

DEVELOPMENT CONTROL COMMITTEE

9 July 2013

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6.00 pm – 7.55 pm

Council Chamber, Ebley Mill, Stroud

Minutes**Membership:**

Ken Stephens**	A	David Drew	P
John Marjoram*	P	Paul Hemming	P
Liz Ashton	P	Haydn Jones	P
Dorcas Binns	P	Graham Littleton	A
Rowland Blackwell	P	Stephen Moore	A
Nigel Cooper	P	Martin Whiteside	P

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

Other Members in attendance

Dennis Andrewartha Brian Tipper

Officers In attendance

Head of Planning	D.C Team Manager
Principal Planning Officer	Locum Solicitor
Senior Planning Officer	Democratic Services and Elections Officer
Democratic Services and Elections Apprentice	

The Chair informed all present that Public speaking at the meeting would take the following order and that the Constitution had changed to allow Public speaking on all Planning Schedule items:-

Ward Member – No time restriction

Parish Member – 3 Minutes

Opposition – 3 Minutes

Supporter – 3 Minutes

Where items were taken together the public speaking would be extended.

In the absence of the Chair, Councillor Ken Stephens, the Vice-Chair, Councillor John Marjoram chaired for the duration of the meeting.

DC.012 APOLOGIES

Apologies for absence were received from Councillors Ken Stephens, Graham Littleton and Stephen Moore.

DC.013 DECLARATIONS OF INTEREST

(a) Personal and Prejudicial Interests

Councillors	Application No/ Agenda Item	Nature of Interest (where disclosed)	Action taken in respect of disclosure
Martin Whiteside	Schedule Item 1 S.12/0545/FUL	Personal and non Prejudicial Interest Councillor knew the Applicant.	Remained in the Chamber and took part in the discussion and voting.
John Marjoram	Schedule Item 1 S.12/0545/FUL	Personal and non Prejudicial Interest Councillor knew the Applicant.	Remained in the Chamber and took part in the discussion and voting.

(b) Section 106 of the Local Government Finance Act 1992

There were none.

DC.014 MINUTES

RESOLVED That the Minutes of the Development Control Committee meeting held on 18 June 2013 are accepted as a correct record.

DC.016 PLANNING SCHEDULE

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

1.	S.12/0545/FUL	2.	S.13/1028/FUL	3.	S.13/0779/FUL
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DC.017 ITEM 1 – APPLICATION FOR FULL PLANNING PERMISSION AT BADBROOK HALL, BATH STREET, STROUD (S.12/0545/FUL)

The Principal Planning Officer presented the returning item following a Sites Inspection Panel visit. As there was no public speaking at the meeting held in June, the Chair invited objectors and supporters of the application to address the Committee.

The Principal Planning Officer showed a photo montage of the proposed development from two different approaches into Stroud. The site was within the defined town centre and was located on the Merrywalks side at the corner with Gloucester Street and Bath Street. The development sought permission for the demolition of the existing building and erection of a

new building which would provide 14 co-housing units. The building would provide on-site recreation, cycle storage, a retail unit and roof garden. The elliptical shaped building would provide a basement and accommodation on five floors. The proposed development would be in close proximity to several Grade II Listed buildings including the Painswick Inn.

The Chair invited **Ward Member** to address the Committee. Councillor Roger Sanders spoke in opposition to the proposed development stating that the location was a major gateway into Stroud Town Centre. Whilst the Uplands Ward Member was not against modern designed buildings, he felt that both the location and design was inappropriate. The lack of car parking caused the Member concern as there had been problems with car free developments located along the Slad Road. The Ward Member urged the Committee to remember the special roofscape that was staggered with the topography and captured by so many artists.

The Chair invited **Ward Member** to address the Committee. Councillor Andy Read had prepared a statement, which the Chair read on his behalf. The Ward Member for Central Ward also objected to the proposed development. The Ward Member stated that the development would have a detrimental visual impact on both the gateway and on the surrounding Listed Buildings.

The Chair invited anyone wishing to speak in **opposition** to the application to address the Committee; there were none.

The Chair invited anyone wishing to speak in **support** of the application to address the Committee. Mr Peter Holmes, the Architect was disappointed by the objections raised by the Town Council, as their Minutes of November 2011 stated that Councillors had liked the design. The Architect explained the proposed design to the Committee and confirmed that the proposed development would be lower in the ridgeline than the extant permission.

County Councillor Sarah Lunnon also spoke in favour of the proposed development. The Committee were informed that the extant permission would be pastiche and that the proposed development would be the first passive block of flats in the country. Stroud Town was more likely to remain a viable and vibrant town with the erection of such dwellings.

The Principal Planning Officer was able to show Members the differences between the extant permission and the proposed.

In reply to a Member asking whether market testing had been carried out in relation to the proposed retail unit, it was explained that as the development was within the defined Town Centre the provision of such a unit was entirely appropriate.

A Motion to REFUSE the application was proposed by Councillor Dorcas Binns and seconded by Councillor David Drew. Reasons given for refusal were, Policy BE5 and NPPF 56, 64, 65 and 132. These policies related to volume, height, street scene, scale, massing, design and adverse affect on roofscapes respectively.

On being put to the vote, there were 5 votes for the Motion, 2 votes against, and 1 abstention; it was declared CARRIED.

Accordingly, the Committee

RESOLVED To REFUSE application S.12/0545/FUL for the reasons stated in these Minutes and in Appendix a (attached).

DC.018 **ITEM 2 – APPLICATION FOR FULL PLANNING PERMISSION AT ELSTUB LANE, CAM (S.13/1028/FUL)**

The Senior Planning Officer presented the application for full planning permission at Elstub Lane, Cam. The application was a resubmission following refusal in March 2013. The Senior Officer drew Members attention to the Late Pages, which contained additional letters of objection. The attention of the Committee was also drawn to copies of recent Appeal decisions submitted by the applicants which had been circulated to Members by Officers prior to the start of the meeting.

The application had reduced the number of houses by one, and permission was now sought for the erection of 18 dwellings. Plots 3-6 had been reduced in height from 2 storey properties to bungalows and the flats had also been replaced.

The Chair invited the **Ward Member** to address the Committee. Councillor Brian Tipper spoke in opposition to the proposed development stating that the roads adjacent to the site were used as a 'rat-run' twice a day for drop off and pick up from school. Although the Police had no accident data on these roads, there had been several near misses. As the site was landlocked, the proposed development was thought to be out of keeping, over development and would be intrusive.

The Chair invited **Ward Member** to address the Committee. Councillor Dennis Andrewartha also spoke in opposition to the application. The Ward Member said that developments should be linked to the jobs and growth strategy. The Ward Member stated that the proposed development would not contribute anything to the community.

The Chair invited anyone wishing to speak in **opposition** to the application to address the Committee. Mr Mike Glen was very concerned about the outcome of the Road Safety Study, which had condemned the proposal for unsatisfactory pavements, the school entrance and the narrow road. Speaking on behalf of the residents, it was felt that this would only exacerbate the current situation with additional traffic from the proposed development. Residents were also concerned about the intrusion into the countryside.

The Chair invited anyone wishing to speak in **support** of the application to address the Committee. Mr Jeremy Drew, Newland Homes, spoke in support of the application and drew Members attention to the changes in the proposed plans. In addition to the changes Mr Drew stated that potentially 225 jobs would be created and the application offered 30% affordable housing.

A Motion to REFUSE the application using the same reasons as previously was proposed by Councillor David Drew. The Motion was seconded by Councillor Rowland Blackwell.

Following advice from both the Head of Planning and the Locum Solicitor an amendment to the Motion was proposed by Councillor Haydn Jones and seconded by Councillor Martin Whiteside to REFUSE the application solely on the grounds of HN10. In accordance with the Officer's recommendation

During the debate the Head of Planning informed the Committee that a refusal reason based on Policy HN10 would be more defensible than the previous reasons for refusal in light of additional information submitted by the applicant. If Members were minded to

proceed with the original reasons the Authority would need to employ a third party to defend it, as Officers were on record as finding the additional information acceptable.

On being put to the vote, there were 6 votes for the amendment, 3 votes against, and 0 abstentions; it was declared CARRIED.

On the substantive Motion to refuse the application being put to the vote, there were 8 votes for the Motion, 1 vote against, and 0 abstentions; it was declared CARRIED.

Accordingly, the Committee

RESOLVED To REFUSE application S.13/1028/FUL as contrary to Local Plan Policy HN10 as set out in the report.

DC.019 ITEM 3 – APPLICATION FOR FULL PLANNING PERMISSION ON THE SITE FORMERLY KNOWN AS OVERDALE, SLAD ROAD, SLAD (S.13/0779/FUL)

The Principal Planning Officer requested that the item be deferred due to discrepancies in the plans, which had been identified at the Sites Inspection Visit. The Principal Planning Officer suggested that the item be brought back to Committee in August with the correct information.

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

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

Accordingly, the Committee

RESOLVED To DEFER application S.13/0779/FUL for the reasons stated in the Minutes.

The Meeting closed at 7.55 pm.

AMENDMENT SHEET FOR DEVELOPMENT CONTROL COMMITTEE 9th JULY 2013

ITEM 1: Badbrook Hall, Bath Street Stroud. S.12/0545/FUL

Application REFUSED for the following reason:

‘The site is a prominent focal point from several approaches and a key gateway to the Stroud town centre. The proposal due to its design, height, massing, scale and materials, would spoil the street scene and cause harm to the setting of a number of heritage assets including the adjacent Stroud Town Conservation Area and the listed buildings of the Painswick Inn, Willow Court, the British School and St.Lawrence Church . The proposal is therefore contrary to paragraphs 56, 64, 132, 133 of the National Planning Policy Framework and Policies BE5 and BE12 of the adopted Stroud District Local Plan, November 2005.’