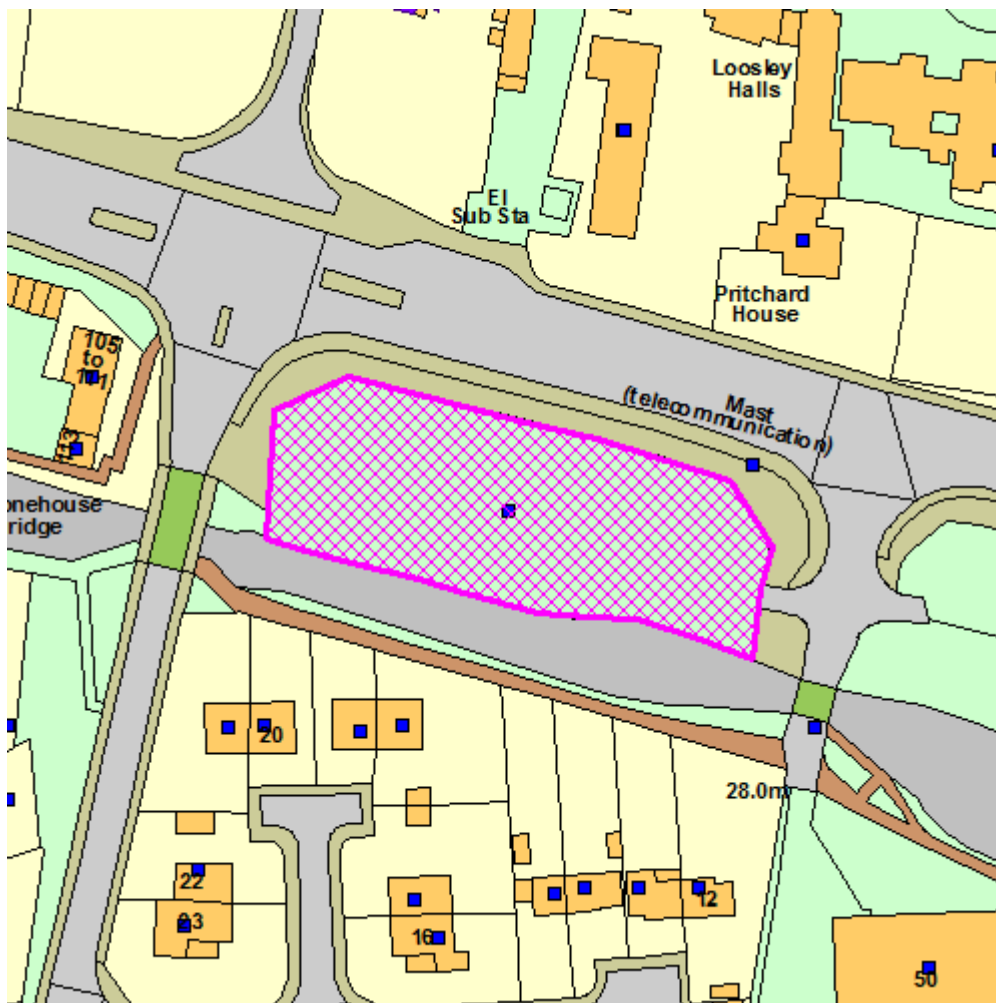




Development Control Committee Schedule 27/11/2018

Item No:	01
Application No.	S.18/0492/FUL
Site No.	6763070
Site Address	Site Of The Former Ship Inn, Bristol Road, Stonehouse, Gloucestershire
Town/Parish	Stonehouse Town Council
Grid Reference	380549,204844
Application Type	Full Planning Application
Proposal	Erection of 9 dwellings for affordable housing including resident's parking, works to canal bank and soft landscaping
Recommendation	Permission
Call in Request	Head of Planning





Development Control Committee Schedule 27/11/2018

Applicant's Details	Stroud District Council Ebley Mill, Ebley Wharf, Stroud, Gloucestershire, GL5 4UB
Agent's Details	Baily Garner LLP 55 Charlotte Street, Birmingham, B3 1PX, ,
Case Officer	John Longmuir
Application Validated	27.02.2018
CONSULTEES	
Comments Received	SDC Water Resources Engineer Stonehouse Town Council Contaminated Land Officer (E) Historic England SW Development Coordination (E) Biodiversity Officer Arboricultural Officer (E) Conservation North Team
Constraints	Adjoining Canal Affecting the Setting of a Cons Area Consult area Conservation Area Flood Zone 2 Flood Zone 3 Key Wildlife Sites - Polygons Neighbourhood Plan SAC SPA 7700m buffer Settlement Boundaries (LP) Village Design Statement
OFFICER'S REPORT	

MAIN ISSUES

- Principle of development
- Design and appearance
- Residential Amenity
- Highways
- Landscape impact
- Affordable Housing
- Ecology
- Flood risk
- Heritage
- Obligations



Development Control Committee Schedule 27/11/2018

DESCRIPTION OF SITE

The application site comprises a parcel of vacant land located alongside the A419 Bristol Road. An access for both vehicles and pedestrians is to the east, accessible by the Upper Mills Industrial Estate. To the West, the site is bordered by Downton Road and to the South by the Stroudwater Navigation Canal.

The site lies within the settlement boundary of Stonehouse.

The site has been vacant for a number of years, being part of the curtilage of the former Ship Inn Public House (now demolished), albeit with the Ship Inn not being located on the site itself. There are no visible signs of previous uses on the site, with the site now covered in rough grassland.

The site, whilst largely flat, has a gentle north-south slope down to the canal, steepening in the final few metres into the canal.

Trees and bushes occupy the northern site boundary, running parallel with the A419. There are also two mature trees present on the site that occupy a prominent position on the southern bank side of the site.

PROPOSAL

The application is for the construction of 9 new residential dwellings, all of which are proposed as affordable housing units. 6 semi detached properties are proposed, one detached property, as well as 2 units (occupying plots 1 and 2) being apartment style.

The new dwellings would be served by a vehicular highway accessed from the A419. 17 vehicle car parking spaces are to be provided on site.

Each proposed dwelling would have a private rear garden backing onto the canal, with the two apartments sharing a communal space.

The vegetation to the front boundary, bordering the A419, is proposed to be retained and further new planting is proposed throughout the site.

The two existing mature trees are proposed to be felled in order to make way for the proposed development.

An area of the canal bank is to be widened as part of this application, with the existing bank edge to be reinforced through landscaping.

REVISED DETAILS

The application has had considerable revisions since the initial submission.



Development Control Committee Schedule 27/11/2018

REPRESENTATIONS

Statutory Consultees:

Town Council – object: “missed opportunity” for a footpath, moorings, slipway, seating and refreshment kiosk, “fails to deliver sufficient community and cultural facilities”, planning history, A419, not identified for housing in the Local Plan and NDP, design does not reflect Boakes Drive, loss of privacy, gardens are too small.

SDC Water Resources Engineer – no objection subject to condition.

SDC Arboriculture Officer – no objection.

GCC Highways – no objection subject to conditions.

Historic England: No objection

Public:

A number of responses were received from members of the public regarding the proposed application. Largely, the responses covered similar topics, including:

- The site was promised by SDC for a neighbourhood use (park/public house/café etc);
- The design of the units are not in keeping;
- The number of proposed units are too many for the size of site;
- The site should be protected in line with conservation policies;
- The development will be overbearing and impair privacy;
- The gardens will be dangerous for young families (next to canal bank).

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework is also highly relevant. Particular references are made in the heritage section below. It is also important for housing delivery especially affordable provision.

Heritage polices/legislation

Section 72(1) and Section 66(1) of The Planning (Listed Buildings and Conservation) Act 1990 are very significant. Section 66 requires: “special regard to the desirability of preserving the building or its setting or any special architectural or historic interest which it possesses”.

Section 72 is similar: “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area”.

Paragraph 193 of the NPPF States: “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.

Paragraph 195 of the NPPF considers criteria relating to public benefit that can outweigh substantial harm or loss of designated heritage assets.



Development Control Committee Schedule 27/11/2018

Paragraph 200 of the NPPF encourages Local Planning Authorities to better reveal the historic significance of sites through new developments within World Heritage Sites and Conservation Areas.

Heritage is particularly considered by Local Plan Policy ES10 Valuing our historic environment and assets. This states:

“Proposals involving a historic asset need to describe the assets, its significance, its setting and assess the impact. Proposals will be “supported which conserve and where appropriate enhance the heritage significance and setting of the Districts heritage assets especially those elements which contribute and to the distinct identity of the District”. Listed Buildings and archaeological sites are highlighted for their heritage significance including their setting. Key views especially of spires and towers are highlighted. Any harm or loss would require “clear and convincing justification”.

ES10 requires that any harm or loss would require “clear and convincing” justification. This provides a similar protection to that provided by the NPPF where the harm is less than substantial.

Other Local Plan policies.

Policies together with the preamble text and associated supplementary planning documents are available to view on the Councils website:

https://www.stroud.gov.uk/media/1455/stroud-district-local-plan_november-2015_low-res_for-web.pdf

Local Plan policies considered for this application include:

CP1 – Presumption in favour of sustainable development.

CP2 – Strategic growth and development locations.

CP3 – Settlement Hierarchy.

CP4 – Place Making.

CP8 – New housing development.

CP9 – Affordable housing.

HC1 – Meeting small-scale housing need within defined settlements.

ES3 – Maintaining quality of life within our environmental limits.

ES4 – Water resources, quality and flood risk

ES6 – Providing for biodiversity and geodiversity.

ES7 – Landscape character.

ES8 – Trees, hedgerows and woodlands.

ES10 – Valuing our historic environment and assets.

ES11 – Maintaining, restoring and regenerating the District’s Canals.

ES12 – Better design of places.



Development Control Committee Schedule 27/11/2018

The proposal should also be considered against the guidance laid out in SPG Residential Design Guide (2000), SPG Stroud District Landscape Assessment, SPD Affordable Housing (Nov 2008) and SPD Housing Needs Survey (2008).

In addition, Stonehouse has an adopted Neighbourhood Development Plan which is read as a material consideration in the determination of this application. The site, being located within the Industrial Heritage Conservation Area (IHCA), should be read against the Industrial Heritage Conservation Area Management Proposals SPD 2008, SPA Design Guide and owing to its siting along the Stroudwater Canal, the Cotswold Canals Restoration Phase 1 – Conservation Management Plan January 2007.

The application has a number of considerations which both cover the principle of development and the details of the proposed scheme which are considered in turn below:

PRINCIPLE OF DEVELOPMENT

The application site is located within the settlement boundary of Stonehouse, and is therefore acceptable in principle for residential development under Policy HC1 of the Local Plan 2015.

However, the application site lies within the Stroud IHCA, and is therefore protected from damaging development within legislature such as the Planning (Listed Buildings and Conservation Areas) Act 1990, national policy contained within the NPPF and the policies contained at a local level within the Local Plan, Stonehouse NDP, and supplementary planning guidance.

An appeal was dismissed in 2002, (REF: APP/C1625/A/02/109754), for residential development here. Please see appeal decision letter attached to this report. This outline scheme was considered to significantly and negatively impact the open nature and character of the site, to the detriment of the IHCA. It was felt that residential development would impact on the transitional function of the site from the canal to the urban development beyond. However since that decision there is been more residential development along this stretch of the canal.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the determination of applications in accordance with the development plan. There are also other material considerations that could be deemed to outweigh the previous objection.

One such consideration is that all residential units will be built as affordable housing units, something that is greatly welcomed given the district wide affordable housing shortage. If approved, the proposed dwellings will provide affordable dwellings for a number of individuals and families.

In August 2018, the Government's published a green paper on social housing. Emphasis is on additional delivery, with Councils expected to play key roles within the forthcoming years to combat the severe shortage of such housing within the nation as a whole.

Consequently Officers consider that on balance, the heritage impacts, could be minimised mitigated through appropriate design and offset by the affordable housing provision.



Development Control Committee Schedule 27/11/2018

HERITAGE IMPACT AND IMPLICATIONS

Legislation, planning policies and SPGs

A stringent legislative framework exists within the UK's planning system in relation to historic buildings and the built/natural landscape. It is under this legislative framework that the proposal put forward to the LPA will be addressed, assessed and determined.

As the site lies within the IHCA, legislative protection is the Planning (Listed Building and Conservation Area) 1990. This requires that special attention be given to the preservation or enhancement of conservation areas.

In addition, the NPPF, chapter 16, 'conserving and enhancing the historic environment', puts into place planning policies that allow decision makers to value the significance of historic areas, landscapes and buildings, and afford these designated heritage assets great weight when harm as a result of development is proposed.

Specifically, Paragraphs 193-202 describe the process of LPAs considering potential impacts on development on heritage assets. It is stated within Paragraph 200 that LPAs should seek out the opportunities for new development within Conservation Areas where enhancements and betterments of the historic significance can be revealed.

The Local Plan (noted above) as well as the policies contained within the Stonehouse NDP mirror the sentiments outlined within the NPPF, encouraging the careful consideration of development proposals within Conservation areas in order to minimise harmful and irreversible damage to such heritage assets.

Impact on IHCA and Heritage Assets

As discussed above, the principle of residential development has been previously dismissed on appeal. However, with careful consideration and successful design, Officers consider that on fine balance it is acceptable. It is therefore the purpose of this section to adequately assess the proposed impacts of the IHCA and surrounding heritage assets.

Underpinning the sites wider designation within the IHCA is a clear understanding that the green and open spaces, (IHCA Character Appraisal, Volume 1) are often just as important to the character of an area as the built environment.

Both the natural and built environments combine together to create significant heritage assets and landscape characters, contributing to the IHCA. This is not fully appreciated in the submitted Heritage Impact Assessment.

The spine of the IHCA is a green corridor of unmaintained and overgrown spaces that help to punctuate the distinctive and rhythmic pattern of the industrial mills along the watercourse. This is most appreciated from the perspective of the canal.

Whilst it is now understood the value the site holds in its current state, we must acknowledge the level of impact the proposed development will have to this site, and the IHCA as a whole.



Development Control Committee Schedule 27/11/2018

The application would effectively undermine the open and unmaintained nature of the site, proposing instead to domesticate the land. The historic characteristic of the site as part of a green corridor will be reduced.

Although the proposal will retain the boundary trees to the north and other landscaping, the predominant feel of the site will be read as domesticated.

Secondly, affordable housing on this site is a material consideration, it is pertinent to assess the proposed development in terms of its design and layout and how this will impact the application site and IHCA.

The proposals put forward to the LPA to determine includes the erection of 9 residential units that will be positioned running centrally through the site east-west.

Rear gardens are located towards the canal bank, with an access road and parking located towards the north of the site.

The HIA describes how the overall design cues for the scheme have been taken from The Boat House; a non-designated local heritage asset situated a few metres due east of the application site, similarly sited on the banks of the Stroudwater Canal.

As one of the last remaining buildings associated directly to the use of the Canal, the Boat House is an important design cue. Mirroring the profiled metal clad walls, overhanging eaves and simple design of the Boat House, the proposed residential units adopt these features. The application also proposes a range of bright colour cladding for the residential units that will add to the vibrancy and striking nature of the scheme.

The design is considered to offer an attractive and striking development that will be read as locally distinct and create a focal point when travelling down the canal or canal towpath.

In this instance, Officers consider the quirky and vibrant nature of the proposed development to be the best trade-off when consideration is given to the perceived level of negative impact upon the IHCA residential development could cause to this site. It is considered that the particular design as proposed, that links to the wider historical and significant location of the application site, is an appropriate solution that minimises the harm. Such a solution could not have foreseen by the appeal inspector in 2002.

Although removing the transitional function and unmaintained character of the site, the proposed development emulates the architectural and historic significance of the Boat House located a short distance from the application site. Consequently Officers consider that the proposed development satisfies Paragraph 200 of the revised NPPF as it seeks to enhance the historical significance of the application site and wider IHCA through better revealing the historical significance of the Boat House.

It is critical to observe the role LPAs have in considering the potential impacts of development on heritage assets. In this instance, the proposed residential development will have a significant impact on the landscape characters and features of the site in relation to



Development Control Committee Schedule 27/11/2018

the IHCA. Paragraph 196 of the NPPF requires a proposed development, which will lead to less than substantial harm of a heritage asset, to be reviewed inline with a number of criteria to identify whether such harm can be outweighed via the provision of substantial public benefit.

In this instance, it is considered that on fine balance, the provision of affordable housing units does outweigh the loss of the landscape character of the site as it will provide significant public benefit. The site currently provides no public benefit other than its landscape benefit, so the provision on the site will go some way in offsetting this perceived loss of historical character. With this in mind, it is considered that the application satisfies paragraph 195 of the NPPF in this regard.

The discussion above has surrounded the proposed impact of the development on the application site and IHCA, the LPA must also assess the impact the proposed development is expected to have on listed buildings.

Two heritage assets are located within 200m of the application site and lie within the IHCA.

The main building at Upper Mills is a large former mill, currently used as office accommodation. The building itself represents a typical mill building and is remnant of the industrial heritage of the area.

Located approximately 130m south-east of the application site, there is sufficient development between the two sites as to not cause any significant impact upon this mill building. Neither site can be seen when stood either in the application site or at Upper Mills, and as such there are considered to be no concerns regarding the impact the proposed development will have on the Main building.

Further, both sites are not historically linked either physically or historically, and as such, are not considered to be impacted as a result of the proposed development.

The second building designated within 200m of the application site, as already mentioned, is the Boat House. Listed as an undesignated local heritage asset, the Boat House sits closer to the application site, some 80m east of the site, similarly on the northern side of the canal bank.

When standing in the public domain on the southern side of the canal facing north, both the application site and the Boat House can be seen together. Whilst it is not considered that the proposed development will detract from the significance of the Boat House in any way, it is believed that the linkage of the two sites as a result of the proposed application mimicking the Boat House will in effect increase the Boat House's presence and sense of place along the canal bank to a greater degree.

Two Grade II listed buildings (Hillview House and The Mount) lie to the north of the application site, however sit outside of the IHCA. Nonetheless, it is imperative to properly assess any impact that may occur to these properties in line with statute.



Development Control Committee Schedule 27/11/2018

Both properties are detached, occupying relatively large plots and located on the opposite side of the A419. The HIA states the application site has a neutral impact on both Hillview House and The Mount in so far as it neither positively or negatively impacts upon these buildings. This assessment is considered to be an accurate reflection.

The two buildings are of a sufficient distance from the application site, are in no way historically or physically linked to the site, and do not share any similar historical features or contextual significance.

There are no non designated heritage assets affected.

Conclusion: Heritage Impact

On very fine balance, it is considered that whilst there is to be a significant change and thus impact to the character of the application site, the proposed design and scheme is deemed to positively reflect the historic surrounding, and reinvigorate an undesignated local heritage asset.

Most importantly, it is deemed that the requirement for Local Authorities to provide affordable housing, coupled with a refreshing and historically sensitive designed scheme, in this instance, outweighs the principle heritage concerns.

The design here is particularly important because the 2002 scheme dismissed at appeal was in outline with only few indicative details.

DESIGN AND APPEARANCE

The design cue for the scheme is based on the Wycliffe Boat House, located a few metres from the application site. The Boat House, although not listed, is notable. It provides a focal point on the canal, and provides an historical context in which to set a new development.

Utilising the same architectural elements and features, overhanging eaves, metal clad walls, simple detailing to facades and bright primary colours, the proposed new residential units incorporate the historic Boat House into the application site. The design is considered to offer an attractive and striking development that will be read as locally distinct and create a focal point when travelling down the canal or canal towpath.

A single road is proposed through the centre of the site, with the residential units being proposed on the southern side of this road, closest to the canal bank. This obscures the impact of parked cars from the canal. To the northern boundary of the site, many of the existing trees are to be retained and additional planting provided where possible.

The residential units are to be positioned running parallel to the road and canal bank, with some vehicular parking proposed to the front of the dwellings at right angles to the front of properties. The units are would appear as predominately semi-detached dwellings with simple fenestration and detailing.



Development Control Committee Schedule 27/11/2018

A key component of the proposed development is the design and materials. The applicant has indicated the residential units are to be clad with brightly coloured metal cladding, with a contrasting roof profile. This design appears to be an integral element of the scheme, which mimics the aspects of the Wycliffe Boat House.

Mirroring the facade dimensions, overhanging eaves, and the vibrant coloured metal cladding, the proposed dwellings reflect the Boat House, drawing on its features to enable the proposed development to better integrate and connect with the wider site and its historical context.

A high proportion of public responses question the proposed style of buildings for this site; the appropriateness in relation to the buildings within the surrounding area.

The individual and quirky nature, forms the rationale and justification for development on the site. Paragraph 131 of the NPPF also promotes innovative design. With the historic protection on the site, it is considered that in this case, it is the objective to secure 100% affordable housing through a different and non-typical designed scheme that overcomes the principle objection.

With this in mind, Officers consider the overall design and appearance of the proposed scheme to be acceptable, however issues such as materials and colours are deemed to be of such high importance that it is required to condition them prior to implementation.

LANDSCAPE IMPACT

The site is outside the AONB and away from its elevated viewpoints.

The site does not form part of any notable views except for functioning as general swath of canal bank, but this limited due to the nearby bridge and residential housing. Similarly there are no particular landscape features to the site except for its 2 bankside trees.

Whilst the new houses will be seen from the canal towpath and Stanley Downtown road, it is not felt that impacts will be significant.

The existing roadside trees are being retained, which will continue to screen the site from the A419. Whilst the new houses will be seen from the canal towpath and Stanley Downtown Road, it is not felt that impacts will be significant.

HIGHWAY IMPACTS

The existing site entrance would remain but will be widened in order to achieve a two-vehicle passing point, allowing vehicles to enter and exit the site at the same time.

The access does narrow within the site to approximately 5.4 metres, with parking parallel to this highway on the northern boundary, and a pedestrian highway to the south. A turning head is proposed, in order to provide satisfactory turning facilities travelling through the site, as well as for refuse vehicles and emergency services.



Development Control Committee Schedule 27/11/2018

Parking for 17 vehicles is proposed which is considered to adequately meet the requirements of our Local Plan.

The proposal is a cul-de-sac development and traffic speeds should be slow, particularly given its length and approach by a tight corner.

In addition to vehicular movements, directly outside of the application site is a bus stop, linking future residents to the local bus network. Further the site sits directly to the north of the canal towpath whereby occupants of the site can walk/cycle into Stroud Town Centre, or via the pavement network, to Stonehouse Town Centre a few minutes away.

With good rail, bus and cycling/walking facilities the site is in a very accessible location. The Local Highway Authority have no objection subject to conditions.

RESIDENTIAL AMENITY

Potential issues include privacy, shadowing, daylighting, sunlight, overbearing, noise/disturbance during construction and thereafter.

The submitted objections have included privacy and noise/disturbance concerns.

The nearest dwellings are to the south at Whitfield Close. Four back on to the canal and the rest are more distanced. There is some separation (approximately 19.5m in the worst case) from the application site provided by their gardens and the canal.

The proposal shows the new houses set back approximately 6m from the line of the existing canal.

The SDC residential design guide recommends 25m between private rear facing windows, which although dated (2000), it offers a helpful benchmark. The proposal would broadly meet this guideline. Whilst the concerns of the existing residents are understandable, this would not warrant refusal.

Existing amenity is not ideal due to the canal towpath being close.

Whilst the existing residents do have an open aspect towards the site, however there is sufficient distance from these existing dwellings to the proposed units as to not be overbearing or be unduly dominant, even allowing for the difference in relative slab heights.

Similarly there is sufficient distance to avoid shadowing implications. Daylighting would not be impaired. Being to the north, sunlight would not be affected.

There are houses to the north and west but these are more distanced and on busy roads.



Development Control Committee Schedule 27/11/2018

Noise/disturbance and dust mitigation during construction can be covered by submission of operational details required by conditions. This reinforces the Council's statutory nuisance powers.

There are commercial units in the Upper Mills Industrial Estate in the south-easterly location of the application site, but the new dwellings are reasonably distanced to avoid noise/disturbance and existing dwellings are significantly closer.

There are no significant privacy, daylighting and overbearing implications for the new residents. The Residential Design Guide outlines the residential amenity standards appropriate for new development. A minimum of 20sq.m is required of private amenity space. Within the proposed development, each residential unit has a rear garden measuring from 24sq.m to 48sq.m with the apartments sharing a communal garden measuring 76 sq.m.

AFFORDABLE HOUSING

100% of the residential units proposed are to be brought forward as affordable housing, and this forms the underlying basis for residential development on this site.

Of course, it is a key consideration of the central Government to provide increasing numbers of affordable housing within the UK, one that was reiterated within the White Paper of August 2018 that encouraged Local Authorities to play a more integral approach to aid this provision.

The preamble to Local Plan policy CP8 states that the 2015 SHMA identifies a need for 446 affordable dwellings a year. This is a substantial requirement which cannot be achieved by contributions from market led sites alone.

In this instance, Officers consider that these affordable houses would be a positive contribution that will provide substantial public benefit to the District.

The proposed 9 houses would be a helpful contribution towards the Council's 5 year land supply.

The affordable housing provision is to be secured by way of unilateral undertaking.

ECOLOGY

Full ecological investigations have been undertaken and reports submitted for the application site during the course of the application to date.

The documents that make up the most informative ecological appraisal submissions include:

- * Bat survey report
- * Great Crested Newt Mitigation Method Statement
- * Plan for Great Crested Newts
- * Reptile Mitigation strategy

A bat survey was carried out in order to determine the presence of any bat roosts on site. Following on from a desk study, a dusk emergence and dawn re-entry survey was carried out in order to assess potential roosts and bat activity on the site.



Development Control Committee Schedule 27/11/2018

Critically, the dusk emergence and dawn re-entry survey found that the existing Alder tree on the site is confirmed as a roost for an individual soprano pipistrelle bat. This confirmation is of primary importance to the assessment of this planning application, as the developers will be required to obtain a European Protected Species Licence from Natural England prior to any works commencing on site.

Through careful consultation between applicant, officers and qualified ecologist, it is proposed that a bat hibernation box, Schwegler 1FF noted within the Bat Survey report by Wild Service dated 16th October 2018, be located on the canal bridge just outside the application site. The hibernation box will therefore be in place prior to the felling of the Alder tree. These bat boxes have been shown to be very effective for a range of species.

The bat study also found a significant number of other bat activities, from bat calls and passes to foraging and social calls both within the site itself, as well as along the canal.

As a result of the bat study, a set of recommendations were provided to reduce the potential for any harmful impact as a result of the proposed development upon bats. The recommendations included:

- * The creation of a dark corridor along the western and northern edges of the site along the hedgerow;
- * Light restricted to selected areas by fitting hoods, cowls or shields which direct the light below the horizontal plane, to avoid light spillage;
- * Reducing the height of light units to keep the light as close to the ground as possible and reduce the volume of illuminated space; and
- * Avoiding blue/white light and installing UV filters if mercury lamps are installed.

As well as the bat hibernation box to be put in place prior to the felling of the Alder tree, it is recommended that a condition be imposed to require further bat boxes within the residential units themselves, as well as requiring a lighting strategy in order to minimise potential negative impacts upon bats as a result of the development.

Great Crested Newts (GCN)

As GCN and their breeding sites are protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and species regulations 2017.

The ecological appraisal concluded that the application site could be potential habitat for GCN. However these may be jeopardised by waterfowl and fish.

Conditions require the assessment of the canal water in late March/April. If they are found then an area has been identified on the site, along the canal bank, for appropriate rough grassland habitat managed in accordance with an agreed methodology. If no specimens are found in the survey then this land is not essential and could alternatively convert to garden.



Development Control Committee Schedule 27/11/2018

Reptiles

The ecological appraisal found some presence of slow worms and grass snakes using the site.

The aforementioned canalside area can also be managed for reptiles, if needed. Any present during construction can be safeguarded by having designated areas and protective netting. Otters, water voles and white-clawed crayfish

White-clawed crayfish have not been found on/by this site. Otters are present along the canal, but there is no evidence of them using actual this site, particularly as the bank is steep

Water voles are particularly scarce in the area, due to mink. This proposal involves reforming the bank which provides an opportunity to create habitat. It is felt that priority should be given to the specific needs of the water voles. This would help increase this struggling species which is scarce along the canal.

A detailed soft landscape proposal plan, drawing (P17-1687_01-E) has been submitted as part of this application that has been considered acceptable by the Council's Biodiversity Officer as acceptable. A condition is recommended for the implementation in strict accordance with this plan for development on the site.

The Council's Biodiversity Officer, along with the conclusions from the ecological study, recommends a condition be implemented prior to the commencement of work on site that details of the works to the bank, including during and after completion be submitted to and approved in full by the planning authority.

Ecological summary

The proposed development can be achieved on the site through the implementation and adherence to a number of stringent ecological planning conditions.

TREES

The proposed application requires the loss of the two established trees on the site that are situated close to the canal bank. The trees, one Ash and one Alder are classified within the report as C2 and C1 respectively. The Ash is described as offering low or temporary landscape benefit and the Alder is described within the report as being of low quality with a short estimated remaining life expectancy.

The Council's arboriculture officer has assessed the application and has reviewed the arboricultural assessment. He has no objection to the loss of these two trees, although did comment that they could be re-coppiced and retained within the development.



Development Control Committee Schedule 27/11/2018

It is considered that whilst the mature Ash and Alder trees are a feature of the site, their loss could be compensated with replacement planting. Three new Alder are proposed in locations favourable to the flourishing. Alders are particularly suitable here, being a British native and water loving species.

The young trees that form the northern boundary of the site are to remain and are not considered to be under any significant threat from the proposed development. This is welcomed as they will provide sufficient visual screening for the future occupants of the site and the highway to the northern boundary of the site.

In summary, whilst it is regrettable to lose the two established trees on the site, it is considered the replacement planting of three Alders more than mitigates their loss.

FLOOD RISK

The site is not prone to flooding and the excess surface water run off can be accommodated into the canal that has sufficient capacity. The application is therefore considered to comply with policy ES4 – Water Resources, quality and flood risk of the SDC Local Plan 2015.

CANAL IMPLICATIONS

Local Plan Policy ES11 promotes restoration, use and access to the canal.

Whilst objections perceive this site as having a substantial and direct use as part of the canal, this has not been the case since the Ship Inn era.

This proposal does not prevent the continued use and appreciation of the canal. Indeed the proposal would contribute £9,000 to SVCC for the provision of 3 moorings on the opposite bank.

CONCLUSION AND RECOMMENDATION

The site is within the settlement boundary and the Local Plan allows for the principle of residential development. Hence, in this regard, the proposal accords within the Development Plan.

However the proposal does domesticate this part of the canal, which is not a characteristic of this part of the IHCA. Although there is no denying the existing landscape character of the site will be impacted as a result of the proposal, it is considered that this impact can be somewhat minimised as a result of the innovative and invigorating design proposed.

It is thus concluded that the proposed public benefit the developed site will bring, will outweigh the harm to the site in this instance.

Under paragraph 196 of the NPPF, less than substantial harm should be weighed against the public benefits of the proposal, whilst also having regard to section 72 of the 1990 Planning (Listed Building and Conservation Areas) Act. With this in mind, it is concluded that the



Development Control Committee Schedule 27/11/2018

public benefit in this case, be it the provision of affordable housing, is sufficient to outweigh the expected harm to the application site and therefore accords to paragraph 196 of the NPPF and section 72 of the 1990 Planning (Listed Building and Conservation Areas) Act as stated above.

This proposal is for 100% affordable housing. The District has a great need and the shortage results in households being in challenging living conditions everyday. The proposal provides 9 new dwellings and eases pressures on stock they currently inhabit.

Consequently the impact to the Conservation Area is felt to be outweighed by the benefit of the affordable housing provision in a sustainable location, within the settlement boundary.

In addition to the impact on heritage assets, there are considered to be no other outstanding issues that would result in the recommendation to refuse permission on this site.

Ecological concerns raised throughout the application period have been addressed where possible and where not, are to be addressed through the provision of conditions. As such, it is considered that the application accords with local policy ES6 of the SDC local Plan, November 2015.

Highway provisions including access and egress, movement within the site as well as parking are considered to be adequate for the application site with a condition being imposed to require visibility splays to the highway prior to the site being brought into occupied use. The application therefore accords to policy CP8, new housing development of the SDC local Plan, November 2015 in that it proposes an appropriately designed and laid out development, capable of mixing both pedestrians and vehicles in a safe manner.

In terms of drainage, flood risk and contaminated land, after consultation with relevant bodies, it is concluded the application site can cater for the proposed development without the need for any mitigation. The application therefore accords to policy ES4, water resources, quality and flood risk of the SDC local plan, November 2015.

Taking all matters into consideration and on very fine balance, permission is recommended, subject to receipt of a satisfactory newt mitigation strategy and a signed unilateral undertaking to provide the affordable housing on site.

HUMAN RIGHTS

In compiling this recommendation, we have 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.



Development Control Committee Schedule 27/11/2018

Subject to the following conditions:

1. 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.

2. No works shall take place on the external surfaces of the building(s) hereby permitted until samples of the materials to be used in the construction works have been submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area.

3. The development hereby permitted shall not begin until a scheme to deal with ground contamination, controlled waters and/or ground gas has been submitted to and approved by the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:-

1. A Phase 1 site investigation carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environment risk assessment, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated sites - Code of Practice.

2. If identified as required by the above approved Phase 1 site investigation report, a Phase 2 intrusive investigation report detailing all investigation works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 investigation of potentially contaminated sites- codes of practice. Where required, the report shall include a detailed quantitative human health and environmental risk assessment.

3. If identified as required by the above approved Phase 2 intrusive investigation report detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end-point of the remediation should be stated, such as site contaminant levels or a risk management action, as well as how this will be validated. Any ongoing monitoring should also be outlined. No deviation shall be made from the scheme



Development Control Committee Schedule 27/11/2018

without prior written approval from the Local Planning Authority.

No part of the development hereby permitted shall be occupied until:-

4. Any previously unidentified contamination encountered during the works as been fully assed and an appropriate remediation scheme submitted to and approved the Local Planning Authority.

5. A verification report detailing the remediation works undertaken and quality assurance with the approved methodology that has been submitted to, and approved by the Local Planning Authority. Details of any post- remedial criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

For further details as to how to comply with this condition, please contact Katie Larner, Senior Contaminated Land Officer- tel: (01453) 754469.

Reason:

To protect the health of future users of the site from any possible effects of contaminated land in accordance with the guidance within the NPPF, in particular, paragraph 120.

4. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:

Site Plan proposed (PL)100 - Received 3/9/2018

Site Plan Proposed (PL) 101 – Received 3/9/18

Proposed plans and elevations (PL)200, 201, 202, 203, 204, 205, 206, 207 – Received 3/9/2018

Street Scene (PL)300 – Received 3/9/2018

Section (PL) 400, 401, 402 – Received 3/9/2018

Soft Landscaping Detail (PI7-1687_01-E) – Received 3/9/2018

Reason:

To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.

5. No building hereby permitted shall be occupied 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. 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 Annex F of PPS25 (or any



Development Control Committee Schedule 27/11/2018

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.

6. Before the development hereby permitted is first brought into use, a landscape planting, management and maintenance scheme shall be submitted to and agreed by the Local Planning Authority. The landscape planting, management and maintenance scheme shall be implemented in strict accordance with the approved details and maintained in perpetuity.

Reason:

To ensure that the landscaping is implemented, maintained and managed and in the interests of the visual amenities of the area.

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

Reason:

To protect the amenity of the locality, especially for the people living/ or working nearby, in accordance with Stroud District Local Plan Policy ES3.



Development Control Committee Schedule 27/11/2018

8. The development hereby permitted shall not be occupied until cycle storage facilities have been made available for use at 1 space per dwelling and those facilities shall be maintained for the duration of the development.

Reason:

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

9. The development shall be undertaken in accordance with the submitted arboriculture report (BS5837 Tree Survey, Arboricultural Impact Assessment and Method Statement 'considerations') received on the 27th February 2018. All of the provisions shall be implemented in full according to any timescales laid out in the method statement unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the retained/protected tree/s in accordance with policy ES8 of the adopted Stroud District Local Plan, November 2015.

10. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:
- a) A detailed phased reptile mitigation drawing is required to be provide showing proposed reptile safe zones, timings and how reptiles will be safeguarded during the different phases of development, this plan will be read in conjunction with the already agreed Reptile Mitigation Method Statement, by Wild Service, dated 12th November 2018
 - b) Measures that will be taken to protect the Canal during bank re-profiling and from surface run-off during the construction phase.
 - c) The locations of where machinery, welfare facilities and materials will be stored
 - d) Details as to where excess spoil will be stored and distributed
 - e) The role and responsibilities on site of an ecological clerk of works ECOW or similarly competent person.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.



Development Control Committee Schedule 27/11/2018

Reason:

To ensure that protected species are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and Policy ES6 of the Stroud District Local Plan 2015, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

11. No development or other operations shall commence on site in connection with the development hereby approved, until full details of the works associated with the widening of the canal bank have been submitted to and approved in writing by the Local Planning Authority.

Reason:

To safeguard the environmental and landscape importance of the site in accordance with policy ES7 of the adopted Stroud District Local Plan, November 2015.

12. The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway vehicle track edge of the public road 20m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason:

To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

13. Throughout the construction [and demolition] period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:



Development Control Committee Schedule 27/11/2018

- i. parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities

Reason:

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

14. The building(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in general accordance with the submitted plans 28789 100 Rev A and 28789 101 except with on-street parking not demarcated, and those facilities shall be maintained available for those purposes thereafter.

Reason:

To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

15. No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason:

To ensure adequate water infrastructure provision is made on site for the local fire service to access and tackle any property fire in accordance with paragraph 110 of the National Planning Policy Framework.

16. Dwelling frontage vegetation and alongside units 1&2 and unit 3 shall be maintained at 600mm or below to ensure emerging visibility

Reason:

To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.



Development Control Committee Schedule 27/11/2018

17. Prior to occupation of the proposed development hereby permitted the first 10m of the proposed access road, including the junction with the existing public road and associated visibility splays, shall be completed to at least binder course level.

Reason:

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

18. Tactile footway crossings shall be provided across the site access junction and the turning head footway.

Reason:

To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

19. No development shall take place (including ground works and vegetation clearance) until Presence/ Absence Great Crested Newt Surveys have been undertaken between the months of March and June and the results have been agreed in writing by the Local Planning Authority. If any Great Crested Newts are found to be present further population surveys shall be undertaken in accordance with best practice guidance and the results will be agreed in writing by the Local Planning Authority. If the Great Crested Newt Surveys confirm that the species are present, the applicant will be required to apply to Natural England for a licence.

On receipt of the licence issued by Natural England the already agreed option a) Great Crested Newt Mitigation Method Statement, by Wild Service, dated 5th October 2018 and Plan ref: P17-1687_01-E Detailed Soft Landscape Proposals showing GCN buffer strip will be implemented.

If the surveys reveal a negative result for Great crested newts option b) will be implemented Plan ref: P17-1687_01-E Detailed Soft Landscape Proposals, dated 21/09/17



Development Control Committee Schedule 27/11/2018

The approved Mitigation Strategy shall be adhered to and implemented strictly in accordance with the approved details.

Reason:

To ensure that protected species are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Circular 06/2005, the National Planning Policy Framework and Policy ES6 of the Stroud District Local Plan 2015, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

20. No development, site clearance, soil stripping, removal of materials shall take until the location of the Hibernation Bat box has been specified and agreed in writing by the local planning authority. No development shall take place other than in STRICT accordance with the details agreed for the hibernation bat box and the details contained in the Bat Survey Report, by Wild Service, dated 16th October 2018, Section 4, as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason:

To ensure that Bats and Water-voles are safeguarded in accordance with the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and Policy ES6 of the Stroud District Local Plan 2015, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

21. Prior to the commencement of development a lighting design strategy for biodiversity shall be submitted to and approved in writing by the Local Planning Authority
- a) the strategy will identify the areas/features on site that are particularly sensitive for foraging bats;
 - 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 in accordance with the specifications and locations set out in the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.



Development Control Committee Schedule 27/11/2018

Reason:

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

22. No development, site clearance, soil stripping, removal of materials shall take place other than in STRICT accordance with the details contained in the Preliminary Ecological Appraisal, by Wild Service, dated 8th August 2018 and the Detailed Soft Landscape Proposals Drawing P17-1687_01-E, as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason:

To ensure that Bats and Water-voles are safeguarded in accordance with the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and Policy ES6 of the Stroud District Local Plan 2015, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

23. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority to commencement of the development. The content of the LEMP shall include the following:
- Description and evaluation of the features to be managed.
 - Aims and objectives of management
 - Appropriate management options for achieving aims and objectives
 - Prescription for management actions
 - Preparation of work schedule (including an annual work plan capable of being rolled forward over a five year period)
 - Details of body or organisation responsible for implementation of the plan.
 - 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.



Development Control Committee Schedule 27/11/2018

Reason:

To protect and enhance the site for biodiversity in accordance with paragraph 118 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.