



# STROUD DISTRICT COUNCIL

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## DEVELOPMENT CONTROL COMMITTEE

15 June 2021

6.00 pm – 7.11 pm

Council Chamber, Ebley Mill, Stroud

### Minutes

# 3

#### Membership

<b>Councillor Martin Baxendale (Chair)</b>	P	Councillor Victoria Gray	P
<b>Councillor Trevor Hall (Vice-Chair)</b>	P	Councillor Haydn Jones	P
Councillor Chris Brine	P	Councillor Loraine Patrick	P
Councillor Martin Brown	P	Councillor Mark Ryder	P
Councillor Jason Bullingham	P	Councillor Lucas Schoemaker	P
Councillor Helen Fenton	P	Councillor Ashley Smith	P

P = Present    A = Absent

#### Officers in Attendance

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

Senior Planning Officer  
Senior Democratic Services & Elections Officer

#### Others in Attendance

Stephen Hawley, GCC Highway Team Leader

#### DC.001

#### APOLOGIES

There were none.

#### DC.002

#### DECLARATIONS OF INTEREST

There were none.

#### DC.003

#### MINUTES

**RESOLVED** That the Minutes of the meeting held on 30 March 2021 were approved as a correct record.

#### DEVELOPMENT CONTROL PLANNING SCHEDULE

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

1	S.20/2148/OUT
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**DC.004****SUNNYSIDE NURSERIES, CAM, DURSLEY (S.20/2148/OUT)**

The Senior Planning Officer introduced the application and advised that the proposed application was for the redevelopment of the site including industrial, office, and small element of retail use. The site was currently covered with a mixture of buildings and hardstanding. The proposal included the creation of a new highway access onto the A38, the original access would however be retained but only for use by the site that sits directly behind the proposed site. It was also confirmed that the site was screened with mature vegetation which would be retained where possible except for the small opening where the new site entrance would be located. The proposal would retain the existing residential building but converted for office use. The majority of the application site was to be assessed against policy EI4 of the Local Plan as it is considered existing employment land in policy terms. Policy EI4 allows for the extension to buildings, erection of new buildings, and the infilling in-between existing employment buildings on employment sites within the countryside. The highways department had been consulted and had submitted a recommendation for refusal due to concerns that the proposed access did not comply with highway policy or standards, it was thought that the access onto and egressing the site would increase the potential for significant highway incidents. The Senior Planning Officer played videos showing the traffic and view at the proposed new site entrance.

Councillor Fenton joined the meeting however was unable to partake in the item as the presentation of the application had already begun.

The applicant Marie McNally spoke advising that the current access to their property had been changed by the district council following the granting of planning permission for the waste facility and that it was now dangerous due to parked vehicles. It was also stated that the district council had been in support of the changes to access proposed and the use of the whole site for development. It was also stated that they had contacted the County Council Highways team who had originally provided a positive response. The applicant advised that it was no longer viable as a residential property due to the nuisance caused by the waste facility.

The Highways Officer advised that refusal had been recommended on 10 December 2020 this was due to a number of reasons including that the access didn't comply with national design standards, a road safety audit had been submitted but the findings of the audit weren't deemed acceptable, there were also concerns with the location of the site and its proximity to facilities and services including the ability to access public transport and walking and cycling routes. It was also advised that the internal arrangement didn't comply with local standards in particular with regards electric charging points.

Councillor Jones asked for clarification regarding the garden centre and commercial element and whether permission had been granted for its use. It was advised that they were not aware of any permissions or certificates that had been granted for its use.

Councillor Brine asked for clarification as to why the original access could not be used or modified. The Senior Planning Officer advised that Members would need to consider the application that has been brought forward, the application for this site proposed a new access. It was also advised that a new appraisal would need to be completed by Highways should an alternative access be proposed by the applicant. Councillor Brine raised a suggestion that instead of refusing the application members could defer the application to a future committee to allow the applicant to consider the viability of the current access. The

Head of Development Management advised that this would be possible for the Committee to consider.

Councillor Ryder asked whether the Highways authority deem the current access is satisfactory. The Highways Officer advised that he would be unable to answer this as this isn't what had been assessed for the application.

In a response to further questions the Chair and Head of Development Management reminded Members that they were only able to consider the application that had been submitted.

The Highways Officer also provided further information stating that the proposed access was close to the brow of the hill and that the visibility splays did not comply with the national standards and therefore based on the evidence currently available they would advise that it is unsuitable. It was confirmed that if the applicant wanted to provide further information they would be happy to work with the applicants to consider if it could be deemed suitable.

Councillor Jones asked for clarification as to how the site is considered as B2 and B8 use, the senior planning officer advised that they are aware that the site has been used as a garden centre/nursery in the past and they don't have any evidence to the contrary.

Councillor Jones proposed to move the officer's recommendation to refuse the application with the inclusion of a refusal reason relating to CP13, CP15 and EI4 as he questioned whether the site could be considered as a current employment site.

In the absence of any seconder the proposal was dismissed.

Councillor Jones proposed the officer's recommendation to refuse, Councillor Brine seconded the recommendation.

Councillor Patrick expressed concerns over the access to the site and the reasons as to why the application had taken so long to come to committee.

Councillor Hall stated that as it stands he agrees that the application would need to be refused however would be happy to see an alternative proposal come back to Committee for discussion.

Councillor Jones advised that in his view if Highways have recommended refusal then members would need to consider this and also refuse permission. He also advised that he did not believe the principal of the scheme should have been accepted with regards the policies in the local plan e.g. CP13 and EI4.

Councillor Ryder stated that it was clear as to the reasons why the application should be refused.

On being put to the vote there were 5 votes for, 5 against and 1 abstention the chair used his casting vote in support of the recommendation.

**RESOLVED To Refuse Permission for Application S.20/2148/OUT**

The meeting closed at 7.11pm.

Chair