

PLANNING COMMITTEE

TUESDAY, 13 NOVEMBER 2018

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

An apology for absence was received from Councillor James Robbins.

26. Declarations of Interest

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

Councillor Toby Elliott made a declaration of interest in respect of applications numbered S/OUT/18/0461/RA and S/18/0460/RA and left the room during the discussion and voting on these applications.

27. Minutes

Resolved – That the minutes of the meeting held on 11th September 2018, be confirmed and signed.

28. Public Question Time

There were no public questions

29. S/OUT/18/0405/RA Outline application for the erection of up to 70no. dwellings, extension to cemetery, community shop/cafe with associated car parking and toilet facilities, open space, landscaping and associated works - Access not reserved

In respect of application numbered S/18/0405/RA (Outline application for the erection of up to 70no. dwellings, extension to cemetery, community shop/cafe with associated car parking and toilet facilities, open space, landscaping and associated works - Access not reserved - Land at Sams Lane, Blunsdon, Swindon), the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Peter Stacey	Agent
Councillor Steve Weisinger	Ward Councillor
Councillor Ian Jankinson	Parish Councillor

Councillors Alan Bishop, Toby Elliott, Fionuala Foley, Stan Pajak, Nick Martin, Tim Swinyard, Vera Tomlinson spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- The implications of the recent decision of the Planning Inspectorate relating to a Swindon development at Hill Cottage Broad Blusdon meant that consideration of whether any potential harm arising from the development would demonstratively of benefits arising from the development.
- The development would provide significant social and community benefits.
- The development would help address the housing shortfall within the Borough and provide market and affordable housing.
- 21 of 70 dwellings would be affordable housing in line in Council policy.
- The site was well situated close to the schools and bus routes.
- In the Council's recently published Strategic Housing and Employment Land Availability Assessment the site is identified as suitable and available for residential development for circa 100 dwellings.
- The development proposed fewer dwellings and provided substantial open space on the northern part of the site setting a boundary for the conservation area which together with the landscape and visual impact assessment submitted with the application would mean there was no adverse impact on the Conservation Area.
- There are no technical, environmental or highway constraints to the development subject to the conditions set out in the report.
- The development provided a new shop/café facility with toilet and car parking facilities which would be taken on by the shop management committee with the freehold transferred to the Committee for £1. This would form a new community hub for the village.
- The development also safeguarded land for a cemetery extension transferred to the Parish Council at no cost to themselves.

Submission opposing the application can be broadly summarised as:

- The Parish Council and a large number of local residents opposed the application.
- There was a 254 petition opposing the development.
- That the development was adjacent to a conservation area and the Council's conservation officers had identified harm would arise from the development and opposed the application.
- That local services such as the local doctor's surgery was full and parking there was extremely difficult.
- Blunsdon was a small rural village the character of which would be altered by the proposed development.
- There would be limited access to the site with 160 cars using the access from Sam's Lane on a daily basis.
- There were 2,500 properties waiting to be built having been given planning permission.
- The Old Harbour/Ermin Street Junction was already very heavy.
- Blunsdon was putting together its Neighbourhood Plan and this site had been identified as unsuitable for development.
- Highways Officers and The Campaign for Rural opposed the application.

- There were 80 individual objections posted on the application website from a village of 603 houses and 103 people attended a public meeting most of whom opposed the application.
- That any development should be sustainable and improve the quality of life within an area.
- The development was unsustainable due to the lack of employment opportunities, the increased strain on highways, lack of public transport to the village, health facilities at capacity, available leisure facilities, inadequate broadband provision and with 204 of 210 school places occupied with years 1 – 4 at capacity.
- The harm caused by the benefit set out within the report.
- The only beneficiaries to the development were the landowner, developer and Swindon Borough Council.

Resolved - That the Head of Planning, Regulatory Services and Heritage be authorised to grant planning permission subject to the conditions set out in the report 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 LPA to deal with these matters then the Head of Planning, Regulatory Services and Heritage be authorised to Refuse planning permission.

30. S/18/0461/RA Erection of 14no. dwellings and associated works

In respect of application numbered S/18/0461/RA (Erection of 6no residential dwellings with associated soft and hard landscaping, and a new play area to the north of the site, as an extension of the existing play area - Pilgrim Close Play Area, Pilgrim Close, Ramlease), the Committee considered: -

- An application for permission to develop;
- Recommendations of the Head of Planning, Regulatory Services and Heritage;
- The views of interested persons set out in the report circulated with the Committee Agenda;
- A written representation received from Councillor Keith Williams;
- The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Tom Bell	Agent
Alan Mead	11 Angus Close
Councillor Nick Martin	Ward Councillor
Councillor Ian Jankinson	Parish Councillor

Councillors Fionuala Foley, Vera Tomlinson and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- The development supported care in the community provision benefiting individuals and the wider community as well as reducing the strain on Health Service provision.
- There was a need for more of this type of housing within the Borough.
- There was a surplus of designated open space land in Shaw.

- Car parking provision was in accordance with the Council's adopted Guidance and Standards.
- The site was ideal for the proposed use given its close proximity to local amenities.
- The application was in accordance with National and Local Planning Policies and Guidance.
- The application formalised and made safer the current informal parking provision in the locality which currently included parking on grass verges.
- The applicant, outside of the application, was in discussion with the Parish Council to provide additional parking bays in the locality.

Submissions opposing the application can be broadly summarised as:

- Parking provision in the area was inadequate especially around the Ridge Green Surgery and the development would add further strain to parking availability.
- The quality of parking provision in the area was of a poor quality.
- That the parking provision in Pilgrim close allow 16 spaces whilst after the development this would be reduced by 7 spaces.
- The road was narrow which further added to traffic issues arising from cars parking on or immediately adjacent to the highway.

Resolved – (1) That the Head of Planning, Regulatory Services and Heritage be authorised to grant planning permission subject to the conditions set out in the report and the additional conditions set out below, subject to the completion of a Section 106 agreement to secure the necessary mitigation and the resolution in (2) below. 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, further to (1) above, the Cabinet Member Highways and the Environment and the Head of Planning, Heritage and Regulatory Services, in liaison with Ward Councillors, be authorised to use Section 106 monies contributed as part of this development for Highway works and Parking provision in this vicinity.

And subject to an additional condition:

Road Markings

The dwellings hereby permitted shall not be occupied until a plan detailing road markings, to prevent obstruction of dropped kerbs, pedestrian access and areas required by emergency service vehicles to access George Tweed Gardens, have been submitted to and approved in writing by the Local Planning Authority, the works shall then be carried out in accordance with the approved details.

Reason: In the interests of highway safety.

(Councillor Toby Elliott made a personal declaration of interest in respect of this application in his capacity as a Director of the Swindon Housing Company and left the room during the discussion of this item.)

(Councillor Tim Swinyard made a declaration of interest in respect of this application in his capacity as a West Swindon Parish Councillor. As the interest was personal but not prejudicial and that he took no part in the Parish Council consideration of this item he remained in the room during the discussion and voting on the application.)

31. S/18/0460/RA Erection of 6no residential dwellings with associated soft and hard landscaping, and a new play area to the north of the site, as an extension of the existing play area.

In respect of application numbered S/18/0460/RA (Erection of 6no residential dwellings with associated soft and hard landscaping, and a new play area to the north of the site, as an extension of the existing play area - Former Sparcells Community Centre, Sparcells Drive, Sparcells), the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Tom Bell	Agent
Councillor Nick Martin	Ward Councillor

Submissions in support of the application can be broadly summarised as:

- The development would bring back into use a derelict site and was suitable for the proposed development and was sustainable.
- The application is sustainable and in accordance with National and Local Policies and Guidance.
- A condition of the application provided play facilities within the locality.
- There were significant benefit arising from the development of the site.
- The application was in accordance with National and Local Planning Policies and Guidance.
- There was a shortage of housing provision within the Borough which the application would help to address.

There were no submissions opposing the application.

Resolved –That the application be granted subject to the conditions set out within the report.

(Councillor Toby Elliott made a personal declaration of interest in respect of this application in his capacity as a Director of the Swindon Housing Company and left the room during the discussion of this item.)

32. S/18/1373/SASM 77-78 St Philips Road, Stratton St Margaret, Swindon

In respect of application numbered S/18/1373/SASM (Erection of 2no dwellings 77-78 St Philips Road, Stratton St Margaret, Swindon), the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Gary Llewellyn	Agent
Councillor Claire Crilly	Ward Councillor
Ron Wade	35 Orchard Grove

Councillors Toby Elliott, Jane Milner-Barry, Stan Pajak and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- The site brought a derelict site back into use and protected two existing buildings which would be refurbished.
- The application is sustainable and in accordance with National and Local Planning Policies and Guidance.
- There was a shortage of housing provision within the Borough which the application would help to address.

Submissions opposing the application can be broadly summarised as:

- The developer had no right of way to access the site and the current landowner would not provide permission to use the current access.
- The width of the access to the site would not be suitable for construction vehicle.
- There were safety concerns relating to the access once construction commenced.
- That if granted the development would affect the privacy and security of adjoining properties.
- Insufficient wildlife studies had been undertaken.
- Should the application be granted there would be lighting issues in respect of the access lane which might impact on the amenity of local residents.

Resolved –That consideration of the application be deferred pending details of a construction methodology and statement demonstrating how vehicles associated with the construction will access the site.

33. S/18/0719/HC Demolition of existing workshop and erection of 2 semi-detached dwellings and associated works.

In respect of application numbered S/18/0719/RA (Demolition of existing workshop and erection of 2 semi-detached dwellings and associated works - Land To Rear of Copley House, Broad Bush, Blunsdon), the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Andrew Pywell	Agent
Councillor Ian Jankinson	Parish Councillor
Carol Stevens	Local Resident
Teresa Robinson	Parish Councillor

Councillors Alan Bishop, Toby Elliott and Stan Pajak spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- No objections had been received from experts in respect of the application, or officers subject to conditions.
- The development was within an existing residential area.
- The benefits of the development outweigh any drawbacks associated with it.
- The development was on land classified as a brownfield site and was in character with the wider setting.
- It would not impact on the locality or cause significant or demonstrable harm as it was replacing one building with another of approximately similar size.
- The application considered all relevant planning considerations and the development was in context and character of the locality and would not harm the amenity of local residents.
- The application met the national policy tests.

Submissions opposing the application can be broadly summarised as:

- The building was an agricultural shed not a workshop.
- The site was Greenfield and not brownfield and was outside the settlement boundary and would encourage similar applications for development.
- Adjoining properties would be directly overlooked should the development proceed.
- There would be a loss of amenity to local residents arising from the lighting associated with the development.
- The development was too large to fit within the original footprint and could affect local rights of way and did not enhance or protect the local landscape.
- The demolition of the property did not meet the local plan's requirements on reuse or conversion or meet the needs of a rural requirement.
- The development replaced a single storey building with a two storey development which would be visible from the road.
- The privacy of local dwellings would be compromised.
- Local wildlife and flora would be adversely affected by the development including rare species.
- Potential damage to local walls that were over 200 years old.
- The development cannot be considered as isolated.

Resolved – That the application be granted subject to the conditions set out within the report.

34. S/RES/18/0027/JABU Reserved matters application (following outline planning permission S/07/1365) for the demolition of existing stadium and construction of a new stadium, racing building, training kennels, new stands, acoustic barrier, car parking and associated development including minor access works to western access and laying out of open space/linear park. (Modification to reserved matters approval reference S/RES/16/0036)

In respect of application numbered S/18/0027/JABU (Reserved matters application (following outline planning permission S/07/1365) for the demolition of existing stadium and construction of a new stadium, racing building, training kennels, new stands, acoustic barrier, car parking and associated development including minor access works to western access and laying out of open space/linear park. (Modification to reserved matters approval reference S/RES/16/0036 - Abbey Stadium, Lady Lane, Swindon), the Committee considered: -

- (a) An application 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 at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Stephanie Poyntz	2 High Gardens
Barbara Cluett	Local Resident
Maggie Baptise	Galzebrook House Malmesbury
Peter Baptise	Galzebrook House Malmesbury
Adele Walker	36 Broome Manor
Vince Williams	Parish Councillor
Vera Tomlinson	Parish Councillor

Councillors Alan Bishop, Toby Elliott, Steph Exell and Vera Tomlinson spoke in respect of this application.

No submissions in support of the application were received.

Submissions opposing the application can be broadly summarised as:

- That the application included greyhound racing which was in decline nationally and was unsustainable and cruel to the dogs involved.
- Many countries and states in the United States of America had banned dog racing which was only legal in 8 countries.
- That the use for greyhound racing element of the application might hinder investment in the development and wider community.
- That the greyhound element of the application was not compatible with the Council's Public Health responsibilities and would expose children to alcohol and gambling.
- That the Parish Council had not been adequately consulted.
- No reference had been made in the application regarding the market previously held on the site.

- That housing development associated with the application had been on-going although no progress had been made with the stadium element.

Resolved – (1) That the Head of Planning, Heritage and Regulatory Services be authorised to approve the Reserved Matters, subject to the planning conditions set out in the report, together with the additional and amended conditions set out below and upon the completion of a Section 106 agreement in the terms set out in the report to mitigate the impact of the development and to ensure the satisfactory completion of the stadium development and the other strategic development including the open space and play areas and the construction of the necessary drainage infrastructure. The Head of Planning, Heritage and Regulatory Services be authorised to explore in conjunction with the Interim Director of Law and in consultation with the Cabinet Member and Chair of Planning details of an Escrow Account jointly controlled by the developer and Swindon Borough Council. In the event that the applicant fails to enter into an agreement under the above terms, the application should be brought back to the committee for re-consideration. In the event that the applicant fails to agree to an extension of time for the determination of the application to enable the Council as Local Planning Authority to deal with these matters, then the Head of Planning, Regulatory Services and Heritage be authorised to refuse the approval of reserved matters.

(2) That a report be brought back to a future meeting of the Committee in respect of breaches of the previously agreed Planning Permission and Section 106 Agreement.

(3) That Ward Councillors and the Parish Council be consulted on the travel plan associated with the application through a Section 106 agreement.

(4) That access for construction traffic to the site shall be from the North side of the site.

35. S/18/1394/TB Erection of new pavilion, installation of cycling closed road circuit, BMX track, full size 3G artificial grass pitch, improvements to access routes and car park, and refurbishment and enhancement of existing recreation ground.

Site Location: Moredon Recreation Ground, Cheney Manor Industrial Estate, Cheney Manor

In respect of application numbered S/18/1394/TB (erection of new pavilion, installation of cycling closed road circuit, BMX track, full size 3G artificial grass pitch, improvements to access routes and car park, and refurbishment and enhancement of existing recreation ground - Moredon Recreation Ground, Cheney Manor Industrial Estate, Cheney Manor), the Committee considered: -

- An application for permission to develop;
- Recommendations of the Head of Planning, Regulatory Services and Heritage;
- The views of interested persons set out in the report circulated with the Committee Agenda;
- The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Councillor Des Moffatt	Ward Councillor

Councillors Jane Milner-Barry Stan Pajak and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- That the development enhanced local sporting facilities.
- That the development should be amended to meet the requirements of the end users.
- The green space associated with the development was welcomed.

No submissions opposing the application were made.

Resolved – That the application be granted subject to the conditions set out in the report.

36. Development Brief: Land at Moredon Recreation Ground, Swindon

The Head of Planning, Regulatory Services and Heritage submitted a report seeking approval for the adoption of the Development Brief for land at Moredon Recreation Ground, Cheney manor Industrial Estate, Swindon.

Resolved – (1) That the Development Brief for land at Moredon Recreation Ground, Cheney Manor Industrial Estate, Swindon be approved for Development Control purposes.

(2) That the Head of Planning, Regulatory Services and Heritage be authorised to make any minor typographical and presentational changes to the content of the document as required.

37. The Management of Houses in Multiple Occupation

The Head of Planning, Regulatory Services and Heritage and Director of Public Health submitted a joint report updating the Committee in respect of measures being pursued to enhance the management of Houses in Multiple Occupation in Swindon

Resolved – (1) That the latest figures on the extent to which Houses in Multiple Occupation are proliferating in the Borough be noted.

(2) That changes to the Licensing Regulations that came into force on 1st October 2018 to bring more Houses in Multiple Occupation under the Licensing regime be noted.

(3) That the additional powers available to the Council through changes to the Licensing Regulations to enable waste to be stored and presented in line with Council guidelines be noted.

(4) That the additional controls available to the Council to ensure that landlords and managing agents are 'fit and proper' to manage Houses in Multiple Occupation be noted.

(5) That the Head of Housing Services be recommended to submit an Annual Report to the Council in respect of the Council's Housing Stock and Houses in Multiple Occupation within the Borough.

38. The Revised National Planning Policy Framework and compliance of Swindon Borough Development Plan Documents

The Head of Planning, Regulatory Services and Heritage submitted a report setting out the Revised National Planning Policy Framework and the extent to which the Swindon Borough Local Plan 2026 and associated Development Plan Documents comply with it.

Resolved – (1) That the provisions of the Revised National Planning Policy Framework be noted.

(2) That the assessment of compliance of the Swindon Borough Local Plan 2026 and associated Development Plan Documents as set out in this Report and its accompanying Appendices be endorsed.

(3) That Head of Planning, Regulatory Services and Heritage be given delegated authority to undertake necessary factual updates to the Affordable Housing Position Statement 2016 to reflect current standards, guidance and legislation and publish on the Council's website.