

STRATFORD-UPON-AVON TOWN COUNCIL
PLANNING CONSULTATIVE COMMITTEE ZOOM REMOTE MEETING

MINUTES

7 July, 2020

Present

Councillors:

Cllr Cleeve
Cllr Dowling
Cllr I Fradgley
Cllr J Fradgley
Cllr Lee
Cllr Jackson
Cllr Rolfe
Cllr Taylor

Planning Consultant: Mr Neil Pearce, Avon Planning Services

Minutes Clerk: Mrs J Mayes

Public: The meeting was streamed live on Facebook and YouTube for members of the public to watch.

Registered Speakers:

Mr Simon Ewing (speaking on behalf of Dark Lane residents)

Press: The meeting was live streamed on Facebook for members of the Press to watch.

242 Apologies for Absence

Cllr Curtis was absent from the meeting.

243 Declarations of interest on items on the Agenda

None were received.

244 To receive written requests for dispensation for disclosable pecuniary interests

None were received.

245 To grant any requests for dispensation as appropriate

None were received.

246 Public Participation of non-agenda items on matters under which the Council has control or is a consultative body

No members of the public had registered to speak at the meeting.

247 Consultation Presentation on Pre-Planning Applications

None were received.

248 To approve Open Minutes of the Planning Consultative Committee meeting held on 23 June 2020

The Minutes of the Planning Consultative Committee meeting held on 23 June 2020 were approved as a correct record. The Chairman requested that the Chairman's electronic signature be added to the minutes by the Clerk.

249 Town Clerks Open Report

List of planning applications deferred from Chairman's Actions meeting on 1 July 2020 with any additional items deferred from Chairman's Actions meeting on 6 July 2020

The Chairman noted that one item had been deferred from the meeting on 1 July 2020, which was planning application 20/01222/VARY and no items had been deferred from the Additional Chairman's Actions meeting on 6 July 2020.

20/01222/VARY Beechcroft, Dark Lane, Tiddington

The Planning Consultant explained that this application was to vary conditions 2, 4 and 8 of an exact planning application (ref 17/03498/FUL), which was approved in March 2018. The approved application was for a new dwelling to replace a bungalow. The Town Council PCC submitted a no representation comment in December 2017.

The Planning Consultant confirmed that work was well under way on the new property and the vary application relates to drawing numbers. Councillors were shown the changes, which include an increase in the ridge height, the introduction of roof lights to replace windows and enlargement of dormer windows, a porch and detail on the fenestration and chimney. There is no alteration to the footprint of the approved planning application. The Planning Consultant showed Councillors the approved elevations compared with the proposed elevations of this application. Two dormer windows are now roof lights, a porch has been added to the front detail, the dormer windows on the rear elevation are larger and there are two new roof lights. The side elevations show that there are less windows facing the neighbour and the chimney is more free standing. The Planning Consultant highlighted that the

ridge line above the garage, which in the new plans, appears to be taller than the gable projection.

The Planning Consultant highlighted that the Committee should consider the changes before them and that the issue that the application was a retrospective planning application is not a reason to object to it. Any decision to oppose the application must be for sound planning reasons.

Councillors were asked for any points of clarification. A Councillor asked how much higher the roof on the new application is. The Planning Consultant noted that it was 380mm higher but that there was some doubt on this measurement and he was unable to confirm if that was the correct measurement. A Councillor asked if there were any comments from the neighbours that are affected. The Planning Consultant confirmed that there were 9 comments from residents and a comment from the Tiddington Village Association. The height change has been raised and the property's dominance with its effect on the street scene and loss of privacy.

The Chairman invited Mr Ewing to speak.

Mr Ewing explained that the property being built was not the same as the property plans that were approved. He noted that the property is overbearing and has resulted in loss of light and privacy, through changes to the dormer windows. He also noted that the property does not comply with CS20 which states that a replacement property must not be visually intrusive and not significantly larger than the property it replaces. The bungalow previously on the site was 5.8m tall and the new property is 8.4m tall so it is 45% taller. The application granted in 2018 was for a property 6.9m tall. He highlighted the prominent position of the property on Dark Lane and the effect on the street scene of a much larger property.

Mr Ewing was thanked for his presentation.

A Councillor asked if Mr Ewing had objected to the original application. Mr Ewing confirmed that he did not object, having had discussions with the applicant on what was originally proposed. The property has been developed beyond the original proposals which he had discussed and agreed.

The Chairman invited Cllr Rolfe to speak as Ward Councillor.

Cllr Rolfe stated that the application is not an amendment but a completely different development that does not correspond with the original application that was approved. It is 1m higher and now has a functional third storey, three larger windows and a porch. It is also out of character with the other properties on Dark Lane and changes the vista of the area. The plans do not represent what neighbours approved at their meetings with the Developer. She concluded that to approve the application retrospectively would send a signal to Developers that it was acceptable to changes developments after they have been approved. She also highlighted that the value of neighbour's

properties had been affected because they were now overlooked by a larger property.

The Chairman thanked Cllr Rolfe for her comments.

A Councillor asked if there were any objections to the original application. Cllr Rolfe explained that there were three meetings with the applicant, and neighbours and the neighbours believed the property that had been approved was being built. A Councillor asked for clarification on the footprint of the building. The Planning Consultant confirmed that the footprint is the same as the approved footprint for the replacement dwelling.

The Councillors debated the application. Councillors expressed concern that the application was different to the original approved plan and to approve the amendments would set a precedent that this was acceptable. A Councillor noted that it was not a valid planning reason to oppose a planning application because it was retrospective. The Councillor also expressed concern that the committee were not seeing plans that represented what was actually being built and that clarification was needed on the design and build of the property. Another Councillor suggested that the differences should be explored by the Planning Officer at SDC. If there is doubt on the legitimacy of the plans this is a development control issue that can be explored by the Planning Officer. A Councillor asked if the committee would have approved an application for a three storey building on site initially to replace a bungalow.

The Planning Consultant noted that members of the committee would have subjective views on the application and that they should not let the fact it is a retrospective application taint their view because that is not a material planning consideration. Meetings held by the Developer to discuss the plans are not binding. The Committee should consider whether the changes are so bad it warrants a refusal of planning permission. If the committee believe the changes to be harmful it should be clear on why the additional changes make it harmful. He reminded the Committee that the submission on the previous application had been no reps subject to the impact on the neighbours. A Councillor expressed concern that the committee were being asked to make a judgement on drawings that they are not sure are correct.

It was PROPOSED SECONDED and UNANIMOUSLY

Resolved to submit a holding objection until the correct plans are available with the following planning reasons:

The Town Council is disappointed to see that the proposed development is retrospective with flagrant breach of planning rules.

There are also uncertainties surrounding the plans submitted which do not appear to be representative of the development taking place on site. This needs to be checked and clarified by the Planning Authority.

A comparative plan overlaying the outline of the approved dwelling against the development as built on site would be extremely helpful and assist in further consideration of this application.

Notwithstanding the above, the proposed increase in height would tip the balance to an overly dominant replacement dwelling which would harm the character and appearance of the street scene and cause adverse harm to the immediate neighbours by way of overbearing and loss of privacy.

250 To note action by Town Clerk after consultation with Chairman Deputy Chairman (or their substitutes) & Avon Planning Services on 1 July 2020

1	20/01222/VARY	Beechcroft, Dark Lane, Tiddington*
2a	20/01429/FUL	4 Guild Street
2b	20/01430/LBC	4 Guild Street
3	20/01508/FUL	Claydons Farm, Banbury Road
4	20/01357/FUL	41 Meadow Street Road
5	20/01623/TREE	39 Tiddington Road
6	20/01214/VARY	66 Tiddington Road
7	20/01663/TPO	King Edward VI School Sports Field and Pavilion, Manor Road

8	20/01332/FUL	38 Wood Street
9	20/01333/ADV	38 Wood Street
10	20/01685/TPO	14 Old Town Square
11	20/01528/TREE	6 Avenue Road
12	20/01609/TREE	1 Cedar Grange
13	20/00613/VARY	The Plant Centre, Tavern Lane, Shottery
14	20/01410/FUL	7 Milton Road
15	20/01495/FUL	River Cottage, Tiddington Road
16	20/01678/TREE	11-12 Hathaway Hamlet, Shottery
17	20/00414/FUL	Territorial Army Centre, New Broad Street
18	20/01529/TPO	15A Holbrook Road*

*Applications to which the PCC have objected.

The actions were noted. The Chairman's Actions' meeting was conducted remotely between Cllr I Fradgley and the Planning Consultant on 1 July 2020. The Additional Chairman's Actions' remote meeting on 6 July 2020 took place between Cllr I Fradgley and the Planning Consultant. Unfortunately Cllr Dowling was unable to attend. Decisions made on whether to defer items to

the committee were made by the Chairman in consultation with the Planning Consultant.

251 Street Trading and Licensing Applications

251a. The Chairman reported that there are currently no street trading applications pertinent to the Town Council.

251b. The Chairman reported that a licensing application had been received from Burger Priest, Unit 26, Bell Court. Councillors asked if other business operated within Bell Court on the same proposed hours. There are two other business open until the same time. A Councillor noted that it was good that an empty unit in Bell Court was being filled.

It was PROPOSED SECONDED and UNANIMOUSLY

RESOLVED:

that the licensing application should be agreed.

252 Notices of decision

Decisions were noted.

Cllr Rolfe and Mr Ewing left the meeting.

253 Any other business to report

The Chairman referred to the revised Terms of Reference for the committee, attached to the agenda as appendix A. Councillors had no amendments to make. They noted that the Terms of Reference were consistent with the other proposed terms of reference for committees under the proposed new Committee Structure due to be considered by the Town Council in September 2020. The Terms of Reference will be reviewed on an annual basis. It was noted that there is good coverage of Councillors who also sit on the Environmental Strategy panel group who could act as a liaison with the panel group on matters relating to the environment.

It was PROPOSED SECONDED and UNANIMOUSLY

RESOLVED:

That Cllr J Fradgley should take the lead on liaison with the Environmental Strategy Panel Group.

254 Chairman's Verbal Report

There was none.

255 Requests for Alterations of Recommendation

The Chairman reported on Planning Application 20/00414/FUL, the TA Centre, New Broad Street. Different options of design had been considered and the majority had agreed to option 2, which was the same as the SDC Planning Officer. The application had been considered at the Additional Chairman's Actions meeting and the Town Council holding objection had been removed.

256 To register, when necessary, a representative from the Planning Consultative Committee to virtually attend the Stratford District Council Planning Meeting A on Wednesday, 8 July, 2020 at 6:00pm and/or the Stratford District Planning Meeting B on Wednesday, 15 July, 2020 at 6:00pm;

The Chairman reported that he would be attending the Planning A meeting, to speak on the Care Home on Western Road planning application on 8th July. There are no items on the Planning B meeting agenda relating to the Town Council on 15th July.

257 To appoint substitutes for the next Chairman's Actions on 29 July 2020, if required

Cllr Taylor agreed to be a substitute if required.

The meeting closed at 18.59 pm

Date of next meeting: Tuesday 4 August, 2020 at 6.00pm.

*Signed:
Chairman of Planning Committee*