Management guidance and will be used to assist in any negotiations between the Council and applicants on any future sale of the Site. All future planning applications will be considered on their merits against the background of the approved Brief, and all other material planning considerations.

2. Detail

- 2.1 The Brief sets out development concepts for how the Site could satisfactorily function and be designed and arranged. The indicative layout is based on the Council's standards to best ensure they respond positively to the surrounding area and contribute to a high quality of development.

- 2.2 The Brief is set out in seven parts and follow the principles as below:

Vision – Introduces the document, setting out its vision.

Introduction – sets out the background, status and purpose of the Brief.

The Site - provides an analysis of the Site and includes an assessment of its location in the immediate and wider Swindon area.

Constraints & Context – provides analysis of the following constraints: flooding, levels, vegetation, archaeology, contamination, sustainable transport, geology and ecology. This section also provides wider context to the Brief in describing the related high quality Multi Sports Hub on the adjacent recreation land as well as setting out the relevant national policy (NPPF) and adopted Local Plan policies.

Development Brief:
Land at Moredon Recreation Ground, Swindon
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Design Approach – identifies the design principles specific to the Site, the proposed amount/scale/appearance of any development and the detailed matters to be considered including: landscaping, parking access and SUDs.

Application Submission – provides guidance and recommendations on the information required for a future planning application at the Site.

Contact Information – sets out useful contact details/links for further information regarding the planning application submission.

3. Update

- 3.1. Members will recall that Planning Committee authorised the publication of the draft development brief in August this year for public consultation purposes.
- 3.2. The draft brief was published on the Council's website and made available in the Council offices. The public and interested parties were given a six week period between 31st August 2018 and 12th October 2018, in which their comments were invited.
- 3.3. As a result of the consultation exercise, representations were received from local residents, the Parish Council and Swindon Cycle Campaign. A summary of their comments and the Council's response are included in appendix 1.
- 3.4. The representations received have been considered and few new matters or issues have been raised. In this regard only minor changes are proposed to the content of the Development Brief (as outlined in appendix 1).
- 3.5. In addition to the above, limited amendments to the Development Brief are proposed which: update the document in light of the publication of the revised National Planning Policy Framework, the improvement of the site plan (to more clearly show the development brief site in context) and the removal of the word "draft" from the document.

4. Next Steps

- 4.1. Once adopted, the Development Brief will form a material consideration against which planning applications for the development of the site will be assessed.

Development Brief:
Land at Moredon Recreation Ground, Swindon
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- 4.2. Subject to the adoption of the Development Brief, the Head of Property Assets will arrange for the Site to be marketed to seek interest, leading to the disposal of the Site.

5. Alternative Options

- 5.1. The alternative to producing a Development Brief would be to rely on a prospective developer to submit a planning application with less certainty of its acceptability and potentially adding costs and risk to the process. The preparation of a Brief is a positive move that provides a planning framework to promote interest in the Site and guide and encourage the co-ordinated redevelopment of the site to secure environmental and social benefits for the locality.

Financial and Procurement Implications

- If adopted the Brief will help maximise the development value of the Site within an approved planning framework by de-risking the planning process.

Legal / Human Rights Implications

- The purpose of the Brief is to ensure that decisions on planning applications accord with the Council's objectives for social and environmental improvements. This is to the benefit of the residents of the Borough of Swindon and is achieved within the framework of planning legislation. The Proposed development of the Site will be in general conformity with the Council's development plan and relevant national guidance.
- Any development scheme coming forward on the Site would be subject to the statutory planning application process.
- There are no human rights issues arising from this report and accompanying Development Brief.

Links to Council Plan 2016-2020, Strategic Objectives, Plans and Policies

- This report is aligned with the vision for Swindon which seeks to ensure Swindon has all the positive characteristics of a British city with one of the UK's most successful economies and a model of well managed housing growth which supports new and existing communities. In addition, the Brief will support delivery of priority 1 of the Council Plan 2016-2020 - to improve infrastructure and housing to support a growing, low-carbon economy; and Priority 3: to ensure clean and safe streets and improve our public spaces and local culture.

Diversity Impact Assessment

- The Brief provides an overarching Planning Framework based on the adopted

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Development Brief:
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Planning Committee **Date: 13th November 2018**

Local Plan 2026. The adopted Local Plan has been subject to a Diversity Impact Assessment and therefore potential equality implications have also been assessed through this process too.

Risk Management

- A consultation of the draft Development Brief has been undertaken. A Risk Assessment has been previously been undertaken in respect of consultation with individuals and the local community under the Statement of Community Involvement June 2013.

Consultees

- The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) have been consulted.
- Ward Members for Cheney Manor Ward and Central Swindon North Parish Council

Background Papers

- National and Local Planning Policy, Supplementary Planning Documents and Development Control Guidance Notes.

Appendices

- Summary of representations received in respect of the Brief together with comments in response.
- Development Brief

Comment	Category	Response	Action
Increased place demand on the school, which is already overflowing.	Education.	The proposed development is liable to Community Infrastructure Levy, part of which will go towards education provision.	No change.
Where do you intend children to go to school?	Education.	As above.	No change.
Traffic is already at a standstill in the morning. There are already long delays in the morning with Hreod school traffic. It can take 45 minutes or more from Thamesdown to station	Transport.	A Transport Assessment will be required as part of any future planning application.	No change.
The road at the bottom of the trading estate is already unsafe (children need to be able to cross the road safely).	Transport.	As above.	No change.
We suggest that the developer be required to provide cycle access from the development to the existing cycle path along Akers Way.	Transport.	Cycling access will be part of any Transport Assessment requirement as part of any future planning application.	No change.
2 car parking spaces allowed for both 2 and 4 bed properties may not be sufficient.	Transport.	This is compliant with the adopted Technical Guidance on Parking Standards. Any future planning application will have to comply with the adopted policies of the time.	No change.
Many of the car parking spaces allowed for are garage based which would restrict their usability	Transport.	As above.	No change.
Some concerns were raised about the width of roads and whether they would allow for Emergency and Services vehicles to pass through if other vehicles were parked on the roads.	Transport.	The width of roads and all forms of access will be part of any Transport Assessment requirement as part of any future planning application.	No change.
Evidence of Dinosaurs	Archaeology.	An Archaeology Assessment will be required as part of any future planning application.	No change.
Do not need more houses this side of Swindon	Housing.	The suitability of the site for residential has been assessed as part of the process of adopting the Development Brief.	No change.
Development should not take place on open green space. Plenty of brownfield sites that could be used.	Housing.	The Local Plan allows for the loss of open space (EN3b) where the proposed development provides community benefit that outweighs any loss when assessed against the Open Space Appraisal and Assessment.	No change.
The sports hub won't be free to use and someone will be making money out of it	Sports facilities.	The arrangement for public use of the open space will remain the same, as will the arrangements for booking and hiring of the formal sporting facilities.	No change.

		Income will continue to be required for the day to day maintenance and up keep of the sport facilities.	
Isn't it time for some regeneration of town centre to make it worthy of the growing population.	Regeneration.	The Council's vision and pledges support the regeneration of the town centre.	No change.
New residents will have the smell of the nearby refuse tip and sewage works	Environmental.	Environmental considerations will be required as part of any future planning application.	No change.
Deer and bats are present in the area.	Environmental.	An Ecology Assessment will be required as part of any future planning application.	Will be added to the information required.
Constraints section (design brief): existing trees 'should' be retained rather than 'could';	Design Brief.	Noted.	Changed.
Conservative leaflet makes no mention that housing may be built.	Politics.	The Council's Vision includes the improvement of infrastructure and housing across the Borough.	No change.

LAND AT MOREDON RECREATION GROUNDS

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VISION

A site with the potential to become a high quality, distinctive place that encourages people to move to a new home within a beautiful and richly-landscaped setting.

Adjacent to what will become a first class sports hub, the secluded housing development will be attractive to a wide demographic including families, young professionals and retired people. The layout will be designed to encourage walking and cycling, with quality of place at its heart.



FIG 1. THE SITE FROM THE SOUTHWEST CORNER



FIG 2. 3D VISUALISATION OF THE SITE

In March 2018 a report relating to the Multi Sports Hub Proposals at Moredon Recreation Ground was approved by Members of Cabinet at Swindon Borough Council. The principle of enabling residential development on this site formed part of the overall proposal.

Following public consultation, this development brief was formally adopted by Planning Committee on 13th November 2018.

INTRODUCTION

Background

The Moredon Recreation Ground is owned by Swindon Borough Council and currently provides football, cricket and croquet. The current sports offer is earmarked for major investment to create a Multi Sports Hub which will transform the current facility and enable a sustainable future.

The investment would see the provision of a closed cycling road circuit, BMX track, BMX pump track, Cyclo-cross circuit, 3G pitch and enhanced football, croquet and cricket pitches, with a new sports pavilion and changing rooms. Sports England, British Cycling and the Football Foundation are supporting this investment.

This development brief highlights the opportunity to provide high quality homes on an attractive site adjacent to excellent sporting facilities.

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FIG 3. A VIEW ACROSS TO THE SITE (RED) FROM AKERS WAY

Status

This development brief has been prepared by Swindon Borough Council to provide guidance for proposed residential development at this site. It will act as Development Management Guidance following adoption by the Planning Committee. Future planning applications for the site will be considered against the background of this adopted development brief which amplifies extant local planning policy. As adopted Development Management Guidance, this development brief will form a material consideration when determining applications at this site. Proposals which do not follow these principles together with other relevant planning policies are unlikely to be supported.

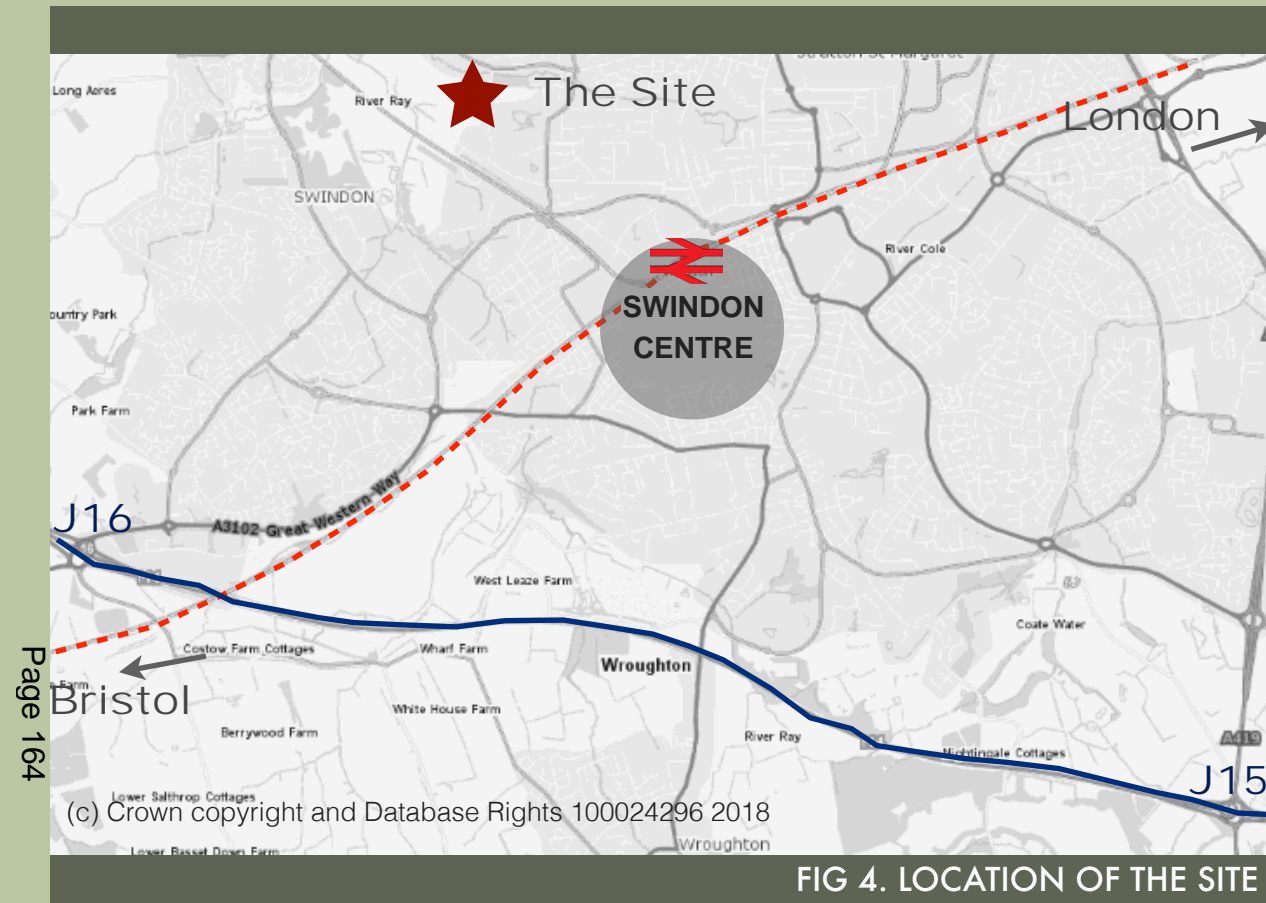
Purpose

The purpose of the development brief is to provide a development framework and design guidance to prospective developers offering some certainty on the form of development considered acceptable. The development brief presents the underlying principles that should be followed to bring forward an appropriate and high quality level of development and to ensure proposals are policy compliant. The development brief provides a summary of the sites features and sets out further technical information that will be required as part of a future planning application.

The development brief does not override adopted planning policy, but it does seek to provide clarity for developers, local residents and the general public the form of development Swindon Borough Council would support.

THE SITE

Location



The site lies approximately 2 miles from the town centre of Swindon. It is located adjacent to the Moredon area of Swindon within the Ward of Rodbourne Cheney and the Parish of Central Swindon North.

Vehicular access to the site is taken from Cheney Manor Industrial Estate Road immediately to the east which links with Akers Way further to the north giving ease of access to the rest of Swindon. Access to Swindon train station is approximately 2 miles (34 mins walking, 9 mins cycling) with onward connections to London and Bristol. The M4 is located to the south and the site lies 4 miles from junction 16 and 6.4 miles from junction 15.

Site Analysis



The 1.5 hectare site is roughly rectangular in shape. The majority of the site is open and grassed with established tree and shrub planting to the boundaries and mature trees within (FIG 5). To the east the site is bounded by a planted verge before the highway and to the north runs the River Ray (Hreod Brook) within an area of rising open space before Akers Way. To the west additional open space opens out toward the wider Moredon Recreation Grounds and to the south lies an existing landscaped carpark. There is a gentle decline from southeast to north across the whole site and at the northern boundary levels fall away steeply to the water course.

CONSTRAINTS & CONTEXT

Flooding

The site lies close to the River Ray (Hreod Brook) but outside Flood Zones 2 and 3.

Levels

There will be a requirement to fill and raise the land to the north east edge of the site as the levels here drop away from the high point of 96 AOD at the southeast corner to 93 AOD at the northeast edge.

Vegetation

The site has a number of existing mature trees mostly on the boundaries (FIG 6). Those at the north (T1) are expected to be retained to accord with Policy EN1. The southern boundary however requires management and some removal and replacement. Two tree groups within the south east corner may also need removal with the retention of the single semi-mature horse chestnut (T4). Within the site there is an existing birch tree (T3) (FIG 7) and a lime tree (T2) both of which should be accommodated within the housing parcel to provide shade, maturity and instant identity.

Archaeology

A magnetometer survey has been undertaken (July 2017) of this site and the wider Moredon Recreation Ground. The results of the survey indicate the presence of some archaeological features. Across this site there were noted numerous earthworks associated with landscaping and a former golf course and sources of magnetic disturbance included steel containers (southern boundary), numerous inspection chambers and sports features such as goalpost sockets.

Further survey work will be required to support a future planning application.

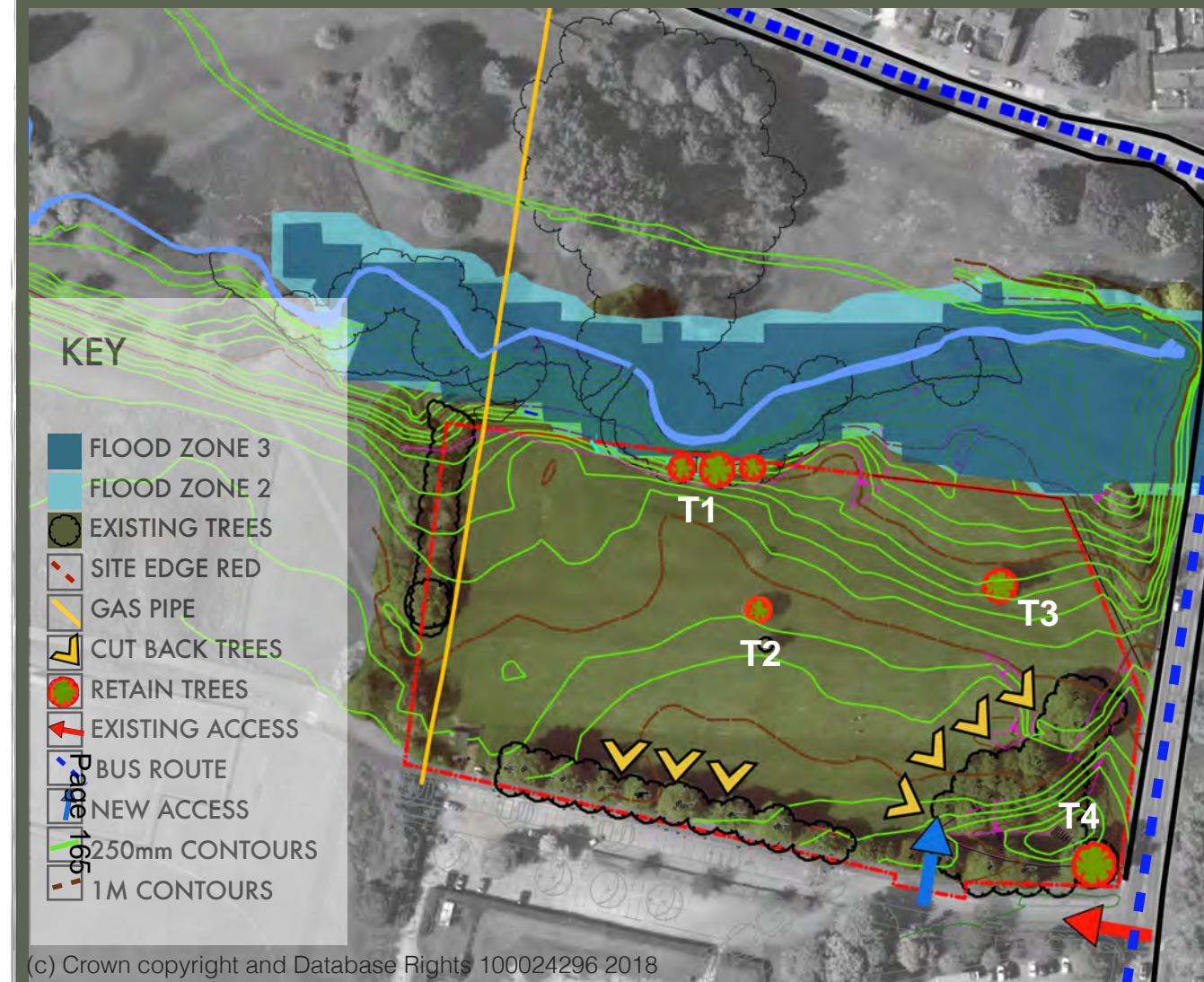


FIG 6. KEY CONSTRAINTS



FIG 7. VIEW ACROSS THE SITE WEST TO EAST, BIRCH TREE FOREGROUND

Contamination

There are no known areas of contamination across the site.

Utilities

The known utilities on the site include an underground gas pipe running north-south along the western edge of the site. Build proximities will need to be agreed with Wales and West Utilities.

Public Transport

The site is served by bus services (routes 5,15 and 16) from Akers Way a 5 min walk, running every 8-10 mins to the Town centre (Mon to Sat), 15-20 mins (Sun).

Walkability

There are no rights of way across the development site. FIG 8 shows facilities within a 5min (400m) and 10min (800m) walk of the site.

Geology & Soils

The underlying geology of the site is sandstone, siltstone and mudstone from the Hazelbury Bryan Formation with overlying alluvial deposits adjacent to Hreod Brook. The overlying soil is likely to be from the Sherborne association - a brown redzina consisting of a shallow, well drained, brashy, calcareous, clayey soil. Modern terracing and ground make up have taken place importing new material to the site.

Ecology

A Great Crested Newt survey and report has been prepared on behalf of Swindon Borough Council. The closest pond identified in the Preliminary Ecological Appraisal report is 440m away, across amenity grassland so it is improbable that newts will be travelling that far. There is however bat activity on the site. A lighting strategy will be required to accompany a planning application on this site to keep areas of trees, hedgerow and the river in darkness and further ecological surveys may be necessary.



FIG 8. WALKABLE NEIGHBOURHOOD

- KEY
- Moredon Primary School 830m
 - Moredon Community Centre 990m
 - Moredon Medical Centre 940m
 - Nova Hreod Academy 620m
 - Western Community Centre 910m
 - St Mary's Church 900m
 - Moredon & Rodbourne Cheney Library 1300m
 - Rodbourne Cheney Primary School 1280m
 - Cheney Manor Dental Practice 1200m

Wider Context

The proposed disposal of the residential development site set out in this development brief is to provide some of the capital funding needed to deliver investment in the high quality Multi Sports Hub at the adjacent Moredon Recreation Ground (Fig 9).

Swindon Borough Council's Planning Committee adopted this development brief at the same time as it considered the full planning application for the Multi Sports Hub S/18/1394.



FIG 9. WIDER MOREDON SPORTS HUB DEVELOPMENT

Policy

A future planning application for the site will need to consider:

- ◆ The National Planning Policy Framework (2018)
- ◆ The Planning Practice Guidance (2014)
- ◆ Swindon Borough Local Plan 2026 (adopted 2015)
- ◆ Statement of Community Involvement in Planning (2013)
- ◆ The Community Infrastructure Levy (Adopted April 2015)

A full list of relevant Local Plan policies and Supplementary Planning Documents is provided at Appendix A. The list is not necessarily exhaustive and the relevant policy and guidance may be superseded by replacement documents as a consequence of the timing of submission of any planning application. This Section provides guidance on the most salient policy requirements for this development and direction and advice on how to ensure policy compliance.

National Policy

As demonstrated by this document, this site represents a sustainable location for future development. At a national level, there is strategic policy and guidance which will need to be considered in particular the NPPF and Planning Practice Guidance.

Of particular relevance within the NPPF are the following sections:

- ◆ Section 6: Delivering a wide choice of high quality homes
- ◆ Section 7: Requiring Good Design

Local Policy

The Swindon Borough Local Plan 2026 is the main planning policy document for Swindon Borough, providing the planning policy framework to deliver sustainable growth up to the year 2026 and beyond.

The Local Plan Policies Map confirms the site is situated within the Swindon Urban Area. It lies within a Strategic Green Infrastructure Corridor (Policy EN1) and is designated as Public Open Space (Policy EN3). Policy EN1 requires the protection and enhancement of green infrastructure including the integration of visually or ecologically important existing trees, hedges and woodlands. In addition the policy seeks to maximise connections and the function of green infrastructure. Subject to the detail of the proposed layout this policy may be satisfied.

The Local Plan allows for the loss of open space (EN3b) where the proposed development provides community benefit that outweighs any loss when assessed against the Open Space Appraisal and Assessment. A Locally Equipped Area of Play (LEAP) is also to be included within the proposed adjacent Sports Hub to provide Local Open Space for the development. However an open space appraisal has been undertaken and compliance with Local Plan Policy EN3 is able to be secured subject to planning permission also being secured for the Multi Sports Hub.

DESIGN APPROACH

This section sets out key parameters to help shape and form the proposed development and ensure a high quality of design to respond to Policy DE1, the adopted Residential Design Guide (RDG) and the Council's expectations. The format of this section follows that of a Design & Access Statement and as such may be used to form the basis of a future planning submission.

Design Review

It is expected that proposals for housing on this site will undertake a design review with the Council's approved Design Review Panel <http://creatingexcellence.net/design-review/>

Design review is a very helpful process in the design and planning stages of a development and has been successfully received by developers on sites across Swindon over recent years.

A design proving layout is included in this development brief to illustrate how a policy compliant residential development scheme could be brought forward here.

Local Context & Character

Although there is an area of existing housing north of the site, this is almost 200m away and is situated behind an area of open space with mature vegetation. As such the site may be considered distinct from this development and able to have an identity of its own. There are no existing buildings on the site and no known contamination.

Features of the Existing Site

Although the majority of the site appears only to be gently undulating (FIG 10), the existing levels range from 96 to 93 AOD falling from a high point in the southeast across the site to a sharper drop at the northern edge. Fill will be needed to address this and provide a maximum developable area.

The development proposals should embrace the site's inherent natural assets and create good levels of amenity for future residents.



FIG 10. THE LANDSCAPE ENVELOPE AROUND THE SITE

Landscaping

The site is surrounded by existing mature trees. Those within the site that should be retained are identified on the Key Constraints plan (FIG 6).

There are several trees and clusters that require remediation or removal and replanting with species more appropriate to the new residential context, however the overall green envelope should not be compromised.

To the south the laurel and horse chestnut trees need significant reduction, crown lifting or removal and the boundary reinforced with new species appropriate for the residential setting.

To the north of the site the strong belt of existing trees is a defining feature, providing an attractive setting for the housing (FIG12). The majority of the site boundaries should remain strongly vegetated to retain the setting, shelter and seclusion and realise the vision.

To the east behind a chain linked fence there is a vegetated verge area between the site and Cheney Manor Industrial Estate Road. A new planted edge to the development will be created here to provide a setting and a screen for residents to soften the traffic impact.

The vegetation to the east and north is largely outside the site and will be retained and managed by Swindon Borough Council.

Within the site there is an existing Lime tree (FIG 11) and a weeping Birch tree which are useful assets to provide maturity, shade and identity for the new housing. Both are in good condition and their retention requires little work.



FIG 11. THE EXISTING LIME TREE WITHIN THE SITE



FIG 12. THE STRONG BELT OF TREES TO THE NORTH OUTSIDE THE SITE

Access

The site's primary access point is from the south through a singular vehicular access into the south east section of the site as illustrated (A) (FIG 13). This will enable the development approach to function and be viewed independently from the Multi Sports Hub car park.

Swindon Borough Council will provide the new vehicular access from the public highway (B) which will include a new footpath and an east-west cycle route into the Multi Sports Hub (C).

At the south and southwest corner of the site there are opportunities to provide pedestrian connections (G)(D) into the Multi Sports Hub. A new pedestrian access to the site can also be included from the east (E) and an existing pedestrian bridge crosses the brook at the north to provide access (F). The new housing development can make a positive connection to its surroundings through a well-connected block structure with good overlooking and attractive paths through and across the site.

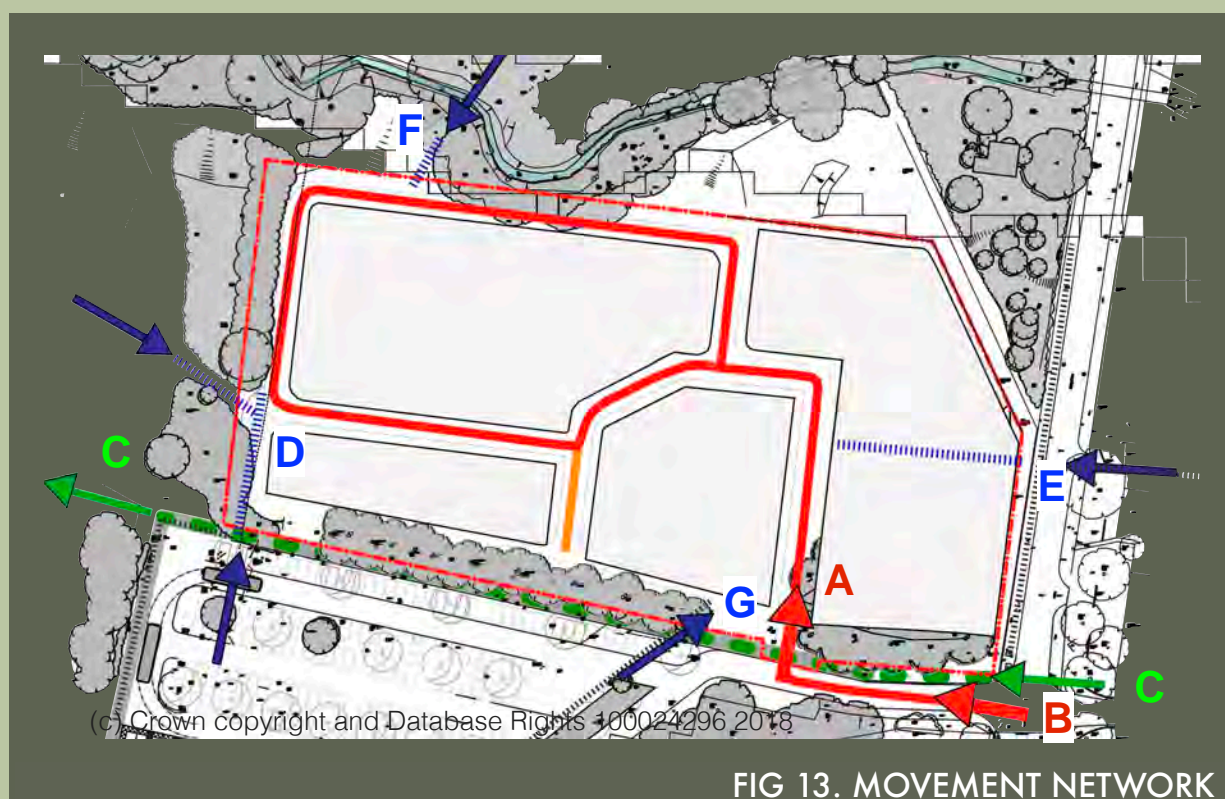


FIG 13. MOVEMENT NETWORK

Parking

The Council's adopted Technical Guidance on Parking Standards Development Control Guidance Note (2007) demonstrates the site to fall within 'sector 2' for calculating appropriate car parking levels.

The document requires that development within this sector provide:

- ◆ 1 parking space per 1 bed flat
- ◆ 2 parking spaces per 2 bed flat
- ◆ 2 parking spaces per dwelling up to 4 bed inclusive
- ◆ 3 parking spaces per dwelling with 5+ bed

One secure cycle space is also required to be provided for every flat.

Visitor car parking should be provided at a ratio of 1 space per 5 residential units.

The Parking Standards Guidance Note also sets out the minimum size for car parking spaces:

- ◆ Individual parking spaces: 4.8m x 2.4m
- ◆ Parallel parking spaces: 6m x 2m
- ◆ Dedicated parking spaces (i.e. disabled) 4.8m x 3.6m
- ◆ Garage associated with a dwelling: 3m x 6m (min. internal)
- ◆ Driveway in front of garage: 2.4m x 6m

The illustrative layout fulfils the Borough Council's parking standards by providing 108 private spaces and 12 visitor spaces.

Proving Layout

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KEY

4 Bed (3 units)

3 Bed (4 units)

2 Bed (22 units)

3 Bed (6 units)

3 Bed (4 units)

2 Bed Apt (9 units)

1 Bed Apt (12 units)

3.5m Swales

6m Swales

108 private parking bays

12 visitor bays



FIG 14. PROVING LAYOUT

Scale & Appearance

The expectation is for there to be a range of typologies accommodated on this site to achieve a good mix of housing to support a range of tenures (FIG 14).

There is an opportunity to incorporate some higher density development in the form of apartments for part of the site, given the excellent location with close proximity to movement and transport routes and to a wide range of nearby local facilities.

The higher density component complements the desire for a key building on the northeast corner to provide prominence within the unique landscape setting the site offers. Generally the design approach should incorporate contemporary restrained, but elegant architecture to provide an alternative housing offer within the Swindon market.

Page 173 Other appropriate housing typologies could include duplexes, with detached, semi and terraced properties with a high proportion of integral garaging. This would minimise the impact of vehicles on the street, whilst also providing additional accommodation above and has been a successful house type at Tadpole Garden Village.

It is expected that the scale of development should generally be in keeping with the existing residential areas across the town - between 2 and 3 storeys in height. There is the opportunity in conjunction with a key building at the northeast corner, to achieve more prominence in scale, where some of the dwellings could be accommodated in dual-aspect apartments that face the street and onto the attractive amenity areas within the site (FIG 15). The overall quality and form of this key building is important to set the tone for the wider development site.

A bespoke design is expected for the new apartment building to ensure it maximises the setting, potential values and secures a range of units with good internal space standards This typology would provide a striking edge along the exterior of the site and bestow a sense of identity through the architectural treatment – its scale, massing, form, design, details and materials.

Materials and Detailing

A high quality, complimentary palette of materials is expected on this site. Materials should be chosen to reflect and respond to the natural setting of the site in order to create a strong local identity for the development.



FIG 15. VISUALISATION FROM THE NORTH EAST

The coordination of materials should extend beyond the buildings to the wider public realm and boundary treatments so that the range of materials, colours and textures complement each other. It is envisioned that a very simple palette of mid greys, stone, and muted brick colours is chosen (FIG 16), with richness and accents formed by textures to allow for a restrained, honest and contemporary architecture to emerge. This is a key part of creating a unique, but complementary identity for the site.

Boundary treatments to the front of dwellings should include enclosure to the public realm of either a low wall, or clipped hedge (FIG 16) with gates. All rear and side gardens that interface with the public realm will be walled. This provides a sense of defensible space and consistency along the streets.

The choice of materials will be an important consideration during the planning stage and a sample panel may assist in this.

It is important that the architects on the project ensure the buildings are designed to reflect a contemporary architecture using careful detailing that is both simple and elegant. Consistent and proportional openings are expected as well as recesses into brickwork along elevations (FIG16) to include bays and projections, creating relief along elevations. Detailing must be designed to achieve the intended character and quality to harmonise with the material palette including grey window frames.

Entrances should be celebrated by using larger entranceways in apartment buildings which in turn ensures legibility and makes communal areas feel safer and more attractive.

Balconies must be 'usable' as functional amenity spaces for residents and designed to comfortably fit at least a small table and chairs.



FIG 16. SAMPLE TYPOLOGIES AND MATERIALS

Space for storage of recycling and refuse as well as cycles and service meter boxes should all be accommodated within the fabric of the dwellings, using porches and other enclosures.

Planting within the public realm should be indigenous but more formal than the surrounding natural vegetation using street trees such as *Tilia* sp, *Acer campestre*, and where space permits, *Quercus* sp and *Platanus* sp. Within the private planting areas there is an opportunity to be more contemporary and sculptural to complement the architecture including *Acer*, *Liquidamber* and fastigiate *Carpinus*, *Tilia*, *Pyrus*.

SUDs

The site benefits from a natural fall towards the Hreod Brook which would be suitable for an above ground, green sustainable drainage system. Initial calculations suggest the site will need to discharge at QBAR (greenfield runoff) at approx. 7.1l/s. This indicates a need for 1,398m³ of storage to be provided on site.

The suggested approach is the inclusion of a series of swales at 0.5m depth and 3.5m width running between frontages and the carriageway with a larger east-west swale at 1m depth and 6m width at the northern edge to connect to Hreod Brook. These areas can include planting and can contribute towards net biodiversity gain. In addition to the swales, the use of permeable paving for the communal parking areas should ensure these SUDs interventions will be able to accommodate the necessary flows and storage for the site.



FIG 17. SUDS EXAMPLES

APPLICATION SUBMISSION

Pre-application

Through open and constructive pre-application discussions, planning officers can help deliver a development that meets the Council's expectations. The aim of the service is to reduce uncertainty about what may be approved or rejected. This will enable applicants to proceed with more confidence, optimising the potential of the site and reducing the risks of additional costs arising from failed applications or redesign work.

Design Review

As set out previously the Planning Committee will expect an application or pre-application submission to be brought before the Council's approved Design Review Panel.

CIL

The development proposed within this brief constitutes Community Infrastructure Levy (CIL) liable development. CIL is a mandatory charge on relevant development.

S106 obligations

There are likely to be s106 obligations arising from the development:

The site is in Rodbourne Cheney Ward and a review of the Open Space Audit and Assessment has concluded that two open space typologies should be included:

- ♦ LEAP provision. The proposal is to secure this off-site in the wider Sport Facilities location with funding via an appropriate s106 contribution
- ♦ Outdoors Sports. As this cannot be provided on site funding will be via a proportionate s106 contribution
- ♦ There may also be further highway improvements and requirements.

Affordable Housing

Council policy HA2 on Affordable Housing requires 30% minimum affordable housing on this site. A viability appraisal will be needed to justify any reduction in this provision. The control of affordable housing is proposed to be via planning condition.

Surveys Undertaken

In order to better inform investors and give a clearer view of the constraints and potential of this site various checks and specialised studies been conducted on behalf of Swindon Borough Council. These will be included in the sales pack for the site.

Information Required

In addition to the standard validation requirements and further to those assessments, surveys and checks already undertaken, additional assessments and information will need to be submitted with a planning application at this site as detailed below.

- ♦ A flood Risk Assessment (FRA)
- ♦ Drainage Strategy (DS)
- ♦ Arboriculture Survey
- ♦ Archeology Assessments
- ♦ A Design and Access Statement
- ♦ An Ecology Assessment

The Council places particular emphasis on the need to submit a detailed and carefully considered Design and Access Statement that should cover both the design principles and concepts that have been applied to the proposed development.

In relation to this site careful reference should be made to the Council's development brief to demonstrate how the objectives for the site are addressed.

CONTACT INFORMATION

CIL

Information on the Council's adopted CIL Charging Schedule and accompanying information can be viewed via www.swindon.gov.uk/cil.

DESIGN AND ACCESS STATEMENT

The CABE publication "Design and Access Statements - how to read, write and use them" provides useful information

www.cabe.org.uk/files/design-and-access-statements<<http://www.cabe.org.uk/files/design-and-access-statements>>

SUDS

Any proposals should be designed in accordance with the Non-statutory technical Standards for sustainable drainage systems

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf

and the latest SuDS Manual (C753)

http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx>

To discuss possible drainage solutions for the site please contact the Lead Local Flood Authority via

LLFA@swindon.gov.uk<<mailto:LLFA@swindon.gov.uk>>

VALIDATION

Advice on submitting a planning application and the typical associated requirements can be found on the Council's website at;

https://www.swindon.gov.uk/info/20030/planning_and_regeneration/493/checklists_for_planning_applications/6

CONTACT

Copies of this document and further information can be obtained from:

The planning department: TBuxton@swindon.gov.uk

APPENDIX A

Swindon Borough Local Plan 2026

- ◆ SD1 Sustainable Development Principles
- ◆ SD2 The Sustainable Development Strategy
- ◆ SD3 Managing Development
- ◆ DE1 High Quality Design
- ◆ DE2 Sustainable Construction
- ◆ HA1 Mix, Type and Density
- ◆ HA2 Affordable Housing
- ◆ HA3 Wheelchair Accessible Housing
- ◆ TR1 Sustainable Transport Networks
- ◆ TR2 Transport and Development
- ◆ IN1 Infrastructure Provision
- ◆ IN2 Water Supply and Wastewater
- ◆ IN4 Low Carbon and Renewable Energy
- ◆ CM2 Active, Healthy and Safe Lifestyles
- ◆ CM3 Integrating Facilities and Delivering Services
- ◆ CM4 Maintaining and Enhancing Community Facilities
- ◆ EN3 Open Space
- ◆ EN6 Flood Risk
- ◆ EN7 Pollution

- ◆ EN9 Contaminated Land
- ◆ SC2 Swindon's Existing Urban Communities

Supplementary Guidance

The following Supplementary Planning Documents may need to be considered:

- ◆ Swindon Residential Design Guide (2016)
- ◆ Technical Guidance on Parking Standards (2007)
- ◆ Swindon Cycle Parking Standards (2013)
- ◆ Inclusive Design and Access for All (2011)
- ◆ Noise and Residential Development SPG (2004)
- ◆ Affordable Housing Position Statement (2016)
- ◆ Open Space and New Housing Development (2004)
- ◆ Tree Protection on Development Sites (2004)



The management of Houses in Multiple Occupation

Planning Committee

Date: 13th November 2018

Author: Head of Planning, Regulatory Services and Heritage in conjunction with the Director of Public Health

Parish / Ward Affected: All

Purpose

To update the Planning Committee on measures being pursued to enhance the management of Houses in Multiple Occupation (HMOs) in Swindon Borough.

The Planning Committee is requested to:

1. Note the latest figures on the extent to which HMOs are proliferating in the Borough;
2. Note the changes to the Licensing regulations that came into force on 1st October 2018 to bring more HMOs under the Licensing regime;
3. Note the additional powers available to the Council through changes to the Licensing Regulations to enable waste to be stored and presented in line with Council guidelines; and
4. Note the additional controls available to the Council to ensure that landlords and managing agents are 'fit and proper' to manage HMOs.

1. Reasons

- 1.1 This report has been prepared at the request of Planning Committee Members, who raised concerns with the impact of HMOs on local communities, following a debate on a HMO application in the Eastcott Ward.
- 1.2 In considering the issue, the report provides an update to Councillors on the extent to which HMOs are proliferating in the Borough and details the measures that have recently been put in place by the Public Protection Team to enable the better management of HMOs. The report further details the wider powers available to the Council to manage the impacts of HMOs, and the situation regarding HMO's in Planning law.

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

The management of Houses in Multiple Occupation

Planning Committee

Date: 13th November 2018

2. Detail

Context

- 2.1 The Council regulates the use and operation of larger HMOs through its Planning and Licensing regimes.

Planning

- 2.2 Through the planning application process, the Council can manage external impacts of larger HMOs. Only larger HMOs require planning permission (defined in Planning legislation as dwelling houses occupied by more than six unrelated residents). HMOs with six or less unrelated residents are deemed 'permitted development' and would not require planning consent. In determining whether a proposal is likely to give rise to more than six unrelated residents, the Local Planning Authority assesses the number of individual rooms proposed at the property.

Licensing (Public Protection)

- 2.3 The HMO Licensing regime seeks to keep residents safe by ensuring that landlords follow certain standards when renting out a property to multiple persons. HMOs require a Licence where five or more people from two or more separate households are living in the property.
- 2.4 Since 1st October 2018 any landlord who lets a property to five or more people from two or more separate households must be licenced by the Council. Prior to 1st October, a Licence was only required for HMOs of over 2 stories. This change means that a higher proportion of the Borough's HMOs now require a Licence. The Council's HMO Licensing Team are applying this change in law to properties both when they come forward and retrospectively when Licences are renewed.
- 2.5 Legislative changes have also introduced new conditions that must be included in licences. These new conditions relate to mandatory national minimum sleeping room sizes and waste disposal provision requirements.

Managing the Proliferation of HMOs

- 2.6 The proliferation of larger HMOs is managed through the planning process.
- 2.7 Policy HA4 of the Swindon Borough Local Plan 2026 acknowledges the need to consider the number and impact of HMOs on an area to prevent harm to local communities. Part b) of the policy states:

In order to support mixed and balanced communities, and to ensure that a range of household needs continue to be accommodated throughout the Borough, applications for changes of use to a House in Multiple

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

The management of Houses in Multiple Occupation

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Date: 13th November 2018

Occupation (HMO) shall only be permitted where the proposal would not adversely affect the character of the surrounding area or lead to an unacceptable concentration of Houses in Multiple Occupation within a given area.

- 2.8 Most HMOs fall under the threshold below which planning permission is required. To enable the Council to manage their proliferation, we would need to implement an "Article 4 Direction" to bring smaller HMOs under planning control.
- 2.9 The Secretary of State is required to confirm and Article 4 Direction. It is clear from his decisions that this agreement to do so requires clear evidence of the nature of the harm experienced and not all requests have been agreed. Swindon does not experience the same pressures as, for example, the university towns where HMOs predominate in an area.
- 2.10 Previous consideration has been given to this issue. In December 2012 Cabinet resolved to authorise the Head of Planning, to make a submission under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) to the Secretary of State once local evidence indicated that 10% of dwellings in the Ward (Eastcott) are classed as HMOs. In 2011/12, the known HMOs amounted to some 3% of properties in the Central Wards.
- 2.11 The 10% threshold has not been breached. Currently 0.7% of the Borough's housing stock comprises HMO accommodation (as defined under HMO Licensing regime). In Eastcott Ward, the Ward with the highest number of HMOs, 3.5% of the housing stock now comprises HMOs.
- 2.12 It remains the case that Swindon does not have the numbers or concentration of HMOs experienced in other towns and cities, in particular those with high proportions of students or those with a significant transient migrant workforce. Further, whilst the numbers of HMOs have grown over time, evidence points to a significant reduction in the number of new HMOs being created in recent months. The more stringent regulatory system set out in this report will likely lead to consolidation in the sector.
- 2.13 Whilst the number of HMOs in Swindon has not reached a level that justifies introducing an Article 4 Direction, (as agreed by Cabinet) the impact of HMOs are nonetheless of concern to residents.
- 2.14 Overgrown gardens, unsightly waste storage, anti-social behaviour and overall poor presentation of the exterior of the property are all concerns. Subsequent sections of this report considers how the Council is able to respond to ensure that these matters do not escalate.

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

The management of Houses in Multiple Occupation

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Managing Waste

- 2.15 HMOs will usually generate more waste than single family homes. The manner in which this waste is stored and presented is often unsightly and also potentially unsanitary.
- 2.16 HMOs are residential properties, and as such, the Council is required to provide a waste collection service to them which is free at the point of use. However, there is scope to manage the particular waste storage concerns arising from HMO properties.
- 2.17 Recent legislative changes enable the Council to more proactively manage waste disposal provision in HMO properties. All HMO licences issued since 1st October 2018 include a condition requiring the compliance with the Council's storage and waste disposal scheme. A licence holder's failure to comply with the scheme is a breach of the licence and a criminal offence.
- 2.18 The emerging waste strategy proposes to give landlords the opportunity to purchase additional waste receptacles. The waste strategy will also set out the Council's storage and waste disposal scheme, with which HMO properties will need to adhere.

Managing presentation of property

- 2.19 Poorly managed HMOs may result in overgrown gardens and general dilapidation.
- 2.20 The Council has the power to issue 'Untidy Site Notices' under Section 215 of the Town and Country Planning Act 1990 or 'Community Protection Notices' under the Anti-social Behaviour, Crime and Policing Act 2014 so as to ensure that properties are maintained and presented to an adequate standard. The process for dealing with untidy sites through a S215 Notice was endorsed at Planning Committee on 10th September 2013, and is available to view at:
<http://sbcvpwmmgv02:9070/ieListDocuments.aspx?CId=281&MID=6195>

Ensuring Landlords and Managing Agents are fit and proper

- 2.21 The HMO Licence application stage is used to assess whether a landlord is deemed 'fit and proper' to manage a HMO.
- 2.22 The Council has previously required prospective HMO landlords and managing agents to submit to CRN/DBS checks on whether the landlord has any relevant convictions in tribunal or court.
- 2.23 However, the Council, like many authorities, moved away from this due to resourcing issues and backlogs at the checking bureau. The Government

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has recently published a “Rogue Landlords Database” and is issuing Banning Orders to rogue landlords, which should make the requirement for HMO landlords to submit to CRN/DBS checks redundant as a blanket approach. However, we will retain the discretion to do so on a case by case basis where we have concerns.

Parking Control

- 2.24 Much of Central Swindon, including most of the Eastcott Ward is covered by residents’ parking zones. Residents are able to apply for up to two permits per household in the relevant zone. A change of use to a HMO will not entitle the residents to more than two permits regardless of the number of occupants. This means that whether the property is a dwelling or a HMO, no more than two permits will be issued.
- 2.25 The Council recognises that, in some cases, conversions of existing properties into premises that create multiple occupation are likely to result in increased demand for on street parking.
- 2.26 In order to keep the ratio of spaces and permits to its current level, the Council considers all applications for permits against the original circumstances of the parking zone at the time it was created.
- 2.27 No additional permits will be granted as a result of a property becoming a HMO. ‘Non-permit’ parking will only be available within the zones outside of the controlled hours. This approach by parking services reflects the adopted Car Parking Standards (currently undergoing review) and is reinforced by conditions on planning permissions.

3. Alternative Options

- 3.1 This report has been prepared to update Members on the powers available to manage HMOs in the Borough. The report contains no recommendations.

Financial and Procurement Implications

- There are no financial or procurement implications directly arising from this report.

Legal / Human Rights Implications

- There are no human rights issues directly arising from this report.
- The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order (‘the Prescribed Description Order 2018’) has the effect of extending the scope of section 55(2)(a) of the Housing Act 2004 (‘the Act’), so that mandatory HMO licensing also applies to HMO properties which are less

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The management of Houses in Multiple Occupation

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than three storeys high.

- A second statutory instrument, the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 ('the Mandatory Conditions Regulations 2018') amends Schedule 4 of the Act, introducing new conditions that must be included in licences that have been granted under Part 2 of the Act to consider mandatory national minimum sleeping room sizes and waste disposal provision requirements.

Links to Council Plan 2016-2020, Strategic Objectives, Plans and Policies

- This report is aligned with the vision for Swindon which seeks to ensure Swindon has all the positive characteristics of a British city with one of the UK's most successful economies and a model of well managed housing growth which supports new and existing communities.

Diversity Impact Assessment

- The Council's policy position is based on the overarching Planning Framework based on the adopted Local Plan 2026. The adopted Local Plan has been subject to a Diversity Impact Assessment and therefore potential equality implications have also been assessed through this process too.

Risk Management

- A Risk Assessment has not been prepared to accompany this report.

Consultees

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

Background Papers

- The Swindon Borough Local Plan 2026
- House in Multiple Occupation and residential property licensing reform – Guidance for Local Housing Authorities MHCLG 2018
- December 2012 Cabinet Report on Houses in Multiple Occupation

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

The Revised National Planning Policy Framework and compliance of Swindon Borough Development Plan Documents

Planning Committee

13th November 2018

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

1. Purpose and Reasons

- 1.1 The purpose of this report is to advise the Planning Committee of the Revised National Planning Policy Framework (rNPPF) and the extent to which the Swindon Borough Local Plan 2026 and associated Development Plan Documents comply with it.
- 1.2 The proposals support the Stronger Together outcomes of “a more focused, relevant and effective organisation” and “all resources, both in the organisation and in our communities, working together to meet shared challenges.”

2. Recommendations

The Committee is recommended to:

- 2.1 Note the provisions of the Revised National Planning Policy Framework, and
- 2.2 Endorse the assessment of compliance of the Swindon Borough Local Plan 2026 and associated Development Plan Documents as set out in this Report and its accompanying Appendices.
- 2.3 Delegate authority to Head of Planning, Regulatory Services and Heritage to undertake necessary factual updates to the Affordable Housing Position Statement 2016 to reflect current standards, guidance and legislation and publish on the Council’s website.

3. Detail

- 3.1 On 24th July 2018, the Government published the Revised National Planning Policy Framework with the aim of ‘planning for the right homes built in the right places of the right quality at the same time as protecting our environment’.
- 3.2 The Revised NPPF is available online at:

Further information on the subject of this report can be obtained from Phil Smith, 466443, psmith@swindon.gov.uk.

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<https://www.gov.uk/government/collections/revised-national-planning-policy-framework>

- 3.3 The Government also updated the online Planning Practice Guidance (PPG) on September 13th September 2018 to reflect the changes in the rNPPF. The PPG is available online at:

<https://www.gov.uk/government/collections/planning-practice-guidance>

- 3.4 The Swindon Borough Local Plan 2026 was examined in 2014, and one of the key tests of soundness is compliance with the NPPF. The Inspector concluded that with some modifications the Plan could be made sound. The recommended modifications were made and the Plan was adopted in March 2015.
- 3.5 Paragraph 2 of the rNPPF confirms that planning law requires that applications for planning permission must be determined in accord with the development plan, unless material considerations indicate otherwise. The rNPPF is a material consideration in planning decisions.
- 3.6 Paragraph 212 states that the policies in the rNPPF should be taken into account in dealing with planning applications from the day of its publication. Development Plans may also need to be revised to reflect policy changes which the rNPPF has made. However, existing Local Plan policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the rNPPF. Due weight should be given to them, according to the degree of consistency with the rNPPF, (the closer the policies in the plan to the policies in the Framework, the greater the weight may be given).
- 3.7 Many of the revisions to the rNPPF concern Plan making. These will be addressed through the on-going Local Plan Review, and as such is not the subject of this Report.
- 3.8 The rNPPF largely repeats the previous NPPF with some streamlining and re-ordering. In this respect, the majority of the adopted Local Plan policies are considered to be fully consistent with the rNPPF. The key changes as they affect decision making are described below.

The Presumption in Favour of Sustainable Development

- 3.9 The rNPPF outlines what is meant by the Presumption at paragraph 11. It has been refined, in part to take account of various legal cases that have been heard since the publication of the original NPPF.
- 3.10 Paragraph 11, states that for decision taking, where there are no relevant development plan policies or where *the policies most important for determining*

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the application are out of date, permission should be granted unless the site is protected from development or where the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

- 3.11 By way of footnote to paragraph 11, the rNPPF explains that this presumption now includes, for housing schemes, situations where there is no 5 year supply, or where the Housing Delivery Test (HDT) has not been met. The Housing Delivery Test is introduced at paragraph 75.

The test will measure the number of homes created against local housing need over a three-year period.

- 3.12 Annex 1 of the rNPPF confirms that the HDT will apply from the day following publication of the first HDT results in November 2018. The determination of whether delivery of housing was substantially below the requirement is based on the following measures:

3.12.1 November 2018 - indicate that delivery was below 25% of housing required over the previous three years;

3.12.2 November 2019 - indicate that delivery was below 45% of housing required over the previous three years;

3.12.3 November 2020 - and in subsequent years indicate that delivery was below 75% of housing required over the previous three years.'

- 3.13 Also, In the interests of maintaining delivery, where housing completions (?) falls below 95% over a previous 3 year period, the Local Planning Authority will be required to prepare an action plan to rectify this.

- 3.14 The approach advocated in the 2016 written ministerial statement on Neighbourhood Development Plans (NDPs) is enshrined in the revised rNPPF. The Framework states that in situations where housing proposals conflict with a Neighbourhood Plan, then this would result in adverse impacts that are not capable of outweighing the benefits, IF ALL the following 4 criteria are met:

3.14.1 The Neighbourhood Plan became part of the development plan two years or less before the date on which the decision is made;

3.14.2 The Neighbourhood Plan contains policies and allocations to meet its identified housing requirement;

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3.14.3 The local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and

3.14.4 The local planning authority's housing delivery was at least 45% of that required over the previous three years.

Other Measures in support of housing supply

3.15 Revisions to the NPPF reflect the Government's housing market reform programme, as set out in the Housing White Paper. The most significant include:

3.15.1 LPA's will need to identify land to accommodate at least 10% of their housing need on sites smaller than 1 hectare and decision making should give 'great weight' to windfall housing sites within existing settlements (Para. 68)

3.15.2 'Entry-level exception sites' for first time buyers/renters should be supported. These should be sites which are not already allocated for housing, adjacent to existing settlements and proportionate in size to them. (Para. 71)

Affordable Housing

3.16 The definition of affordable housing has been revised and confirms that 'social rent' and 'affordable rent' products now fall within the scope of what is referred to as 'affordable housing for rent'. The rNPPF now also refers to 'other affordable routes to home ownership' which means other low cost home ownership products which are available at a price equivalent to at least 20% below local market value. This has significantly widened the scope of the type of housing that may be considered 'affordable'

3.17 Paragraph 64 sets out an expectation that at least 10% of homes on major development (i.e. 10 or more homes or greater than 0.5 hectares) should be available for affordable homeownership as part of the overall housing contribution on the site, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Affordable housing should not be sought for residential developments that are not major developments (Para. 63).

3.18 Local Plan policy HA2 sets a higher threshold than the provisions of paragraph 63 and does not specify the tenure split. However on the basis of the 30% overall affordable housing provision set by Policy HA2, the tenure split would be 66/33 rented to affordable home ownership. The Council's Affordable Housing Position Statement (November 2017) sets out that total affordable housing provision will

Further information on the subject of this report can be obtained from Phil Smith, 466443, psmith@swindon.gov.uk.

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be sought on average in a 70/30 percentage split between rented housing (social or affordable) and intermediate housing (including affordable home ownership initiatives) in favour of rented to reflect the Council's wish to assist a range of incomes access affordable housing and create more sustainable communities. Swindon Borough Council will adjust this tenure ratio according to the characteristics of any particular development especially with regard to higher value areas where affordable home ownership may not be sufficiently affordable.

- 3.19 In light of the revisions to the rNPPF, the Council's Position Statement will need to be updated and the rNPPF provisions applied to major applications.

Making Effective Use of Land

- 3.20 The rNPPF re-emphasises that 'substantial weight' should be given to the use of suitable brownfield land within settlements for 'homes and other identified needs.' It also confirms that planning policies and decisions should promote and support the development of underutilised land and buildings (especially to meet housing needs where land supply is constrained); and support opportunities to use the airspace above existing residential and commercial premises for new homes. (Para. 118)
- 3.21 The rNPPF is clear that planning policies and decisions need to reflect changes in the demand for land. LPA's will need to undertake regular reviews of both allocated land and land availability and if it considers there to be no reasonable prospect of an application coming forward, they should either reallocate the site for a more deliverable use; or deallocate a site if no alternative use would be deliverable. As this process will need to form part of plan review, in the immediate term, applications for alternative uses should be supported where this would contribute to meeting an unmet need. (Para. 120)
- 3.22 Furthermore, the rNPPF requires LPA's to adopt a positive approach to applications for alternative uses of land on previously developed sites not allocated for a specific purpose. Particular support should be given to the re-use of retail and employment land for homes in areas of high demand, provided this would not undermine key economic sectors, key economic sites or the vitality and viability of town centres. (Para. 121)
- 3.23 LPA's should refuse applications which they consider fail to make efficient use of land. (Para. 123)

Achieving well-designed places

- 3.24 Pre-application consultation is emphasised within the rNPPF, stating that 'Applications that can demonstrate early, proactive and effective engagement

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with the community should be looked on more favourably than those that cannot.’ (para. 128)

- 3.25 Paragraph 103 states that LPA’s should seek to ensure the quality of approved development is not materially diminished between permission and completion. This policy addition will now give LPA’s a greater ability to resist the downgrading of schemes through changes to the approved materials for example, which are usually sought through the Non Material Amendment process, or through the acceptance of a more viable scheme.

Viability

- 3.26 The emphasis is now assessing scheme viability at the Plan making stage when sites are considered. The rNPPF makes it clear that development schemes should be assumed capable of meeting up to date policy requirements for contributions.. LPA’s are directed to attribute weight to viability assessments in their role as decision taker having regard to any change in circumstances including whether the plan and its viability evidence are up to date, and any changing circumstance. All viability assessments should be made publicly available. Planning Practice Guidance has also been updated with regards to undertaking viability assessments and should be the starting point for establishing the methodology required. The new practice guidance also makes it clear that the price paid for land is not a relevant justification for failing to accord with relevant policies in Plans. However, it is also the case that a balance needs to be achieved in respect of policy expectations and returning a reasonable profit to the developer in order to bring about the required development in the Borough.
- 3.27 The Local Plan was subject to a viability assessment at submission for examination alongside more detailed assessments for the New Eastern Villages and Kingsdown allocations, being the only two sites at that time not benefiting from outline permission. Individual viability assessments have been submitted for applications on these sites which have been assessed in relation to the policy requirements and informed S106 negotiations.
- 3.28 In progressing the Local Plan Review, a new viability policy will require extensive consultation with landowners, infrastructure providers, land promoters and affordable housing providers to assemble evidence to underpin and justify the cost of policies to development sites. The aim is therefore to achieve a viability position that all parties have contributed to, in order to reduce the volume or extent of viability assessments being undertaken at the planning application stage.

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Use of Conditions

- 3.29 The rNPPF has added further provisions to the use of planning conditions. It now stipulates that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, where they are enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification. (Para. 55)

Planning for Waste

Planning policies for waste management for the Borough are contained within three Development Plan Documents (DPDs) produced jointly with Wiltshire Council; the Wiltshire and Swindon Waste Core Strategy DPD (2009), the Wiltshire and Swindon Waste Development Control Policies DPD (2009), and the Waste Sites Allocation Local Plan (2013). The rNPPF does not specifically deal with waste matters, deferring to the National planning Policy for Waste (2014). However the rNPPF does state that plans and decisions for waste development should have regard to policies in the rNPPF where relevant (Para 4).

Next Steps

- 3.30 This report will serve to provide a clear position statement on the application of planning policies and supplementary planning guidance until such time as the emerging Local Plan Review is adopted.

4. Alternative Options

- 4.1 The Council could delay providing a position statement on the policy framework, and instead continue to rely on the adopted Local Plan without clarity with regard to consistency with the Revised National Planning Policy Framework. However, this could potentially weaken the Council's position when considering proposals for development.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There are no direct financial and procurement implications as a result of this Report, however there maybe an impact on planning fee income, positive or negative which will be monitored. The viability consultation, typologies and S106 monitoring requirements will have some resourcing issues over and above

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current expectations. These are being addressed through restructure of the Council's planning services with no increase in base budget.

Legal and Human Rights Implications

- 5.2 Legal and Human Rights implications were taken into account in preparing this report. It is considered that the recommendations are consistent with Convention Rights.

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

- 5.3 Changes to fee income would directly affect the Council's ability to fund the planning service and retain its current level of staffing. At this stage it is difficult to assess the market reaction to the revised NPPF.
- 5.4 The rNPPF does not remove or negate the sustainability appraisal of the Local Plan.

Diversity Impact Assessment

- 5.5 As this Report concerns the changes to Government policy there is no Diversity Impact Assessments (DIA). However any Swindon Borough Council policy documents that are produced to be in accordance with such changes to national policy, such as the Swindon Borough Local Plan, will be subject to a DIA.

Risk Management

- 5.6 Through its Annual Monitoring Report the Council will assess the Local Plan policies and if appropriate revise them as part of the Local Plan Review.

6. Consultees

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

7. Background Papers

None

8. Appendices

- 8.1 Appendix 1: Schedule of Conformity of Swindon Borough Local Plan Policies with the Revised NPPF
- 8.2 Appendix 2: Schedule of Conformity of Wiltshire and Swindon Waste Development Plan Documents with the Revised NPPF

Further information on the subject of this report can be obtained from Phil Smith, 466443, psmith@swindon.gov.uk.

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- 8.3 Appendix 3: Schedule of Conformity of Supplementary Planning Documents and Guidance with the Revised NPPF

Appendix 1: Swindon Borough Local Plan and Revised National Planning Policy Framework compatibility matrix

Adopted Local Plan Policy	Compliant with Revised NPPF?	NPPF part/para.	Notes
Sustainable Development Strategy			
SD1: Sustainable Development Principles	Yes	All	
SD2: The Sustainable Development Strategy	Yes	All	
SD3: Managing Development	Yes (see note)	Paras 11, 126	Para 11 amends wording of SD3a
Enabling Sustainable Development			
DE1: High Quality Design	Yes	Chapter 12. para 91	
DE2: Sustainable Construction	In-part	Para. 150	Requirements for sustainability of buildings should reflect the Governments policy for technical standards. Part b of DE2 as it relates to residential developments is by virtue of this out-of-date
EC1: Economic Growth through existing Business and Inward Investment	Yes	Chapter 6	
EC2: Employment Land and Premises (B	Yes	Chapter 6. Para.120	

Adopted Local Plan Policy	Compliant with Revised NPPF?	NPPF part/para.	Notes
Use Classes)			
EC3: The Role of the Centres and Main Town Centre Uses	Yes	Chapter 7	
EC4: Conversions of Buildings to employment Use in the Countryside	Yes	Para. 83	
EC5: Farm diversification	Yes	Para. 83	
HA1: Mix, Types and Density	Yes	Chapter 5	
HA2: Affordable Housing	Yes (see note)	Paras. 62-64	<p>Annex 2 of the NPPF includes updated definition of affordable housing.</p> <p>Para. 64 sets out an expectation that at least 10% of homes on major development (i.e. 10 or more homes or greater than 0.5 hectares) should be available for affordable homeownership as part of the overall housing contribution on the site.</p> <p>Para 63 states affordable housing should not be sought for residential developments that are not major developments.</p>
HA3: Wheelchair Accessible Housing	Yes (see note)	Para 61,	Applications are expected to equate

Adopted Local Plan Policy	Compliant with Revised NPPF?	NPPF part/para.	Notes
			Optional Requirement M4(3); Category 3 Wheelchair User Dwellings of the Building Regulations 2010 (2015 addition incorporating 2016 amendments) at a minimum.
HA4: Subdivision of Housing / Housing in Multiple Occupation	Yes	Para. 127	
HA5: Rural Exception Sites	Yes (see note)	Para 71	The NPPF extends the definition of exception sites to include entry level homes as defined in Annex 2 of the NPPF.
HA6: Agricultural Workers Dwellings	Yes	Para 79	
HA7: Conversion of buildings to residential use in the countryside	Yes (see note)	Para 79	<p>Statutory Instrument No. 343 (March 2018) amends the definition of permitted development referred to in Policy HA7.</p> <ul style="list-style-type: none"> •No more than five separate dwelling houses can be developed under this Class. •Subject to this limit of five dwelling houses, up to three can be 'larger dwelling houses'. (A larger single dwelling house is one with a floor space of more 100m²). No more than 465m²

Adopted Local Plan Policy	Compliant with Revised NPPF?	NPPF part/para.	Notes
			<p>of floor space can change use to 'larger dwelling houses' under this class and no more than 465m² of residential floor space is allowed in larger dwelling houses.</p> <p>•Within the overall limit of five dwelling houses, up to five can be 'smaller dwelling houses'. (Smaller dwelling houses each have a floor space of no more than 100m²).</p>
HA8: Gypsies, Travellers and Travelling Showpeople Pitches and sites	Yes	Para 61	Also refer to Planning Policy for Traveller Sites
TR1: Sustainable Transport Networks	Yes	Chapter 9	
TR2: Transport and Development	Yes	Paras 105-111	
IN1: Infrastructure Provision	Yes	Paras 54-57	
IN2: Water Supply and Wastewater	Yes	Para 149	
IN3: ICT & Telecommunication	Yes	Chapter 10	
IN4: Low Carbon and Renewable Energy	Yes (see note)	Paras 151-154	
CM1: Education	Yes	Paras 20 and 94	

Adopted Local Plan Policy	Compliant with Revised NPPF?	NPPF part/para.	Notes
CM2: Active, Healthy and Safe Lifestyles	Yes	Chapter 8	
CM3: Integrating Facilities and Delivering Services	Yes	Para 92	
CM4: Maintaining and Enhancing Community Facilities	Yes	Para 92	
EN1: Green Infrastructure Network	Yes	Paras 96-97	
EN2: Community Forest	Yes	Para 142	
EN3: Open Space	Yes	Paras 96-97	
EN4: Biodiversity and Geodiversity	Yes	Paras 170-171	
EN5: Landscape Character and Historic Landscape	Yes	Paras 170-172	
EN6: Flood Risk	Yes	Paras 155-163	
EN7: Pollution	Yes (see note)	Paras 170, 178-183	Para 182 states that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. In such circumstances the applicant (or

Adopted Local Plan Policy	Compliant with Revised NPPF?	NPPF part/para.	Notes
			agent of change) should provide suitable mitigation before the development has been completed.
EN8: Unstable Land	Yes	Paras 178-179	
EN9: Contaminated Land	Yes	Paras 178-179	
EN10: Historic Environment and Heritage Assets	Yes	Chapter 16	
EN11: Heritage Transport	Yes	Para 92	
5. Delivering Sustainable Growth and Change			
SC1: Swindon's Central Area	Yes	Chapter 7	
SC2: Swindon's Existing Urban Communities	Yes	All, particularly Chapter 8	
NC1: Wichelstowe	Yes	All	
NC2: Commonhead	Yes	All	
NC3: Eastern Villages	Yes	All	
NC4: Tadpole Farm	Yes	All	
NC5: Kingsdown (East of the A419)	Yes	All	

Adopted Local Plan Policy	Compliant with Revised NPPF?	NPPF part/para.	Notes
RA1: Highworth	Yes	All	
RA2: Wroughton	Yes	All	
RA3: South Marston	Yes	All	
LN1: Neighbourhood Planning	Yes	Paras 13,18, 21, 28-30	

Appendix 2: Wiltshire and Swindon Waste DPDs and Revised National Planning Policy Framework compatibility matrix

Waste DPD/Policy	Compliant with Revised NPPF?	NPPF part/para.	Notes
Wiltshire and Swindon Waste Core Strategy DPD			
WCS1: The need for additional waste management capacity and self-sufficiency	Yes	Chapter 9	Principles of sustainable transport
WCS2: Future Waste Site Locations	Yes	Chapter 9 Para 172-173	Sustainable transport modes and methods. Consideration of AONB
WCS3: Preferred Location of Waste Management Facilities by Type and Provision of Flexibility	Yes	Chapter 11	Effective use of land
WCS4: Safeguarding Waste Management Sites	Yes	Chapter 11	Effective use of land
WCS5: The Wiltshire and Swindon Waste Hierarchy and Sustainable Waste Management	Yes	Para. 148	Meeting the challenge of climate change
WCS6: Waste Reduction and Auditing	Yes	Para 110	Avoiding street clutter Meeting the challenge of climate

Waste DPD/Policy	Compliant with Revised NPPF?	NPPF part/para.	Notes
		Para. 148	change
WCS7: Waste DPD Implementation, Monitoring and Review	Yes	Chapter 2	Achieving sustainable development
Wiltshire and Swindon Waste Development Control Policies DPD			
WDC1: Key Criteria for Ensuring Sustainable Waste Management	Yes	All	Sustainable principles
WDC2: Managing the Impact of Waste Management	Yes	Chapters 2, 9, 12, 14 & 15	
WDC3: Water Environment	Yes	Chapters 14 & 15	
WDC4: Protection of Recreational Assets	Yes	Paras. 97 & 180	
WDC5: Canals & Railways	Yes	Para. 92	
WDC6: Airfield Safeguard Areas	Yes	Para 104	
WDC7: Conserving Landscape Character	Yes	Paras. 170-172	
WDC8: Biodiversity & Geological Interests	Yes	Paras. 170-171	
WDC9: Cultural Heritage	Yes (see note)	Chapter 16	The NPPF and Local Plan policy EN10 provide greater detail
WDC10: Restoration of Waste Management	Yes	Chapters 14, 15	

Waste DPD/Policy	Compliant with Revised NPPF?	NPPF part/para.	Notes
Sites		&16	
WDC11: Sustainable Transportation of Waste	Yes	Chapter 9	
WDC12: Renewable Energy	Yes	Para. 151	
WDC13: Landfill Developments	Yes	Para. 148	
Wiltshire and Swindon Waste Sites Allocations Local Plan			
WSA1: Presumption in favour of sustainable development	Yes (see note)	Paras 11, 126	Para 11 amends wording of WSA1

Appendix 3: Schedule of conformity of Swindon Borough Supplementary Planning Documents with the Revised NPPF

Name	Date Adopted	Local Plan 2026 Policy	Compliance with revised NPPF?	Revised NPPF Relevant Paragraphs	Comments
Inclusive Design – Access for All SPD	Nov 2011	DE1	Yes	91-92, 110, 127-128, 130	rNPPF 127: Planning policies and decisions should ensure that developments are safe, inclusive and accessible.
Residential Extensions and Alterations SPD	Oct 2011	DE1	Yes	Chapter 12. para 91	rNPPF 126 To provide maximum clarity about design expectations at an early stage, plans or supplementary documents should use visual design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this is justified.
Residential Design SPD	June 2016	DE1	Yes	Chapter 12	
Swindon Design Guide	December 2006	DE1	Yes	Chapter 12	
Shopfronts Coding Guidance	December 2006	DE1	Yes	Chapter 12	

Name	Date Adopted	Local Plan 2026 Policy	Compliance with revised NPPF?	Revised NPPF Relevant Paragraphs	Comments
Archaeology SPG	Dec 2004	EN10	Yes	Chapter 16	rNPPF 184: These (historic) assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so they can be enjoyed for their contribution to the quality of life of existing and future generations.
Buildings of Significant Local Interest SPG	Jan 2005	EN10	Yes	Chapter 16	rNPPF 190: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
Conservation Areas SPG	Jan 2004	EN10	Yes	Para.186	rNPPF 186: When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.
Landscape Character Areas SPG	Dec 2004	EN5	Yes	Paras. 170-171	rNPPF 170: Planning policies and decisions should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes.

Name	Date Adopted	Local Plan 2026 Policy	Compliance with revised NPPF?	Revised NPPF Relevant Paragraphs	Comments
Listed Buildings SPG	Dec 2004	EN10	Yes	Chapter 12	rNPPF 190: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
Noise and Residential Development SPG	Aug 2004	EN7	Yes (see note)	Paras 170, 180, 182-183	<p>rNPPF 170: Planning policies and decisions should contribute to and enhance the natural and local environment by: preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of ..noise pollution.</p> <p>Para 182 states that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. In such circumstances the applicant (or agent of change) should provide suitable mitigation before the development has been completed.</p>
Open Space and New Housing Development SPG	Aug 2004	EN3	In-part (see note)	Para 96	rNPPF 96: Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities (including quantitative and qualitative deficits and

Name	Date Adopted	Local Plan 2026 Policy	Compliance with revised NPPF?	Revised NPPF Relevant Paragraphs	Comments
					<p>surpluses) and opportunities for new provision.</p> <p>This SPG has been updated through the Developer Contributions Development Control Guidance Note 2010 and Appendix 3 of the Swindon Borough Local Plan 2026.</p>
Tree Protection on Development Sites SPG	Dec 2004	EN1	Yes		PPG Reference ID: 36-005-20140306: When granting planning permission authorities have a duty to ensure, whenever appropriate, that planning conditions are used to provide for tree preservation and planting. Orders should be made in respect of trees where it appears necessary in connection with the grant of permission.
Community Forest SPG	Dec 2004	EN2	Yes	Para. 142	An approved Community Forest may be a material consideration in preparing development plans and in deciding planning applications.
Affordable Housing Position Statement	November 2016	HA2	In-part (see note)	Paras. 62-64	<p>Annex 2 of the rNPPF includes updated definition of affordable housing.</p> <p>Para. 64 sets out an expectation that at least 10% of homes on major development (i.e. 10 or more homes or greater than 0.5 hectares) should be available for affordable homeownership as part of</p>

Name	Date Adopted	Local Plan 2026 Policy	Compliance with revised NPPF?	Revised NPPF Relevant Paragraphs	Comments
					<p>the overall housing contribution on the site.</p> <p>Para 63 states affordable housing should not be sought for residential developments that are not major developments.</p> <p>Recommendation: The Affordable Housing Position Statement should be updated to be in accord with current policy, guidance and legislation.</p>
New Eastern Villages Planning Obligations SPD	October 2016	SD3, IN1, NC3, RA3 and others	Yes	Paras. 54-57	Sets out the Council's approach to securing by planning obligations the infrastructure required as a consequence of development in the NEV in line with the revised NPPF.
New Eastern Villages Green Infrastructure SPD	July 2017	SD3, IN1, EN1, EN3 NC3, RA3 and others	Yes	Paras. 34, 91, 127, 171, 181	Supports the delivery of GI across the NEV in line with the rNPPF.
New Eastern Villages Island Bridge Vision SPD	July 2017	SD3, IN1, DE1, TR1, TR2, EN1 NC3, RA3	Yes	Paras 110, 127	Supports the delivery of high connectivity within the New Eastern Villages. Encouraging sustainable transport modes and good design in line with the rNPPF.

Name	Date Adopted	Local Plan 2026 Policy	Compliance with revised NPPF?	Revised NPPF Relevant Paragraphs	Comments
		and others			
NEV Sustainable Drainage (SUDs) SPD	February 2017	SD3, EN6, NC3, RA3	Yes	163	Supports the incorporation of sustainable drainage systems in line with the rNPPF.