























13 Manchester Road, Swindon, SN1 2AB Planning, Design and Access Statement





February 2024

Planning, Design, and Access Statement

Prepared by DPDS Consulting Group



DPDS Consulting Group

Old Bank House

5 Devizes Road

Old Town

Swindon

SN1 4BJ

Client: Mr Nzar Mahmood

Reference: C12515

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Approved: LMD

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Submission: For Planning

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Date:	February 2024

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1.0 Introduction

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1.0 Introduction

1.1 This Planning, Design & Access Statement has been prepared by DPDS Consulting on behalf of Mr Nzar Mahmood in support of a full planning application for alterations to facilitate the change of use of the ground floor of 13 Manchester Road, Swindon from retail (Class E(a)) to restaurant (Class E(b)) including installation of a flue and creation of a waste storage area.

- 1.2 This application is supported with a full suite of planning drawings and supporting documentation in accordance with Swindon Borough Council's validation requirements for full planning applications. This application comprises:
 - Completed Planning Application forms (via Planning Portal);
 - Planning, Design, and Access Statement (this document); and
 - Existing and Proposed Drawings.

Document Overview

- 1.3 The remainder of this Planning, Design and Access Statement is structured as follows:
 - Section 2 (Site Overview and History) sets out the site context, planning history and relevant opportunities, designations, and constraints;
 - Section 3 (Planning Policy Context) sets out the relevant national and local planning policies and guidance relevant to the application site and the proposed development;
 - Section 4 (Proposed Development) describes what is being proposed as part of this application;
 - Section 5 (Planning Assessment) assesses the proposed development set out in Section 4 against the relevant policy context detailed in Section 3;
 - Section 6 (Design and Access Statement) provides a detailed description of the physical characteristics of the proposal taking into account the site and policy context and accessibility considerations;
 - Section 7 (Summary and Conclusions) summarises the proposal and why planning permission should be granted in accordance with the presumption in favour of sustainable development.



Figure 1 - Location of application site on a map (Source: Google Maps).

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Design and Access Statement.

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2.0 Site Overview and History

Site Overview

2.1 The building is an end-of-terrace plot which is located on Manchester Road and on the corner of Alfred Street, located northeast of Swindon town centre and east of the train station, situated within a busy residential area.

2.2 The building is currently vacant but was previously used as a Hoover Service Centre, selling appliances and providing assistance and maintenance where necessary. The vacancy presents itself with an opportunity to explore the most viable future uses whilst also positively contributing to the local community and economy.

2.3 The building entrance is set back from the public footway which provides an opportunity for potential outdoor seating whilst not conflicting with the flow of pedestrian traffic. The building also benefits from a separate rear access which is also set back from the existing backway used by vehicles and pedestrians.

The Surrounding Area

2.4 The site's surrounding area is varied, with immediate context consisting of residential units amongst Class E Uses. Opposite the site, there is a Mosque, while behind the site there is a Car Wash, with Swindon Bus Station located to the west, approximately a 5-minute walk away.

2.5 The wider surroundings comprise more commercial uses to the southwest, including Swindon Town centre, located approximately a 10-minute walk away to the central area. This hosts a variety of shops, offices, hotels, and gyms with plenty of car parking and walking routes.

2.6 Additionally, to the northeast comprises larger facilities and amenities, including large superstores, sports centres, industrial estates, and playing fields to the north.

Designations and Constraints

- 2.7 The site isn't located within a Swindon Conservation Area nor is it in an Area of Outstanding Natural Beauty (AONB).
- 2.8 As per the information provided on the Historic England interactive map, there are no listed buildings within the immediate surroundings of 13 Manchester Road.
- 2.9 According to the Gov.uk website, the site lies within Flood Zone 1 so there is no risk of flooding from rivers.

Relevant Planning History

- 2.10 In July 2023, a previous application for the Change of use from Shop (Class E) to Takeaway (Sui Generis) and ground floor flat was submitted to Swindon Council, this was refused on the following grounds:
 - The application involved the loss of a retail unit and does not demonstrate that the use would enhance the local retail function of the Local Centre. As such development is contrary to Policy EC3 of the Swindon Borough Council Local Plan.
 - Hot Food Takeaways and Cafes within Manchester Road Local Centre will only be allowed within outlets that are not adjacent to residential dwellings and where there will be no adverse impact on residential dwellings on the vicinity.
 - The proposed extraction flue, by reason of its bulk, height, utilitarian design and materials in a prominent position within the highway would be detrimental to the character of the area contrary to the aims and contribution of high quality design to achieving sustainable development within the Central Area of Swindon.
 - The application makes no provision for storage of refuse and recyclable materials in the absence of a waste management strategy and any obvious capability of the site to provide for waste management without it encroaching on the highway or otherwise being detrimental to the public realm or residential amenities.



Figure 3 - Photograph of the nearby Bus Station (Source: Google Maps).



Figure 4 - Photograph of the Town Centre (Source: Google Maps).



Figure 5 - Photograph of the Mosque opposite the Application Site (Source: Google Maps).





3.0 Planning Policy Context

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan and other national and local guidance relevant to the application site and proposed development is set out below.

3.2 The development plan comprises the Swindon Borough Local Plan 2026 (SBLP 2026), adopted in March 2015, as well as the Swindon Central Area Action Plan.

3.3 Swindon Borough Council is due to conduct a public consultation on scope, issues and preferred options (Regulation 18) for their New Local Plan in Summer of 2024, with a pre-submission (Regulation 19) consultation scheduled to follow in Winter 2024, and submission to the Secretary of State projected for June 2025.

3.4 It is not known if there has been any significant changes to relevant development management policies in the forthcoming Regulation 18 Consultation, compared to those set out in the current Local Plan.

3.5 Full weight can therefore only be afforded to the adopted policies of the SBLP 2026 at this time.

National Planning Policy Framework

3.6 The National Planning Policy Framework (NPPF) is also a material consideration for the determination of planning applications in England. The NPPF was last updated in December 2023 and sets out the Government's over-arching planning policies and how these are expected to be applied.

3.7 The following paragraphs of the NPPF are considered to be directly relevant to the proposed development:

Paragraph 7 confirms that the purpose of the planning system is to contribute to the achievement of • sustainable development.

Paragraph 8 adds that achieving sustainable development relies on the planning system fulfilling three over-arching objectives: economic, social, and environmental.

Paragraph 11 introduces the 'presumption in favour of sustainable development'. For decision-taking, this means that proposals which accord with an up-to-date development plan should be approved without delay, and where policies are out of date proposals should be approved unless NPPF policies give clear reasons for refusal.

Paragraph 86 states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Paragraph 115 states that development should only be 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.

Paragraph 124 states that planning decisions should support development that makes efficient use of land taking into account the identified need for different forms of development, and the availability of land suitable for accommodating it.

3.8 The following policies of the Swindon Borough Local Plan 2026 are considered to be directly relevant to the proposed Change of Use of 13 Manchester Road.

> development. Proposals for development should address the objectives of sustainable will be assessed against all the following design principles:

- а. Context and character, in respect of existing built characteristics, acknowledged features of importance, and existing site conditions.
- Layout, form, and function of the development, in respect of accessibility, connectivity, b. permeability, legibility, inclusivity, safety & security, efficiency, and adaptability, and siting, orientation, scale, massing, materials and detailing.
- c. Amenity, in respect of light, privacy, outlook. noise, disturbance, smell, pollution, space.
- d. Quality of the public realm.

Policy SD1: Sustainable Development Principles is an over arching policy which, echoing the objectives of the NPPF, states that, in order to enable the delivery of sustainable development and support sustainable communities in the Borough all development proposals will:

- Be of high quality design;
- Promote healthy, safe and inclusive communities;
- Respect, conserve, and/or enhance the natural, built and historic environments;
- Provide/contribute to assessed local and borough infrastructure & service requirements; Contribute to the retention of jobs and growth of local economy and complement Town
- Centre regeneration;
- Be accessible by walking, cycling and/or public transport; and
- Use land and resources (such as water, energy, minerals and waste) in an efficient and effective way.

Policy SC1: Swindon's Central Area establishes the Council's approach to the improvement and enhancement of Swindon's Central Area. The policy requires high quality design for development in Central Swindon, including delivery of clearly defined public and private space with improved public realm and access for all.

Policy EC3: The Role of the Centres and Main Town Centre Uses states that in Local Centres, retail uses should be predominant.

- Policy DE1: High Quality Design States that high standards of design are required for all types of
- development through high quality design and place-making principles. To ensure this, proposals

National Design Guide

3.9 The characteristics most relevant to the proposal are outlined below:

Context C1: Understand and relate well to the site, its local and wider context – developments need to • respond positively to features of the site and surroundings.

Built Form B2: Appropriate building types and forms - developments need to have active frontages facing the street to provide interest.

Uses U1: A mix of uses - Successful communities require a range and variety of services and facilities, including commercial uses.

The charactersitics most relevant to the proposal are outlined below: 3.10

- Context C1: Understand and relate well to the site, its local and wider context developments need to respond positively to features of the site and surroundings.
- Built Form B2: Appropriate building types and forms developments need to have active frontages facing the street to provide interest.
- Uses U1: A mix of uses Successful communities require a range and variety of services and facilities, including commercial uses.



- 3.11 This section sets out the local guidance considered relevant to the proposed application.

there is no requirements to provide any car parking spaces. In terms of cycling parking, this document sets out a minimum of 1 space per unit for 1-2 bedroom C3 units. Swindon Residential Design Guide sets out principles of good design for residential development in Swindon with the aim of securing design quality and ensuring that new development contributes positively to Swindon's built and natural environment.

- 3.12 The Swindon Central Area Action Plan (CAAP) 2009 provides a planning framework to facilitate the

Policy CAAP1 (High Quality and Innovative Design):

- The design should:

 - include any necessary provision for the screening of service plants;
 - embody the principles of inclusive design and access for all;

Policy CAAP3 (Public Realm):

Policy CAAP19 (Infrastructure Requirements):

- New Community Centre for Broadgreen.
- Community Safety measures, including enhanced street lighting in Broadgreen.
- calming measures where needed.

Parking Standards for New Development are the Council's adopted parking standards. This document sets out the parking requirements at various sectors throughout the Borough. The proposed site for this application is located within sector 1 and therefore under these standards,

delivery of regeneration in Central Swindon. The policies are informed by the Council's Core Objectives.

incorporate active frontages especially where development forms part of Town Centre; ensure entrances are emphasised where the development forms part of Town Centre;

All development proposals must prove that they consider and respond to the following: Development should front on to streets with rear facing onto private secure area; Lighting signs and street names should be mounted on walls rather than posts where possible. Signage should be consistent with the Council's adopted signage standard; and All newly created or refurbished public realm should embody access for all principles.

Public Realm improvements that extend Streets for Living Project to incorporate Broadgreen. Transport Infrastructure as detailed in the Transport and Movement Section, including traffic

Development 4.0 Proposed



4.0 Proposed Development

4.1 It is proposed to convert the ground floor of 13 Manchester Road from a vacant retail unit into a high-quality restaurant which will serve Middle Eastern cuisine. The applicant intends for the restaurant to restaurant to serve breakfast, lunch and dinner – bringing vitality to this part of Manchester Road throughout the day.

4.2 As shown on the proposed floor plans, the restaurant will comprise a customer seating area, a counter/bar area and a customer toilet which is suitable for wheelchair users. The rear of the ground floor will be used as a staff area and storage associated with the restaurant use. A flue will be incorporated onto the side elevation as shown on the Proposed Elevations and an area for waste storage will be designated to the rear and shown on the Proposed Site Plan.

4.3 The photomontage shows the aesthetic which the applicant is looking to achieve, creating an attractive and high-quality Middle Eastern restaurant offering unique to Swindon Town Centre.



Figure 7 - Assortment of photographs of how usual Middle Eastern restaurants look and what food they serve (Source: Google Images).



5.0 Planning Assessment

The Principle of Development

5.1 The principle of the former retail unit being used as a restaurant is already established by the recent introduction of 'Use Class E', which was initiated to reduce the number of vacant units on high streets by making it easier for them to be repurposed for other suitable commercial uses. Notwithstanding, a full planning application is being made to allow for external alterations including installation of a flue and creation of a waste storage area to serve the proposed restaurant use.

5.2 This application also provides clarification and addresses previous concerns following the previous refusal for change of use of the property (application ref. S/23/1068) as set out below.

Analysis of Reasons for Refusal of the Previous Application

5.3 Refusal 1:

"Policy EC3 provides that in the Local Centres retail uses should be predominant and that proposals for nonretail uses will be permitted only where they enhance the local retail centre function and do not by themselves or cumulatively harm the vitality and viability of the centre's retail function. The application involves the loss of a retail unit and does not demonstrate that the use would enhance the local retail function of the Manchester Road Local Centre. As such the development is contrary to Policy EC3 of the Swindon Borough Local Plan 2026".

5.4 The amendment of the proposal to be a restaurant, together with the Government's changes to use classes in 2020/21, significantly impacts how this reason for refusal and Policy EC3 is interpreted. The new Use Class E is intends to reduce vacant units and breath life into our streets by making it easier to switch between 'town centre uses' (such as shop to restaurant in this case), without the need for planning permission.

5.5 In this case, planning permission is being sought due to the associated minor external alterations which include a flue and waste storage area. The change of use from retail to restaurant itself does not strictly require planning permission under the provisions of Use Class E. The proposal would be run as a restaurant, with guests invited to come and enjoy the food and atmosphere on the premises. A collection service would not be advertised to avoid any potential highway obstructions.

5.6 In any case, the proposal would maintain a Class E frontage on Manchester Road and serve the local community and create local jobs compared to a vacant retail unit which is the current circumstance.

5.7 Refusal 2:

"Policy CAAP19 of the adopted Swindon Central Area Action Plan provides that new Hot Food Takeaways and Cafes within the Manchester Road Local Centre will only be allowed within outlets that are not adjacent to residential dwellings and where there will be no adverse impact on residential dwellings in the vicinity.

The proposed use would directly adjoin a neighbouring dwelling as well as the flats on the first floor of 13 Manchester Road and the new flat on the ground floor to the rear. In the absence of any details to demonstrate that the use could be operated without an adverse impact on neighbouring residential amenities, the development would be contrary to Policy CAAP19 of the Central Area Action Plan as well as Policy DE1 of the Swindon Borough Local Plan 2026 which, as part of high quality design, requires proposals to address impacts upon neighbouring uses and amenities in terms of light, privacy, outlook, noise, disturbance and pollution". 5.8 As set out above, this proposal is for an eat-in restaurant as opposed to a 'hot food takeaway or café' therefore this reason for refusal would not apply in this respect. Notwithstanding, it is also important to note that the neighbouring property 12 Manchester Road is in fact not a C3 residential dwelling but is identified on Google Street View as 'Manchester Guest House' Bed & Breakfast. A previous planning application for a rear 2-storey extension at 12 Manchester Road (ref. S/00/2019) also identifies the property as Manchester Guest House. This property therefore falls under Use Class C1 (Hotels) as opposed to C3 dwelling.

5.9 With regards to amenity concerns, whilst it is acknowledged that residential use exists on the first floor of 13 Manchester Road, it is noted that the Council have recently granted permission for a mixed-use restaurant/café and hot food takeaway at 124 Manchester Road (application ref. S/21/1495) which also has residential use on the first floor. For this permission, planning conditions were imposed with regards to noise, fumes, odours and operating hours – therefore there is no reason why a similar approach cannot be adopted for the subject application. This application has also been submitted with specifications and data sheets for the proposed extraction equipment so that any impacts can be properly assessed.

5.10 Reason 3:

"The proposed extraction flue, by reason of its bulk, height, utilitarian design and materials in a prominent position within the highway would be detrimental to the character of the area contrary to the aims and contribution of high quality design to achieving sustainable development within the Central Area of Swindon. As such the development would be contrary to policies SD1, SC1 and DE1 of the adopted Swindon Borough Local Plan 2026 and policies CAAP1 and CAAP3 of the adopted Swindon Central Area Action Plan".

5.11 The proposed flue has been redesigned from the previous proposal in terms of siting and position and now sits more comfortably within the context of the host property and street scene, alleviating potential concerns regarding obstruction to the highways or host property.

5.12 It should also be noted that flues appear to be a common feature on existing food and beverage units on Manchester Road (No. 25 (Pizza King), No. 35 (Swindon Kebab House) and No. 96 (Nermut Turkish Restaurant)) and therefore this should not be considered an alien feature in this 'local centre' context and should not be a reason to stop a vacant retail unit being repurposed for another Class E use.

5.13 Reason 4:

"The application makes no provision for storage of refuse and recyclable materials. In the absence of a waste management strategy and any obvious capability of the site to provide for waste management without it encroaching on the highway or otherwise being detrimental to the public realm or residential amenities the proposal is contrary to the principles of high quality design and sustainable development, contrary to policies SD1, DE1 of the Swindon Borough Local Plan 2026 and Policy CAAP3 of the Swindon Central Area Action Plan".

5.14 As shown on the Proposed Site Plan, an area for waste storage is now designated at the rear of the property. This area can be separated/screened so as to not obstruct others who use the back lane for access. With regards to waste collection, this will be organised privately by the applicant.





6.0 Design and Access Statement

6.1 Government guidance states that a Design and Access Statement shall 'provide a framework for applicants to explain how the proposed development is a suitable response to the site and its setting and demonstrate that it can be adequately accessed by prospective users'. The guidance recommends that the following headings are used to convey the required detail.

Use - 'What buildings and space will be used for?'

6.2 The ground floor of the property will be used as a restaurant including a seating area, counter/bar area, restaurant kitchen and customer toilets. The rear of the ground floor will comprise a staff area, staff toilets and storage space for the restaurant use.

Amount, Layout, and Scale - 'How much will be built on the site?' 'How the buildings, public and private spaces will be arranged on the site' and 'how big the buildings and spaces would be.'

6.3 The layout of the proposal has been carefully considered to make most efficient use of the available space for a modern restaurant whilst minimising the amount of structural alterations required.

6.4 The proposal comprises no additional built form. The only externally visible changes will include a carefully positioned flue to the side of the building and a designated waste storage area to the rear which can be screened/ separated from the access to the first floor of the property as shown on the proposed elevations.

Appearance and Landscaping – 'What the building and spaces will look like, for example, building materials and architectural detail' and 'How open spaces will be treated to enhance/protect character of a place.'

6.5 The proposal will result in a significant improvement to the streetscape when compared with the existing vacant shopfront which appears dated. The proposed elevations show how the applicant has considered the branding of the restaurant and there is also an opportunity for future soft landscaping planters or other furnishings which will further enhance the frontage of the property once the restaurant use is established.

6.6 Overall, it is considered that the proposal is in accordance with the provisions of Policy DE1 (High Quality Design) of the Swindon Borough Local Plan 2026.

Access - How 'vehicular and transport links' and 'inclusive access' have been considered

6.7 The town centre location of the site means that it has strong public transport links and nearby car parks meaning that the restaurant will be accessible from across Swindon and further afield or via walking from town centre residents.

6.8 Inclusive access has also been considered by ensuring the property retains level access from the street and also through provision of a customer toilet suitable for wheelchair users.



Figure 8 - Existing front elevation of property (Source: Google Maps).

S Summary and Conclusion 7.0



Summary and Conclusions 7.0

7.1 This Planning, Design & Access Statement has been prepared in support of a full planning application for alterations to facilitate the change of use of the ground floor of 13 Manchester Road, Swindon into a restaurant including installation of a flue and creation of a waste storage area.

7.2 The principle of the former retail unit being used as a restaurant is already established by the recent introduction of 'Use Class E', which was initiated to reduce the number of vacant units on high streets by making it easier for them to be repurposed for other suitable commercial uses. Notwithstanding, a full planning application is being made to allow for external alterations including installation of a flue and creation of a waste storage area to serve the proposed restaurant use. This application also provides clarification and addresses previous concerns following the previous refusal for change of use of the property (ref. S/23/1068).

7.3 This Statement demonstrates that overall, the proposed development contributes towards the three key objectives of sustainable development as set out in the NPPF. These contributions are summarised below:

Social Objective: The proposed restaurant will be a welcome high-quality offering for residents of Manchester Road and the wider community, offering opportunities for social interaction and also creating jobs.

Economic Objective: The proposed restaurant will breathe life back into this part of Manchester Road which currently houses a vacant retail unit. The proposal will create jobs from construction to kitchen and service staff and encourage local spending from restaurant goers.

Environmental Objective: Careful consideration has gone into ensuring that the proposed restaurant use is compatible with the surrounding environment. The design of the flue ensures that it is not obstructive to users of the highways or residents of the first floor of Manchester Road. The proposed waste storage has also been designed so that it is not obstructive to other entrances shared by the back lane. As per other permissions granted on Manchester Road, conditions can be imposed to ensure that any impact from noise, fumes or odours are suitably mitigated.

7.4 The design of this development incorporates minimal external alterations and will overall be an improvement to the streetscape compared with the existing vacant retail unit which appears dated.

7.5 The location of the site means that it is well served by various transport links and allows for level access from the street making it inclusive to all.

7.6 For these reasons it is requested that full planning permission is GRANTED without delay in accordance with the presumption in favour of sustainable development.



Figure 9 - Three key sustainable development principles as defined in the NPPF.

8.0 Appendix



13 Manchester Road, Swindon Planning, Design and Access Statement Page No. 16

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Existing Front Elevation



Existing Section



Existing Rear Elevation



Existing Side Elevation

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103.93 102.80	
	98.68

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DRAWING ISSUED FOR: PLANNING

^{Client} Mr Nzar Mahmood

Project

13 Manchester Road, Swindon SN1 2AB

Drawing Title

Existing Drawings

Date	Drawn	Checked
January 2024	IM	LMD
Drawing No.	Revision	Scale
C12515.PL.001	-	1:200 @A3 1:100 @A1

0m	1	2	3	4	5
-					
Scale 1:100 @ A1 (1:200 @ A3)					
0m	2	4	6	8	10
-					
Scale 1:200 @ A1 (1:400 @ A3)					







Proposed Section Scale 1:100@ A1









Proposed Side Elevation Scale 1:100@ A1

LEGEND:

- EXTRACTION UNIT LEGEND:
- A. COOKING AREA
- **B. EXTRACTION**
- C. GREASE FILTERS
- D. PRE-FILTER
- E. CARBON FILTER
- F. SILENCER
- G. FAN/ MOTOR UNIT
- H. LAGGING
- I. ANTI-VIBRATING MOUNTING
- J. NOISE ATTENUATOR
- K. EXHAUST FLUE



Face Velocity Typical Advantages Disadvantages Efficiency 90-95% Higher efficiency High pressure Non-overloading drop Special

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 		105.70
 ⁷ 103.83 ¹ ¹	103.93	
		98.68

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Client Mr Nzar Mahmood

Project

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Drawing Title

Proposed Drawings and Details

Date	Drawn	Checked
January 2024	IM	LMD
Drawing No.	Revision	Scale
C12515.PL.010	-	1:200 @A3 1:100 @A1

0m	1	2	3	4	5
Scale 1:100 @ A1 (1:200 @ A3)					
0m	2	4	6	8	10
Scale 1:200 @ A1 (1:400 @ A3)					

























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