



STROUD DISTRICT COUNCIL

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DEVELOPMENT CONTROL COMMITTEE

29 March 2022

6.00 - 10.17 pm

Council Chamber

Minutes

Membership

Councillor Martin Baxendale (Chair)

Councillor Martin Brown
 Councillor Jason Bullingham
 Councillor Helen Fenton
 Councillor Loraine Patrick
 Councillor Chris Brine

*= Absent

Councillor Trevor Hall (Vice-Chair)

Councillor Mark Ryder
 Councillor Lucas Schoemaker
 Councillor Ashley Smith
 Councillor Haydn Jones *
 Councillor Victoria Gray *

Officers in Attendance

Head of Development Management
 Majors & Environment Team Manager
 Development Team Manager
 Principal Planning Officer (Majors)
 Planning Officer

Senior Planning Officer
 Specialist Conservation Officer
 GCC Highways Officer
 Democratic Services & Elections Officer

Other Member(s) in Attendance

Councillors Stephen Davies, John Jones and Turner

DCC.043 Apologies

Apologies for absence were received from Councillors Gray, Brine and Jones.

DCC.044 Declarations of Interest

Councillors Smith declared a personal interest in Item 4.5, S.21/0484/FUL. Later in the meeting he also declared an interest in Item 4.6, S.21/0465/FUL therefore, he left the meeting after Item 4.4 had concluded.

DCC.045 Minutes

RESOLVED That the Minutes of the meeting held on 15 February 2022 were approved as a correct record.

DCC.046 Planning Schedule and Procedure for Public Speaking

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

1.	S.21/2625/HHOLD	2.	S.21/2825/FUL	3.	S.21/1225/REM
4.	S.21/1152/REM	5.	S.21/0484/FUL	6.	S.21/0465/FUL

DCC.047 Hambutts End, Edge Road, Painswick, Stroud (S.21/2625/HHOLD)

The Development Team Manager introduced the report and explained that the application was for the erection of a single storey, detached garage with a home office to the rear. He showed the plans for the site on the screen and then further informed the Committee of the things to consider:

- The site was within the settlement development limits of Painswick and not within the Painswick conservation area.
- The site fell within the Cotswolds Area of Outstanding Natural Beauty (AONB)
- The proximity of the site to the nearest listed buildings.

The Development Team Manager explained the principle policies of the local plan used to determine the application which were:

- HC8 – This allowed for extension, alteration and erection of ancillary buildings within existing residential properties.
- ES10 – Managed the impact of development on a heritage asset.

He further informed the Committee that there had previously been a garage on this site.

The Head of Development Management told members that there had been a third-party representation handed in prior the meeting by the parish council representative. She explained that current processes do not include reading out third party representations to committee and that she was aware that the author had already made representations on the application.

Mr Lewis, Parish Councillor, spoke on behalf of the Painswick Parish Council against the application. He informed the Committee that he was the chair of Planning for Painswick Parish Council and shared their concerns:

- The detrimental impact of the application on Hambutts House (a Grade 2 listed building), the proposed garage would be visible from its rear windows and garden.
- A similar application (S.14/0799/HHOLD) in Painswick was originally refused due to the height of the proposed pitched garage roofs being higher than the boundary walls of the nearby listed buildings.
- There were ongoing issues surrounding land ownership and the removal of the previous garage.

Mr McLean, the applicant, spoke in favour of the application. He asked the committee to support the application for the following reasons:

- The existing garage had fallen into disrepair and was unsafe to use. This application replaced the existing garage and occupied the same hard standing.
- The design of the building had been changed to satisfy Planning Officers suggestions.
- The materials proposed were in keeping with the village of Painswick and the local area.
- Hambutts House was around 39 metres away with mature trees along the boundary.

The Development Team Manager gave the following responses to questions from Councillors:

- The height difference between the previous garage and the new proposed garage could not be identified however, plans were produced to show the extent of the garage roof in relation to the boundary wall.
- The Officer opinion was that there wouldn't be an impact to loss of light.

Councillor Ryder proposed and Councillor Patrick seconded.

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

RESOLVED To PERMIT the application

DCC.048 137A Summer Street, Stroud, Gloucestershire (S.21/2825/FUL)

The Planning Officer introduced the report and explained that the application was for the demolition of an agricultural barn and the erection of a new dwelling to a passivhaus standard. She informed the Committee that the current barn had been granted prior approval for conversion to a residential dwelling under class Q of the general development order in 2020.

She informed the committee of the main points of the application which included:

- The site was located off Summer Street in Stroud and sat just outside of the settlement boundary.
- The site was in close proximity to a number of listed building (to the south) and to the AONB.
- The proposed building would have a reduction in size to the original footprint of the barn.

The Planning Officer further informed the Committee of the main issues to consider which included:

- The principle of development.
- The appearance and visual impact.
- The site sat outside the settlement limits which meant it was considered to be in the open countryside.
- The application did not meet any exceptions set out in policy CP15 of the local plan.
- The application conflicted with policies CP2 and CP3 of the local plan.
- There was a fallback position of the class Q development for the conversion, which was a material consideration.

The Planning Officer concluded by explaining:

- Due to the location of the site which was located on the edge of the Stroud settlement, and the fallback position, there would be limited harm in relation to the location.
- The scale and appearance would be similar to the existing building.
- The domestic curtilage had been reduced.
- No objections were received following consultation which was ongoing.
- The dwelling was proposed to meet passivhaus standards.

Mr and Mrs Kingdom, the applicants, spoke in support of the application. They asked the committee to support the application for the following reasons:

- After researching the conversion, they realised the home would not achieve the levels of energy efficiency sought.
- They followed the existing roof shape and retained the timber cladding in order to retain the existing characteristics of the barn.

- 25% of the mass of the building was removed in order to create a courtyard.
- The proposed house would be 25 times more energy efficient during its lifetime and the passivhaus standards would mean it required almost no heating.
- The current barn was not required as they grazed with small numbers of hardy breeds.
- They would be working with other land owners and the wildlife trust to increase biodiversity and natural habitats including the creation of a wildlife corridor.
- They had begun work with Stroud District Council (SDC) to install natural flood defences along their stretch of the Slade Brooke.

The Planning Officer gave the following responses to Councillors questions:

- The change of use would only relate to the red line of the application site on the plans which would protect the new proposed curtilage.
- If there was a reason that the development would not be acceptable if it wasn't a passivhaus, then a condition could be placed to ensure passivhaus standards were met.
- There were a number of recommendations made by the biodiversity team. One was for a home information pack due to the site being within the catchment area for the beechwood commons which had been conditioned.

Councillors debated the weight of the passivhaus standards in relation to the application and whether they felt it necessary to condition those standards as part of the application.

Councillor Ryder raised a point that the consultation of the application advertised the passivhaus standards which carried substantial weight in the community and should be a determining factor.

The Development Team Manager reminded the committee of their powers and the Local Plan Policy CP14 which the application would relate to most. He also reminded the Committee of their ability to use informatives within a decision as well as conditions.

Councillor Brown supported the use of an informative in the approval which referenced CP14 and its principles.

Councillor Brown proposed the Officer advice with the addition of an informative which would relate to policy CP14 and passivhaus standards. Councillor Ryder seconded. Councillor Ryder expressed his disappointment that the passivhaus standards could not be conditioned.

Councillor Smith stated that it was important for the record to state the nature of the particularities of this application. It was relevant as to why they were making this judgement as opposed to other applications which may come in the future situated in the open countryside.

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

RESOLVED To PERMIT the application subject to the conditions set out in the report and to delegate to the Head of Development Management to decide once consultation has concluded with an added informative to be agreed in consultation with the Chair and Vice chair of the committee.

DCC.049 **Dudbridge Industrial Estate, Dudbridge Road, Stroud, Gloucestershire**
(S.21/1225/REM)

The Senior Planning Officer introduced the applications and explained that they were reserved matters applications which emanated from the hybrid application previously approved in 2017. The first application was for the conversion of the existing building into 30 units. He showed the Committee the plans for the proposed site and explained the considerations:

- The site was within the conservation area and in close proximity to the canal.
- Improvements had been made to the road design in response to Highways objections.
- Planting had been increased and the parking layout had been altered.

The Senior Planning Officer gave the following responses to questions from Councillors:

- Although there was not a segregated cycle route, allowances were made for cyclists including an indoor bike storage.
- Questions surrounding refuse vehicles access, play areas and cycle routes were deferred until the second application.

Councillor Ryder proposed and Councillor Schoemaker seconded.

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

RESOLVED To PERMIT the application and Delegate to the Head of Development Management to decide once consultation has concluded.

DCC.050 **Dudbridge Industrial Estate, Dudbridge Road, Stroud, Gloucestershire**
(S.21/1152/REM)

The Senior Planning Officer introduced the application and explained that it was for the erection of 94 dwellings. This application was a second reserved matters application from the original hybrid outline application submitted in 2017. They showed the Committee the plans for the proposal and informed them of the changes made which included:

- Improvements to the road layout in order to reduce vehicle speed.
- Increased tree planting.
- Road surface changes to reduce speed.
- Visitor car parking spaces removed and replaced with tree planting to improve layout and design.
- Cycle storage provided.
- The open space on the site included benches and a central feature.

The Head of Development Management confirmed, in response to Councillor Brown, that the nearest play area was the Elizabeth Field to the west of the site. She further informed that it could be accessed directly via towpaths from the proposed development.

The Senior Planning Officer gave the following responses to questions from Councillors:

- The changes requested by Highways were highlighted in magenta on the proposed plans.
- Gloucester County Council (GCC) Highways had no concerns for the access of refuse vehicles along the spine road specifically around the knuckle bend.

- The boundary wall between the supermarket and the proposed development was an acoustic wall which provided noise mitigation from the loading and unloading of lorries.
- The proposal included a potential for electric charge points to be provided however, this was not currently conditioned.

Councillor Patrick proposed and Councillor Ryder seconded.

Councillor Patrick expressed her support for the application due to the shortage of 1 and 2 bedroom properties in the area and the use of an existing brownfield site for the development.

Councillor Schoemaker raised concerns regarding the lack of affordable housing on the site. Councillor Hall echoed these concerns.

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

RESOLVED To PERMIT the application and Delegate to the Head of Development Management to decide once consultation has concluded.

Councillor Smith left the meeting at this point due to an interest in the following items.

DCC.051 Land North of, Cirencester Road, Minchinhampton, Gloucestershire (S.21/0484/FUL)

The Principal Planning Officer (Majors) introduced the application and explained that it was for the erection of a primary care doctors surgery with a dentist. They informed the Committee of the main points of the applications:

- The proposal was to build on agricultural land.
- The application included offsite highways works which consisted of 2 additional bus stops, a revised buildout and corresponding speed limits built out.
- Concerns were raised from residents with regards to views into properties from passengers waiting at the bus stop.
- The site was outside the settlement limits of Minchinhampton and was within the AONB.

The Principal Planning Officer (Majors) explained to the committee the principles which had helped to make their recommendation, these included:

- Policy CP15 of the local plan which allowed for development outside of settlement limits subject to certain criteria.
- The site was located within the AONB. The National Planning Policy Framework (NPPF) gave great weight to the preservation of the character of the AONB.
- This application was not considered to be a major development.

The Principal Planning Officer (Majors) summed up the wider considerations of the site which included:

- The water board had agreed to connect the sewer to the mains.
- The proposed design included the addition of swales to increase biodiversity.
- Planting of native tree and hedge species to provide a screening from headlights.
- Low level lighting scheme was proposed due to the potential of bats in the area.
- The mature trees along the boundary were protected by a TPO, a condition had been included to agree the method of construction near these trees in order to protect the roots.

Councillor Turner spoke as a Ward Member for the area. She stated that there was a need for the surgery in the area and recognised the sensitivity regarding the location of the site. She drew the Committees attention to the following points:

- The applicant's intention to secure an excellent BREEAM rating.
- The conditioning of the low-level lighting.
- She would have liked to have seen the landscaping conditioned to ensure little to no impact from headlights to neighbouring properties.

Mr Neate, a local resident, spoke against the application. He asked the committee to reject the application for the following reasons:

- Core Policy CP15 of the local plan stated that such essential development would only be permitted in the open countryside if it could not be accommodated within the identified settlement development limits.
- The application was in contravention to CP15 because the medical centre could redevelop their current building.
- If this application was permitted, it would set a precedent.
- The location of this application would mean residents from the other end of the village would need to drive to access it.
- A previous plot of land, closer than the proposed site, was dismissed for being too far to walk.
- 5 other sites for this application were also dismissed due to their development not being achievable within the NHS funding timeframe.
- The Proposed medical centre would be 3x the size of the current one with a private dentist included, he questioned whether this was required for such a small village.

Dr's Cooper, Weir and Beard, the applicants, spoke in favour of the applications. They asked the Committee to support the application for the following reasons:

- The current building was built in 1971, since then, the population of Minchinhampton had risen from 3,000 to 7,600.
- They had converted every store cupboard and space available and were still struggling to find room.
- The rooms were too small and not fit for purpose.
- 12 years ago they began to look for a new site to build, they had chosen this site out of a potential 17 sites because this was the only one that was accessible, available for development and could be provided within the NHS funding time constraints.
- The new surgery would provide, 14 consulting rooms, a large health promotion room, a reception area, waiting area and a dentist.
- Thought had been given to the design to preserve and enhance biodiversity.
- A new building would secure the future of the Minchinhampton surgery.
- Additional services would now be able to be offered locally which would reduce travel to Stroud and Gloucester.

The Principal Planning Officer (Majors) gave the following responses to questions raised from Councillors:

- The dry stone wall in the plan was secured under the second planning condition. There was also a soft landscaping plan which would secure the planting.
- The stub of road shown in the plans was for the access to the paddock.
- It was unlikely that there would be views into properties from the bus stop due to the sight angle and the minimal time people would spend at the bus stop.

- The details for the planting could be found in the report and if it was felt necessary, they could discuss options with the developer.
- They were happy that this was the only viable site out of those listed.

Councillor Ryder debated the potential to condition the boundary treatment in order to provide screening to the neighbours immediately. The Principal Planning Officer (Majors) confirmed from the plans that the proposed height of the hedge was 0.4m, it could not be evergreen due to being a natural species.

Councillor Ryder questioned whether it was possible to condition a minimum maintained height. The Head of Development Management confirmed Councillors could attach a condition to maintain a certain height level.

Councillor Ryder proposed the Officers advise subject to a condition to raise the initial height of the boundary hedges to a minimum of 1 metre.

Councillor Hall seconded.

Councillor Ryder thanked the Officer for their report and expressed his support for the application.

Councillor Schoemaker expressed his concerns for this application.

Councillor Fenton expressed her support due to the need for the service that will be provided. Councillor Hall echoed Councillor Fenton.

After being put to a vote, the Motion was carried with 6 votes for and 1 vote against.

RESOLVED To Grant permission and Delegate to the Head of Development Management to decide once consultation with Highways was concluded subject to the amendment to condition 12 and the increase of the minimum boundary hedge height.

DCC.052 Land Parcels A & B, Near Whitminster, Gloucestershire (S.21/0465/FUL)

The Majors and Environment Team Manager introduced the application and explained that it was split into two main sites which would be connected by an underground cable. He explained the proposal was for a 49.9 megawatts solar development which included battery storage units.

The Majors and Environment Team Manager informed the Committee of the main points of the application which included:

- The solar panels would utilise a tilting mechanism to maximise the amount of power generated.
- The maximum height would be 3m.
- Battery storage units would be spread out across the site.
- NPPF was generally in support of renewable energy.

They further informed the Committee of the key issues to consider which were:

- The landscape impact – The Solar arrays were sited within the existing field patterns and the landscaping proposed provided buffers and an increase to hedge heights to lessen the impact.

- Cumulative impact – The application was divided into 2 parcels to lessen the impact. The closest solar farm to this location was further North from this site.
 - Impact to local residents – A glimmer and glare assessment was carried out and found to have a limited impact on a limited number of dwellings for a limited time.
 - Noise Impact – Acoustic fencing and planting were in place to mitigate the noise.
 - Highways Impact – During the construction site there would be 12 deliveries a day with a proposed management system to minimise vehicle movements along Whitminster Lane.
 - Ecology – The scheme proposed would provide enhancements to the current site.
- The Majors and Environment Team Manager concluded by highlighting the late pages that were circulated ahead of the meeting.

Councillor John Jones spoke as a Ward Member against the application. He asked the committee to reject the application for the following reasons:

- It would cover 100's of acres of good productive agricultural land.
- Loss of food production would need to be made elsewhere which would likely be abroad and then imported. This would not be good for carbon footprints or British Farmers.
- Solar Farms should be placed on rooftops or brownfield sites and not covering the vast countryside.
- There were 100's of square metres of rooftops available in the vicinity which could accommodate this application.
- The size of this application would be a massive intrusion on the countryside.
- It would remove views of wildlife and the countryside from local villages.
- The Whitminster parcel had a number of footpaths crossing the land. These were proposed to be fenced off which would not be a pleasant experience to walk through.
- The development would be visible from the canal which was currently being restored by Stroud District Council.
- The tilting mechanism had not been tested in the UK yet and could provide more noise.
- The proposed construction would involve HGV's passing through the main part of the village, along the front of the school and through the narrow village lanes.

Councillor John Jones asked the committee if they were to approve this application could they consider requesting the following:

- All construction vehicles to exit left from the site onto the A38 to prevent large vehicles crossing both busy lanes of traffic.
- The use of the stop / go boards towards the village school to ensure the large vehicles do not encounter local traffic along the narrower lanes toward the site entrance.

Councillor Stephen Davies spoke as a Ward Member against the application. He asked the committee to reject the application for the following reasons:

- Solar farms were a good thing however, they should be built on roofs.
- He questioned why all the warehouses at junction 12 were permitted without conditioning solar panels on the roof.
- This application would take up a huge number of fields.
- There were many future solar farms proposed in the area, how many would be too many, this needed to be decided by the Committee tonight.
- SDC's economic development plan included the need for agricultural land to grow food locally and yet this application would remove acres of agricultural land.

- Highlighted two concerns of the Whitminster Parish Council which included the views from the footpaths and the conditions required to make the construction traffic safer to local residents.

Mr Paynter, Parish Councillor, spoke on behalf of the Whitminster Parish Council. He asked the committee to reject the application for the following reasons:

- The application proposed was too big, it would cover nearly 15% of Whitminster's green spaces. The solar farm at Slimbridge only covered 1.5% of their green spaces.
- The location was right at the heart of the village.
- It would divide the village houses from the historical parts of the village which included: listed buildings, the church, Whitminster House and the Canal.
- The application directly affected 8 Public Rights of Way (PROW). Residents wouldn't want to walk a footpath with high fences and CCTV cameras on either side.
- A smaller scale farm proposed in the western end of the village by the M5 would make more sense.
- The last 2 years had affected everyone, the PROW were a lifeline during these times for the villagers. The mental health benefits of being outside were widely recognised.
- There were other location options for solar panels such as roof tops, there were no other options for growing crops.
- The war in Ukraine had emphasised the need to be self-sufficient and grow our own food.
- The governments encouraged farmers to grow hedges for carbon capture.
- The area proposed had an abundance of wildlife, especially the local birds one of which the skylarks, was currently on the RSPCA red list.

Mrs Younger, a local resident, spoke in opposition of the application. She asked the committee to reject the application for the following reasons:

- The site for the proposal was on uneven, sloping land which would emphasise its presence and be a huge visual impact.
- The size was disproportionate to the size of the village.
- It would industrialise that stretch of the A38.
- Several properties would be encircled by the development.
- It would impact on the setting of the local listed buildings, the heritage sites and the restoration of the canal.
- Concerns over the use of the new and untested technology (the tilting mechanism). Impact of the noise and the glare could cover a vast area.
- The construction within the current village infrastructure caused many concerns. The school and playground was along the proposed route to the site and large vehicles would cause distraction and harmful emissions.
- Due to the size and restrictions of large vehicles along narrow lanes, such as the narrow S bend on School lane, the HGV's would need to occupy the middle of the road or risk damaging the embankment. This would be a danger to local traffic.
- The proposed traffic light system would not be suitable for those joining the road against the flow of the traffic and would be an accident waiting to happen.
- The noise and disruption from the construction traffic would have a detrimental effect on resident's health and wellbeing.

Mr Withers, the applicant, spoke in favour of the application. He asked the committee to support the application for the following reasons:

- Moreton Valance solar farm would lead to the equivalent displacement of over 20,000 tonnes of CO2 annually whilst supplying the electricity demand for over 15,000 homes.
- There were currently 102.8 megawatts of operational ground mount solar PV in SDC. This application would increase capacity by 50% which would take the proportion of equivalent houses to 45,000.
- The designs were sympathetic to their surroundings.
- A thorough site finding process was carried out to find the best location which resulted in the 2-parcel approach.
- Resident's views were taken into careful consideration.
- Panels have been removed, additional mature tree's planted and further additional traffic calming measures were all in response to residents' comments.
- Recognised the importance of the landscape which resulted in the largest and most substantial planting scheme to minimise visual impact. This included: 712 new trees 40 acres of wildflower meadow margins and 2.7km native hedgerows. This would significantly increase biodiversity and provide screening for local residents.
- The proposal would include substantial community benefits which included: funding for both Parish Councils, £7.6m of business rates over the life of the project, opportunities for contractors during construction, enhanced footpath corridors and improvements to visibility of school lane through hedgerow setbacks.

The Major and Environment Team Manager gave the following answers in response to questions:

- The nearest solar farm to the proposed application was just to the North of the Morton Valance parcel.
- The community benefit funding sat outside of the planning remit and wasn't to be considered, this would be separate to the planning decision and for the Parish Councils to discuss with the applicant. The scheme offered other community benefits such as providing renewable energy, ecology and biodiversity enhancements.
- There was a wintering bird survey conducted due to the proximity of the River Severn.
- The wildflower meadow margins would provide enhancements from the low ecological agricultural fields.
- The PROW's throughout the site would be protected and maintained.
- The land was previously used for crops, the agricultural classification for the site showed that it was not the best quality or the most fertile.
- The reinstatement of the missing mile part of the canal would be 1 field away from the proposed site, approx. 150m.
- Construction would take 6 months.

Councillor Schoemaker questioned whether they could limit the deliveries on a Saturday due to the proximity of the Saul Junction which was a Popular tourist attraction and drew lots of traffic to the area. It was confirmed that this could be possible if it was felt that it was necessary.

The Head of Development Management confirmed that the any separate community funding agreed between the applicant and the local community was not an issue for the

committee, such funding would not meet the tests required for S106 agreements and therefore could look to the member of the public like buying a planning application. The Principal Planning Lawyer echoed this.

It was confirmed that:

- The biodiversity teams suggested conditions were incorporated within the landscape ecological management plan.
- Condition 8 tied the planning application to a particular assessment, should it have deviated from that in the future, it would need to be investigated by the local planning authority.
- Condition 4 required the restoration of the scheme to the original condition but differed the details of this to closer to the time.

Councillor Hall proposed and Councillor Brown seconded.

Councillor Brown shared reservations about fields being given over to solar panels and debated the roof alternatives suggested by other Members.

The Majors and Environment Team Manager showed the landscape sensitivity survey which highlighted the highly sensitive AONB areas in red and explained why the solar applications were coming forward in a similar area.

Councillor Schoemaker debated the potential of a traffic amendment on Saturdays.

Councillors Fenton and Ryder expressed support for the potential amendment.

Councillor Schoemaker proposed an amendment for no deliveries on Saturday due to the close proximity to the Saul Junction which was a major tourist attraction that attracted large amounts of tourism on weekend days and was already very busy with traffic, pedestrians and cyclists.

Councillor Ryder seconded the amendment and echoed Councillor Schoemaker's comments.

Councillor Schoemaker proposed the amendment only be applicable to the Whitminster parcel of the application which Councillor Ryder agreed.

After being put to a vote the Amendment was carried unanimously.

After being put to a vote the Motion was carried with 6 votes for and 1 vote against.

RESOLVED To Permit the application subject to a condition for the Whitminster parcel to have no construction deliveries on a Saturday.

The meeting closed at 10.17 pm

Chair