

DEVELOPMENT CONTROL COMMITTEE

9 September 2014

6.00 pm – 8.35 pm
Council Chamber, Ebley Mill, Stroud

3

Minutes

Membership:

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

** = Chair * = Vice-Chair

A = Absent P = Present

Other Members in attendance

Councillor Stephen Lydon
Councillor Mattie Ross

Councillor Paul Smith
Councillor Nigel Studdert-Kennedy

Officers in attendance

Head of Planning
Development Control Team Manager
Legal Services and Monitoring Officer
Principal Planning Officer

Environmental Protection Manager
Senior Planning Officer
Planning Officer
Democratic Services & Elections Officer

DC.031 APOLOGIES

Apologies for absence were received from Councillors Haydn Jones and Emma Sims.

The Chair confirmed that Scheduled Items 1 and 2, 7 and 8 would be taken together and 5 minutes would be allowed for public speaking instead of the usual 3 minutes for these Applications to be debated together.

DC.032 DECLARATIONS OF INTEREST

There were none.

DC.033 MINUTES

RESOLVED That the Minutes of the Development Control Committee meeting held on 12 August 2014 are accepted as a correct record.

DC.034 PLANNING SCHEDULE

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

1.	S.13/1387/FUL	2.	S.13/1388/LBC	3.	S.14/1209/COU
4.	S.14/0742/FUL	5.	S.14/1576/FUL	6.	S.14/1473/HHOLD
7.	S.14/1161/FUL	8.	S.14/1159/BC		

Late Pages had been circulated to Members prior to the meeting and were available at the meeting in respect of Scheduled Items 3, 4 and 5.

DC.035 ITEM 1 – FULL PLANNING PERMISSION AT HORSEMARLING FARM, HORSEMARLING LANE, STANDISH, GLOUCESTERSHIRE (S.13/1387/FUL)

The Senior Planning Officer outlined the above Application at Horsemarling Farm for the refurbishment and extension of 2 semi-detached dwellings at Horsemarling Farmhouse, the conversion of 2 traditional redundant barns into 4 dwellings, the rebuilding and extension of a third barn to create 3 dwellings, the demolition of redundant modern barns, the erection of 10 new build houses accessed from Horsemarling Lane with open space, parking, garaging and associated works. The Officer confirmed that there was a total of 19 dwellings, 17 of these would be new. Members had recently inspected the site prior to the meeting.

Ms S Oppenheimer, Chair of Standish Parish Council confirmed that the Parish Council supported the Application but sought clarification on a number of issues within the Officer's report prior to Committee making their decision.

The Officer clarified the following points:-

- Condition 15 – dialogue would be held with the Parish Council; any future bus stop would be at public expense.
- Paragraph 2.2 – the highest priority for the allocation of affordable dwellings would be based on association to the area.
- Paragraph 3.2 – the Parish Council would be requested to provide details on a deliverable scheme which would comply with CIL under the Section 106 Agreement. If they did not have a scheme then the monies would be spent on another project within the District.
- Paragraph 4 – open space on the development would be agreed with the developer.

In reply to Members' questions the Officer confirmed:-

- That if permission was granted the 40 caravans, cars and boats currently on the site would be removed to an unknown location.
- It was the intention of the Applicant to reuse as many bricks, tiles and other materials as possible.

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

During debate the Secunder stated that the proposal was excellent, it had been supported by the Parish Council and would restore former traditional farm and its buildings, which are currently in disrepair. He requested that, if possible, the names McDonald and Coates are used as names within the site because of their association with the farm.

Other Members supported the Application which would provide affordable housing for local people and also funds for the Parish.

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

RESOLVED To grant permission to Application S.13/1387/FUL, for the reasons stated in the report and as set out in these Minutes.

DC.036 ITEM 2 – LISTED BUILDING CONSENT FOR THE REFURBISHMENT AND EXTENSION OF 2 SEMI-DETACHED DWELLINGS AT HORSEMARLING FARMHOUSE. THE CONVERSION OF TWO TRADITIONAL REDUNDANT BARNs INTO 4 DWELLINGS. THE REBUILDING AND EXTENSION OF A THIRD BARN TO CREATE 3 DWELLINGS (S.13/1388/LBC)

A Motion to ACCEPT the Officer's recommendations was proposed by Councillor John Marjoram and seconded by Councillor Roger Sanders.

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

RESOLVED To grant Listed Building Consent to Application S.13/1388/LBC, as set out in these Minutes and stated in the report.

DC.037 ITEM 3 – CHANGE OF USE OF BUILDING 10 AT ASTON DOWN, COWCOMBE LANE, CHALFORD, STROUD FROM CLASS B1 TO CLASS B2, THE DEMOLITION OF AN EXISTING TOILET BLOCK, THE ERECTION OF 766.9 SQM OF ADDITIONAL FLOORSPACE, AND ASSOCIATED ADDITIONAL CAR PARKING. RELOCATION OF VEHICULAR PARKING SPACES (S.14/1209/COU)

The Principal Planning Officer referred to Late Pages that included a letter of objection from the Aston Down Action Group and provided Members with a further update received from the Applicant on noise amenity concerns for Hanger 10, which had been circulated to Members. Further objections relating to noise issues and harm to the community had also been received from Lisa Collins and Colin Pearce.

The Officer suggested that extra Conditions were added to the Application regarding the closure of doors and windows, compressor housing, restrictions on additional flues and noise levels arising from the uses to address noise issues. He also proposed that, if Members accepted the report, that the issuing of the decision notice was delayed for 7 days to enable them to contact the National Planning Casework Unit (NPCU) to enable them to confirm whether they wished to re-screen the Application under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, prior to the formal decision. Members had recently visited the site.

Mr Adrian Hill spoke for himself and other local residents against the Application because of potential noise nuisance emanating from the buildings, increased traffic on a narrow lane and protecting the AONB.

Mr Stephen Sensical confirmed the manufacturing company had been long established in Tetbury but needed a Committee decision whether or not they could move to an existing building at Aston Down.

Clarification was given by Officers' on the following points:-

- The Application was not for retrospective permission.
- B1 and B2 uses were explained.
- Existing and proposed designated parking was shown on plans.
- Normal conversation in a library would be approximately 30 decibels and there was no evidence of noise nuisance.
- Toilets would be demolished but there were other facilities across the site.
- The district boundary was highlighted and also the authorised access into the site.

The Head of Planning suggested that an Informative could be added to the Application suggesting that best working practices are implemented when working, eg the use of rubber mats.

A Motion to ACCEPT the Officer's recommendations, with the additional Condition and Informative, was proposed by Councillor Dorcas Binns and seconded by Councillor Roger Sanders.

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

RESOLVED To grant a change of use for Application S.14/1209/COU, as set out in these Minutes, subject to the Conditions stated in the report and in Appendix A to these Minutes.

DC.038 ITEM 4 – FULL PLANNING PERMISSION FOR THE DEMOLITION OF EXISTING BUNGALOW AT 20 CASTLE MEAD, KINGS STANLEY, STONEHOUSE, GLOS TO BE REPLACED WITH FOUR DWELLINGS, (S.14/0724/FUL)

The Head of Planning confirmed that a last minute substantial change had been received on the above Application for four replacement dwellings instead of five. He recommended that Members' defer making a decision to enable Kings Stanley Parish Council time to meet to discuss this amendment.

A Motion to DEFER the Application was proposed by Councillor John Marjoram and seconded by Councillor Roger Sanders.

The Head of Planning confirmed that by deferring the Application a precedent would not be set and when a decision was before Members' the views of the Parish Council could be considered.

On being put to the vote, there were 9 votes for the Motion, 1 vote against and 0 abstentions; it was declared CARRIED.

RESOLVED To DEFER Application S.14/0724/FUL.

DC.039 ITEM 5 – FULL PLANNING PERMISSION FOR A REPLACEMENT DWELLING AT WINTERSPRING COTTAGE, WINTERSPRING LANE, ALDERLEY, WOTTON-UNDER-EDGE, GLOS (S.14/1576/FUL)

The Senior Planning Officer drew attention to the Late Pages which provided information on a further Nocturnal Bat Survey report, the Agent's Statement of Significance and an amendment to Condition 6.

Mr James MacKenzie represented Alderley Parish Meeting and spoke against the Application citing many reasons including, the historic building dated back to the 17th century and was of national importance and was part of the natural vernacular landscape of the valley. The building had been left derelict and carefully restored 34 years ago.

Mr Nicolas Read a local resident for over 47 years also spoke against the Application. The dwelling had been a former farmhouse, was a good example of how tenant farmers would have lived and had been in the landscape for 300 years and should be protected.

Officers answered Members questions and confirming the following:-

- The foundry was not part of the house.
- A site plan was shown to Members.
- The current status of the building was unlisted and Conservation colleagues were content that the Statement of Significance was an accurate account.
- The house tiles were made from Cotswold stone.
- Conservation Officers did not believe that the building should be listed.
- The process for requesting the listing of the building was outlined to Members.

The Head of Planning confirmed that Members could defer making a decision on the Application for a month to enable the Alderley Parish Meeting to contact English Heritage to obtain a spot listing.

A Motion to DEFER the Application was proposed by Councillor Paul Hemming to allow the community to approach English Heritage for spot listing was seconded by Councillor John Marjoram.

On being put to the vote, it was unanimously AGREED to Defer the Application until next month.

RESOLVED To DEFER Application S.14/1576/FUL, as set out in these Minutes.

The meeting adjourned at 7.40 pm and reconvened at 7.50 pm.

DC.040 ITEM 6 – HOUSEHOLD APPLICATION FOR A SINGLE STOREY SIDE EXTENSION, SINGLE AND TWO STOREY REAR EXTENSION AT 15 WESTFIELDS, WOTTON-UNDER-EDGE, GLOS (S.14/1473/HHOLD)

The Senior Planning Officer outlined the above Application confirming an amendment to Condition 3 requiring the submission of samples of materials prior to the commencement of works.

Councillor Paul Smith, a Ward Member objected to the Application for many reasons including overdevelopment of the site, the extension towering above the neighbouring property, creating what he perceived as loss of privacy and questioned the usefulness of the narrow garage.

The Head of Planning confirmed that he could not add a Condition to the Application to ensure that the use of the garage/store was solely for this use in future.

Mr M Zimmer spoke on behalf of Wotton-under-Edge Town Council and had nothing to add to Councillor Smith's objections.

A statement was read out by Mr Zimmer on behalf of Mr and Mrs Young who had objected to the Application to the side elevation because of the boundary wall, privacy, size of the extension, the materials used and the loss of light.

Mr Alan Ponting, the Agent, confirmed that following consultation with neighbours the scheme had been amended several times. There was enough parking for approximately 6 cars, building works would be within the curtilage of the land and there would be no loss of privacy to neighbours whatsoever.

In reply to a Member's request, an extra Condition could be added to the Application for no windows to be built into the garage and Condition 3 was amended to include that samples were submitted.

A Motion to grant Permission, with the additional Conditions was proposed by Councillor Dave Mossman and seconded by Councillor Nigel Cooper.

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

RESOLVED To grant permission for Application S.14/1473/HHOLD, as set out in these Minutes, subject to the Conditions stated in the report and in Appendix A to these Minutes.

DC.041 **ITEM 7 – FULL PLANNING PERMISSION FOR THE ERECTION OF A FENCE AT THRESHING TYTHE BARN, ST BARTHOLOMEWS VIEW, NYMPSFIELD (S.14/1161/FUL)**

The Senior Planning Officer outlined the above Application. In the absence of Councillor Tim Boxall, the Ward Member, a prepared statement was read out. This supported the Application, in accordance with the Parish Council and neighbours.

Mr Dave Acton, spoke on behalf of Nympsfield Parish Council, in support of the Application stating that the fence would be unobtrusive and would help contain the owners' dog enabling the Applicants to enjoy their home.

Mr Kausa, the Applicant confirmed that the fence would create a safe and secure enclosed area. This would also stop walkers and their dogs trespassing.

Ms Rachael Stainer-Hutchins, Agent also spoke in favour of the Application confirming that this was no longer a working farm, the fence was low level estate fencing which would be curved at the top and hoped it would fulfil the function being requested.

A Conservation Officer had discussed with the Applicant alternatives more in keeping with the surroundings but this advice had not been taken. A Member suggested that a Condition was added to the Application that the metal estate fencing was painted black. This type of fencing was used in the locality and within the District.

A Motion to grant Permission, with the additional Condition, was proposed by Councillor Paul Hemming and seconded by Councillor Cooper. Both Members thought that the fencing was appropriate and would not detract from the building.

On being put to the vote, there were 7 votes for the Motion, 1 vote against and 2 abstentions; it was declared CARRIED.

DC.042 **ITEM 8 – LISTED BUILDING CONSENT FOR THE ERECTION OF A FENCE AT THRESHING TYTHE BARN, ST BARTHOLOMEWS VIEW, NYMPSFIELD (S.14/1159/LBC)**

A Motion to grant Permission, with the additional Condition, as above was proposed by Councillor Paul Hemming and seconded by Councillor Roger Sanders.

On being put to the vote, there were 7 votes for the Motion, 1 vote against and 2 abstentions; it was declared CARRIED.

The meeting closed at 8.35 pm.

Chair

**Amendments for Development Control Committee
9 September 2014**

Item 3 – S.14/1209/COU, Building 10, Aston Down

Extra Conditions:

The level of noise arising from the uses hereby permitted at Hangar 10, Aston Down shall not exceed 30 dB LAeq,1hr on any day, as measured or determined at the external boundary of any dwelling.

Reason:

In order to protect the amenities of the occupiers of the adjacent properties in accordance with Policy GE1 of adopted Stroud District Local Plan, November 2005 and paragraph 109 of the National Planning Policy Framework.

The hangar doors on Building 10 shall remain closed at all times except when access is required for the loading or unloading of vehicles.

Reason:

In order to protect the amenities of the occupiers of the adjacent properties in accordance with Policy GE1 of adopted Stroud District Local Plan, November 2005 and paragraph 109 of the National Planning Policy Framework.

The compressor hereby permitted shall only be internally housed within the existing building or the new extension.

Reason:

In order to protect the amenities of the occupiers of the adjacent properties in accordance with Policy GE1 of adopted Stroud District Local Plan, November 2005 and paragraph 109 of the National Planning Policy Framework.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995(As Amended) (or any order revoking and re-enacting that order with or without modification), no additional flues or extraction systems shall be installed or erected on the building.

Reason:

In order to protect the amenities of the occupiers of the adjacent properties in accordance with Policy GE1 of adopted Stroud District Local Plan, November 2005 and paragraph 109 of the National Planning Policy Framework.

Informative

Any plant or machinery proposed within the building shall be installed in full accordance with prevailing best practice recommendations with regard to noise and vibrations suppression measures.

Item 4 - S.14/0724/FUL 20 Castle Mead, Kings Stanley

Revised Plans received 05/09/2014. These detail the removal of one unit from the scheme. Members agreed to defer the application until the October meeting to enable necessary consultation to take place with the Parish Council and local residents.

Item 5 - S.14/1576/FUL Winterspring Cottage, Winterspring Lane, Alderley, Wotton-Under-Edge

Application deferred to the October meeting to enable members of the public to approach English Heritage with regard to spot listing the property.

Item 6 - S.14/1473/HHOLD 15 Westfields, Wotton-Under-Edge

Condition 3 – Amended to require the submission of samples prior to commencement:

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building works hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details and shall be maintained as such thereafter.

Reason:

In the interests of the visual amenities of the area and in accordance with Policy HN16 of the adopted Stroud District Local Plan, November 2005.

Additional Condition – To remove Permitted Development to insert any additional windows in eastern side elevation:

No window or door openings other than those shown on the approved plans shall be formed in the eastern side elevation of the development hereby permitted.

Reason:

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

Item 7- S.14/1161/FUL Threshing Tythe Barn, St Bartholomews View, Nympsfield

Officer recommendation overturned, addendum added to report, application permitted subject to the following conditions:

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

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:

Site Plan Proposed of 15/05/2014
Plan number = 1903 C

Proposed Elevations of 15/05/2014
Plan number = 1903/4

Proposed Elevations of 15/05/2014
Plan number = 1903/5

Reason:

To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.

No development shall take place until samples of the fencing material have been submitted (including its colour and finish) to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details and shall be maintained as such thereafter.

Reason:

In the interests of the visual amenities of the area and in accordance with Policies HN16 and BE12 of the adopted Stroud District Local Plan, November 2005 and Policy ES10 of the Stroud District Local Plan: Submission Draft December 2013.

Item 8 - S.14/1159/LBC Threshing Tythe Barn, St Bartholomews View, Nymphsfield

Officer recommendation overturned, addendum added to report, consent issued subject to the following conditions:

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.

No development shall take place until samples of the fencing material have been submitted (including its colour and finish) to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details and shall be maintained as such thereafter.

Reason:

In the interests of the visual amenities of the area and in accordance with Policies HN16 and BE12 of the adopted Stroud District Local Plan, November 2005 and Policy ES10 of the Stroud District Local Plan: Submission Draft December 2013.