

**DEVELOPMENT CONTROL COMMITTEE**

17 June 2014

 6.00 pm – 8.47 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	A
Dorcas Binns	A	Steve Robinson	P
Nigel Cooper	P	Roger Sanders	P
Paul Hemming	A	Emma Sims	P

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

A = Absent P = Present

**Other Members in attendance**

Councillor Paul Carter

Councillor Penny Wride

**Others in attendance**

Robert Fox, Consultant

**Officers in attendance**
 Head of Planning  
 Principal Planning Officer  
 Senior Planning Officer

 Legal Services Manager & Monitoring Officer  
 Democratic Services & Elections Officer

The Chair welcomed newly elected and long serving members to Committee. He also paid tribute to former Councillor Len Tomlins who had recently passed away and had been a long serving Committee member. The Committee stood for a minutes silence in his memory.

**DC.001 APOLOGIES**

Apologies for absence were received from Councillors Dorcas Binns, Paul Hemming, Haydn Jones and Dave Mossman.

**DC.002      DECLARATIONS OF INTEREST**

There were none.

**DC.003      MINUTES**

**RESOLVED** That the Minutes of the Development Control Committee meeting held on 13 May 2014 are accepted as a correct record.

**DC.004      PLANNING SCHEDULE**

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

1.	S.12/1098/FUL	2.	S.14/0659/FUL	3.	S.14/0276/COU
4.	S.14/0560/COU	5.	S.14/0428/HHOLD		

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.005      ITEM 1 – FULL PLANNING PERMISSION FOR A NEW AGRICULTURAL DWELLING ON LAND AT SUGLEY LANE, HORSLEY, GLOS (S.12/1098/FUL)**

The Senior Planning Officer outlined the Application for the above site and summarised the Late Pages received from Mr G G Foster and Horsley Parish Council setting out reasons for refusing the Application. An amendment to the second paragraph of page 20 was also highlighted, the word “either” should have read “neither”.

Councillor Paul Carter, a Ward Member for Nailsworth spoke against the Application citing numerous reasons including highway safety, in the past similar Applications had been refused, neighbours living nearby had raised objections, the design and size of the Application was too large, and questioned the essential need for the dwelling.

Mr Allan Caudwell, Chair of Horsley Parish Council also spoke against the Application, citing paragraph 55 of the NPPF. An executive summary of the Parish Council’s objections had been circulated to Members prior to the meeting.

Mr Peter Marriage resided in the locality and objected to the dwelling because the farmyard was only accessible by a narrow steep winding single track with high banks and had no passing places. The track was a danger to pedestrians who could slip under a vehicle.

The Agent, Mr Gordon Simpson, spoke in favour of the Application which would be built using sustainable materials and added the business would rear and grow organic produce for sale locally. He thanked Officers for their advice that had resulted in an Application which complied with the Council’s policies.

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

- HN11 was not a saved policy.
- Charitable status was not a planning consideration, the decision for Members to make was whether there was a need for a new agricultural dwelling.
- A lease had not been signed, but Members could resolve to grant permission once the lease had been entered into.
- The land was used for agricultural use.
- The Applicant was looking to further develop the site into a farming enterprise and had a business plan.
- A thorough assessment had been carried out by Mr Fox, the Council's Consultant based on essential need to be on site and the marketing of future produce with a customer base of vegetable boxes, eggs and bales of hay. A business plan had been examined and the main income would be from agriculture.
- The Wheelbarrow Yard site had 9 acres of arable farming land.
- If Members were minded to grant permission a resolution could be made to grant permission subject to the signing of the lease, because this was essential to the viability of the business.
- The Applicant or his wife would be available to tend to the vulnerable livestock.
- The provision of utilities upon the site was not a planning consideration.
- A search for suitable alternative dwellings had been made around the area but none had been suitable.

A Motion to REFUSE the Application was proposed by Councillor Nigel Cooper and seconded by Councillor Emma Sims. He cited paragraphs 55 and 58 of the NPPF and policies GE5, ES3, HN10 and CP14 as reasons for refusal.

Members debated the Application and concluded that there was little evidence of farming activity upon the site, the business viability had not been proven, the house was too large and there were already suppliers of organic produce and box schemes within the area.

Councillor Stephen Moore proposed an amendment to the Motion, which was seconded by Councillor John Marjoram that the scheme had not demonstrated its viability. The amendment was accepted by Councillors Cooper and Sims and upon the vote unanimously agreed by Committee Members.

On being put to the vote, there were 8 votes for the Motion, votes against and no abstentions; it was declared CARRIED.

**RESOLVED To REFUSE Application S.12/1098/FUL, for the reasons as set out in these Minutes, and in Appendix A to these Minutes.**

**DC.006**      **ITEM 2 – FULL PLANNING PERMISSION FOR A RESIDENTIAL DEVELOPMENT AT 1 SOUTHVIEW, COTSWOLD CLOSE, BRIMSCOMBE, STROUD, GLOS, (S.14/0659/FUL)**

The Principal Planning Officer drew Members' attention to the Late Pages and revised plans that the proposed dwelling had been moved approximately 1.5 metres into the northern rear of the plot. An amendment to page 22, Condition 2, was highlighted, to ensure the correct plans would be approved. The neighbour had been advised of the revised plans and maintained her objection, that the house should be moved a further 1.5 metres to the rear. A plan was shown to Members and it was confirmed that the distance between the new dwelling and a neighbour was 3 metres.

Ms Alison Spence, a local resident spoke on behalf of herself and other local residents who had raised objections to the Application. She stated the Application, if granted, would overdevelop the plot, overlook neighbours and be overbearing. Because the development was south facing it would create a cold environment for neighbours, there were a lack of local amenities and would create highway safety problems.

Mr L Britton, the Agent for the Applicant confirmed that he had undertaken a Pre-Application meeting with Planning Officers and had withdrawn an Application and revised it. The Application satisfied the NPPF and Council's policies and he sought Committee approval.

The Officer confirmed that when viewed from the road the extension was single storey but two-storey when viewed from the garden.

A Motion to ACCEPT the Officer's recommendations, with the amended Condition, was proposed by Councillor Liz Ashton and seconded by Councillor Roger Sanders.

Members had recently visited the site and saw that the development mirrored a nearby property and had two parking spaces. Some Members were in favour of the Application but some thought that one dwelling would have been more appropriate; two dwellings would result in overdevelopment of the site.

On being put to the vote, there were 4 votes for the Motion, 3 votes against and no abstentions; it was declared CARRIED.

**RESOLVED To grant permission for Application S.14/0577/FUL, as set out in these Minutes, subject to the Condition stated in the report and in Appendix A to these Minutes.**

**DC.007**      **ITEM 3 –CHANGE OF USE AND CONVERSION OF LIVERY STABLES TO RESIDENTIAL DWELLING AT THE PALLSADES, WICK LANE, STINCHCOMBE, DURSLEY, GLOS, (S.14/0276/COU)**

The Senior Planning Officer drew Members' attention to the Late Pages and the planning history that Members had requested when visiting the site. An amendment to Condition 5, on page 33, was highlighted and should now read "the dwelling as such".

Councillor Penny Wride, Ward Member for the Vale spoke against the Application because it did not comply with the Stinchcombe Village Plan, would be outside of the village boundary and would not be sustainable.

The Officer confirmed that the buildings were not in agricultural use.

Mr Jack Sant, Vice-Chair of Stinchcombe Parish Council spoke against the Application because the site was outside the village settlement area and development should be within the village envelope. Tipping had taken place on the land resulting in contamination and top soil had also been removed. He urged Committee to defer or reject the Application until the amount of material had been stated for the bund.

The Officer confirmed that the creation of a bund was not for consideration because it did not form part of the description of development, which was for a change of use and conversion of stables to a residential dwelling. The Head of Planning confirmed that the bund was a long standing issue associated with this site and would require planning permission from both the District and County Councils. Members agreed that a Condition should be added to the Application to reflect this. Officers confirmed that to their knowledge there was no contaminated land present within the red line and the use of the redundant buildings for the purpose intended complied with NPPF and the Council's policies. The site had been used for domestic equestrian use and had not been used commercially.

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

During debate some Members thought the proposal was feasible but others thought that if an application had been received for a dwelling it may have been refused.

On being put to the vote, there were 5 votes for the Motion, 0 vote against and 2 abstentions; it was declared CARRIED.

**RESOLVED To grant permission for Application S.14/0276/COU, as set out in these Minutes, subject to the Conditions stated in the report and in Appendix A to these Minutes.**

**DC.008      ITEM 4 –CHANGE OF USE FROM ASSEMBLY AND LEISURE TO A MIXED USE CONSISTING OF A NURSERY AND ASSEMBLY AND LEISURE AT CORONATION HUT, 16 DR BROWNS ROAD, MINCHINHAMPTON, STROUD, GLOS (S.14/0560/COU)**

The Principal Planning Officer had nothing to add to the report.

In the absence of Councillor Dorcas Binns, a Ward Member for Minchinhampton, the Head of Planning read out her statement which did not object to the use of the hut as a nursery but raised concerns regarding the operating hours which would affect the wellbeing of local residents because of excessive noise and also increased traffic movements.

Mr N Rutherford lived adjacent to the site and spoke against the Application which he felt was unacceptable. If accepted the proposal would damage future community relationships because an after school club was not a community activity. He also raised concerns regarding road safety citing Policy GE1.

Mr James Taylor, Chair of the Minchinhampton Scout Group spoke in favour of the Application. He confirmed that there had been a day nursery on the site since 1967 and this was the first time objections had been raised. Responsible adults would be supervising the children and controlling noise levels. The Highway Authority had not objected to the Application. With the agreement of Committee, photographs were circulated to Members.

Officers replied to Members questions where it was clarified that the Highway Authority did not think it was necessary to mark the road as a “no parking” zone outside the entrance of the Scout Hut. The hours suggested were typical of a nursery.

During debate Members expressed their conflicting views and sympathised with both the Applicant and also local residents who would be affected.

A Motion to ACCEPT the Officer’s recommendation was proposed by Councillor Stephen Moore and seconded by Councillor Liz Ashton.

On being put to the vote, there were 6 votes for the Motion, 1 vote against and no abstentions; it was declared CARRIED.

**RESOLVED To grant permission for Application S.14/0560/COU, as set out in these Minutes and in Appendix A to these Minutes.**

**At 8.15 pm the meeting was adjourned and reconvened at 8.20 pm.**

**DC.009      ITEM 5 – HOUSEHOLDER APPLICATION AT LOWER CHEYNE, QUEENS ROAD, STROUD, GLOS, (S.14/0428/HHOLD)**

The Principal Planning Officer drew Members’ attention to the Late Pages reducing the size of the balcony and the revision to the wording of condition 6 to ensure that the proposed condition referred to the correct plans.

Mr Stuart Egerfield and Mr Tony Brook, neighbours, spoke against the Application because the balcony overlooked neighbours garden areas, was overbearing and did not comply with the Stroud Householder Guide. They requested that the Application be refused.

Mr Adam Lewis, the Applicant, outlined the Application and confirmed that he had amended his Application many times to address his neighbour’s concerns.

The Officer answered Members’ questions confirming that the solar panels would be of standard design and the balcony would protrude by 2ft rather than 4ft.

**At 8.33 pm the meeting adjourned and reconvened at 8.39 pm.**

A sketch plan was shown to Members which clarified the boundary and line of the timber fence. A Member concluded that the Application was imaginative and sensitive to other properties within the area.

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

During debate Members were unanimous that the Applicant had submitted an Application which would enhance his property and also had made every effort to also appease concerned neighbours.

On being put to the vote, there were 7 votes for the Motion, 0 votes against and no abstentions; it was declared CARRIED.

**RESOLVED To grant permission for Application S.14/0428/HHOLD, 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 8.47 pm.

Chair

**Amendments for Development Control Committee  
17 June 2014**

**Item 1**

**S.12/1098/FUL - Land at Sugley Lane, Horsley**

Reasons for refusal

- 1) The fragmented arrangement of land forming the agricultural unit suggests that there will be multiple vehicular movements and trips to serve the enterprise which, in the opinion of the Local Planning Authority, will increase the number of vehicular movements on an unsuitable highway network. In particular Sugley Lane is a very narrow unmade road with steep sides and no passing places, which is used by a significant amount of non-vehicular traffic – for example walkers, horse riders. Any increase in vehicular traffic using Sugley Lane is likely to result in a severe increase in danger to road users, contrary to policy GE5 of the adopted Stroud District Local Plan, and policy ES3 of the emerging Stroud District Local Plan, submission draft December 2013.
- 2) The design of the proposed dwelling does not reflect the local vernacular of the area and, taken with its scale, the building is too large and grand in relation to its setting and the enterprise it is intended to serve. The proposed dwelling is therefore contrary to paragraph 58 of the NPPF and policy CP14 of the emerging Stroud District Local Plan, Submission draft Dec 2014, particularly point 5.
- 3) The viability of the farming enterprise has not been adequately demonstrated on land currently owned by the applicant. Some of the land put forward by the applicant for inclusion in their farming business as part of their business plan is not currently in their control. Consequently it has not been proven that there is a need for an agricultural worker's dwelling on the site. The proposed development is therefore contrary to paragraph 55 of the NPPF, policy HN10 of the adopted Stroud District Local Plan and policy CP15 of the emerging Stroud District Local Plan, submission draft Dec 2013.

**Item 2**

**S.14/0659/FUL - 1 Southview, Cotswold Close, Brimscombe**

Late pages referred to revised plans and amendment to condition 2 to refer to the correct plans.

Principal Planning Officer reported that the neighbour was aware of the revised plans and maintains objection to the scheme due to loss of light and overbearing impact. The neighbour requests that the dwelling is pushed a further 1.5 metres back into the site.

**Item 3**

**S.14/0276/COU - The Pallisades, Wick Lane, Stinchcombe**

Add condition

Notwithstanding the details shown on drawing number PO1 and notwithstanding the provisions of Class A, Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without); no bunds shall be erected on the land the subject of this permission.

Reason:

For the avoidance of doubt and to ensure good planning.

**Item 4**

**S.14/0560/COU – Coronation Hut, 16 Dr Browns Road, Minchinhampton**

No updates.

**Item 5**

**S.14/0428/HHOLD – Lower Cheyne, Queens Road, Stroud**

Late pages referred to revised plans and amendment of condition 6 to reflect this.