

# CHISELDON PARISH COUNCIL



## **MINUTES of the PLANNING COMMITTEE MEETING held on Monday 3<sup>rd</sup> October 2016, at 7.00pm in the Butts Road Chapel.**

**Present:** Councillors: Ian McMurray (Chair) Chris Rawlings (VC), David Hill (Late arrival), and Glenn Mills. Also Clair Wilkinson (Clerk) Also in attendance were Andy Brown, Sarah Screen and Louise Morse from Swindon Borough Council Planning department.

**Members of the Public: None**

**Apologies:** Cllrs Wendy Wright, Paul Sunners and David West

### **16/29. Declarations of Interest.**

Cllr McMurray advised he has a declaration of interest in Planning Applications S/16/1187 and S/16/1188.

### **16/30. Public recess.**

No public

### **16/31. Minutes of meeting of 5<sup>th</sup> Sept 2016**

No amendments required

The minutes of the meeting held on 5<sup>th</sup> September 2016 were then proposed by Cllr Rawlings, seconded by Cllr Mills and all those at the meeting were in favour.

### **16/32. Training session from Swindon Borough Council planning officers**

Firstly Sarah Screen spoke to the Committee about Section 106 and CIL (Community Infrastructure Levy)

CIL was adopted by SBC in April 2015, one of its functions is to get funding from developments that can go to Parish Council's for improvement works.

It is different from Section 106 in that it uses a rate per square meter to calculate how much certain types of developments needs to contribute. This is limited to Retail and Residential developments only.

15% of the money raised is paid to Parish Councils in what's known as the "Neighbourhood Proportion". Twice a year the Parish would receive the money and it is very flexible on how the Parish Council can spend the money. Ward Councillors have no control over how this money is spent.

There is an automatic transfer of the funds, they are calculated in September and March and paid the month after.

There are no funds applicable for Chiseldon PC currently although SBC will look at the Manor House development to see if there are any changes from the original application that would apply. The funds would only be 15% of the nett gains however.

Burderop Park development would only apply if there was an increase in the size of floor space to be developed on.

The rate for residential development is £55 per square meter. This is subject to an annual increase based on inflation. CPC would be eligible for 15% of any potential funds raised from this.

Household extensions can apply for an exemption as can self builds so charges are reduced to zero.

Section 106 has been scaled back but CIL hasn't taken over completely. Section 106 is used for affordable housing if it adds open space to the plans.

Badbury Park is still being built under the original Section 106 agreement. They are hitting trigger points now such as education facilities. Reserved matters are being submitted under the original planning numbers. There nothing to stop the developers from challenging the original package of the legal agreement so there may be no funds coming to CPC from Badbury Park.

Action for Clerk to remind Andy Brown to get CPC on the list of weekly decision notices for application.

Cllr Mills asked that when large developments are created, whether the CIL funds are used to improve the surrounding road infrastructure. Sarah advised that Section 106 funds are being used for this.

The New Eastern Villages development has £50 million in principle for road improvements. Government money is being used to improve the Greenbridge roundabout. SBC also have money committed from the Tadpole Farm development. SBC are making sure they access all the funding they can.

In reference to regulation 59C, this can be found on page 6 section 1 and 2 of the document provided previously by email for CIL by Sarah.

Parish Councils have 5 years to spend CIL money, SBC can take the money back if it's not used in time or appropriately. We do need to report back on how the funds are spent.

There are emails to use for queries which are:

Section 106 - [sbcs106@swindon.gov.uk](mailto:sbcs106@swindon.gov.uk)

CIL - [cil@swindon.gov.uk](mailto:cil@swindon.gov.uk)

Cllr David Hill arrived at 7.30pm.

This concluded Sarah's presentation and she left the meeting at 7.34pm

Louise from the Planning Enforcement team then spoke:

The enforcement team look at alleged breaches of planning control, such as no permission given, breach of conditions, noncompliance of approved plans, unauthorised cutting of trees, unapproved changes to listed buildings, and advertisements without permission.

They use government guidance and legislation to help them, and use formal action as a last resort.

They do have the power to tell developers to alter their work according to plans approved, but retrospective plans can also be submitted. It is not an offence to do work first and then apply for planning permission.

Complaints to them can be filed on the SBC website or by filing in the form Louise provided to us. Anyone can file a complaint.

Formal action would have to be considered as to whether it was appropriate to the nature of the breach.

Cllr Hill referred to the letter to the Patriots Arms a short while ago. This has now been resolved. The internal space usage of the Esso Garage and the positioning of the external storage area were also queried.

Louise said she would have to check whether they had received applications through for the storage area, but the Esso Store have appealed against the enforcement notice.

In regards to the stores internal use, there is a condition on the % of the store that can be used for retail. SCB will need to investigate this further as it's still an open case.

There is a backlog of cases they are working on at the moment. The appeal statement for the Esso container has been submitted. Louise will look at the new entrance/exit created on the A346 and the advertisement flags restricting the view when exiting New Road to get onto the A346.

Cllr Hill asked about large residential extensions and if there is a trigger point when an extension becomes a new build? Andy Brown advised that parking would be their area of concern. Up to 4 bedrooms require 2 parking spaces, 5 or more bedrooms require 3.

Cllr Mills asked about turning areas and whether it's a requirement to still have one when reversing onto a busy road.

Andy replied that planning officers can't force a turning area to be built if one wasn't in place already.

It must be remembered that the Planning Committee can override the Planning Department.

If planning permission is approved and only partly started within the time limitation, then they can complete the rest of the planned work with no cut off date.

Louise then left the meeting at 19.52

Andy Brown then addressed the committee:

Cllr McMurray asked what Andy needs from CPC to help them make a good planning decision.

Andy talked in general about the restraints and considerations when making a planning decision.

A Neighbourhood Plan doesn't really assist, the most important thing to consider is that Swindon doesn't have a 5 year land supply, however Chiseldon Parish being in an AONB helps us.

Cllr Hill asked about New Builds in the countryside, are there set guidelines for this? E.g. Draycott Foliat.

Andy advised that an infill plot would stand more chance of approval, if the land was in AONB then it's likely it would be rejected. They would look at the site as a whole. The starting point is that it would be refused as in open countryside. They would also look at land usage and the existing buildings.

Andy confirmed that once planning permission has been given the rule is still that there are 3 years to start work. There is no absolute definition as to what means the work has started.

Andy then left the meeting at 8.12pm

**16/33 Matters arising and action points**

Cllr McMurray and B.Cllr Shaw met at the Manor House development. There is a resident's query over a possible cutting back of a tree with a preservation order. This has been passed back to SBC for investigating.

Ian is to follow up with Heather Carlisle on obtaining a copy of the Transport Plan.

There needs to be a future discussion as to whether we request Turnball be made a one way road.

All actions completed except 16/18 for the Clerk where a reply is being waited on to provide contact details for Persimmon and Redrow. Waiting for Cllr Brady to source contact details.

**16/34. Review Outstanding Plans**

S/16/0084 to be removed from the list.

S/PRE/15/2052 and S/RES/16/1436 to be listed together as both for P5 at Badbury Park

S/16/0132 to be removed from the list

S/16/0892 to be removed from the list

S/16/0997 has been extended to Nov 3<sup>rd</sup> 2016

S/16/1004 to be removed from the list

S/16/1188 to be removed from the list

S/16/1187 has been extended to Nov 3<sup>rd</sup> 2016

S/16/1324 to be removed from the list

S/16/0219 to be updated to show it's the Esso Garage

S/RES/16/1623 to be updated to read "Badbury Park" and its noted that a paper copy of the plans was received to support this application.

**16/35. AOB**

None.

The meeting closed at 20.34pm.

**Next meeting Monday 5<sup>th</sup> December 2016 at 7.00pm at the Old Chapel, Butts Road.**

***ACTION POINTS***

**Clerk**      16/18      Ask Councillor Brady to follow up with contact names for Redrow and Persimon.

16/32      Email Andy Brown to request that CPC be on the distribution list for the weekly planning decisions.

16/34      Update planning application list

**Cllr**

**McMurray**   16/33      Follow up with Heather Carlisle to get a copy of the Transport Report.