

DEVELOPMENT CONTROL COMMITTEE

18 December 2014

10.00 am – 3.50 pm
Council Chamber, Ebley Mill, Stroud

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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	P
Nigel Cooper	A	Roger Sanders	A
Paul Hemming	P	Emma Sims	P

** = Chair * = Vice-Chair

A = Absent P = Present

Other Members in attendance

Councillor Doina Cornell
Councillor Gordon Craig
Councillor Colin Fryer

Councillor John Jones
Councillor Brian Tipper

Officers in attendance

Head of Planning
Development Control Team Manager
Solicitor

Principal Planning Officers
Senior Planning Officer
Democratic Services & Elections Officer

The Chair and Vice-Chair of Committee and the Head of Planning paid tribute to Elly Jackson, Principal Planning Officer who had sadly recently passed away after a long illness. As a mark of respect Members and Officers stood for a minutes' silence.

DC.070 APOLOGIES

Apologies for absence were received from Councillors Nigel Cooper and Roger Sanders.

DC.071 DECLARATIONS OF INTEREST

None under the Members' Code of Conduct.

DC.072 **MINUTES**

RESOLVED That the Minutes of the Development Control Committee held on 11 November 2014 are accepted as a correct record.

DC.073 **PLANNING SCHEDULE**

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

1.	S.14/0619/FUL	2.	S.14/0966/OUT	3.	S.13/1348/OUT
4.	S.14/2082/FUL	5.	S.14/1829/OUT	6.	S.14/0716/OUT
7.	S.14/1191/FUL	8.	S.14/1192/LBC		

Late Pages had been circulated to Members prior to the meeting and were available at the meeting in respect of Scheduled Items 1, 4, 6, 7 and 8.

DC.074 **ITEMS 7 AND 8 – NUPEND FARM, BOSCOMBE LANE, HORSLEY, GLOS (S.14/1191/FUL AND S.14/1192/LBC)**

The Head of Planning confirmed that it had very recently been brought to his attention that a piece of information had been included within the Officer's report had not been subject to the required public consultation process. He therefore requested that Committee defer these Applications to a future date.

A Motion to DEFER the Applications to a future meeting was proposed by Councillor John Marjoram and seconded by Councillor Emma Sims.

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

RESOLVED To DEFER Applications S.14/1191/FUL and S.14/1192/LBC, for the reasons set out in these Minutes.

DC.075 **ITEM 1 – ERECTION OF 196 DWELLINGS, PROVISION OF NEW ACCESS FROM B4066, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE ON LAND AT THE REAR OF CANONBURY STREET, BERKELEY, GLOS (S.14/0619/FUL)**

The Principal Planning Officer outlined the above Application highlighting the additional comments made in Late Pages and also an email received on 17 December from the Agent.

Councillor Gordon Craig a Ward Member stated his reasons for objecting to the Application.

Mr Ken Palmer, Chair of Berkeley Town Council outlined the reasons why the Application should be supported.

Mr Paul Bateman spoke on behalf of the Community Group outlining their reasons for opposing the Application.

Mr Mark Crosby represented the Applicant and outlined reasons for supporting the Application.

The Officer indicated to Members on a map the various heritage sites located near to the site and confirmed that there would be a new access into the site from the B4066. County Highways had looked at the Application in detail. He also read out the comments received from English Heritage.

Members debated arguments for and against the Application and agreed that in the event of the Application being supported a deferral of the decision would be required to enable conditions to be brought back to the Committee and the Application given further consideration in the light of those recommended conditions.

The Head of Planning suggested that if Members were so minded they could resolve not to refuse permission and instruct Officers to negotiate conditions and bring this Application to another Committee meeting. The Solicitor concurred with this suggestion.

Councillor John Marjoram was concerned about the impact the Application would have on the castle and heritage assets and indicated that a smaller development, further away from the castle site and conservation area may be more acceptable to Members.

The Solicitor confirmed that this was a valid proposal, although it would be a matter for the applicant to decide whether to submit an amended Application. The Solicitor clarified that when the deferred application came back to Committee (whether in amended form or not) it would be necessary for it to be considered ab initio (ie. as if coming before the committee for the first time).

The meeting was adjourned at 11.50 am and reconvened at 12 noon.

Upon reconvening Councillor John Marjoram proposed the following motion seconded by Councillor Steve Robinson.

The determination of the application be deferred to a future meeting to allow the applicants an opportunity to make amendments to it, to substantially reduce the adverse impact of the proposed development on key heritage assets and make the application more acceptable in planning terms, to enable officers to negotiate and report back upon appropriate conditions and potential terms for a section 106 agreement in the event of a decision to grant planning permission.

The proposer recognised the views of the Parish Council and the community but felt that the Application needed to be revised.

During debate Members had differing views on the Application.

On being put to the vote, there were 5 votes for the Motion, 4 votes against and 1 abstention; it was declared CARRIED.

RESOLVED To DEFER Application S.14/0674/FUL, as set out in these minutes.

DC.076 **ITEM 2 – DEVELOPMENT OF UP TO 100 DWELLINGS INCLUDING AFFORDABLE HOUSING AND OPEN SPACE; CREATION OF NEW ACCESS TO SHAKESPEARE ROAD AND INTERNAL ROADS, FOOTPATHS AND LANDSCAPING ON LAND OFF SHAKESPEARE ROAD, DURSLEY, GLOS (S.14/0966/OUT)**

The Senior Planning Officer outlined the above Application which was outside of the settlement boundary but close to the AONB. Members had recently visited the site. An amendment was highlighted to paragraph 2., line 11 which should have read “ impacts will not be ...”.

Councillors Doina Cornell and Colin Fryer, two Ward Members objected to the Application on behalf of local residents.

Helen Bojaniwska Clerk to Dursley Town Council and Mr G Moyser a local resident also raised objections to the Application.

Officers confirmed that the Highway Authority had no objection to the new access and felt the wider network is adequate to cater for the proposal.

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

Members debated the Application and agreed that it was not sustainable.

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

RESOLVED To REFUSE Application S.14/0966/OUT, as set out in these Minutes.

The meeting adjourned at 1.00 pm and reconvened at 1.48 pm.

DC.077 **ITEM 3 – RESIDENTIAL DEVELOPMENT (UP TO 90 DWELLINGS) INCLUDING INFRASTRUCTURE, ANCILLARY FACILITIES, OPEN SPACE AND LANDSCAPING. CONSTRUCTION OF NEW VEHICULAR ACCESS FROM THE A419 BRISTOL ROAD, STONEHOUSE, GLOS (S.13/1348/OUT)**

The Principal Planning Officer outlined the above Application and displayed a map showing the settlement boundary and the Stroud Industrial Heritage Conservation Area (IHCA).

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

During debate Members noted that the development was outside of the settlement boundary and within an important open space for the IHCA.

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

RESOLVED To REFUSE Application S.13/1348/OUT, as set out in these Minutes.

DC.078 ITEM 4 – ERECTION OF 17 DWELLINGS, NEW ACCESS AND INTERNAL ROADWAY AND ANCILLARY WORKS ON LAND AT BATH ROAD, LEONARD STANLEY, GLOS (S.14/2082/FUL)

The Principal Planning Officer referred to Late Pages which contained an update on ecology and also additional objections from both Ward Members. She also amended reasons for refusal. Refusal 1. the first sentence to be deleted, the % to be deleted from line 5, and Refusal 3. deletion of paragraph.

Mr Graham Jones a local resident and the Clerk to Leonard Stanley Parish Council outlined their reasons for objecting to the Application.

A Motion to accept the Officer's amended recommendation was proposed by Councillor Dorcas Binns and seconded by Councillor Dave Mossman.

Whilst debating the Application Members agreed that Leonard Stanley had already had a huge amount of new housing and concurred with the Officer's recommendations.

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

RESOLVED To REFUSE Application S.14/2082/FUL, as set out in these Minutes.

DC.079 ITEM 5 – RESIDENTIAL DEVELOPMENT FOR UP TO 95 DWELLINGS INCLUDING INFRASTRUCTURE, ANCILLARY FACILITIES, OPEN SPACE AND LANDSCAPING. CONSTRUCTION OF A NEW VEHICULAR ACCESS FROM SCHOOL LANE ON LAND OFF SCHOOL LANE, WHITMINSTER, GLOS (S.14/1829/OUT)

The Senior Planning Officer outlined the above Application.

Councillor John Jones, a Ward Member concurred with the Officer's recommendation and requested Members to refuse the Application.

A representative from Whitminster Parish Council also suggested reasons for opposing the application. Harriett McGill spoke on behalf of local residents who also opposed the scheme.

Officers clarified that the foul drainage system was acceptable.

A Motion to ACCEPT the Officer's recommendation was proposed by Councillor Haydn Jones and was seconded by Councillor Dave Mossman.

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

RESOLVED To REFUSE Application S.14/1829/OUT, as set out in these Minutes.

The meeting adjourned at 2.40 pm and reconvened at 3.00 pm.

DC.080 **ITEM 6 – RESIDENTIAL DEVELOPMENT FOR 31 DWELLINGS WITH ASSOCIATED OPEN SPACE AND COMMUNITY FACILITIES AT PARKLANDS FARM, SCHOOL LANE, WHITMINSTER, GLOS (S.14/0716/OUT)**

The Principal Planning Officer provided Members with an update to page 106, paragraph headed Sustainable Transport, line 6 should have read ... “within the village are not within walking distance”. The objections from a neighbour were also highlighted in Late Pages.

Councillor John Jones, a Ward Member outlined the pros and cons of the Application.

A representative from Whitminster Parish Council and Susan Noble, who spoke on half of local residents outlined reasons for opposing the Application.

Mr Sean Hannaby, the Agent, spoke in favour of the Application.

Various plans showing the access, settlement boundary and site layout were displayed.

Members considered the following amendments to the officer’s recommendations to be appropriate:-

- Condition 9: add a requirement that any trees that died in translocation are replaced with semi-mature trees.
- Officer’s negotiate a schedule of works and implementation timetable when it would be viable to bring the farmhouse up to standard.
- Landscaping should be enhanced on the south boundary.
- The settlement of terms and completion of the Section 106 Agreement are delegated to Officers and should reflect the above amendments as appropriate.

A Motion to grant permission, subject to the above amendments, was proposed by Councillor Emma Simms and was seconded by Councillor Stephen Moore.

Members debated the Application and had differing views. It was clarified that the works to the farmhouse, which is a listed building, would need to be considered in its own right.

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

RESOLVED To grant permission for Application S.14/0716/OUT, as set out in these Minutes and Appendix A.

The meeting closed at 3.50 pm.

Chair

Amendments for Development Control Committee 18 December 2014

Item 2: Land Off, Shakespeare Road, Dursley. S.14/0966/OUT

Amendments to refusal reasons to correct grammatical errors.

Refusal Reason 1: final sentence to read “contribute *towards*”

Refusal Reason 2: insert “not” sentence to read “Accordingly, there is insufficient information to demonstrate that adverse ecological impacts will *not* be caused by the proposed development.”

Item 4: Land at Bath Road, Leonard Stanley. S.14/2082/FUL

Refusal Reason 1: Amended to “Owing to the size of the application site and number of dwellings proposed, the application gives rise to 30% affordable housing provision (5.1 affordable homes). The application proposes the provision of 5 dwellings. No commuted sum to the value of 0.1 of the cost of providing an affordable dwelling is proposed. As such the application is not compliant with the requirements of Policy HN4 of the adopted Stroud District Local Plan, November 2005 and Core Policy CP9 of the Local Plan, Submission Draft.”

Remove Refusal Reason 3.

Item 6: Parklands Farm, School Lane, Whitminster. S.14/0716/OUT

Condition 9 amended to “Prior to the commencement of any development on site the following shall be provided to and approved in writing by the Local Planning Authority:

1. Existing trees that are to be trans-located from the existing site to the new orchard are to be selected in conjunction with the Stroud District Council Tree Officer and identified on a plan.
2. A management plan detailing the on-going maintenance of the new orchard and on-site open spaces for a period of 15 years shall be provided.

The maintenance plan shall also set out for:

- i) how the orchard trees will be managed (in order that they maintain their distinctive flora and/or fauna).
- ii) how the local assemblage of bats, birds and reptiles at favourable conservation status and to deliver other strategic nature targets shall be maintained.

3. A plan detailing proposed dog-walking facilities.

Planting shall be carried out in the first available planting season following commencement of development. Any trees that die as a result of the translocation

should be replaced by mature replica specimens within the next available planting season and maintained as such thereafter.”

Condition 11 amended to “Prior to commencement of development, a protection plan detailing the proposed ecological features to be retained during site preparation and construction (including populations of birds and reptiles) shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried in strict accordance with the details provided.”

Condition 12 amended to “Prior to commencement of development on the site an approved lighting strategy to avoid impact on bat foraging areas and flight lines shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried in strict accordance with the details provided and maintained as such thereafter.”

New Condition 26 “Prior to the commencement of development on the site, a report detailing the existing structural integrity of Parklands Farm, together with a schedule of all repairs and alterations required to bring the building back into residential use, together with an implementation timetable for the submission of a Listed Building Application shall be submitted to and approved by the Local Planning Authority.”