



COMMITTEE REPORT

Item Number: 6

Ward: Eastcott

Application Number: S/18/0545/IH

Parish: Central Swindon South

Proposal: 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.

Site Location: Warehouse, Albert Street, Old Town

Case Officer: Mr Ian Halsall

Agent:

Mr Brian Mullin
Marrons Planning
1 Meridian South,
Meridian Business Park
Leicester
LE19 1WY

Applicant

Blewbury Court Ltd
C/o Agent

Officers Report

Background:

i This application has been brought to committee at the request of Central Swindon South Parish Council.

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 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 to enter into an agreement or fails to agree to 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 Planning Permission is sought to demolish a warehouse which was formerly occupied as a storage facility and indoor car park for the Swindon Advertiser prior to their move from their historic Old Town premises, and to erect a three storey block of flats comprising 10no.

one-bedroom apartments and 1no. two-bedroom apartment and an adjacent row of 3no. two storey two-bedroom terraced houses.

3 The apartment block will occupy land at the north of the site bordered by Albert Street to the west, Church Road to the north and Little London to the east. Access to the apartments will be from Church Road which will incorporate 3no. apartments at ground floor level including a bicycle store to accommodate up to 14no bicycles and a refuse store. There will be 5no. apartments at first floor level and a 3no. apartments at second floor level including the two-bedroom penthouse apartment which will benefit from a 54.5 square metre roof terrace. The three town houses will adjoin existing terraced properties in Albert Street. These will be directly accessible off the pavement but will benefit from rear private garden space at the equivalent of first floor level to the apartment block owing to the difference in levels from the north to the south of the site. Although the town houses were originally proposed to be served by under croft parking spaces at the equivalent of ground floor level to the apartments, owing to the lack of acceptable manoeuvrability onto Little London and the resultant displacement of existing on street parking, the development will not be securing any off street car parking.

4 The building will have a contemporary appearance but will use traditional facing material on the primary facades including brick that seeks to resemble the hues of local stonework but with secondary terracotta coloured cladding panels to resemble the local red brick building stock. Windows will have vertical emphasis with deep reveals with some curtain glazing on the Church Road elevation. The Albert Street elevation will continue the appearance of a traditional terraced form following the same building lines as the existing dwellings in this block including the Roaring Donkey public house to the south. Owing to the difference in levels the apartment building will appear as a two storey structure on its Albert Street elevation, with the roof height stepping down from south to north.

The Site and Surroundings:

5 The site presently forms a cluster of what can be described as unattractive industrial buildings comprising a single storey brick built warehouse to the south of the plot that adjoins four residential properties in Albert Street and includes a corrugated sheet pitched roof, five large boarded up windows and a galvanised roller shutter door on its western elevation. The eastern elevation has an equivalent height of two storeys and a blank brick façade. A shorter flat roof block and rendered building occupies the northern end of the site which is mounted above a rendered retaining wall which runs adjacent to the footway of Church Road and becomes higher towards the north east corner. The retaining wall, finished in stone and brick with some concrete reinforcement defines the eastern elevation of the site fronting onto Little London. Those north and eastern edges of the site are heavily overgrown with shrubs and low quality trees.

6 Located within the Old Town Conservation Area, in very close proximity to Victoria Road the site is located on the northern slope of Old Town down from Wood Street. The former Pope's Builders yard is located immediately opposite the site to the east across Little London with Christ Church beyond. Modern town houses and apartments are located to the north west in Church Road whilst the historic stone built terraced houses of Union Row are to the west across Albert Street. More established brick and rendered terraced houses continue northwards into Belle-Vue Road down the hill and the four terraced properties and Roaring Donkey are immediately up hill to the south with the former Swindon Advertiser

offices, print works and car park to the south west. A large car park serving offices at Little London Court is to the south east again on elevated ground.

Representations:

Parish Council

7 Central Swindon Parish Council objects to the application for the following reasons:

- Lack of parking in a street where parking is already a major issue.
- The development is out of character with the area with the design and materials being unsympathetic to the character of the surrounding conservation area which should be respected;
- The submitted drainage report is questioned as the area is known to have underground springs

Neighbours

8 No representations have been received.

Policy:

9 Development Plan

- Swindon Borough Local Plan 2026 (2015)
 - Policy SD1 – Sustainable Development Principles
 - Policy SD2 – The Sustainable Development Strategy
 - Policy DE1 – High Quality Design
 - Policy HA1 – Mix, Types and Density
 - Policy TR2 – Transport and Development
 - Policy EN3 – Open Space
 - Policy EN6 – Flood Risk
 - Policy EN10 – Historic Environment and Heritage Assets
 - Policy SC1 – Swindon's Central Area
- Swindon Central Area Action Plan (2009)
 - Policy CAAP1 – High Quality and Innovative Design
 - Policy CAAP5 – The Transport and Movement Strategy
 - Policy CAAP19 – Central Swindon's Residential Communities

10 Material Planning Considerations

- National Planning Policy Framework (July 2018)
- Swindon Residential Design Guide Supplementary Planning Document (2016)
- Conservation Areas Supplementary Planning Guidance (2004)
- Swindon (Old Town) Conservation Area Appraisal and Management Plan (2008)
- Technical Guidance on Parking Standards Development Control Guidance Note (2007)

Planning Considerations:

Principle of Development

11 Local Plan Policy SD2 sets out the development strategy for the Borough. The policy seeks to promote development in the most accessible locations, including through realising development opportunities within Swindon's urban area. The proposal site is within the existing urban area of Swindon and considered to be in a highly sustainable location being located in very close proximity to the Old Town District Centre and its associated facilities, within easy walking distance of the town centre and public transport hubs and is well served by bus routes along Victoria Road and Devizes Road. The site is therefore considered to be in accordance with policy SD2 and will make a positive contribution to the delivery of new housing stock.

12 The site falls within the area defined in Policy SC1 as Swindon's Central Area. This requires high quality design for all development in Central Swindon, in particular delivering clearly defined public and private space, improved public realm and access for all.

13 The proposal seeks to deliver a mix of both apartments and town houses. Policy HA1 requires housing development to be design led with densities, house types and sizes to respect to character of the area. Higher densities should be directed towards the central area which is well served by a good range of services and facilities. On the basis of this mix, which will include family homes with generous rear gardens in such a central location as well as one-bedroom apartments it is considered that the proposal is in full accordance with that policy and will help secure a good mix of dwelling type.

14 Policy 19 of the Central Area Action Plan also states that '*in pursuit of creating a balanced community, major new residential development throughout Central Swindon should deliver a mix of dwelling sizes, and where practicable a mix of dwelling types.*' The proposal would again comply with that specific policy in that it proposes a mix of one and two bedroom flats and terraced houses.

15 It is also a material consideration that the principle of residential development has previously been established on this site. Planning permission was granted in 2007 under application reference S/06/2316 for 19no. apartments. More recently, in December 2017 Prior Approval was given under S/PRIORC/17/1728 confirming the permitted development rights to change the use of the site in its current form from warehousing to 6no. apartments. Residential development on this central brownfield site will also be in accordance with national planning policy with the National Planning Policy Framework strongly supporting the development of appropriately located previously developed land.

Impact on Heritage Assets

16 The site is located within the Old Town Conservation Area which is a designated heritage asset. Policy EN10 part e states that "*Development within or which would affect the setting of the Borough's Conservation Areas will conserve those elements which contribute to their special character or appearance.*" In determining any planning application, sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving the setting of a listed building and preserving or enhancing the character or appearance of the conservation area.

17 Historic maps from the 1880's show that the northern component of the site contained some form of development with the corner area developed during the mid-20th Century. The Conservation Officer advises that there are remnants of earlier construction such as the stone wall along Little London and the historic brickwork along this street, the remainder of the site appears to be brickwork from alterations undertaken in the mid-20th Century. The existing building is derelict, and this dereliction is a negative attribute to the character and appearance of the conservation area. The removal of this building can therefore be supported in planning terms subject to an appropriate replacement demonstrating that it will preserve Old Town's character and appearance.

18 The current terraced properties which these dwellings are to be attached have the appearance of workers cottages which date from the mid-late 19th Century. The terraces are functional in design and appearance and are tightly-knit, two storey single bay dwellings constructed from stone, with chimneys and slate roofing. They maintain no setback from Albert Road with a rear garden and stone boundary wall along Little London. The proposal in Albert Street intends a modern interpretation of terraces, albeit the proposed terraced properties are wider and contain wider fenestration. The building lines and roof pattern will be replicated whilst the terrace will incorporate materials that are appropriate to the character of the area. Modern chimneys will also be added which will help punctuate the expanse of roofing and will contribute positively to the roofline.

19 The Conservation Officer considers the appearance of the proposed apartment complex to be of an appropriate scale and height for the site. Modifications have been made to the proposal to ensure that detailed elements such as the fenestration, roof pattern and materials are as sympathetic as possible and in proportion to help reinforce local distinctiveness, such as the reuse of the stone wall to Little London and minimise massing. The final materials can be secured by planning condition to ensure that these are the most appropriate together with details of flues, vents pipes, rainwater goods and their colour and finish. It is not considered that the development will result in any harm to the character and appearance of the Conservation Area and although an historic industrial use will be lost, there will be significant regeneration benefits to the site in that a derelict structure which is clearly causing a negative appearance of the conservation area will be removed and replaced by a high quality, sympathetic and distinct form of residential development. Whilst contemporary in appearance, it will help to preserve the character of the conservation area and reflect the local distinctiveness and historic character of the street scene

20 The site is considered to be within the setting of two listed buildings – Christchurch and the former 'Advertiser' Offices of which this formed the warehouse of. The scheme before members is considered to be a positive enhancement and preserves their setting, i.e. the way they are viewed and experienced. The NPPF requires the LPA to assess whether the scheme gives rise to any harm to Heritage Assets – in this case the relevant assets are deemed to be the two listed buildings (setting) and the conservation area (character or appearance). For the reasons given in this report, the scheme is not considered to give rise to any harm and in this respect is in accord with the provisions of the NPPF.

Design

21 Since the initial submission of the application, the applicants have worked closely with the Urban Design and Conservation Officers to refine the appearance of the proposed building to ensure that it respects as much as possible the topography, historical context,

local distinctiveness and patterns of development in the surrounding area and maintain good levels of amenity. Work has taken place to reduce the bulk of the roof by adding a stepped form and inserting dormer elements at second floor level on the northern elevation. The fenestration and openings have also been re-evaluated. The development has sought to blend the apartment elements with the terraced houses which will in your officer's views give the entire Albert Street façade the overall sense of it resembling an entire row of terraced houses as a successful continuation of the existing row northwards. The Urban Design Officer is now satisfied that sufficient changes have been made to secure a high quality form of development on this reasonably challenging site and it is therefore considered that the development satisfies the objectives of the adopted Swindon Residential Design Guide and Local Plan Policy DE1.

22 As the application site is closely bordered on three sides by existing residential properties, residential amenity is an important consideration. In light of the varied levels, although the northern end of the development will comprise three storeys, ability to utilise the roof space at the upper level will minimise both bulk but also any sense that existing neighbouring properties could be overshadowed or overlooked. Acknowledging that the immediate residential area is of a higher density with housing having a close relationship with each other, it is not considered that the new development will result in any unacceptable losses of amenity to existing residents. It should be noted that although the northern elevation of the new building will be closer to the edge of Church Road than a present, the overall height when compared against the current building will be significantly lower. Although a number of the flats will be single aspect with window openings facing in one direction, it is not considered that these will lead to any poor standards of amenity to any new residents given the size of the windows. All the flats will be fully accessible given that there will be a level threshold access from Church Road with all floors being served by a lift.

Drainage and Flood Risk

23 The Council's Drainage Officer has advised that no information has been received in respect of how surface water can be disposed of by means of sustainable means or how any risk of flooding can be minimised. However this is an existing brownfield site where the urban site conditions mean that it may be difficult to secure any form of sustainable urban drainage such as soakaways or attenuation tanks for example. There is no evidence to suggest that an acceptable solution cannot be designed but in order to ensure the development will not give rise any adverse issues a condition is recommended to ensure that a drainage strategy / details are provided to ensure that the development will not increase any risk to localised flooding. The Parish Council raised concerns about known natural springs in the area. The identification of springs will be a matter for engineers during the construction process to address and provided as part of a detailed drainage scheme for the site and not considered to be a planning reason to delay the determination of the application.

Parking

24 The site is located within Sector 1 as defined by the adopted Parking Standards and falls within a Residents Parking Zone. No car parking is required for apartments within this sector given its sustainable location and proximity to public transport, local services and facilities and places of employment. On the basis that there will be fully accessibly cycle parking within the apartment, subject to a condition that advises future occupants that they will not

be entitled to apply for a parking permit within this RPZ zone, no highway objection can be raised.

25 The development will propose 3 dwelling houses which did initially intend to provide car parking within under crofts accessed from Little London. Whilst the internal dimensions of the proposed garages were deemed to be acceptable, the Highway Officer advised that due to their position on site and the narrowness of Little London, adequate manoeuvrability was unlikely to be possible. The spaces were subsequently removed. The Parking Standards do state that houses with up to four bedrooms in Sector 1 are required to provide off street car parking. However this cannot be achieved in this instance. Whilst it is considered to be a positive move to support a genuine mix of residential development of both town houses and apartments, certainly given the location where such houses could be more than suitable for families, it should be noted that the three two-bedroom terraced houses are actually smaller than the proposed two bedroom penthouse apartment in terms of overall floor area.

26 In light of the central and sustainable location and taking into account the conservation benefits it is not considered that there could be any justifiable or reasonable case to refuse the application on the basis that the three houses do not have parking when there is no need for, in one instance a larger apartment to provide this.

27 It is considered that in light of the location and the regeneration benefits and likely appeal that this better mix of housing will have to the market that parking should not be required for the three houses provided that they too are prevented from applying for residential permits by condition. On that basis, no existing car parking provision in Little London will be displaced, the historic stone wall which contributes to the character and appearance of the conservation area will be retained and there will be no additional burden on parking affecting existing residents in that zone caused by this development. To choose to purchase a house without parking and crucially no access to a parking space is a matter for the market.

28 Whilst the 3 dwellings without any parking provision would not be in accord with the parking standards, that in itself is not a sufficient reason to reject the scheme. An assessment of the likely harm arising from the scheme and lack of parking is required. As stated above, the occupants would not be entitled to a residents parking permit and as the on street parking the surrounding roads is heavily regulated and restricted, no spaces in close proximity could be used other than in the very short term and certainly not for 'permanent parking. Displacement of parking onto or from surrounding streets to existing residents disadvantage or harm to local traffic conditions would not on its own be a reasonable ground for refusal. Your officers are also mindful that relevant advice within the recently revised NPPF, published in states in paragraph 109 that *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

Developer Contributions

29 The Council's Community Infrastructure Levy Charging Schedule that accords with the Community Infrastructure Levy Regulations (England and Wales) Community Infrastructure Levy Regulations 2010 (as amended) has been in place since April 2015. This enables the Local Planning Authority to impose a levy on new development at a rate of £55 per square metre (as index linked). The levy does not include any contributions towards affordable

housing or open space. At less than 15 dwellings, the development does not qualify for affordable housing contributions under Local Plan policy HA2. However under policy EN3, residential development must provide or contribute towards off site public open space where there is deemed to be a demand in the local area.

30 The Landscape Officer advises that there is a shortfall of public open space in the vicinity of the site within the Eastcott Ward. Therefore the Local Planning Authority is justified under the above policy in seeking contributions to invest in existing open space. The development will generate the following contributions towards open space:

Contribution	Amount
Off-site Formal Play Facilities (e.g. LEAP/NEAP)	£1,405.73
Off-site Local Open Space	£5,537.19
Off-site Outdoor Sports Facilities	£4,211.47
Allotments	£0.00
<i>TOTAL Combined</i>	£11,154.39

31 The play area contribution can be invested at Savernake Street play area whilst the local open space and outdoor sports contributions can be pooled and invested at Spring Gardens open space. The above contributions will need to be secured by way of a legal agreement pursuant to any resolution to grant planning permission.

Concluding Comments:

32 The proposed development is considered to have been carefully designed to respect its historic setting within the Old Town Conservation Area and will preserve the character of that area. It will preserve and enhance the setting within which Christchurch and the former advertiser offices are experienced, has been well designed in a contemporary manner to respond well to its context amidst challenging topography and will safeguard the amenities of existing residents. The regeneration opportunities and conservation benefits will be significant and owing to the sustainable location, those benefits are considered to outweigh the minor car parking provision deficiency or would cause any detriment to the parking facilities that already exists within this controlled parking area.

Recommendation

33 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 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 to enter into an agreement or fails to agree to 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.

Approve Drawings

2 This approval shall be in respect of the Location Plan (drawing 2295(08)001, dated 14/03/18); Existing Ground Floor Plan (drawing 2295(02)G01, dated 14/03/18); Existing Block Plan (drawing 2295(08)002 revision A, dated 11/04/18); Existing First Floor Plan (drawing 2295(02)101, dated 14/03/18); Existing Elevations (drawing 2295(02)E02, dated 15/03/18); Planning and Heritage Statement, dated March 2018 and received by the Local Planning Authority on the 12th April 2018.

Existing Elevations (drawing 2295(02)E01 revision A, dated 15/05/18); Street Visualisation (drawing 2295(08)V01 revision A, dated 16/03/18); Street Visualisation (drawing 2295(08)V02 revision A, dated 16/03/18); Street Visualisation (drawing 2295(08)V03 revision A, dated 16/03/18); Street Visualisation (drawing 2295(08)V04 revision A, dated 16/03/18); Street Visualisation (drawing 2295(08)V05 revision A, dated 16/03/18); Design Statement (Job ref 2295 revision B, dated March 2018) and received by the Local Planning Authority on the 18th May 2018.

Proposed Elevations (drawing 2295(08)E02 revision C, dated 13/06/18; Proposed Sections (drawing 2295(08)S01 revision C, dated 13/06/18) and received by the Local Planning Authority on the 21st June 2018).

Proposed Block Plan (drawing 2295(08)003 revision C, dated 10/08/18); Proposed Second Floor Plan (drawing 2295(08)201 revision B, dated 10/08/18); Proposed Elevations (drawing 2295(08)E01 revision D, dated 10/08/18); Proposed Ground Floor Plan (drawing 2295(08)G01 revision C, dated 10/08/18); Proposed Roof Plan (drawing 2295(08)301 revision B, dated 10/08/18); Proposed First Floor Plan (drawing 2295(08)101 revision B, dated 10/08/18) and received by the Local Planning Authority on the 10th August 2018.

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

Materials

3 Prior to the commencement of the construction of the development hereby approved above ground level, details of all the materials (including materials, brand, colour and specification) to include requested samples to be used in the construction of the new building on the site shall be submitted to and approved in writing by the Local planning Authority. The details required shall include:

- Bricks, coursing details and pointing colour/type;
- Windows, to include materials and finish, the detailed design including cross sections detailing depth of reveal, sills and lintel details and method of opening and openings for each type of window to be used and a plan detailing the location of the details on site;

- Rainwater goods;
- Window surrounds materials;
- Roofing materials;
- External doors, including refuse/cycle store doors (to include materials and finish);
- Balcony and other Boundary treatments.

Once agreed the development shall be constructed in accordance with the approved details and retained and maintained in the approved form.

Reason: To ensure that the proposed is a high quality design to preserve and enhance the character and appearance of the Conservation Area.

Drainage

4 Prior to the commencement of works on site in connection with the development hereby permitted, full 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.

Structural Survey

5 Prior to the commencement of any works, including any demolition works (to be illustrated upon a proposed demolition plan), a structural engineer's report detailing the structural stability of all boundary walls including those that form an elevation of any retained structure or new building on the site shall be submitted to the Local Planning Authority for approval. Details of all work proposed to ensure the walls retention and repair shall be subsequently submitted and the works shall be carried out in accordance with approved details. The report shall include the details of any repairs (including structural works) required to implement the consent hereby granted.

Reason: To ensure that the retained heritage assets are retained in order to preserve and enhance character and appearance of the Conservation Area.

Retaining Wall Repairs

6 Before any works to the retained external brick or stonework is undertaken, a sample area shall be prepared on site to show the proposed mortar composition and colour and method of pointing of areas to be repaired, for inspection by and approval of the approval of the Local Planning Authority in writing. Once approved all works shall be undertaken by a suitably qualified stonemason in strict accordance with the agreed details.

Reason: To ensure that the character and appearance of the heritage asset is conserved

Construction Method Statement

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:

- specify the type and number of vehicles;
- specify point of construction access and access route to the site;
- 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. 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.

Construction Hours

8 No work associated with the demolition and construction of the development hereby approved shall take place on site pursuant to this planning permission outside the hours of 0800 to 1800 Monday to Friday, 0800 to 1300 on Saturday, with no work on Sundays, bank holidays and other public holidays unless otherwise agreed in writing by the Local Planning Authority prior to that work taking place.

Reason: To minimise noise disturbance to the occupants of the residential.

Cycle Parking

9 Prior to the occupation of any residential unit hereby permitted, cycle parking facilities shall have been provided on site in accordance with the approve plans. The bicycle parking facilities shall thereafter be kept available for such use at all times and for no other purpose, including any other purpose incidental to the enjoyment of the residential units.

Reason: To promote and encourage sustainable transport and travel.

Informative

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.

End of Report