

## DEVELOPMENT CONTROL COMMITTEE

# 3

19 February 2019

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

### Minutes

#### Membership

Councillor Tom Williams (Chair)	P	Councillor Haydn Jones	A
Councillor John Marjoram (Vice-Chair)	P	Councillor Steve Lydon	P
Councillor Martin Baxendale	P	Councillor Karen McKeown	P
Councillor Dorcas Binns	P	Councillor Jenny Miles	P
Councillor Miranda Clifton	P	Councillor Jessica Tomblin	A
Councillor Nigel Cooper	P	Councillor Mark Reeves	P

P = Present    A = Absent

#### Officers in Attendance

Planning Manager	Senior Planning Officers
Development Manager	Solicitor and Acting Monitoring Officer
Team Manager	Democratic Services Officer

#### Other Members in Attendance

Councillors Mossman, Whiteside, McAsey, John Jones and Pearson were in attendance.

#### DC.056      APOLOGIES

Apologies for absence were received from Councillors Tomblin and Haydn Jones.

#### DC.057      DECLARATIONS OF INTEREST

Councillors Miles and Clifton, as Members of the Housing Committee declared that they did not have an interest in Agenda items 4.3, 4.4 and 4.5. Nevertheless in being transparent and open they wished it to be noted that they are members of the Housing Committee; however, they had not been involved with the application and did not consider they had an interest under the Code of Conduct which would prevent them from taking part in the matter and had retained an open mind.

#### DC.058      MINUTES – 8 AND 22 JANUARY 2019

**RESOLVED** That the Minutes of the meetings held on 8 and 22 January 2019 are accepted as a correct record.

**DEVELOPMENT CONTROL PLANNING SCHEDULE**

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

1	S.18/2326/REM	2	S.17/1446/FUL	3	S.18/2219/FUL
4	S.18/2222/FUL	5	S.18/2237/FUL	6	S.18/2073/VAR
7	S.18/1678/FUL	8	S.18/1039/FUL	9	S.18/2322/FUL

Late pages relating to items 4.1, 4.2, 4.6 and 4.9 on the schedule had been circulated to Committee prior to the meeting.

**DC.059      PARCEL H11 & H12 LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND (S.18/2326/REM)**

The Planning Officer advised Members that the application was being brought back to Committee because of the late comments that had been received from the Highway Authority. The view from the Highway Authority was to remove the shared space and to leave a greater area of hard surface. Officers reported that this would necessitate a re-design of the layout.

Officers asked for delegated consent to approve the final design and layout.

Councillor Cooper proposed a Motion to accept Officers' advice; this was seconded by Councillor Lydon.

On being put to the vote there were 9 votes for and 1 vote against.

**RESOLVED To grant application S.18/2326/REM.**

**DC.060      LAND EAST OF WATERWELLS, MARCONI DRIVE, QUEDGELEY (S.17/1446/FUL)**

Planning Officers reported that the full application was for 118 dwellings with the majority located within the Gloucester City boundary and only 34 within the Stroud District boundary. Gloucester City Council had already granted consent for the dwellings within its boundary and Officers reported that this permission would be a material consideration and should be given significant weight when considering the application on the Stroud side.

Councillor Mossman spoke on behalf of Hardwicke Parish Council and as Ward Councillor. There were concerns that Marconi Drive was the only access road into Hunts Grove and the proposed construction work would further hinder residents of Hunts Grove. Councillor Mossman noted that a new construction road into Hunts Grove was planned to be in place by August 2019. Councillor Mossman proposed some additional conditions to the application; the provision of a traffic marshal in Waterwells Drive to ensure that construction vehicles did not enter the site before the agreed times, a fine of £200 to be levied against companies not adhering to the agreed times. It was also proposed that any management charges would be applied equally across the site.

In response to a question from Members the Senior Planning Officer advised that the issue of traffic marshals could be included within a construction method statement but that charging fines for not adhering to the agreed times was not something that could be controlled by the Council. A traffic marshal would operate similarly to a 'banksperson'.

Members asked for clarification as to when the affordable homes would be built and asked that such provision should be brought forward early in the development. The Planning Manager recommended that the District Council seek a trigger of all the affordable homes being built before 25% of the market housing is completed. Further Members questions sought to stress the importance that the affordable housing was brought forward in a timely manner.

Councillor Lydon proposed a Motion to accept Officers' advice; with the inclusion of the 25% trigger for affordable homes and the provision of traffic marshals, this was seconded by Councillor Marjoram.

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

**RESOLVED To grant permission for application S.17/1446/FUL, subject to confirmation from Natural England, the addition of a traffic marshal provision and delegated authority to complete the legal agreement.**

**DC.061      LAND ADJACENT TO 15A ASH GROVE, UPTON ST LEONARDS.**  
**(S.18/2237/FUL)**

In response to a request from Councillor Pearson this item was considered before applications S.18/2219/FUL and S.18/2222/FUL. Councillor Pearson's would be commenting on all three applications.

The Senior Planning Officer introduced the application which was an 'in house' application for a four bed dwelling with the land being held by the Housing Revenue Account. The site was a car parking area that had once served the homes that surround it. The homes having been privately purchased from the Council.

Councillor Pearson spoke as Ward Councillor and Chair of Upton St Leonards Parish Council. He informed the Committee that his comments would cover the 3 applications which were sites within the Parish. He stated that he supported the Council's aims to maximise use of its land to provide homes. The main concerns around the applications related to the parking proposals. The areas were Council designated areas which previously accommodated some garage blocks. Residents had been parking in these areas for the past 50 years and at no time had the District Council indicated that parking was not allowed.

The proposed developments would remove these parking spaces and displace 20 vehicles which would then be parked in areas making it difficult for buses and refuse vehicles to travel around this area. A Member expressed concern that the loss of 14 car parking spaces would be a great inconvenience to residents.

Members asked if residents who currently use the existing parking spaces, would be able to claim some rights over the area given that it had been a parking area for over 50 years. The Planning Manager advised that this would be an issue for the applicant in implementing permission but would not be an impediment to the Committee granting permission.

In response to questions about the traffic survey Members were advised that the survey was undertaken on weekdays and weekends.

Councillor Binns proposed a Motion to accept Officers' advice; this was seconded by Councillor McKeown.

When put to the vote there were 6 votes for and 4 votes against.

**RESOLVED To grant permission for application S.18/2237/FUL**

**DC.062      LAND ADJACENT TO 59 WOODLAND GREEN, UPTON ST LEONARDS (S.18/2219/FUL)**

The Senior Planning Officer presented the application for the development of two dwellings on land owned by the Council's Housing Revenue Account. The site was a central parking area that once served the homes that had since been privately purchased from the Council under the Right to Buy Scheme and therefore the owners lost the right to park on the site.

A resident spoke on behalf of himself and another resident. He stated that the view of residents was that they had, through 'adverse possession', the right to continue to park on the site. It was also claimed that the area was in daily use.

In response to a Member's question on adverse possession, the Council's Solicitor and Acting Monitoring Officer advised that the question of land ownership was not a material planning matter but an issue for the applicant when it would come to implementation.

Councillor Binns proposed a Motion to accept Officers' advice; this was seconded by Councillor Miles.

When put to the vote there were 6 votes for and 4 votes against.

**RESOLVED To grant permission for application S.18/2219/FUL.**

**DC.063      LAND ADJACENT TO 26 ASH GROVE, UPTON ST LEONARDS. (S.18/2222/FUL)**

The Senior Planning Officer presented the application and highlighted that Stroud District Council's garage stock was in decline in terms of being fit for purpose. In September 2015 the Council's Housing Committee resolved to rationalise its garage stock including their redevelopment or sale.

The application was a revised application, the original application was considered due to its design and impact on neighbouring properties.

Letters had been received for the retention of the trees and hedgerows and the Planning Officer confirmed that this could be imposed through a condition to retain them. In response to Members' questions the Officer advised that the condition could relate to the retention of a soft boundary treatment.

Councillor Clifton proposed a Motion to accept Officers' advice; this was seconded by Councillor Miles.

When put to the vote there were 9 votes for and 1 vote against.

**RESOLVED To grant permission for application S.18/2222/FUL.**

**DC.064      LEWISTON      MILL,      TOADSMOOR      ROAD,      BRIMSCOMBE**  
**(S.18/2073/FUL)**

The Committee were informed that the application was seeking to amend the previous planning permission to increase the size of the car park. This would service the commercial needs on site, avoid onstreet parking and if approved would remove the temporary construction car park.

The area concerned had been a nature area with low quality scrub and bramble. The proposal would enhance the area with higher quality native planting and provide an otter resting halt in the stream. The site would also have provision for electric charging points, cycle storage and connection to a bus stop.

Councillor Whiteside welcomed the proposal and thanked Officers for the work to deliver the ecological compensation and enhancements the proposals which would see the area developed. He acknowledged the benefits of seeing this derelict site redeveloped but noted that brambles can aid bio-diversity. He added that it would be beneficial to provide some swift boxes onto the Mill. Confirmation was given that some swift boxes had been provided as well as boxes for grey wagtails and dippers.

Members asked about the representation from the Parish Council which highlighted the retrospective nature of the application. Officers reported that the retrospective application concerned the temporary construction car park. This had to be considered on its merits and it was not possible to punish the retrospective nature.

Councillor Baxendale proposed a Motion to accept Officers' advice updated by late pages; this was seconded by Councillor Binns.

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

**RESOLVED To grant permission for application S.18/2073/FUL**

**DC.065      LAND      ADJACENT      TO      24      THE      CLOSE,      WHITMINSTER**  
**(S.18/1678/FUL)**

The Senior Planning Officer informed the Committee that this was a revised application to address the Committees' previous concerns over the height of the previous design, choice of material and parking provisions.

Councillor John Jones advised Members that the Parish Council supported the application and were satisfied that the agents had delivered a more acceptable design. There was still some concern, however, about vehicles that now park in The Close. Councillor Jones added that the letters of objection noted in the Committee papers related to the previous application.

Councillor Cooper proposed a Motion to accept Officers' advice; this was seconded by Councillor Miles.

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

**RESOLVED To grant permission for application S.18/1678/FUL.**

**DC.066 THE RAM INN, HIGH STREET, SOUTH WOODCHESTER**  
**(S.18/1039/FUL)**

Councillor McAsey left the Council Chamber before this item was considered.

The Chair read out a statement from Councillor McAsey saying that he had an interest in the above application and would not be present when the item was being considered.

The Senior Planning Officer presented the Officer's report and highlighted that the application was for two elements; extensions to the public house and the construction of a pair of semi-detached houses.

Dr Hamilton, Chair of Woodchester Parish Council expressed the concerns of the Parish Council that the application fell short of Section 16 of the NPPF and the additional floor space and related parking would have an adverse effect on the environment of the area. The proposed changes to parking would not be adequate to meet the needs of staff and residents. He added that during busy periods visitors would park on nearby roads.

A resident spoke in opposition to the application and reported that there had been 30 letters of objection. The Public House is valued by the community but residents believed that the proposal would be detrimental. Concern was also expressed that if there was approval for the new properties there was no guarantee that this would lead to investment in the Ram Inn.

In response to questions from Members, Officers advised that the proposal for the new properties would be a valid application in its own right and within the settlement boundary and the Committee could only consider what was before it. The site was in a conservation area and the proposals would not be out of character. Officers advised that the harm to the setting of the conservation area would be less than substantial. Therefore Members had to weigh up the harm against the public benefits, there was no presumption in favour of development under these circumstances and it was an untitled balance.

Officers further advised that the application was policy compliant. In particular it complied with the Local Plan's car parking requirements for the pub. Members asked if it would be possible to defer the application to seek further information on the parking issues. The Council's Solicitor and Acting Monitoring Officer advised that if there was a deferral, the Council could be subject to a challenge for non-determination and if that deferral was not for good planning reasons they could not only lose but potentially be subject to adverse costs. Members were reminded they need to determine the planning application in accordance with the Development Plan (the Local Plan and other relevant documents) unless other material considerations indicate otherwise. Other material considerations need to be properly evidenced.

Councillor Baxendale proposed a Motion to reject the Officers' advice; this was seconded by Councillor McKeown when put to the vote there were 0 votes for and 10 against.

Councillor Cooper proposed a Motion to accept Officers' advice; this was seconded by Councillor Miles. Councillor Cooper accepted an amendment to the motion, which was to add a condition that the new parking arrangements are in place prior to the development of the site.

When put to the vote there were 6 votes for and 4 votes against.

**RESOLVED To grant permission for application S.18/1039/FUL, with an additional condition that the new parking arrangements are in place prior to the development of the site.**

**DC.067      LAND AT LYDAY CLOSE, OAKRIDGE LYNCH, STROUD  
(S.18/2322/FUL)**

The Senior Planning Officer introduced the application which was for a detached - subterranean dwelling set over three floors. The Officer highlighted certain conditions including; boundary treatment and a reptile mitigation strategy.

Sarah Broadstock, Architect for the applicants, spoke in support of the application. The application had been revised to ensure that the building would be less dominant to the landscape. The site is adjacent to a series of terraced gardens, an ecological survey had been undertaken and its recommendations had been incorporated into the application.

Members asked questions about the treatment of the stone walls and were advised that this could be covered in the conditions.

Councillor Clifton proposed a Motion to accept Officers' advice; this was seconded by Councillor Miles.

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

**RESOLVED To grant permission for application S.18/2322/FUL.**

The meeting closed at 9.25 pm.

Chair