



STROUD DISTRICT COUNCIL

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DEVELOPMENT CONTROL COMMITTEE

Meeting Papers

Tuesday, 12 August 2014

at

18:00

Members of Development Control Committee

Dorcas Binns - Member, Nigel Cooper - Member, Haydn Jones - Member, Dave Mossman - Member, Emma Sims - Member, Elizabeth Ashton - Member, Stephen Moore - Member, Stephen Robinson - Member, Roger Sanders - Member, Paul Hemming - Member, David Stephens - Chairman, John Marjoram - Member

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STROUD DISTRICT COUNCIL

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31 JULY 2014

DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held on **TUESDAY, 12 AUGUST 2014** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **18:00**.

David Hagg
Chief Executive

AGENDA



Please Note: This meeting will be filmed for live or subsequent broadcast via the Council's internet site (www.stroud.gov.uk). The whole of the meeting will be filmed except where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

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Public Speaking at Development Control Committee

The Council have agreed to introduce public speaking at meetings of the Development Control Committee. The procedure to be followed is set out on the page immediately before the Planning Schedule.

1 APOLOGIES

2 DECLARATIONS OF INTEREST
To receive declarations of interest.

3.1 MINUTES - 8 JULY 2014
To confirm and sign as a correct record the Minutes of the meeting held on 8 July 2014.

3.2 MINUTES - 24 JULY 2014
To confirm and sign as a correct record the Minutes of the special meeting held on 24 July 2014.

4 DEVELOPMENT CONTROL - PLANNING SCHEDULE

DEVELOPMENT CONTROL COMMITTEE

8 July 2014

6.00 pm – 8.30 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	A
Nigel Cooper	P	Roger Sanders	P
Paul Hemming	P	Emma Sims	P

** = Chair * = Vice-Chair

A = Absent P = Present

Other Members in attendance

Councillor John Jones

Councillor Mark Rees

Officers in attendance

Head of Planning

Solicitor

Development Control Team Manager

Water Resources Engineer

Senior Planning Officer (West Area)

Democratic Services & Elections Officer

DC.010 APOLOGIES

An apology for absence was received from Councillor Steve Robinson.

DC.011 DECLARATIONS OF INTEREST

There were none.

DC.012 MINUTES

RESOLVED That the Minutes of the Development Control Committee meeting held on 17 June 2014 are accepted as a correct record.

DC.013 PLANNING SCHEDULE

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

1.	S.14/0836/FUL	2.	S.14/0776/FUL	3.	S.14/0599/FUL
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Late Pages had been circulated to Members prior to the meeting and were available at the meeting in respect of Scheduled Items 1, 2 and 3.

DC.014 ITEM 1 – FULL PLANNING PERMISSION FOR A PROPOSED RESIDENTIAL RE-DEVELOPMENT (10 UNITS) AT 91 WESTWARD ROAD, STROUD, GLOS GL5 4JA (S.14/0836/FUL)

The Senior Planning Officer outlined the Application for the above site. Members confirmed that they had read the Late Pages, the letter and email that had been circulated prior to the meeting.

Councillor Tom Williams, a Ward Member for Cainscross, was unable to attend the meeting but had forwarded a written statement which the Officer read out. He did not object to the principle of future building on the site but emphasised that development must be in keeping with the streetscape of Westward Road. He considered that this Application was not suitable because it contravened Policies GE1, HN8, BE1, BE3, BE5 and GE5.

Councillor Mark Rees, a Ward Member for Cainscross also spoke against the Application citing similar reasons as Councillor Williams and requested Committee to either reject or amend the Application.

Mr B Pearce, Chairman of Cainscross Parish Council, also spoke against the Application. Objections had not been made to the previous application for 4 houses but the current Application for 10 units was unacceptable. He cited several reasons, including the lack of amenity space and the large windows, which would impair the privacy of other properties below.

Mr Miles Gray spoke on behalf of himself and also other concerned local residents stating that they had accepted the proposal for 4 houses but they objected strongly to this Application for 10 units. If granted, he considered that a precedent would be set, it would harm the Conservation Area, the height of the building would be overbearing and the massing was inappropriate.

Abigail Snook, the Agent outlined the Application which was for 10 units, comprising of 4 two-bed and 2 two-bed flats, located on a brown field site. The scheme would be of good quality and a mix of traditional and contemporary design.

The Officer clarified that, on page 6 of the Schedule, the sub-paragraphs of Condition 5 should be re-numbered from (a)-(e).

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

- The decision to grant permission had been made on the information that had been provided by the Applicant.
- The height of the proposed building was the same as the Application that had been withdrawn.
- The impact of the development on the Industrial Heritage Conservation Area.
- The Highways Authority had stated that the parking was acceptable.
- Members who had attended the sites visit had been able to view the site and its surroundings.
- If Members were dissatisfied with the accuracy of submitted plans they could defer the Application for this to be clarified.
- 'Juliet' balconies do not protrude out of a building but had windows with a balustrade in front of them. There was no room to step out onto them.

Members were shown details of the extant planning permission granted in 2012 and the current Application for comparison. From the Officer's recollection no substantial objections had been received for the extant scheme

A Motion to REFUSE the Application was proposed by Councillor John Marjoram and seconded by Councillor Roger Sanders, citing reasons for refusal as Policies GE1 and NH8.

Committee debated the Application and some Members concluded that there was a lack of amenity space, that the massing was too great, that the height of the building was excessive and too overbearing, that the proposal was out of keeping with the character of the area and an overdevelopment of the site. The views of local residents had to be taken into account. It was suggested that if the Application was permitted it would have an overbearing impact on The Retreat and Nos 77, 83, 85, 87 and 89 Westward Road in particular.

On being put to the vote, there were 9 votes for the Motion, 2 votes against and no abstentions; it was declared CARRIED.

RESOLVED To REFUSE Application S.14/0826/FUL, for the reasons as set out in these Minutes, and in Appendix A to these Minutes.

DC.015 ITEM 2 – FULL PLANNING PERMISSION FOR A RESIDENTIAL DEVELOPMENT AT BEACON HEIGHTS, CHELTENHAM ROAD, PAINSWICK, GLOS (S.14/776/FUL)

The Development Control Team Manager drew Members' attention to the Late Pages; no further comments had been received from Natural England and an email had been received from the Agent.

Mrs Nayegon, a local resident, objected to the Applications on the grounds of gross overdevelopment of the site, that a precedent would be created, there would be additional traffic because the public services were poor, local schools were already oversubscribed and that the Application was not sustainable.

Mr D Keyte, the Applicant's Planning Consultant, spoke in favour of the Application which he said complied with Policy HN10 and Paragraph 14 of the NPPF. There were

good public transport links available to Stroud, Cheltenham and Gloucester, no highway concerns were raised by the County, the Application was supported by the Parish Council and the statutory consultees.

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

- Whether the site was accessible to all services which included schools, doctors, a shop and employment, an acceptable walking distance being between 1-1.2 km.
- Sustainability and accessibility tests must be applied
- Consistent decision making was needed so as not to set a precedent.
- The plot was sizeable and could accommodate the proposed dwellings.

A motion to grant planning permission, was proposed by Councillor Nigel Cooper and seconded by Councillor Emma Sims. The Proposer cited a number of reasons, including the support of the Parish Council, that the 5 additional dwellings would contribute to the housing supply, including 1 affordable dwelling and there was also a play space contribution. The site was located along the A46, by a bus stop and had good transport links. The Proposer felt that the proposal was compliant to Policy TR1 and was also sustainable. Officers could be delegated authority to impose Conditions and conclude the Section 106 Agreement.

During debate Members expressed their differing opinions regarding the acceptability of the proposal including that the bus service ceased at 6.00 pm, that walking and cycling would be hazardous because of the speed of traffic along the road, that the development was unsustainable because residents needed transportation to access facilities and that if granted the Application would set a precedent for future development. However it was also noted that the Application was supported by the Parish Council and that smaller family properties were needed.

On being put to the vote, there were 2 votes for the Motion, 9 votes against and no abstentions; it was declared LOST.

A Motion to ACCEPT the Officer's recommendation, was proposed by Councillor John Marjoram and seconded by Councillor Dorcas Binns.

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

RESOLVED To REFUSE Application S.14/0577/FUL, as set out in these Minutes, stated in the report and in Appendix A to these Minutes.

At 7.35 pm the meeting was adjourned and reconvened at 7.40 pm.

DC.016 **ITEM 3 – FULL PLANNING PERMISSION FOR THE ERECTION OF THREE DWELLINGS ON LAND ADJOINING MIRAMONT, WHITMINSTER LANE, FRAMPTON-ON-SEVERN, GLOS. (S.14/0599/FUL)**

The Senior Planning Officer outlined the above Application and drew Members' attention to the Late Pages and an email of support received from Daniel Hillman.

Councillor John Jones, a Ward Member for Severn, outlined the Application which was outside of the Frampton-on-Severn development boundary. He requested Members take account of what they had seen at their recent site visit, the impact the 3 dwellings would have upon the site, the contents of the Officer's report and all representations.

Mr Alexander, the Chair of Frampton-on-Severn Parish Council confirmed that the Council had opposed the Application because it was outside of the settlement boundary, there were issues with flooding and the site access was on a sharp bend.

Mr K Wain spoke on behalf of himself and also the Oatfield Residents Association who were against the Application because of its sustainability, citing many reasons including lack of street lighting or pavement, the design and layout conflicted with properties at Oatfield, issues with surface water and the closure of the Post Office at the end of the month.

Mr Ian Palmer spoke in favour of the Application. The development would provide homes for local people. The Council had no valid Local Plan, there were local facilities and clubs, no highway issues had been recorded since 2008 and the site was not located on a flood risk area. The Application was also in accordance with the NPPF Guidance.

The Council's Water Resources Engineer confirmed that the area was sited within a 1/1000 flood zone. Because of the water table, surface water did lie on the ground which was porous gravel soil, but there was very little historical evidence available. There would be no increase in the risk of flooding to the surrounding properties. Tests carried out on the site for soakaways had shown water had rapidly disappeared. The area was very flat but water had a slight tendency to run off to the east into the watercourse. A margin of +30% had been added for the soakaway, as suggested by the Applicant. If in the future the site flooded, whether the houses were built or not the site would be able to take its own water.

The Senior Planning Officer reiterated the sustainability of the Application, which was situated away from the historical settlement but within proximity to the settlement boundary, having access to the high street, the doctors surgery was within walking distance, with public footpaths giving good visibility for walkers. The Officer also drew Members' attention to Condition 9 of the Application regarding surface water and foul sewerage disposal; an additional Condition could be added to include finished floor levels if necessary.

A Motion to ACCEPT the Officer's recommendations, with the additional Condition, was proposed by Councillor Stephen Moore and seconded by Councillor Nigel Cooper.

During debate Members expressed their differing views about the Application.

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 permission for Application S.14/0599/FUL, as set out in these Minutes, subject to the Conditions stated in the report and in Appendix A to these Minutes.

The meeting closed at 8.30 pm.

Chair

**Amendments for Development Control Committee
8 July 2014**

In addition to the amendments stated on the Late Pages.

ITEM No: 1	Application: S.14/0836/FUL
Address: 91 Westward Roar, Cainscross	

Application refused:

The proposed development, by virtue of its design, scale, height and massing would be out of keeping with the scale and character of the area and would cause harm to the Industrial Heritage Conservation Area, contrary to Policy HN8 of the adopted Stroud District Local Plan, 2005.

The proposed development, by virtue of its scale, height and massing would have an overbearing impact on the adjacent residential properties and would promote an unacceptable level of overlooking and loss of privacy, contrary to the requirements of Policy GE1 of the adopted Stroud District Local Plan, November 2005.

ITEM No: 02	Application: S.14/0776/FUL
Address: Beacon Heights, Cheltenham Road, Painswick	

No amendments.

ITEM No: 03	Application: S.14/0599/FUL
Address: Land adjoining Miramont, Whitminster Lane, Frampton on Severn	

Additional condition (condition 12) regarding levels:

No development shall take place until details of the existing ground and garage levels, proposed finished floor levels of the dwellings and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the details as approved.

Reason:

In the interests of the character and appearance of the area and the amenities of local residents in accordance with Policies HN8 and GE1 of the adopted Stroud District Local Plan, November 2005.

DEVELOPMENT CONTROL COMMITTEE

24 July 2014

6.00 pm – 6.10 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	A
Dorcas Binns	P	Steve Robinson	P
Nigel Cooper	P	Roger Sanders	P
Paul Hemming	P	Emma Sims	P

** = Chair * = Vice-Chair A = Absent P = Present

Other Members in attendance

Councillor Mark Rees

Officers in attendance

Head of Planning Solicitor
Development Control Team Manager Democratic Services & Elections Officer
Principal Planning Officer

On behalf of Committee the Chair paid tribute to former Councillor Mike Charley, former Chair of Planning Committee who had recently passed away and also congratulated Councillor John Marjoram on his recent marriage.

DC.017 APOLOGIES

An apology for absence was received from Councillor Dave Mossman.

DC.018 DECLARATIONS OF INTEREST

There were none.

DC.019 PLANNING SCHEDULE

The Head of Planning read out the following statement:-

“Officers would like to recommend that Item 3 on today’s agenda, that being the Schedule of Planning Applications, is deferred to a future meeting.

The reason for this request is that in between the publication of the Schedule of Applications and the convening of this meeting, the Council has received a significant number of highly detailed and technical submissions.

Because of the nature and complexity of the issues involved it would not be possible for Members of the Committee and the public to have to read and digested the updated report in the limited time available.

It would also raise the possibility of legal challenge to any resulting permission on the grounds that Members may have been confused or unintentionally misled with regard to key material considerations.

Officers take the view that all three applications must be heard together, so that members may make the necessary comparisons suggested by national planning guidance and frameworks.

Officers have already contacted the respective agents with a proposed timetable and we await their initial observations before proposing a date to consider all three applications.”

The Head of Planning confirmed that a detailed timetable had been sent to all parties and after receipt of additional information and following a period of consultation a Special Committee meeting would take place in mid-September (at a date yet to be confirmed).

A Motion to DEFER the Planning Schedule was proposed by Councillor John Marjoram and seconded by Councillor Liz Ashton who concurred with the Officer’s advice.

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

RESOLVED For the reasons set out in these Minutes, to DEFER consideration and determination of the applications contained in the Schedule of Applications to a future meeting of the Committee, the date to be determined by the Head of Planning.

The meeting closed at 6.10 pm.

Chair