



# STROUD DISTRICT COUNCIL

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## DEVELOPMENT CONTROL COMMITTEE

Tuesday, 13 June 2023

6.00 - 10.06 pm

Council Chamber

### Minutes

#### Membership

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

Councillor Martin Brown  
 Councillor Victoria Gray  
 \* Councillor Haydn Jones  
 Councillor John Jones  
 Councillor Gary Luff  
 Councillor Jenny Miles  
 \* Councillor Loraine Patrick  
 Councillor Martin Percy  
 \*Absent

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

Councillor Mark Ryder  
 Councillor Lucas Schoemaker  
 Councillor Catherine Braun  
 Councillor Nicholas Housden  
 Councillor Nick Hurst  
 Councillor Ashley Smith  
 Councillor Ken Tucker  
 Councillor Chloe Turner

#### Officers in Attendance

Majors & Environment Team Manager  
 Development Team Manager  
 Principal Planning Lawyer, One Legal  
 Principal Planning Officer

Principal Planning Officer  
 Planning Officer  
 Planning Officer  
 Democratic Services & Elections Officer

#### Other Member(s) in Attendance

Councillors Braun, Housden, Hurst, Smith, Tucker and Turner

#### **DCC.001    Apologies**

Apologies for absence were received from Councillors Haydn Jones and Patrick.

#### **DCC.002    Declarations of Interest**

Councillor Jones declared a sensitive interest in Item 4.5, S.22/2771/HHOLD, he left the meeting after Item 4.4 had been determined.

#### **DCC.003    Minutes**

**RESOLVED** That the Minutes of the meeting held on 25 April 2023 were approved as a correct record.

#### **DCC.004    Planning Schedule and Procedure for Public Speaking**

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

1	S.23/0525/VAR	2	S.23/0335/HHOLD	3	S.23/0295/HHOLD
4	S.23/0480/FUL	5	S.22/2771/HHOLD		

**DCC.005 Land South Of, Symn Lane, Wotton-Under-Edge, Gloucestershire S/23/0525/VAR**

The Majors & Environment Team Manager introduced the report and explained that it was a variation to application S.19/1722/VAR. The variation proposed to remove the single bank of parking (12 spaces) and replace it with a wildflower and grass meadow mixture. The proposal also included a hedge to be planted along the pavement edge to provide screening for nearby residents. The Majors & Environment Team Manager explained that it would reduce the overall number of spaces provided by the scheme however they felt it was still a positive community benefit which outweighed the harm. He informed the Committee that they had received one additional objection since the publication of the Officer support.

Councillors Braun and Tucker spoke as Ward Members and asked the committee to defer the application for the following reasons:

- The site was within an Area of Outstanding Natural Beauty (AONB) and outside of the settlement boundary. The principal of the development related to the car park provision; that was the main reason that development had been allowed on the site.
- The original plans had been reduced to 80 spaces from 96 in order to preserve the protected oak tree. These car parking spaces were in high demand in Wotton Town Centre and the original promise of car parking spaces was being reduced again.
- The spaces that were proposed to be removed were located on the flattest land making them perfect for road users with disabilities.
- There was no reason given for the removal of the 12 spaces.
- The Town Council had raised concerns whether the steep bank would accommodate the spaces.
- If the spaces were not viable in that location had alternative locations, to retain the number of spaces, been considered.
- The Committee required further information in order to make a fully informed decision therefore a deferral was reasonable.

The Wotton Town Council Clerk, Ms Durn, asked Councillors to defer the application for the reasons listed above given by the Ward Councillor and for further reasons listed below:

- The original application was only approved due to the offer of 80 car parking spaces for the Town. However due to the topography of the land there would only be around 64 useable spaces.
- The recent Doctors Surgery development in the area removed a number of spaces that were due to be brought back with this provision.
- The parking shortage in Wotton Town was exacerbated by the closure of the Renishaw car park for public use.
- The following information was currently being sought; details on the viability of the parking spaces on the steep bank, inspection report from Building Control, detailed report from Gloucestershire County Council (GCC) Highways, Health and Safety report regarding a vehicle impact barrier and a specialist report had been commissioned to address the concerns raised regarding the car park.

Mr Thomas, a local resident, asked the committee to refuse the proposal. He echoed the comments above regarding the diminished number of car parking spaces which began at 96 and were now proposed to be 68. He stated that the car parking spaces were a far greater asset to the community than the new proposed wildflower meadow and further planting could be introduced elsewhere. Finally, he questioned the scale of protection surrounding the oak tree and whether more spaces could be provided there.

After public speaking, Members were given the opportunity to ask technical questions to the Planning Officers, these were the responses given:

- The houses on the site all had sufficient parking provision.
- No extra spaces could be accommodated on the site or around the tree, the protection area was there to prevent damage to the roots.
- There was a condition within the original application for the provision of Electric Vehicle (EV) charging spaces.
- There was a long-standing shortage of parking spaces available in Wotton Town which this scheme would greatly benefit.
- The reports that the Town Council were awaiting related to the technical details of the car park and were not a material planning consideration.
- The 12 car parking spaces proposed to be removed would be approximately 20m away from the nearest residential dwelling.
- The safety and stability of a development on the steep bank would be the responsibility of the developer and therefore not a material planning consideration.
- The applicant had not provided a reason for the variation.
- The figure for off-street parking provisions within the Town was unknown.

Councillor Ryder proposed to defer the application and Councillor Schoemaker seconded.

Councillor Ryder clarified the reason for deferral was to wait for the information being sought from Wotton Town Council.

The Majors & Environment Team Manager explained that the health and safety report and the inspection from Building Control would not amount to material planning considerations. The reports that would have an effect were already covered in the condition of the original application.

The Chair asked Councillors to consider whether the reduction of parking spaces eroded the additional benefit of the application.

Councillor Brown debated whether it would be safe to build the spaces on the bank.

Officers reminded Members that it would be the developer's responsibility, by law, to construct the site in a safe manner and that if it was not viable then there was nothing to stop them returning with a further application which detailed the issues.

Councillor Ryder formally withdrew his proposal to defer and instead proposed to refuse the application. Councillor Schoemaker confirmed he was happy for the deferral to be withdrawn and seconded the new motion to refuse.

Councillor Schoemaker stated that developers should not remove parts of an application after planning permission has been approved.

The Chair clarified that the refusal reason was that the removal of these space would erode the original public benefit, of granting permission on the exception site, to an unacceptable level. Councillor Ryder agreed.

Councillors debated the possible reasons for the variation and suggested that it could be due to additional cost implications.

Councillor Ryder stated that he was pleased to see the full allocation of affordable houses unaffected, however concluded that the full allocation of parking spaces was a key residential amenity and on balance the removal of the spaces undermined the original planning weight.

Councillor Miles echoed that the balance did not outweigh the public benefit for the full allocation of spaces.

Councillor Ryder agreed there was no alternative proposal for the allowance of the 12 spaces elsewhere and that was the best spot for the provision.

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

**RESOLVED To refuse permission.**

**DCC.006    Richmond Cottage, Rockstowes, Uley Road, Dursley S.23/0335/HHOLD**

The Principal Planning Officer introduced the report and highlighted the key considerations to the Committee which included:

- The site was adjacent to a public footpath and visible from the road.
- The property was highlighted for its character in the Owlpen and Uley Design Statement.
- The site was classed as a Non-Designated Heritage Asset (NDHA) due to its attractive qualities.
- Extant planning permission was granted in 2022 for a first-floor extension above the garage, a new terrace to the rear and a battery store building. The design of which had been negotiated to provide separation from the main dwelling.
- The proposal sought to be of passivhaus design standards.

The Principal Planning Officer also highlighted that the main refusal reasons were due to the size, scale and location of the first-floor extension and the additional car port. The materials proposed were considered out of keeping with the local area.

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

- The proposed dwelling would be of passivhaus standards and therefore would reduce the carbon footprint of the dwelling.
- The proposal allows spaces for an office and a more open plan living area.
- All contractors for the works would be employed locally including the architect who had drawn the plans.
- They had no prior knowledge that the building had any form of listed position until the 31 May. It was not in any previous report and there was no consultation held.
- The car port would not be visible from the road and would allow the installation of electric vehicle charging.
- The proposal was smaller in both volume and height to the original proposal.
- The application and materials used were sympathetic to the adjacent buildings and surrounding area.

- Full written support had been given from the immediate neighbours and others including the Parish Council.

In response to Councillor Ryder, the Development Team Manager defined a NDHA to be a building of quality that makes a valuable contribution to their environment due to their age, heritage, character and appearance. Although the building did not meet the statutory criteria to be listed, it was still required to be protected under the requirements of the National Planning Policy Framework (NPPF) at paragraph 203. He also confirmed that some authorities choose to maintain a local list of NDHA however, this was not a requirement. Stroud District Council chose not to maintain a local list.

Councillor Percy questioned how the applicant would know whether their property was an NDHA. The Officers confirmed that properties were assessed for their heritage during the application process therefore a property could not be identified until a planning application came in that would affect it.

The Principal Planning Officer gave the following answers in response to questions from Councillors.

- The proposal was approximately 0.2m lower in height than the extant permission.
- The size of the plot could accommodate the proposed development without leading to a cramped or overdeveloped look.
- The extant permission utilised more traditional materials such as stone, slate, and tiles.
- The proposed wooden cladding would be left unpainted and untreated.

Councillor John Jones proposed to refuse the application and Councillor Fenton seconded.

Councillors debated the proposal and considered the protection of the heritage of the building, the design and character in relation to its surroundings and the use of materials.

Councillor Percy commented that he was fully supportive of the passivhaus design due to the difficulty older properties had with energy consumption. However, he was still weighing up whether the extension was subservient to the existing dwelling.

Councillor Brown suggested that, in comparison to the extant permission, the proposal had more dominance and less character and in his view was leaning more towards being the dominant structure.

Councillor Schoemaker expressed his support for the passivhaus design and stated that as with solar farms they needed to balance the aesthetic value with screening.

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

**RESOLVED To refuse permission.**

**DCC.007    The Lodge, Moor Court, Rodborough Common, Stroud  
S.23/0295/HHOLD**

The Planning Officer introduced the report and explained that the application was for a single storey extension to the rear of the existing building. He showed the Committee the plans for the site and highlighted the following key points:

- The site was located on Minchinhampton common.
- The proposed single storey extension would be linked to the existing property with a flat roof.

- The site would provide more than the required number of parking spaces.

Councillor Hurst spoke as a Ward Member for Minchinhampton, the adjoining Parish. He raised concern over the current property being let out as a holiday home and whether that was permitted under its current use class (C3). He raised further concerns over the inadequate amount of parking for the size of the proposed dwelling and insisted this would spill out onto the surrounding common. He requested that the Committee consider conditioning its use to C3 to prevent a change of use into a large holiday let.

Councillor Smith spoke against the application as the Ward Member for the area. He asked the committee to refuse the application because it was in contradiction with Local Plan Policy HC8. He felt that the proposal did not meet all of the listed criteria and asked the Committee to consider the following:

- If the plot size was sufficient to not result in a cramped or overdeveloped site.
- If the height, scale, form and design of the extension was in keeping with the scale and character of the original building. Policy HC8 also allowed to take into account any cumulative additions of which this building had.
- Would there be sufficient space for parking that did not detract from the character and the appearance of the area.
- The extension should complement the scale and style of the house and follow the 4 main principals listed in 4.56 of the Local Plan.

He also drew the committee's attention to the Non-Designated Heritage Asset (NDHA) discussion of the last item and highlighted that the application site was within the curtilage of the listed Moor Court (main house).

Councillor Turner spoke as a Ward Member for Minchinhampton and raised concerns with the scale of the development, the use of the site as a holiday let and that the parking would overspill onto Minchinhampton common which was a Site of Special Scientific Interest (SSSI).

Ms James, a local resident, spoke against the application. She gave a brief history that the dwelling was part of the original Moor Court Estate built in the 1860's, the main house was Grade II listed in 1988. She highlighted the main objection reasons:

- Overdevelopment of the site. There had already been a two-storey extension completed in 1988.
- The proposal significantly reduced the space for parking and the garden amenity.
- The report stated that the loss of gardens would be offset by the proximity to the common, this was not practical to utilise the common as private amenity space.
- The extension was not in keeping with the age and character of the existing dwelling and was therefore contrary to Local Plan Policy HC8.
- It would be visible by walkers along the common and block views.

Members of the Committee then had the opportunity to ask technical questions of the officer. In response to queries it was confirmed:

- The application could only be assessed as its current class. If there was a change of use requested, it would need to be re-assessed. The class C3 allows for the single-family dwelling to be used as holiday let.
- It would be unreasonable to condition the occupancy of the property due to permitted development rights.
- The minimum requirement of 20sqm related to new residential properties but was used as a guide for existing properties.

- The Local Plan Parking Standards required 2 spaces per dwelling, this was not relative to the number of bedrooms.

In response to Councillor Luff, the Planning Officer clarified which parts of the dwelling were original and what had been extended already.

Councillor Schoemaker questioned whether there was a limit to how much a dwelling could be extended. The Planning Officer confirmed that there were no specific limitations to adhere to as long as the proposal was compliant with the local plan. He reminded the Committee the previous extension pre-dated the Local Plan.

In response to Councillor Jones it was confirmed that there were no outstanding enforcement cases surrounding the property. Any allegations relating to a breach of a covenant would not carry weight in respect of determining the planning application.

The Chair questioned Policy HC8 and its reference to cumulative additions. The Planning Officer confirmed that Members would need to consider the wider context of the site whilst taking into account the cumulative effects of the extensions and not compare the proposal solely to the original dwelling.

It was confirmed that there was a Public Right of Way (PROW) parallel to the site which the extension would be visible from.

Councillor Ryder proposed to refuse the application and Councillor Brown seconded.

Councillors debated the refusal reasons, the cumulative impact of the previous extension and the current proposal and the heritage value of the site. Possible refusal reasons were:

- Not compliant with Policy HC8.
- Overdevelopment of the site would harm the character of the area (SSSI).
- Cumulative effect of the extension would not be subservient.

Councillor Ryder confirmed the refusal reason was non-compliance with Local Plan Policy HC8. The cumulative effect of the extension would result in an appearance that was not subservient, was out of character and would lead to the overdevelopment of the plot which would adversely impact the visual amenity of the common. The final wording of which would be agreed by the Head of Development Management in consultation with the Chair and Vice-Chair. Councillor Brown seconded.

Councillor Percy debated whether the parking detracted from the character and appearance of the area.

Councillor Miles felt that there was no significant harm on the view and the application met all the required standards.

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

**RESOLVED To refuse permission and to delegate to the Head of Development Management in consultation with the Chair and Vice-Chair to agree the wording of the refusal reasons.**

**DCC.008 Land At 24, Oldends Lane, Stonehouse, Gloucestershire S.23/0480/FUL**

The Principal Planning Officer introduced the report and explained that it was for the erection of a detached bungalow. She gave a brief overview of the proposal and then highlighted the main reasons for refusal which were:

- Development on a constrained plot would dominate the space resulting in the site appearing cramped and overdeveloped.
- The scale, form, and design was not in keeping with the local area.

Councillor Housden, a Ward Member, spoke in support of the application. He asked the Committee to approve the application for the following reasons:

- The proposal was in line with the Stonehouse Neighbourhood Development Plan and the Stroud District Council Local Plan.
- The application had been re-designed during the pre-application phase and was now compliant with local and national space standards.
- The proposal would not result in any overlooking or overshadowing of neighbouring properties and all neighbours were in support.
- There were no objections against this application from any statutory consultees or the Town Council.
- The applicant was looking to build the bungalow for his elderly mother to use.
- The properties along Oldends Lane did not have a coherent appearance to them.

Councillor Percy questioned whether there were any objections. The Planning Officer confirmed that one objection had been received from the neighbour to the rear of the property.

Councillor Ryder questioned why concerns had been raised regarding the parking and access when there had been no objections received from Gloucestershire County Council (GCC) Highways. The Planning Officer confirmed that there were concerns with the constraint of the plot and whether it would allow access for modern day vehicles however as there had been no objection from GCC Highways, this was not a refusal reason.

Councillor Shoemaker queried whether the 3<sup>rd</sup> and 4<sup>th</sup> refusal reasons listed on page 66 could be resolved by asking for a contribution from the developer. The Planning Officer confirmed that could be achieved however, reasons 1 and 2 were the principal refusal reasons and therefore contributions had not been sought.

In response to Councillors, it was confirmed that:

- The distances between the existing dwelling and the proposed property would be between 4.3m & 6.5m which was below the required 15m.
- The proposed site had approximately 50sqm of private amenity space which was over the 20sqm requirement as set out in the residential design guide.

Councillor Fenton proposed the Officer advice to refuse permission and Councillor Jones Seconded.

Councillor Gray echoed the concerns of the Officer for the refusal reasons listed in the report.

Councillor Ryder debated the need for bungalows in the district but acknowledged the Officers concerns regarding the plot size.



Councillor Schoemaker echoed the concerns for the housing need and stated that the proposal was much better than some of the flats in the Town Centre which had no amenity or parking space.

After being put to a vote, the Motion was carried with 7 votes for, 2 votes against and 1 abstention.

**RESOLVED To refuse permission.**

Councillors Jones, Miles and Ryder left the meeting.

**DCC.009    6 Weir Green, Elmore, Gloucester, Gloucestershire S.22/2771/HHOLD**

The Planning Officer introduced the report and explained that it was a resubmission of a previously approved application with some amended design features and the addition of a garden room.

Councillor Schoemaker questioned how it was considered to be subservient to the existing building. The Planning Officer explained that as the extension sat below the height of the house it wouldn't look dominant.

The Officers recommendation was proposed by Councillor Brown and seconded by Councillor Gray.

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

**RESOLVED To grant permission.**

**DCC.010    Planning and Enforcement KPI Statistics**

The report was circulated as part of the reports pack, there were no questions or comments.

The meeting closed at 10.06 pm

Chair