

PLANNING COMMITTEE

TUESDAY, 9 APRIL 2013

PRESENT: - Councillors Brian Ford (Vice-Chair), Steve Allsopp, Abdul Amin, Paul Baker, John Ballman, Toby Elliott, Colin Lovell (Chair), Dale Heenan, Richard Hurley, Nick Martin, Teresa Page, Nicky Sewell, Peter Watts and Keith Williams.

Apologies for absence were received from Councillor Vera Tomlinson.

198. Declarations of Interest

Councillor Page made a personal and prejudicial interest in respect of application numbered S/13/94.

Councillor Sewell made a personal but not prejudicial interest in respect of application numbered S/COND/13/195

199. Minutes

Resolved – That the minutes of the meeting held on 12th March 2013, be confirmed and signed.

200. Public Question Time

Steve Harcourt, Swindon, asked if the Wichelstowe Design Codes has been adopted. The Head of Planning replied that they had been adopted.

201. 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 Councillor Bawden in respect of application numbered S/COND/13/195
- (e) The comments of Councillors Crabbe and Richards in respect of application numbered S/13/58
- (f) The comments of Councillor Crabbe in respect of application numbered S/13/94
- (i) The comments of the following interested persons:-

<u>App No.</u>	<u>Name</u>	<u>Address/Organisation</u>
S/COND/13/195	Wendy Right	Coate Residents Assoc
S/13/58	Hari Dosa	Applicant
	John Newman	Wroughton Parish Council
	Chris Kennedy	Wroughton Parish Council

S/13/94

Mr Allen
John Newman
Chris Kennedy

Applicant
Wroughton Parish Council
Wroughton Parish Council

Resolved – (1) That, in respect of application numbered S/COND/13/195, this Committee:

(a) Approves the Phase 1 Design Code and discharges condition 5 of outline planning permission S/10/0842, insofar as it relates to this phase of development.

(b) Requests the Head of Planning to ensure that residents in the existing properties in Coate Lane are fully consulted in respect of proposed development at the northern edge through a local meeting to be arranged prior to the consideration of detailed plans for that area to discuss materials, scale and design.

(c) Adopts for Development Control purposes the Phase 1 Design Code, and confirms that all subsequent reserved matters applications for development within the Code area shall be required to comply with the Code unless it can be demonstrated, to the satisfaction of the Local Planning Authority, that individual site circumstances justify a minor departure from it; and

(d) Authorizes the Head of Planning to carry out monitoring and an annual review of the Design Code in order to ensure the delivery of a high quality development and a sustainable community.

(2) That permission be granted in respect of application numbered S/13/58 subject to the conditions set out in the Committee report.

(3) That, in respect of application numbered S/13/94:

(a) This Committee confirms that the plans submitted accurately reflect the area and proposed development and do not misrepresent the building.

(b) Planning permission be granted subject to the conditions set out in the Committee report.

202.

Swindon Town Centre Masterplan

On consideration of (a) a report of the Board Director, Commissioning detailing the process behind the production of the Swindon Town Centre Masterplan, and the public and business consultation which informed it, and (b) the comments of Councillor Moffatt who requested that his opposition to a canal running through any part of the Ward which he represents be recorded.

It is noted that the Swindon Town Centre Masterplan is not a development plan document but will be accorded appropriate weight as a relevant document to guide decisions made on planning applications.

The Plan was approved at the Cabinet meeting held on 20th March, 2013.
(Cabinet minute 120, 2012/13 refers)

Resolved – That this Committee:

(1) Notes the details of the Town Centre Masterplan consultation responses at Appendix 1 to the report;

(2) Authorises the Head of Commissioning: Economy and Attainment to make minor changes to the content of the Town Centre Masterplan, in consultation with the Cabinet Member for Regeneration, as appropriate prior to publication; and

(3) Authorises the Head of Planning, in consultation with the Director of Law and Democratic Services, and the Cabinet Member for Strategic Planning and Sustainability, to use the Masterplan in conjunction with the Central Area Action Plan (2009) to inform negotiations with developers for planning applications relating to the town centre, and as the basis for Development Briefs on priority redevelopment sites.

203. Proposed Development on land at Eldene Drive

The Head of Planning in an oral presentation reminded the Committee that it authorised the grant of permission for a Foodstore (Morrisons) and 3 retail units at Eldene Drive at the October 2013 meeting, with an update at the December meeting. A S106 Agreement was completed and permission granted on 19th December 2013.

The Head of Planning advised that the decision had been challenged and an application had been made for a Judicial Review of the decision. The Council and the applicant have countered this challenge and are waiting to hear whether leave will be granted to Review the decision. This is not a right, but at the Court's discretion.

Whilst not conceding the decision process was flawed, the applicant has submitted a new application for the Planning Authority to determine the scheme afresh.

The committee were advised that the consultation period had now ended. No significant new comments had been received and the Member call in period had passed. No Member had called it in and The Head of Planning advised that he is minded to determine the application under delegated powers.

The Committee noted the update and agreed they were content for the decision to be made under delegated authority and did not require the application to be brought before them for determination