

PLANNING COMMITTEE

TUESDAY, 9 OCTOBER 2012

PRESENT: - Councillors Colin Lovell (Chair), Steve Allsopp, Abdul Amin, Paul Baker, John Ballman, Brian Ford, Richard Hurley, Teresa Page and Peter Watts.

Apologies for absence were received from Councillors Toby Elliott, Dale Heenan, Nick Martin, Nicky Sewell and Keith Williams.

165. Appointment of Vice-Chair

Resolved – That Councillor Ford be appointed Vice-Chair for the remainder of the Municipal Year 2012/13.

166. Declarations of Interest

Councillor Allsopp made a prejudicial interest in respect of application numbered S/12/831 and left the room during the voting and discussion thereon.

167. Minutes

Resolved – That the minutes of the meeting held on 11th September 2012, be confirmed and signed.

168. Public Question Time

There were no public questions.

169. Determination of Planning and Related Applications

The Committee considered: -

- (a) Applications for permission to develop;
- (b) Recommendations of the Head of Planning.
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments of Councillors Crabbe, Foley and Bawden in respect of application numbered S/12/0717
- (e) The comments of Councillor Montaut in respect of application numbered S/12/0831
- (f) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/12/0717	Alan Read	Applicant
	Paul Walton	Chiseldon Parish Council
	Eric Shaw	Chiseldon Parish Council
	Bernard Henin	55 Priors Hill
S/12/872	Alex Rathbone	Parsonage House
S/12/831	Richard Holmes	Co-op

Resolved – (1) That, in respect of application numbered S/12/717; (a) the Committee noted that on page 19 of the Officers report it should read:

29. In accordance with policies DS1, DS6, ENV9 and ENV11 and T1 of the Swindon Borough Local Plan 2011...

And (b) that permission be refused for the reasons set out in the report.

(2) That application numbered S/12/0872 be withdrawn and brought back to a future meeting of the Committee for consideration.

(3) That, subject to a referral to the Secretary of State, if deemed appropriate, the Head of Planning be authorised to grant planning permission in respect of application numbered S/12/831 subject to the completion of a S106 planning obligation to secure the necessary contributions to mitigate the infrastructure demand to which the development gives rise and to the conditions set out in the agenda or amended, additional or omitted conditions.

(4) That the reserved matters be approved in respect of application numbered S/RES/12/1124.

170. Land at Moredon Bridge Wiltshire - S106 Update

On consideration of (a) a report of the Head of Planning concerning the current planning circumstances of the Wiltshire County Council development on the land at Moredon Bridge, and specifically in respect of the signed 2009 S106 deed of Unilateral Undertaking and why the developers have yet to pay any of the contributions under the 2009 deed, and (b) the comments of Councillor Moffatt:

Resolved – That the Committee:

(1) Note their dissatisfaction with the loss of S106 monies as a result of developers' refusal to honour the commitment they unilaterally made in 2009 and which persuaded the Planning Inspector to grant planning permission for their development.

(2) Note that the refusal by the developers to fulfil their obligation has now led to the need to open negotiations with Wiltshire Council and the developers on the basis of the updated list of infrastructure requests as set out in table 4 of the report, which officers have recommended are relevant to mitigate the cross border impact on Swindon's infrastructure as a result of the development taking place on the land at Moredon Bridge in Wiltshire.

(3) Under the delegated authority of the Board Director for Service Delivery, and Head of Planning, endorse the submission of the approved updated infrastructure mitigation list to Wiltshire Council with immediate effect.

(4) Under the delegated authority of the Board Director for Service Delivery, and Head of Planning, endorse the continuation of negotiations with Wiltshire Council to maximise the direct benefit to Swindon from any replacement s106 planning legal agreement package that Wiltshire Council negotiates in association with planning permission 08/00403/OUT allowed on Appeal Decision Ref: APP/J3910/A/08/2082566 on the land at Moredon Bridge.