

LYDNEY TOWN COUNCIL

PLANNING AND HIGHWAY COMMITTEE MEETING – 2013/10/14 –10

MINUTES OF THE PLANNING AND HIGHWAY COMMITTEE MEETING held in the Council Chamber, Claremont House, Lydney on Monday 14 October 2013 at 6.00 pm.

PRESENT: Cllrs W Osborne (Chairman), J Bevan, D Edwards, C Harris, V Hobman, A Preest and B Thomas
Mr D Street – Member of the public co-opted onto the Committee

Mrs J Smailes – Chief Executive Officer (CEO)
Miss C Wheeler – Executive Officer (EO)
Seven members of the public
Cllrs Bonser and Pearman

Prior to the commencement of the formal part of the meeting Members received a short presentation from Foxley Tagg regarding their proposed development South of Highfield Road, adjacent to Cross Hands Garage, Lydney.

During the presentation Members noted that following public meetings and discussions with statutory consultees the proposed number of dwellings on the site had been reduced from 175 to approximately 110 and that the amount of landscaping on site had also increased. Members were informed that a key feature of the site would be the retention of the existing footway and that the development would include a village green, allotment provision, child play provision and an element of self-build properties/social housing. Furthermore, that it was the intention for the allotments (with water facilities) to be handed to the Town Council on a freehold title, that it was proposed to create a roundabout opposite Driffield Road in order to assist with traffic flow to/from the site; that a contribution would be given toward the provision of Hoppa Buses to link the development to the Railway Station, with provision/improvements to the signage both at the development and the Town Centre.

During discussion it was noted that encouragement would be given to residents to make use of sustainable travel methods and Foxley Tagg were encouraged to make contact with Robert Hitchins Ltd (who had already been granted consent for a large scale development in the area) in order that the best use could be made of the proposed roundabout. Foxley Tagg were also requested to include suitable Sustainable Urban Drainage Schemes (SUDS) in their planning application and to submit a Heads of Terms document which could then be formally considered by the Town Council.

Foxley Tagg advised that they hoped to be in a position to submit a formal planning application shortly and then excused themselves from the meeting.

Cllr Osborne informed all present that no practice fire evacuation had been scheduled for the duration of the meeting. All attendees were then informed of the locations of the nearest fire exits.

1. **APOLOGIES**
Apologies for absence were received and noted from Cllrs Berryman and Cooksley.
2. **DECLARATIONS OF INTEREST**
None.

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3. MINUTES OF PREVIOUS MEETING

Members noted that the minutes of the Planning and Highways meeting held on 9 September 2013 which were incorporated into the Full Council minutes of the same date, and the decisions taken under Delegated Powers on 17 September 2013, these being:

P1136/13/FUL – Mr A Griffiths, 68 Church Road, Lydney

Erection of a detached dwelling and detached garage. Use of land as additional residential curtilage. Construction of new vehicular access and closure of existing access (revised scheme). (Renewal of planning permission P2071/09/FUL). **ADDITIONAL INFORMATION**

No objection given that Highways are now satisfied

P1221/13/FUL – Forest of Dean District Council, Former Registrar Building, Swan Road, Lydney

Change of use of former office and registrar building to store and workshop with outside storage yard and ancillary works to external appearance

No objection, however Lydney Town Council would appreciate if Officers could meet with local residents who have already registered their concerns over the application to discuss the proposal. Council would also suggest that the applicant consider erecting suitable fencing in order to safeguard the privacy of neighbouring properties.

P1354/13/TCA – Dr P Layzell, Raglan House, High Street, Lydney

Felling of x 1 Sweet Bay tree, x 1 Holly tree, x 1 Goat Willow tree, x 1 Red Horse Chestnut tree, x 1 Horse Chestnut tree and x 1 Apple tree, crown reduction and shaping of x 1 Hawthorn to a height of 4 m. and pruning of x 1 Lilac at Raglan House

No objection to the felling of trees on safety grounds, subject to a condition being imposed that the applicant is compelled to replant species, given that the site is located in a Conservation Area, of the felled trees/shrubs in an alternative location within their residential curtilage, as per the advice of their appointed arboriculturalist

4. OPEN FORUM

Mr C Mickleson, 66 Lychgate Mews, Lydney – encourage the Council to give consideration towards compelling developers to incorporate renewable energy methods on future developments.

Mr B James, Hon. Treasurer and Trustee of Friends of Lydney Hospital – noting the presentation which was given by Foxley Tagg for 110 dwellings and the application for 200 dwellings at land off Driffield Road and Allaston Road, Mr James called for the Council to ensure that sufficient provision was included in any future S106/CIL agreements in respect of health provision. Mr James stressed that historically Forest of Dean District Council had neglected to include any contributions towards health provision in the S106 agreements for the large scale housing developments which had been granted.



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5. PLANNING APPLICATIONS

P1284/13/OUT - Allaston Developments Ltd, Land off Driffield Road and Allaston Road, Court Road, Lydney

Erection of 200 dwellings including 20 serviced self-build plots and up to 37 retirement apartments, affordable housing, community building (up to 186 square metres) comprising flexible A1/D2 ancillary space, new public open space and new access roads

Objection. Council's material Planning considerations and reason for therefore objecting are as follows:

- 1) **The site is not supported in the District Council's Core Strategy, nor has it been allocated in any earlier plan. Therefore the proposal does not fit with the overall strategic fit of FODDCs planning strategy.**
- 2) **The site is outside of the defined settlement boundary for the Town.**
- 3) **Access to the site is not suitable; accesses proposed by the applicant from Court Road and Oak Meadow are not sufficient to cope with the number of vehicles which would be generated by the development. We request that Gloucestershire County Council Highways Department be approached for their opinion/transport impact assessment is conducted.**
- 4) **Proposed access from Windsor Drive: There is already Enforcement Action which is outstanding on the site regarding the removal of a hedge and creation of an access by BMJ International. Said work was the subject of a retrospective planning application which was considered by FODDC (Planning Reference P0528/12/FUL) and refused on 16 August 2012. The BMJ International then appealed against the refusal; the appeal was then considered by an Inspector from The Planning Inspectorate (Appeal Ref: APP/P1615/A/12/2184499) who refused the appeal on 26 February 2013. However, no Enforcement Action has been taken to compel BMJ International to return the land to its former state. It is now noted that the access has been incorporated into the current application, which is in contravention of the Appeal Decision by The Planning Inspectorate. (This Council has written on numerous occasions requesting Enforcement Action be taken and that the hedgerow/contour of land be re-instated).**
- 5) **SUDS. Substantial water run-off is already experienced from the site onto Centurion Road, and this can be supported by FODDCs Drainage Officers. At present the land is utilised for agricultural purposes which allows the absorption of quantities of water, however, at times the land is not able to absorb sufficient capacity. To cover large areas of the site with buildings will exacerbate the amount of water which can be absorbed on site. Accordingly, SUDS from the development will need to be addressed on site in order that no detrimental effect is felt by neighbouring areas. Consideration as to the release of "grey" water should also be considered.**
- 6) **Adequate land for housing has already been allocated in the Town (for example, housing development by Robert Hitchins Ltd this land being recently "unlocked" by the Sainsburys application approved on 8 October 2013), therefore the Town has already met its housing allocation as stipulated by the "five year land supply".**

It was noted that the application would be subjected to a formal Sites Inspection by FODDC Planning Committee the following day, at which Cllr Osborne would represent the Council.



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Cllr Preest stated that he had been advised that a District Councillor who sat on Forest of Dean District Council's Planning Committee had a previous business and social relationship with the applicant and had also accepted hospitality from same. Cllr Preest expressed a wish for the Councillor to declare a DPI in the application and further suggested that the residents may wish to refer the matter to Forest of Dean District Council or the Planning Ombudsman.

P1358/13/FUL – Bee Green Solar Limited, Hurst Farm, Cross Hands, Lydney
Proposed solar park of up to 23,520 ground mounted photovoltaic panels and associated inverter housing, substation, access tracks, security fencing, cameras and wild flower meadows

Cllr Edwards questioned the number of houses which would be supplied with electricity by the proposal. Members were advised that such developments were expected to be sustainable in their own right and therefore should the Council wish to object to the application it would need to identify good grounds for such objections and reference the Town Council's Renewable Energy Policy. Noting that the proposal indicated the development of wild flow meadows, Cllr Osborne question if it would be possible for the applicant to position panels high off the ground as to enable sheep to graze beneath. Cllr Preest stated that the application was contrary to the Town Council's Renewable Energy Policy (adopted January 2013); was proposed for a greenfield site; would cause a visual impact for the A48, the new housing development and also Neds Top; highlighted that the Prime Minister was currently calling for a review of such systems in view of the financial contributions which could be gained. Accordingly, Cllr Preest felt that such scheme should not be supported until the whole issue had been sorted out. It was suggested that the Committee should defer consideration of the revised Renewable Energy Policy to Full Council. Proposed by Cllr Harris, seconded by Cllr Hobman.

It was noted that the aforementioned application would be subjected to a formal Sites Inspection by FODDC Planning Committee the following day, at which Cllr Osborne would represent the Council.

Matters discussed under Delegated Powers –

P1358/13/FUL – Bee Green Solar Limited, Hurst Farm, Cross Hands, Lydney
Proposed solar park of up to 23,520 ground mounted photovoltaic panels and associated inverter housing, substation, access tracks, security fencing, cameras and wild flower meadows

Objection. Council does not feel that the proposal is sustainable; it offers no financial benefit to the local community (re Lydney Town Council's renewable energy policy: adopted 14 January 2013) and it objects to the loss of agricultural land.

P1232/13/FUL – Mrs Lambert, Land adjoining, 48 Queen Street, Lydney
Erection of a 4 bedroom dwelling with car parking and associated works
No objection subject to neighbour notification

P1369/13/FUL – Mr P Sosna, 40 Summerlease, Lydney
Erection of a two storey side extension with room in loft. Demolition of existing outbuildings
No objection subject to neighbour notification



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P1443/13/CA – Mrs B Thomas, 33 High Street, Lydney

Demolition of 33 and 33A High Street, Lydney and redevelopment by a mixed use scheme comprising one retail unit and construction of 11 dwellings with associated highway works and landscaping

Objection. Council is concerned over the proposed access/visual splay onto High Street as the application seeks to create an access/exit onto the High Street at its narrowest point. Council requests that Gloucestershire County Council Highways Department be approached for their opinion. Furthermore, Council expresses concern over overdevelopment of the footprint of the site, which it wishes to highlight lies within the Lydney Conservation Area (Council would therefore expect defined parameters to be met). Council calls for the application to be considered by FODDCs Planning Committee that a formal site visit be conducted prior to a decision being taken

P1487/13/TPO – Lydney Park Estate, 32 Bracken Close, Lydney

Fell x 1 Oak tree covered by T5 of TPO 8 at 32 Bracken Close

No objection

Councillors' attention was then drawn to the Heads of Terms document regarding P1284/13/OUT - Allaston Developments Ltd, Land off Driffield Road and Allaston Road, Court Road, Lydney, the contents of which was noted by Members.

TO NOTE PLANNING DECISIONS RECEIVED FROM FODDC

P1077/13/ADV – Forest Leisure Lydney, Church Road, Lydney

Granted permission – Erection of a non illuminated fascia sign to advertise the leisure centre.

P1186/13/ADV – Former HSBC Bank PLC, 20 Newerne Street, Lydney

Granted Permission – Erection of new signage to front elevation.

P1680/12/FUL - The Bungalow, Queen Street, Lydney

Granted Permission – Demolition of two existing bungalows. Erection of a two storey dwelling and detached garage. New access from Queen Street and provision of parking and turning spaces for 63 Queen Street.

P1319/13/FUL – Allaston Court Farm, Court Road, Lydney

Granted Permission – Erection of a detached dwelling with garage. (Renewal of planning approval P2290/10/FUL)

P0841/13/FUL – Mr D Rowles, 2 Severn Road, Lydney

Granted Permission – Proposed extensions and alterations to dwelling. (Revised Scheme).

P1492/13/LD2 - 7 Beaufort Drive, Lydney

LDC Issued – Application under Section 192 for the creation of a new vehicular access and hardstanding.



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6. PLANNING CORRESPONDENCE

- E-mail received from Mr A Shilston re P1284/13/OUT. Noted.
- E-mail received from Mrs R Shilston re P1284/13/OUT. Noted.

7. ECO/BIO-DIVERSITY POLICY

Mr Street advised that work was on-going on the issue via the NDP. Mr Street spoke in support of the formation of a local group to consider such issues and reported that he had contacted an officer at the Forestry Commission (who possessed the required professional expertise) with his suggestions.

HIGHWAY/TRANSPORT ISSUES

8. TEMPORARY ROAD/FOOTPATH CLOSURES

- E-mail from Mr D Street regarding information on A48 closures. Noted.

9. HIGHWAY CORRESPONDENCE

- Windsor Drive

Councillors considered the merits of sending a letter to Forest of Dean District Council (FODDC) advising that action by residents to replant/stake the ransom strip would be supported by this Council as Enforcement Action had not been taken to remove the gates and reinstate the hedgerow despite the decision being upheld by the Planning Inspectorate some nine months prior.

During discussion a number of possibilities were suggested. Cllr Bevan informed his fellow Councillors that he had, in his capacity of District Councillor, written to the Chairman of FODDCs Planning Committee to complain about the lack of Enforcement Action at the site. Highlighting that BMJ International should be compelled to undertake reinstatement work. Cllr Osborne added that should residents plant shrubs in the ransom strip they could be used to confirm if the gateway was being used. It was **proposed by Cllr Harris** that the Council write to BMJ International; (copy FODDC) and provide 14 days notice that unless the gateway was removed, hedge reinstated and imported rubble removed, the Council would support residents in planting hedging plants/fencing on the ransom strip (*in front of the agricultural gates for which enforcement action was still pending*).

Furthermore, that the Council would also forward a complaint to the Local Government Ombudsman regarding the lack of Enforcement Action on site and would also contact the Press to this effect. **Seconded by Cllr Preest. Unanimous.**

Action by – the CEO

- E-mail from Mr Haines which has been forwarded to Gloucestershire Highways. Noted.
- Members were informed that further work would be carried out at the Trow Green junction. Noted.

10. TRANSPORT ISSUES

None.



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11. COUNCILLORS REPORTS

Cllr Preest advised that he was in possession of a copy of the Stagecoach timetable which would be in operation whilst the A48 roadworks were ongoing. It was noted that the timetable would be left with the CEO.

The CEO requested that District Councillors encourage Forest of Dean District Council to enter into consultation/produce a Community Infrastructure Levy (CIL) charging schedule given that CIL was introduced in 2010 and yet to date no consultation with Parish/Town Councils had been entered into.

Cllr W Osborne requested an agenda item for the next meeting regarding flooding at Oakdale.

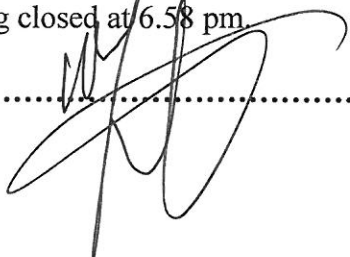
Action by – the CEO

12. MEETING DATES

It was noted that the next meeting of the Planning & Highways Committee would take place on Monday 11 November 2013 at 6.00 pm.

The meeting closed at 6.58 pm.

Chairman



Date 11th November 2013