

**DEVELOPMENT CONTROL COMMITTEE**

**13 January 2015**

**6.00 pm – 9.25 pm**  
**Council Chamber, Ebley Mill, Stroud**

**3**

**Minutes**

**Membership:**

Ken Stephens**	P	Haydn Jones	P
John Marjoram*	P	Stephen Moore	P
Liz Ashton	P	Dave Mossman	P
Dorcas Binns	P	Steve Robinson	P
Nigel Cooper	A	Roger Sanders	P
Paul Hemming	P	Emma Sims	P

\*\* = Chair \* = Vice-Chair

A = Absent P = Present

**Other Member in attendance**

Councillor Julie Job  
Councillor Leslie Reeves

Councillor Tom Williams  
Councillor Penny Wride

**Officers in attendance**

Head of Planning  
Development Control Team Manager

Legal Services and Monitoring Officer  
Democratic Services & Elections Officer

**DC.081 APOLOGIES**

Apologies for absence were received from Councillors.

**DC.082 DECLARATIONS OF INTEREST**

None under the Members' Code of Conduct.

**DC.083 MINUTES**

The Chair proposed the following amendments, that were seconded by Councillor John Marjoram, and subsequently unanimously agreed by Committee to Minute DC.075:-

Page 2 – 3<sup>rd</sup> paragraph should have read 'Keith' and not Ken, and

Page 3 – 9<sup>th</sup> paragraph should be amended to reflect the exact wording:-

- “1. The current Application is not acceptable in its current form.
2. The item be deferred to a future date and officers asked to approach the applicant with a view to amending the Application in order to minimise impact on heritage assets.”

**RESOLVED That the Minutes of the Development Control Committee held on 18 December 2014 are accepted as a correct record, with the above amendments.**

**DC.084      PLANNING SCHEDULE**

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

1.	S.14/2460/FUL	2.	S.14/2265/OUT	3.	S.14/2176/FUL
4.	S.14/2115/FUL	5.	S.13/2327/FUL		

Late Pages had been circulated to Members prior to the meeting and were available at the meeting in respect of Scheduled Items 1 and 2.

**DC.085      ITEM 1 – CONTINUED USE OF LAND FOR AGRICULTURAL PURPOSES AND THE INSTALLATION OF UP TO 5 MW SOLAR PHOTOVOLTAIC PANELS AND ANCILLARY WORKS ON A LAND PARCEL TO THE EAST OF WICK BRIDGE, UPPER WICK, DURSLEY, GLOS (S.14/2460/FUL)**

The Development Control Team Manager outlined the above Application and provided various updates in the Late Pages from Alkington Parish Council, North Nibley Parish Council, Council for the Protection of Rural England and from County Highways who had no objection to the Application but recommended conditions.

The Landscaping Strategy provided by the Council’s consultants (Nicholas Pearson Associates) had been copied to Members which would minimise the impact of the solar panels and resulted in the deletion of Condition 3 and the addition of details of solar panels to approved plans to Condition 2.

Councillor Penny Wride, a Ward Member stated reasons for objecting to the Application.

Councillor Jan Sayers from Alkington Parish Council also spoke on behalf of North Nibley Parish Council who had both unanimously objected to the Application.

Ruth Reed spoke on behalf of the Cotswold Edge Solar Group who opposed the Application.

Mr Andrew Bower outlined reasons why the scheme should be approved.

Members’ attention was drawn to the Council’s statutory duty to the protection of heritage assets, especially those of national importance and give special regard to their setting.

In reply to Members' questions various photos of the area were displayed for Members to consider. The best possible landscape scheme had now been put forward and Members had to make a balanced decision. The area surrounding the transformer would be the only area lit by security lights. A vertical steel fence would be erected around the boundary of the site which would be obscured by planting from the outside. The intention was that sheep would graze the land around the panels and after 30 years the site would wholly revert to agriculture. There was no accurate record regarding the precise location of the historic battle and English Heritage had no objection.

A Motion to ACCEPT the Officer's amended recommendations was proposed by Councillor Haydn Jones seconded by Councillor John Marjoram.

The Development Control Team Manager confirmed the following changes to the Application:-

1. Condition 3 should be deleted and details the addition of details of solar panels to approved plan (Condition 2).
2. County Highways approved the scheme, subject to conditions.
3. The landscaping condition needed to be amended following the receipt of the landscaping scheme and management plan from Nicholas Pearson Associates.
4. The galvanised metal fencing should be painted green and maintained as such thereafter.

Both the proposer and seconder agreed with the above amendments to the Application.

Members debated the Application and had differing views.

On being put to the vote, there were 7 votes for the Motion, 3 votes against and 1 abstention; it was declared CARRIED.

**RESOLVED To GRANT Application S.14/2460/FUL, as set out in these minutes and Appendix A.**

The meeting adjourned at 7.10 pm and reconvened at 7.19 pm.

**DC.086      ITEM 2 – RESIDENTIAL DEVELOPMENT OF UP TO 17 DWELLINGS ON LAND AT PIKE LANE, NAILSWORTH, GLOS (S.14/2265/OUT)**

The Development Control Team Manager drew Members' attention to the Late Pages and for clarity read out the revised refusal reason 1. County Highways had no objections, subject to various conditions being attached to the Application and there was potential to improve the footpath. More objections had been received which reiterated other objectors concerns. Refusal reasons 2. and 3. from the Officer's report should be deleted following the receipt of further information.

Mr Norman Kay spoke against this Application on behalf of Nailsworth Town Council.

Katie Jarvis spoke on behalf of the Pike Lane Action Group and their 700+ objectors and outlined reasons for refusal.

Mr Jamie Lewis, Agent on behalf of Hunter Page outlined reasons the Application should be granted permission.

The Officer answered various questions from Members.

A Motion to ACCEPT the Officer's amended recommendation, together with additional reasons:-

1. The roads leading to the site are substandard in respect of width, alignment, gradient and lack of footways. This existing situation is already seriously prejudiced with regards to highways safety. The proposed development by adding vehicular and pedestrian movements to the road network would result in a severe impact on highway safety, contrary to Policy GE5 of the Stroud District Local Plan 2005, CP13 and ES3 of the Emerging Stroud Local Plan (Submission Draft) and paragraph 32 of the NPPF;
2. Despite the site's geographical proximity to the facilities in the centre of Nailsworth, the constrained nature of the roads and the lack of continuous footpaths, together with infrequent bus services, do not ensure that a safe and suitable access to the site can be achieved for all people (paragraph 32 of the NPPF) nor make the fullest use of public transport, walking and cycling (paragraphs 17 and 35 of the NPPF). As such the development cannot be regarded as sustainable with regards to transportation and therefore cannot be considered as sustainable development (paragraph 14 of the NPPF);

was proposed by Councillor Steve Robinson and seconded by Councillor Dave Mossman.

During debate Members were very supportive of the views of the people of Nailsworth.

On being put to the vote, there were 10 votes for the Motion, 0 votes against and 1 abstention; it was declared CARRIED.

**RESOLVED To REFUSE Application S.14/2265/OUT, as set out in these Minutes and Appendix A.**

Councillor Docas Binns left the meeting.

**DC.087      ITEM 3 – PROPOSED RESIDENTIAL REDEVELOPMENT AT 91 WESTWARD ROAD, STROUD, GLOS (S.14/2176/FUL)**

The Development Control Team Manager drew Members' attention to the last minute responses . He also read out a written statement on behalf of Cainscross Parish Council, who where unable to send a representative, supporting the Application.

Councillor Tom Williams, a Ward Member outlined the reasons why he objected to the Application.

Mr M Gray spoke on behalf of many residents who would be affected by the development outlining their objections.

Mr Neil Shackell stated that previous concerns had been addressed and outlined reasons the Application should be granted.

Officers displayed various plans showing the layout of the flats and the ridgeline of this Application and the extant. The footprints were similar to both schemes but the differences in heights were explained. The archway was an additional feature. Concerns regarding car parking were addressed.

The Development Control Team Manager suggested that he revised the wording to Condition 12 to reflect the revised plan.

A Motion to ACCEPT the Officer's recommendation and above revision, was proposed by Councillor Dave Mossman and seconded by Councillor Haydn Jones.

Members debated their differing views.

On being put to the vote, there were 8 votes for the Motion, 2 votes against and 0 abstentions; it was declared CARRIED.

**RESOLVED To REFUSE Application S.14/2176/FUL, as set out in these Minutes and Appendix A.**

**DC.088      ITEM 4 – ERECTION OF A THREE BEDROOMED BUNGALOW ON LAND AT PICARDY, CRANHAM, GLOS (S.14/2115/FUL)**

The Development Control Team Manager had nothing to add to the Officer's report. On behalf of Councillor Nigel Cooper he read out a prepared statement outlining reasons for the Application to be granted.

Mr Roger Banyon spoke on behalf of very concerned neighbours at The Paddock who objected to the Application.

Mr Overs, joint owner of the site, outlined reasons why the Application should be granted permission.

Members had visited the site and it was confirmed that vehicles could turn within the curtilage of the site and visibility was extensive.

A Motion to accept the Officer's recommendation, was proposed by Councillor Stephen Moore and seconded by Councillor John Marjoram.

Whilst debating the Application some Members supported the Officer's recommendation but others thought the proposed bungalow should be smaller and more in keeping with the hamlet.

On being put to the vote, there were 6 votes for the Motion, 4 votes against and 0 abstentions; it was declared CARRIED.

**RESOLVED To REFUSE Application S.14/2115/FUL, as set out in these Minutes.**

**DC.089**      **ITEM 5 – ERECTION OF THREE DWELLINGS WITH ASSOCIATED ACCESS AT VAYNOR, HIGHFIELD ROAD, WHITESHILL, STROUD, GLOS (S.13/2327/FUL)**

The Development Control Team Manager explained to Members that Committee had resolved to grant planning permission in January 2014, subject to a Section 106 Agreement that would secure a sum towards off-site affordable housing provision. Because of a change in national policy and the Section 106 not being signed, Committee were asked to disregard the need for the Section 106.

A Motion to ACCEPT the Officer's recommendation was proposed by Councillor Roger Sanders and was seconded by Councillor Liz Ashton.

On being put to the vote, it was unanimously CARRIED.

**RESOLVED To GRANT Application S.13/2327/FUL, without the Section 106 Agreement.**

The meeting finished at 9.25 pm.

Chair

**Amendments for Development Control Committee  
13 January 2015**

**Item 1 S.14/2460/FUL - Land Parcel to east of Wick Bridge, Upper Wick**

Delete condition 3 and add details of solar panels to approved plans condition (2)

Amend landscaping condition to include SDC consultants mitigation:

All planting, seeding, measures and works comprised in the details of the NPA Proposed Landscape Mitigation Strategy and the accompanying Planting Schedule, 9th January 2015, shall be carried out in the first complete planting and seeding season prior to commencement of development (planting season commences March 2015).

Thereafter, from the first year to the fifth year, an annual monitoring report on the health of this planting, shall be prepared by a qualified landscape architect or arboriculturalist and submitted to the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:

In the interests of the visual amenities of the area.

New condition:

The proposed access shall not be used for construction of the proposed development until the existing roadside frontage boundaries have been removed /reduced to provide access and visibility in accordance with 30692/5503/SK02 and the area between the splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between those points at a height of between 0.26 and 2.1m above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that suitable access is provided and maintained in accordance with paragraphs 32 and 35 of the NPPF.

New condition:

Prior to any works commencing on site the improvements to Wick Road, Upper Wick and Nibley Green junction shall be completed in accordance with the submitted details.

Reason: To ensure safe and suitable access to the development is provided in accordance with Paragraphs 32 and 35 of the NPPF.

New condition:

The palisade galvanised metal fencing shall be painted green and maintained as such thereafter.

Reason

To minimise landscape impact.

New condition

Within 12 months of the commencement of development a management plan for the site shall be produced by a qualified landscape architect and shall be submitted to the Local Planning Authority for approval. This shall include the ongoing maintenance of the site, landscaping, provision for wildlife and the decommissioning. The approved management plan shall be implemented accordingly.

Reason:

In the interest of visual and ecological amenity.

## **Item 2 S.14/2265/OUT - Pike Lane, Nailsworth**

Amend reason 1 as suggested in late pages:

The site is an essential part of the Miry Brook Valley, which is a steep incised valley stretching from the Wold plateau to the valley floor in Nailsworth. The valley has a rustic, pastoral, informal character. This site is a particularly visible component from a great variety of public viewpoints. Development would undermine the continuity of this valley.

It would also appear obtrusive, fundamentally changing the character of this open, pastoral field. The contribution of the valley to the AONB and Nailsworth would be undermined. These adverse impacts outweigh the benefits of providing up to 17 new houses here. New housing can be provided in less sensitive locations without causing this significant landscape harm. There is no overriding necessity for such development here and the landscape impact is not justified.

The proposal is therefore contrary to Stroud District Local Plan 2005 Policy NE8, Stroud District Local Plan Submission Draft December 2013 Policies ES7, CP14 and the NPPF paragraphs 17 and 115.

The site is an essential part of the Miry Brook Valley, which is a steep incised valley stretching from the Wold plateau to the valley floor in Nailsworth. The valley has a rustic, pastoral, informal character. This site is a particularly visible component from a great variety of public viewpoints. Development would undermine the continuity of this valley.

New reason for refusal:

The roads leading to the site are substandard in respect of width, alignment, gradient and lack of footways. This existing situation is already seriously prejudiced with regards to highways safety. The proposed development by adding vehicular and pedestrian movements to the road network would result in a severe impact on highway safety, contrary to Policy GE5 of the Stroud District Local Plan 2005, CP13 and ES3 of the Emerging Stroud Local Plan (Submission Draft) and paragraph 32 of the NPPF

New reason for refusal:

Despite the site's geographical proximity to the facilities in the centre of Nailsworth, the constrained nature of the roads and the lack of continuous footpaths, together with infrequent bus services, do not ensure that a safe and suitable access to the

site can be achieved for all people (paragraph 32 of the NPPF) nor make the fullest use of public transport, walking and cycling (paragraphs 17 and 35 of the NPPF). As such the development cannot be regarded as sustainable with regards to transportation and therefore cannot be considered as sustainable development (paragraph 14 of the NPPF).

Delete ecological reasons for refusal due to new information.

### **Item 3 S.14/2176/FUL - 91 Westward Road**

Re-word condition 12 as follows for clarity and to reflect the revised plan:

Prior to the occupation of the development hereby permitted, the 3 windows annotated on the rear elevation as “obscurely glazed and bottom hung” shall be implemented accordingly and maintained as such thereafter.

Reason:

In the interests of the amenities of the occupiers of adjoining residential property and to comply with Policy GE1 of the Stroud District Local Plan, November 2005.