

PLANNING COMMITTEE

TUESDAY, 14 AUGUST 2018

PRESENT: - Councillors Timothy Swinyard (Chair), Toby Elliott (Vice-Chair), John Ballman, Alan Bishop, Steph Exell, Nick Martin, Jane Milner-Barry, Stan Pajak, Maureen Penny, Vera Tomlinson and Peter Watts.

Apologies for absence were received from Councillors Malcolm Davies and James Robbins.

10. Declarations of Interest

The Chair reminded Councillors to declare any known interests in any of the matters to be considered by the Committee.

Councillors Ballman and Exell made personal and non-prejudicial interests in respect of agenda item no. 8: Draft Development Brief, Land at Moredon Recreation Ground as they were both members of North Swindon Parish Council

11. Minutes

Resolved – That the minutes of the meeting held on 10th July 2018, be confirmed and signed.

12. Public Question Time

There were no public questions

13. Section 100B(4)(b) of the Local Government Act 1972 - Matter of Urgency

In accordance with Section 100B(4)(b) of the Local Government Act 1972, the Chair determined that an additional item concerning application numbered S/17/1771 (Erection of class A1 foodstore and associated access, parking and landscaping at Land North of Blackworth Industrial Estate, Highworth) be considered as a matter of urgency in order to advise the Committee of an application for permission to seek judicial review of an earlier Committee decision on the planning application and to ensure that the appropriate remedial action, proposed in the report, can be actioned in accordance with statutory timeframes. (Minute 17 refers.)

14. 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 the urgent item circulated following publication of the agenda on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 17 refers.)

15. 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 Councillor Dixon in respect of application numbered S/17/1777
- (e) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/17/1777	Patrick Graham	Agent
	Pat Herring	South Swindon Parish Council
	Kate Brailsford	19 Prospect Place
	Judith Potts	13 Prospect Place
	Stuart Hibberd	14 South Street
	Cristina Bennett	11a Prospect Place
	Mr Spooner	Prospect Place
	Michael Gray	22 Prospect Place

Resolved – (1) That the Head of Planning, Regulatory Services and Heritage be authorised to grant permission in respect of application numbered S/17/1777, subject to the applicant entering into a legal agreement to secure the affordable housing provision on site and securing an appropriate surface water drainage strategy and subject to the conditions listed in the Committee Report as well as any omitted, amended or additional conditions as required, including, if considered appropriate, a condition relating to the provision of electric vehicle charging points.

(2) That permission be granted in respect of application numbered S/17/2077 subject to the conditions listed in the Committee report as amended below:

Amended conditions:

Approved drawings

2. This approval shall be in respect of:

Drawing numbers 1161-201 rev 0, 1161-PA020, 1161-200A rev 0, 1161-104 rev 1, 1161-101 rev 1, 1161-102 rev 1, 1161-103 rev 1, 1161-PA010, 1161-300 rev 0, 1161-PA011, 1161-PA012 and Design and Access Statement received by the LPA on 5th January 2018

Drawing number OLD-MHT-2211/16 rev 1 received by the LPA on 8th March 2018

Tree Schedule received by the LPA on 26th March 2018

Drawing number 1161-100 rev A, 1161.110 and Two Tier Cycle Rack details received by the LPA on 9th April 2018

Drawing number 9641 TPP01 rev B received by the LPA on 11th May 2018

Revised drawing number 1161.002 rev D received by the LPA on 7th August 2018

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

Parking

5. The development hereby permitted shall not be occupied until vehicular parking and turning facilities have been provided in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be maintained for those purposes thereafter.

Reason: To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site.

Waste & Recycling Facilities

8 The development hereby permitted shall not be occupied until waste and recycling storage facilities have been provided in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be maintained for those purposes thereafter.

Reason: In the interests of amenity.

16. Draft Development Brief: Land at Moredon Recreation Ground, Swindon

On consideration of (a) a report of the Head of Planning, Regulatory Services and Heritage seeking the Committee's approval to launch a public consultation on the draft Development Brief for land at Moredon Recreation Ground, Cheney Manor Industrial Estate Road, Swindon and (b) the comments of Councillors Grant and Moffatt:

Resolved – This this Committee:

- (1) Approves the publication of the draft Development Brief for public consultation purposes.
- (2) Authorises the Head of Planning, Regulatory Services and Heritage to undertake public consultation with residents and other interested groups/parties, and to report back to this Committee on the representations received with a view to formally adopting the Development Brief, with any revisions as considered necessary, for Development Management purposes.
- (3) Authorises the Head of Planning, Regulatory Services and Heritage in consultation with the Chair of the Planning Committee, to make minor typographical and presentational changes to the content of the document if required.

17. S17/1771 - Erection of class A1 foodstore and associated access, parking and landscaping at Land North of Blackworth Industrial Estate, Highworth

On consideration of (a) a joint report of the Head of Planning, Regulatory Services and Heritage and the Head of Commercial, Contract and Property Law concerning application numbered S/17/1771 (Erection of class A1 foodstore and associated access, parking and landscaping at Land North of Blackworth Industrial Estate, Highworth) and (b) the comments of Councillor Weisinger:

Resolved – That this Committee endorses and notes the content of the joint report, including the grounds for the claimant's Judicial Review; the action to be taken by the Director of Law and Democratic Services under Article 14.03 of the Constitution, and the remedial action required, (as detailed in paragraph 2.9 of the report).

