

## PLANNING COMMITTEE

**TUESDAY, 11 DECEMBER 2018**

PRESENT: - Councillors Timothy Swinyard (Chair), Toby Elliott (Vice-Chair), Alan Bishop, Malcolm Davies, Fionuala Foley, Nick Martin, Stan Pajak, James Robbins and Peter Watts.

Apologies for absence were received from Councillors John Ballman, Steph Exell, Jane Milner-Barry and Vera Tomlinson.

### **42. 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/18/1750/RA in his capacity as a Director of the Swindon Housing Company and left the room during the discussion and voting on this application.

### **43. Minutes**

Resolved – That the minutes of the meeting held on 13<sup>th</sup> November 2018, be confirmed and signed.

### **44. Public Question Time**

There were no public questions

### **45. S/18/1033/TB Erection of 18no. dwellings with associated access, parking and landscaping: Land at Langton Park, Wroughton, Swindon**

In respect of application numbered S/18/1033/TB (Erection of 18no. dwellings with associated access, parking and landscaping – Land at Langton Park, Wroughton, 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>
Jo Saaby	Agent
Councillor Cathy Martyn	Ward Councillor
Councillor Brian Ford	Ward Councillor
Brian Dickinson	Local Resident
Hannah Donsonjh	Wroughton Parish Council

Councillors Toby Elliott, Fionuala Foley, Stan Pajak, Jim Robbins and Peter Watts spoke in respect of this application.

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

- The development would help address the housing shortfall within the Borough and would provide market and 30% affordable housing and complemented the Council's Vision on sustainable development.
- The development had been designed following consultation with the Council's officers and following its design guidance and standards and which had been recommended by officers for approval.
- The site is a brown field site, which formally housed an electricity sub-station.
- At the request of the Council's Transport Team a study had been undertaken in respect of how the development might impact existing traffic volumes, traffic speed and visibility accessing and egressing the development site. Council Officers had determined that there would not be and an unacceptable impact on either highway safety or the local road network.
- The site was accessible by public transport with three bus services with a total of 19 weekday services that would accommodate workers with normal office hours.
- Additional screening is proposed to the south to minimise the impact on the ANOB area.
- There is a footpath to a local convenience store from the development site.
- The ex-MOD private road had benefited from extensive repair work and is currently used by a bus service.
- The development will benefit the local economy and provided a public open space and will tidy up an unattractive brownfield site.

Submissions opposing the application can be broadly summarised as:

- With the exception of a convenience store which would be approximately ½ mile away with limited shopping opportunities, all the local community facilities are located in the centre of Wroughton, approximately 1 ½ miles from the proposed development.
- The development was for 18 dwellings in excess of the number which could be refused under Section 172 of the NPPF in an Area of Outstanding Natural Beauty which would be adversely affected by the development.
- Building on this site would create an unwelcome precedent.
- The application could be refused under the NPPF as there was not a safe and suitable access and would result in an unacceptable impact on highway safety.
- Access from Prior's Hill was unsafe as it was a narrow unlit steep narrow road with no pavements for cyclists or pedestrians and had a 60mph speed limit. It also had a prohibition against Heavy Goods Vehicles and heavy loads.
- Access from the ex-MOD road was not guaranteed as much of it was privately owned and it was unknown if permission had been sought for its future use by the public or construction traffic.
- If permission had not been granted to use the ex-MOD road for construction vehicles there was a question regarding how the site could be developed given that Prior's Hill had a weight restriction.
- If the development was permitted it would put further strain on all of Wroughton's Services.

- There were foul water drainage issues associated with the site and these impacted on nearby properties and no remedy had been included in the application.
- Most local traffic used Priors Hill which would also be used by traffic created by the site.
- No contamination survey had been undertaken to identify whether there were substances left following its use by the Ministry of Defence.
- Previous applications in the surrounding area had been refused because of access and traffic concerns.
- The site was isolated from local facilities with a 20 minute walk to the nearest shop.
- The local bus service to the site could not be deemed as sustainable, especially for work, preschool or infant school and there was no Sunday service and therefore the development would be car dependent.
- None of the three routes to Wroughton were suitable to accommodate additional traffic.
- The type and mix of housing and especially affordable housing raised the question of whether families would have access to cars.

Resolved - That the application be deferred to a future meeting of the committee and that the Head of Planning Regulatory Services and Heritage contacts the developer to request that he considers revising the scheme to alter the mix of dwellings proposed to reduce the number of smaller (1 and 2 bed) units within the development.

**46. S/OUT/18/1750/RA Outline application for the erection of 4 no. dwellings and associated works - Access not reserved: Land Between 11 And 13 Sparcells Drive, Sparcells, Swindon**

In respect of application numbered S/OUT/18/1750/RA (Outline application for the erection of 4 no. dwellings and associated works - Access not reserved: Land between 11 and 13 Sparcells Drive, Sparcells, 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>
Councillor Keith Williams	Ward Councillor
Councillor Nick Martin	Ward Councillor

Councillors Alan Bishop, Fionuala Foley, Stan Pajak, Jim Robbins and Peter Watts spoke in respect of this application.

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

- The loss of 0.09 hectares would not adversely affect the amenity of the local area which had a surplus of open space area and recreation space in Shaw Ward.

- 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 loss of green space was contrary to planning policy NE3.
- The loss of mature trees would adversely affect nearby houses which were currently screened by them.
- Any replacement planting associated with the development would take a number of years to mature enough to offer similar levels of screening for nearby properties.
- The proposed development was almost twice the density of recent applications to develop within the ward and was an overdevelopment of the site.
- Policy TR2 on traffic safety is contravened by the proposed development the entrance onto Sparcells Drive has limited visibility due to dips on the road on either side of it.
- Parking onsite was situated in such a way as to potentially require a number of cars to manoeuvre to allow egress.
- The development was out of character with the local area and Policy H01 both because of the type of building and their siting on the edge of the boundary.
- The development if permitted would form a template that threatened open space in West Swindon.

Resolved – That Permission be refused for the following reason:

1. The proposal to erect 4 dwellings on this site, (informed by the indicative layout plan) served by a single point of access represents an overdevelopment of the site, that represents a poor and cramped form of development that is out of character with its surroundings and results in an unacceptable loss of trees and planting of value to the local community, to the detriment of the amenity of the area, contrary to Policies DE1 and HA1 of the adopted Swindon Local Plan 2016 (2015), the Adopted Swindon Residential Design Guide SPD (2016) and the NPPF.

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

**47. S/OUT/18/1140 Outline planning application for the erection of up to 300 dwellings and public open space with associated works, including noise attenuation bunds, structural landscaping and drainage infrastructure: Phase 3, Badbury Park, Land at Commonhead, Swindon**

In respect of application numbered S/OUT/18/1140 (Outline planning application for the erection of up to 300 dwellings and public open space with associated works, including noise attenuation bunds, structural landscaping and drainage infrastructure: Phase 3, Badbury Park, Land at Commonhead, 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>
Mr James Walker	Agent
Councillor Patrick Herring	Central Swindon South Parish Council
Councillor Adrian Moore	Liddington Parish Council
Mr Rod Hacker	Wiltshire and Berkshire Canal Trust

Councillors Alan Bishop, Fionuala Foley, Stan Pajak and Peter Watts spoke in respect of this application.

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

- The site which had previously been identified for commercial purposes had generated very limited interest from businesses and with little prospect of development.
- That there was a shortage of housing in the Borough and the site offered a sustainable location to help meet this need, including the provision of 90 affordable homes.
- Funding had been obtained to provide a larger primary school than originally planned for the area and which would cater for the anticipated increase in children should permission be granted.
- The application provided open space included children's play areas and a variety of generous playing pitches, a walk around the boundary of the site and a larger community centre.
- There had been positive engagement with Swindon Borough Council, Ward Councillors and local residents and the plans had been amended following this consultation.
- The design of the junction accessing the site would prevent rat-running.
- The development would continue to protect the 16 metre width allocated to the Wilts and Berks Canal route.
- The development would help secure a bus service for the whole of Badbury Park.
- The development would provide improved pedestrian crossing facilities for people crossing Day House Lane.
- That local residents preferred additional houses on the site rather than a business park.
- Estimated traffic movements resulting from the housing development would be less than that generated if the original business park was developed.
- The routing of the traffic to avoid Day House Lane.

Submissions opposing the application can be broadly summarised as:

- That the site had previously been identified as employment land and not enough work had been undertaken to secure this use. There was also concern that employment land was too often used for housing.

- The noise levels at the boundary of the site was 80 decibels and even with sound works planned the noise level would remain at approximately 65 decibels and further design work was necessary to reduce this level.
- The placement and design of the pedestrian crossings on Day House Lane needed further consideration as did measures to prevent the crossing of Day House Lane by pedestrians at other points.
- There were concerns with the suitability of the soil on the allotment plots to the eastern side of the development and the lack of soil studies in the application.
- There were concerns of the viability of the protection of the canal route which was of strategic importance to the town.
- The site was a hill and so the development would be prominent and visible from the motorway and there was some ANOB management concerns.
- Although approximately 800 properties had been occupied in Badbury Park none of the proposed facilities had been put in place.
- That the design of the Day House Lane junction must be maintained.
- The quality of air quality for the development should be considered as it was sited between two busy roads.
- The 16 metre corridor did not allow sufficient room for the construction of the canal or associated infrastructure especially since the protected route at this site included steep slopes and heavy clay and also the need for a bridge.
- The need to ensure planning policy was robust enough to protect the integrity of the canal route.

Resolved – That the Head of Planning, Regulatory Services and Heritage be authorised to grant outline planning permission subject to:

- (a) Completion of a legal agreement to secure the planning obligations that are material to the decision (as set out in paragraph 81 of the report); and
- (b) The planning conditions set out in the report, with the Head of Planning, Regulatory Services and Heritage being given delegated authority to make reasonable amendments, additions or omissions to those conditions before issuing formal consent as may be necessary.

**48. S/OUT/18/1093 Outline application for the erection of up to 70 dwellings and associated works - Vehicular access from Marlborough Road not reserved: Land at Marlborough Road, Coate, Swindon**

In respect of application numbered S/OUT/18/1093 (Outline application for the erection of up to 70 dwellings and associated works - Vehicular access from Marlborough Road not reserved: Land at Marlborough Road, Coate, 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>
Mr Mike Robinson	Agent

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

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

- The Council's Planning Guidance accepted that residential development was acceptable on this sustainable brown field site with leisure retail and opportunities as well as bus services within close proximity.
- The design would ensure that the development was appropriate for the site and its general location and respect local houses and amenities.
- The development responded to local housing need and provided a variety of types and sizes of housing including affordable homes.
- Following consultation with Council Officers the development was for up to 70 properties and that this had been reduced from 75.
- The development would help meet the significant housing need within the Borough.
- The demand for accommodation close to the hospital would likely be in high demand by staff working there.
- Following consultations with the Council's Highways Authority they were happy with the details set out within the report.
- The developer was happy to make a contribution to traffic Management measures in respect of Day House Lane as well as providing 30% Affordable Housing, a play area and open space on site and a contribution to off-site sports pitches.

Submissions in opposing the application can be broadly summarised as:

- There were questions as to whether the development on this site was sustainable as the site was too small to accommodate facilities.
- That 70 units was the maximum number of properties that could be accommodated on a small awkwardly shaped site.
- There were questions in respect of where children living at the site would go to school and where future residents would find a GP surgery.
- That the highways conditions appeared to be watered down by Highways England and it was important that the original proposals were upheld.
- The site was badly accessed and would be extra traffic related pressure between the road between the Coate and Commonhead roundabouts and this created another junction to add to those at the hospital and 2 at Badbury. This development would add to the 800 homes at Badbury adding further pressure to the turning at the hospital, the u-turning traffic at Badbury and the Day House Lane situation was unclear.
- That additional monies were needed in case it became clear that remedial traffic measures to deal with traffic u-turning in Homington Avenue after leaving the site.

Resolved – That the Head of Planning, Regulatory Services and Heritage be authorised to grant outline planning permission subject to:

- (a) Completion of a legal agreement to secure the planning obligations that are material to the decision (as set out in paragraphs 37 and 38 of the report); and

- (b) The planning conditions set out in the report, and the Head of Planning, Regulatory Services and Heritage be given delegated authority to make reasonable amendments, additions or omissions to those conditions before issuing formal consent as may be necessary.

**49. S/18/1000 Continued use as a waste transfer and treatment facility and additional use as an end of life vehicle authorised treatment facility, and erection of a site office and vehicle de-pollution workshop (sui Generis): Former Averies Site, Marshgate, Stratton St Margaret, Swindon**

In respect of application numbered S/OUT/18/1093 (S/18/1000 Continued use as a waste transfer and treatment facility and additional use as an end of life vehicle authorised treatment facility, and erection of a site office and vehicle de-pollution workshop (sui Generis): Former Averies Site, Marshgate, 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>
Mr Stephen May	Agent
Councillor Russell Holland	Ward Councillor

Councillor Peter Watts spoke in respect of this application.

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

- The site was previously used by a recycling business.
- That the applicant was a local company who offered a valuable service by recycling 50% of the vehicles recycled in Swindon. In addition the company achieved a 95% recycling rate in line with Government Guidelines.
- The company had clear management plans for operating on the site and complied with all relevant regulations.
- That this site would better meet the needs of the business.

Other comments received can be broadly summarised as:

- The possible need to include additional conditions in respect of fire inspections and dealing with hazardous waste.

Resolved – That the Head of Planning Regulatory Services and Heritage be authorised to grant permission subject to the conditions set out in the agenda report papers together with any other necessary and appropriate conditions required to control, the development.