

DEVELOPMENT CONTROL COMMITTEE

12 January 2016

10.00 am – 10.03 pm
 Council Chamber, Ebley Mill, Stroud

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Minutes

Membership:

Councillor Stephen Moore**	P	Councillor Paul Hemming	P
Councillor John Marjoram *	P	Councillor Haydn Jones	P
Councillor Liz Ashton	P	Councillor David Mossman	P
Councillor Dorcas Binns	A	Councillor Steve Robinson	P
Councillor Rowland Blackwell	A	Councillor Emma Sims	P
Councillor Nigel Cooper	P	Councillor Tom Williams	P

** = Chair * = Vice Chair

P = Present A = Absent

Officers in Attendance

Planning Manager	Solicitors
Team Manager	Policy Implementation Manager
Principal Planning Officers	Democratic Services Officer
Senior Planning Officer	

Other Members in Attendance

Councillors Chris Brine, Nick Hurst, John Jones, Gary Powell, Mattie Ross, Geoff Wheeler and Martin Whiteside.

DC.064 APOLOGIES

Apologies for absence were received from Councillors Dorcas Binns and Rowland Blackwell.

DC.065 DECLARATIONS OF INTEREST

Councillor Haydn Jones declared a personal interest in schedule item 4.6, Mistle House, Framilode, Gloucester (S.15/2418/HHOLD).

DC.066 MINUTES

RESOLVED That the Minutes of the Development Control Committee meeting held on 8 December 2015 are accepted as a correct record.

DC.067 **DEVELOPMENT CONTROL PLANNING SCHEDULE**

Representations were received and taken into account by the Committee in respect of the following applications.

1.	S.15/1227/OUT	2.	S.15/1832/FUL	3.	S.12/1587/FUL
4.	S.15/2313/FUL	5.	S.15/1250/FUL	6.	S.15/2418/HHOLD
7.	S.14/0810/OUT	8.	S.13/2668/OUT		

DC.068 **SOUTH VIEW, STONEHOUSE, GLOUCESTERSHIRE – ERECTION OF 3 NO. DWELLINGS WITH WORKSPACE AND 3 NO. AFFORDABLE DWELLINGS (S.15/1227/OUT)**

The Principal Planning Officer outlined the above application. Councillor Haydn Jones read out a statement from Councillor Stephen Davies, Ward Member, who was unable to be at the meeting. Councillor Davies objected to the application raising concerns about the justification for affordable housing in this area.

Jennie Corrie, Eastington Parish Council outlined reasons why the Council objected to the application, quoting policy 55 of the NPPF and CP3 of the Local Plan and the sustainability of the site.

Andrew Lazenbury spoke in objection to the application, on behalf of residents of Nupend quoting the Neighbour Development Plan policies EP5 and 6 and the sustainability of the site.

Matthew Blaken, the agent spoke on behalf of the applicants quoting the NPPF and the recently adopted Local Plan. He commented that the development is not in open countryside and the S106 would secure the affordable dwellings; there would be an improved access to the site. He urged Members to accept the recommendation of officers.

The Policy Implementation Manager explained that 3 of the properties were intended to be for affordable rent and this would be set at 80% of the local market rent.

In response to Member's questions the following was clarified:

- The application is an exception site and the housing needs survey of Eastington demonstrates a need for 2-3 bed housing in the area.
- The majority of a copse of trees would be retained.

Councillor Haydn Jones proposed a motion which was seconded by Councillor Nigel Cooper to **REFUSE** the application, against officers' recommendation, as it does not meet the exception site policy HC4 and is not sustainable.

The motion was debated by Members.

The motion was put to the vote and was carried by 5 votes for, 4 against and 1 abstention.

RESOLVED To REFUSE application S.15/1227/OUT as set out in these minutes.

DC.069 THE LAMMASTIDE INN, NEW BROOKEND, BERKELEY – CONSTRUCTION OF ANNEXE TO PROVIDE 6 NO. HOLIDAY LETS FOR USE WITH THE LAMMASTIDE INN (S.15/1832/FUL)

The Senior Planning Officer outlined the application updating Members on late pages.

Rachel Melhuish spoke in opposition to the application stating that the parking is a concern and the overbearing nature of the proposed building and the loss of privacy in the overlooking aspect to her garden.

The applicant spoke stating that the proposed development would be a benefit to the community and he had received many enquiries for holiday lets, it provides opportunities for local employment and would seek to allay any concerns raised by the neighbour.

In response to Member's questions the following was clarified:

- The scheme proposed would be a 2 storey building.
- There has not been any information received from the tourist board to be able to evaluate whether there is a need for this proposal.

Councillor David Mossman proposed a motion to ACCEPT officer's recommendation, to refuse permission for the reasons set out in the officer's report; this was seconded by Councillor John Marjoram.

Members debated the application.

A motion to **REFUSE** was put to the vote and carried unanimously.

RESOLVED To REFUSE application S.15/1832/FUL in accordance with the officer's recommendations.

DC.070 BENCOMBE BARNS, LAMPERN HILL, ULEY – CONVERSION OF 3 BARNS TO A LIVE/WORK UNIT (S.15/1587/FUL)

The Senior Planning Officer outlined the above application. The barns had been built to a high quality, although this application needed to be considered on its own merits.

Mrs Janet Wood of Uley Parish Council spoke in opposition to the application quoting policy CP15 of the Local Plan. The site is unsustainable and as the barns are now no longer used for agricultural use they should be demolished in accordance with previous conditions.

Thoss Shearer and Juliet Browne spoke in opposition to the application, stating that the proposed development and access would have an impact on the Grade II listed building, neighbouring the property. The purpose of the building was for agriculture, if it is no longer needed for this reason it should be demolished.

The Agent, Mr Tim Roberts spoke in support of the application stating that the building complies with policies in the Local Plan and NPPF, neighbours would see little change after the conversion takes place and the building would not generate any increase in noise.

In response to Members' questions the following was clarified:

- Since the barns were given planning permission in 2009, there have been changes in planning policy, the Council has a recently adopted Local Plan and since 2012 the NPPF has to be taken into consideration.
- Control of development of the barns from becoming wholly residential would be achieved by conditions restricting the use of one of the buildings to B1a office.
- Sustainability would be a concern if there were no buildings on the site.
- Members needed to be mindful of the NPPF and CP15 of the Local Plan.

Councillor Nigel Cooper proposed a motion to ACCEPT officer's recommendation, this was seconded by Councillor Steve Robinson.

Members debated this motion and on being put to the vote it was rejected, 4 for the motion and 6 against.

The meeting adjourned at 12.10 pm and reconvened at 12.20 pm.

Councillor Haydn Jones proposed a motion to **REFUSE** the application against officers' recommendation. He referred to the criteria set out in Policy CP15 for supporting an application of this nature and expressed the view that the application did not meet any of those criteria; this was seconded by Councillor John Marjoram.

The motion was put to the vote and was carried by 6 votes for, 2 against and 2 abstentions.

RESOLVED To REFUSE application S.15/1587/FUL as set out in these minutes.

The meeting adjourned at 12.35 pm and reconvened at 2.00 pm.

**DC.071 79 REGENT STREET, STONEHOUSE, GLOUCESTERSHIRE –
ERECTION OF A NEW DWELLING (S.15/2313/FUL)**

The Principal Planning Officer outlined the above application drawing members' attention to the revised block plan that had been circulated in late pages and clarified the elevations of the building.

Councillors Mattie Ross and Chris Brine, Ward Members for Stonehouse raised concerns regarding the lack of amenity land, access and parking, removal of mature trees; agreeing that the application was not suitable for this site.

Town Councillor Carol Kambites outlined the reasons why Stonehouse Town Council had objected to the application which included overdevelopment of the site, problems with the access and parking, the loss of privacy for neighbours, the loss of trees, a concentration of HMOs in the area and the application was not suitable for the site.

Stefanie Scott spoke on behalf of herself and other neighbouring property owners who opposed the application for reasons stated above. Also the property would be on 3 floors with 10 windows overlooking her property.

In response to members' questions the following points were clarified:-

- The 2 new houses had separate accesses and were not accessed through the doctor's car park.

- The original application had fewer windows facing the 2 new houses on Bristol Road. The original and new applications were compared and the amount of windows had doubled.
- Two parking spaces were required for each new property, in accordance with the adopted Local Plan.
- The applicant had a right of access across the doctors car park, which was a not a matter for consideration by committee.
- The property would accommodate no more than 6 people.
- The footprint was 3ft larger than the original application.
- The nearest dwelling would be approximately 10m away.
- The ridge height was 0.1m lower than had previously been approved.

Councillor Emma Sims proposed a motion to ACCEPT the officer's recommendation to grant planning permission which was not seconded.

Councillor Liz Ashton proposed a motion to REFUSE the application because the site would have an adverse affect on the amenity of neighbouring properties (CP14) and also the site would be overdeveloped and overlook neighbouring properties (policy ES3). This was seconded by Councillor John Marjoram.

The motion was debated by members. The motion was put to the vote and was carried by 6 votes for, 1 against and 3 abstentions.

RESOLVED To REFUSE application S.15/2313/FUL, as set out in the minutes.

DC.072 DOVE COTTAGE, 5 CRAWLEY HILL, ULEY – PROPOSED NEW DWELLING (S.15/1250/FUL)

The Senior Planning Officer outlined the above application and also referred to the updated plan showing the correct location of the site in late pages.

Mrs Elliot represented 3 generations, spanning a period of 50 years who had occupied Devonia Farm. Her primary concern was the single track lane which did not have any scope for turning or passing.

The Agent, Mr Simon Littlewood, confirmed the proposed new dwelling was for the occupants of Dove Cottage. The new development was an infill site, would benefit the community, was sustainable and amenities were within walking distance. A passing space would be provided.

In reply to members' questions the following points were clarified:-

- The lane had been adopted by Gloucestershire County Council.
- The other properties had been built in the 1960's/70's.
- The dwelling would be set into a slope and the responsibility for the engineering of the site would be responsibility of the applicant.

Councillor Haydn Jones proposed a motion to support the officer's recommendation to GRANT PERMISSION, subject to delegating authority to officers to negotiate a Section 106 Agreement for the provision of a passing bay and its maintenance in perpetuity. The motion was seconded by Councillor Nigel Cooper.

Members debated the motion and agreed that the site was sustainable.

On being put to the vote the Motion was carried; 8 votes for, 0 against and 2 abstentions.

RESOLVED To GRANT PERMISSION for application S.15/1250/FUL, in accordance with the officer's report and as set out in the minutes.

Councillor Haydn Jones left the Council Chamber for the duration of the next item.

DC.073 MISTLE HOUSE, FRAMILODE, GLOUCESTER – ERECTION OF GARDEN ROOM AND UTILITY TO REAR OF DWELLING (S.15/2418/HHOLD)

The Principal Planning Officer outlined the above application.

The Ward Member, Councillor John Jones confirmed that there were already a variety of extensions which did not match their dwellings in the vicinity and the application, if granted, would blend in with the existing dwelling and requested Committee to grant permission.

Mrs A Lever, the householder confirmed that the property dated back to the 1790's and had been sympathetically restored and her family now required more downstairs accommodation.

Councillor Dave Mossman proposed a motion to grant the application, contrary to the officer's recommendation, with officers adding conditions. This was seconded by Councillor Emma Simms.

During debate Members agreed that the design of the extension was sympathetic to the building and agreed permission should be granted.

On being put to the vote the Motion was carried; 8 votes for, 0 against and 1 abstention (Councillor John Marjoram had not visited the site).

RESOLVED To PERMIT application S.15/2418/HHOLD, subject to officers adding conditions which they consider appropriate.

The meeting adjourned at 3.20 pm and reconvened at 5.30 pm.

DC.074 LAND WEST OF STONEHOUSE, NASTEND LANE, NASTEND – A MIXED USE DEVELOPMENT COMPRISING UP TO 1,350 DWELLINGS AND 9.3 HECTARES OF EMPLOYMENT LAND FOR USE CLASSES B1, B2 AND B8; A MIXED USE LOCAL CENTRE COMPRISING USE CLASSES A1, A2, A3, A4, A5, D1, D2 AND B1; PRIMARY SCHOOL, OPEN SPACE AND LANDSCAPING, PARKING AND SUPPORTING INFRASTRUCTURE AND UTILITIES; AND THE CREATION OF NEW VEHICULAR ACCESSES FROM GROVE LANE, OLDENDS LANE AND BRUNEL WAY (S.14/0810/OUT)

The Principal Planning Officer outlined the application and indicated on a plan the different land uses for parcels of land. He reminded members that the application site was identical to that referred to in the adopted Local Plan, which had also complied with the Neighbourhood Planning (General) Regulations 2012.

On 11 January 2016 Eastington Parish Council had submitted their neighbourhood development plan which did not, as yet, comply with regulation 15 of the NPPF. Until the plan had been adopted it would hold little weight.

The Team Manager outlined the documents that had been emailed to members as late pages on Friday and also the later pages that had been circulated to members prior to the meeting. He also highlighted a further condition 43 which required submission of area master plans prior to reserved matters. This was an additional stage, if the principal was accepted, for an extra layer to allow for consideration of the application before looking at the details.

Enquiries had been made with Network Rail who had confirmed that they had no plans to re-open Stonehouse Station and they considered the level crossing safe for use for pedestrians and vehicles.

Councillor John Jones, whose ward adjoined the site expressed concern over the impact that the development would have on the main access road from Grove Lane crossroads at Whitminster and requested that a "no right turn" be implemented on this highway.

County Councillor Lesley Williams requested that the application was deferred to enable more time to be spent on creating links with Stonehouse.

Councillor Jennie Corrie, Vice-Chair of Eastington Parish also requested committee to defer the application to enable a development brief to be submitted and also a meeting to take place with local residents and the developer.

The Team Manager read out a prepared statement from Councillor Stephen Davies who could not attend the meeting setting out his concerns.

Mr D James from 'Do Not Strangle Stroud' requested that the decision be delayed for a couple of months to allow more engagement with the local community and also because of the absence of a development brief; citing paragraph 69 of the NPPF.

Councillors Chris Brine, Mattie Ross and Gary Powell, Ward Members for Stonehouse were all very supportive of new housing but had concerns about the affect the development would have on the outlying villages and on its connectivity with Stonehouse. A lot more detail was required. Councillor Powell requested committee to defer their decision to enable more discussions to take place.

Parish Councillor Carol Kambites spoke on behalf of Stonehouse Town Council requesting that a feasibility study was undertaken with Network Rail regarding the future re-opening of the railway station requesting committee to either defer or refuse the application.

Mr Ken Burgin the Chief Executive of Cotswold Canal Trust was concerned over the figure given by volunteers to upgrade the tow path and suggested that it was inadequate and should be recalculated.

Mr Phil Hardwick, Head of Planning at Robert Hitchins Ltd confirmed their commitment to building high quality dwellings and their intention to work with the local community in the future.

In reply to questions officers' confirmed the following:-

- 30% of the dwellings would be affordable housing which was in a Section 106 Agreement.
- A doctors surgery was in the master plan but funding would rest with the NHS. Discussions had already commenced.
- Improvements would be made along the A419 corridor. The traffic model was based on 1,500 dwellings not 1,350. The traffic that would be generated from developments in The Stanleys had been taken into consideration.
- The vision for the different parcels of land upon the site is to respect the topography, the surrounding countryside, each particular phase of the development would be carefully considered before approval of reserved matters was sought. This would be subject to local consultation.
- Poor designs would be rejected in accordance with paragraph 56 and section 7 of the NPPF.
- The triggers contained within the Section 106 Agreements, as specified within the officer's report were reiterated regarding the construction of the school and delivery of employment.
- The Council is the first council within the county to have an adopted Local Plan that has a 5 year land supply. The Council would be controlling the development in stages.
- A deferral of the application could potentially undermine the adopted Local Plan and also jeopardise the 5 year land supply and delivery of 200 new homes per annum.
- Members were reminded that save in respect of access points they were only looking at the principal and not the detail.
- All planning applications coming forward in future upon the site could come before committee for their consideration.
- The mixed use development upon the site is currently based on assumptions and will become apparent in the fullness of time.
- The Gloucestershire County Council have confirmed that the school is acceptable and is the subject of Section 106 Agreements.
- The cost of the works to the towpath would be revisited on the basis of volunteers not undertaking these works.
- The Eastington Neighbourhood Development Plan did not comply with regulation 15 of the NDF regulations, and its weight would be significantly limited.
- The design strategy would be looking at Landscape Area Masterplans, which would include eg boundaries, hedges, trees in avenues, topography, landscaping and building frontages in much more detail.
- Robert Hitchins would control the management until the scheme in its entirety was completed, then control would rest with a properly constituted management company.
- The school did have a playingfield.
- The developer is fully aware of the Council's aspirations for the site.
- An extra informative could be added to the decision to pursue the possibility of a railway foot bridge and its funding with Network Rail.
- The sum of £4m had been obtained to deliver improvements along the A419 corridor before 2021, otherwise funding would be affected.
- In his report the Local Plan Inspector was aware of the public transport and its constraints. Paragraph 101 was read out describing the site as "sustainable urban extension". Based on the evidence before him the Inspector found the development proposal now contained in the application before committee acceptable.
- Concerns regarding flooding issues were allayed.

The meeting adjourned at 8.20 pm and reconvened at 8.35 pm.

During debate Councillor Nigel Cooper raised his concerns about future discussions being undertaken between officers and Network Rail regarding the footbridge. This was seconded by Councillor Dave Mossman and officers agreed to attach an Informative to the application that officers ensure that they use their best endeavours to talk to Network Rail regarding the footbridge.

Members had agreed unanimously at Council on 19 November 2015 to adopt the Local Plan, which had this site allocated. If this application was not agreed then this would put the 5 year land supply in jeopardy. Concerns had been addressed by officers. Members had their differing views and 2 thought the scheme was not feasible because it was too close to Stonehouse, yet not big enough to stand alone and should be deferred or refused.

Councillor Nigel Cooper proposed a motion to support the officer's recommendations to grant planning permission, subject to the satisfactory completion of the Section 106 Agreements, amended conditions, the informative regarding access across the railway line, contribution for the canal to be revisited so that the figure for work along the canal was done by non-volunteer labour, the new masterplan condition requiring pre-commencement approval on each residential phase before each reserved matters stage. The motion was seconded by Councillor Dave Mossman.

On being put to the vote the motion was carried; 8 votes for, 2 against and 0 abstentions.

RESOLVED To GRANT PERMISSION, subject to the conditions and other matters referred to in the officer's recommendations and as set out in the minutes.

DC.075 WIMBERLEY MILL, KNAPP LANE, BRIMSCOMBE – DEMOLITION AND CLEARANCE OF THE EXISTING BUILDINGS AND HARDSTANDING, RESIDENTIAL DEVELOPMENT OF UP TO 104 DWELLINGS, VEHICULAR AND PEDESTRIAN ACCESS, INTERNAL ACCESS ROADS, CAR PARKING, SURFACE WATER DRAINAGE AND RELATED WORKS, VARIOUS ENGINEERING OPERATIONS INCLUDING CHANGES TO SITE LEVELS, DE-CULVERTING THE RIVER FROME AND WORKS TO CREATE NEW FLOW AND FLOOD CHANNELS, ASSOCIATED LANDSCAPING INCLUDING A PLAY AREA (S.13/2668/OUT)

The Principal Planning Officer advised members of the contents of the late pages and the later pages that had been circulated at the meeting. A further letter of objection was reported. She recommended an extra condition (recommended by highways, as set out on late pages) and referred to an amendment to the article 35(2) statement, to acknowledge that officers have worked with the agent and applicant to provide an acceptable scheme. If these amendments were acceptable to Committee she asked that they and other slight amendments were delegated to Officers. The main concerns had been the access to the site using Knapp Lane.

Jamie Mattock from County Highways confirmed that to alleviate flooding, discussions had taken place with the Environment Agency to open up the river bed, in accordance with the Local Plan.

Because the scheme was currently only just viable there was no provision for 30% of the properties to be affordable housing, but the S106 agreement would include an overage clause such that if the financial position altered and profits for the development are

greater than expected then a financial contribution would be required to provide affordable housing on another site.

Councillor Nick Hurst, represented both his Ward and Minchinhampton Parish Council and raised concerns regarding the highways in the vicinity and also requested that a financial contribution towards controlling the pollution down stream be investigated.

Councillor Martin Whiteside, Ward Member of the adjoining ward requested that the traffic problems needed resolving and suggested other sites could be considered.

Trisha Kallow a local resident objected strongly to the application because of the increase in traffic on already very busy roads and suggested that signage is put on Knapp Lane restricting it for access only.

Mr Hutchinson, the Agent spoke in favour of the application outlining the measures that had been taken to address the various concerns of interested parties.

In reply to members' questions Jamie Mattock confirmed that she had fact based evidence recording the traffic flows and had carried out transport assessments and a trip survey on the site, in accordance with the planning practice guidance. The proposed development would generate less traffic but an increase in pedestrians. The average recorded speed was under 20 mph.

The Principal Planning Officer offered to write to GCC requesting that the area under the bridge was made a 20 mph zone.

Councillor Emma Sims proposed a motion to support the officer's recommendations, together with the additional conditions and to delegate authority to officers to deal with matters as outlined above. The motion was seconded by Councillor Dave Mossman.

On being put to the vote the motion was carried; 9 votes for, 1 against and 0 abstention.

RESOLVED To grant planning permission for application S.13/2668/OUT in accordance with the officer's recommendations and as set out within the minutes.

Meeting ended at 10.03 pm.

Chair

**Amendments for Development Control Committee
12 January 2016**

Item 1 S.15./1227/OUT South View

Refusal.

The site is outside a settlement and in a hamlet with no facilities. The proposed 6 dwellings would therefore be car dependent for their needs. Adequate land for housing has been identified in sustainable locations with facilities and there is no overriding need for such development in unsustainable locations, even for affordable housing. The proposal is therefore contrary to the key principles of the adopted Stroud District Local Plan, particularly Policies SO1, CP3, CP9 and HC4.

Item 2 S.15/1832/FUL The Lammastide Inn

Refusal as Officer recommendation.

Item 3 S.15/1587/FUL Bencombe Barns

Overtaken – Refusal.

The site is located outside identified settlement development limits and with no rural justification, community need or other exception being provided the proposal is not imperative or essential in this countryside location. The proposal is therefore contrary to Policy CP15 of the adopted Stroud District Local Plan, November 2015.

Item 4 S.15/2313/FUL 79 Regent Street

Refusal on policy ES3 and CP14 – unacceptable impact on amenity of occupiers of nearby properties, overlooking and overdevelopment.

Reasons:

- 1) The proposed new dwelling by means of its scale, height, fenestration and proximity to adjacent dwellings would result in an unacceptable degree of overlooking and loss of amenity to occupiers of adjacent residential properties, contrary to policies ES3 and CP14 of the adopted Stroud District Local Plan, Nov 2015.
- 2) The proposed dwelling due to its footprint and scale would be an overdevelopment of the constrained application site and would be out of keeping with the character of the area contrary to policy CP14 of the adopted Stroud District Local Plan 2105.

Item 5 S.15/1250/FUL Dove Cottage

Resolve to grant (as per officer recommendation) subject to a Section 106 agreement on provision, retention and maintenance of passing bay.

Item 6 S.15/2418/HHOLD Mistle House

Permission. Delegated authority to officers to attach appropriate conditions.

(For information conditions will be: 1) standard time limit; 2) approved plans; 3) materials to match existing).

Item 7 S.14/0810/OUT West of Stonehouse

Additional condition (from late late pages but with density included).

Amend conditions as per late late pages.

Additional informative on railway crossing.

Consideration shall be given to any opportunities for the improvements to improve pedestrian and cycling movements.

Item 8 S.13/2668/OUT Wimberley Mill

Late pages and later pages.

One further objection letter was reported – impact of traffic on Knapp Lane; site is dark and damp and better suited to light industrial use. If permission is granted there should be a traffic regulation order to limit use of Knapp Lane to residents only.

Resolve to grant permission subject to S106 agreement relating to the matters set out in the report.

Additional condition as set out on late pages.

Delegated authority to officers to amend wording of conditions (particularly 13 and 20).

Officers to write to Highways Authority asking for a 20mph speed limit (not the 30mph as proposed).