

Victoria Road Local Development Order – Step-By-Step Guide

Purpose of the Victoria Road Local Development Order

The Victoria Road Local Development Order relaxes planning controls in the area with the aim of reducing the number of vacant properties.

Step 1: Ensure that your property is in the Local Development Order Area

The Area of Local Development Order coverage encompasses 14 to 87 Victoria Road inclusive and 131 to 174 Victoria Road inclusive. (The Old Technical College and Beaver House are not included).

Step 2: Ensure that your proposal qualifies?

The Local Development Order removes the need to submit a planning application if your proposal involves a change of use to one of the land uses below (subject to Conditions).

A1: Shops	C1: Hotels
A2: Financial & professional services	C2: Residential Institutions
A3: Restaurants and cafes	C3: Dwelling Houses
B1: Business	C4: HMOs
	D1: Non-residential institutions

In accordance with the Town and Country Planning (Use Classes) Order 1987 (as amended)

Please see the Table at the end of this guide for further break down on qualifying proposals.

Step 3: Be aware of the Conditions of the Local Development Order

The Conditions of the Local Development Order are listed at pages 3-4 of this guide. You will be asked questions in relation to whether your proposal complies with some of these Conditions on the Self Certification Form.

Step 4: Submit the Self Certification Form

A Condition of the Local Development Order is that “Proposals are only deemed LDO compliant subject to the submission and subsequent Council approval of the LDO self-certification form.”.

There is a £192.50 fee for confirmation that your proposal is compliant. The purpose of the LDO self-certification form is to provide businesses with peace of mind by enabling the Council to issue a legally binding “Certificate of Lawfulness”.

The self-certification form can be downloaded from the Council’s Website at www.swindon.gov.uk/ldo. The form can be submitted by email (to sbcfdc@swindon.gov.uk) or by post (to Swindon Borough Council, Planning Department, Wat Tyler House, Beckhampton Street Swindon SN1 2JH)

Please make cheques payable to “Swindon Borough Council”

If the form is returned by email, payment can be made by calling (01793) 445500.

We will aim to issue a confirmation that your proposal is ‘compliant’ within 2 weeks of receipt of the form.

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Local Development Order Conditions and Informatives

General Conditions

1. The LDO is active until 31st May 2016. Development which has started under the provision of the LDO before this date can be completed following the expiry of the LDO.
2. Proposals are only deemed LDO compliant subject to the submission and subsequent Council approval of the LDO self-certification form. The LDO self-certification form can be downloaded at www.swindon.gov.uk/ldo. The purpose of the LDO self-certification form is to provide businesses with peace of mind by enabling the Council to issue a legally binding “Certificate of Lawfulness”.
3. The LDO does not grant planning permission for any “development” other than the changes of use listed. With the exception of the installation, replacement of or alteration to shopfronts, or the installation of fume extraction, mechanical ventilation equipment or filtration equipment, no new build or extensions to existing properties are permissible under the LDO.
4. Where the installation, replacement or alteration of a shopfront is proposed as part of the change of use, the shopfront must be of an appearance, form and design that accords with the guidance within the Council’s adopted Shop Fronts Coding Guidance (or successor documents).
5. Where the change of use would create a publicly accessible building (Class A1, A2, A3, C1, C2, B1 or D1), and the change of use would not otherwise be permitted development under the provisions of the General Permitted Development Order, the building should provide for ease of access for disabled people in accordance with the guidance within the Council’s adopted Access For All Supplementary Planning Guidance (or successor documents).
6. Where fume extraction, mechanical ventilation equipment and filtration equipment are to be installed, this equipment should be installed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority prior to the occupation of the use. The equipment shall thereafter be retained and operated in its approved form for so long as the use remains on the site.

Informatives: General

- The LDO does not remove the requirement for advertisement consent.
- The LDO does not remove the requirement for consents obtained under other legislation, such as licensing regulations and the Building Regulations.
- Further details on the Building Regulations can be obtained from the Swindon Borough Council Building Control Service. The Building Control Service can be contacted by email on buildingcontrol@swindon.gov.uk or by Telephone 01793 466069.
- The LDO is confined to the part of Victoria Road as identified on the LDO Plan
- The Old Technical College and Beaver House are excluded from the LDO.

Informatives: Waste Water

- Basement developments: Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- Specialist Uses: A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths and canteens). Typical Trade Effluent processes include: - photographic/printing, food preparation, treated

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cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 8507 4321.

- **Catering establishments:** Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 020 8507 4321

Informatives: Proposals Involving a Change to a Commercial Use

- Where a change of use to a commercial use is proposed (Changes of use to Class A1, A2, A3, C1, C2, B1 or D1), the Council will reserve the right to assess the adequacy of car parking arrangements and may require the submission of a full planning application if the parking provision is likely to require additional scrutiny.
- Where a change of use to a commercial use is proposed (Changes of use to Class A1, A2, A3, C1, C2, B1 or D1), and the floorpace area is less than 30sqm, provision should be made for a parking area capable of accommodating 2no. cycles. The cycle parking area should provide security against theft, should be easily accessible and should be well lit. To ensure that cycle parking is an attractive option consideration should be given to providing a shelter. The Council's dimension and design expectations can be found at www.swindon.gov.uk/planning
- Where a change of use to a commercial use is proposed (Changes of use to Class A1, A2, A3, C1, C2, B1, D1 or D2), and the floorpace area is greater than 30sqm, provision should be made for a parking area capable of accommodating 4no. cycles. The cycle parking area should provide security against theft, should be easily accessible and should be well lit. To ensure that cycle parking is an attractive option consideration should be given to providing a shelter. The Council's dimension and design expectations can be found at www.swindon.gov.uk/planning
- Provision should be made for refuse storage and collection facilities. Commercial uses require an area to be allocated to accommodate the "Continental 1100ltr" (the typical bin used for commercial purposes).

Informatives: Proposals Involving a Change to Class C3 Residential Use

- Where a change of use to Class C3 residential use is proposed future occupants will not be entitled to a parking permit.
- Where a change of use to Class C3 residential use is proposed, provision should be made for cycle parking equivalent to 1 space per residential unit.
- Provision should be made for refuse storage and collection facilities. Residential use requires an area of 0.75m x 2.04m per unit to be allocated to provide adequate space for 1no. Council issue wheelie bin and 2no. Council issue recycling boxes or sufficient storage for blue bag collections.

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Table setting out when Planning Permission would be required for Change of Use Proposals in the Local Development Order Area

Existing Use	Proposed Use	A1: Shops	A2: Financial & professional	A3: Restaurants and Cafes	A4: Drinking Establishments	A5: Hot Food Takeaways	C1: Hotels	C2: Residential Institutions	C2A: Secure Resi Institutions	C3: Dwelling Houses	C4: HMOs	B1: Business	B2: General Industrial	B8: Storage and Distribution	D1: Non-residential institutions	D2: Assembly and leisure
A1: Shops			Y	Y	N	N	Y	Y	N	Y	Y	Y	N	N	Y	N
A2: Financial & prof services		YY		Y	N	N	Y	Y	N	Y	Y	Y	N	N	Y	N
A3: Restaurants and cafes		YY	YY		N	N	Y	Y	N	Y	Y	Y	N	N	Y	N
A4: Drinking Establishments		YY	YY	YY		N	N	N	N	N	N	N	N	N	N	N
A5: Hot Food Takeaways		YY	YY	YY	N		N	N	N	N	N	N	N	N	N	N
C1: Hotels		Y	Y	Y	N	N		Y	N	Y	Y	Y	N	N	Y	N
C2: Residential Institutions		Y	Y	Y	N	N	Y		N	Y	Y	Y	N	N	Y	N
C2A: Secure Resi Institutions		N	N	N	N	N	N	N		N	N	N	N	N	N	N
C3: Dwelling Houses		Y	Y	Y	N	N	Y	Y	N		YY	Y	N	N	Y	N
C4: HMOs		Y	Y	Y	N	N	Y	Y	N	YY		Y	N	N	Y	N
B1: Business		Y	Y	Y	N	N	Y	Y	N	Y	Y		N	YY up to 500 sqm	Y	N
B2: General Industrial		N	N	N	N	N	N	N	N	N	N	YY up to 500 sqm		YY up to 500 sqm	N	N
B8: Storage and Distribution		N	N	N	N	N	N	N	N	N	N	YY up to 500 sqm	N		N	N
D1: Non-resi institutions		Y	Y	Y	N	N	Y	Y	N	Y	N	Y	N	N		N
D2: Assembly and leisure		N	N	N	N	N	N	N	N	N	N	N	N	N	N	

N Planning permission is required

YY Already Permitted Development (Planning permission is not required)

Y Permitted Development subject to compliance with the conditions of the LDO