

PLANNING COMMITTEE

TUESDAY, 10 FEBRUARY 2015

PRESENT: - Councillors Brian Ford, Abdul Amin, John Ballman, Toby Elliott (Vice-Chair), Colin Lovell (Chair), Teresa Page, Nicky Sewell, Vera Tomlinson, Peter Watts, Nick Martin, Alan Bishop, Paul Baker, Kevin Parry, Eric Shaw and Carol Shelley.

34. Declarations of Interest

There were no declarations of interest

35. Minutes

Resolved – That the minutes of the meeting held on 13th January 2015 be confirmed and signed.

36. Public Question Time

There were no public questions

37. Exempt Items - Exclusion of Press and Public

Resolved - That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Minute No. 44 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned

38. Development Brief: The Limes, 21 Green Road Stratton St Margaret, Swindon

The Head of Planning, Regulatory Services, Heritage and Libraries submitted a report seeking approval for the adoption of a Development Brief for The Limes 21 Green Road for Development Management purposes.

Resolved – That this Committee:

- (1) Approves the Development Brief for adoption for Development Control purposes.
- (2) Authorises the Head of Planning, Regulatory Services, Heritage and Libraries, to make minor typographical and presentational changes to the content of the document if required

39. Draft Swindon Low Carbon Local Development Orders

On consideration of (a) a report of the Head of Planning, Regulatory Services, Heritage and Libraries seeking approval to consult Local Development that would relax certain planning conditions in support of a low carbon Swindon; and (b) the comments of Mr AD Goodenough:

Resolved – That this Committee:

- (1) Notes the removal of Crouch Farm, Highworth from paragraph 2.34
- (2) Authorises the consultation on three Local Development Orders covering the following matters:
 - Micro-generation, local generation and district heating installations;
 - Hydrogen and electric car fuelling installations at petrol filling stations;
 - Sites for solar arrays and solar farms at the locations listed at paragraph 2.34 of this report; and
- (3) Authorises the Head of Planning, Regulatory Services, Heritage and Libraries to make minor drafting or typographical changes to the content of the draft LDOs and supporting documents if required prior to publication.

40. Assisted Living Housing Local Development Orders

The Head of Planning, Regulatory Services, Heritage and Libraries submitted a report seeking approval to consult on Local Development Orders that if adopted would grant planning permission upfront for three assisted living bungalow schemes in Swindon.

Resolved – That this Committee authorises:

- (1) the consultation on Local Development Orders that would grant planning permission upfront for assisted living bungalows at the three sites listed at paragraph 2.11 of the report; and
- (2) the Head of Planning, Regulatory Services, Heritage and Libraries to make minor drafting or typographical changes to the content of the LDOs prior to publication.

41. Update on the Government Changes to the Planning Practice Guidance: Impact on the application of locally adopted Planning Policy and Guidance for Affordable Housing and s106 planning obligations

The Head of Planning, Regulatory Services, Heritage and Libraries submitted an update report concerning the implications of recent changes introduced by Government on 28th November 2014 and how these changes impact on the day-to-day application of locally adopted Local Plan policies and accompanying Guidance.

Resolved – That this Committee:

- (1) Acknowledges the Council 's requirement to comply with the planning policy requirements of the Ministerial Statement 28th November 2014 (HCWS50) as invoked within the on-line Planning Practice Guidance 'PPG' in its Planning Obligations section;
- (2) Endorses the Council's approach to determining whether development constitutes 'small-scale' development as described in Paragraph 012 of the report (923b-012-20141128) of the PPG for the purposes of determining whether tariff-style planning obligations can be applied;
- (3) Endorses the Council's calculation for determining the value of the vacant building credit for the purposes of calculating the affordable housing contribution from relevant development proposals which is required to implement the vacant building credit as set out in paragraphs 021 and 022 of the report (23b-021-10141128 and 21b-022-20141128 of the PPG;
- (4) Approves the reduced threshold for small-scale development in Designated Areas and thereafter its operational use when assessing planning applications.
- (5) Delegates authority to the Head of Planning, Regulatory Services, Heritage and Libraries to make amendments to the endorsed positions in respect of affordable

housing vacant building credit and small-scale development definition in the event that future amendments are made to the legislation and/or Government Guidance in respect of either matter.

(6) Delegates authority to the Head of Planning, Regulatory Services, Heritage and Libraries to make any necessary amendments to the operation of the reduced small-scale development threshold for Designated Areas in light of changes in policy or Case Law, and in such situations, in consultation with the Cabinet Member for Strategic Planning & Sustainability determine if the lowered threshold should be switched off.

42. Update on the implications of the revised Planning Practice Guidance PPG on securing tariff- type contributions under Section 106 deed of Planning Obligation

The Head of Planning, Regulatory Services, Heritage and Libraries submitted an update report concerning the implications of recent changes introduced by Government on 28th November 2014 that place restrictions on the local authority's power to secure developer contributions from small scale residential developments. Resolved - That the Head of Planning, Regulatory Services, Heritage and Libraries, be authorised to issue without a section 106 deed of planning obligation, planning permissions for the planning applications listed at paragraph 3.5 below, which are caught by the new PPG restriction and in respect of which the planning committee has previously resolved that planning permission be granted subject to a section 106 deed of planning obligation.

43. Planning Agreements

The Director of Law and Democratic Services submitted a report concerning the current position in relation to Deeds of Planning Obligation (i.e. Section 106 Agreement or Section 106 Unilateral Undertaking) authorised by the Council in its role as local planning authority.

Resolved – That the report be noted

44. Enforcement

The Director of Law and Democratic Services submitted a report concerning the current position in relation to Planning Enforcement Action authorised by the Council in its role as local planning authority.

Resolved – That the report be noted.