

PLANNING COMMITTEE

TUESDAY, 10 OCTOBER 2017

PRESENT: - Councillors Kevin Parry (Chair), John Ballman, Alan Bishop, Malcolm Davies, Steph Exell, Nick Martin, Stan Pajak, James Robbins, Eric Shaw, Gary Sumner, Timothy Swinyard and Peter Watts.

Apologies for absence were received from Councillors Derique Montaut.

20. Declarations of Interest

Councillor Swinyard made a personal and prejudicial declaration of interest in respect of application numbered S/HOU/17/1137 as he knew the applicant and left the room during its discussion and voting thereon.

21. Minutes

Resolved – That the minutes of the meeting held on 14th September 2017, be confirmed and signed.

22. Public Question Time

Kareen Boyd, Old Town, asked a question concerning the powers that Parish Councils have in relation to planning applications.

Andy Brown, Service Manager and Kehinde Awojobi, Head of Conveyancing, Environment and Contracts responded at the meeting.

Martha Parry, Swindon Civic Voice, asked a series of questions concerning Council policies in relation to cases where speculative applications are made for development of sites which are owned by the Council.

Richard Bell, the Head of Planning, Regulatory Services and Heritage agreed to provide Ms. Parry with written responses to her questions.

23. Determination of Planning and Related Applications

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments of Councillors Claire Ellis, Jane Milner-Barry and Nadine Watts in respect of application numbered S/OUT/17/882;
- (e) The comments of Councillors Maureen Penny and Steve Weisinger in respect of application numbered S/16/1781;
- (f) The comments of Councillor Bob Wright in respect of applications numbered S/17/673 and S/17/1012;
- (g) The comments of Councillors Bob Wright and Des Moffatt in respect

- of application numbered S/OUT/17/665;
- (h) The comments of Councillors Jane Milner-Barry and Nadine Watts in respect of application numbered S/HOU/17/1137;
- (g) The comments of Councillor Des Moffatt in respect of application numbered S/17/1097;
- (g) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/OUT/17/882	Struan Power Marco Di Pinto Nicholas Burns Reg Bates	Agent Old Town Ward Parish Councillor
S/16/1781	Chris Minors Susan Douel Pauline Webster	Applicant 23 Shrivenham Road Highworth Town Councillor
S/17/673	Chris Moore Barrie Thompson Paul Gregory	Agent Swindon Central Parish Councillor 69 Commercial Road
S/OUT/17/665	Paul Chamberlain Mrs Austin Barrie Thompson	FSL Local Resident Swindon Central Parish Councillor
S/HOU/17/1137	Peter Goldsworthy Nicholas Burns	Applicant Old Town Ward Parish Councillor
S/17/1097	Philip Allen	Applicant

Resolved – (1) That the Head of Planning, Regulatory Services and Heritage be authorised to grant permission in respect of application numbered S/OUT/17/882, subject to the conditions listed in the Committee Report together with any amended, omitted or additional conditions, and the completion of a Section 106 agreement to secure the necessary mitigation. In the event that the applicant fails to agree an extension of time to allow sufficient time for the Local Planning Authority to deal with these matters then the Head of Planning, Regulatory Services and Heritage be authorised to refuse planning permission.

(2) That the Head of Planning, Regulatory Services and Heritage be authorised to grant permission in respect of application numbered S/16/1781 subject to the conditions set out in the Committee Report together with any amendments, omitted or additional conditions and the completion of a Section 106 agreement to secure the necessary mitigation. In the event that the applicant fails to agree an extension of time to allow sufficient time for the Local Planning Authority to deal with these matters then the Head of Planning, Regulatory Services and Heritage be authorised to refuse planning permission.

(3) That the Head of Planning, Regulatory Services and Heritage be authorised to grant permission in respect of application numbered S/OUT/17/665

upon expiry of the consultation period with Historic England provided no significant concerns are raised and subject to the conditions set out in the Committee Report together with any amended, omitted or additional conditions as may be appropriate and the completion of a deed of planning obligation as follows:

- (a) to secure necessary mitigation for highways and open space (as set out in paragraphs 41 to 46 of the report); and
- (b) to carry out a post construction viability assessment to determine whether the development is viable enough to make an affordable housing contribution (as set out in paragraph 12 of the report). For the avoidance of doubt the development is considered viable if it achieves a profit of 20% or more.

In the event the applicant fails to agree to an extension of time to allow sufficient time for the Local Planning Authority to deal with these matters then the Head of Planning, Regulatory Services and Heritage be authorised to refuse planning permission.

(4) That the Head of Planning, Regulatory Services and Heritage be authorised to grant permission in respect of application numbered S/17/673 upon expiry of the consultation period with Historic England provided no significant concerns are raised and subject to the conditions set out in the Committee Report together with any amended, omitted or additional conditions as may be appropriate and the completion of a deed of planning obligation as follows:

- (a) to secure necessary mitigation for highways and open space (as set out in paragraphs 63, 64 and 65 of the report); and
- (b) to carry out a post construction viability assessment to determine whether the development is viable enough to make an affordable housing contribution (as set out in paragraph 16 of the report). For the avoidance of doubt the development is considered viable if it achieves a profit of 20% or more.

In the event that the applicant fails to agree to an extension of time to allow sufficient time for the Local Planning Authority to deal with these matters then the Head of Planning, Regulatory Services and Heritage be authorised to refuse planning permission.

(5) That the Head of Planning, Regulatory Services and Heritage be authorised to grant permission in respect of application numbered S/HOU/17/1137 subject to the conditions set out in the Committee Report.

(6) That permission be granted in respect of applications numbered S/17/1097 and S/17/1012 subject to the conditions listed in the Committee Report.

(7) That advertisement consent be granted in respect of application numbered S/ADV/17/1013 subject to the conditions listed in the Committee Report with the addition of an extra condition to prevent further lighting being installed.

24. Transport Requirements for Development Highway Design Standards

On consideration of (a) a report of the Head of Highways and Transport Service Delivery concerning the Transport Requirements for Development (TRfD) which sets out the principles that Swindon Borough Council will apply to the design and construction of transport infrastructure associated with new development and which is designed to provide guidance to developers, consultants, contractors, Parishes and the public in respect of new developments within the Borough and (b) the comments of Councillor Bob Wright:

Resolved – That this Committee agrees that the draft Transport Requirements for Development (TRfD) document be taken to external consultation in its current form.

**25. Transport Requirements for Development Highway Design Standards -
Sections to be considered as an SPD**

The Head of Highways and Transport Service Delivery submitted a report concerning the Transport Requirements for Development (TRfD) concerning the principles that Swindon Borough Council will apply to the design and construction of transport infrastructure associated with new development and specifically sections 2 and 3 and appendices A and C as they relate to highway requirements in terms of the planning application process.

Resolved – That this Committee:

- (1) Agrees the need for a more robust Supplementary Planning Document (SPD) in terms of highways requirements. SPD's are material considerations in the planning process, which carry weight when the Council makes decisions on planning applications.
- (2) Agrees the draft TRfD document to go to external consultation on the basis that sections 2 and 3 and appendices A and C are proposed to become an SPD in their own right.