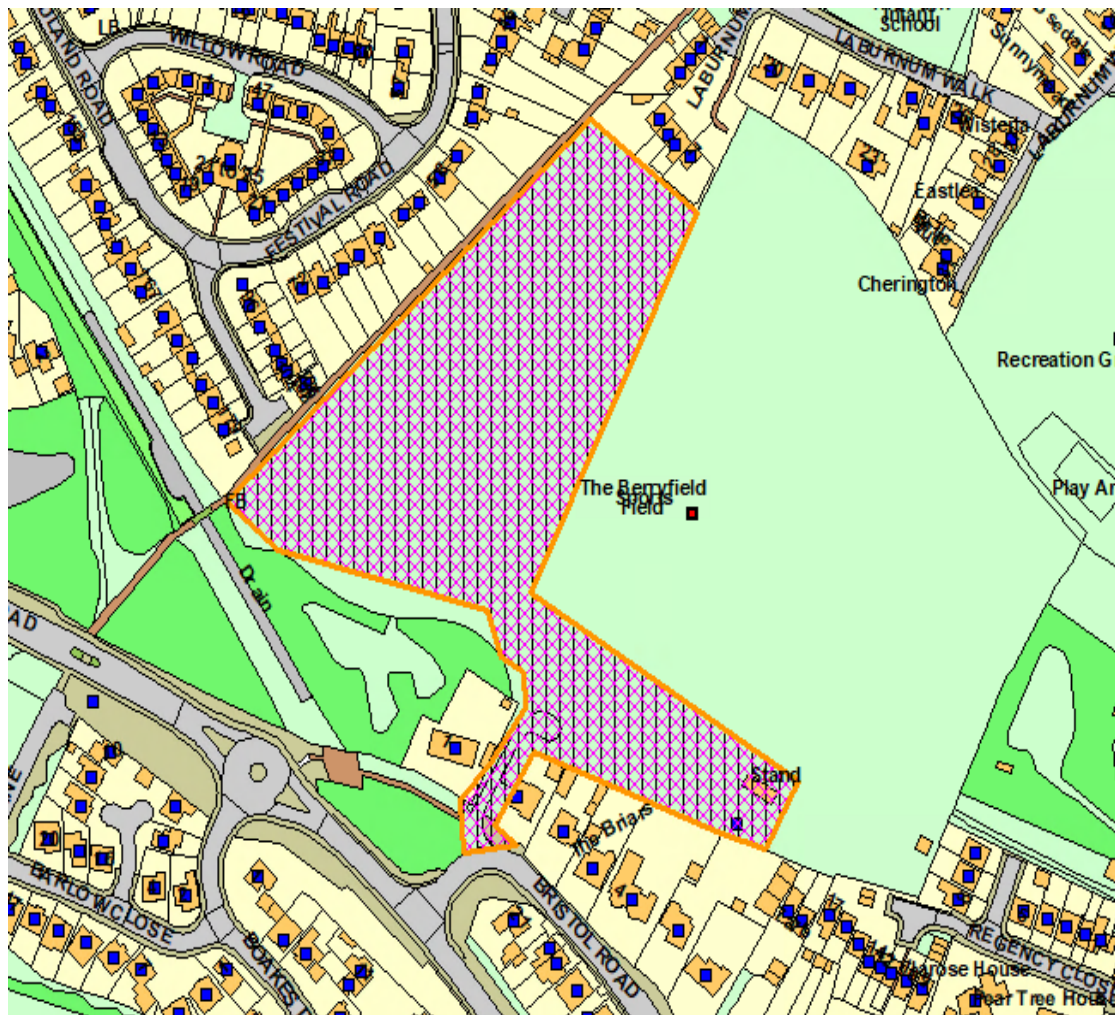




## Development Control Committee Schedule 12/10/2021

<b>Item No:</b>	1
<b>Application No.</b>	S.20/2161/FUL
<b>Site Address</b>	The Berryfield Sports Field, Bristol Road Old, Stonehouse, Gloucestershire
<b>Town/Parish</b>	Stonehouse Town Council
<b>Grid Reference</b>	380304,205199
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Erection of 52 dwellings with associated access, parking & landscaping, together with a new sports pavilion with associated facilities
<b>Recommendation</b>	Permission
<b>Call in Request</b>	Town Council





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<b>Applicant's Details</b>	Wycliffe College & The Guinness Partnership Wycliffe College & The Guinness Partnership, Bristol Road, Stonehouse, Gloucestershire, GL10 2AF
<b>Agent's Details</b>	LPC (Trull) Ltd Trull, Tetbury, GL8 8SQ, ,
<b>Case Officer</b>	Simon Penketh
<b>Application Validated</b>	12.10.2020
<b>CONSULTEES</b>	
<b>Comments Received</b>	Biodiversity Officer Environmental Health (E) Biodiversity Officer Gloucestershire Wildlife Trust (E) Contaminated Land Officer (E) Natural England (E) Mike Towson Archaeology Dept (E) Flood Resilience Land Drainage Development Coordination (E) Conservation North Team Sport England Planning Strategy Manager (E) Arboricultural Officer (E) Housing Strategy And Community Infrastructure SDC Water Resources Engineer Stonehouse Town Council
<b>Constraints</b>	Affecting the Setting of a Cons Area Consult area Glos Centre Env Records - Species Neighbourhood Plan Stonehouse Town Council SAC SPA 7700m buffer Settlement Boundaries (LP) Single Tree Preservation Order Points TPO Areas (Woodland/ Groups) Village Design Statement
<b>OFFICER'S REPORT</b>	



## **Development Control Committee Schedule 12/10/2021**

### **1. MAIN ISSUES**

- Principle of development
- Open Space and Sports Facilities
- Design, appearance and landscape impact
- Archaeology & Historic Environment
- Ecology
- Drainage
- Residential Amenity
- Highway Impact
- Planning Obligations
- The Planning Balance

### **2. DESCRIPTION OF THE SITE**

2.1 The site is contained within the Stonehouse the Settlement Development Limits. It is located to the west of Stonehouse Town Centre, off the A419 (Bristol Road). The site is made up of open space utilised as a private sports field associated with Wycliffe School.

2.2 A number of listed buildings are located around the site. These are associated with Stonehouse High Street as well as historical buildings related to the Industrial Heritage Conservation Area. Stonehouse Court and St Cyr Church are Grade II Star listed buildings located approximately 350 to 400 metres due Southwest of the site. Berryfield House and North Berryfield are grade II listed buildings located approximately 200 metres due Southeast. The Industrial Heritage Conservation Area is located due South the A419 Bristol Road, its nearest point to the application site being approximately 180 metres to the south.

2.3 The site is not within any specific landscape designations or areas protected for sensitive ecology or biodiversity. However, the site is adjacent to Stonehouse Newt Pond (also referred to as Court View Ponds) which is locally designated as a Key Wildlife Site and Local Wildlife Site for its amphibian interest.

2.4 Public Right of Way (PROW) MST/10 passes the site adjacent to its Northwest boundary and flows a route Northeast towards Stonehouse Town Centre. PROW MST/11 joins MST/10 at its junction with the A419 (Bristol Road) and follows a North-westerly direction. MST/52 joins MST/10 on Laburnum Walk beyond the Northwest corner of the site and follows a South-easterly towards Stonehouse Town Centre.

### **3. PROPOSAL**

3.1 The planning application is submitted in full. The proposed development proposes two key elements;

- the construction of 52 residential dwellings (Proposed Residential Development), and,
- the construction of a new pavilion building (School Sports Facilities).



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3.2 Access to both elements of the proposal are from A419 (Bristol Road) via the former alignment of Bristol Road utilising the existing access onto Berryfield. The broad scope of the proposals is detailed below.

### 3.3 Proposed Residential Development

It is proposed to construct 52 dwellings with associated access and resident and visitor parking. This takes up the majority of the application site positioned to the East of existing residential development associated with Festival Road and due South of Laburnum Mews. The development would provide 100% affordable housing on the basis of 50% Social Rent and 50% Shared Ownership tenure split. The development also includes ecological/landscape mitigation as part of the associated drainage infrastructure.

3.4 The majority of the buildings are two storey in height and arranged as a mix of semi-detached, terraced houses and flats. Of the 52 units, 6 are proposed to be 2.5 storey houses. The development would provide a range of dwelling types made up of 1 bed and 2 bed flats, 2, 3 and 4 bed houses. This range would provide for a range of households from 2 persons up to 6 persons. For the avoidance of doubt, the development does not provide accommodation to be used for Houses in Multiple Occupation (HMO).

### 3.5 Proposed School Sports Facilities

It is proposed to construct a new sports pavilion and associated car and coach parking (including parking for disabled drivers) as part of the development. The Parking includes provision for electric car charging points as well as facilities for cycle parking. The proposed building is positioned approximately 10 metres (at the central point of its rear elevation) due North of the boundary with No.4 Bristol Road. The main parking area is positioned to the West of the building with access onto Bristol Road. 5 of the proposed parking spaces are positioned within 5 metres of the rear boundary of No.2 Bristol Road.

3.6 The proposed pavilion building itself measures 23 metres wide by 12 metres deep with an overall height of 8 metres. The building is two storeys in height and includes changing, toilet and physio/first aid facilities on the ground floor; and, kitchen facilities, multi-function/studio and terrace (facing the sports pitches). The sports pitches themselves are outside the application site. These will be retained by Wycliffe School and used as part of the school sports curriculum.

3.7 A landscaped area (including wildflower mix and native shrub planting) is proposed to be introduced between the car parking area/pavilion building and adjacent properties associated with Bristol Road. There are a number of mature trees located on the site in this area of the site. These include 2 Tree Preservation Orders (with a further Tree Preservation Order just off site to the East).

## 4. REVISED DETAILS

4.1 During the course of the assessment of this application the following revisions have been provided;

- Revised access junction detail between nos. 1 and 2 Bristol Road.



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- Revised Drainage strategy
- Position of the proposed pavilion adjusted
- Amendments to proposed layout (service margins, parking arrangement and rear garden access arrangements).

### 5. MATERIALS

Residential Development	Off white render (or similar)/recon stone quoins, heads and cills with grey interlocking roof tiles Buff Brick/Red Brick heads and cills with red interlocking tiles Mix of block paving and tarmac surface treatment
Sports Facilities	Zinc coated fascia, Cedar timber cladding, aluminium glazing system, facing brickwork and stainless steel balustrade Block Paving surface treatment

### 6. REPRESENTATIONS

#### 6.1 - Parish/Town Councils:

##### 6.1.1 - Stonehouse Town Council

Stonehouse Town Council object to the proposed development. The Town Council has provided a comprehensive response. The key points are summarised below;

- The application does not meet the requirements of Local Plan Policy ES13. It has not been demonstrated that there is a surplus of open space provision in the area to meet current and future needs or that the replacement facility provides a net benefit to the community in terms of quality, availability and accessibility of open space or recreational opportunities.
- Analysis done for current Local Plan review concludes there isn't a shortfall of recreation/play space in Stonehouse area but there are shortfalls in allotments, amenity green space and youth play space. In addition, although there is sufficient supply of parks and recreation grounds and children's play space this does not mean they are surplus, as any loss of facilities may result in gaps in access and the Stonehouse area is under development pressure with major new housing estates being constructed and planned.
- The application fails to demonstrate a net benefit to the community in terms of access to recreational facilities. The proposed Community Use Agreement seems minimal as it covers the use of one pitch for hockey. There could be more commitment to offering the sporting facilities Wycliffe owns for community use.
- There are significant concerns about the safety of road access to the site between A419 and Bristol Road and the impact of additional traffic in the area. The A419 is a busy main route and the turning into and out of the access to the proposed development could be hazardous.





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- e) The site layout and access leads to detriment to the amenity of some neighbours:
- the location of the proposed parking is very close to existing housing and there is a question of whether there is a need for further parking.
  - the location of the stadium is much closer to housing than the existing pavilion.
  - the location of the housing would be very close to existing housing at Laburnum Mews. Stonehouse

Residents have raised concerns about the impact of traffic, parking, noise, and loss of light. Stonehouse Town Council has received eighteen objections from residents to the proposals and many more objections have been added to Stroud District Council's website during the public consultation period. The Town Clerk and three town councillors have visited the site.

f) The loss of green open space will cause loss of views from some areas. Stonehouse Neighbourhood Plan policy ENV6 identifies views to the Cotswold escarpment and to Doverow Hill as important to the town and the proposed development will cause loss of views.

g) The lack of an on-site play area should be questioned. Equipment for younger children should be provided.

h) The design of the housing should take account the need for zero carbon housing developments required in the emerging draft Local Plan (draft Core Policy DCP1 Delivering Carbon Neutral by 2030, draft Delivery Policy ES1 Sustainable construction and design).

### **6.2 - External Agencies**

#### **6.2.1 - Natural England**

Natural England raises no objection. Natural England provides detailed advice as follows;

#### **SUMMARY OF NATURAL ENGLAND'S ADVICE**

#### **NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED**

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of the Severn Estuary Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site and the Cotswold Beechwoods SAC.
- damage or destroy the interest features for which the 'Severn Estuary', Upper Severn Estuary' and 'Cotswold Commons & Beechwoods' Sites of Special Scientific Interest have been notified.



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In order to mitigate these adverse effects and make the development acceptable, the mitigation options for the Cotswold Beechwoods SAC described in the Council's appropriate assessment report should be secured. The Council's mitigation strategy for residential development within 7.7km of the Severn Estuary SAC/SPA/Ramsar Site will also need to be addressed.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

### Further advice on mitigation

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment in respect of the Cotswold Beechwoods SAC concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Note - Your appropriate assessment does not include reference to the Severn Estuary SAC/SPA/Ramsar Site. As the development lies within the 7.7km zone of influence identified around this European Site for the mitigation of recreation related impacts, either a suitable developer contribution should be secured or a bespoke HRA solution provided by the developer.

### Sites of Special Scientific Interest (SSSI)

The Cotswold Commons & Beechwoods SSSI and National Nature Reserve (NNR) partially coincides with the Cotswold Beechwoods SAC, while the Severn Estuary SPA/SAC and Ramsar Site partially coincides with the Severn Estuary and Upper Severn Estuary SSSI.

Provided the mitigation measures for the European Sites are secured as part of planning approval we do not anticipate adverse effects on these SSSIs' notified features.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.



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### 6.2.2 - Gloucestershire Wildlife Trust

Summary - The application does not sufficiently assess or mitigate potential impacts to the Stroud Newt Pond Local Wildlife Site (LWS) or the wider impacts on the Gloucestershire Nature Recovery Network. This is required by the National Planning Policy Framework (NPPF) policies 171 and 174a&b. GWT recommends that this assessment is undertaken before the application is decided and that biodiversity enhancement plans are revised to better align with the Nature Recovery Network. Due to the amenity value of the site, a Building with Nature approach should also be considered.

Comment - GWT notes that the application site has relatively low wildlife value at present. However, the site lies in close proximity to the Stroud Newt Pond Local Wildlife Site (LWS). There appears to be an error in Table 2 of section 4.1 in the Ecological Appraisal, which states that the distance between the development site and the boundary of the LWS is 189 metres. The distance is actually far less than this, approximately 30 metres at its closest point. The Wildlife Trust notes that the actual distance to the three other Local Wildlife Sites mentioned in table 2 is also wrong.

It is recommended that Table 2 is revised using the Local Wildlife Site Boundaries provided by the Gloucestershire Centre for Environmental Records. Distances should be measured from the closest boundary of the development and Local Wildlife Sites.

GWT wishes to point out that the Stroud Newt Pond LWS is a designated site that should be safeguarded under the National Planning Policy Framework (NPPF) 174a. The site also forms a core part of the Gloucestershire Nature Recovery Network and NPPF policies 171 and 174b requires development to 'maintain and enhance ecological networks' and 'promote the recovery of priority species'. The ecological appraisal demonstrates the high value of the Stroud Newt Pond LWS to Great Crested Newts, but it does not sufficiently assess potential impact of construction and operation. Specifically, the impact on water quality and quantity and potential hibernating newts.

GWT welcomes the commitment to delivering Biodiversity Net Gain (BNG). This has the potential to deliver enhancements aligned with the Gloucestershire Nature Recovery Network. The BNG proposals lack ambition and the proposed seed mix is not sufficiently diverse to deliver meaningful enhancement. A more appropriate proposal would be to create a mosaic of wetland habitats that expand the size of the existing Local Wildlife Site, providing a buffer to the development.

The Trust has been contacted some of its members who live in the area and are concerned about the loss of a local green space. The Covid pandemic has demonstrated the importance of local green spaces to society and they can be the only access to nature for some people. The current green space at Berryfields has comparatively low wildlife value, so the Trust recommends that the development considers a Building with Nature approach. This will ensure ecological networks are maintained across the development, provide higher quality green spaces and secure good water management on site.





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### 6.2.3 - Sport England

Sport England does not object to the proposed development and comments as follows;

#### Sport England - Statutory Role and Policy

It is understood that the proposal will prejudice the use, or lead to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 97), and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meet with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the following link: [www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy)

#### The Proposal and Impact on Playing Field

The proposal is for the erection of 52 dwellings with associated access, parking & landscaping, together with a new sports pavilion with associated facilities. The housing will result in the loss of approximately 1.29 hectares of an odd shape playing field area which has a minimum width of approximately 44m.

The area has been used in the past for junior football and cricket, although the cricket pitch did not meet recognised ECB pitch standards in size.

There is also some loss of playing field for the pavilion which I will address separately as it is to support the sport on the site.

#### Assessment against Sport England Policy

This application proposes the loss of existing playing field land and is not considered to meet exceptions 3 - 5 (inclusive). It therefore needs to be considered against exception E1 and E2 of the above policy, which states:

E1- A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

E2 - The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.



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I have therefore assessed the existing and proposed playing fields against the above policy to determine whether the proposals meet exceptions 1 and 2.

### Pre-consultation

Sport England was invited to consider the proposal as part of pre-planning application process in June of 2019. This included a site visit on the 18th July 2019. The issue of the replacement sports pavilion was basically straight forward subject to some design changes which were accepted. However, the issue of the loss of the playing field to housing was the key discussion point. There was dialogue which took place between the planning consultants, Sport England and England Hockey until November 2019.

### The Sports Pavilion

The proposed sports pavilion is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use. Therefore, it meets our planning policy exception E2. I was pleased that the applicants accepted some design changes that were suggested to the internal layout. The pavilion is both well designed and aesthetically pleasing.

### The Housing

There are no provisions within either paragraph 97 of the National Planning Policy Framework or Sport England's planning policy exceptions to allow for enabling works. However, Stroud District Council adopted a playing pitch strategy last summer which had input from the English Cricket Board, the Football Association, the Rugby Football Union, England Hockey and Sport England.

The College is located in the Stonehouse Cluster sub-area of the Playing Pitch Strategy. Below is an extract from the Action Plan Section:

**Table 6F**

Site Ref	Site Name	Site Sport	Management	Sport / Issue
SDST.41	Wycliffe	Pitches. Quality rating (NMP = no marked pitches	Independent school	1. Sand based AGP in good condition but not secured for community use 2. Important facility for hockey in Stroud but only for training; not available for weekends



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The site has been identified for protection in paragraph 3.61 of the Playing Pitch Document for Hockey. The ability to secure the site for hockey club use is a priority. This is emphasised in 4.4:

Wycliffe College

Facilities/rationale

Important site for hockey training. Community use of sand based AGP should be secured under a community use agreement.

Football - in the Stonehouse Area, there is a need for a 3G AGP, immediately, but that is the only priority for this area;

Cricket - in the Stonehouse Area, there is no current or future demand in this area, however there is cricket demand elsewhere in Stroud;

Rugby - in the Stonehouse Area, there is no current or future demand in this area, however there is rugby demand elsewhere in Stroud.

These facts were discussed with the applicants and their planning consultant, Daniel Drayton, during the pre-application. Given the lack of need for cricket and football, it was felt that if the applicants would enter into a community use agreement to allow their sand based hockey pitch to be used by local hockey clubs, then that would fulfil the Action Plan requirements of the playing pitch strategy. The applicants then entered into dialogue with England Hockey to discuss the feasibility and working arrangements of such an agreement and the result is the attached community use agreement.

Therefore, it is my opinion that as there is no need for football grass pitches or cricket grass pitches in this location as identified by the adopted PPS, the proposal meets our planning policy exception E1.

Consultation with England Hockey and the Rugby Football Union

England Hockey supports the planning application and welcomes the community agreement put forward to allow hockey to be played by community clubs on site. They have asked if it was possible to use the new pavilion social facilities for after matches, which I would encourage the college to consider.

Rugby Football Union support the application but have asked that consideration is given to extend the community use agreement to include Stroud RFC's junior section. To support their request, they have put forward the following extracts from the adopted playing Pitch Strategy:

- 5.13 Stroud RFC - adult pitch at Fromehall Park is being overplayed as accommodates matches from u13s upwards and adult teams. Lower age groups play off site on the two pitches at Archway School which are at capacity as a result.

- 5.28 There are some additional rugby pitches at schools, but it does seem that most avenues for securing greater use of school sites have been explored. Stroud RFC did use Maidenhill School rugby pitches in the past, but is currently focusing use on Fromehall Park and Archway school in an effort to bring some cohesion to the club. However, it does desperately require additional provision, ideally 4 rugby pitches in total and sites have been sought throughout Stroud for some years. Possible sites can be discussed further; one such



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site is an area of land between Fromehall Park and the Marling School sports ground, adjacent to the Howdens Joinery Industrial Park

- 5.29 Therefore, taking into account likely growth in demand and the requirement to provide accessible permanent rugby pitches for Stroud RFC youth teams, it is estimated that 6-7 additional rugby pitches will be required (4-5 adult/youth) and 2 mini, plus 3-4 pitches for accommodating Stroud youth teams on one site. While the action plan did not raise the issue of need for rugby in the area, I feel this is a reasonable request, and I would ask the applicants to consider incorporating Stroud RFC's junior section access to their grass pitches and new changing accommodation.

### Conclusions and Recommendation

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet exceptions 1 and 2 of our Playing Fields Policy. I am not recommending any conditions as the condition I would be recommending, a community use agreement, has been submitted as part of the planning application.

Sport England would like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

### **6.3 - Stroud District Council Technical Officers**

#### 6.3.1 - Housing Strategy and Community Infrastructure Manager

Supports the application, which seeks to provide 52 new units of affordable housing for people unable to meet their housing need on the open market. The Gloucestershire Local Housing Needs Assessment 2020 shows a net need for 521 new affordable housing units per annum in the Stroud district, against an average output of 120 units per annum. As a result, housing need is increasing year on year. The affordable homes will need to be secured via a s.106 agreement which would need to outline a 30% policy compliant scenario alongside a 100% affordable housing scenario in order to attract government grant funding as per the affordable housing statement. The tenure mix is acceptable and dwelling sizes and types proposed will help meet housing need; the proposed provision of 15 properties for social rent are particularly welcomed.

#### 6.3.2 - Bio-Diversity Officer

Comments relate to the following documents:

- Ecological Appraisal, V4, Ethos Environmental Planning, dated July 2021
- Street Lighting Maintained Calculations, DPL Lighting, dated 27th July 2021



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Recommendations:

Acceptable subject to the following S106/appropriate legal agreement;

The site falls within the 7.7 km core catchment zone of the Severn Estuary SPA/SAC site, the applicant has the opportunity to make off site S106 contributions per new dwelling as part of Stroud District Council's avoidance mitigation strategy, or provide the LPA with their own mitigation strategy and enhancement features which will need to be agreed by SDC as the competent authority and Natural England. This is to ensure that protected species and habitats are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended).

Acceptable subject to the following conditions:

- A Cotswolds Beechwood's Special Area of Conservation Mitigation Strategy shall be submitted, and be approved in writing by the Local Planning Authority prior to first occupation of the development. The strategy shall include the following details:
- A homeowner information pack (HIPs) that includes information on recreational opportunities in the local area and describes sensitivities of locally designated sites such as Cotswold Beechwood's Special Area of Conservation.

REASON: The above strategy will ensure that the development does not significantly affect the Cotswold Beechwood's Special Area of Conservation, this enable Stroud District Council as the competent authority to discharge its Statutory duty in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).

- All works shall be carried out in full accordance with the recommendations contained in the Ecological Appraisal, V4, Ethos Environmental Planning, dated July 2021 already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
- Prior to occupation of the development written confirmation by a suitably qualified/experienced ecologist shall be submitted to and approved in writing by the local planning authority confirming that the recommendations made within the submitted report have been implemented in accordance with the report.

REASON: To protect and enhance the site for biodiversity in accordance with paragraph 174(a) of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

- Prior to the installation of external lighting for the development hereby approved, a lighting design strategy for biodiversity shall be submitted to and approved by the Local Planning Authority. The strategy will:





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- a) identify the areas/features on site that are particularly sensitive for foraging bats, badgers and great crested newts;
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.

All external lighting shall be installed only in accordance with the specifications and locations set out in the strategy.

REASON: To maintain dark corridors for nocturnal wildlife in accordance with Local Plan Policy ES6.

- A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by the Local Planning Authority prior to first occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of the features to be managed.
- b) Aims and objectives of management.
- c) Appropriate management options for achieving aims and objectives.
- d) Prescription for management actions.
- e) Preparation of work schedule (including an annual work plan capable of being rolled forward over a 20-year period).
- f) Details of body or organisation responsible for implementation of the plan.
- g) Ongoing monitoring and remedial measures.

The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: To protect and enhance the site for biodiversity in accordance with paragraph 179 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

- No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (WML-OR94) and with the proposals detailed on plan 'Wycliffe College, Stonehouse: Impact Map for Great Crested Newt District Licencing (Version 1)' dated 31st March 2021.

REASON: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence WML-OR94.



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- No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR94), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence. The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

REASON: In order to adequately compensate for negative impacts to great crested newts.

- No development hereby permitted shall take place except in accordance with Part 1 of the GCN Mitigation Principles, as set out in the District Licence WML-OR94, and in addition in compliance with the following:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians (as specified in the NSP Best Practice Principles report).
- Capture of newts using hand/destructive/night searches at suitable habitat features prior to ground clearance (as specified in the NSP Best Practice Principles report).

REASON: In order to adequately mitigate impacts on great crested newts.

### Comments

#### Habitats Regulations Assessment (HRA)

The proposed site falls within the 7.7 km core catchment zone of the Severn Estuary SPA/SAC site therefore, the applicant can either make a one-off S106 contribution per new dwelling to the Stroud District Council's avoidance mitigation strategy; the cost is £385 per new dwelling. Or the applicant can provide their own bespoke strategy to mitigate the identified impacts the proposed development will cause.

The proposed site falls within the 15.4 km core catchment zone of the Cotswold Beechwoods, identified via visitor surveys undertaken by Footprint Ecology and agreed with Natural England. The core catchment zone indicates that any new dwelling or holiday accommodation within the core catchment zone is highly likely to result in an increase in recreational pressure to the Cotswold Beechwoods; at a level considered detrimental to the sites qualifying features. The Cotswold Beechwoods has been designated as a Special Area of Conservation and as such is classed as a European protected site, which are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended). The site is also notified at National level as The Cotswold Common and Beechwoods Site of Special Scientific Interest (SSSI). After carrying out a preliminary screening regarding this application, SDC as the competent authority have determined, that there is potential that without appropriate mitigation the proposed dwellings could result in negative effects to the European site through increased recreational pressure. Therefore, SDC as the competent authority has undertaken an Appropriate Assessment and has identified additional mitigation measures considered necessary to address the uncertainty of the proposal. As a result, a homeowner information pack will need to be created for each new dwelling. This will need to be submitted to and agreed in writing by the Local Planning Authority, it will need to detail the



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ecological importance of the Cotswold Beechwoods, appropriate code of practice for using the woodlands and alternative local recreational sites.

### **Protected Species**

The submitted report confirmed the proposed development site has limited ecological value however, a nature reserve and surrounding vegetation located south of the proposed development supports a number of notable and protected species. [redacted]. Additionally, an excellent population of great crested newts were recorded in pond 3 and the results from bat transect surveys confirmed the key bat activity was located above the nature reserve whereas there was low activity recorded over the centre of the proposed site. At present there is some connectivity between the ecologically rich nature reserve and surrounding vegetation with the proposed development site. Therefore, the report has outlined precautionary working methods which will need to be adhered to, this will ensure protected species are safeguarded during the construction phase. In addition, the report has included appropriate enhancement features which will aid in enhancing and connecting the site to the wider ecological network. Therefore, the above compliance condition is recommended.

The report recorded a number of bat species commuting across the proposed site, including Lesser Horseshoe bats which are highly sensitive to artificial lighting. Additionally, great crested newts and badgers are also nocturnal species that are adversely impacted by the introduction of lighting therefore, the above lighting condition is recommended. Any proposed lighting during the construction phase and post-development should be carefully considered. If lighting must be used at night, it should not be allowed to spill over habitats, in particular, light spill should not be permitted south of the proposed development towards the nature reserve, or towards any of the proposed enhancement features or habitat corridors. I have reviewed the most recent light contour plan which clearly demonstrates light spill will not be permitted towards the native reserve and very low levels (0.2 lux) will illuminate the proposed wildlife corridor. Any further amendments to the lighting plan should ensure these features remain dark in order to maintain nocturnal wildlife corridors.

A landscape and ecological management plan (LEMP) is recommended to ensure the proposed wildlife corridor and enhancement features are maintained in perpetuity.

### **District Level Licensing (DLL) for Great Crested Newts (GCN)**

The proposed site falls within a red zone on the NatureSpace impact risk map. A red zone is a site which contains suitable habitat for GCN and as a result, they're likely to be present. The submitted ecological report confirmed there are no ponds or waterbodies present within the development boundary and the terrestrial habitat is considered to be sub-optimal to support GCN. However, the submitted ecological report confirmed the three ponds located south of the proposed site offers suitable habitat and upon further completion of GCN surveys the ecologist confirmed Pond 3 located within the nature reserve supports an excellent population of GCN's. The proposal will not result in any direct impacts to the ponds or the surrounding terrestrial habitat however, it is possible that GCN could enter the development site during the construction phase. Therefore, the applicant has obtained a district license from NatureSpace to ensure GCN's are safeguarded from the proposed development.



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### 6.3.3 - Arboriculture Officer

No objection subject to the following conditions;

1) The development must be fully compliant with the Ethos Environmental Planning Tree Survey, Arboriculture Impact Assessment, Method Statement and Tree Protection Plan dated May 2021.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraphs 15, 170(b) & 175 (c) & (d).

2) Prior to commencement of the development hereby approved (including any ground clearance, tree works, demolition, or construction) a pre-commencement meeting must take place with the main contractor / ground workers with the local planning authority tree officer.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraphs 15, 170( b) & 175 (c) & (d).

3) Monitoring tree protection. Prior to commencement of the development hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection monitoring and site supervision by a qualified tree specialist ( where arboriculture expertise is required) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

4) Details of a scheme of hard and soft landscaping for development must be submitted to and approved by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping areas and boundary treatments (including the type and colour of materials), written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant size and proposed numbers/ densities. Any plants which fail within a five-year period must be replaced.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraphs 15, 170(b) & 175 (c) & (d).

### 6.3.4 - Senior Conservation Officer

The site is in proximity to the Industrial Heritage Conservation Area. Where Conservation Areas or their settings, are affected by development proposals, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act requires that, 'special attention shall be paid to the desirability of preserving the character or appearance of Conservation Areas.' Due to the degree of separation, there would be no harm caused to the identified heritage asset.



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### 6.3.5 - Water Resources Engineer

No objection is raised to the proposed development in site drainage terms. However, the Water Resources Engineer has made the following initial observations in respect of the development proposal;

The applicant has submitted a very unimaginative scheme which provides no additional benefits. Although it conforms to the letter of sustainability as per the local plan and NPPF, it does not even attempt to satisfy the spirit of sustainable drainage - to the detriment of any future occupants. Above ground attenuation schemes can provide a level of amenity value to any future residents, provide ecological and biodiversity benefits and are much easier to maintain.

As things stand should there be a problem the oversized pipes would need to be excavated at a large cost to the body adopting as well as large disruption to the residents. This is not required for above ground attenuation, and any maintenance required on the pipes leading to it will be minimal and can often be resolved through less invasive jetting.

Following the submission of revised drainage methods, the Water Resources Engineer confirms that the above concerns have been addressed and the proposed development acceptable in drainage terms.

### 6.3.6 - Environmental Health Officer

The Environmental Health Officer does not raise objection to the proposed development and initial comments were as follows;

With respect to this application, I have several queries about the development;

Can I please confirm that no floodlighting is proposed to the playing field areas?

The noise assessment appears to take no account of noise from the parking area. Given the proposal to retain existing boundaries to the south, I would recommend that the provision of robust, solid fencing to the southern boundary of the car park area would be of benefit to reduce noise levels at the residential receptors to the south.

Further to the above, I would also recommend the following conditions and informative.

Conditions:

i) Noise Rating Levels for fixed plant serving the development shall not exceed the following:-  
37 dB during the daytime period of 07:00 to 23:00; and  
30 dB during the night period of 23:00 to 07:00

ii) Noise Rating Levels shall be determined in full accordance with the methodology set out in British Standard BS4142:2014+A1:2019 - "Methods for rating and assessing industrial and commercial sound" or any future variations thereof.





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iii) Prior to use of the development, the applicant shall provide to the Local Planning Authority for approval, a validation report from a suitably competent person demonstrating compliance with the relevant Noise Rating Levels set out in condition 1 above.

iv) No construction site machinery or plant shall be operated, no process shall be carried out and no construction-related deliveries taken at or dispatched from the site except between the hours 08:00 and 18:00 on Mondays to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

v) Construction/demolition works shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the Local Planning Authority.

vi) Prior to use of the development, the applicant shall provide to the Local Planning Authority for approval, a validation report from a suitably competent person demonstrating that the proposed external artificial lighting serving the pavilion and car park does not exceed the vertical illuminance levels at neighbouring residential properties that are recommended for Environmental Zone 3 by the Institution of Lighting Professionals in its "Guidance Note 01/21 - The Reduction of Obtrusive Light".

### Informative:

The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of smoke/fumes and odour during the construction phases of the development by not burning materials on site. It should also be noted that the burning of materials that give rise to dark smoke or the burning of trade waste associated with the development, may constitute immediate offences, actionable by the Local Authority. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume or odour complaints be received.

The applicant submitted revised information that shows an acoustic fence in position and the Environmental Health Officer confirms that the location and specification is acceptable in that regard. In respect of lighting at the pavilion further information was provided by the applicant. The Environmental Health Officer has confirmed that the following planning condition is appropriate;

vii) External lighting associated with the development shall be installed in accordance with the Silcock Dawson & Partners Report 200181 (dated 18.08.21) in order to ensure that there is no exceedance of the vertical illuminance levels at neighbouring residential properties that are recommended for Environmental Zone 3 by the Institution of Lighting Professionals in its "Guidance Note 01/21 - The Reduction of Obtrusive Light".

### 6.3.7 - Contaminated Land Officer

Notes the content of the Geotechnical & Phase 2 Contamination Report, number 19086-B/R1 dated October 2019, prepared by Integrale. The contamination assessment is somewhat limited, but given the results of the analysis undertaken and the outcome of the gas monitoring the Contaminated Land Officer is satisfied that further site investigation is



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unnecessary at this stage. It is advised that the contaminated land watching brief condition is attached to any permission granted.

### 6.3.8 - Community Services Officer (Waste Management)

Bin collection points should be easily accessed by a 26t RCV with collection points located at the curtilage of each property. This not only lessens the burden in terms of collection time and resource but it also limits the potential for health and safety issues, borne out of walking waste to the vehicle. Bin stores should also be readily accessible by a 26t vehicle.

The collection vehicle will not enter on to unadopted highway/private driveways to retrieve waste, this includes off shoot roads where properties are sometimes located within a development. The developer should ensure bin collection points for properties on such roads, are located on/or near the curtilage of the nearest adopted highway.

Sufficient storage needs to be allocated for a 140l and 240l wheelie bin, plus recycling box and food waste receptacle. The developer needs to ensure bin stores for communal collection points, are large enough to accommodate all four containers for each property.

Inadequate road width, (especially if off street parking is limited) is becoming an increasing issue and can lead to an inability to retrieve waste. Whilst the sweep path analysis may take in account the feasibility of navigating a 26t RCV without any parked cars, we'd like to see appropriate methods of preventing on street parking.

Taking into account the points mentioned above regarding bin collection points, it is apparent from the waste management plan attached, that some bin stores are located too far from the adopted highway in certain instances, in particular:

- 1) The binstores that service T1 1B maisonettes no's 14-15 and 16-17
- 2) The bin stores that service T2 2B maisonettes no's 8-9 and 10-11

We advise that the properties located on unadopted offshoots, in particular house no's 20, 21, 33, 34, 43, 44, 45 will be required to present their waste at the nearest adopted highway, rather than

waste collection staff making numerous journeys with multiple containers.

## 6.4 Gloucestershire County Council Technical Officers

### 6.4.1 - Highway Authority

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 has **no objection subject to conditions**.



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The justification for this decision is provided below.

This proposal is for 52 dwellings and has been subject to considerable discussion on the access requirements and internal layout.

### Site access.

The site accesses onto a service road referred to as Bristol road it is proposed to be a priority junction with a footway on the western side of it. The access design accords with the requirements of Manual for Gloucestershire Streets and is appropriate for the trip generation generated.

The service road connects onto the A419 Bristol Road. There has been considerable discussion as to whether this junction should be upgrade to a ghost lane (right turning lane), and we are aware that this matter has also been raised by some member of the public.

The junction is existing, but intensified by the development. Our design guide, Manual for Gloucestershire Streets, directs you to CD123 of the design manual for roads and bridges to consider the junction type. In short this considers the demands of the side road compared to the main road and considers the potential for right turn movements delaying the main road. This must be critically reviewed as it is not a mandatory document for the local Highway Authority.

The applicant has indicated in their appraisal that the total side road flows will be close to the threshold and a more detailed capacity analysis shows that it will continue to operate in capacity with the proposed development. Furthermore, there are no accident at the junction or nearby which suggests a trend.

The proposed uses have movement patterns that do not compound capacity as their respective peak hours differ as such demand is spread. I am also mindful of the ability to walk into Stonehouse in circa 15 minutes which gives access to retail uses and rail access, this is clearly a sustainable location with realistic alternative transport choices which will reduce car dependency. I am also conscious that with the employment uses and motorway to the west that vehicle movements may be attracted in that direction which would see fewer right turning movements from the east.

In the test of whether a severe impact or safety implication would exist that which is sufficient to warrant refusal I do not consider the evidence to be there to support a refusal recommendation. Whilst it does exceed the DMRB threshold for a ghost lane this is not mandatory and has been proven to function in more detailed assessment.

### Internal Layout

This has been deigned to a 20mph design speed, give the length of the straights and access locations it is concluded that this design speed will be maintained, but additionally footways are proposed where there is frontage development to ensure that pedestrians have a comfortable environment. There are also connections to the western boundary to reduce the walking distance to local services.



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Car parking levels are compliant with the Local Plan provisions, however it is a requirement that every dwelling be provided with a 7kw charging unit and the proposal does not address this. As such it is recommended that a condition be used to require every property to be equipped with ready to use charging point.

Plots 12,13,23,30 and 40 rely on layby parking. This is considered suitable in this instance, but the parking area needs to be at the rear of the layby to allow for an adoptable service margin to pass through the front of the layby with suitable demarcation. No alterations are required to the drawing but it is expected that this is clearly shown at the future dedication stage.

Cycle parking is proposed in a shed in the rear garden. This is not considered to be the preferred solution, however the walking distances are short and considering implications for access they are considered to be acceptable. The site layout plan already provides details of this so doesn't require a specific condition.

Street Lighting points have been indicatively shown, but the final lighting design will form part of the dedication agreement and as such a condition should be included to confirm the details given the ecological constraints of the site. The sports club makes provision for 28 standard parking spaces, 3 accessible spaces, 26 bicycles spaces, 4 electric vehicle charging points and coach provisions.

The application is considered to have a good understanding of their needs and there is no evidence to suggest that these levels are inappropriate given the local plan provisions. Whilst it is accepted that there might be occasional times of higher demand the short duration of this does not result in sufficient concern to result in a recommendation of refusal.

A residential travel plan has been provided (September 2020) to support the proposal. This plan is considered to be reasonable given the scale of the development proposed.

No specific planning obligations are required in this instance to address highway matters

The proposal is considered to be acceptable subject to conditions, and whilst there have been public concerns raised, the Highway Authority does not consider that there is a severe impact on capacity or a significant impact on safety. The site does provide genuine transport choices and as such is considered to be sustainable in transport terms.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.



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### Conditions

#### Conformity with Submitted Details (Multiple Buildings)

The Development hereby approved shall not be occupied or brought into use until the access, parking and turning facilities that that individual building to the nearest public highway has been provided as shown on drawing 9370 PL03 rev F.

Reason: To ensure conformity with submitted details.

#### Electric Vehicle Charging Points (Residential)

The development hereby permitted shall not be first occupied until the proposed dwellings have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities.

#### Residential Travel Plan (Plan Approved)

The Residential Travel Plan hereby approved, dated September 2020 shall be implemented and monitored in accordance with the regime contained within the Plan.

In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to and from the site. The Plan thereafter shall be implemented and updated in agreement with the Local Planning Authority and thereafter implemented as amended.

Reason: To reduce vehicle movements and promote sustainable access.

#### Construction Management Plan

Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff,





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visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development

### Informatives

#### Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk) allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

Drafting the Agreement

A Monitoring Fee

Approving the highway details

Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

#### Highway to be adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk). You will be required to pay fees to cover the Council's cost's in undertaking the following actions:

Drafting the Agreement

A Monitoring Fee

Approving the highway details

Inspecting the highway works



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You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

### **Construction Management Plan (CMP)**

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:

Constructors should give utmost consideration to their impact on neighbours and the public  
Informing, respecting and showing courtesy to those affected by the work;  
Minimising the impact of deliveries, parking and work on the public highway;  
Contributing to and supporting the local community and economy; and  
Working to create a positive and enduring impression, and promoting the Code.  
The CEMP should clearly identify how the principle contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

### **6.4.2 - County Archaeologist**

Initial comment as follows;

The County Archaeologist advises that, following consultation with the County Historic Environment Record, there are no known heritage assets recorded within the proposed development site. There have however been a number of archaeological investigations in the nearby vicinity and a Desk Based Assessment (DBA) submitted with the application identified that the site has some potential for Romano-British, medieval and post-medieval deposits. A geophysical survey report has also been submitted which has not revealed any definite archaeological anomalies. Due to the variability in geophysical results however we recommend that the results of geophysical survey are ground-truthed by trial trench evaluation. Due to the archaeological potential within the site, as identified in the DBA, it is important that thorough investigation is carried out in order to identify whether archaeological remains are present within the proposed development site.

I recommend that trial trench evaluation is carried out and the results are made available prior to determination of the application. This advice follows the National Planning Policy Framework, in particular policies 189 and 190 which state that "Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal



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**Following the submission of Archaeological Trial Trenching report, the County Archaeologist has confirmed that no further archaeological investigation is required at the site.**

### 6.4.3 - Lead Local Flood Authority LLFA

The drainage strategy submitted with this application addresses the basic requirements of controlling surface water discharge to greenfield rates. While the design is unimaginative and avoids all the real benefits of amenity and opportunity for bio-diversity with attendant improvements to the environment and future residents wellbeing, that SuDS could offer if an innovative above ground scheme were proposed, the LLFA therefore can have no objection to the proposal.

Should planning permission be granted the permission should be conditioned as follows;

Condition;

No building works hereby permitted shall be commenced until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The information submitted shall be in accordance with the principles set out in the approved drainage strategy. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The SuDS Manual, CIRIA C753 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall;

i). provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii). include a timetable for its implementation; and

iii). provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason:

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution for the lifetime of the development.

NOTE 1 :The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2 : Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.



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NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through [suds@gloucestershire.gov.uk](mailto:suds@gloucestershire.gov.uk) e-mail address. Please quote the planning application number in the subject field.

### 6.4.4 - Community Infrastructure Officer

Summary of financial obligations requested by Gloucestershire County Infrastructure Officer are as follows;

Pre-School (Early Years) Provision (Stonehouse Park Infant School) (14.4 places)	
£217,310.40	
Primary School (Stonehouse Park Junior School)	£0.00
Secondary School (11-16)	£0.00
Secondary School (16 to 18)	£0.00
Library Provision (Stonehouse)	£10,192.00

### 6.4.5 - Minerals and Waste Planning Authority

Please accept this correspondence as an initial view from officers acting on behalf of the Minerals and

Waste Planning Authority (MWPA) for Gloucestershire. It is concerned with ensuring that due consideration is being given to resource efficiency measures. Attention is particularly focused upon two local development plan policies - Gloucestershire Waste Core Strategy Core Policy 2 | Waste Reduction and Minerals Local Plan for Gloucestershire Policy SR01 | Maximising the use of secondary and recycled aggregates. It is applicable to all major development proposals throughout Gloucestershire that require planning permission

Supporting evidence on resource efficiency may be included within a wider Environment Statement where this has also been required, or as part of a Planning Statement that sets out how a proposal will accord with the local development plan. The preparation of a standalone Waste Minimisation Statement (WMS) or a dedicated waste reduction section or chapter within supporting evidence of an application are the best means of effectively complying with the requisite local policy requirements.

A Waste Minimisation Statement (WMS) should contain enough information for decision-makers to make a valued judgement on whether achievable resource efficiency measures can be accommodated into a proposal. Details of how different types of waste will be reduced and managed efficiently and effectively will be crucial. The full lifecycle of a proposed development needs to be considered. This usually involves the three phases of: - site preparation (including any demolition); construction; and occupation. Whilst appreciating that for many proposals it is unknown who the future occupants will be, the ability to support their re-use and recycling practice should not be hindered. Provision for safe and efficient resource management infrastructure aiming at reducing waste and making recycling easier to engage with should be set out. This includes for commercial as well as residential schemes.



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The increasing use in both volume and proportion of recycled materials in development is actively encouraged within local policy. It is therefore reasonable to seek evidence of this. This could include details of procurement practice / protocols able to demonstrate that the sourcing of materials will achieve a substantial level of recycled content. Collation of this type of Information may also prove beneficial where sustainable construction technical standards / ratings are to be sought. Requirements for high levels of recycled material use are present within the Building Research Establishment Environment Assessment Method (BREEAM) and Leadership in Energy and Environmental Design (LEED) certification.

To assist decision makers and applicants in their consideration of resource efficiency, local guidance has been prepared - Gloucestershire Supplementary Planning Document: Waste Minimisation in Development Projects (WM-SPD).]

### **6.5 - Other Interest Groups**

#### **6.5.1 - Stroud Valleys Project(SVP)**

Stroud Valleys Project(SVP) is an environmental charity that works with volunteers to preserve and enhance wildlife habitats in the Stroud District. SVP has worked at the Court View Newt Pond Key Wildlife Site for over 20 years. Having only recently heard about the planning application for 52 houses on Berryfield, which we were not formally consulted on, we would like to comment on this now with regards to biodiversity issues. If this development continues, given our extensive history with the site, we would like to be a consultee.

Stroud Valleys Project has managed this site with the help of volunteers and we have carried out habitat improvement work such as cutting back brambles, managing the rough grassland habitat, clearing the pond from vegetation, building hibernacula and putting up bat boxes. We work regularly on this site - funding dependent- to ensure that the existing population will increase or at least remains stable by keeping the habitat in a favourable condition.

When funds permit, we carry out annual [redacted] surveys at the Court View Newt ponds including the railway cuttings, involving and educating the public about this important habitat.

In 2010 we have worked together with the Gloucestershire Wildlife Trust on a project called 'No newts is bad news' and we are currently working with the Wild Towns initiative on the site to improve the habitat and to replace the derelict dipping platform. [redacted] It narrowly missed being designated a SSSI when the original development took place. It comprises three ponds and some rough grassland and mature trees. It is home to several European Protected species, [redacted] and all species of bats [redacted].

The site is surrounded by housing to the west, the busy A419 to the south, a small non-managed green area to the east on Wycliffe land and the amenity open green space to the north of the site, where the development is being proposed. The Key wildlife site is adjacent to the site proposed for development with the development boundary being under 30 metres in distance to the pond [redacted]

Further, the development boundary of the proposed development does not include the area east to the Key Wildlife site on Wycliffe land that currently acts as an extension to the existing Key Wildlife Site with rough grassland, tree cover and shelter for newts. There is therefore no



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guarantee that this current additional wildlife area on Wycliffe land will continue to be part of a green space in the future and add to the resilience of the existing newt population.

The proposed development, although on paper showing to be of net biodiversity gain, is underwhelming in its approach to including biodiversity on a development and fails to respond to the most important species surrounding the proposed development, such as [redacted], birds and bats.

[redacted]. Bird species, bats [redacted] are also known to forage on amenity grassland.

The proposals further do not take into account any threats to existing wildlife due to climate change and any impacts this may have on biodiversity, such as the importance of establishing good wildlife corridors from existing important habitats, so that species will be able to move to more suitable sites in the future. The proposed strip of rough grassland is part of the existing footpath and without a strict management regime there is no guarantee that this grassland will not be mown in the future as a result of public pressure (there is a need to keep footpaths tidy and it feels that rough grassland next to a footpath is bound to fail).

The environmental appraisal which forms part of the planning application written by Ethos lists 12 species of bats using the key wildlife site, including light avoiding species, such as *Myotis* species as well as lesser and greater horseshoe bats. However, the Environmental Appraisal does not discuss any records centre data within 1km of the development, nor does it include any figures showing this data, [redacted]. It also does not mention any details of the bird surveys that were carried out.

52 more households around a key wildlife site means that there will be more pressure on wildlife. According to the pet food manufacturers association, a quarter of all households own dogs, putting further pressure on wildlife sites.

The local plan mentions under Stonehouse cluster that:-

### Recommendations

- To contribute through the Community Infrastructure levy to the existing key wildlife site and to repair the dilapidated GCN fence towards the A419, de-silt and remove access vegetation from the main pond.
- To include the rough area to the southeast of existing newt area on Wycliffe land in the development envelope as a biodiversity area.
- To create a new pond within the new housing proposal, possibly SUDS system
- To create a rough grassland area in form of a strong wildlife corridors to the north that will be subject to a newt sensitive cut and collect regime that will enhance biodiversity and therefore not be neglected over time

The site also forms a core part of the Gloucestershire Nature Recovery Network as well as having been proposed by Stonehouse Town Council to be designated as a Local Green Space in their emerging Stonehouse Neighbourhood Plan.





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We feel that the recently introduced Stroud District Wildlife licencing scheme should focus on this site as a recovery site for GCN in the district. This should be an area that would be given special attention in order to strengthen the existing population and to make it more resilient and to offer wildlife corridors that would enable this population to spread. [redacted].

We don't believe the housing development is adequate because:

The development is against Local Plan Delivery Policy ES6 Providing for biodiversity and geodiversity, which states that "Development proposals that would adversely affect European Protected Species (EPS) or Nationally Protected Species will not be supported, unless appropriate safeguarding measures can be provided .... "

The development area is on a protected outdoor Play Space. It is against Local Plan ES13, the protection of existing outdoor Play spaces. The local plan further states that open space provision in Stonehouse has a shortage of 5ha playing pitch provision and a shortage of 2.7ha of Children's play space. Any reduction of open green spaces will be detrimental.

The proposed site is not part of Stroud's Local Plan Site Allocations Policy SA2 West of Stonehouse strategic site allocation and not in the strategic growth area for Stonehouse. The proposed development, as it stands, does not fit in with National Planning Policy Framework policies 171 and 174b, which requires development to 'maintain and enhance ecological networks' and 'promote the recovery of priority species'.

Sadly, a great deal of hard work with the developer of Courtview which would have resulted in the site being owned by the Town Council and endowed with a fund for its upkeep, ended without conclusion due to a change of personnel at the Town Council. The site is dependent on outside funding which means that the site is not currently in favourable condition although we are working hard with limited funds to make it so.

### 6.5.2 - Gloucestershire Community Rail Partnership

#### Organisation Overview:

Gloucestershire Community Rail Partnership (GCRP) consist of several organisations, volunteers and enterprises across the county seeking to benefit communities through connecting people with and engaging them in local railways and stations. The GCRP engages in a number of conventional 'bottom up' workstreams, such as community outreach, alongside more strategic decisions supporting integrated transport and development proposals. GCRP is run by CIC as its executive arm. Jon Harris is the Director responsible for the strategic planning, development and regeneration agenda.

The CRP includes playing a critical role in organising, conducting and collating datasets to help inform local decision making and taking a proactive role in facilitating a responsive and flexible recovery to Covid 19. The remit extends to stimulating healthy and active lifestyles and reducing emissions though sustainable travel.

Strategic Aim:



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To develop an accredited, sustainable community rail partnership organisation for Gloucestershire that puts the region on the map through effective community engagement, public transport integration, station development activities, enhanced visitor experience and sustainable travel promotion and projects.

Gloucestershire's long-term vision for rail is for more frequent, faster passenger services accessed via modern station facilities that provide gateways to the rest of the country. Rail services will offer people with a choice in the way they travel making local and longer distance trips. The GCRP is an independent voice but aligns its activities with the four key pillars of rail policy and practice:

- Gloucestershire County Council's Local Transport Plan and Rail Strategy
- DfT's Community Rail Strategy objectives
- RSSB's Rail Sustainable Development Principles
- Community Rail Network (CRN) best practice including accreditation criteria

The aims of the GCRP are far broader than looking at rail. As a partnership, there is a real desire to ensure that access to rail plays a part in the development and delivery of integrated transport and land use policy to support various objectives. The GCRP wants to go beyond conventional community rail ambitions by submitting our views on this planning application.

### **Key Aims**

- i) To contribute positively to the visitor experience and the long term economic sustainability of Gloucestershire
- ii) To improve accessibility to public transport for all
- iii) To improve the integration of transport through sustainable modes of transport
- iv) To increase ridership profile and community involvement at all Gloucestershire's railway stations
- v) To provide community insight to shape future proposals for rail investment and services in the County

### **Key Objectives**

- i) To engage all stations in Gloucestershire and establish / strengthen Station Adoption groups along the lines through inclusive and participative community consultations. The consultations will identify the issues and challenges at each station and help engage the local community. The outcomes will inform the development of relevant and proactive action plans that will be reviewed and refreshed on a quarterly basis.
- ii) To link adopted stations with their broad community through facilitation of unique community led projects that address community issues and communicate a sense of place. Publicity will consider county wide connectivity and integrated transport approach to encourage wider connectivity between stations, communities and the locations they serve.
- iii) To promote Gloucestershire as a sustainable destination nationally and internationally connecting sustainable travel with Gloucestershire's visitor experiences to engage and resonate with visitors. To achieve this we will work in partnership with the county's destination management and marketing organisations to achieve an aligned and coordinated approach.



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- iv) To stimulate stations as local places working proactively with developers and local authorities to ensure that rail facilities are well connected to new development through continuous engagement and consultation with councils and their associated neighbourhood plans. We will work proactively with developers, town and parish and councils and local authorities to ensure that rail facilities are well connected to new housing, employment and leisure development
- v) To link stations, communities and visitors through promotional and educational measures, including trails, walks and enhanced destination experiences through maps, education, training and events that celebrate local heritage and improve health and wellbeing.
- vi) To proactively input into planned improvements to the rail network in Gloucestershire, including new or improved stations, accessibility, bus and sustainable transport integration and community transport schemes.

### Overall Alignment

A core objective of the CRTPs work would be to work with local transport authority to meet the long term LTP targets, not just around rail growth, but also around continued use of walking, cycling, bus and community transport modes as stated in the current Local Transport Plan

LTP PI-2: No. Of Peak Hour Vehicle Journeys - Restrict annual growth to 1% per annum

LTP PI-7: Increase use of rail - Increase by 30% from 2015 to 2031

LTP PI-8: Increase use of cycling - Increase by 50% from 2015 to 2031

LTP PI-9: Increase use of bus - Maintain bus passenger numbers in line with reviews

LTP PI-10 Maintain bus passenger access - Maintain access within 45 minutes

LTP PI-13 Reduce levels of traffic derived Nitrogen Dioxide - To reduce transport derived NO<sub>2</sub> at each Air Quality Management Areas  
LTP PI-14 Reduce per capita transport carbon emissions - 0 tonnes per capita by 2050

### Local Policy Context

This development is one of many emerging proposals and sizeable scale housebuilding sites within Stonehouse that will take advantage of high quality public transportation and active travel connections. Policy CP3 of the Stroud Local Plan (Settlement Hierarchy) identifies Stonehouse as a First Tier Settlement (Accessible Local Service Centre) with the site being particularly well placed to maximise walking and cycling opportunities into the town centre; where there is a wide range of services and facilities, in addition to links to other sustainable modes of transport, including local bus and rail services.

The site also lies in a strategic location within the locality with future residents potentially benefitting from a new railway station being developed at Stonehouse Bristol Road. The stream of developments around Great Oldbury could also expect to increase footfall and cycling levels through the area which will demand higher quality provision and infrastructure and improving first & last mile links. The site is well placed to take advantage of high frequency bus services along the High Street towards bigger localities (services 61, 64 in particularly running every half an hour minimum).



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Local permeability will be crucial. The proposed development fortunately seeks to capitalise on the opportunity to upgrade existing active travel routes towards key trip attractors for making local journeys by bike on or foot. We believe the proposals to protect and enhance Laburnum Walk, along the western boundary, aligns with Stonehouse Neighbourhood Plan Travel and Transport Policies T1, T2 and T4 to protect existing public rights of way and encourage new developments to provide new pedestrian routes to the town centre.

In this regard, the proposed application seeks to provide linkages to the existing footpaths and cycle routes into the centre of Stonehouse with reference made to Policies ENV2, ENV3 and ENV6 for preserving spaces, views and vistas which contribute to the distinctive form, character and setting of Stonehouse.

### **6.6 - Public**

6.6.1 - There has been approximately 240 responses received from the local community and other public contributors. The vast majority of the comments received have raised objection to the proposal. The key issues of concern identified in the responses

#### History

Previous development proposals and appeal decisions have been raised and that precedent for the refusal of the proposal

#### Strategic Issues

There is some recognition of the need for new housing

The proposed development is contrary to the Stroud Local Plan/Stonehouse Neighbourhood Development Plan

The site is not allocated for housing

Already housing development underway in Stonehouse - need for housing on the site is questioned

Contrary to Climate Emergency initiative.

The development would increase pressure on local facilities and infrastructure (such as medical services and schools).

Affordable Housing does not outweigh the loss of the site

Poor housing mix

#### Open Space/Sports Pitches Issues

There is a proven shortage of playing pitches in the Stroud district

Concern over the loss of Green Space

The Sportsfield is protected under planning policy

The site is designated as open space for local community

The proposed development would increase the need for open space elsewhere

No onsite public open space/playspace is provided with the development proposal

The public health/wellbeing benefit of open space would be lost

#### Design, Landscape Local Character issues

Loss/damage of protected trees associated with the site

Loss of protected views of Cotswold Areas from the locality

Negative impact on character and visual amenity of the locality

The open field is an important part of the character of Stonehouse



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The development would result in the detrimental impact on the enjoyment of the Industrial Heritage Conservation Area and the associated Canal and its character.

Development is too dense

Lack of landscaping

### Highway and Access Issues

Impact on highway safety on Junction to A419 Bristol Road - compound existing issues

Negative Impact on highway safety along Bristol Road and conflict with the new road layout (traffic lights etc)

The safety of the cul-de-sac would be harmed

Increased Traffic

Insufficient parking on site

Turning east onto Bristol Road already difficult

Increased number of right turn movements causing increased standing traffic on Bristol

Increased CO2 from standing traffic

The development does not act to improve/encourage use of cycles

Use of Broakes Drive Roundabout suggested for alternative access to the site.

Impact upon the amenity of the adjacent public right of way

Traffic incidents in the immediate locality have been highlighted

### Ecology/Biodiversity Issues

Loss of wildlife habitat for protected species

Wildlife lost if development is allowed

Wildlife is often seen using the site

The submitted Ecological Survey is not adequate

Site should be preserved as habitat for Great Crested Newts

Drainage measures fail to incorporate ecological benefits

The development should contribute towards improvements to the Liang Nature reserve

### Residential Amenity

Development would result in additional airborne, noise and light pollution

Impact of the Pavilion on the amenity of the locality

Restrictions should be imposed on the use of the pavilion (no drinks licence)

Extra vehicle movements impact on amenity and quiet enjoyment of local residents

Loss of views across Berryfield

Impact upon privacy as a result of overlooking and proximity

Impact on the security and safety of adjacent dwellings

### Other Issues

The site should be offered to community if surplus to school requirements or purchased by the Council and used as a park

No public benefit to the proposed development

Only Wycliffe School would benefit from the proposal

Access for maintenance of boundary undermined

Field is used for dog walking

The community use agreement should include local sports clubs and groups



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Wycliffe has not acted on previous promises to invest in sport infrastructure following the sale of other sites for housing  
Lack of obligations to offset impact of the development on the local and proposed community.  
Loss of property value in the locality  
Precedent for further residential development at Berryfield  
The need to fund the Pavilion does not justify the development of houses on the site  
Public opinion is against the proposal  
Potential damage to domestic trees on private properties close to the site  
Potential encroachment onto private property.  
Detrimental Impact during construction  
Design and access statement does not show nearby dwellings correctly  
Potential restrictive covenant on the site preventing building

### **7. NATIONAL AND DEVELOPMENT PLAN POLICIES**

#### 7.1 - National Planning Policy Framework July 2021

#### 7.2 - Adopted Local Plan; Stroud District Local Plan (adopted) 2015.

##### Strategic Objectives

SO1 - Accessible Communities

SO4 - Transport and Travel

SO5 - Climate Change and Environmental Limits

##### Core Policies

CP1 - Presumption in favour of Sustainable Development.

CP2 - Strategic Growth and Development Locations.

CP3 - Settlement Hierarchy.

CP4 - Place Making

##### Core Policies - Homes and Communities

CP6 - Infrastructure and Developer Contributions

CP7 - Lifetime Communities

CP8 - New Housing Development

CP9 - Affordable Housing

CP14 - High Quality Sustainable Development

##### Delivery Policies - Homes and Communities

HC1 - Residential Development in Urban Areas

##### Delivery Policies - Economy and Infrastructure

EI11 - Promoting Sport, Leisure and Recreation

EI12 - Promoting Transport Choice and Accessibility.

EI13 - Protecting and Extending our cycle routes

##### Delivery Policies - Environment and Surroundings

ES1 - Energy Efficiency and Sustainable Construction

ES3 - Maintaining Quality of Life Within Our Environmental Limits





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ES4 - Water Resources, Quality and Flood Risk  
ES6 - Biodiversity and Geodiversity  
ES7 - Landscape Character  
ES8 - Trees and Hedgerows and Woodlands  
ES10 - Valuing Historic Environment and Assets  
ES12 - Better Design of Places.  
ES14 - Provision of Semi-Natural and Natural Green Space with New Residential Development  
ES15 - Provision of Outdoor Play Space  
ES16 - Public Art Contributions

### 7.3 - Stonehouse Neighbourhood Development Plan (2019)

AF1 - Protecting Community Facilities  
AF2 - Additional Community Facilities  
AF3 - Design and Quality in The Town Centre

H1 - Local Needs Housing  
H2 - Ease of Access in New Residential Development  
H3 - Play Areas in New Development

T1 - Pedestrian Routes  
T2 - New Development and Pedestrian Links to the Town Centre  
T4 - Proximity of New Development to Facilities and Services  
T5 - Existing Cycle Routes  
T6 - New Development and Cycle Links to the Town Centre  
T8 - Improving Existing Pedestrian and Cycle Links

ENV1 - Maintaining and Protecting the Natural Environment  
ENV2 - Green Infrastructure Network  
ENV6 - Protecting Views and Vistas  
ENV7 - High Quality Design  
ENV8 - Provision of Private Outdoor Amenity Space in New Developments

### 7.5 - County Level Development Plan

Gloucestershire Local Transport Plan (2020 to 2041)  
Minerals Local Plan (2018 to 2032)

### 7.6 - Other relevant documents

Stroud District Open Space and Green Space Infrastructure Study (June 2019)  
Stroud District Playing Pitch Strategy (June 2019)  
Planning Obligations Supplementary Planning Document (July 2017)  
Stroud District Landscape Assessment Supplementary Planning Guidance (November 2000).  
Stroud District Residential Design Guide Supplementary Planning Guidance (November 2000).  
Stroud District Residential Development Outdoor Play Space Provision Supplementary Planning Guidance (November 2000).



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### **8. PRINCIPLE OF DEVELOPMENT**

8.1 The site is located well within the Stonehouse settlement boundary Stonehouse is a first tier settlement as defined in Policy CP3 (Settlement Hierarchy) of the Stroud District Local Plan. First tier settlements are the primary focus for the delivery of new growth and development as sustainable locations. The location of the site is such that it has excellent access to existing services, community facilities, employment and public transport and other sustainable modes of transport.

8.2 - Site History/Previous Appeal Decision - The application site has been subject to previous proposals for residential development and refused by Stroud District Council in 1994. The development proposal affected the whole of Berryfield and was split into two separate outline planning applications. The 'Western Site' was very similar to the site under consideration as part of this planning application; whilst the 'eastern site' covered the larger area of Berryfield. The applications were subject of conjoined appeal in 1995 and recovered by the Secretary of State for determination. In this instance, the appeals were dismissed.

8.3 The appeal decisions are over 25 years old. The planning context of the proposals at the time that the appeal was considered was significantly different to the modern day planning context. In particular, the decision was based upon a superseded planning policy. The most up to date development plan is the adopted Stroud District Local Plan. In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, this application should be considered having regard to the adopted development plan unless material planning considerations indicate otherwise.

8.4 Whilst the appeals are a material planning consideration that the weight that can be applied to them is very limited. Officers consider that the appeal decisions do not amount to circumstances that would outweigh the adopted Stroud District Local Plan.

8.5 For the reasons set out below officers are satisfied that the proposed development is consistent with the broad policy context of the adopted development plan (and this includes the Stonehouse NDP). Officers consider that the proposed development is sustainable and acceptable in principle; and, meets the objectives of Paragraph 11c of the National Planning Policy Framework.

### **9. NEW HOUSING PROVISION**

9.1 The proposed development would provide 52 new dwellings. 100% of the dwellings are proposed to be delivered as Affordable Homes The development would be carried out and operated by The Guinness Partnership which is a Registered Provider (RP) of affordable housing. At least 16 of the units can be secured by appropriate s106 legal agreement in accordance with adopted planning policy. The remaining 36 units would be provided as part of the RP business and supported by Homes England grant funding.



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9.2 The Stroud District Council Housing Strategy and Community Infrastructure Manager has confirmed that the provision of housing in this way would make a positive contribution to the Affordable housing need in the district. It is also confirmed that the tenure mix is acceptable and dwelling sizes and types proposed will address local housing need.

9.3 Stroud District Council has a healthy 5-year housing supply. There is no principle objection to the proposal, and the proposal would bolster the council's land supply in a sustainable location. Significant weight in favour of the proposal is attributed to this factor.

9.4 Furthermore, the development would provide 100% affordable units bringing a further 52 dwellings towards the annual need for new affordable housing units per annum in the Stroud district - of which there is an unmet need annually. As noted further in this report, 30% (16 units) of the affordable dwellings can be secured through a s106 legal agreement. Accordingly, substantial weight in favour of the proposal to deliver 16 affordable units is attributed to this factor; whilst the delivery of the remaining 36 affordable units is attributed significant weight in favour.

### **10. OPEN SPACE AND PLAYING FIELD PROVISION**

10.1 Policy ES13 of the Stroud District Local Plan seeks to protect playing fields from whole or partial loss as result of development. The policy provides two key exception criteria that relates to the availability of facilities in the catchment of the site and the benefit of replacement of improvements to existing facilities. The Berryfield is also included as Protected Outdoor Playspace on Map 10 Associated with Policy ENV2 of the Stonehouse Neighbourhood Development Plan.

10.2 The Berryfield is owned and operated by Wycliffe School as part of the school sports curriculum and as such is classed as 'Outdoor Sport (Private)' for the purposes of the SDC Open Space and Green Infrastructure Study - Stonehouse Cluster. Essentially, the site is private land operated by Wycliffe School for educational purposes. It is not publically accessible. In that regard, officers are satisfied that there is no reasonable prospect of the subject area becoming publically available. On this basis, it is considered that the land does not contribute to the provision of 'public open space' such as allotments, play space or other forms of amenity green space, meaning that there would be no material loss in that regard. As such neutral weight is attributed to this factor.

10.3 Wycliffe School has identified that the area of the Berryfield subject to the housing proposal has become surplus to the requirements of the school. It is clear from site visits and overhead photographs that the area of the site is not maintained as sports pitches; whereas the remainder of the site (outside of this planning application) is maintained as such. Therefore, the housing development proposed would not result in the loss of operational playing fields provided at the site.

10.4 Sports England are a statutory consultee in the case of this planning application on the basis that it affects registered playing fields. It is of note that Sport England have not raised objection and have considered the proposal against the Sport England Playing Fields Practice and Guidance (March 2018). Essentially Sport England has confirmed that the



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proposed development would meet Sport England one (or more) of the five specific exceptions for opposing development proposals affecting existing playing fields. Specifically, Sport England is satisfied that there is an excess of playing field provision in the catchment (Stonehouse Cluster) and this would remain the case should development proceed; and, that the proposed development of the pavilion would support the use of the playing fields that would remain. In this way, officers are satisfied that the development proposal meets the objectives of Policy ES13 in respect of playing fields.

10.5 It is submitted by the applicant that the pavilion and associated sports field improvement would be facilitated by the housing development proposed as part of this planning application. The pavilion itself would bring a positive improvement to the existing school sports facilities.

10.6 It is noted that Wycliffe School are committed to providing access to sports facilities on other areas of the school campus and that the pavilion building will be made available to community groups for use outside of the school operation. As such it is considered that the proposed development sports development would bring about a positive contribution towards promoting healthy and safe communities. Minor to Moderate weight in favour of the proposed development is attributed to this factor.

10.7 Noting the requirements of Policy AF1 of the Stonehouse Neighbourhood Development Plan, the proposed development would not affect the community open or facilities space associated with Laburnum Recreation Field and Play Area.

10.8 Notwithstanding the above Policy ES13 of the Stroud District Local Plan also seeks to protect open spaces for the benefit that they contribute to the locality. Whilst the site is private land, it is considered that it is an area of open space that forms part of the character of this part of Stonehouse. The impact of the proposal in this regard is considered below.

### **11. LOCAL CHARACTER, DESIGN AND APPEARANCE**

11.1 - Local Character; Open Spaces - The site forms a parcel of open land located to the South of Laburnum Walk to the North, Festival Road to the East, Bristol Road to the South and Regent Street to the East. Views of the site are highly accessible from public realm associated with the existing Public Right of Way immediately adjacent to the West of the site. Direct views of the site are also available from Laburnum Recreation Field and Play Area. Open views of the site are available from residential properties adjacent to the site. Most prominently from properties associated with Festival Road, Laburnum Walk and Laburnum Mews and Bristol Road.

11.2 It is clear that the Berryfield (as a whole entity) together with Laburnum Recreation Field and other spaces such as Court View Ponds accumulate to offer a large area of open land surrounded urban development associated with Stonehouse. This makes a very positive contribution to the character of the area and perception of space. Policy ES13 of the Stroud District Local Plan seeks to protect spaces that contribute to the distinctive form, character and setting of a settlement; recognising that open spaces also improve quality of life through opportunities for formal and informal recreation. The policy indicates that local communities will designate local green spaces as part of a Neighbourhood Plan.



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11.3 Accordingly, officers consider that Berryfield is an area of open space that is captured by the objectives of Policy ES13. However, as noted above, it is not publically accessible and as such its value is somewhat confined to a visual benefit in terms of the character of the area. Whilst the site is acknowledged as Protected Outdoor Play Space under Policy ENV2 of the Stonehouse Neighbourhood Development Plan, it is not specifically listed as a designated local green space.

11.4 The proposed development would introduce 52 new dwellings into the Western part of the site whilst a new pavilion building would be introduced in the Southern part of the site. Associated road access would also be provided. The development proposal would result in approximately 40% of the Berryfield site being developed. Whilst this is a substantial part of the site, the remaining area of land combined with the Laburnum Recreation Field would continue to provide open space and openness in this locality. Whilst the character of the area would be affected officers consider that the remaining areas of open space would continue to offer considerable value.

11.5 The layout of the proposed development is such that there is a wide area of green space (a green corridor) planned along the full length of the Western elevation of the site. This allows the proposed dwellings to be set back from the existing public right of way. The introduction of the green corridor would allow for the opportunity to provide high quality landscaping that would link the open areas associated with the Nature reserve/Newt Ponds due west (as well as important ecological benefit) to the proposed development. Officers consider that this design feature would provide a positive and publically accessible landscape feature that would act to enhance the immediate context of the public right of way and provide positive informal open space. Officers consider that this feature would provide considerable mitigation in respect of the loss of part of Berryfield.

11.6 Notwithstanding the above, there remains a considerable loss of the open space associated with Berryfield. This will result in harm to the character of the area. However, given that a substantial area of open space (including publically accessible area at Laburnum Recreation Field) would remain and together with considerable mitigation in the form of the new green corridor officers consider that this harm is reduced. Accordingly, moderate weight is attributed to this factor against the proposed development.

11.7 - Local Character; Urban features - The immediate urban context of the site is substantially made up of modern dwellings constructed in the 20th Century and early 21st Century. To the immediate West and North of the site development dates from the mid-20th Century whilst immediately to the south development dates from the early to mid 20th Century. Generally, the wider context of the site and the Parish of Stonehouse includes a very wide range of buildings dating from a wide range of periods. The urban character of the area is varied and includes residential dwellings interspersed with commercial and community buildings.

11.8 The proposed residential development would provide 52 dwellings. The buildings are domestic in scale. The majority of the new buildings are 2 storey in height with six of the proposed dwellings being 2.5 storeys. Generally, the buildings provide semi-detached or terraced dwellings. There are no detached units. The proposed development is laid out well and is consistent with the general grain of domestic development in the surrounding area.





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The layout provides a good standard of private outdoor space. Pedestrian and cycling permeability is also very good with excellent access to the wider area and Stonehouse Town Centre. The green corridor along the western edge of the site will provide a strong setting for the development and good visual separation from existing residential development associated with Festival Way. Within the residential development, public areas are proposed to be well landscaped with the introduction of new street trees, shrub planting and grassed areas. The proposed buildings would appear modest in scale with simple detailing and the use of simple materials (a mix of render and buff brick, red and grey roofing tiles).

11.9 Whilst it is acknowledged that harm will result from the partial loss of Berrfield to residential development, officers consider that the design and layout of the proposed development itself is good quality and provides mitigation in the wider context. Accordingly; in respect of the design of the residential proposal it is not considered that it would act to compound the impact of the loss of the open space area.

11.10 The proposed pavilion is presented as a modern building that responds well to its function as a facility to support sports activities on the Berryfield Sports Pitches. The scale of the building is relatively modest and low rise whilst providing the necessary operational and functional requirements. The appearance of the building is considered to represent a good design that responds well to the function of the building. Whilst there is an area of open car (and coach) parking proposed this is arranged well in the context of the relatively restricted area of the site. The area is proposed to be landscaped which will act to soften the impact of the parking area and improve the context of that area in relation to the existing mature trees (including TPO's in this area). Officers consider that the design and layout of the pavilion, associated car parking and landscaping is acceptable.

11.11 Again, it is acknowledged that some harm will result from the partial loss of Berryfield open area. However, the impact of the pavilion development alone is minimal in that respect, and appropriately mitigated. Accordingly, it is not considered that the pavilion development would act to compound the impact of the loss of the wider open space area.

11.12 Accordingly, in respect of the built form that is proposed to be introduced onto the site it is not considered that it would compound the wider impact of the loss of open space identified in respect of the wider character of the area. Neutral weight is attributed to this factor.

11.13 - Wider Landscape Impact and Impact on Views The view to and from Doverow Hill is recognised as an important part of the character of Stonehouse. It is a protected view as listed in policy ENV 6 of the Stonehouse Neighbourhood Development Plan. It is also an issue raised in comments made by local residents concerned with the impact of the proposed development on that view. In general terms. The existing views to Doverow Hill are framed and interrupted by existing buildings and varies in nature as the viewer moves around the immediate and wider context of the application site.





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11.14 It is clear that the proposed development will interrupt relatively open views of Doverow Hill when taken from the existing Public Right of Way (PROW) and some area of Festival Road. However, the nature of the proposed development is such that it is set back from the route of the PROW by 10 to 15 metres. The proposed buildings in that view would be two storey in height (approximately 8 metres to the ridge). The layout of the development is such that views of Doverow will still be available through the gaps left between the proposed buildings and (given the relative separation from this view point) over the tops of the proposed buildings. In that sense, the view of Doverow will be compromised, but not totally lost.

11.15 Given the nature of Stonehouse as an urban area, the resulting development would maintain views of Doverow Hill that would be generally consistent with the character of the views seen from Stonehouse. Whilst the views in the immediate vicinity of the site would be compromised, the views available generally in the wider context would not be affected. As such, officers acknowledge that there would be some harm as a result of the proposed development in this respect.

11.16 It is also important to consider the views from Doverow Hill back towards the site. Doverow Hill is within the Cotswold Area of Outstanding Natural Beauty (AONB) (or National Landscape). The application is supported by a Landscape and Visual Impact Assessment (LVIA). Officers are satisfied that the document provides a robust assessment of the landscape impact of the development. The assessment includes a view point taken from a PROW located on Doverow Hill. In this instance, the LVIA attributes a 'moderate/minor' adverse effect. Officers consider that this is a reasonable assessment.

11.17 When viewed from Doverow Hill the site is clearly visible. It is framed by existing built form and is part of an area of open space formed by Berryfield and Luburnum Recreation Field. The view of the site from Doverow Hill are in the region of 800 metres to 1km distant. The residential development would occupy the furthest (western) part of the site and would be set against the backdrop of existing dwellings associated with Festival Road and Laburnum Mews. The development would have the effect of reducing the area of open land visible in this context. However, given that the view is over a relatively long distance, the scale of the development is such that considerable open space would remain visible in the view. The proposed development would be read in a similar way to existing development. Whilst it is acknowledged that the development will be visible and will change the character of the view it will be set in the much wider context of Stonehouse. Over time, (given that the development includes comprehensive landscaping) the impact will be reduced and mitigated. Officers therefore consider that whilst there will be some impact in landscape terms, this would be relatively minor.

11.18 In respect of the pavilion building and associated parking, this will also be read in the wider context of Stonehouse. It would relate to the Berryfield open space in a functional way. Again the impact in landscape terms would be relatively minor.



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11.19 Accordingly, it is considered that the proposed development would not result in a detrimental impact upon the setting of the Cotswold AONB. In respect of the views enjoyed from Doverow Hill, officers acknowledge that there would be some impact. However, given the context of the site in this view, the impact would be relatively minor. Therefore minor to moderate weight is attributed to this factor against the proposed development.

### **12. ARCHAEOLOGY & HISTORIC ENVIRONMENT**

12.1 An archaeological assessment has been carried out in respect of the proposed development and this included trial trenching. In this instance, the County Archaeologist is satisfied that the development would not result in loss of archaeological interest and is acceptable in that regard.

12.2 The context of the site is such that it is set within modern urban development. A number of heritage assets are present in the wider locality including the Industrial Heritage Conservation Area. Stonehouse Court and St Cyr Church (Grade II Star listed buildings), Berryfield House and North Berryfield (grade II listed buildings). However, the location of the site and its immediate surrounding context is such that officers are satisfied that the proposed development would not give rise to any material impact upon the setting of the surrounding heritage assets. In particular, the degree of separation and proximity to heritage assets (including the Industrial Heritage Conservation Area and St Cyr Church) is such that there would be no direct views between the proposed development and the heritage assets. Neutral weight is given to this factor.

### **13. ENVIRONMENTAL ISSUES**

13.1 Ecology - The Stroud District Council Biodiversity Officer has considered the proposed development in the context of ecological constraints associated with the application site. In this instance, officers are satisfied that the development is acceptable in ecological terms, subject to appropriate planning conditions. The Biodiversity Officer has suggested specific conditions/planning obligations are attached in the event of the approval of this application that secure the following (subject area);

- Planning obligation to secure proportionate funds (commuted sum) towards the Severn Estuary SPA/SAC avoidance mitigation strategy; or a development specific bespoke mitigation strategy (the applicant has committed to the payment of a commuted sum);
- Mitigation for potential impact upon the Cotswold Beechwoods SAC;
- Details of all external lighting prior to the first occupation of the development;
- Ecological measures/works carried out in accordance with the requirements identified in the submitted Ecological Appraisal
- A Landscape and Ecological Management Plan (LEMP);
- Specific conditions to tie the development to the Stroud District Council Organisation Great Crested Newt Licence (referred to as the District Licence).



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13.2 Officers are satisfied that the application site itself carries limited ecological value. However, the site is close to the Stonehouse Newt Pond (also referred to as Court View Ponds) which is a nature reserve and locally designated as a Key Wildlife Site and Local Wildlife Site for its amphibian interest. As well as Great Created Newts other protected species such as bats and badgers are present in the area. The application is supported by an Ecological Assessment which has confirmed the presence of those species and has confirmed that the species activity is very limited over and on the application site itself but is highly present in the nature reserve areas (due Southwest). Nonetheless, there is potential connectivity from the nature reserve areas and vegetation on site and the surrounding area. As such the ecological report has set out precautionary working methods that will ensure that protected species are protected during the construction phase of the proposed development. This would include such measures as protective fencing barriers to prevent Newts and Badgers entering the site; dust management to protect badger setts and control over the use of construction lighting in the interest of Bats.

13.3 The application site falls within a designated Great Created Newt 'Red Zone' and recognises the likely potential for Great Created Newts (GCN) to be present. There are three ponds that are known to support an excellent population of GCN. However, the Ecology Assessment confirms that the application site is sub-optimal to directly support GCN. As such officers are satisfied that the proposed development would not result in impact upon the ponds or associated terrestrial habitat. It is possible that GCN could potentially enter the site just before or during the construction phase. Accordingly, the developer/applicant has obtained a 'District Licence' to allow measures to be taken in order to protect and safeguard GCN during the construction phase. Essentially, this enables the developer to engage a licensed ecologist to search the site ahead of the commencement of construction and ensure that appropriate mitigation (such as protective fencing) is installed. In the event that GCN is discovered whilst construction is underway the District Licence allows GCN to be lawfully relocated to suitable GCN habitat (in this instance the ponds and surrounding vegetation close to the site). This is an appropriate method of safeguarding for GCN and as such officers are satisfied that the development would not result in unacceptable impact to GCN as a protected species. iNeutral weight is attributed to this factor.

13.4 Beyond the construction phase, the development includes specific ecological enhancement/mitigation. This is in the form of the green corridor which (through the implementation of a Landscape Ecological Management Plan (LEMP)) would provide suitable habitat that would facilitate improved connectivity to the three ponds south of the site and other nearby habitat. This would benefit a wide range of wildlife species including GCN. The green corridor includes SWALES (which also form part of the sustainable drainage scheme) and wildflower planting. It is considered that this would result in a positive ecological gain over and above the existing quality of the site and as such is attributed immoderate weight in favour of the proposed development.

13.5 Notwithstanding the above, GCN habitat associated with the ponds to the south of the site is limited in connectivity. Whilst the population present in the ponds is relatively high at this time the potential for the population to form metapopulations is limited and not considered sustainable long term. The provision of the green corridor and associated linking habitats would assist in improving the prospects of the existing population. A further



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mechanism of a 'District Licence' provides funds (at the developers cost) to deliver off site 'compensation' for the improvement of GCN habitat. Aquatic and terrestrial habitat compensation is delivered by the Newt Conservation Partnership. The compensation is spatially linked to areas in which development impacts occur. For example, there is one compensation site in Stroud where it is likely that funds will be directed.

13.6 As noted above, officers are satisfied that the development will not result in unacceptable ecological impact (and would not directly result in the loss of GCN habitat/species). It would also provide positive ecological benefit directly on site for a wide range of species. As well as this, the development is making a positive contribution towards GCN compensatory sites resulting in a positive ecological net gain. Again, immoderate weight is attributed to this factor in favour of the proposed development.

13.7 Drainage/Hydrology - The proposed development includes proactive and sustainable water management. The initial submission proposed a highly engineered surface water drainage system which, whilst it would be effective was not considered to offer ongoing sustainability benefit. However, following an initial assessment and comments by the Lead Local Flood Authority and the Stroud District Water Resources the proposed drainage scheme has been redesigned and now includes sustainable means of handling surface water; including SWALEs. This would provide positive and sustainable means of water management at the site and would also make a positive contribution towards the ecological characteristics of the development. Accordingly, officers are satisfied that the development would provide acceptable surface water drainage. inneutral weight is attributed to this factor.

13.8 Arboriculture - The application site contains a number of Tree Preservation Orders. This are located in the Southern Area of the site and would be affected by the proposal for the pavilion building and associated car parking area. The position of the proposed pavilion has been adjusted following concerns raised by the Stroud District Council Arboricultural Officer. The building is now positioned satisfactorily in relation to the protected trees and considered acceptable in that regard.

13.9 Other trees are present on the site and located along the Western boundary. These are not subject to Tree Preservation Orders. Whilst some of these trees have been removed (due to storm damage) the remaining trees are to be retained as part of the proposed development and will form part of the green corridor referred to elsewhere in this report. Additional trees are proposed to be provided as part of the landscaping of the development and it is considered that these will act to enhance the development and improve the tree coverage associated with the site and the surrounding locality. The introduction of new trees as part of the proposed development is considered to be consistent with recent changes to the National Planning Policy Framework. Accordingly, officers are satisfied that the development would not result in the net gain of tree coverage and is acceptable in that regard. iNeutral weight is attributed to this factor.



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13.10 Building performance, Sustainability and Climate Change - The proposed development is located in a highly sustainable location close to local and national modes of public transport. It is also close to a good cycling network and within walking distance of local shops and services offered in Stonehouse Town Centre. Officers consider that this allows the proposed development to make a positive contribution to a sustainable form of living.

13.11 It is anticipated that the development will perform well against the required Building Regulation standards which requires a high performance (such as insulation and efficient heating) in new build dwellings. The applicant indicates that the development proposals adopt a 'fabric first approach' to the holistic energy efficiency of the dwellings with the aim of reducing the financial burden for the residents and thus fuel poverty. It is expected that the new dwellings will achieve fabric improvement of 4%-10% over and above building regulations compliance and can be achieved through improved thermal performance of floors, walls, roofs and windows together with an enhanced air tightness to reduce draft and a highly efficient boiler to provide the heating and hot water demand.

13.12 Whilst the development does not include the provision of renewable energy generation, it is expected that the proposed dwellings will be highly energy efficient and exceed building Regulation Standards. Furthermore, the proposed development would initially include 7 dwellings that would be fitted with 'electric car charging points' whilst the remainder of the development would include ducting and other measures so as to allow easy retrospective installation of 'electric car charging points' should there be a demand - so future proofing the development in that regard.

13.13 The applicant has also indicated that building materials would be sustainably sourced whilst waste management (resulting from the development) would be kept to a minimum in line with good practice standards. The Construction Management Plan provides the basic measure in this respect. In respect of future occupation, the dwellings can be subject to the District Council waste collection and recycling service.

13.14 As noted earlier in this report, the development includes measures for dealing with surface water in a sustainable manner and provides a positive contribution to the natural environment through on site and off site mitigation.

13.15 Accordingly, officers consider that the development is capable of providing a positive contribution to the Stroud District Council '2030 Strategy'. iMinor to moderate weight is attributed to this factor in favour of the proposed development.

13.16 Ground Conditions the Contaminated Land Officer is satisfied that the potential for ground contamination to be present on the site is very low and advises that no further site investigation is required ahead of the commencement of the proposed development. As a precautionary measure it is appropriate to apply a planning condition to secure a watching brief to ensure that any unknown contaminates being discovered during construction can be addressed. Neutral weight is attributed to this factor.





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13.17 Construction Waste The application is supported by a Waste Minimisation Statement (WMS). Officers are satisfied that the management of the construction phase of the development would provide appropriate measures for the control of waste and appropriate disposal.

### **14. HIGHWAY IMPACT AND ACCESSIBILITY**

14.1 The proposed development is accessed via Bristol Road (A419) and utilises the existing gated access onto the former alignment of A419. The former alignment is now a service road (and a no-through route) off the existing A419 alignment. The service road serves existing residential properties associated with Bristol Road.

14.2 The Highway Authority has confirmed that it raises no objection to the proposed development subject to conditions to secure the following;

- Delivery of access, parking and turning facilities provided prior to first occupation of the development;
- The provision of residential electric vehicle charging points;
  - implementation and monitoring of the submitted Residential Travel Plan
  - Provision of and compliance with Construction Management Plan for the development.
  - Street Lighting (final design)
  - Informative notes are also suggested that relate to the process for County adoption of public highway and the implementation of any agree Construction Management Plan.

14.3 Impact on the Public Highway - The proposed access is proposed to be arranged as a priority junction onto Bristol Road (the service road). The Highway Authority has confirmed that the design confirms to the requirements of the Manual for Gloucestershire Streets and is appropriate for the trip generation associated with the proposed development. The junction is acceptable in that regard. The Highway Authority has also confirmed that there are no planning conditions required to specifically address public highway matters.

14.4 Local residents have raised specific concern regarding the safety of the access from the service road onto the main A419 (Bristol Road). The Highway Authority has carefully considered the comments received. During the course of the assessment of this application, the applicant and the Highway Authority have been in close discussion regarding the introduction of a 'ghost right turning lane' (for use when travelling West) at the junction of the service road to the main A419. As part of this discussion, the applicant has provided technical evidence/assessment. Provided information relates to traffic flow associated with the junction. The Highway Authority acknowledges that the development would intensify movements at the existing junction. However, the Highway Authority is satisfied that whilst the junction will be close to its threshold, it will continue to operate within its capacity allowing for the proposed development. In particular, it is noted that the proximity to Stonehouse Town Centre and associated services results in a sustainable location with access to alternative modes of transport so reducing car dependency.





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14.5 Paragraph 111 of the National Planning Policy Framework (July 2021) makes it clear that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this instance, the Highway Authority has confirmed that there is no evidence to demonstrate that the proposed development would result in a severe highway impact or safety implication, and; advises that the evidence demonstrates that the 'ghost right turning lane' is not required in order to otherwise make the proposed development safe.

14.6 Internal Layout - The Highway Authority has confirmed that the layout of the development is acceptable in highway safety and access terms subject to conditions (outlined above). In relation to the proposed residential development, the LPA is advised that cycle parking/storage and car parking is acceptable, although some criticism of the location of the cycle parking/cycle storage is noted. However, officers consider that the proposal is satisfactory in that regard - and that the provision of cycle parking and storage would facilitate and encourage cycle use generally at the proposed development. A Residential Travel Plan has been submitted in support of the planning application. This is considered acceptable and forms a sound basis to encourage alternative modes of transport to the private motor car. The requirement for electric car charging points at every dwelling is noted. Whilst the proposal does not provide this from the offset (only seven dwellings will be fitted initially due to parking space/dwelling relationship) the Transport Assessment does indicate that provision for trunking that will accept charge points in the future. This is considered to adequately address this requirement - and can be conditioned appropriately in the event that this application is approved.

14.7 In relation to the sports pavilion and associated infrastructure the Highway Authority has confirmed that parking space provision (including accessible spaces), coach parking, cycle parking and access to electric car charging points is acceptable. The highway Authority also confirms that the use of the pavilion would not result in highway concern.

14.8 Having regards to the above, officers are satisfied that the proposed development is acceptable in highway safety and access terms and would not result in a severe highway impact. Neutral weight is attributed to this factor.

### **15. RESIDENTIAL AND GENERAL AMENITY**

15.1 Overlooking, privacy and Proximity - The site is enclosed on its Western and Southern boundary by existing residential development. There is also residential development located to the North of the site boundary. Officers are satisfied that the proposed dwellings would not result in an unacceptable level of overlooking or overbearing impact to existing residential properties. This is because the nature of the site is such that the proposed dwellings are considerably distanced from the existing/surrounding residential development. At the closest point, proposed dwellings would be located at least 20 metres from residential properties associated with Laburnum Mews. Officers note that there is some concern raised by local residents that this area of the proposed development will cause overlooking and loss of privacy and in particular from the 2.5 storey dwellings positioned in this part of the site. Whilst the development would result in a degree of impact in this regard, the relationship of the proposed dwellings with existing dwellings would be consistent with typical relationships typically occurring in sub-urban setting such as this.



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15.2 Currently, existing properties located on Festival Road back onto the PROW at the Western boundary of the site. The proposed development would introduce new dwellings that would face towards the PROW and the rear garden areas of dwellings on Festival Road. Given the distances and separation provided (by the proposed access road and green corridor) officers are satisfied that there would not be a material harm as a result of views/overlooking towards the existing dwellings. However, the proposed development would introduce an element of positive surveillance towards the PROW and act to improve the safety of its users somewhat. It would also act to reduce the potential for anti-social behaviour or crime in the immediate area.

15.3 Access to the proposed development is from Bristol Road. The proposed access road is positioned centrally between numbers 1 and 2 Bristol Road. It is noted that number 2 abuts the boundary of the site at this point and includes ground floor windows on the Western elevation. This has raised concern about the loss of privacy affecting this property. The initial proposal included a footway that passed the dwelling at close proximity. In order to address this close proximity, the applicant has removed the footway and the area is now proposed to be planted with thick, low lying shrubs that will discourage the use of the verge to access the site on foot.

15.4 Officers are satisfied that this would be effective in reducing the potential direct impact on the privacy of the dwelling to an acceptable level. It is also considered that the general use of the access route by pedestrians and vehicles would not result in users lingering for long periods.

15.5 The proposed pavilion building is positioned approximately 8 to 10 metres from the boundary of the site with number 4 Bristol Road. The pavilion building is proposed to be approximately 8 metres in height. There are no windows proposed in the rear elevation of the building (facing towards the residential properties. As such there would be no overlooking resulting from the building towards residential properties. The only windows to the building face towards the playing pitches. Whilst the proposed building will be visible from adjacent domestic gardens, it is considered that the separation of the building and the nearby dwellings is such that it would not result in an unacceptable overbearing impact. Whilst it is acknowledged that the building would also be available for community uses, this would be relatively limited and Wycliffe School (as the operator) has indicated that the offer to the community would not include uses such as parties or as a wedding venue. Officers have considered whether it would be appropriate to apply a condition regarding the operating hours of the pavilion, however this is likely to result in an unreasonable restriction that could impact on the main use of the building to provide sports facilities for the school. Furthermore, the exact use of the building by the community is a matter for the operator. In this instance, officers are satisfied that the use would not give rise to an unacceptable impact in respect of the compatibility of the use in the context of nearby residential uses. Should a 'noise nuisance' issue arise this is a matter covered by appropriate environmental health legislation.



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15.6 Noise and Light Impact - The use of the proposed access would likely result in a significant increase in passing vehicular traffic and pedestrians. This has the potential to increase noise levels at close receptors to the site and the access. These receptors include dwellings associated with Bristol Road - in particular those dwellings on either side of the access and dwellings that back onto the Pavilion car park. This impact is most apparent at number 2 Bristol Road where the car parking area and the access road are close to the Western and Northern boundary of the property.

15.7 The application is supported by a Noise Assessment. The Environmental Health Officer has not raised specific concern about the impact of the introduction of traffic movements. However, queries were raised in respect of the use of the car parking areas in proximity to the boundary fence of the adjacent residential property. The applicant has addressed this issue by introducing a 2m metre high acoustic fence that will continue along the boundary of the site to a point level with the East wall of the proposed pavilion building. The Environmental Health Officer has confirmed that this measure is acceptable and is appropriate mitigation against potential noise impact.

15.8 The location of the site is such that the locality is affected by traffic noise associated with Bristol Road (back ground noise levels). The consideration of the impact of noise as a result of the proposed development should be considered in that context. Noise resulting from vehicular movement in the pavilion car park can be mitigated as set out above. Noise resulting from movements associated with the residential development (especially during peak times) would be heard in the context of relatively high volume traffic noise generally in the local area. The proportionate levels of noise are not considered to result in a significant increase over the existing levels. Accordingly, officers are satisfied that the impact proposed development in that regard can be adequately mitigated.

15.9 Following queries relating to the potential impact of lighting associated with the pavilion the applicant provided further information in that respect. The Environmental Health Officer has confirmed that this is acceptable and suggests that a compliance condition is applied in the event of approval. Accordingly, officers are satisfied that the impact of lighting can be adequately mitigated and is acceptable in that regard.

15.10 Whilst there would be a negative impact in residential amenity terms, officers are satisfied that appropriate mitigation can be secured and this would be the impact to acceptable levels. Moderate impact against the proposed development is attributed to this factor.

### **16. COMMUNITY INFRASTRUCTURE CONSIDERATIONS**

16.1 The proposed development is made up on 100% affordable. Although the development would be liable against the Community Infrastructure Levy (CIL). However, Affordable Housing is exempt from CIL payments.



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16.2 Schools and Library Contributions - The Gloucestershire County Council Infrastructure Officer has set out that the development would generate a requirement for offsite contributions towards Pre-school Places and Library Services. This is requested in order to mitigate the impact of the development on these services in the Stonehouse Area.

16.3 The request is targeted at Early Years provision in the Stonehouse Primary Planning Area; and Stonehouse Library. The proposed development generates a total of 14.40 pre-school places (amounting to £217,310.40) and £10,192 towards Stonehouse Library. This amounts to a total of **£227,502.40**

16.4 Officers recognise that this request would provide the opportunity to offset the impact of the proposed development on County level infrastructure as a result of the increased population resulting from the proposed development. Under the Community Infrastructure Levy Regulations (CIL), the LPA can secure appropriate financial contributions towards infrastructure where there is a demonstrable need to offset the impact of the proposed development. The current regulations allow for obligations to be secured in parallel with infrastructure also covered by the Local Authority adopted CIL requirements. It is therefore reasonable that Gloucestershire County Council make the request detailed above.

16.5 Notwithstanding the above, the consideration of the impact of the development on infrastructure lies with the decision maker (the LPA) to consider in the context of other benefits of the proposed development. As set out earlier in this report, the proposed development would deliver 100% affordable housing, and this is a factor that is attributed substantial weight.

16.6 The delivery of the proposed development would be facilitated through Homes England grant funding. The developer (The Guinness Partnership) is an organisation whose business objective is to deliver affordable housing. In this instance, the applicant has provided information that shows that even with grant funding there would be a shortfall which is also being made up from other funding sources. This means that the obligation to provide the requested financial is likely to force a burden onto the development that would mean it could no longer be delivered.

16.7 - Whilst officers acknowledge that the development would result in an impact in terms of pre-school places and library services, the scale of the development is such that the impact is considered to be relatively minor in the context of Stonehouse. However, without mitigation, officers attribute moderate harm as a result of this impact. Nonetheless, CIL funding is also available in this regard.

16.8 Accordingly, in terms of the planning balance, officers consider that the requirement to provide funding for schools and library services is outweighed by the substantial benefit of providing the proposed affordable housing. Officers therefore recommend that this contribution is not requested.



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16.9 Other Infrastructure Given the nature of the proposed development infrastructure including open/plays space and green infrastructure is funded through CIL and as such the impact of the proposed development in the wider infrastructure terms is appropriately mitigated. No further funding request is therefore necessary. iNeutral weight is attributed to this factor.

16.10 It is also noted that the development will deliver a good proportion of 'green infrastructure' in the form of the green corridor within the site itself. The site has very good access to local play infrastructure and youth provision.

### **17. COMMUNITY USE OF FACILITIES SCHOOL SPORTS FACILITIES**

17.1 Wycliffe School has indicated a commitment to allow community access to the proposed pavilion building and has also indicated further community access to sports facilities (in this case Hockey facilities) that are operated by the school.

17.2 Access to the pavilion is proposed to be secured through a s.106 Unilateral Undertaking. This would be available to the wider community and is not specific to the occupants of the proposed dwellings.

17.3 Wycliffe School is committed to some provision for community use of its existing facilities as well as the proposed pavilion. This commitment would be honoured via a 'community use' agreement. Whilst this is not specifically controlled by planning legislation, it does bring value to the wider community.

17.4 Whilst officers recognise that the commitments to the use of the Wycliffe School facilities by the community is a positive benefit it is not a factor that is essential in making the proposed development acceptable in planning terms. Accordingly, limited weight is attributed to this factor in favour of the proposed development.

### **18. OTHER ISSUES**

18.1 Civil Matters - Local concern has been raised as to the impact of trees located within domestic gardens close to the development. The impact on trees within the site has been addressed earlier in this report including the impact upon existing tree preservation orders. Whilst it is acknowledged that there are also trees present off site that could be affected by the development, the trees are not protected and considered to be of limited public benefit (as they are private property). In the event that domestic trees are damaged as a result of development this is a civil matter and one that carries no weight in the planning assessment of this development proposal.

18.2 Local residents have questioned the impact of the development in respect of access gates onto the Berryfield. It is important to note that the Berryfield is private property. Whilst access onto it from private gardens bordering the site may be present, this is a civil matter between the owners of the site and the adjacent land owners. The planning system cannot control or consider private access rights over land and as such is an issue that carries no weight in the planning assessment of this development proposal.





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18.3 Comment has been received raising the potential encroachment onto third party (neighbouring) land. The applicant has confirmed that it is in control of all of the land subject of this planning application and there is no evidence to suggest that the ownership of the site is declared incorrectly. Where there is potential dispute over land ownership this is a civil matter and as such is an issue that carries no weight in the planning assessment of this development proposal.

18.4 Property Values - Comment has been received that raise concern that the proposed development would result in a loss of value affecting surrounding residential properties. Property value is not a planning matter, and as such is an issue that carries no weight in the planning assessment of this development proposal.

18.5 Covenants preventing development - Comment has been received that suggests that a covenant is in place associated with Berryfield that precludes development on the site. This is not a planning matter and is a civil matter for the land owner/developer. In the event that a restrictive covenant is in place this is a matter for law courts to consider. Such covenants do not prevent planning permission from being issued.

18.6 Precedent for more development - Whilst officers are aware that the remainder of the Berryfield site has been subject to a planning application for residential previously, any decision in relation to this planning application does not set a precedent for further development elsewhere on the Berryfield site. Each application is considered on its own merit. Should a further application be submitted in the future, the planning merit of that proposal would be given due consideration at that time.

### **19. PLANNING OBLIGATIONS**

19.1 The following obligations are considered appropriate related to the proposed development and should be secured by appropriate legal agreement in the event that the application is approved;

19.2 Affordable Housing - The proposed development would provide 100% of the dwellings as affordable housing. A minimum of 16 dwellings (30%) should be secured by appropriate s106 legal agreement to ensure that the development is compliant with adopted planning policy. The remaining 36 units would be provided as part of the Registered Social Landlord (The Guinness Partnership) business and supported by Homes England grant funding.

19.3 Management of Public Areas and Ecology Measures - The public areas and ecological measures would be subject to a planning condition to secure an appropriate Landscape Ecological Management Plan (LEMP). In order to ensure that the areas are correctly managed in perpetuity, the operator of the site must appoint a landscape management company to carry out this work.





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19.4 SAC's - The site is located within the 7.7 km core catchment zone of the Severn Estuary SPA/SAC. As such the development triggers the requirement for a commuted sum (£385 per dwelling) to provide the means to offset the impact of the development on the Severn Estuary. The applicant has agreed to meet this obligation and this can be secured under a s106 Unilateral Undertaking.

19.5 Community Access to Pavilion and other Facilities operated by Wycliffe School - The applicant has committed to providing community access to the proposed sports pavilion as well as existing facilities associated with the wider school campus. It is considered appropriate to secure the use of the pavilion through the use of a s106 Unilateral Undertaking.

19.6 The applicant has provided a 'Community Use Agreement' that commits to the use of the hockey facilities associated with Wycliffe School. Whilst this is not a 'planning obligation' secured by a s106 legal agreement it is considered that this approach is reasonable given the nature of the commitment and its relationship with the development proposal.

### **20. CONCLUSION AND THE PLANNING BALANCE**

20.1 The starting point for making decisions in relation to planning applications is the development plan and other material planning considerations. In this instance, the proposed development is considered to be sustainable and acceptable in principle and is consistent with the scope of the key locational/strategic policies contained in the Stroud District Local Plan. In accordance with paragraph 47 of the National Planning Policy Framework the planning application should be approved unless there are material considerations that indicate otherwise.

20.2 As the decision maker, the Local Planning Authority must weigh up the positive benefits of proposed development against identified negative impacts; and this should be carried out in the wider public interest. The assessment of this planning application has identified substantial public benefit in the form of new affordable housing provision which would make a positive contribution to the identified affordable housing need in the district. The development would also contribute towards the district housing stock in a highly sustainable location. Officers consider that these factors can be attributed substantial weight in the decision making process.

20.3 Officers are satisfied that the proposed development would not bring about a negative impact upon the availability sport pitches. However, officers acknowledge that there would be a negative impact through the loss of the physical areas of open space - and in so doing has an impact upon landscape character and views. However, there is not total loss. Officers consider that the proposed development is well design and offers high quality landscaping, particularly along its Western boundary. This is a factor that offers considerable mitigation in respect of that impact and as such the weight of the impact against the development is reduced.



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20.4 The proposed development would not directly impact on existing ecological habitat and protected species adjacent to the site. However, there is some residual impact because of the limited potential for protected species to be present on the site. This can be appropriately mitigated during the construction phase. Beyond the construction phase, the development would make a positive contribution to ecological habitat and as such is considered to be about ecological benefit. Appropriate District Licencing has also been secured to bring further offsetting mitigation, alongside appropriate measures to secure mitigation against the impact on ecological areas in the wider district (The Severn Estuary and Cotswold Beechwoods).

20.5 The Highway Authority has carefully assessed the development in terms of its impact upon the wider highway network and in respect of the layout of the development. Officers are satisfied that the development can be made safe in highway terms and that the site is located in a sustainable location close to existing services and public transport. Adequate mitigation can be secured and as such the development would not result in an unacceptable impact in this regard.

20.6 The development would result in a negative impact upon the amenity of the occupants of properties close to the site. In particular, those properties close to the access and the Southern boundary of the site. However, as set out above changes to the proposed access and the introduction of noise mitigation would act to lessen this impact.

20.7 Whilst it is acknowledged that negative impacts would occur as a result of the proposed development, officers consider that the positive public benefits identified would significantly outweigh the negative impacts. It is considered that the previous appeal decisions do not act to tip this balance against the proposal. Accordingly, officers recommend that the proposed development is approved

### **21. HUMAN RIGHTS**

In compiling this recommendation, the Local Planning Authority has given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any neighbouring or affected properties. In particular regard has been had to Article 8 of the ECHR (Right to Respect for private and family life) and the requirement to ensure that any interference with the right in this Article is both permissible and proportionate. On analysing the issues raised by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.



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### **22. RECOMMENDATION**

22.1 That Planning Permission is **GRANTED** subject to the planning conditions as set out in this report and the applicant first voluntarily entering into appropriate s106 legal agreements to secure the following Heads of Terms;

Bi-lateral s106 agreement

i) Affordable Housing -

a) 30% (16 Units) to be identified as affordable housing.

b) This quantum to be secured as a ratio of 50:50 Social Rent and Shared Ownership

c) Mechanism for the Local Authority to approve the tenure mix/unit locations

ii) Landscape maintenance company for shared/public/semi-public areas/ecological areas

a) Requirement for the appointment of suitably qualified landscape management company and appropriate responsibilities; and, confirmation of the appointed company.

Uni-lateral s106 agreement

iii) Severn Estuary SAC Mitigation -

a) Financial contribution (commuted sum) of £385 per dwelling.

iv) Pavilion Building

a) Use of the proposed Pavilion for community uses.

22.2 Delegated Authority to Officers to prepare and seal the required legal agreements.



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### Subject to the following conditions:

- The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- Plans  
Exact plan numbers are being finalised - this will be updated before deadline.

#### Site Layout

Site Location Plan	9370-PL01	(12th October 2020)
Proposed Site Layout	9370-PL03 Rev G	(31st August 2021)
Proposed Boundaries Plan	9370-PL04 Rev A	(31st August 2021)
Proposed Materials Plan	9370-PL05 Rev	(17th September 2021)
Proposed AH Plan	9370-PL06 Rev A	(16th August 2021)
Proposed Heights Plan	9370-PL07 Rev A	(17th September 2021)
Waste Management Plan	9370-PL08 Rev A	(17th September 2021)

#### Pavilion

Proposed Ground Floor Plan	9223-PL002	(12th October 2020)
Proposed First Floor Plan	9223-PL003	(12th October 2020)
Proposed Elevations	9223-PL004 Rev A	(13th September 2021)
Proposed Sections	9223-PL005	(12th October 2020)

#### Dwellings

Site Sections	9370-PL12	(12th October 2020)
Street Elevations	9370-PL15	(12th October 2020)
Type 1- 1 Bed Maisonette	9370-PL20	(12th October 2020)
Type 2- 2 Bed Maisonette	9370-PL21	(12th October 2020)
Type 3 - 2 Bed House	9370-PL22	(12th October 2020)
Type 4 - 3 Bed House	9370-PL23	(12th October 2020)
Type 5 - 4 Bed House	9370-PL24	(12th October 2020)
Type 6 - 3 Bed House 2.5 Storey	9370-PL25	(12th October 2020)

Reason: For the avoidance of doubt.

- Ecology (LEMP and Protection measures)

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by the Local Planning



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Authority prior to first occupation of the development. For the avoidance of doubt the content of the LEMP shall include the following:

- a) Description and evaluation of the features to be managed.
- b) Aims and objectives of management.
- c) Appropriate management options for achieving aims and objectives.
- d) Prescription for management actions.
- e) Preparation of work schedule (including an annual work plan capable of being rolled forward over a 20-year period).
- f) Details of body or organisation responsible for implementation of the plan.
- g) Ongoing monitoring and remedial measures.

The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In order to protect and enhance the site for biodiversity in accordance with Policy ES6 of the Stroud District Local Plan 2015.

#### 4. Compliance with Ecological Appraisal

All works shall be carried out in full accordance with the recommendations contained in the Ecological Appraisal, V4, Ethos Environmental Planning, dated July 2021 already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Prior to occupation of the development written confirmation by a suitably qualified/experienced ecologist shall be submitted to and approved in writing by the local planning authority confirming that the recommendations made within the submitted report have been implemented in accordance with the report.

Reason: In order to protect and enhance the site for biodiversity in accordance with Policy ES6 of the Stroud District Local Plan 2015.





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### 5. External Lighting (Ecology)

Prior to the installation of external lighting for the development hereby approved, a lighting design strategy for biodiversity shall be submitted to and approved by the Local Planning Authority. For the avoidance of doubt, the strategy will;

- a) identify the areas/features on site that are particularly sensitive for foraging bats, badgers and great crested newts;
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.

All external lighting shall be installed only in accordance with the specifications and locations set out in the strategy.

Reason: In order to maintain dark corridors for nocturnal wildlife in accordance with Policy ES6 and CP8 of the Stroud District Local Plan (adopted) 2015.

### 6. Ecology (SAC householder pack)

A Cotswolds Beechwood's Special Area of Conservation Mitigation Strategy shall be submitted, and be approved in writing by the Local Planning Authority prior to first occupation of the development. For the avoidance of doubt the strategy shall include a homeowner information pack (HIPs) that includes information on recreational opportunities in the local area and describes sensitivities of locally designated sites such as Cotswold Beechwood's Special Area of Conservation. Thereafter the development shall be implemented in accordance with the agreed strategy.

Reason: In order to ensure that the development does not significantly affect the Cotswold Beechwood's Special Area of Conservation, this enable Stroud District Council as the competent authority to discharge its Statutory duty in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended); and to comply with Policy ES6 of the Stroud District Local Plan (adopted) 2015.



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### 7. District Licence (1)

No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR94), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence. The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts and to comply with Policy ES6 of the Stroud District Local Plan (adopted) 2015.

### 8. District Licence (2)

No development hereby permitted shall take place except in accordance with Part 1 of the GCN Mitigation Principles, as set out in the District Licence WML-OR94, and in addition in compliance with the following:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians (as specified in the NSP Best Practice Principles report).
- Capture of newts using hand/destructive/night searches at suitable habitat features prior to ground clearance (as specified in the NSP Best Practice Principles report).

Reason: In order to adequately mitigate impacts on great crested newts and to comply with Policy ES6 of the Stroud District Local Plan (adopted) 2015.

### 9. Landscaping

The landscaping detailed in drawing number edp5793\_d004e (sheets 1 to 4) as received by the Local Planning Authority on 22nd September 2021 shall be implemented no later than the first planting season following the first occupation of the development hereby approved. Thereafter the development shall be retained as such and the landscaping shall be maintained in accordance with the details set out on the drawing and the Landscape Environmental Management Plan as referred to in condition 2 of this planning permission.



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Reason: In the interest of landscape and visual amenity and to ensure that the agreed landscaping is adequately maintained and to accord with policy ES7, ES8 and CP14 of the Stroud District Local Plan (adopted) November 2015.

### 10. Arboriculture 1 (Comply with Tee Protection Details etc.)

The development must be fully compliant with the Ethos Environmental Planning Tree Survey, Arboriculture Impact Assessment, Method Statement and Tree Protection Plan dated May 2021.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area and to accord with policy ES8 of the Stroud District Local Plan (adopted) November 2015.

### 11. CEMP and Other Construction Controls

The development hereby permitted shall proceed strictly in accordance with the Construction Phase Management Plan (Revision 0) (by EG Carter and Co LTD), the Dust Management Plan (by EG Carter and Co LTD), Site Logistics Plan (by EG Carter and Co LTD) and the Waste Minimisation Statement (by EG Carter and Co LTD) as received by the Local Planning Authority on 14th September 2021.

Reason: In the interest of environmental amenity and construction waste minimisation and to accord with policy ES3 of the Stroud District Local Plan (adopted) November 2015; and Policy 2 of the Gloucestershire Waste Core Strategy and Policy SR01 of the Gloucestershire Minerals Local Plan.

### 12. Site Drainage

The dwellings hereby approved shall not be occupied until the site drainage has been installed strictly in accordance with the details as set out on the following drawings;

Drainage Levels 1 of 3	0100 - P04,
Drainage Levels 2 of 3	0101 - P04,
Drainage Levels 3 of 3	0102 - P03,
Drainage Design 1 of 3	0200 - P07,
Drainage Design 2 of 3	0201 - PO5,
Drainage Design 3 of 3	0201 - P04,
Impermeable Areas 1 of 3	0210 - P04,



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Impermeable Areas 2 of 3  
Impermeable Areas 3 of 3

0211 - P04,  
0212 - P03, and;

in accordance with the Flood Risk Assessment (3670—WYCL-ICS-RP-C-07.001 Rev B).

As received by the Local Planning Authority on 17th September 2021.

Thereafter the development shall be retained as such.

Reason: To protect the water environment and the Ecological Interest of the site and surrounding area and to accord with policy ES3 and ES4 of the Stroud District Council Local Plan (adopted) November 2015.

13. EHO 1 (Contaminated Land)

If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the health of future users of the site from any possible effects of contaminated land and to accord with policy ES3 of the Stroud District Local Plan (adopted) November 2015

14. EHO 2 (Lighting)

External lighting at the Pavillion Building shall be installed in accordance with the Silcock Dawson & Partners Report 200181 (as received by the Local Planning Authority on 20th August 2021)

Reason: In order to ensure that there is no exceedance of the vertical illuminance levels at neighbouring residential properties that are recommended for Environmental Zone 3 by the Institution of Lighting Professionals in its "Guidance Note 01/21 - The Reduction of Obtrusive Light; and, in the interest of residential amenity and to comply with policy ES3 of the Stroud District Local Plan (adopted) November 2015



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15. Noise Rating Levels for fixed plant serving the development shall not exceed the following;

37 dB during the daytime period of 07:00 to 23:00; and

30 dB during the night period of 23:00 to 07:00

as measured or determined at the facade of the nearest residential receptor.

For the avoidance of doubt noise Rating Levels shall be determined in full accordance with the methodology set out in British Standard BS4142:2014+A1:2019 - "Methods for rating and assessing industrial and commercial sound" or any future variations thereof.

Reason: In the interest of residential amenity and to accord with policy ES3 of the Stroud District Local Plan (adopted) November 2015

16. EHO 4 (Noise Limits Monitoring)

Prior to use of the development, the applicant shall provide to the Local Planning Authority for approval, a validation report from a suitably competent person demonstrating compliance with the relevant Noise Rating Levels set out in condition 16 of this planning permission.

Reason: In the interest of residential amenity and to accord with policy ES3 of the Stroud District Local Plan (adopted) November 2015

17. EHO 5 (Construction Hours)

No construction site machinery or plant shall be operated, no process shall be carried out and no construction-related deliveries taken at or dispatched from the site except between the hours 08:00 and 18:00 on Mondays to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason: In the interest of residential amenity and to accord with policy ES3 of the Stroud District Local Plan (adopted) November 2015





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### 18. Highways 1 (Provide access, turning and parking facilities)

For avoidance of doubt, each individual building shown on 9370 PL03 rev G shall not be occupied or brought into use until the access, parking (including all cycle parking) and turning facilities has been provided for each individual building as shown on drawing 9370 PL03 rev G.

Reason: To ensure that appropriate measures are installed and in the interest of highway safety and amenity and to accord with Policy CP8 of the Stroud District Local Plan (adopted) November 2015.

### 19. Highways 2 (Electric Vehicle Charging Points)

The development hereby permitted shall not be occupied until the electric vehicle charging points shown on Drawing 9370 PL03 Rev G have been fitted. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities and to accord with Policy CP8 and EI12 of the Stroud District Local Plan (Adopted) November 2015.

### 20. Highways 3 (Residential Travel Plan)

The Residential Travel Plan as received by the Local Planning Authority on 12th October 2020 shall be implemented and monitored in accordance with the regime contained within the Plan. In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to and from the site. The Plan thereafter shall be implemented and updated in agreement with the Local Planning Authority and thereafter implemented as amended.

Reason: To promote sustainable travel and healthy communities and to accord with Policy CP8 and EI12 of the Stroud District Local Plan (Adopted) November 2015.



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### Informatives:

1. Prior to commencement of the development the developer is advised to make contact with the Stroud District Council Arboriculture Officer to arrange a site meeting to ensure that all tree protection measures are installed correctly.

2. Works on the Public Highway  
The development includes the carrying out of work on the adopted highway. The developer is advised that before undertaking work on the adopted highway the developer must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at:

[highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk) allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

Drafting the Agreement  
A Monitoring Fee  
Approving the highway details  
Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

3. The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. The developer is advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at:

[highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk).



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You will be required to pay fees to cover the Council's costs in undertaking the following actions:

Drafting the Agreement  
Set up costs  
Approving the highway details  
Inspecting the highway works

The developer should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

4. It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, particularly reference is made to "respecting the community" this says:

Constructors should give utmost consideration to their impact on neighbours and the public. Informing, respecting and showing courtesy to those affected by the work;

Minimising the impact of deliveries, parking and work on the public highway;

Contributing to and supporting the local community and economy; and

Working to create a positive and enduring impression, and promoting the Code.

The CMP should clearly identify how the principle contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation



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5. Please note that if consent is granted, the applicants are informed that this does not absolve them from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licenses required. All bat species are protected under the Conservation (Natural Habitats, &c.) Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). Legal protection covers bats and elements of their habitats. A European Protected Species licence is required in order to allow prohibited activities, such as disturbing bats or damaging their breeding sites or resting places, for the purposes of this development.
6. ARTICLE 35 (2) STATEMENT - The case officer contacted the applicant/agent and negotiated changes to the design that have enhanced the overall scheme.