



App No S/17/1478/SASM

DELEGATED REPORT

Item Number:
Application Number: S/17/1478

Ward: St Margaret And South Marston
Parish:
Stratton St Margaret

Proposal: Demolition of care home and erection of 8 no. flats and associated works.
Location: Selina House, 192 Oxford Road, Stratton St Margaret

Agent:
Mr Robert Nicholls
AbiGan Technology Ltd
Masefield
Common Platt
Purton
Swindon
SN5 5JZ

Applicant:
Mr Yogi Abhee
16 Green Lane
Purley
CR8 3PG

Officer Report

1 Background: Previously planning permission has been granted for the change of use of the care home to 10 flats under S/15/1026 in July 2016. Unfortunately the buildings were vandalised and set on fire about this time which has led to a reconsideration of the development. Therefore this application has been submitted to demolish the remaining structure and redevelop the site for 8 flats.

Summary of Recommendation:

2 That planning permission be **GRANTED** with Conditions

The Proposal:

3 The application proposes the erection of 6 two bedroom flats and 2 one bedroom flats. The development would be split into four separate blocks situated in a linear fashion on the site with associated parking on the eastern side and open space situated to the front of the proposed flats.

The Site and Surroundings:

4 The site consists of a former residential care home for the elderly which has been previously vandalised and boarded up and subsequently set on fire approximately 18 months ago. The roof has therefore largely gone with the fire. It is situated alongside the main line railway which is positioned within a cutting to the north side of the site. A wide former road now used as a cycleway and footpath is situated alongside the southern boundary with posts in place to prevent vehicular use. Residential properties form the main land use to the east and south of the site.

5 The existing buildings occupy the wider part of the site close to the cul de sac of the Oxford Road spur with open land presumably previously used for amenity on the narrower western side of the site.

Representations:

6 Parish Council Comments: Original Plans: No representations received. Revised Plans:- No objections

7 Neighbours:- Original Plans:- Letters of objection received from 188 Oxford road, 190 Oxford road and 9 Whitelands Road on some or all of the following grounds:- building materials not in keeping, visitor parking causes problems for existing residents and issues of sewerage causing blocked drains for adjacent property.

8 Revised Plans:- Letter of objection from Flat 7, 190 Oxford road on the following grounds:- Where will it state that Orchard Court would not be responsible for blocked drains and we don't want any disruption to our property.

Planning Considerations:

9 The Swindon Borough Local Plan was adopted by Swindon Borough Council on the 26th March 2015 and is now part of the Development Plan for Swindon. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Principle

10 Swindon Borough Local Plan policy SD2 (The Sustainable Development Strategy) sets out the principle development strategy for the Borough. This policy seeks to promote sustainable development in the most accessible locations, whilst protecting the best of the countryside.

11 The application site is within the residential development of Stratton St Margaret and therefore, the principle of housing development within the area is acceptable.

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

13 Local Plan Policy DE1 (High Quality Design) requires high standards of design for all types of development. The policy states proposals will be assessed against a set of design criteria which includes: context and character; layout form and function; amenity; and quality of the public realm.

14 The principle of development for what is essentially a different form of residential development has already been accepted by the existing development of the site and the earlier Planning Permission for the change of use. The site has been subject to vandalism and fire with the result that the existing building is apparently incapable of

being converted in accordance with the previous Planning Permission.

15 The main issues to be considered with this application is whether the proposed design and layout is consistent with the character of development within the vicinity, whether it offers an acceptable level of amenity for the proposed occupants with particular reference to noise issues in relation to the nearby railway line, any impact on the amenity of neighbours, drainage issues and whether sufficient parking is provided and other highway matters.

16 After a lot of discussion about the external appearance and design of the proposed development a more traditional response has now been proposed which is characteristic of the surrounding area and is considered acceptable.

17 It is considered that the proposed layout forms an acceptable level of amenity with good sized living areas and bedrooms. Similar use rooms are positioned above each other to reduce any potential for disturbance between different occupiers. Limited fenestration is proposed on the rear north west facing elevation so as to provide some protection from railway noise. Amenity space is provided on the south side of the development.

18 Subject to a number of conditions with regard to acoustic matters in relation to the railway line the Environmental Health Officer has no objections.

19 Although not currently in use the development has been considered acceptable in relation to neighbouring residential uses at the time of its development. It is not considered that the provision of 8 flats would have a significantly different level of impact on neighbouring dwellings. The site is likely to be less intensively used with potentially fewer visitors and service vehicles and with no staff as associated with a residential care home. Previously three rooms designated as bedrooms had windows on the first floor which faced south and overlooked the rear garden and side of the property at no. 2A Whitelands Road. A Plan showing separation distances has been submitted with the application and given the distances, landscaping and angle of view it is not considered that this would lead to any adverse impact based on the amenity which currently exists for nearby residents.

20 After discussions in relation to the pre application enquiry the Highways officer is satisfied that the proposal, subject to a number of conditions, is acceptable. The parking levels conform to the Council's car parking standards and visitor parking is available on Oxford Road. Sufficient bike storage has been provided for each flat and it is understood that the site management will include the removal of the bins from their stores close to the properties to the collection point close to the vehicular access.

21 Foul drainage currently discharges to a septic tank. During the course of discussions and consultation with neighbours on previous proposals it is understood that there have been problems in the past with foul odours emanating from the site. The agent has proposed a packaged pumping station to serve the scheme which would have a maintenance contract. The Drainage Engineer has requested more information in relation to sustainable drainage but it is considered this can be provided for by Condition.

Concluding Comments:

22 The proposal is compliant with Policies SD2, DE1, HA1 and TR2 of the Swindon Borough Local Plan 2015 (2026).

Recommendation

23 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 13 (Site Location Plan) at scale 1:1250 received by the Local Planning Authority 8th September 2017, Drawing Number 01C (Proposed Site Layout) at scale 1:200, Drawing Number 02B (Flat Type 1 Ground & First Floor Layouts) at scale 1:50, Drawing Number 04B (Flat Type 2 Ground and First Floor Layouts) at scale 1:50, Drawing Number 03B (Flats Type 1 - Elevations) at scale 1:50, Drawing Number 05B (Flat Type 2 - Elevations), Drawing Number 06B (Flat Type 1 - Design stage section) at scale 1:50, Drawing Number 07B (Flat Type 1- Conceptual View), Drawing Number 08B (Flat Type 2 - Conceptual View) Drawing Number 09B (Site Layout - Separation Distances) at scale 1:200, Drawing Number 10B (Site Layout - Drainage) at scale 1:200, Drawing Number 11B (Bin Collection Store General Arrangement) at scale 1:50 and Drawing Number 14B (Street Scene Elevation) at scale 1:200 received by the Local Planning Authority 3rd January 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 commencement of construction works above ground level 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.

4. 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.

5. Prior to the commencement of construction works above ground level 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 buildings are 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.

6. Prior to the commencement of construction works above ground level 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

7. The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan [Drawing no. 01C], 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. The dwellings hereby permitted shall not be occupied until space has been laid out within the site for a minimum of 8no. bicycles to be parked in a secure and sheltered location, in accordance with SBCs Parking Standards and such provision shall be maintained thereafter.

Reason: To promote and encourage sustainable transport and travel.

9. The access hereby permitted shall not be brought into use until dropped kerbs have been installed at the carriageway edge and a vehicle crossover constructed in a bound material [within 6m of the Public Highway] across the footway fronting the site for the width of the access.

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

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. The proposed residential units shall be designed to meet the indoor ambient noise levels contained in British Standard 8233:2014 (or later versions) which currently require:

Resting 35 dB LAeq,16hour
Dining 40 dB LAeq,16hour
Sleeping 30 dB LAeq,8hour
45dB LAFmax (up to 10 times per night)
55dB in external amenity spaces.

Prior to commencement of the development, an acoustic assessment shall be submitted to and approved by the Local Planning Authority that demonstrates the specific construction measures to be implemented in order to ensure that the proposed dwellings are able to meet the above criteria.

Reason: in the interests of amenity

12. Where the BS 8233 Guidance on sound insulation and noise reduction for buildings standards cannot be met with windows open, a scheme of noise insulation (to the standard laid down in the Noise Insulation Regulations 1975 or, any equivalent standard approved by the Local Planning Authority) shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with the approved details before occupation of the building. This could include acoustic double glazing with sound attenuated means of ventilation.

Reason: in the interests of amenity

13. Prior to occupation of the residential units, a pre-occupation validation noise survey shall be conducted in order to demonstrate that the noise mitigation measures detailed are effectual in reducing external noise to an acceptable level and a certificate of compliance by an approved acoustic assessor should be submitted to the Local Planning Authority to demonstrate that the standards required under BS 8233:2014 have been achieved. The survey shall demonstrate compliance with the following criteria:

Resting 35 dB LAeq,16hour
Dining 40 dB LAeq,16hour
Sleeping 30 dB LAeq,8hour

45dB LAFmax (up to 10 times per night)

55dB in external amenity spaces.

Reason: in the interests of amenity.

14. No external construction works, deliveries, external running of plant and equipment or internal works audible to the site boundary shall take place outside the following hours without the prior written consent of the Local Planning Authority:-

7:30 to 18:00 Monday - Friday, 8:00 to 13:00 Saturdays and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area.

15. Prior to the commencement of development hereby approved, details of the provision for the sustainable disposal of surface water within the site, inclusive of sustainable urban drainage, and groundwater monitoring with suitable mitigation so as to prevent water discharge onto the highway and not increase flood risk to the surrounding area, shall be submitted to and approved in writing by the Local Planning Authority, and fully implemented to the satisfaction of the Local Planning Authority. This should include layout details, long section, and surface water attenuation details.

Reason: In the interests of amenity and highway safety.

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, the proposed development will require separate Local Highway Authority approval for the construction of the proposed permanent vehicular crossing over highway land. The Applicant is required to obtain this approval before works commence and is therefore recommended to contact Swindon Borough Council's Street Works Management Department in this respect as soon as possible. The works will be under taken at the applicant's expense. Streetworks@Swindon.gov.uk

3. 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

4. The applicant is informed that, to conform to the terms of Section 163 of the Highways Act 1980, surface water should not be allowed to drain directly from the site onto any highway, and the Local Highway Authority will require adequate safeguards to be incorporated into the development to ensure that such a situation does not arise.

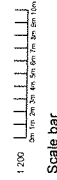
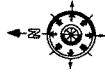
5. The applicant is advised to contact Thames Water Utilities Ltd, prior to commencing work on site. Please visit www.thames-water.com for more information.

6. Regardless of any planning permission granted, additional Environment Agency consents may be required. The applicant is advised to contact the Environment Agency to ensure all necessary consents are achieved. Please contact the environment agency at www.environment-agency.gov.uk

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

8. 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

Case officer: (Mrs Sarah Smith)	Authorised Officer:
Date: 8th February 2018	Date: 5/2/18



- Flat Types:
- Flats 1 & 2- Type 2
 - Flats 3 & 4- Type 1
 - Flats 5 & 6- Type 1 handed
 - Flats 7 & 8- Type 1 handed

Rev C 03 Jun 2016
Minor adjustment to building footprints.
Rev B 28 Aug 2017
Bin store parking and planting layout revised.
Rev A 27 April 2017
Additional information

Abigan Technology Limited Abigail Pott Consultant Swindon SN5 5JZ Tel: 01793 770329 Email: abigail.pott@abigantech.co.uk www.abigantech.co.uk	
Project	192 Oxford Road Swindon SN3 4HA
Drawing Title	Proposed Site Layout
Scale	1:250 @ A1
Date	Apr 2017
Drawn By	Bob
Drawing Number	01C