



# STROUD DISTRICT COUNCIL

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## DEVELOPMENT CONTROL COMMITTEE

Tuesday, 25 July 2023

6.00 - 8.37 pm

Council Chamber

### Minutes

#### Membership

##### **Councillor Martin Baxendale (Chair)**

Councillor Martin Brown  
Councillor Victoria Gray  
Councillor Haydn Jones  
Councillor John Jones  
Councillor Gary Luff

\*Absent

##### **Councillor Helen Fenton (Vice-Chair)**

Councillor Jenny Miles  
Councillor Loraine Patrick  
\* Councillor Martin Percy  
Councillor Mark Ryder  
Councillor Lucas Schoemaker

#### Officers in Attendance

Head of Development Management  
Principal Planning Lawyer, One Legal  
Majors & Environment Team Manager

Senior Planning Officer (Majors)  
Democratic Services & Elections Officer

#### Other Member(s) in Attendance

Councillor Christopher Evans

Councillor Lindsey Green

#### DCC.011 Apologies

An apology for absence was received from Councillor Percy.

#### DCC.012 Declarations of Interest

Councillor Haydn Jones declared a non-pecuniary interest in Scheduled Item 4.2, S.21/1210/FUL and left the meeting after the first Item had been determined.

#### DCC.013 Minutes

Councillor John Jones raised an issue with the Membership on the minutes which had listed the Ward Councillors in the incorrect place.

**RESOLVED That the Minutes of the meeting held on 13 June 2023 were approved as a correct record subject to the amendment listed above.**

**DCC.014 Planning Schedule and Procedure for Public Speaking**

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

1	S.22/2406/OUT	2	S.21/1210/FUL
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Late Pages relating to Scheduled Item 4.2 Land Parcel West of Worlds End Farm, Worldsend Lane, Clapton, Berkeley S.21/1210/FUL had been circulated to Committee prior to the meeting and were also made available during the meeting.

**DCC.015 Land At Bowers Lea, Dursley S.22/2406/OUT**

The Senior Planning Officer (Majors) introduced the application and explained that it was an outline application with the exception of the access area. She then showed the proposed plans for the site and highlighted the following points:

- The proposal was for 26 dwellings.
- All internal layouts were indicative, which meant that they could be changed at a later date when the reserved matters application came forward.
- The proposal sought to remove a small portion of the retaining wall to the Northeast of the site in order to make room to widen the access. The Conservation Officer had requested further information due to the wall being classed as curtilage listed, further information had not been provided.
- The application had been assessed against Local Plan Policy HC4 and was found non-compliant with HC4.1, HC4.3 and HC4.4.
- Refusal reason 1 had been amended to include the following paragraph 'The supporting information submitted by the applicant fails to evidence local need for the number and type of dwellings proposed and has also failed to demonstrate that local need cannot be met elsewhere in the locality. Furthermore, the applicant has failed to address the environmental issues presented by the presence of protected species and Japanese Knotweed. The applicant has failed to submit a draft Section 106 agreement which secures the dwellings as affordable.'

Councillor Evans spoke as a Ward Member for the area and asked the Councillors to refuse the application as per the Officers recommendation. He further stated that there were over 100 objections on the Stroud District Council (SDC) Planning Portal including objections from Cam Parish Council. He then highlighted the main objections from residents which included:

- Concerns regarding the access to the site due to its proximity to the Nursery and a popular footpath. Lines of sight for the access would be limited due to the narrow twisting roads, made worse during drop off and pick up time at the Nursery.
- Concerns regarding the location of the site due to it being outside of the settlement boundary as defined in the Cam Neighbourhood Development Plan (NDP).
- There were other more suitable sites available in Cam for this type of development and Brownfield sites should be prioritised.
- The development of the proposed site could lead to flooding issues for existing residential properties due to run off surface water.
- The site was a valued green space and provided screening from the M5.
- The current biodiversity of the site would be lost if developed and this would also have a visual impact on the landscape.
- Concerns regarding the sustainability of the affordable housing.
- There was a lack of suitable infrastructure in the village and local facilities such as doctors and dentists were already at capacity.

- There were not enough employment opportunities in Cam to support more residents.

Councillor Andrewartha from Cam Parish Council spoke against the application and highlighted the following concerns:

- Calling the application an exception site did not make it one.
- The Cam NDP laid out the areas for development making exception sites unnecessary.
- The reason for Local Plan Policy HC4 was to allow for affordable housing developments in rural areas. Cam already had many large developments in progress with affordable housing included.
- The application contravened Cam NDP Policies.
- Between 2006 – 2022, Cam and Dursley had delivered 16.5% of total new housing in the District with little or no improvements to infrastructure, healthcare services and flooding.

Mr Coupe and Mr Willetts, local residents, spoke against the application and asked the committee to reject it for the following reasons:

- Overwhelming response of objections from local residents.
- Non-compliance with the Cam NDP
- Negative impact on an iconic building and setting and the character & landscape of the surrounding area.
- Harmful to biodiversity in the area.
- The housing need could be met in a more suitable location within the Parish.
- Non-Compliance with Local Plan Policies.
- Site was outside of the settlement boundary.
- The Flood Risk Assessment that was submitted had a lack of evidenced hydrographical data.
- Assumptions to flow capacity had been made without any evidence or checks. Further to this they failed to address the topographical levels of the area and its constraints.
- The proposed site had a known history of flooding.
- Policy ES4 of the Local Plan stated that new developments must be located outside of areas of flood risk and provide betterment to flood risk.
- The proposed 400m<sup>3</sup> plus of water storage would occupy a large portion of the Northeast of the site and presented additional health and safety concerns. Further reducing the viability of the site.

Councillors were given the opportunity to ask technical questions of the Officers, the following answers were given in response:

- According to residents, the housing need assessment completed by the developer utilised a basic questionnaire which was delivered to residents in Cam and did not explore options for alternative sites.
- The type of housing included in the proposal was indicative and would be confirmed at the reserve matters stage should the application be approved.
- In order to be classed as an exception site, the application should only be used for affordable housing however due to the lack of a draft Section 106 agreement, this could not be confirmed.
- There had been communications with the developer to inform them of what was required in order to proceed and to suggest the use of the term 'affordable housing' in the application which was not accepted.

Councillor Patrick proposed and Councillor Fenton seconded the officer recommendation to refuse the application.

Councillor Haydn Jones raised concerns regarding the lack of the Section 106 agreement and the number of Policies the application contravened. He also thanked Officers for referring to the Cam NDP within their report.

Councillor Schoemaker stated that he was concerned with the road safety impact and the burden of additional traffic.

Councillor John Jones debated that due to the proximity of various protected areas, there would be a number of contributions required which could result in the affordable housing option becoming unviable for the developer.

Councillor Miles echoed Councillor John Jones' concerns and stated that there was no mitigation proposed for badgers residing on the site or a plan to address this.

Councillor Gray stated she was concerned over the stability of the types of housing proposed, there was a lack of detail provided and no evidence to support that the houses would be affordable. There was also very little engagement from the Developer who hadn't come to represent themselves this evening.

Councillor Patrick echoed Councillor Gray's comments regarding the absent developer.

After being put to a vote, the Motion was carried unanimously.

**RESOLVED To refuse the application.**

Councillor Haydn Jones Left the meeting.

**DCC.016      Land Parcel West of Worlds End Farm, Worldsend Lane, Clapton, Berkeley S.21/1210/FUL**

The Majors & Environment Team Manager introduced the application for a solar farm and explained that it covered 64.62 hectares of land and would be a temporary development for 45 years. He showed the Committee the plan for the site including a viewpoint impact assessment and explained that there would be a high-powered underground cable connection to the grid. He highlighted that a similar proposal had just been approved by South Gloucestershire which would border the application site. The existence of the application on neighbouring land had been considered when weighing up the balance in the report and in the late papers.

Councillor Green spoke as the Ward Member for the area and asked the committee to refuse the application for the following reasons:

- Berkley Ward produced large amounts of renewable power from both solar and wind sources and were already net exporters of renewable energy.
- The application would have a detrimental effect on Biodiversity, Flooding, Landscape and Heritage.
- The loss of agricultural land would lead to increased food imports during an uncertain period of food security.
- Accessing the remote location would bring additional pressure to local infrastructure and communities.
- The characteristic of the development must be considered with regard to any cumulative impact. There was another solar development which bordered the application site that had recently been granted planning permission and therefore would cause a larger cumulative impact. This site was given limited weight in the Officer report due to its

pending application however since this had now been approved the weight given needed to be reevaluated.

- Due to the cumulative impact, the application contradicted Policy ES2 of the Stroud District Council Local Plan and Paragraph 155 of the National Planning Policy Framework (NPPF)
- Original objections had been raised by Historic England and Gloucestershire County Council (GCC) Highways due to nearby historical assets.
- The Officer report highlighted a 'major adverse' impact on the landscape character and surrounding areas (page 80) which was in contradiction to Local Plan Policy ES7.
- The Officer report stated that the decision was finely balanced in favour of granting permission however since the approval of the adjoining scheme in South Gloucestershire, would this now weigh in favour of refusal.

Mr Greetham, the agent, asked the Committee to approve the application for the following reasons:

- They were a British company based in the Southwest with a mission to create an abundance of renewable and accessible energy.
- The proposed Development would produce a significant amount of renewable energy which would support both Local and National Planning Policy.
- Land Options for this development had been surveyed and this site was concluded to be the only available site able to accommodate the proposed development.
- It was a temporary installation and following decommissioning of the site, the land would be restored to its original state resulting in no permanent loss.
- The agricultural land was grade 4 and therefore due to its grade and temporary status there would be no conflict with Policy ES2 of the Local Plan.
- There were significant community benefits to the proposal and the scheme already had a viable grid offer in place.
- The application would make use of an underutilised agricultural field and would also achieve a 69% uplift in biodiversity net gain across the site.
- Whilst the site was located outside of the development boundary, the principal of development was confirmed under Strategic Objective SO5 of the Local Plan. Policy ES2 further supported proposals which maximised the generation of energy from renewable sources.
- The emerging Local Plan, which was attributed little weight, supported proposals for renewable energy through Policy DCP1.

Councillors were given the opportunity to ask technical questions of the Officers, the following answers were given in response:

- Condition 12 requested that a Landscape Management Plan (LMP) be approved before any works commenced. This would outline the height of the hedges and allow for proper grounds maintenance.
- A landscape assessment had been completed which took account of the surrounding viewpoints. There was a localised impact identified which had been included in the planning balance. Due to the topography of the landscape and mitigation, the impact would be reduced the further you were from the site.
- It was unknown when the construction phase for the South Gloucestershire site would begin however if Members were minded to, they could liaise with the applicants in order to effectively manage both sites as part of the construction management plan.
- Highways had originally objected to the proposal due to insufficient information; they were now happy with the proposal having had additional details submitted.
- The application was deemed as temporary due to the decommission clause at the end of the 45-year life span.

Councillor Schoemaker requested that Ham and Stone Parish Council be consulted on the Transport Management Plan (TMP). The Majors & Environment Team Manager explained that Parish and Town councils were not formally consulted on technical details however the details would be available for them to view and make comments.

In response to Councillor Ryder, it was confirmed that any proposal rated at 50mw and above would be deemed a National Infrastructure Project and not for Local Authorities to decide. It was also confirmed that there were conditions relating to an ecological management plan, which would control any new and existing planting and a further condition relating to the decommission of the site.

Councillors raised questions on the cumulative impact of the other sites and potential sites in the area. The Officers showed a wider plan of the site which highlighted the current sites and proposals which had been included in the planning balance and explained it was for the Committee to determine whether they felt there was any harm caused from the cumulative impact.

Councillor Fenton Proposed and Councillor Brown seconded the officer recommendation.

Councillor Brown highlighted the significant public benefit and the current demand for renewable energy given the examples of global warming that were happening all over the world.

Councillor Schoemaker proposed an amendment to condition 6 to restrict any construction traffic to after 9am and not between the hours of 3-4pm during school term time. Councillor John Jones seconded.

Councillors discussed the use of an informative in order to liaise with South Gloucestershire Council and effectively manage the construction traffic for both sites in the area. Officers advised to conclude the amendment first and then vote on the substantive motion with an informative to that effect.

Councillor Ryder asked for all variation requests, regarding this application, to be brought back to committee to which the Officers agreed.

Councillor Luff clarified that the restriction was just for construction related deliveries and not all working hours.

After being put to a vote, the Amendment was carried with 9 votes for and 1 abstention.

Councillor Ryder debated the loss of the agricultural land against the food security struggles and felt that the balance was currently not in favour of approval.

Councillor John Jones raised serious concerns for the impact of the construction traffic on the surrounding roads especially in conjunction with the nearby recently approved site in South Gloucestershire.

Councillor Gray explained she was still struggling to weigh up the planning balance due to the significant impact on the local landscape and wildlife such as badgers and newts.

Councillor Fenton felt that the significant benefit of the proposal would outweigh any harm and was happy to approve the application.

Councillor Luff debated that food security was currently better than the energy supplies and stated that the countries that provided large amounts of power normally have little human rights whereas the countries providing food to the UK were significantly better.

Councillors, Schoemaker and Brown expressed their support for the green technology and felt happy to support now that condition 6 had been amended.

Councillor Miles stated she would support the application as it was in line with National and Local Policies to support renewable energy and any harm had been mitigated or outweighed by the public benefits.

After being put to a vote, the Motion was carried with 7 votes for and 3 votes against.

**RESOLVED To permit the application subject to an amendment to condition 6 to restrict any construction traffic and an additional informative to liaise with South Gloucestershire Council in order to effectively manage construction to both sites and delegate to the Head of Development Management in consultation with the Chair and Vice Chair to agree the wording.**

The meeting closed at 8.37 pm.

Chair