

DEVELOPMENT CONTROL COMMITTEE

11 August 2015

6.00 pm – 7.35 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	A
Councillor Liz Ashton	A	Councillor David Mossman	P
Councillor Dorcas Binns	A	Councillor Steve Robinson	P
Councillor Rowland Blackwell	P	Councillor Emma Sims	P
Councillor Nigel Cooper	P	Councillor Tom Williams	A

** = Chair * = Vice Chair

P = Present

A = Absent

Other Members In attendance

Councillor Ken Tucker, Councillor Penny Wride.

Officers in Attendance

Development Control Manager	Conservation Officer
Principal Planning Officer	Locum Solicitor
Planning Officer	Democratic Services Assistant

At the beginning of the meeting the Chair asked Members to stand and observe a minutes silence for John Balfe who had sadly died. John had been a long standing and valued member of the Council's Planning Team

DC.025 APOLOGIES

Apologies were received Councillors Liz Ashton, Haydn Jones and Dorcas Binns

DC.026 DECLARATIONS OF INTEREST

There were none.

DC.027 **MINUTES**

RESOLVED That the Minutes of the Development Control Committee meeting held on 14 July 2015 are accepted as a correct record.

DC.028 **DEVELOPMENT CONTROL PLANNING SCHEDULE**

The Development Control Manager informed the Committee that the application in respect of Land at Chestnut Park, Kingswood had been withdrawn on the morning of the meeting.

DC.029 **THE FULL MOON, MOUNT PLEASANT, WOTTON-UNDER-EDGE (S.14/2430/FUL)**

The Development Control Manager outlined the application.

He informed the Committee that comments had been received from the local Action Group. They had disputed the viability of the site and had identified that the Full Moon was a community asset. They emphasised the site's status in line with the NPPF. It was noted that an offer for the property had been rejected.

Councillor Mossman noted that one of the contributors who had been identified in the papers as a supporter should have been noted as an objector. This was amended by the Development Control Manager.

Councillor Ken Tucker, Ward Member, objected to the application and highlighted that the site had been a community venue for 50 years. It had been suggested that the existing owners had allowed the venue to 'run down' in order to enable its sale. He added that sufficient weight had not been given to the community's support for the purchase of the site.

He informed the Committee that the Town Council had rejected previous applications for the site and that the latest proposals did not address the issues of over-development. There were concerns that the proposed design was not in keeping with the area, the loss of car parking would add further congestion to the streets and that there would be a negative impact on the Green.

He added that the community did support development but not at any price and asked Members to refuse the application.

A member of the community spoke in opposition to the application. It was argued that the proposal was overcrowded and oppressive. It was an inner city development for a rural location. It was accepted that the building was no longer of any community use but the site was. There was no support for the application and Members were urged to defer the application until a further report could be presented on alternatives uses for the site.

In replying to Member's questions the following points were clarified;

- Had consideration been given to see if there would be a buyer for the existing building?
- The building had been registered as an asset of community value which would allow the local community a six month window of opportunity to bid to purchase the asset in the first instance. However, the owner would be under no obligation to sell to the community.
- As an asset of community value, the owner could not demolish the building without first obtaining planning permission.
- The application was for eleven dwellings and three would be identified as affordable homes.
- If the application were to be deferred the Development Control Manager would ask the applicant if they would be prepared to sell the building.
- The Action Group's viability report was available on the Council's website.
- Approximately £1,000 per dwelling would be provided under Section 106 for community/leisure facilities.
- There was a tight relationship with the neighbouring building but, in Officer's opinion, it was not sufficiently overbearing.
- The site was currently used as an overflow car park but there was no public right of way.
- There were three mature trees which were protected by a T.P.O. It was acknowledged that one tree; the Norway Maple would not survive.

A motion to DEFER the application contrary to the Officer's recommendation was proposed by Councillor David Mossman and seconded by Councillor John Marjoram. The deferral would be for the Officers to speak to the community regarding a bid that would be acceptable to the owner. If it was not possible for an acceptable bid to be put forward then Officers would be asked to seek a reduction in the number of dwellings on the site to address issues of over-bearing.

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

RESOLVED To DEFER the application for the reasons set out above.

DC.030 LAND ADJACENT TO STONE WITH WOODFORD CHURCH OF ENGLAND PRIMARY SCHOOL, STONE, BERKELEY

The Principal Planning Officer updated the Committee and referred to the late papers and the recent High Court ruling in respect of affordable housing which had quashed previous Government guidance. In the light of this, the applicants had requested a deferral of the application.

The Chair noted that the procedure for the meeting would allow for public speaking at this point. However, if the application were to be deferred, the public would have the opportunity to speak at the future presentation of the application.

In response to Members questions it was confirmed that;

- If the application were to be deferred the Officers would review the number of houses proposed for the site.

A motion to DEFER the application was by Councillor Emma Simms and seconded by Councillor David Mossman. The Motion was carried unanimously.

RESOLVED To DEFER the application

DC.031 WINDRUSH, UPTON LANE, BROOKTHORPE (S.15/1302/HHOLD)

The Principal Planning Officer outlined the application; the recommendation from the Officers was to agree to the application but with some amendments.

Ms Fiona Thomas, Parish Councillor with Brookthorpe and Whaddon spoke on behalf of the Parish Council and set out their objection to the proposed extension. The Council was concerned that the extension would have an adverse affect on the neighbouring cottage and would create loss of privacy and light, making some of the rooms dark.

She highlighted Policies GE1 and HN16 of the Local Plan and Policies CP14 and HC8 of the Draft Local Plan. She added that the revised proposals had not changed the Parish Council's opposition to the proposal.

The resident of the adjacent property, Mulberry Cottage spoke against the application. He said that the applicant was a local builder, who did not own the site was seeking to speculate on the site. He informed the Committee that the proposed extension would be 50mm from his boundary and if the application were to be approved, the developer would be unable to effectively build so close to the boundary. The proposal would make the kitchen, dining room and guest bedroom of his property dark. He stated that the development failed the 45 and 25 degree splay analysis.

In replying to Members questions the following points were clarified;

- The applicant had been asked to consider an alternative scheme; the application before Members was different to the original proposal.
- The Principal Planning Officer explained the impact on development of the angled splays. The study and guest bedroom of the neighbouring property would not be considered as the main habitable rooms.
- If there were to be a boundary dispute, it would be a civil matter and not a planning consideration.
- It was noted that planning permission could be granted even if permission could not be implemented.

A motion to REFUSE permission contrary to the Officer's recommendation was proposed by Councillor John Marjoram and seconded by Councillor Nigel Cooper on the reason that; the proposed extension and alterations by means of their height and proximity to the adjacent dwelling would have an unacceptable overbearing impact

on the residential amenities of occupiers of that property and would result in an unacceptable degree of overshadowing and loss of privacy. The proposed development would therefore be contrary to Policies GE1 and HN16 of the adopted Stroud District Local Plan and Policies HC8 and CP14 of the emerging Stroud District Local Plan (Submission Draft).

On being put to the vote there were 4 votes in favour of the motion, 2 against and 2 abstentions.

RESOLVED To REFUSE permission for application S.15/1302/HHOLD as set out in these Minutes

**DC.032 4 COLDSTREAM COTTAGES, SHEEPSCOMBE, STROUD
(S.15/0764/LBC)**

The Conservation Officer introduced the application and outlined the Council's recommendations.

Mr. Robert Lewis, the Chairman of Painswick Parish Council's Planning Committee, spoke in support of the application.

He commented that the original cottage had much changed over time. He referred to the earlier removal of the partition wall and the retrospective planning application. He quoted from a report from a structural engineer at the time. He highlighted comments in that report about the safety of the wall unless significant strengthening had been undertaken.

He stated that the view from the Parish Council was that the partition wall was not of an architectural or historic significance and this was also supported by neighbours.

Mr James Edgar, Architectural Historian, spoke in support of the application. He stated that in his view the removed partition had not been part of the original fabric of the building. He also said that his interpretation of original drawings suggested that the partition was not intended as a feature. In summary, he did not support the Officer's view of the historic importance of the partition.

In response to Members questions the following points were clarified;

- The original partition had been removed in 2007.
- Advice from the Structural Engineer suggested that the wall needed strengthening but did not say that it needed to be removed.
- The application to regularise the removal of the wall was made in 2012.
- There was no evidence to confirm that the partition wall was there in the first instance.
- Later additions can be an inherent part of a listed building.
- The decision to refuse the previous application was taken under delegated powers.

A motion to GRANT CONSENT contrary to Officer's advice was proposed by Councillor Nigel Cooper on the basis that the partition wall is not an essential part of

the significance of the listed building and is not an important contributor to its character and special historic interest. The motion was seconded by Councillor Paul Hemming

The Chair reminded Members that the current application was effectively the same application that had been refused by the Council two years previously and referred to the potential inconsistency if the Committee approved the same.

On being put to the vote there were 6 votes for the motion and two against. The Motion was carried.

RESOLVED To GRANT CONSENT for application S.15/0764/LBC without conditions (apart from statutory time limit)

The meeting closed at 7.35 pm.

Chair

AMENDMENTS FOR DEVELOPMENT CONTROL COMMITTEE
11 AUGUST 2015

In addition to the amendments stated on the Late Pages.

ITEM No: 01	Application: S.15/0971/OUT
Address: Land at Chestnut Park, Kingswood	

Withdrawn before the meeting

ITEM No: 02	Application: S.14/2430/FUL
Address: The Full Moon, Mount Pleasant, Wotton-under-Edge	

Deferred for negotiation

ITEM No: 03	Application: S.15/0989/FUL
Address: Land adjacent to Stone with Woodford Church of England Primary School	

Deferred at applicants request

ITEM No: 04	Application: S.15/1302/HHOLD
Address: Windrush, Upton Lane, Brookthorpe	

Refused for the following reason

The proposed extension and alterations by means of their height and proximity to the adjacent dwelling would have an unacceptable overbearing impact on the residential amenities of occupiers of that property and would result in an unacceptable degree of overshadowing and loss of privacy. The proposed development would therefore be contrary to policies GE1 and HN16 of the adopted Stroud District Local Plan and policies HC8 and CP14 of the emerging Stroud District Local Plan (Submission Draft)

ITEM No: 05	Application: S.15/0764/LBC
Address: 4 Coldstream Cottages, Sheepscombe	

No conditions (apart from statutory time limit)

The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason:

To comply with Section 18 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.