



STROUD DISTRICT COUNCIL

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DEVELOPMENT CONTROL COMMITTEE

26 November 2019

6.00 pm – 7.55 pm

Council Chamber, Ebley Mill, Stroud

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Minutes

Membership

Councillor Martin Baxendale (Chair)	P	Councillor John Marjoram	A
Councillor Miranda Clifton (Vice-Chair)	P	Councillor Jenny Miles	P
Councillor Dorcas Binns	P	Councillor Sue Reed	A
Councillor Nigel Cooper	P	Councillor Mark Reeves	P
Councillor Haydn Jones	P	Councillor Jessica Tomblin	P
Councillor Steve Lydon	P	Councillor Tom Williams	P

P = Present A = Absent

Officers in Attendance

Head of Development Management	Solicitor & Deputy Monitoring Officer
Development Team Manager	Senior Planning Officer
Senior Biodiversity Officer	Planning Officer
Principal Planning Officer (Major Sites)	Democratic Services & Elections Officer
Highways Representative	

DC.029 APOLOGIES

Apologies for absence were received from Councillors Marjoram and Reed.

DC.030 DECLARATIONS OF INTEREST

Councillor Lydon declared that he has a membership at Rococo Gardens but he had taken advice from the Solicitor and Deputy Monitoring Officer and did not consider that he had an interest under the Code of Conduct which would prevent him from taking part in the Rococo Garden planning application (S.19/0570/FUL). Nevertheless in the interests of being open and transparent he wished it be noted.

DC.031 MINUTES – 15 OCTOBER 2019

RESOLVED That the Minutes of the meeting held on 15 October 2019 are accepted as a correct record.

DEVELOPMENT CONTROL PLANNING SCHEDULE

Representations were received and taken into account by the Committee in respect of Applications:

1	S.19/0810/REM	2	S.19/0570/FUL	3	S.19/1122/REM
4	S.19/1768/FUL	5	S.19/1404/HHOLD		

Late Pages relating to Scheduled Items 1, 3 and 5 had been circulated to Committee prior to the meeting and hard copies were also available at the meeting. Members confirmed that they had read the Late Pages.

DC.032 LAND NORTH WEST OF BOX ROAD, CAM, GLOS (S.19/0810/REM)

The Head of Development Management confirmed that she had received objections to the scheme from the Gloucestershire County Council's Highways Department and requested Committee to defer the application to allow time for Officers to negotiate a solution.

Councillor Miles proposed a Motion to accept the Officer's advice to defer the application; this was seconded by Councillor Clifton.

On being put to the vote the Motion was carried unanimously.

RESOLVED To DEFER Application S.19/0810/REM.

DC.033 PAINSWICK ROCOCO GARDEN, GLOUCESTER ROAD, PAINSWICK, GLOS (S.19/0570/FUL)

The Principal Planning Officer (Major Sites) outlined the application for the construction of a new visitor centre, community and education room, function room and secured compound with associated hard and soft landscaping. A site plan and a photograph showing the view whilst approaching the building were displayed. There would be harm to the parkland setting which had been reduced as far as possible, but the benefits to the garden outweighed the harm.

Mrs Elvidge lived next door to the site and stated her reasons for strongly objecting to the application, suggesting an alternative site behind the stables and requesting that Committee refuse the application.

Gail Stolen, a Trustee of Painswick Rococo Gardens, outlined reasons for supporting the application which would take up a small part of the 19th Century parkland. Negotiations had taken place with the owner and a covenant on the alternative site Mrs Elvidge had cited could not be lifted.

The Officer confirmed that the application would cause limited harm and that the Committee should be looking at the proposal before them. There were concerns with the scheme over accessibility for physically disabled visitors, Condition 8 had been designed to address this. The car park was currently open plan but would have designated parking for 119 cars and a coach space. The Car Park Management Plan has provision for 6% disabled parking. There was a Noise Management Plan and if noise levels were breached the Enforcement Team could investigate. A plan was displayed showing the various buildings and two visualization photographs.

Councillor Cooper proposed a Motion to accept the Officers' advice, this was seconded by Councillor Jones.

Councillor Cooper remarked that the report was comprehensive. A huge amount of negotiations had taken place and the application was strongly supported by the Parish Council. The gardens received over 50,000 visitors per year.

On being put to the vote there were 8 votes for the Motion and 0 votes against with 2 abstentions.

RESOLVED To Grant Permission for Application S.19/0570/FUL, subject to Conditions.

DC.034 PARCEL PS1 LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND, GLOS (S.19/1122/REM)

The Principal Planning Officer (Major Sites) outlined the application for a new primary school and nursery. Members had requested that solar PV panels were attached to the roof and had deferred the application at October's Committee.

The applicant whilst recognising the climate emergency was unable to include solar PV panels at this stage, but the proposed scheme sought to address sustainability in a different way by maximising the energy efficiency by the fabric used in the building. Higher levels of materials would be used than the basic building regulation requirements. Gloucestershire County Council had signed off the design. The Officer drew Members' attention to Late Pages and the update to Condition 7.

Stonehouse Parish Council had welcomed the increase in the number of cycle parking but were disappointed that there were not going to be any solar PV panels.

There were no public speakers.

Councillor Lydon expressed his disappointment that solar PV panels had not been included, particularly on a new school building and asked if Committee could refuse the application. Council had agreed to support the Climate Emergency and be carbon neutral by 2030.

The Head of Development Management confirmed that Officers had applied a lot of pressure on the applicant to add solar PV panels to the building, but had been unsuccessful. The reasons were set out in the Late Pages. If Committee's decision was to refuse the application because it did not have solar PV panels the Council would be in difficulty on appeal.

Councillor Lydon's motion to refuse the application was unsupported.

In response to a question from Councillor Binns inquiring if solar PV panels were in the Local Plan, the Development Team Manager confirmed that in Local Plan Policy ES1, solar panels are not the only provision, new builds must be as sustainable as possible.

Councillor Cooper proposed a Motion to accept the Officers' advice, this was seconded by Councillor Jones.

Councillor Cooper stated that the school had been designed to a higher standard than required by Building Regulations and Committee needed to accept the Officers' recommendation and move on.

Councillor Jones was sympathetic to Councillor Lydon's view, but to adhere to the current Local Plan the Committee cannot refuse the application for not having solar PV panels.

Whilst debating the application several Members stated their disappointment that the solar PV panels had not been added. They would be visible and made a statement whereas the other energy saving measures would not be seen.

On being put to the vote there were 8 votes for the Motion and 2 votes against with 0 abstentions.

RESOLVED To approve Application S.19/1122/REM.

DC.035 LAND AT BERKELEY CLOSE, OLD TOWN, WOTTON-UNDER-EDGE, GLOS (S.19/1768/FUL)

The Senior Planning Officer outlined the application for the demolition of 10 disused garages and the erection of 3 dwellings with associated parking. These would be 2 single storey dwellings and 1 two storey dwelling but with accommodation in the roof space. A plan showing the application was displayed and the dwellings and parking areas highlighted. The dwellings would be set 4m in from the rear boundary wall. An additional Drainage Condition would be added to the application on the recommendation of the Water Resources Engineer.

Roger Clayton, Chair of Wotton-under-Edge Town Council confirmed that they had requested that the application was called in because the application was very similar to the previous one and also the Town Council had concerns regarding parking, roof windows overlooking other properties and the protection of the tree.

In response to Members' questions the Senior Planning Officer confirmed the following:-

- There was no intention to remove or alter the retaining wall.
- The Tree Officer was happy for the removal of the tree, subject to a Landscaping Condition.
- The gable end upper floor window on the rear elevation is a false window and a Condition was recommended to control this.
- From the access road down Berkeley Close the ground level was 90.26m and the top of the retaining wall varied between 92-93.m. The height of the gardens was slightly lower.
- The application that had been refused in 2018 differed from this one. The Drainage Officer was now happy with the culvert and the gable end window would not cause overlooking because it had been changed to a false window.
- There are in total 6 car parking spaces, their positioning was shown on a plan.

Councillor Binns proposed a Motion to accept the Officers' advice, this was seconded by Councillor Cooper.

Councillor Binns stated that there would have been vehicle movements when the garages were in use. The site had been recently visited by Members, houses are needed in the centre of the Town and there are 2 parking spaces per dwelling.

On being put to the vote there were 9 votes for the Motion and 1 vote against with 0 abstentions.

RESOLVED To Grant Permission for Application S.19/1768/FUL, subject to Conditions.

DC.036 16A SOUTH STREET, ULEY, DURSLEY, GLOS (S.19/1404/HHOLD)

The Planning Officer outlined the proposal for a side extension and loft conversion with rear dormers and double garage to the side. Late Pages highlighted concerns from Uley Parish Council regarding the tree within the plot and comments from the Council's Arboricultural Officer and Enforcement Officer. Attention was also drawn to a correction to the first paragraph, the glazing should have referred to the (west) and rear and not (north) and rear. The drawing numbers outlined in Condition 2 had been updated to reflect the revised drawings.

Juliette Brown and Janet Wood, represented Uley Parish Council and outlined reasons for refusal. These included that the property was outside of the Uley settlement development boundary, inside the Uley Conservation Area and did not comply with policies set out within the Uley and Owlpen Community Design Statement. The design would not blend in and would be out of character.

Thoss Shearer a local resident agreed with the comments made by the Parish Council. There had been no Conservation Area Assessment. If the application was approved by Committee he would like two conditions added, for landscaping and the suspension of permitted development rights.

Officers gave the following responses to Members' questions:-

- The tree had suffered fire damage and also had aphids, this was part of a separate application.
- The Uley and Owlpen Community Design Statement did not conflict with the Council's Local Plan, it was a material consideration but was not part of the development plan (as would be a Neighbourhood Development Plan). The amount of weight to be attached to the Community Design Statement was a matter for the Members', as the decision makers, to decide.
- There had been a site visit and Members would be able to determine the impact of the scheme.

Councillor Binns proposed a Motion to refuse the application, this was seconded by Councillor Cooper.

The following reasons were given for refusal:-

- The application was contrary to CP14 – criteria 5, HC8 – criteria 2 and Policy ES10.
- The first floor extension flat roof and timber cladding was not appropriate, had no character and was not in keeping with the area.
- The design was inappropriate and not sympathetic to the Conservation Area (Local Plan policy ES10 (page 167)), there was too much glass, the balcony and timber cladding were not in keeping with Uley.

- The application was contrary to the Uley and Owlpen Community Design Statement Policies UO1, UO2, UO7, UO9, UO10, UO14 and UO15.

Councillor Jones confirmed that having a copy of the village design statement was very helpful for Members.

On being put to the vote there were 8 votes for the Motion and 0 vote against with 2 abstentions.

RESOLVED To refuse Permission for Application S.19/1404/HHOLD for the following reasons:-

- a. The application was contrary to CP14 – criteria 5, HC8 – criteria 2 and Policy ES10.**
- b. The application was contrary to the Uley and Owlpen Community Design Statement Policies UO1, UO2, UO7, UO9, UO10, UO14 and UO15.**
- c. The proposed first floor extension including a flat roof dormer and balcony is inappropriate, characterless, ill-formed and not in keeping with the area.**

DC.037 PUBLIC SPEAKING PROCEDURE AT DEVELOPMENT CONTROL COMMITTEE (DCC)

The Head of Development Management outlined the revised public speaking procedure which had been discussed at PRP. If speakers registered before the meeting it would assist in future meetings running more smoothly.

Members agreed with the revised public speaking procedure but also requested that the words “at the discretion of the Chair” be added allowing someone to speak if they had failed to register with democratic services, prior to the meeting, in accordance with the section entitled “Before the meeting” in Appendix 1. Members also felt that there needed to be some flexibility for the Chair.

Members debated whether the heading at number 2 should be “Special DCC meetings” or “Unscheduled DCC meetings” but were happy to leave this to the discretion of the Head of Development Management in consultation with the Chair.

On being put to the vote the Motion was carried unanimously.

RESOLVED To approve the procedure for Public Speaking attached at Appendix 1 of this report at all DCC meetings with immediate effect, with the additional wording as above, the detail of which to be delegated to the Head of Development Management in consultation with the Chair.

The meeting closed at 7.55 pm.

Chair