



# STROUD DISTRICT COUNCIL

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## DEVELOPMENT CONTROL COMMITTEE

Tuesday, 27 February 2024

7.00 - 10.18 pm

Council Chamber

### Minutes

#### Membership

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

Councillor Martin Brown  
Councillor Christopher Evans  
Councillor Victoria Gray  
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

Majors & Environment Team Manager  
Development Team Manager  
Locum Planning Lawyer  
GCC Highways Officer

GCC Highways Officer  
Principal Planning Officer  
Democratic Services & Elections Officer

#### Other Member(s) in Attendance

Councillors Craig, Green, Jones and Turner

#### **DCC.046    Apologies**

There were none.

#### **DCC.047    Declarations of Interest**

Councillor Jones made a statement regarding Item 4.2. He was a current Parish Councillor for Whitminster Parish Council who had raised an objection. He did not take part in that vote and had sought advice from the Monitoring Officer.

#### **DCC.048    Minutes**

**RESOLVED** That the Minutes of the meeting held on 23 January 2024 were approved as a correct record.

## **DCC.049     Planning Schedule and Procedure for Public Speaking**

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

1	S.17/0798/OUT	2	S.19/0291/FUL	3	S.23/1250/FUL
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Late Pages relating to Scheduled Item 4.2 Stroudwater Canal Phase 1B, Eastington, Gloucestershire had been circulated to Committee prior to the meeting and were also made available during the meeting.

## **DCC.050     Land At Sharpness Docks, The Docks, Sharpness, Gloucestershire S.17/0798/OUT**

Councillor Schoemaker arrived a few minutes late therefore the decision was taken to begin the introduction again in order for Councillor Shoemaker to participate in determining the application.

The Majors & Environment Team Manager introduced the application and explained that it was for a mixed use, regeneration scheme situated at Sharpness Docks. He showed the Committee the plans for the outline application and highlighted the following key considerations:

- The location was an allocated site as part of the Adopted Local Plan.
- The Docks regeneration vision included leisure and recreation.
- The site had a range of constraints detailed in the report which need to be considered such as viability. The scheme could not provide any affordable housing, or the full contributions required. This was detailed in the table on page 65 & 66 of the document pack.
- There was a review mechanism in place to recalculate viability of the scheme during the development phase.
- Sharpness was an active working Dock which was protected under the Southwest Marine Plan and the Minerals Plan. This was addressed in the outline application.
- Health and Safety Executive (HSE) had a safety consultation zone surrounding Docks regarding the storage of ammonium nitrate. This would be for the applicant to address and had been included as part of the conditions.
- The location was a sensitive site for ecology, a mix of mitigation had been proposed which could be found at pages 52-55 of the report.
- The access proposed for the site was only indicative and would come forward for consideration at a later stage if approved. GCC Highways had not objected to the application.
- There was an impact on the heritage and landscape identified which would be expected for a large-scale scheme however this would look to be mitigated as part of the reserved matters stage if approved.

The Majors & Environment Team Manager highlighted that 2 additional objections and an additional letter of support from the applicant had been received since the report had been published.

Councillor Gordon Craig, spoke as a Ward Member for the area. He read aloud a letter from Berkeley Town Council which raised the following points:

- They were concerned that Oldminster Road was not a suitable access.

- A lack of funding to mitigate the development on education.
- A lack of contributions towards affordable housing.
- There was a presence of hazardous substances on site.
- The proposal would impact the existing capacity constraints M5 junction 14.
- Car travel would be necessary to access the site.
- Berkeley Town Council had already incurred costs to reduce the max speed along a section of the B4066 due development, this would be required again at further costs to the taxpayer.
- They were concerned for the environmental impact on the nearby Ramsar site.
- Safety concerns regarding the access of the development.

Councillor Gordon Craig continued with his own concerns for the site. The access road was unsuitable for the development, the viability of the development was concerning and would result in primary school children having to travel long distances to access education, the Docks carried hazardous materials which would need to be relocated in order to begin development, the proposal was not compliant with Policy SW-INF-2.2 of the Southwest Marine Plan and finally Sharpness Docks was a working Dock which was noisy and often handled dusty and smelly materials.

Councillor Haydn Jones also spoke as a Ward Member for the area. He asked the Committee to consider the following points. The Severn Estuary was a Site of Special Scientific Interest (SSSI) which required certain mitigations to ensure new residents do not impact the conservations status of the river. This included providing suitable alternative green spaces, the green spaces proposed were not sufficient for the size of the development and one of which was already utilised by current residents and therefore not an additional green space. The Severn Estuary Mitigation Strategy was due to be renewed shortly and therefore the application should not be supported at this point. The application was not policy compliant with the 2015 Local Plan and provided no affordable housing and no educational contributions.

Councillor Lindsey Green also spoke as a Ward Member for the area and highlighted her concerns as follows:

- Sharpness was a functioning Dock with a wide range of businesses and cargos.
- It had a large employment area that had been running for almost 150 years.
- Historic England had highlighted the historic nature of the site and there was little doubt that it would meet the National Planning Policy Framework (NPPF) Section 12 criteria to become a Heritage Asset.
- No section 106 contributions to education and libraries was unacceptable and against the Local Plan.
- The site would be wholly reliant on vehicle transport for access.

The Majors & Environment Team Manager was invited to respond to a few of the points highlighted. He reiterated that the access was only indicative and should not be considered at this stage. The ecology impact had been assessed by SDC's ecologist and Natural England and no objections had been received. The proposal could not meet all of the contributions required and this had been weighed up in the decision-making process by the Officers and was now the responsibility of the Councillors to weigh up all the information to come to a planning balance and make a decision. The application had been through various stage of consultation which the port operators could have engaged with if they had wanted. The mitigation to address the storage of ammonium nitrate was included in the conditions and would be the responsibility of the applicant to liaise with the port

operatives. The Southwest Marine Plan was supportive of marine related jobs, commercial space and the tourism and leisure elements of the proposal.

Councillor Mills, A Parish Councillor from Hinton Parish Council, raised an objection with the planning application and highlighted the Parishes principal concerns which included the access road proposed for the site being unsuitable and dangerous. A better access road for the site would be to utilise Dock Road. The highways responses were out of date, and they requested that a new report be carried out. He further objected to the lack of affordable housing, lack of contributions to education and libraries and the significant effect the development would have on the Severn Estuary.

Mr Chandler, the Place Planning Manager from the Education Planning and Infrastructure Team at Gloucestershire County Council (GCC) spoke in objection of the application and highlighted the following reasons:

- Insufficient funding to mitigate the impact of the development on the education and library structure as detailed in pages 35-39 of the document pack.
- GCC had responded to both public consultations and engaged fully with the Case Officer regarding where the contributions would have been spent contrary to the first paragraph on page 67 of the document pack.
- The GCC objection statement contained the background of the request for funding, the local and national planning considerations, the most recent department for education guidance (August 2023), an education impact statement and a library impact statement.
- All surrounding schools were either full or planned to be full from other developments taking place.
- Funding was not received from the Government for demand arising from new developments.
- The Government basic need funding was intended to meet population in existing communities and GCC had been allocated 0 basic need funding for 2023/24 and 2024/25.
- Due to the lack of local school capacity, there would be a large distance that primary school children would need to travel in order to attend school.

The Majors & Environment Team Manager reiterated that the viability of the scheme had been tested by an external expert and found that the proposal could not meet all of the requirements. He further confirmed that details of what the requested funds would be spent on and details of GCC's Capital Projects had not been received.

Ms Smith, a local resident, spoke against the application and asked the Committee to refuse the application for the following reasons:

- The Suitable Alternative Natural Green Space (SANGS) proposed in the development were already utilised by residents and therefore not suitable alternatives.
- There was a net loss of green space on the development site and therefore there was no mitigation.
- The alternative farmland walks should not be included as a SANG and were all earmarked for future development.
- The development would vastly increased urban and recreational impact.
- Projects elsewhere along the River Severn could not legally be counted as mitigation as per case law.
- There was a range of protected wildlife that utilised the river and surrounding land.

- Housing would dominate the landscape and would stand out visually from long distance.
- They were in support of sustainable tourism but could not support profitable residential housing on the coastline.

The Majors & Environment Team Manager clarified that the ecologist was happy with the proposed SANGS and that there was further ecological mitigation proposed in the application. The proposal looked to develop a focal point for all development in order to pull impacts away from the sensitive areas.

Mr Smith, spoke on behalf of the applicant, and highlighted the following points to the Committee:

- Following the decision to defer the application at a previous Committee meeting, Officers had undertaken significant work which had not resulted in any material changes to the proposal.
- The site was an allocated site in the adopted Local Plan and it had been extensively examined and assessed.
- There was a range of benefits that the mixed use development would deliver such as: new housing, employment uses, retail opportunities, leisure opportunities and public open space.
- The access was reserved matter and not for consideration at this point. They would look to engage with the community further before finalising any access arrangements.
- The compatibility between the Docks and the proposed development was a key area of work and technical assessments had been undertaken regarding noise, odour and dust.
- The proposal was not in conflict with any Southwest Marine Plan Policies and was supported by substantial ecological surveys to understand and mitigate any impacts which was supported by Natural England.
- There was an issue identified with viability which had been independently assessed. The S106 agreement included a review mechanism to recalculate the viability if there were any substantial changes. This was due to providing a fully comprehensive scheme and not just residential houses.

Members of the Committee were given the opportunity to ask technical questions of the Officers, the following responses were given:

- Each application was considered on its own merits and this application had been through specific viability tests which had shown that the policy requirements could not be met. Therefore, the planning balance had been weighed up to identify whether the benefits of the site outweighed the harm.
- The proposal would mitigate the impact of extra residential pressure through the use of signage, education and alternative proposed routes.
- The HSE had stated that the proposed controls regarding the ammonium nitrate substance was acceptable for the application.
- The table shown on page 65 of the report outlined the contributions the applicant had proposed.

In response to Councillor Luff, the Place Planning Manager (GCC) explained why GCC had not been allocated any basic need funding, why there had been a change in amount of funding that they were seeking and explained that the initial assessment of the local school allocation had been revised in December 2022 and again in December 2023.

Members continued to ask technical questions of the Officers and the following responses were given:

- The proposal included conditions for phased building in order to bring all of the pieces of the proposal forward at appropriate times.
- There was a review mechanism in place to complete further viability reviews should the cost of materials increase/decrease or the cost of house prices increase/decrease.
- There were alternative access routes available to the development but that was not for consideration at this point.
- The proposed marinas were mixed use therefore there would be residential moorings and employment uses within.
- There was a finite pot of funding available to put towards contributions.

Councillor Percy asked if there had been any traffic modelling completed. The Majors & Environment Team Manager explained that the applicant would have completed their own modelling which would then have been tested by GCC Highways Officers by using technical modelling data. Councillor Percy raised a further question regarding the review mechanism. The Majors & Environment Team Manager explained that it was in place to re-assess the viability of the development should there be a significant uplift or substantial change in circumstances. In response to a final question from Councillor Percy, the Majors & Environment Team Manager confirmed that there would be records kept to identify the number of person staying overnight to ensure that it did not exceed the conditions 100 persons maximum.

Councillor Miles questioned whether the residential dwellings offered were conditioned. The Majors & Environment Team Manager explained that the conditions would seek the details of the size and type of houses which would need to meet their requirements. They would be looking for a range of house sizes in order to meet the market need.

Councillor Shoemaker questioned the funding required to make Oldminster road suitable and whether this could be put towards educational contributions if other access was sought. The Majors & Environment Team Manager explained that any other access point would likely cost significant expenditure to ensure it was suitable. In response to a further question from Councillor Schoemaker, the Majors & Environment Team Manager explained that GCC education had other funding sources such as, Government Grants and Community Infrastructure Levy (CIL) Funding.

Councillors Luff and Schoemaker questioned whether the viability assessment had taken into account social and affordable housing as one could be sold at a higher price. The Acting Head of Development Management explained that an Independent District Valuer had been commissioned to assess the viability of the development and Councillors should take note of their expert opinion.

The Chair, Councillor Baxendale proposed to permit the application as per the officer recommendation and Councillor Fenton seconded.

The meeting was adjourned for a short comfort break.

Councillor Jones stated that he would not support the proposal because it was in breach of Local Plan Policies, CP4 CP6 CP9 CP13 EI16.

Councillor Luff echoed that the application was in breach of CP6 however as the application was a brownfield site with support for the regeneration of an area, it would support the core policy as a strategic growth site. It supported sustainable tourism and would provide 300 homes and whilst reluctant due to the lack of contributions, he would be supporting the proposal.

Councillors debated the need to balance the benefits of the schemes against the harm and raised concerns regarding the viability of the scheme and the potential for costs to increase and compromises to be made on the proposal. They further debated the lack of affordable houses and contributions towards education and libraries and whether the benefits of the scheme were enough to outweigh the harm.

Councillor Brown raised concerns with the mitigation measures proposed for the ecological impact to the Severn Estuary.

Councillor Schoemaker stated that if they refused the proposal then the applicant could come forward with a new proposal which met more of the requirements.

Councillor Fenton raised concerns with the viability assessment of the affordable housing and why it couldn't be accommodated on the site.

Councillor Luff debated that the application brought a public benefit of local public transport.

Councillor Patrick raised concerns with the costs of treating contaminated land and the additional impact the proposal would have on the motorway junction 14.

Councillor Schoemaker debated whether there would be alternative funding sources to support the development of the marina which would release funds for the provision of affordable homes.

Councillor Gray stated that the access road was unsuitable and dangerous and she could not support the application.

Councillor Brown debated that if the residential area had come forward alone without any contributions then it would not be approved.

The Chair explained that it was a delicate balance, and the viability issues could only be re-solved by adding more houses which would then cause further negative impact on the planning balance.

After being put to a vote, the Motion was lost with 3 votes in favour, 8 votes against and 1 abstention.

Councillor Gray proposed refusal for the following reasons:

The application was in contrast with Stroud District Council Local Plan Policies CP4, CP5, CP6, CP9, CP13, EI16 and SA5 paragraphs 1, 4, 6, 10, 11, 12 & 13.

The Acting Head of Development asked Councillor Gray to expand on her refusal reasons.

Councillor Gray explained that on balance, the benefits of the proposal, the new housing, employment and regeneration were not outweighed by the environmental impact of the

development and the failure to contribute to affordable housing, education or other community infrastructure, community pitch and to fully meet the vision for the cluster with the adopted Local Plan. The proposal was therefore contrary to the Policies CP4, CP5, CP6, CP9 and Site Allocation Policy SA5 (b) 1, 4 and 6 of the adopted Stroud District Local Plan, 2015. Councillor Brown seconded.

After being put to a vote, the Motion was carried with 8 in favour, 3 votes against and 1 abstention.

**RESOLVED To refuse the application for the refusal reasons listed above in the minutes.**

The meeting was adjourned for a short break.

**DCC.051     Stroudwater Canal Phase 1B, Eastington, Gloucestershire, S.19/0291/FUL Report**

The Majors & Environment Team Manager introduced the application and explained that it formed part of the wider canal restoration project. He explained that it was for the missing section of the canal that was filled in during the M5 road works. The scheme included various features such as: lock gates, pedestrian bridges, gas pipeline crossing, mooring basin with associated facilities, Leisure facility building, Car park, café, basin managers flat, 44 non-residential moorings and a pedestrian tow path.

The Majors & Environment Team Manager explained that the application was a key regeneration project for the district and was supported by Local Plan Policies CP15, ES11 and Eastington Neighbourhood Development Plan (NDP) and the Canal Strategy. He then highlighted the following key considerations:

- The scheme would mitigate the ecological, noise and highway impacts through appropriate conditioned controls and through the section 106 agreement.
- The flood risk was in a position where the risk could be managed and mitigated.
- It was not possible for the canal to travel its original route, however Officers were satisfied that the proposal retained its character and appearance and conservation for the area.

The Majors & Environment Team Manager explained a positive planning balance had been identified with the regeneration benefits, the social, wellbeing and economic benefits. He further explained that the late pages published included a whole new set of conditions including any updates which had been made to the previous conditions.

Councillor Davies, a Ward Members for the area, and a member of Stroud Valley Canal Company and Connected Canals Company spoke in favour of the application. He highlighted that Whitminster and Eastington Parish Councils supported the canal but were disappointed to see the café and the accommodation included as part of the application.

Mr Mitford-Slade, spoke on behalf of the applicant and asked the Committee to approve the application for the following reasons:

- The application was part of the National Lottery Heritage Fund project to reconnect the restored section of the canal in stroud to the National Canal Network at Saul junction.
- This was a significant strategic project for the district and Cotswold Canals.
- It was the largest heritage funded project in the Southwest and had strategic economic community and environmental benefits.

- The proposal sought to create a new destination for tourism. The café and the connected tow path would work as mitigation to draw people away from the Severn Estuary and therefore protect the key habitat.
- The moorings would provide a key revenue stream for future maintenance and operation of the canal. The Café would further support the canal boat users utilising the moorings.
- The tow path would be for multiusers to reconnect the communities both East and West of the M5.
- New wetlands area south of the River Frome would create new habitats and provide a wildlife corridor.
- The proposal included a residence for the mooring basin manager who would be on site to provide out of hours service and respond to safety and security matters. The use of the accommodation would be restricted through the section 106 agreement.

Councillors asked technical questions of the Officers and received the following responses:

- The location of the proposed Stadium would be in close proximity and to the north of the A419.
- GCC Highways were happy with the application and were satisfied that it would not have a negative impact on the M5 junction 13.
- The basin had been positioned in close proximity to the access road for ease of accessibility.
- The accommodation would be controlled through the Section 106 agreement to ensure only the person working there and required to be onsite could reside in the flat.
- The scheme would look to make local improvements to the footpath which would follow along the canal and under the motorway.
- The car park would have capacity for 93 vehicles with a minimum of 14 electric vehicle charging spaces.

Councillor Patrick proposed the Officers recommendation to permit the application subject to the proposed conditions set out in the late pages and secure of the Section 106 agreement. Councillor Brown seconded.

Councillors Brown, Jones and Miles expressed support for the application.

Councillor Fenton supported the application but debated the need for the 93 car parking spaces, she stated that we should be promoting active travel.

Councillor Luff echoed Councillor Fenton's comments.

Councillor Schoemaker debated whether the footpath would be open to cyclists.

Councillor Patrick debated that some of the car parking spaces should be combined to allow for horse box parking.

Councillor Gray supported the application and echoed previous comments regarding the car parking and cycling provisions.

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

**RESOLVED To permit the application subject to the conditions listed in the late pages and following the secured S106 agreement.**

The meeting was adjourned for a short break during which, Councillor Ryder left the meeting.

**DCC.052     A T C Loudspeaker Technology Ltd, Gypsy Lane, Chalford, Stroud**  
**S.23/1250/FUL Report**

The Principal Planning Officer introduced the application and explained that it was for the redevelopment and expansion of an existing site. The site was occupied by the ATC Loudspeaker Technology LTD who produced loudspeaker units and complete sound reproduction systems. She highlighted the following considerations of the site:

- The site had a Public Right of Way (PROW) which runs to the North of the site.
- It was within the Area of Outstanding Natural Beauty (AONB) and in the open countryside.
- The application had been called into Committee under paragraph 183 of the NPPF which was summarised on page 159 of the document pack.
- The existing site comprised of 5 buildings which had been re-purposed and temporary storage added as the company grew.
- The turnover and the staffing had increased exponentially over the last 5 years, and this was an exemplar company with over 90% UK suppliers.
- They had an extensive list of clients and were the only company in the UK to manufacture all of its components inhouse and was 1 of 3 companies worldwide to provide monitors to recording studios.
- They had expanded its production to and beyond the limits of the site and therefore they were looking to expand the buildings.
- The applicant had undertaken an assessment of alternative sites against their requirements and found that its existing site represents the best location for this bespoke business operation.
- Officers concluded that the need for the development and the impact on the local economy if the business were to be lost to the district were adequately demonstrated to allow the principal of major development to be considered within the AONB.
- The proposal increased the footprint from 1520sq – 9000+ to future proof the growth of the company.
- The materials proposed were all natural with a variety of patterns to appear cohesive.
- The applicant had addressed the landscape impact with proposed planting of native trees and completed a 15-year prediction on the main viewpoints.
- The Cotswold Conservation Board supported the scheme as a justified exceptional site and recommended supplementary planting and a phased development to bring forward the planting in the initial phase of development.

Councillor Chloe Turner, a Ward Member for the area, spoke in favour of the application and stated that she was pleased to see an initiative employer who had made a considerable effort to mitigate any landscape impact, they were an asset to the Ward.

Mr Woodman, the applicant, asked the Committee to approve the application for the following reasons.

- They sought early engagement from the Council, Ward Members and any relevant stakeholders.
- They wanted the development to be something that the local area could be proud of.

- Their Company moved to the site in 1985 which was also their home.
- The companies who purchased their products went on to become very successful in live music.
- They focused on high performance, low distortion, accurate reproduction of audio which was why they make the product in its entirety.
- Their products were built to last a lifetime and they have put the same focus on the proposal to ensure that it was environmentally led and focused on sustainability.
- They outgrew the site a number of years ago which had led to utilising other sites in other locations.
- Developing the existing site would enable them to retain their current workforce and create new employment opportunities. The majority of the existing workforce live within 5 miles of the site and have been with the company for many years.

Councillor Jones asked If the lighting would be halogen. The Principal Planning Officer explained that there was a condition included to require a detailed lighting strategy to be produced, they would be looking for lower-level lighting due to the landscape and ecological impact.

In response to Councillor Miles, the Principal Planning Officer confirmed that Sycamore trees were not a native species and the landscaping scheme did not include them.

Councillor Brown proposed the Officer recommendation subject to conditions and Councillor Gray seconded.

Councillor Gray commended the proposal and the applicant for their exceptional design and engagement.

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

**RESOLVED To permit the application.**

**DCC.053    DCC Budget Monitoring Report Q3 2023/24**

The report was circulated prior to the committee meeting, there were no comments.

**RESOLVED To note the outturn forecast for the General Fund Revenue budget for this Committee.**

The meeting closed at 10.18 pm

Chair