

Wiltshire Council planning application Land South of Tewkesbury Way, Lydiard Tregoze, west Swindon

Planning Committee

Date: 11th October 2016

Author:	Head of Planning, Regulatory Services and Heritage
Wards:	Lydiard and Freshbrook, Shaw, all wards in respect of the impact on the setting of Lydiard Park
Locality Affected:	West
Parishes Affected:	N/A

1. Purpose and Reasons

- 1.1 To advise the Planning Committee of a planning application submitted to Wiltshire Council for development of 48 dwellings on land south of Tewkesbury Way, Lydiard Tregoze, west of Swindon (16/06978/FUL). That planning application proposes development of land lying immediately adjacent to the Borough boundary and accordingly Swindon Borough Council has been consulted on the application by Wiltshire Council.
- 1.2 This report also seeks the Committee's endorsement to a proposed response (appended to this report) to that consultation.
- 1.3 The proposed response supports the Council's vision for well managed housing growth, priority 1's objective of achieving high quality housing development and priority 3's focus on valuing Swindon's heritage.

2. Recommendations

The Committee is recommended to:

- 2.1 Endorse the proposed letter attached as Appendix 1 as Swindon Borough Council's formal response, objecting to the planning application on land south of Tewkesbury Way.
- 2.2 Authorise the Head of Planning, Regulatory Services and Heritage to submit the proposed response on behalf of Swindon Borough Council as the adjacent Local Planning Authority to Wiltshire Council, and to deal with any matters relating to the application prior to or subsequent to Wiltshire Council making a decision on the planning application.

3. Detail

- 3.1 Wiltshire Council has notified Swindon Borough Council of a planning application submitted by Taylor Wimpey for full planning permission to construct 48 dwellings, with public open space, associated access, infrastructure and landscaping on land south of Tewkesbury Way, Lydiard Tregoze, west Swindon (Wiltshire Council reference 16/06978/FUL). The target date for determination of the planning application by Wiltshire Council is 2nd November 2016.

Further information on the subject of this report can be obtained from Neil Holly on 07392 109 773 or email: nholly@swindon.gov.uk.

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The Site and Surroundings

- 3.2 The site comprises an agricultural field of just over 5.5 hectares in area lying to the south of Tewkesbury Way, the north of Lydiard Park and to the west of Hay Lane.
- 3.3 The Swindon Borough boundary runs along the application site's eastern boundary. The area to the north of Tewkesbury Way also lies within Swindon Borough, as does Lydiard Park, Lydiard house and The Church of St Mary, both approximately 250 metres to the south of the site on rising ground.
- 3.4 The application site borders Lydiard Park Grade II listed Registered Park and Garden to its south. The ground slopes gently from the application site up to St Mary's Church and Lydiard House. St Mary's Church and Lydiard House are Grade I listed buildings. There are 13 other Grade II listed structures within Lydiard Park, including the walled garden to the north west of Lydiard House and the chest tombs within the churchyard of St Mary's.
- 3.5 A public footpath crosses the application site running in a NE to SW direction. Further public footpaths cross the field immediately to the south.
- 3.6 To the north, between the application site and Tewkesbury Way, is a band of deciduous woodland which is not included within the application site.
- 3.7 The eastern part of the application site falls within Flood Zone 3 and is not proposed to be developed.

The Development Proposal

- 3.8 The application proposes 48 total dwellings of which 19 would be social rented. The development would comprise a mix of detached, semi-detached and terraced houses, all 2-storeys in height.
- 3.9 The proposed housing layout is very low density and is described in the applicant's design and access statement as 'crumbling' into the adjacent landscaped historic park and garden to the south. Only the north western part of the site is proposed to be developed, the remainder of the land is shown in the application drawings as being retained in agricultural use.
- 3.10 Vehicular access to the site would be via an additional arm on the currently 3-arm roundabout between Tewkesbury Way and Middlelease Drive. No off-site pedestrian or highway improvements are proposed.
- 3.11 The application drawings show potential pedestrian connections to Hay Lane and to bus stops on Tewkesbury Way, but there is a lack of information within the application as to how these connections would be achieved. From Hay Lane it is

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Planning Committee

Date: 11th October 2016

possible to walk via an underpass under Tewkesbury Way to Brookhouse Farm Public House.

Proposed Response to the Consultation

- 3.12 The proposed response to the consultation is appended to this report. In preparing this response officers with expertise in conservation, transport, design, landscape, housing enabling and school place planning have been consulted. On the basis of their comments, the proposed response provides a comprehensive response to the consultation.
- 3.13 The principal planning issues addressed in the proposed response are:
- 3.13.1 The impact of the proposed development on the setting of Lydiard Park and listed buildings within the park.
 - 3.13.2 The impact of the development on landscape character and important views.
 - 3.13.3 The suitability of the proposed design, including landscape design.
 - 3.13.4 The adequacy of the pedestrian access to the proposed development, including pedestrian access to nearby bus stops.
 - 3.13.5 The ability of local schools to accommodate the additional pupils that would be generated.
 - 3.13.6 The overall approach to decision making and planning balance.
- 3.14 It is recommended that the Committee endorses the appended letter which raises strong objections to the application in terms of these principal planning issues.
- 3.15 In particular, the proposed response to the consultation objects on the basis of the harm to the setting of Lydiard Park and the listed buildings within it, harm to landscape character and important views, poor design, inadequate pedestrian connections beyond the site and pressure on school places.
- 3.16 In light of these objections the proposed consultation response requests Wiltshire Council to refuse the application.

4. Alternative Options

- 4.1 The Council could choose not to respond to the consultation. It is recommended that the Council respond to the consultation as the proposed development would have impacts upon the Borough and its residents. The alternative option (do nothing) would result in the Borough's views on the application, which is directly

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Planning Committee

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adjacent to the Borough boundary, not being taken into account by Wiltshire Council in the decision making process.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There are no direct financial or procurement implications arising from this report. Should the application be refused and the applicant appeal, Swindon Borough Council would be likely to appear. This will place an additional burden on staff resources.

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 In the event that Wiltshire Council refuses the application and the applicant elects to submit an appeal, further work may be necessary in preparing the Borough's response to that appeal.

Diversity Impact Assessment

- 5.4 None of the proposals in this report are specifically aimed at persons with a protected characteristic and no adverse additional or cumulative impacts have been identified.

Risk Management

- 5.5 The planning application will need to be monitored until its determination by Wiltshire Council. As noted above, in the event that permission is refused and the applicant elects to appeal, there may be a need for Swindon Borough Council to respond to that appeal.

6. Consultees

- 6.1 The Cabinet Member for Strategic Planning.
- 6.2 The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None.
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8. Appendices

- 8.1 Proposed letter to Wiltshire Council in response to the planning application.
- 8.2 Site location plan.
- 8.3 Aerial image of the application site and its context.
- 8.4 Proposed housing layout.
- 8.5 Site ownership plan.
- 8.6 Site section drawings.