



STROUD DISTRICT COUNCIL

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DEVELOPMENT CONTROL COMMITTEE

30 March 2021

6.00 pm – 9.08 pm

Remote Meeting

Minutes

3

Membership

Councillor Martin Baxendale (Chair)	P	Councillor Steve Lydon	P
Councillor Miranda Clifton (Vice-Chair)	P	Councillor Jenny Miles	P
Councillor Dorcas Binns	A	Councillor Sue Reed	A
Councillor Nigel Cooper	P	Councillor Mark Reeves	P
Councillor Haydn Jones	P	Councillor Jessica Tomblin	P
Councillor Norman Kay	P	Councillor Tom Williams	P

P = Present A = Absent

Officers in Attendance

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

Development Team Manager
Senior Planning Officer
Senior Democratic Services & Elections Officer

Other Member(s) in Attendance

Councillor Dave Mossman
Councillor Mark Ryder
Councillor Nick Hurst

Others in Attendance

Stephen Hawley, GCC Highway Team Leader

DC.033

APOLOGIES

Apologies for absence was received from Councillors Binns and Reed.

DC.034

DECLARATIONS OF INTEREST

There were none.

DC.035

MINUTES

RESOLVED That the Minutes of the meeting held on 23 February 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.20/2729/HHOLD	2	S.18/2697/OUT	3	S.18/1947/OUT
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DC.036 **MANOR HOUSE, LOWER LITTLEWORTH, AMBERLEY, STROUD** **(S.20/2729/HHOLD)**

The Development Team Manager introduced the report which outlined an application seeking planning permission for the erection of an outbuilding to be used as a music studio and recording facility. He emphasised planning permission had previously been granted for an almost identical building in February 2020, and the resubmission sought to revise the location of the building on the site due to underground constraints associated with the original position. The revised location allows for the proposed building to sit behind an existing outbuilding to have a better physical relationship with the main house. The only change in physical appearance is the re-positioning of the double doors into the studio.

In response to concerns about the impact of the proposal on the special historic and architectural character of the listed building Moor Court, more information was provided which demonstrated that the proposed building would not be visible in long range views of Moor Court and therefore there would be no impact on the heritage asset. This position did not change following consideration of a Heritage Impact Assessment submitted by local residents.

Local residents also submitted a report on land stability. The Development Team Manager clarified that as the application did not propose any change of use of land from the existing residential use, it would not be appropriate to apply any conditions to manage any land stability issues.

The recommendation was therefore to grant planning permission subject to the conditions listed in the report.

Councillor Hurst, as Ward Councillor for Minchinhampton, responded to the application following discussion with local residents who had raised a number of concerns. Whilst in principle supporting the recommendation, he sought clarification on a number of conditions:

1. He proposed that a Site Datum be established so that the height of the proposed building cannot be more than 150mm higher than the adjoining track;
2. In relation to noise he suggested that some acoustic control be registered at the boundary between the proposed building and Moor Court which should not exceed 50-55 decibels;
3. In relation to light spillage, he indicated the applicant was prepared to introduce light control blinds on the building's roof lights so it would be appropriate to include this as a condition.

The Development Team Manager indicated that any issues relating to light spillage should be covered by condition 7, which requires a strategy for any external lighting, so any condition relating to blinds would have to meet the test of a condition. In relation to noise, as the Environmental Health Officer had been consulted on the application, and had not raised objections, members would need to justify any condition in this regard.

Councillor Jones asked how a condition on noise could be justified. The Development Team Manager explained that the application relates to operational development, and members would have to evaluate whether the proposed element of residential use is particularly different to how other parts of the residential area are being used. In addition, enforcement of acceptable noise levels is controlled through specific Environmental Protection legislation, not through planning, so members would need to agree this constitutes a significant concern in this case to justify a condition.

In response to some concerns raised about the boundary between domestic and commercial use of the proposed building, the Development Team Manager indicated that this is covered in conditions 3 and 4 as set out in the report.

The substantive Motion, in accordance with the Officer's recommendation to grant permission, was proposed by Councillor Williams and seconded by Councillor Clifton.

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

RESOLVED To grant Permission for Application S.20/2729/HHOLD

DC.037 LAND SOUTH OF RAILWAY LINE, BOX ROAD, CAM, GLOUCESTERSHIRE (S.18/2697/OUT)

The Senior Planning Officer introduced the proposal which she confirmed was an outline application with all matters reserved except for access. The application was seeking in principle approval for up to 42 dwellings, including 30% affordable housing, and the provision of a car park for users of Cam and Dursley Railway Station. It is the last undeveloped site along Box Road which does not benefit from allocation in the Local Plan or implementable permission for development. It is therefore outside the residential settlement boundary and contrary to the Local Plan. However, given the quantum of recent applications for residential and mixed-use developments around the site and their outcomes, the LPA has concluded that the location of this site is acceptable and sustainable for residential development.

The Senior Planning Officer noted that there had been significant public concerns raised about traffic, car parking and flooding relating to this application. She explained that the LPA relies on the technical knowledge of the Highways Authority to form an assessment on traffic issues and is content that the Box Road could take the additional traffic generated as a result of this development. The LPA has negotiated with the developers to secure a railway overspill car park on the site providing 19 vehicle spaces to help alleviate on street parking issues. The Gloucestershire LLFA had rejected the original drainage scheme of infiltration for the site but considered the resubmitted pump scheme to be a viable strategy.

The Senior Planning Officer requested that three standard biodiversity conditions be added to the permission should it be approved. These are:

1. Standard CEMP condition
2. Ecological design strategy to be submitted at REM stage
3. Lighting Strategy to be submitted.

Councillor Tomblin, as Ward Councillor for Cam West, joined the meeting and raised the following issues:

1. More information on the scheme to address flooding on the site would be important.

2. As raised by the Parish Council, it is likely that 1.5 parking spaces per household on this site will be insufficient and it is therefore likely that residents would use the 19 additional spaces provided for railway users. She suggested that consideration be given to providing exclusive access to the overflow car park from the station car park.
3. Further consideration needs to be given to suggested widening works on the Box Road junction and to the general deterioration of the surface of the road.
4. Concerns about the safety of pedestrians on Box Road given the configuration of footpaths.
5. If the outline application is approved, a request for the LPA to consult with the Parish Council on the design and layout of the development prior to agreement.

Stewart Angell joined the meeting to speak on behalf of Cam Parish Council and raised the following points:

1. Access to the additional parking spaces, by road and by foot, should be from the station car park only to ensure they are used by train station users.
2. Concern that two parking spaces per home had been provided for other adjacent residential developments but not this one.
3. A request for more information on the mitigation to be put in place for the traffic issues which would be exacerbated as a result of this development.

Stephen Hawley, GCC Highway Team Leader, explained that a number of the issues raised by Councillor Tomblin were not related to the outline planning application under consideration. Highway maintenance and car parking were Reserved Matters whilst traffic calming and widening works were consented schemes outside the proposal. The number of parking spaces per home would be appraised as part of the Reserved Matters application based on local ward data to ensure that it is evidence led. Stephen Hawley further explained that, in relation to wider mitigation the applicant had provided a transport assessment, and in a sustainable location with good transport links, the provision of 42 houses was relatively modest in the context of background traffic flows and of existing consented developments. No further specific off-site mitigation would be required to address this.

The Senior Planning Officer clarified that, at the Reserved Matters stage, Cam Parish Council would be consulted on the design and layout of the site as the LPA is legally obliged to consult on all applications. She confirmed that access to the overspill car park would be provided under the section 106 agreement and discussion could take place at that stage on whether it should be segregated from the remainder of the built development.

Nick Freer, speaking in support of the application on behalf of the developers, joined the meeting and highlighted the following points:

1. Amendments had been made to the application in response to concerns from local residents including the provision of at least 19 additional parking spaces. The owners of the site wish to ensure that access to the station car park is possible from the application site, but would also wish to explore management options to ensure that the additional spaces are not used for residential parking.
2. Following extensive discussion with the LLFA a drainage scheme utilising a pump solution had now been agreed as a viable strategy.
3. The application proposes a policy compliant scheme with the inclusion of 30% affordable housing.
4. The site is at the heart of a location which is planned and accepted as a focus for sustainable growth.

Councillor Clifton asked whether any thought had been given to the impact of noise from the railway line on this development.

The Senior Planning Officer noted that the site would be the closest development to the railway station but other housing was planned next to the railway line itself. At Reserved Matters stage, details of landscaping would be required to separate the development further. No objection regarding noise had been received from the Environmental Health Officer who had confirmed that properties in those locations are acceptable.

Councillor Jones asked for confirmation, and supporting evidence, that discharge from the site into the River Cam would not cause issues further down the river. The Senior Planning Officer confirmed that evidence was not available at this stage as only a strategy is presented in an outline application, but that technical details would be required at Reserved Matters stage as part of the conditions imposed. The Major & Environment Team Manager clarified that the technical details would have to be at green field and climate change levels so there is an attenuation scheme to hold water on site and release it slowly. Consequently, it was unlikely that any issues would be caused elsewhere.

Councillor Jones reiterated the importance of putting a robust scheme in place to ensure that the Cam can take the additional capacity as it floods on a regular basis. He further asked how hydrocarbons would be handled within the drainage strategy proposed.

The Senior Planning Officer explained that the LLFA is very aware of the drainage issues on the site but the outcome is one of the consequences of the site being the last development going through the planning process. Whilst an integrated approach would have been preferable, with all developments along Box Road at different stages in the planning process, it has not been possible to broker such a scheme.

Councillor Clifton asked whether it was a requirement for applications to include 2 parking spaces per home or the 1.5 spaces referred to in discussion of this application.

The Senior Planning Officer confirmed that the number of spaces being proposed for the application would be submitted at the Reserved Matters stage. The Head of Development Management clarified that the Local Plan states 1.5 spaces per home and that is the policy. Any final decision would have to consider the form and nature of the scheme proposed.

The substantive Motion, in accordance with the Officer's recommendation to permit, with the addition of the three standard biodiversity conditions previously detailed, and agreement that the management of the overspill car park to ensure it is not used by residents should be included in the Section 106 agreement, was proposed by Councillor Cooper, seconded by Councillor Kay, and debated.

On being put to the vote it was carried, with 7 votes for and 1 against.

RESOLVED To GRANT planning permission for Application S.18/2697/OUT subject to a S106 agreement

DC.038**LAND AT QUADRANT DISTRIBUTION CENTRE, QUADRANT WAY,
HARDWICKE, GLOUCESTER (S.18/1947/OUT)**

The Majors & Environment Team Manager introduced the proposal which he confirmed was an outline application with all matters reserved except for access. It was for the erection of 160 dwellings on land which formed part of the former RAC Quedgeley, and which is a protected employment site in the current Local Plan. The applicant's viability argument was that the site is not viable as employment use and the district valuer had confirmed this position. As the site is unlikely to come forward as employment use, an alternative use for the site is sought despite this deviating from the Local Plan. Indicative layouts in the proposal suggest that a noise bund and landscaping around the perimeter of this site will provide noise attenuation between the residential buildings and the commercial buildings. Recent discussions with Gloucestershire Highways had resulted in an amendment to Condition 9 so that one cycle space would now be provided per bedroom rather than per dwelling. An electric vehicle charging condition would be added. It was noted that the proposal would now be within the boundaries of the new Parish of Hunts Grove.

Councillor Mossman, Ward Councillor for Hardwicke, joined the meeting to speak on behalf of the ward community and Hunts Grove Parish Council. He highlighted the following points:

1. The site is clearly identified in all plans for employment use only and is protected against change of use for any other purpose. There is a surplus of outstanding permissions for housing in the area and residents will need employment. It is unacceptable to allow the last piece of industrial land to change to residential use. There is a need to keep the carbon footprint of people travelling away to work to a minimum so employment land is very important. The proposal goes against SDC Policy CP11, CP5, EL1, EK13, SO2, NPPF Paragraph 12, and the Hardwicke NDP.
2. Environmental Health has set noise levels to be achieved, but given the experience of residents in other areas of Hunts Grove, it is very unlikely that noise levels could be reduced sufficiently to achieve the required levels for this application to be successful. This is particularly because of the industrial activity which surrounds the site on three sides.
3. The Hardwicke Neighbourhood Development Plan took four years of hard work to achieve and it was approved by SDC in 2017. It is now as important to consider as SDC policies and MPPF codes.
4. GCC's consideration of the proposal concluded that it would generate additional requirements for school places. It is unacceptable that the applicant has indicated he is unable to afford the contribution for education requested by GCC.

Councillor Mark Ryder joined the meeting to speak on behalf of Hardwicke Parish Council and highlighted the following points:

1. If the application was to be approved it would go against the SDC Local Plan, the Hardwicke Neighbourhood Development Plan and the National Planning Policy Framework.
2. Noise levels have been compromised in other parts of the Hunts Grove residential development which are not as close to the industrial activity as this site. This impact is permanent and the Council is now unable to change this position.
3. The application conflicts with 3 paragraphs of the MPPF, 11 policies of the SDC Local Plan, and 3 core policies of the Hardwicke Neighbourhood Development Plan.
4. Land must be protected for employment use. If 160 residences are erected in the middle of an industrial site it will compromise both residential and industrial occupiers forever.

The Majors & Environment Manager clarified that the proposal is a protected employment site but, as viability testing has shown that there is no sign of it coming forward as an employment site, the best alternative use of the brown field site is sought. The Environmental Health Officer had reviewed the submitted noise data which concluded that the majority of noise will be from highway traffic and that the noise bund and landscaping should be sufficient to alleviate this. He explained that there was no space in the finances of the scheme to provide an education contribution.

Rob Linnell joined the meeting to speak on behalf of the applicant. He confirmed that the proposed site has remained undeveloped for 18 years and that, despite significant marketing, limited interest for employment usage has been received despite there being a strong local market for employment land. A viability assessment demonstrates that the development of an employment scheme would incur considerable losses, and the district valuer has confirmed an employment development to be unviable. Rob Linnell referred to Paragraph 120 of the NPPF which states that where there is no reasonable prospect of an application coming forward to the use allocated in the plan, applications for alternative uses should be supported. The applicant has demonstrated the development to be viable with a 25% provision of affordable housing which would contribute to one of the Council's core objectives. The applicant has addressed all technical and environmental matters raised by consultees resulting in no technical objections to the proposal. Full design details will be brought forward at the Reserved Matters stage for the committee's consideration. The utilisation of the site as a residential development, with the provision of affordable housing, complies with the requirements of the NPPF and would contribute to boosting delivery of housing in the district.

Councillor Kay asked whether the site would not perhaps be suitable for either employment or residential use given its contamination. The Majors & Environment Team Manager clarified that a remediation strategy for the site could be put in place, but the cost of this affects the viability of the scheme, which is why a residential use has been proposed which yields higher land revenues. Councillor Kay asked whether sufficient time for interested employment providers to come forward had been allowed as once the land is determined for residential use this precludes any future employment use. The Majors & Environment Team Manager confirmed that the site had been marketed as an employment site for a significant period of time, the applicant is a commercial property developer, and the district valuer has stated that the viability is unlikely to change in a positive way in the medium term. Councillor Kay asked why the recommendations suggested by Highways England were not included in the set of recommendations in the report, and the Majors & Environment Team Manager confirmed that the highway works had already been put in place.

Councillor Williams asked why the other three sides of the site are viable but the proposed site is not. The Majors & Environment Team Manager explained that the other land did not have the abnormal costs associated with removal of contamination, and it was also part of the wider Hunts Grove development which could have affected viability figures. Councillor Williams asked whether the mix of dwellings proposed could be changed at a later date by the developer. The Majors & Environment Team Manager confirmed that the viability figures are based on the mix of housing in the proposal, but a condition had been added to the recommendations to ensure levels of control, and the mix will be addressed at the Reserved Matters stage.

Councillor Cooper expressed concern that viability seemed to be presented as the primary justification for an application which contravenes many policies and goes against the Local Plan, and asked what flexibility remained. The Head of Development Management

explained that the NPPF recognises that, where sites do not come forward for their intended use, Councils should look to permit alternative developments where they meet unmet need in the area. Members were asked to consider the application on its own merits despite being in conflict with the Neighbourhood Development Plan and the Local Plan.

Councillor Jones asked if more detail could be provided on how the applicant will carry out traffic monitoring as suggested in the proposal. The Majors & Environment Team Manager explained the applicant would be required to provide a travel plan to encourage residents to use sustainable means of transport other than private cars. The developers would have responsibility for promoting other options and this would be controlled by a S106 agreement. The effectiveness of the plan would be monitored with expert input from Highways' personnel.

Councillor Kay suggested that it would have been helpful if an environmental impact assessment had been provided for the proposal. The Head of Development Management explained that there was no expectation that that level of detail would be provided in an outline planning application. She clarified that the purpose of the application is to get clarity as to the principle of the development on this site.

Councillor Miles asked whether, at the next stage of scrutiny of the application, the provision of community facilities would be considered. The Majors & Environment Team Manager confirmed that in Reserved Matters details of layout including open space would be looked at as well as pedestrian and cycle links to the wider Hunts Grove development.

Councillor Williams proposed and Councillor Cooper seconded a Motion to refuse the application. It was clarified that the Motion was to refuse the application for being non-compliant with the following policies: CP11, CP5, CP2, SO2, EI1 (site EK13), NPPF paragraph 12, the Hardwicke Neighbourhood Development Plan EC1 and GEN1. The Committee agreed delegated authority to refuse subject to the Chair and Vice-Chair's agreement.

On being put to the vote the Motion was carried with 7 votes for and 1 against.

RESOLVED To REFUSE planning permission for Application S.18/1947/OUT with the refusal reasons to be agreed with the Chair and Vice-Chair.

The meeting closed at 9.08 pm

Chair