

19 December 2018

DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held on **TUESDAY 8 JANUARY 2019** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **6.00 pm.**



Chief Executive

Please Note:

- i. This meeting will be filmed for live or subsequent broadcast via the Council's internet site (www.stroud.gov.uk). By entering the Council Chamber you are consenting to being filmed. The whole of the meeting will be filmed except where there are confidential or exempt items, which may need to be considered in the absence of the press and public.
- ii. The procedure for public speaking which applies to Development Control Committee is set out on the page immediately preceding the Planning Schedule.

A G E N D A

- 1 APOLOGIES**
To receive apologies for absence.
- 2 DECLARATIONS OF INTEREST**
To receive Declarations of Interest in relation to planning matters.
- 3 MINUTES – 27 NOVEMBER 2018**
To approve and sign as a correct record the minutes of the Development Control Committee meeting held on 27 November 2018.
- 4 PLANNING SCHEDULE AND PROCEDURE FOR PUBLIC SPEAKING**
(Note: For access to information purposes, the background papers for the applications listed in the above schedule are the application itself and subsequent papers as listed in the relevant file.)

- 4.1 PARCEL H11 & H12 LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND (S.18/2326/REM)**
Approval of reserved matters following permission S.14/0810/OUT. Development comprising the erection of 165 dwellings and associated landscaping, access, parking and infrastructure.
- 4.2 RAM INN, HIGH STREET, SOUTH WOODCHESTER (S.18/1039/FUL)**
Restaurant and kitchen extensions to the public house and erection of two dwellings (amended 03.09.2018).
- 4.3 LAND ADJACENT TO 58 COLDWELL LANE, KINGS STANLEY (S.18/1094/FUL)**
Two residential units (Revised Plans received 07.11.2018).
- 4.4 OLD WEAVERS, PITCHCOMBE, STROUD. (S.18/1797/HHOLD)**
Two storey extension (two storey garage removed from the proposals 5.10.2018).
- 4.5 OLD WEAVERS, PITCHCOMBE, STROUD (S.18/1798/LBC)**
Two storey extension (E 385074, N 208089).
- 4.6 LAND ADJACENT TO 59 WOODLAND GREEN, UPTON ST LEONARDS (S.18/2219/FUL)**
Erection of two dwellings.
- 4.7 LAND ADJACENT TO 26 ASH GROVE, UPTON ST LEONARDS (S.18/2222/FUL)**
Proposed dormer bungalow.
- 4.8 LAND ADJACENT TO 15A ASH GROVE, UPTON ST LEONARDS (S.18/2237/FUL)**
Detached dwelling.
- 4.9 LAND ADJACENT TO 1 ORCHARD ROAD, EBLEY (S.18/2275/FUL)**
Erection of a two storey residential apartment block with associated vehicle parking and landscaping.

Members of Development Control Committee

Councillor Tom Williams (Chair)
Councillor John Marjoram (Vice-Chair)
Councillor Martin Baxendale
Councillor Dorcas Binns
Councillor Miranda Clifton
Councillor Nigel Cooper

Councillor Haydn Jones
Councillor Steve Lydon
Councillor Karen McKeown
Councillor Jenny Miles
Councillor Mark Reeves
Councillor Jessica Tomblin

DEVELOPMENT CONTROL COMMITTEE

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27 November 2018

2.00 pm – 5.45 pm
 Council Chamber, Ebley Mill, Stroud

Minutes

Membership

Councillor Tom Williams (Chair)	P	Councillor Haydn Jones	P
Councillor John Marjoram (Vice-Chair)	P	Councillor Steve Lydon	P
Councillor Martin Baxendale	P	Councillor Karen McKeown	P
Councillor Dorcas Binns	P	Councillor Jenny Miles	P
Councillor Miranda Clifton	P	Councillor Jessica Tomblin	P
Councillor Nigel Cooper	P	Councillor Mark Reeves	P

P = Present A = Absent

Officers in Attendance

Planning Manager	Solicitor
Development Manager	Senior Planning Officer (2)
Team Manager	Democratic Services Officer

Other Members in Attendance

Councillors John Jones, Brine, Powell, Ross, Townley

DC.033 APOLOGIES

There were no apologies.

DC.034 DECLARATIONS OF INTEREST

Councillors Miles and Clifton declared an interest in the items listed below in view of their positions as members of the Housing Committee. Whilst they did not have a "Personal Interest" as defined within the Code of Conduct they considered that they could be viewed as having a conflict of interest as members of the Committee which represents the interests of the Applicant.

- 4.1 – Site of the former Ship Inn, Bristol Road, Stonehouse (S.18/0492/FUL)
- 4.5 – Land adjacent to 40 and 41 Brimley, Leonard Stanley (S.18/1009/FUL)
- 4.6 – Land to the rear of 33 and 34 The Daffodils, Kings Stanley (S.18/1011/FUL)
- 4.7 – Land adjacent to 24 The Close, Whitminster (S.18/1678/FUL)
- 4.8 – Land adjacent to 44 Elmore Road East, Hardwicke (S.18/1679/FUL)

Councillor John Jones, who attended the meeting, in respect of Item 4.7 – Land adjacent to 24 The Close, Whitminster (S.18/1678/FUL), wished it to be noted that whilst he lived

close to the site, he did not have a personal interest in this item; he was attending the meeting to speak as a Ward Member.

Councillor Lydon declared an interest in items below as a member of Leonard Stanley Parish Council. He wanted to speak as a Parish Councillor and would not take part in the debate or vote on these items.

- 4.4 - Land at 27 High Street, Kings Stanley, Stonehouse (S.18/0563/FUL)
- 4.5 - Land adjacent to 40 and 41 Brimley, Leonard Stanley (S.18/1009/FUL)
- 4.6 - Land adjacent to the rear of 33 and 34 The Daffodils, Kings Stanley (S.18/1011/FUL)

Councillor Williams read out a statement relating to comments made at the previous meeting and apologised to the Head of Property Services.

DC.035 MINUTES – 16 OCTOBER 2018

RESOLVED That the Minutes of the meeting held on 16 October 2018 are accepted as a correct record.

DEVELOPMENT CONTROL PLANNING SCHEDULE

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

1	S.18/0492/FUL	2	S.18/1935/REM	3	S.18/1937/REM
4	S.18/0563/FUL	5	S.18/1009/FUL	6	S.18/1011/FUL
7	S.18/1678/FUL	8	S.18/1679/FUL	9	S.18/2270/DISCON

Late pages relating to items on the schedule which had been circulated to committee prior to the meeting.

DC.036 SITE OF THE FORMER SHIP INN, BRISTOL ROAD, STONEHOUSE (S.18/0492/FUL)

The Team Manager introduced this item. The application is for the construction of nine new residential dwellings which are proposed as affordable housing units. Late pages had been circulated to Members together with a letter from Stonehouse residents asking for Committee to delay its decision until the end of the financial year. An electronic petition had been received by officers with 360 signatures, which the officer explained carried limited weight in planning terms. Concerns had been raised regarding the design not being in keeping with the site and gardens seem dangerous for young children.

Councillors Brine, Powell and Ross spoke as Ward Members for Stonehouse. They reiterated that there was a need for affordable housing and Committee had to decide on the best option. They asked Members to support this application.

Gwen Atkinson spoke on behalf of Stonehouse Town Council objecting to the application and requested that Committee reject this application.

Ivor Ward Davies spoke in opposition to this application explaining that this site was an important gateway to Stonehouse and if built upon this would be lost.

The Head of Property Services spoke in support of the application explaining that this was a high quality affordable housing site in a sustainable location and would improve facilities on the canal and surrounding area.

Members asked questions, which were answered by officers, these included questions relating to ecology, environmental management, trees, industrial heritage, conservation, affordable housing, safeguarding children from falling in the canal and type of materials for houses. Officers explained that Committee must only consider the planning issues.

Councillor Marjoram proposed a motion to refuse the application to enable a better use of the land with less houses and public open space. Policies ES7 and ES10 of Stroud District Local Plan and Item 28 of the NPPF were quoted. This was seconded by Councillor Baxendale.

The Planning Manager clarified that policy ES10 of Stroud District Local Plan was the only planning consideration specified in the motion to refuse which was relevant to this application.

The Council's Solicitor explained to Members that when the local authority is both landowner and applicant there is no right of appeal against refusal. He also confirmed in answer to a question that members must only consider proper planning matters and that the financial benefits to the Applicant was not a proper planning consideration.

Members debated the motion. On being put to the vote there were 4 votes in favour of the motion, 4 votes against and 4 abstentions. The Chair used his casting vote in favour of the motion.

RESOLVED To REFUSE planning permission for application S.18/0492/FUL

The meeting adjourned at 3.50pm for 5 minutes.

DC.037 PARCEL H3 LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND (S.18/1935/REM)

The Chair informed Committee that this application had been withdrawn by the applicant.

DC.038 PARCELS H3, H4, H5, H8, H9 AND H10 LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND (S.18/1937/REM)

The Chair informed Committee that this application had been withdrawn by the applicant.

DC.039 LAND AT 27 HIGH STREET, KINGS STANLEY, STONEHOUSE (S.18/0563/FUL)

The Senior Planning Officer presented this item and explained that the application had been deferred at Committee on 4 September 2018. The revised application is for two residential units within the existing two storey building and clarification was given relating to the Severn estuary mitigation.

Councillor Lydon spoke as Ward Member on behalf of himself and Councillor Studdert-Kennedy and took no part in questions, debate or voting. This application was supported by the Ward Members who welcomed the extra car parking spaces.

Sue Parsons spoke in objection to the application. Concerns included highway issues, access to the site, obscure glazing and inadequate space for car parking. She asked for reassurance that any future application should not be approved under delegated powers.

Members asked questions relating to access to the site and dropped kerbs.

Councillor Miles proposed a motion to accept officers' advice; this was seconded by Councillor Binns.

Members debated the application and when put to the vote there were 10 votes in favour of granting planning permission and 1 abstention.

RESOLVED To GRANT planning permission for application S.18/0563/FUL subject to the terms and conditions recommended by The Senior Planning Officer.

DC.040 LAND ADJACENT TO 40 AND 41, BRIMLEY, LEONARD STANLEY.
(S.18/1009/FUL)

The Senior Planning Officer presented this item which is on council owned land. The proposal would replace the existing garage blocks with 3 bungalows and associated parking, plus an extra five parking spaces.

Councillor Lydon spoke as Ward Member on behalf of himself and Councillor Studdert-Kennedy and took no part in the questions, debate or voting. His concern was where the extra parking spaces were located and whether a different layout could be considered.

Councillor Marjoram proposed a motion to defer this application to consider a different layout. This was not seconded and officers explained that moving the extra car parking spaces would be very difficult.

Councillor Jones proposed a motion to accept officers' advice; this was seconded by Councillor Cooper.

Members debated the application and when put to the vote there were 8 votes in favour, of granting planning permission, 1 vote against and 2 abstentions.

RESOLVED To PERMIT application S.18/1009/FUL subject to the terms and conditions recommended by the Senior Planning Officer.

DC.041 LAND TO THE REAR OF 33 AND 34, THE DAFFODILS, KINGS
STANLEY (S.18/1011/FUL)

The Senior Planning Officer presented this application which was for two single storey residential dwellings with parking and landscaping on council owned land.

Councillor Lydon spoke as Ward Member on behalf of himself and Councillor Studdert-Kennedy and took no part in the questions, debate or voting. The concern was in relation to the play area, parking, access and location of houses.

Laurie Hall, Chair of Kings Stanley Parish Council spoke in relation to parking, access to the site and the gardens.

Councillor Jones proposed a motion to accept officers' advice. This was seconded by Councillor Binns.

Members debated the application and although concern was expressed over the access it was considered that this was insufficient to warrant a refusal of permission.

On being put to the vote there were 7 votes in favour, 1 against and 3 abstentions.

RESOLVED To PERMIT application S.18/1011/FUL subject to the terms and conditions recommended by the Senior Planning Officer.

**DC.042 LAND ADJACENT NO.24, THE CLOSE, WHITMINSTER
(S.18/1678/FUL)**

The Senior Planning Officer presented this report which was for two dwellings with parking and landscaping.

The Chair read out a written statement from Councillor Davies who had concerns in relation to the design, parking and the proposal not being in keeping with the area.

Cllr John Jones, Ward Member concurred with Councillor Davies' comments and although not against the proposal, he considered that a single storey building on this site would be more in keeping with the area and the opportunity for overlooking would be minimised. He quoted policies HC1, CP14 and ES12 of Stroud District Local Plan and accepted that the application would be decided on planning grounds and policies.

Nick Peters, Parish Councillor spoke in opposition, explaining that it was out of keeping with the surrounding bungalows, overbearing, loss of daylight, road safety issues and a single storey building would be better on this site.

Member questions related to the process of a planning application on council owned land, village design statement, height of buildings, overbearing nature of the buildings, consideration of older people.

Councillor Cooper proposed a motion to defer this application for officers to look at the design and the possibility of having 1 or 2 bungalows on the site. This was seconded by Councillor Marjoram.

On being put to the vote there were 9 votes in favour, 1 against and 2 abstentions.

RESOLVED To DEFER application S.18/1678/FUL.

**DC.043 LAND ADJACENT NO.44, ELMGROVE ROAD EAST, HARDWICKE.
(S.18/1679/FUL)**

The Development Manager explained that this application was on an area of grassland owned by the Council for an apartment block of 2 storeys with private amenity space.

There were no public speakers for this item.

Councillor Jones raised concerns with parking and highways issues.

Councillor Baxendale proposed a motion to accept officers' advice; this was seconded by Councillor Jones.

On being put to the vote there were 10 votes in favour of granting planning permission and 2 abstentions.

RESOLVED To GRANT planning permission for application S.18/1679/FUL subject to the terms and conditions recommended by the Development Manager.

**DC.044 DUDBRIDGE INDUSTRIAL ESTATE, DUDBRIDGE ROAD, STROUD.
(S.18/2270/DISCON)**

The Team Manager presented this item which was for a discharge of condition 21 from permission S.17/1987/OUT which had been granted for the supermarket and housing in May 2018. The officer explained that a design code had unusually been applied to this important site in a conservation area. An informative had been put on the decision notice in relation to Bats Licence from Natural England.

Councillor Miles spoke on behalf of Cainscross Parish Council. They are happy with the design, but are particularly keen that the industrial and urban feel is not watered down. There were concerns about traffic backing up to Sainsbury's Roundabout. She reiterated that she did not take part in the debate at the parish council meeting and is not on their planning committee.

There were no public speakers for this item.

Questions from Members related to commencement of work on the site, which was explained would probably be towards the end of 2019; bat conservation and licences from Natural England; energy conservation and efficiency; shared space and road calming; play area and equipment; protection of the industrial heritage; the maintenance of the swale. The officer explained that paragraph 130 of the revised NPPF advises local authorities of schemes 'being watered down'.

Councillor Cooper proposed a motion to accept officers' advice; this was seconded by Councillor Tomblin.

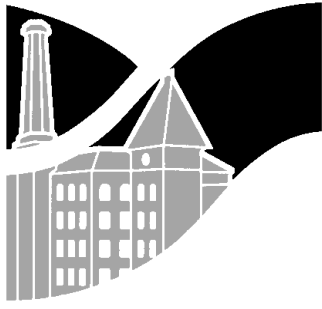
Councillor Jones thanked the officers for their work on this application and when developed and built it would be a 'credit to their work'.

On being put to the vote there were 11 votes in favour and 1 against.

RESOLVED To PERMIT application S.18/2270/DISCON.

The meeting closed at 5.45 pm.

Chair



Stroud District Council

Planning Schedule

8th January 2019

In cases where a Site Inspection has taken place, this is because Members felt they would be better informed to make a decision on the application at the next Committee. Accordingly the view expressed by the Site Panel is a factor to be taken into consideration on the application and a final decision is only made after Members have fully debated the issues arising.

DEVELOPMENT CONTROL COMMITTEE

Procedure for Public Speaking

The Council have agreed to introduce public speaking at meetings of the Development Control Committee.

Public speaking is only permitted on those items contained within the schedule of applications. It is not permitted on any other items on the Agenda. The purpose of public speaking is to emphasise comments and evidence already submitted through the planning system. Speakers should refrain from bringing photographs or other documents as it is not an opportunity to introduce new evidence.

The Chair will ask for those wishing to speak to identify themselves by name at the beginning of proceedings. There are four available slots for each schedule item:-

Ward Councillor(s)
Town or Parish representative
Spokesperson against the scheme and
Spokesperson for the scheme.

Each slot (with the exception of Ward Councillors who are covered by the Council's Constitution) will not exceed 3 minutes in duration. If there is more than one person who wishes to speak in the same slot, they will need either to appoint a spokesperson to speak for all, or share the slot equally. Speakers should restrict their statement to issues already in the public arena. Please note that statements will be recorded and broadcast over the internet as part of the Councils webcasting of its meetings; they may also be used for subsequent proceedings such as an appeal. Names may be recorded in the Committee Minutes.

The order for each item on the schedule is

1. Introduction of item by the Chair
2. Brief update by the planning officer.
3. Public Speaking
 - a. Ward Member(s)
 - b. Parish Council
 - c. Those who oppose
 - d. Those who support
4. Member questions of officers
5. Motion
6. Debate
7. Vote

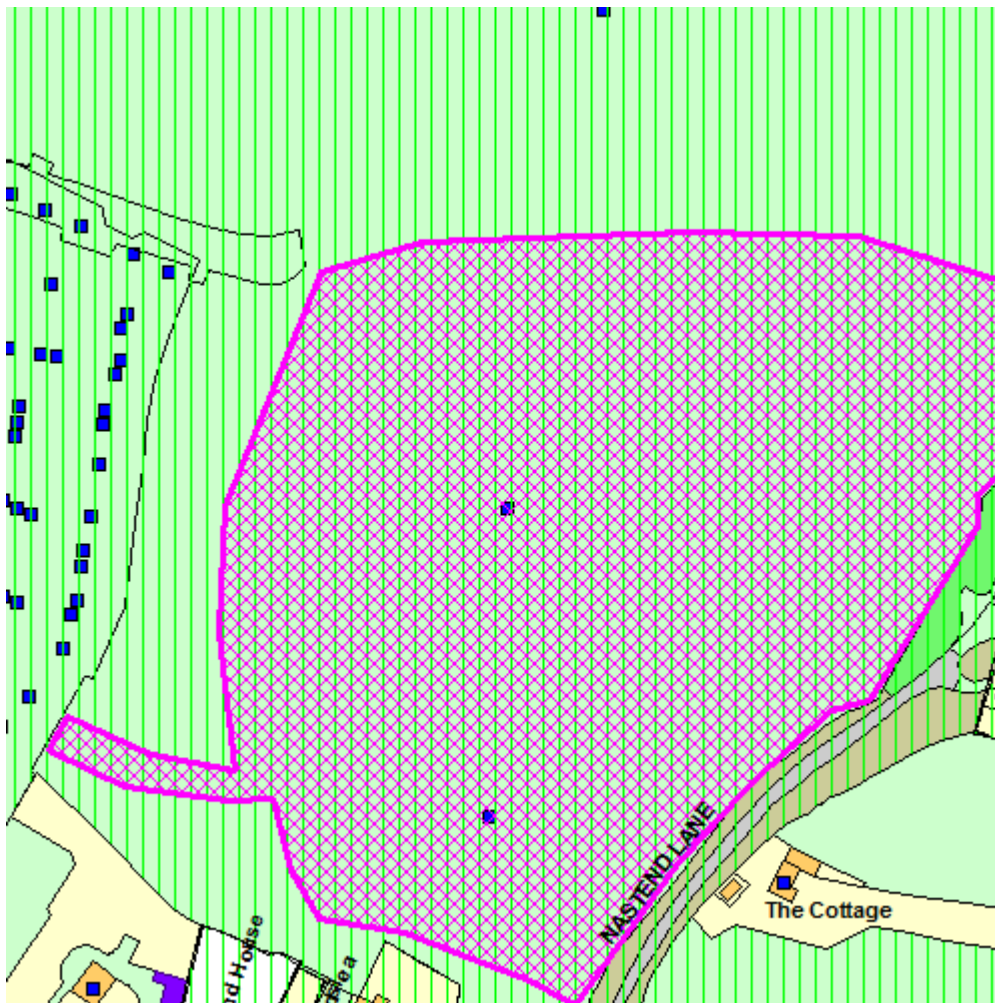
A copy of the Scheme for Public Speaking at Development Control Committee meetings is available at the meeting.

Parish	Application	Item
Eastington Parish Council	Parcel H11 & H12 Land West Of Stonehouse, Grove Lane, Westend. S.18/2326/REM - Approval of reserved matters following permission S.14/0810/OUT. Development comprising the erection of 165 dwellings and associated landscaping, access, parking and infrastructure.	01
Woodchester Parish Council	Ram Inn, High Street, South Woodchester. S.18/1039/FUL - Restaurant and kitchen extensions to the public house and erection of two dwellings (amended 03.09.2018)	02
Kings Stanley Parish Council	Land Adjacent To 58, Coldwell Lane, Kings Stanley. S.18/1094/FUL - Two residential units (Revised Plans received 07.11.2018)	03
Pitchcombe Parish Council	Old Weavers, Pitchcombe, Stroud. S.18/1797/HHOLD - Two storey extension (two storey garage removed from the proposals 5.10.2018)	04
Pitchcombe Parish Council	Old Weavers, Pitchcombe, Stroud. S.18/1798/LBC - Two storey extension (E 385074, N 208089)	05
Upton St Leonards	Land Adjacent To 59, Woodland Green, Upton St Leonards. S.18/2219/FUL - Erection of two dwellings.	06
Upton St Leonards	Land Adjacent To 26, Ash Grove, Upton St Leonards. S.18/2222/FUL - Proposed dormer bungalow.	07
Upton St Leonards	Land Adjacent To 15A, Ash Grove, Upton St Leonards. S.18/2237/FUL - Detached dwelling.	08
Cainscross Parish Council	Land Adjacent No.1, Orchard Road, Ebley. S.18/2275/FUL - Erection of a two storey residential apartment block with associated vehicle parking and landscaping.	09



Development Control Committee Schedule 08/01/2019

Item No:	01
Application No.	S.18/2326/REM
Site No.	
Site Address	Parcel H11 & H12 Land West Of Stonehouse, Grove Lane, Westend, Stonehouse
Town/Parish	Eastington Parish Council
Grid Reference	379132,206378
Application Type	Reserved Matters Application
Proposal	Approval of reserved matters following permission S.14/0810/OUT. Development comprising the erection of 165 dwellings and associated landscaping, access, parking and infrastructure.
Recommendation	Resolve to Approve
Call in Request	Request by DCC





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Applicant's Details	Redrow Homes South West Redrow House, West Point, Great Park Road, Bradley Stoke, Bristol, BS32 4QG
Agent's Details	None
Case Officer	David Lowin
Application Validated	31.10.2018
CONSULTEES	
Comments Received	Archaeology Dept (E) Eastington Parish Council Contaminated Land Officer (E) SDC Water Resources Engineer Historic England SW Highways England Arboricultural Officer (E) Stonehouse Town Council Archaeology Dept (E) Policy Implementation Officer (E) Eastington Parish Council Contaminated Land Officer (E) Severn Trent Water Ltd (E) Natural England (E) Flood Resilience Land Drainage
Constraints	Consult area Within 50m of Listed Building Neighbourhood Plan Eastington Parish Council Affecting a Public Right of Way SAC SPA 7700m buffer
OFFICER'S REPORT	

BACKGROUND

S.14/0810/OUT sought permission for 1,350 dwellings, 9.3 ha employment land, community centre uses and a primary school, in accordance with the allocation SA2 in the adopted Stroud District Local Plan (November 2015).

This was considered at DCC on 12-1-16. Members resolved to grant subject to a Section 106 agreement which was signed on 18-4-16 and the decision notice was then duly issued. The outline permission included an indicative master plan for the whole site. It also included a 'Design Strategy', which set general objectives, highlighted key characteristics of the existing site and looked at potential pitfalls. It also defined the following character areas, with



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particular characteristics, aims and constraints and included parameter plans. The application site is characterised as core housing within the area envisaged as Western Severn Vale.

A subsequent application sought permission for the discharge of condition 46 of the Outline permission under Reference S.18/1516/DISCON for areas H11 and 12. Condition 46 requires that developers of any particular phase(s) shall, prior to the submission of a reserved matter application for that phase(s), submit an area master plan broadly in accordance with the overall Master Plan for the entire area covered by S.14/0810/OUT. Application S.18 /1516/DISCON was approved by the DCC on 4th September.

The discharge of condition 46 for the two phases of this development gives a further layer of information, bridging the gap between the overall Master Plan and this reserved matters application.

THE SITE

The application site is in the centre of the land west of Stonehouse, now called Great Oldbury. The main estate spine road is to the North, with Nastend to the South, separated by approximately 40m wide landscape buffer and an area of public open space. To the East is a complex of farm buildings and farmhouse together with an area of open space including a SUDS pond.

There is an open space and bridleway to the west beyond which are the permitted parcels H10 and H9. To the east is another open space.

The whole of the application site is situated within Eastington Parish.

THE PROPOSAL

Detailed layout, elevation design and landscaping for the erection of 165 dwellings, with associated infrastructure, parking, landscaping including some 24 affordable dwellings for rent and 25 intermediate shared ownership homes; some 29.6% of the total dwellings for the two phases.

At the time of writing the revised layout is out for re-consultation.

CONSULTATIONS

Statutory Consultees:

Highway Authority. Awaited at time of Officer Report.

Highways England: No Objection

SDC Water Engineer: No objection

Public Rights of way Officer: None Received

SDC Contaminated Land Officer: No comments.



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County Archaeologist.: No objection, recording condition not required.

SDC Senior Arboriculture Officer: No objection

Natural England: Consultation response awaited at time of report preparation.

Historic England: (commenting on the original submission, which has now been amended).

At the Outline application stage we identified that the proposed development had potential to impact upon the setting of Nastend House and to a lesser extent, the Church of St Michaels and Angels, depending upon the nature and layout of the development. Both heritage assets are designated as grade II*, and as such are in the top 8% of listed buildings. Therefore, greater weight should be given to their conservation. The National Planning Policy Framework (NPPF) defines 'conservation' as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'.

The site is also to the north of the Stroud Industrial Heritage Conservation Area, designated in 1987. We previously advised that whilst the wider setting of the conservation area would be visually intruded upon, its core character and setting would be maintained. Overall, we identified that the principle of development, as proposed by the Outline application, would result in harm to the setting of Nastend House and that the degree of harm would be less than substantial.

The Reserved Matters application for the site provides some additional detail on the specific impacts of the development upon the setting of heritage assets. However, the supporting Compliance and Design Statement does not mention impacts upon the historic environment and how they are to be mitigated.

The buffer between the application site and the north side of Nastend House is identified as public open space with a proposed new footpath, as part of a wider green infrastructure plan. This has potential to provide a degree of mitigation from the harmful impact upon the setting of the Grade II* building. It is uncertain to whether the existing planting along the southern boundary lies within the ownership and management of properties on Grange Drive. If this is indeed the case, the long term effectiveness of this screening cannot be relied upon. The proposed landscape plan for the northern fringe of the public open space includes only sporadic planting with no meaningful screening. This is of concern to us and we therefore advise that the landscaping proposals include a long-term solution for screening the development from the immediate setting of Nastend House.

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses". When considering the current proposals, in line with Para 189 of the NPPF, the significance of the asset's setting requires consideration. Para 193 states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the



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greater the weight should be. Para 194 goes on to say that clear and convincing justification is needed if there is loss or harm.

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189, 193 and 194 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Housing Policy Implementation; (comments on an earlier not final revision): Concern relating to clustering of affordable units.

Eastington Parish Council (Comments on original scheme): The social rented properties are easily visible as a result of the banks of car parking outside them. A cluster of 16 at one point although only 7 are affordable rented.

The masterplan indicated a landscaped street running northwest to south east through the site and a central set of four corner turning units central to the site which would have aided sense of direction This central feature is lost in normal and varied housing types and this doesn't mark the T junction as a focal point. The proposal shows little difference between this and the other street corners and the few trees and landscaping areas on the landscaped street are shown amongst banks of car parking on one side of the road. The banks of car parking outside the affordable housing draw attention to their location and detract from the landscaped street.

The continuation of the landscaped street is diluted by a relatively narrow path and could be improved by widening the southern leg of the northwest to south east travel route. Further, if the hoggin path is retained it is suggested that the two houses facing north onto it (259 and 315) are transposed to the other side of the path to gain southern sun to the houses. If this occurred the hoggin path could, at least, link more directly to the side of the secondary street with more landscaping and less car parking spaces.

Query if plots 261 to 268 are in the ideal place given the requirement for them to be in a landscaped street and desire to have corner turning units.

Stonehouse Town Council: Comment:

Concern about diversion of footpaths on to roads. Need for a dedicated cycle route into Stonehouse. Need for gaps at the bottom of fences to help movement of wildlife.

One public objection:

Minimal space between the new houses and the Nastend Court paddock. Does not constitute a buffer zone.



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NATIONAL AND LOCAL PLANNING POLICIES

The National Planning Policy Framework.2 of July 2018 has extensive references to design in section 12, and lays emphasis on delivering a sufficient supply of homes (section 5).

:<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66(1). Impact on Listed Building.

Section 72(1). Impact on Conservation Area.

Stroud District Local Plan.

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 as relevant for this application include:

CP1 Presumption in favour of sustainable development

CP2 allocates the site for development.

CP4 Place Making: Requires development to integrate into the neighbourhood, create/enhance sense of place. Create safe streets and homes

CP5 Principles for strategic sites: Appropriate density, low impact, accessibility by bus, layout, parking, landscaping and community facilities, use of a design code/framework, sustainability.

SA2. Site allocation: Accessible green space, structural landscaping buffer around Nastend and to the east of Nupend incorporating existing hedgerows and trees, management of open space for biodiversity, use of SUDs, connectivity to adjacent areas, primary access off Chipmans Platt, traffic calming, bus provision.

CP7 Lifetime Communities: Promotion of accessibility. Lifetime accommodation.

CP8 New Housing Development: Range of house types. Appropriate density, layouts to promote cycling/walking, parking appropriate, sustainable principles.

EI12. Promoting transport choice and accessibility. Connectivity for walking, cycling and access to public transport.

CP14. High quality sustainable development: Sustainable design, no increase to flooding, appropriate design respecting surroundings, including topography, built environment and heritage, protection of amenity, sense of pace, crime prevention, use of street scenes, master plans, development briefs design concept/codes.

ES1 Sustainable Construction and Design: Promotes energy efficiency.



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ES7 Landscape Character: Protection of distinct landscape types, respect setting of the AONB, location, materials and scale are sympathetic. Natural features retained.

ES8 Trees, hedgerows and woodlands: Retention or adequate replacement of trees.

ES12 Better Design of Places: Social integration, high quality places, well planned legible routes, integrated uses, safe spaces, secure private areas. Need for thorough site appraisal, use of design statements/code.

ES14 Public Art: Promotes publically accessible features.

SDC Residential Design Guide:

This covers many design aspects, from form, style, detailing, materials to landscaping and amenity.

SDC Landscape Assessment:

Defines and highlights the various landscapes in the District. It highlights settlement character as well as vegetation.

Eastington Parish NDP was adopted in October 2016.

This highlights the importance of the landscape around the hamlets and bridleways and footpaths within the overall site.

Eastington Neighbourhood Development Plan:

Does not have any specific policies for this site but there are some general policies. EP1 Sustainable development, EP2 Protect and enhance biodiversity and the natural environment, EP7 Siting and Design of new development, EP10 Traffic and Transport, EP11 Public Rights of Way and Wildlife corridors.

Residential Design Guide SPG (2000)

Stroud District Landscape Assessment SPG (2000)

IHCA Conservation Area Management Proposals SPD (2008)

The application has a number of considerations which cover the details of the proposed scheme which will be considered in turn below:

DESIGN AND APPEARANCE

Background Guidance/policy

Local Plan policies as set out above, in particular those contained in Policy SA2.

Parameter plans and overall and indicative master plan as revealed by S.14/0810/OUT.

Eastington Neighbourhood plan as set out above.

NPPF as set out above.

It is considered by Officers that the design of dwellings and layout satisfy the policy requirements to provide distinctive sustainable place making and satisfies the requirements of the identified relevant policies.



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Consideration of Key aspects

The very deep and broad nature of both these parcels has meant that the detailed design has been challenging. To break up expansive development and create character is also difficult when faced with the demands of road widths, turning and parking provision. In this respect the original master plan has been a design constraint.

This application originally showed considerable parking directly on the frontages which would have dominated the streetscenes. This has been redesigned.

The latest revisions show houses informally facing the open spaces in wavy, loosely knit orientation to create soft edges. Parking would not be prominent. Using a slightly lower density, gives scope for tree planting, (field maple and birch are suggested), with the perception to bringing some of the open space character into the development. The formal straight edges, prevalent in many housing developments elsewhere, has been avoided.

The centre of the site has frontages following the sweeping course of the road, emphasised by tree planting with sufficient space to flourish.

The northern edge of the site adjoins the spine road. This too uses lime trees, in verges, to emulate this consistent character feature of other parcels.

There are two cul-de-sacs which are quite high density but these are away from everyday public viewpoints.

The affordable housing clustering here has been challenging. However, in the latest revisions no more than 8 houses are now collectively on the same frontage. This is felt to comply with the Council's policy.

The layout is now consistent with the Area Master Plan that was approved by DCC in September 2018.

The elevations are simple and unfussy. They are more formal along the road avenues, with some using a 1920s design concept. The designs are more informal by the open spaces, based on the Severn Vale vernacular.

Materials similarly vary, with some render facing the open space and two shades of multi stock red brick elsewhere. Brown and grey roof tiles would compliment the walling.

Close boarded fences have been avoided in public views, with some hedges by the open spaces and brick walls.

The houses would be two storey with some flats over garages.

RESIDENTIAL AMENITY

Existing residents at Nastend would be segregated by extensive open space and consequently would not be affected. Similarly residents on the adjacent parcels of wider scheme are unaffected.



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Each dwelling would have a garden. New residents would not suffer from any overbearing or shadowing. Reasonable privacy has been designed.

Noise and air quality are satisfactory.

The layout and boundary treatment provide distinction between public and private open space to help privacy and security.

The outline permission has (CEMP) conditions to protect amenity during construction.

HIGHWAYS/MOVEMENT

Comments are awaited but Officers do not expect the Highway Authority to have objections, particularly as the roads follow the approved area master plan.

416 parking spaces are provided, typically 2-3/dwelling.

The master plan on the outline approval shows footpath/cycling across the wider site and this parcel. This was also considered in the area master plan for these parcels when connectivity was further improved. This is reflected in the current proposal. It is not only possible to move in all four directions but often at several points.

LANDSCAPE IMPACT

The southern edge of parcel H12 faces an area of considerable informal open space which provides a robust buffer area to the northern edge of Nastend. The existing bridleway from Nastend is being retained and within an open space corridor. The pattern of development, open space and landscaping follows that agreed in the area master plan, with particular attention to the landscape buffer to Nastend.

On the western side of the development, outside the area edged red, there is a new footpath through the open space with pedestrian access into this housing area.

The scheme generally accords with the approved area master plan in these respects.

The open spaces and new planting break up and soften the development from elevated views from Doverow Hill and Maiden Hill in particular. The layout has also varied juxtapositions. Consequently the detailed design respects views from the nearby AONB. There is also some opportunity for views from the proposed layout towards the escarpment.

PUBLIC OPEN SPACE

The areas of public open space adjoining the site are not within the site's red line, nevertheless the areas for public open space are in general accordance with the area master plan for these housing areas approved by DCC in September 2018.

ECOLOGY

Detailed surveys were done at the outline stage. This particular application site is part of a large intensively farmed agricultural field. There is little vegetation and ecological value, apart from some hedging along the eastern boundary, which is being retained.



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The open spaces around the development site provide new grassland and indigenous tree/shrub planting. These connect with large spaces to allow the movement of wildlife across the wider development linking to the surrounding countryside. This is also assisted by the tree planting within the verges/gardens.

Consequently the proposal will provide more habitat and foraging to enhance biodiversity.

Conditions on the original outline consent require appropriate ecological management during and after construction.

HYDROLOGY

This was considered at the outline stage, involving surface water attenuation and cleaning by ditches and ponds on the site. The detailed design here does accords with the principles. The Lead Drainage Authority is content.

LISTED BUILDINGS AND HERITAGE AND CONSERVATION AREA IMPACTS

The Planning (Listed Buildings and Conservation) Act 1990 is of significance, in particular Section 66 requires: 'special regard to the desirability of preserving the building or its setting or any special architectural merit'. Section 72 of the aforementioned Act requires that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area or historic interest which it possesses'.

Paragraph 196 of the NPPF states ;'Where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum use'

Various High Court cases have explored the interpretation of law with respect to these matters, such that heritage considerations are capable of overriding the normal presumption in favour of the development of sites that are in material compliance with adopted local plan policy.

The need to give 'special regard ' was highlighted in the Barnwell manor case where the Court of appeal considered that the Inspector who determined the original appeal had failed to give special regard to the setting of a listed building and the original decision was quashed.

Local Plan Policy ES10 'valuing our historic environment and assets Proposals involving a historic asserts need to describe the assets, its significance, its setting and asses 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".

The October 2011 publication by English Heritage on the "Setting of Historic Assets", was very influential and helpful in explaining what constituted setting. This has now been updated



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by the Historic Environment Good Practice Note 3 by Historic England which provides guidance on setting. Both explain that whilst a visual connection may be important, there can be other aspects that form the basis of setting, for example historical connection, landscape, or even perception. These different aspects may overlap or even be distinctly different. They will not only vary in terms of geographical area but may also vary in terms of sensitivity to change. Different assets which may even be beside each other may well have different settings and different sensitivities to change.

Even a visual connection can be underestimation as sometimes a sequence of views is more telling rather than specific viewpoints. Some assets may also be below ground archaeological remains. There is no fixed permanent boundary to the setting of heritage assets. Sometimes a setting can be close or more distant.

The recommended approach is to analyse the significance of the asset and its setting, consider the capacity for change, and consider the various impacts (positive and negative) of the specific proposal, whether the impacts can be mitigated and the permanence of the impacts.

Nastend Farmhouse, is a grade 2 listed, This was historically a farm group, which cultivated parts of the West of Stonehouse development. However such a relationship with the surroundings has been changed by the growth of Stroudwater and the outline permission. The master plan shows some open space around it. Consequently this proposal would not impair the setting of the buildings.

Nastend house is particularly notable, being an elegant grade 2* stone house, with partial timber frame. This dates back to 16/17th century. The listed building description notes the various distinctive windows. It was built by a renowned clothier.

Adjacent is Somerlea, a grade 2 listed small house, which was originally several cottages, used by hand loom weavers. Much of it dates back to late 16th century.

Also adjacent is the grade 2 listed Barn at Nastend End Court, so named for its historic association. This is stone built, mid 18th century.

All these three listed buildings are segregated from the new housing by open space and landscaping. There is also no overriding historic association. They are effectively read as part of Nastend hamlet rather than the new development and are therefore protected by the proposed buffer. This structural landscape buffer was part of the original Policy SA2 of the adopted Local plan housing allocation of land west of Stonehouse, and was repeated in the overall outline consent and its constituent Master Plan and most recently within the approval granted in September 2018 discharging the Area Master Plan submitted to satisfy condition 46 of the original Outline approval.

Oldbury House, the Georgian grade 2, with distinctive sash windows and ionic columned porch is to the west. This is well away from the new housing and not affected.



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The Industrial Heritage Conservation Area (IHCA) is based around the canal corridor. This is well over a mile to the south and is segregated by the extensive Stroudwater Industrial Estate and similarly employment development at Bonds Mill, with the A419 forming another barrier together with the 3 areas of open land South of Nastend. There is no overly significant historic or cultural relationship with the site. Consequently the proposal would not affect the IHCA.

There are non designated historic assets in Nastend. The 1839 tithe map shows 10 houses recorded. However these are similarly distanced to the specifically listed houses detailed above so as not to be impaired by the new development.

Archaeological matters were considered at the outline stage and not found to be particularly significant as confirmed by the County archaeologist.

Consequently the proposal causes less than substantial harm to the various heritage assets which is outweighed by the benefits of the development not least its status as an allocated residential site in an up to date adopted local plan, consistent with the principles established in the granting of the overall outline consent and also consistent with the area master plan recently approved by DCC in 2018. The development also provides the public benefit of affordable housing.

REVIEW OF CONSULTATION RESPONSES

The various revisions have been made, in response to Officers concerns, as well as comments from the Parish Councils, Historic England and the Housing Policy Implementation Officer. The public comment has also been considered.

RECOMMENDATION

Resolve to grant subject to no objections from County Highways and also to await comments from the Parish Councils on revised plans.

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.



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Subject to the following conditions:

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

Reason:

In the interests of proper planning.

2. The development hereby permitted shall not be brought into use until details of a scheme of hard and soft landscaping for the site have been submitted to and approved by the Local Planning Authority. Development shall then be carried out in strict accordance with the approved details.

All painting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first complete planting and seeding seasons following the occupation of the buildings, or the completion of the development to which it relates, whichever is the sooner. Any trees or plants which, within a period of five years from the completion of the development, die, or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of the visual amenities of the area.

3. All planting, seeding or turfing comprised in the approval details of landscaping shall be carried out in the first complete planting and seeding seasons following the occupation of the buildings, or the completion of the development to which it relates, whichever is sooner. Any trees or plants which, within a period of five years from the completion of the development, die, or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of the visual amenities of the area.

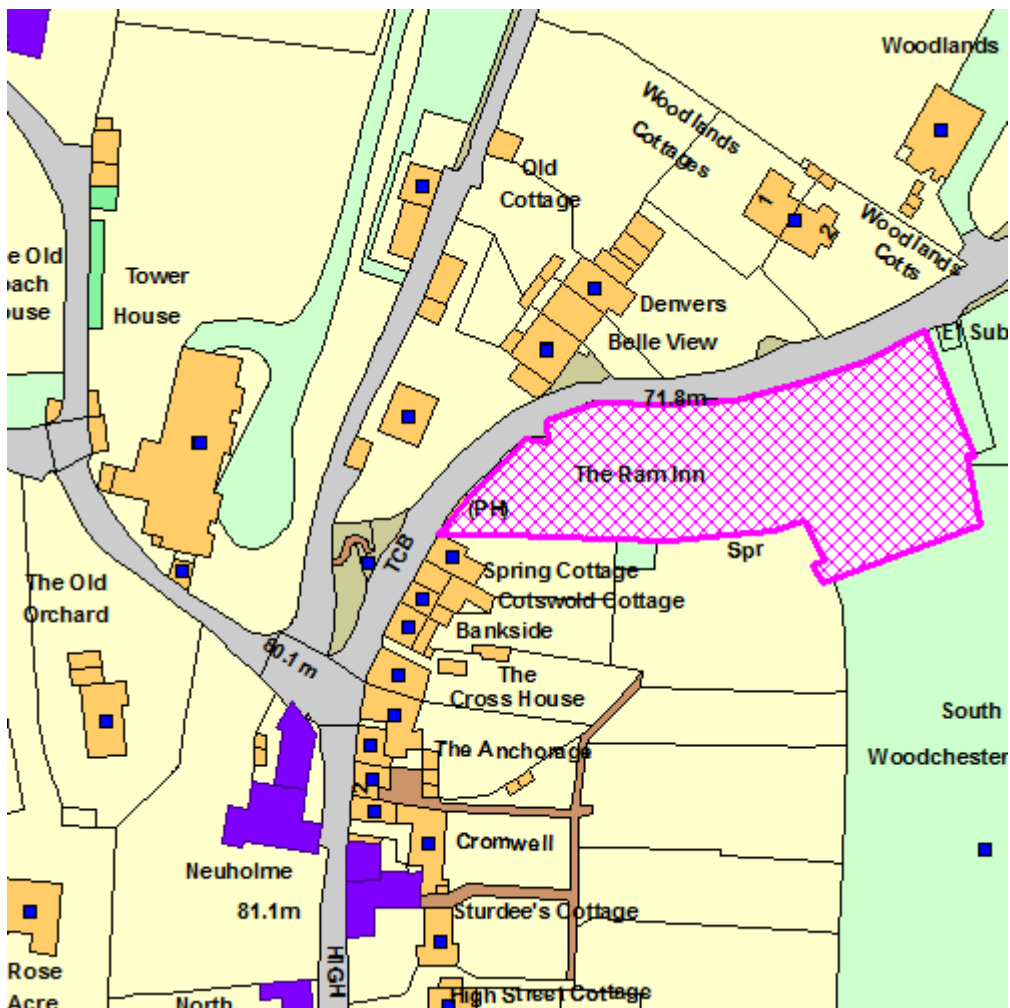
Informatives:

1. Your attention is drawn S.14/0810/OUT which has conditions applicable to these parcels. These need to be discharged. They include the protection of amenity, ecology and landscape during construction.



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Item No:	02
Application No.	S.18/1039/FUL
Site No.	PP-06957516
Site Address	Ram Inn, High Street, South Woodchester, Stroud
Town/Parish	Woodchester Parish Council
Grid Reference	383948,202186
Application Type	Full Planning Application
Proposal	Restaurant and kitchen extensions to the public house and erection of two dwellings (amended 03.09.2018)
Recommendation	Permission
Call in Request	Woodchester Parish Council





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Applicant's Details	MACSEYCO Limited C/O AC Planning Solutions Ltd, 12 Marling Crescent, Stroud, Gloucestershire, GL5 4LB
Agent's Details	AC Planning Solutions Ltd 12 Marling Crescent, Stroud, GL5 4LB, United Kingdom,
Case Officer	Ceri Porter
Application Validated	16.05.2018
CONSULTEES	
Comments Received	Woodchester Parish Council Development Coordination (E) SDC Water Resources Engineer Contaminated Land Officer (E)
Constraints	Affecting the Setting of a Cons Area Area of Outstanding Natural Beauty Consult area Conservation Area Within 50m of Listed Building Woodchester Parish Council Rodborough 3km core catchment zone Settlement Boundaries (LP) Village Design Statement
OFFICER'S REPORT	

MAIN ISSUES

- * Principle of development
- * Design and appearance
- * Residential Amenity
- * Noise
- * Highways
- * Landscape impact
- * Affordable Housing
- * Ecology/Trees
- * Archaeology and Heritage Assets
- * Obligations



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DESCRIPTION OF SITE

The application site is located to the south of High Street in South Woodchester.

The site rises from east to west with the stone pub building sitting directly on the western boundary. There are two levels of car parking that are connected by a pedestrian stepped link.

The site is located within the settlement boundary of South Woodchester, within the Conservation Area and the Cotswolds Area of Outstanding Natural Beauty (AONB).

PROPOSAL

Planning permission is sought for two elements:

1. The construction of extensions to the pub to the north and east elevations. To the north, an existing mono-pitch element is proposed to be widened and a gable roof added that will allow the creation of an improved kitchen, store and preparation areas by moving the main kitchen into a current dining area. To compensate for the loss of dining area, a new extension is then proposed on the eastern boundary. This would be a gable roof, stepping down slightly from the main building with full height glazing to the north and east elevations.
2. A pair of semi-detached houses is proposed at the eastern boundary of the car park. It was initially proposed to construct 2 dwellings plus a cafe with manager's accommodation over. Following negotiation and consultee comments, the proposal has been revised to remove the cafe and flat above.

REVISED DETAILS

The scheme has been revised to remove the cafe and manager accommodation unit from the proposal and the car parking area reorganised.

MATERIALS

Roof: Plain concrete tiles

Walls: Natural stone, render and glazing

REPRESENTATIONS

Statutory Consultees:

Environmental Protection Manager – recommends conditions re scheme for control of smells/fumes etc

Biodiversity Officer - No objection, the parts of the building that will be altered are considered modern extensions and as such it is not considered that they offer suitable roosting habitat for bats.

Contaminated Land – No comments

Planning Strategy Officer – No objection



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GCC Highway Authority – No objection subject to conditions

Woodchester Parish Council – Object

- * Parking – no allowance for staff/owner/residential accommodation above the pub. Spillage of parking into surrounding lanes will be dangerous. Parking bays should be marked out if approved.
- * AONB – additional floorspace with restricted parking will have an adverse effect on the environment.
- * Housing – There is a demand for affordable housing in Woodchester. The location of the houses is not suited for family accommodation. Smaller units would be more suitable.
- * Pedestrian access through site should have low level lighting.
- * An acceptable planting scheme to soften gabion walling to maintain the screen of trees should be agreed
- * A planning obligation should be negotiated to ensure the applicant uses the money from the houses for the pub is required.

Public:

13 objections received. The comments are available in full via the website and are summarised as follows:

- * Loss of community asset
- * Loss of car parking spaces – halving the number.
- * Parking numbers shown are erroneous – at least 35 spaces not 25
- * Overspill parking on the road will limit emergency service access potentially
- * Additional dining room space would equate to more parking – approximately 90 seats inside pub already excluding external seating
- * Contrary to policy ES3
- * Pub has been rundown with no food and limited opening times
- * Separate coffee shop unnecessary
- * If a freehold attractive country pub with views, outside seating and parking cannot succeed then no pub in the country would succeed
- * Why does a cafe need a manager flat above?
- * Cafe could become a shop under permitted development and undermine existing village shop
- * Odour from kitchen extraction may be a problem
- * Noise smoking of people outside coffee shop would affect residents
- * Land could be structurally unstable

Following re-consultation on revised scheme;

1 letter of support – proposal will help secure future of the pub

2 objections received and summarised as follows:

- * need for housing to finance the scheme is illogical
- * Parking issues,
- * Land stability issue



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* No food, pub looks closed

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view

at:<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72(1).

Stroud District Local Plan.

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.

CP3 – Settlement Hierarchy.

CP4 – Place Making.

CP8 – New housing development.

CP9 – Affordable housing.

CP12 – Town centres & retailing

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

EI6 – Protecting individual and village shops, public houses and other community uses.

EI12 – Promoting transport choice and accessibility.

ES1 – Sustainable construction and design

ES3 – Maintaining quality of life within our environmental limits.

ES6 – Providing for biodiversity and geodiversity.

ES7 – Landscape character.

ES8 – Trees, hedgerows and woodlands.

ES10 – Valuing our historic environment and assets.

The proposal should also be considered against the guidance laid out in the Residential Design Guide SPG (2000), Stroud District Landscape Assessment SPG (2000), Planning Obligations SPD (2017) and IHCA Conservation Area Management Proposals SPD (2008).

Woodchester Village Design Statement Supplementary Planning Advice

PRINCIPLE OF DEVELOPMENT

The Local Plan has been adopted and full weight should be given to its contents, in accordance with paragraphs 12 and 15 of the NPPF. There is a presumption in favour of sustainable development as applied locally through the policies contained within the Local Plan. Consequently, decision makers should approve proposals that accord with the Local Plan without delay, but should refuse proposed development that conflicts with the Local Plan, unless material considerations indicate otherwise.



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The principles of ensuring the vitality of villages and conserving and enhancing the historic environment are supported by national and local planning policy. Guiding principles 4, 5, 6 and 9 (Page 44) of the Stroud District Local Plan seek to cater for local needs, use brownfield, conserve and enhance the Valleys' heritage assets and secure high quality, distinctive design, in keeping with local character, within Conservation Areas.

Core Policy CP12 of the Stroud District Local Plan seeks to maintain and enhance the vitality and viability of town centres. The proposal is for the expansion and continued use of the local public house in a lower tier settlement. The proposal, located within settlement development limits, is considered to be of a scale and nature appropriate to the size and function of this settlement. It would help maintain a village centre use and as such would be supported by Core Policy CP12 and the guiding principles for the locality.

As the site is located within the identified settlement limits of South Woodchester, the principle of new housing in this location is acceptable subject to meeting the criteria of Policy HC1 (small scale housing needs within defined settlements) and all other material considerations.

DESIGN AND APPEARANCE

The dining extension to the pub is a simple gable addition, set at a slightly lower level with full length glazing to the north (courtyard) elevation and south (car park) elevation. The extension to the store on the northern side of the pub would result in the current mono-pitch roof building being made wider and the roof being replaced with a gable.

Given the scale and design, it is considered that the proposed extensions to the pub are in-keeping with the main building and would be completed in materials to match existing.

The proposed dwellings are simple in design finished in natural stone with stone lintels and canopy porches. Careful choice of materials and detailing would ensure the houses do not look out of place.

The application site is located within the built form of South Woodchester therefore whilst within the AONB there would be little impact upon the overall wider setting of the natural and scenic beauty of the landscape.

RESIDENTIAL AMENITY

The proposed dwellings would be approximately 25m from Woodlands Cottages, the nearest neighbouring properties, that are located on the opposite side of High Street and set at an angle to the site and a much higher level than the application site.

Given the above, it is considered that the development would not result in an overbearing effect or cause a loss of light to neighbouring occupiers. The proposed new dwellings will not result in any unacceptable overlooking due to changes in level. The proposal is therefore considered to comply with policies ES3 and CP14(7) of the SDLP.



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In respect of odours/noise, following discussion and revisions to the proposal our Environmental Protection Officer is happy for ventilation and extraction details to be submitted prior to being brought into use.

HIGHWAYS

Many concerns from residents and the Parish Council have been received in respect of loss of parking. Clearly the area of car parking would be reduced by the construction of the 2 proposed houses and there is also proposed to be an increase in floor area to the public house; however, the parking requirements of the adopted SDLP is 1 space per 5sqm of public area and the proposal provides 28 spaces for the pub (that would have a proposed public area of 79.5 sqm). At this ratio it means the pub would need to provide a minimum of 16 spaces and the proposal therefore has 12 more spaces than is necessary to meet SDLP car parking standards. 2 spaces are also proposed for each dwelling in accordance with SDLP parking standards.

The proposal has been amended following initial concerns and provides a pedestrian link from the upper level to the lower level within the site.

Although the site has two existing accesses, the eastern access will be moved approximately 9m to the west. This coupled with intensification of use of the site warranted the completion of a traffic survey.

The submitted speed survey recorded the 85th percentile of wet weather vehicle speeds to be 13mph eastbound and 16.7mph westbound. The required visibility splays for vehicles travelling at these speeds are 12.5m to west of the access and 17.6m to the east. The submitted layout plan no 1455/02 Rev F demonstrates visibility splays of 2.5m x 45m to the east and 32.8m to the west which are more than adequate to accommodate the increase in use of the eastern access. Conditions are recommended in respect of completion of the access and parking areas prior to occupation of the new development.

Given the above, the proposal is considered to be fully policy compliant in respect of highway matters.

AFFORDABLE HOUSING

Adopted Local Plan policy CP9 specifies that small scale residential schemes (1 -3 dwellings) for should pay a contribution to affordable housing of at least 20% of the total development value (where viable). Given that this policy has now been tested and it has been shown that the majority of these very small sites have been unable to support a payment towards affordable housing, the Council will only be pursuing an affordable contribution in respect of sites less than 4 units where the combined floor area of the units exceeds 1000m².

In light of this, whilst the comments of the Parish Council regarding affordable housing are noted, as a small site within a settlement boundary there is no policy mechanism to secure this.



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ECOLOGY/TREES

Having reviewed the proposal the Senior Biodiversity Officer is satisfied that the parts of the building to be altered are not considered suitable for roosting bats and therefore raises no objection to the proposal.

The application would involve the removal of the Cypress hedge on the eastern and southern boundary. It should be noted that the hedge could be removed at any point by the owner of the land because hedges are not protected under Section 211 of the Town and Country Planning Act 1990 (Trees in Conservation Areas). In addition, the hedge does not meet the criteria set out in the 1997 Hedgerow Regulations. The only constraint to removing the hedge would be the Wildlife and Countryside Act 1981 (as amended) and provided the work was undertaken outside of the nesting season, no offence would be committed.

The north-east corner of the land contains a multi-stemmed ash tree. The tree overhangs the highway and the adjacent sub-station. The crown of the tree has started to go into decline and branches have fallen into the highway and car park. The Senior Tree Officer has categorised the tree as 'C' in line with the cascade chart for tree quality contained within BS 5837: 2012. This is for trees of low quality with an estimated remaining life expectancy of at least 10 years. Given this assessment there is no objection to the proposal.

The site is located within the 3km of the Rodborough Common SAC site where Stroud District Council has adopted an interim strategy. Each new dwelling is required to pay £200 per dwelling to contribute to projects that relieve the recreational pressure on the designated site. This has been secured through a S106 Unilateral Undertaking.

ARCHAEOLOGY & HERITAGE ASSETS

The site is situated in the South Woodchester Conservation Area. It has to be remembered that the built environment derives its character as much from the spaces between and around the buildings as it does from the buildings themselves.

The proposed extension of the public house, landscaping of the car parks and erection of two dwellings will have little impact on the character of the existing building and will not cause it any harm.

There is existing car parking on the site and the landscaping of this will not be detrimental to the appearance of the areas.

The erection of two semi-detached houses to the bottom of the site would introduce new built form to an otherwise open space. It would also result in the loss of some trees. However, part of the character of the built form within the immediate vicinity is that of houses in spacious plots set some distance from each other. As such, whilst the new buildings would contrast from the existing appearance of the site, they would conform to the established pattern of development. Careful choice of materials and detailing would ensure the houses do not look out of place.



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Paragraph 196 of the Framework states that any less than substantial harm should be weighed against the public benefits of the proposal. There would be some public benefit from these proposals both in the investment and improvement of a community facility and the provision of two new homes. The proposals are therefore considered to comply with paragraph 196 of the NPPF.

This would comply with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, paragraphs 89 - 202 of the NPPF (The Framework); and Policy HC1 of the Stroud District Local Plan.

OBLIGATIONS

The Council has implemented a Community Infrastructure Levy (CIL). A completed CIL additional questions form has been submitted with the application.

A unilateral undertaking in respect of the £400 Rodborough Common SAC mitigation strategy is necessary.

REVIEW OF CONSULTATION RESPONSES

The concerns raised regarding the condition and trading of the pub are noted however the proposal does not seek to close the pub but rather improve the facilities. It is understood that the pub has been registered as an Asset of Community Value therefore should there be any change to circumstances the community have the ability to influence its future.

The Parish Council have requested that a legal agreement be negotiated to make sure the proceeds of the housing are used for the improvements to the pub. The submitted statement does justify the housing as providing finance for the pub works however this is misleading as the proposal is not 'enabling development' in the true sense. Enabling development generally refers to development that would otherwise be considered harmful is considered acceptable because it would facilitate (or 'enable') benefits that outweigh that harm. Typically the benefits in question are the generation of funds that would be used to pay for work to be done to a listed building or other heritage asset that is in pressing need of substantial repairs. In this instance, the housing element of the proposal is policy compliant and would be acceptable without works to the pub to justify it. As such, the requirement of such a legal agreement is unreasonable and unnecessary.

Land stability has been referenced within a public comment. The proposal does not detail any changes to land levels and should any land become unstable due to the development, it would be the responsibility of the developer to address this.

RECOMMENDATION

In light of the above, it is considered that the proposal complies with the policies outlined and is recommended for resolution to permit.



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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.

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

Drawing No. 1455/01 A – Site Location Plan – Received 09.05.2018

Drawing No. 1455/02 F – Proposed Site Plan – Received 03.09.2018

Drawing No. 1455/03 E – Proposed Plans & Elevations of Houses – Received 03.09.2018

Drawing No. 1455/05 A – Existing Ground Floor Plan – Received 03.07.2018

Drawing No. 1455/06 B – Floor Plans Roof Plan Proposed – Received 03.07.2018

Reason:

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

3. 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.



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4. The development hereby permitted shall not be brought into use until details of a scheme of hard and soft landscaping for the site have been submitted to and approved by the Local Planning Authority. Development shall then be carried out in strict accordance with the approved details.

All painting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first complete planting and seeding seasons following the occupation of the buildings, or the completion of the development to which it relates, whichever is the sooner. Any trees or plants which, within a period of five years from the completion of the development, die, or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of the visual amenities of the area

5. Before the public house extensions hereby permitted are brought into use, a scheme shall be submitted to, and approved in writing by, the Local Planning Authority detailing the means of ventilation for the extraction and dispersal of cooking smells/fumes from the kitchen extension, including details of its method of construction, odour control measures, noise attenuation measures, appearance and finish. The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be retained.

Reason:

To ensure that the amenities of occupiers of neighbouring premises in the vicinity are protected.

6. 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 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:

- a) 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;



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b) include a timetable for its implementation; and

c) 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

7. Prior to the occupation of the development hereby permitted, the vehicular and pedestrian access within the car park shall be laid out and constructed in accordance with the submitted plan 1455/02 Rev F with the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason:

To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

8. The residential dwellings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. 1455/02 Rev F, 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.

9. The extensions to the public house hereby permitted shall not be occupied until the vehicular parking (including disabled parking spaces) and turning facilities have been provided in accordance with the submitted plan 1455/02 Rev F, and those facilities shall be maintained available for those purposes thereafter.



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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.

10. 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.

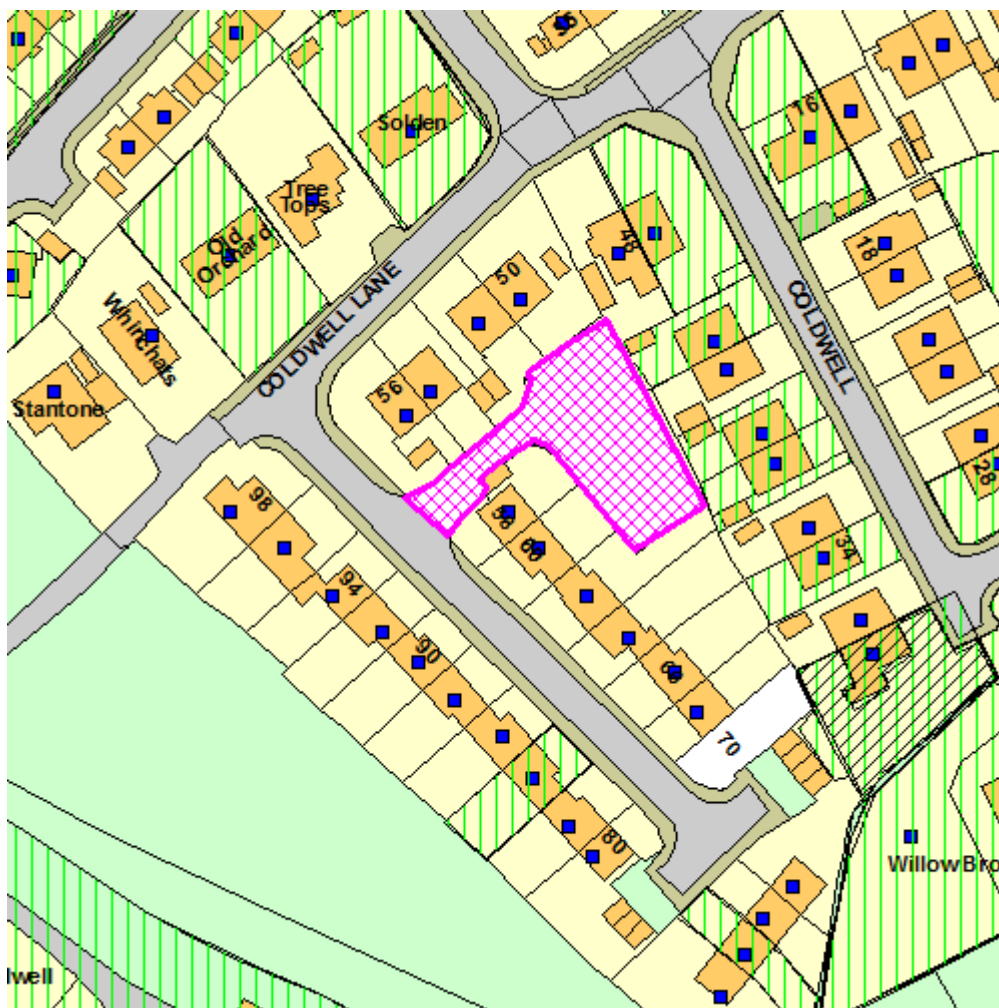
Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant. The case officer contacted the applicant/agent and negotiated changes to the design which has enhanced the overall scheme; these have been detailed in the Officer Report.
2. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise, dust, smoke/fumes and odour during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting, not burning materials on site and advising neighbours in advance of any particularly noisy works. It should also be noted that the burning of materials that gives rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume, noise or dust complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.



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Item No:	03
Application No.	S.18/1094/FUL
Site No.	PP-06980612
Site Address	Land Adjacent To 58, Coldwell Lane, Kings Stanley, Gloucestershire
Town/Parish	Kings Stanley Parish Council
Grid Reference	381701,203030
Application Type	Full Planning Application
Proposal	Two residential units (Revised Plans received 07.11.2018)
Recommendation	Permission
Call in Request	Requested by Planning Manager





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Applicant's Details	Coombes Everitt Architects Unit One, 105-107 Bath Road, Cheltenham, GL53 7LE,
Agent's Details	None
Case Officer	Ceri Porter
Application Validated	21.05.2018
CONSULTEES	
Comments Received	SDC Water Resources Engineer Kings Stanley Parish Council SDC Water Resources Engineer Kings Stanley Parish Council Contaminated Land Officer (E)
Constraints	Area of Outstanding Natural Beauty Kings Stanley Parish Council Rodborough 3km core catchment zone Settlement Boundaries (LP)
OFFICER'S REPORT	

MAIN ISSUES

- * Background
- * Principle of development
- * Design, appearance & Landscape
- * Residential Amenity
- * Highways
- * Ecology
- * Flood risk
- * Obligations /Affordable Housing

DESCRIPTION OF SITE

The site is located within a residential estate within the settlement development limits of King Stanley.

The site is a former car park located at Coldwell Lane and is surrounded on three sides by residential properties with its access from the south west.

The site is located within the Cotswolds Area of Outstanding Natural Beauty. There are no nearby listed buildings and the site is not within a Conservation Area.

PROPOSAL

Planning permission is sought for a pair of semi-detached 1.5 storey houses that would sit centrally within the site.



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Parking for both properties would be to the front with 2 visitor spaces along the north western boundary.

The proposal includes rear pedestrian access to no. 60.

REVISED DETAILS

A revised scheme has been submitted following negotiation. The scheme initially proposed 2 detached 4 bedroom units that were considered unacceptable in terms of design, layout and orientation.

MATERIALS

Walls: coursed stone at ground floor with render above
Roof: tile
Doors/windows: upvc windows in white

REPRESENTATIONS

Statutory Consultees:

Land Contamination Officer – No comment

Kings Stanley Parish Council - object. Loss of parking area, dwellings too large, overlooking (loss of privacy), proposal will create difficulties parking. Parish Council requests a parking survey be done. Ask for proposal to be called in.

Following re-consultation: The PC recognises that the revised application is for two semi-detached houses instead of the previous application for two larger detached houses. However, the issue of parking for existing residents has not been addressed, as we recommended in relation to the original application. In addition the rear access to 62 Coldwell Lane is shown to be blocked, which though possibly is not a legal access, provides essential amenity to the property. It is therefore not possible for King's Stanley Parish Council to support the revised application in its present form.

SDC Water Resources Engineer – no objections subject to condition

Public: 6 objections summarised as follows:

- Car park has been and is used as an overflow car park
- Land is not redundant, car park is used everyday
- Cars will need to park on road causing blocking of roads
- Land drainage will not be improved
- Proposed dwellings are too big
- Properties will overlook neighbours
- Loss of rear access

Following re-consultation of the revised scheme:

4 objections. Summarised as follows:



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- Block views
- Disturb privacy
- Well used car park
- Concerns over drainage
- Overbearing
- Narrow entrance

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view at :

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Stroud District Local Plan.

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.

CP3 – Settlement Hierarchy.

CP9 – Affordable housing.

CP14 - High quality sustainable development.

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.

The proposal should also be considered against the guidance laid out in:

- Residential Design Guide SPG (2000)
- Stroud District Landscape Assessment SPG (2000)
- Planning Obligations SPD (2017)

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

BACKGROUND

The application is supported by the following statement:

“Due to ongoing maintenance requirements Stroud District Council’s garage stock is in decline both in terms of being fit for purpose and their financial viability. Reduced demand for garage spaces and historic underinvestment has become a catalyst for anti-social and criminal behaviour in some residential areas which is a concern.



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The retention of underused land and garages requires investment that represents an unacceptable impact on Council finances, particularly as investment in housing takes a higher priority. Stroud District Council is obliged to manage its assets and make the best use of its existing property to build new homes and safeguard its finances.

In September 2015 the Council's Housing Committee reviewed its district wide garage ownership and resolved to rationalise its garage stock via various options including their redevelopment and/or sale.

It must be noted that the strategy applies only to garages and parking spaces that are let independently of any other tenancies, and for which a separate charge is levied. Any garages or parking spaces managed by the Council (e.g. garages attached to houses, carports etc) are outside the scope of this policy and managed according to commercial arrangements."

PRINCIPLE OF DEVELOPMENT

The site is located within the defined settlement boundary of Kings Stanley, a third tier accessible settlement with limited facilities where the principle of new development is acceptable unless other material considerations indicate otherwise.

DESIGN, LAYOUT & LANDSCAPE

The revised scheme proposes a 1.5 storey building that would sit between the bungalows of Coldwell and 2 storey houses of Coldwell Lane.

The proposed dwellings are considered to be of a scale, layout and design compatible with the character, appearance and amenity of this part of Coldwell Lane in accordance with policy HC1 of the SDLP.

In respect of access to no. 62 Coldwell Lane, no rear access gate was visible onto the car parking area and the applicant has stated that there is no permission or authority to access the land.

The application site is located within Kings Stanley therefore whilst within the AONB there would be little impact upon the overall wider setting of the natural and scenic beauty of the landscape.

RESIDENTIAL AMENITY

The proposed properties would be located in the centre of the site. The front elevation would face across the proposed parking and turning area towards the rear elevation of 50 and 52 Coldwell Lane 25m to the north west to the north east. The proposed rear elevation would face across the bottom of the rear gardens of Coldwell and Coldwell Lane with windows serving a bathroom and landing.

The proposed new dwellings would not result in any unacceptable overlooking due to the distances involved, windows proposed and intervening fencing.



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The side elevations of the proposed houses would have a dining room window at ground floor level only. They would be set away from the boundary and separated by a distance of 10m, partially behind no. 58 and 60 Coldwell Lane and partially behind no. 42 of Coldwell.

Given the above and the orientation of the plot, it is considered whilst there would be an impact upon the amenity currently enjoyed by residents it would not result in an overbearing effect or loss of light to warrant a refusal of planning. The proposal is therefore considered to comply with policies ES3 and CP14(7) of the SDLP.

HIGHWAYS

Two car parking spaces would be provided for each dwelling plus 2 visitor spaces. This would be in compliance with the Council's adopted parking standards.

Local residents and the Parish Council have raised objections to the loss of the parking area; however the site's use to date for parking has been by informal permission only with the users having no known rights of the land. Furthermore, the site is not linked to any current Council tenancy agreement.

Most properties surrounding the application site have a driveway and garage available for parking.

The access to the site has been cited as being too narrow for 2 houses however the number of traffic movements associated with a car park when compared with the proposal would be much reduced.

ECOLOGY

The site as a whole provides negligible habitat for wildlife. There is however scope to enhance the site ecologically as suggested within the submitted ecological report. This would be welcomed in accordance with the Natural Environment and Rural Communities Act 2006.

The site is located within the 3km of the Rodborough Common SAC site where Stroud District Council has adopted an interim strategy. Each new dwelling is required to pay £200 per dwelling to contribute to projects that relieve the recreational pressure on the designated site. This has been secured with a S106 Unilateral Undertaking.

FLOOD RISK

Concerns have been raised within representations regarding drainage. Whilst no plans have been submitted regarding the nature of drainage for the development, the Water Resources Engineer has no objections subject to a condition requiring a detailed drainage strategy to be submitted and agreed prior to the commencement of development.

OBLIGATIONS/AFFORDABLE HOUSING

The Council has implemented a Community Infrastructure Levy (CIL). A completed CIL additional questions form has been submitted with the application.

Adopted Local Plan policy CP9 specifies that small scale residential schemes (1 -3 dwellings) for should pay a contribution to affordable housing of at least 20% of the total development



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value (where viable). Given that this policy has now been tested and it has been shown that the majority of these very small sites have been unable to support a payment towards affordable housing, the Council will only be pursuing an affordable contribution in respect of sites less than 4 units where the combined floor area of the units exceeds 1000m².

A unilateral undertaking has been submitted by the applicant in respect of the Rodborough Common SAC mitigation strategy.

REVIEW OF CONSULTATION RESPONSES

The objections and comments raised have been duly noted and considered in full in the main body of this report.

CONCLUSION

In light of the above, it is considered that the proposal complies with the policies outlined.

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.

Subject to the following conditions:	<ol style="list-style-type: none">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. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below: Drawing PL003 A – Site Location Plan – Received 05.11.2018 Drawing PL002 A – Existing Site Plan – Received 05.11.2018 Drawing PL003 B – Proposed Site Plan – Received 05.11.2018 Drawing PL004 A – Proposed Layout and 3D views – Received 05.11.2018 Drawing PL005 – Proposed Elevations – Received 05.11.2018 Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.
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3. No part of the development shall be occupied until a detailed design, maintenance & management strategy and timetable of implementation for the surface water drainage strategy (e.g. Sustainable Drainage System – SuDS) presented in the application form (S.18/1094/FUL) has been submitted to and approved in writing by the Local Planning Authority. The detail must demonstrate the technical feasibility/viability of the proposed soakaway. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put into use/occupied. Should infiltration testing show a soakaway to be unfeasible, a new plan shall be submitted to the LPA for approval before occupation.

Reason:

To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality of the locality.

4. 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.

5. The development hereby permitted shall not be brought into use until the vehicle parking, turning and manoeuvring areas shown on the approved plans are made available for use. Each unit shall be provided with parking spaces in accordance with the Local Planning Authority's adopted vehicle parking standards. This provision shall be maintained as such, free of obstruction, thereafter.

Reason:

To ensure that sufficient parking and turning space is made available.

Informatives:

1. In accordance with Article 35(2) the Local Planning Authority have worked with the Applicant. The case officer contacted the applicant/agent and negotiated changes to the design which has



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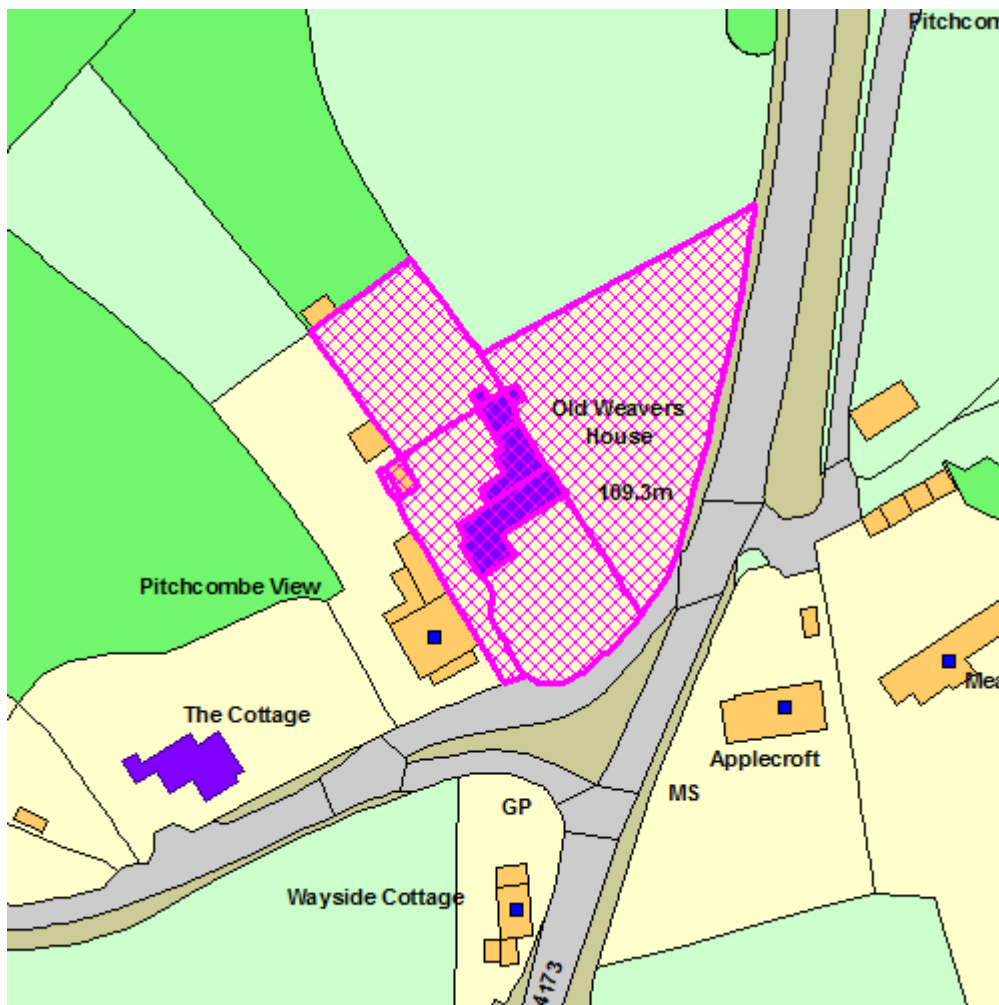
enhanced the overall scheme; these have been detailed in the Officer Report.

2. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise, dust, smoke/fumes and odour during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting, not burning materials on site and advising neighbours in advance of any particularly noisy works. It should also be noted that the burning of materials that gives rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume, noise or dust complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.



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Item No:	04
Application No.	S.18/1797/HHOLD
Site No.	PP-07214037
Site Address	Old Weavers, Pitchcombe, Stroud, Gloucestershire
Town/Parish	Pitchcombe Parish Council
Grid Reference	385074,208089
Application Type	Householder Application
Proposal	Two storey extension (two storey garage removed from the proposals 5.10.2018)
Recommendation	Permission
Call in Request	Pitchcombe Parish Council





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Applicant's Details	Mr Richard Cook Old Weavers, Pitchcombe, Stroud, Gloucestershire, GL6 6LW
Agent's Details	Anthony Webster 4 Egypt Mill Cottages, Stroud Road, Nailsworth, Gloucestershire, GL6 0AE
Case Officer	Kate Russell
Application Validated	31.08.2018
CONSULTEES	
Comments Received	
Constraints	Affecting the Setting of a Cons Area Area of Outstanding Natural Beauty Consult area Conservation Area Listed Building Within 50m of Listed Building Pitchcombe Parish Council
OFFICER'S REPORT	

MAIN ISSUES

- Design and appearance
- Residential Amenity
- Highways
-

DESCRIPTION OF SITE

Old Weavers is a large stone-built Grade II Listed house sitting within a good-sized plot. The site is located within the designated AONB and the Pitchcombe Conservation Area.

PROPOSAL

The application seeks permission for the erection of a two storey extension to accommodate additional living accommodation.

MATERIALS

Walls: Charred timber cladding, black glass and Cotswold stone
Fenestration: Powder coated aluminium

REPRESENTATIONS

Statutory Consultees:

Pitchcombe Parish Council has objected to this application on the grounds of harm to the historic assets. A large garage was removed from the scheme following further concerns.



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Public:

None received.

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view at :

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Stroud District Local Plan.

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:

- ES3 - Maintaining quality of life within our environmental limits.
- ES6 - Providing for biodiversity and geodiversity.
- ES7 - Landscape character
- ES10 - Valuing our historic environment and assets
- ES12 - Better design of places.
- CP14 - High Quality Sustainable Development.
- HC8 - Extensions to dwellings

PLANNING CONSIDERATIONS

DESIGN AND LAYOUT

While it is acknowledged that the extension is large in comparison to the main house, it is considered subservient. This is on the basis that the proposed extension would be set well back from the front elevation of the main house and be constructed of materials that would blend in to the wider environment. In addition, it should also be noted that the plot size is large enough to accommodate the proposed addition without appearing cramped or overdeveloped. There would be no detrimental impact on the Cotswold Area of Outstanding Natural Beauty.

HERITAGE ASSETS

In terms of design, the extension is of a three distinct forms that would serve to break up its size. While it is acknowledged that the proposed materials do not match the host property, they would complement the main house. As such, they are considered to be acceptable. Ultimately, the extension would provide a bold and unequivocal contrast that would not be detrimental to the special architectural or historic interest of the listed building.

The proposed extension would be visible in long range views, but due to its siting and the proposed materials, it would not harm the visual amenity of the Pitchcombe Conservation Area.

The proposals would entail some levelling of the ground and resulting retaining structures.



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The proposed walling would be drystone and therefore entirely typical of the wider area. The change from the current verdure would be noticeable, but not harmful.

RESIDENTIAL AMENITY

There is a sufficient degree of separation to neighbouring properties to ensure that there would be no detrimental impact on residential amenity.

HIGHWAYS

The development would not result in any significant increase in vehicular movements and would not be detrimental to highway safety.

RECOMMENDATION

In light of the above, it is considered that the proposal complies with the policies outlined and is therefore recommended for permission.

HUMAN RIGHTS

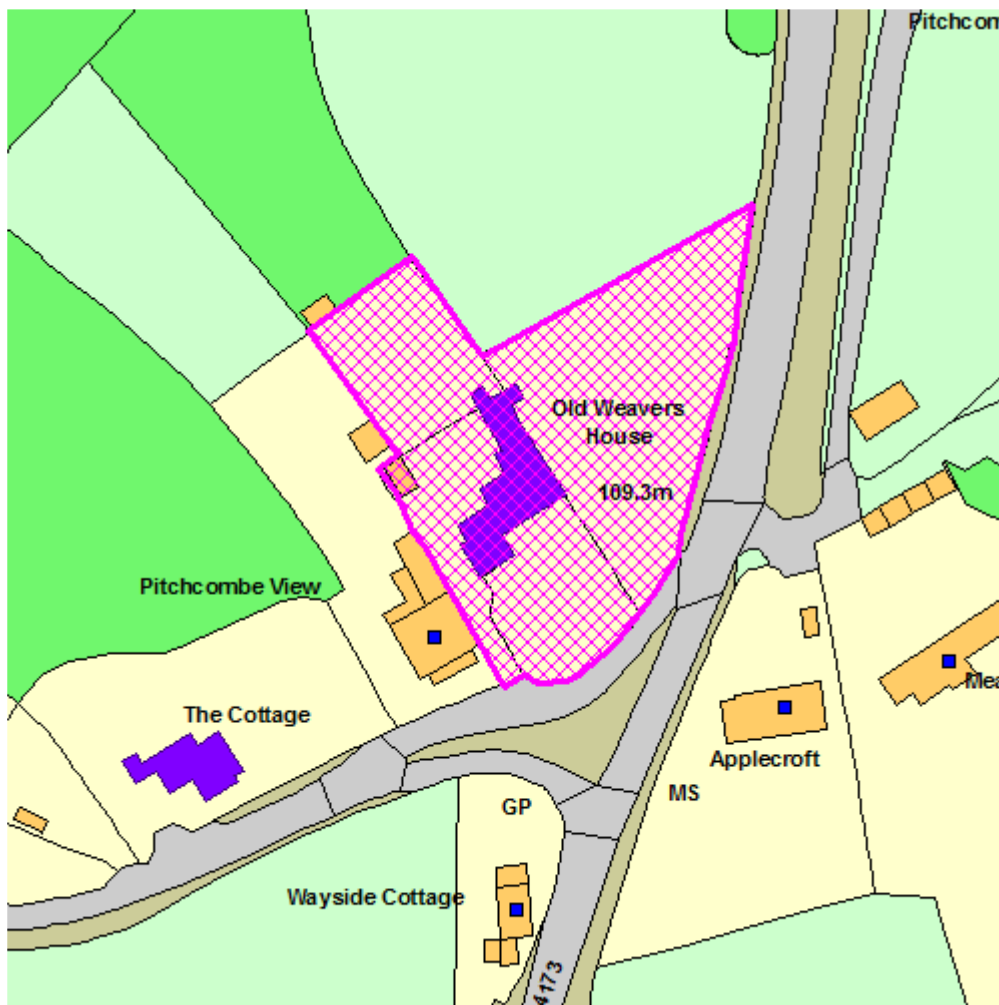
In compiling this recommendation we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any neighbouring or affected properties. In particular regard has been had to Article 8 of the ECHR (Right to Respect for private and family 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.

Subject to the following conditions:	<p>1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p> <p>2. Notwithstanding the details of the deleted garage, the development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:</p> <p>Proposed Block Plan of 16/08/2018 Version number = OW.01</p> <p>Proposed floor plan of 30/08/2018 Version number = OW.04</p> <p>Proposed Elevations of 31/08/2018 Version number = OW.05A</p> <p>Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.</p>
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Item No:	05
Application No.	S.18/1798/LBC
Site No.	PP-07214037
Site Address	Old Weavers, Pitchcombe, Stroud, Gloucestershire
Town/Parish	Pitchcombe Parish Council
Grid Reference	385074,208089
Application Type	Listed Building Application
Proposal	Two storey extension (E 385074, N 208089)
Recommendation	Consent
Call in Request	Pitchcombe Town Council





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Applicant's Details	Mr Richard Cook Old Weavers, Pitchcombe, Stroud, Gloucestershire, GL6 6LW
Agent's Details	Anthony Webster 4 Egypt Mill Cottages, Stroud Road, Nailsworth, Gloucestershire, GL6 0AE
Case Officer	Kate Russell
Application Validated	16.08.2018
CONSULTEES	
Comments Received	Pitchcombe Parish Council
Constraints	Affecting the Setting of a Cons Area Area of Outstanding Natural Beauty Consult area Conservation Area Listed Building Within 50m of Listed Building Pitchcombe Town Council
OFFICER'S REPORT	

DESCRIPTION OF BUILDING

Old Weavers is an imposing Grade II listed building of three storeys; however, the potentially austere appearance of its front elevation is softened by pretty Gothick windows.

The house extends back into the plot for some distance, having subsumed its former service accommodation into the living accommodation at some point in the 20th century. The eastern elevation has seen the addition of a tall timber and glass extension, apparently dating from the 1960's/70s, once accessed via an external staircase.

The site is at the edge of the Pitchcombe Conservation Area.

PROPOSAL

Two storey extension

REVISED DETAILS

The garage element of the scheme has been withdrawn from the application.

MATERIALS

Windows and external doors:- Powder coated aluminium

Walling:- Stone, timber cladding, charred timber cladding and black glass.



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REPRESENTATIONS

Statutory Consultees

Following objections to the initial application, the garage element was removed from the scheme, but the Parish Council maintains its objection to the extension:

- Old Weavers is an important and imposing house in the village Conservation Area and any development should ensure its characteristic features are protected and enhanced.
- The extension lacks architectural cohesion with the existing listed building and is detrimental to the appreciation of the listed building and its setting.

Public

None received.

PLANNING CONSIDERATIONS

For the purposes of Regulation 2 of the Planning (Listed Buildings and Conservation Areas) (England) (Amendment) Regulations 2003, the reasons for the Council's decision is summarised below. In considering the Application, the Council has given special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest that it possesses. Where relevant, reference is made to Government policy set out in the National Planning Policy Framework.

PLANNING POLICY AND GUIDANCE

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16(2).

National Planning Policy Framework

Paragraphs 189-202

Historic England Advice Note 2 - Making Changes to Heritage Assets Stroud District Council Local Plan, Adopted 2015

Policy ES10. Valuing our historic environment and assets.

DESIGN/APPEARANCE/IMPACT ON THE BUILDING

This application proposes the removal of an existing flat roof two-storey extension and the construction of a new two storey extension.

On paper, this proposal appears to be of concern. The proposed addition is quite large and somewhat startling in design and materials; it would appear to be at odds with the generally received presumption that additions to historic buildings should be subservient and in the same architectural style as the original building.

However, right from the conservation movement's earliest 19th century foundations, good conservation philosophy has held that new interventions to historic buildings should be entirely legible, and not seek to falsify history.



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Although modern extensions are often perceived as going against the historic grain, actually the unequivocal modern approach is entirely valid when the constituent parts of the historic environment is closely considered.

Often, the character and special interest of old buildings comes from their evolution. Generally, additions to buildings occurred in response to the functional requirements of the owners, or to changing architectural fashions. We are not surprised or shocked by polite Georgian additions to earlier vernacular buildings, but they would have been entirely atypical at the time of their construction, and almost certainly viewed by many in much the same way as modernist extensions are now.

The two-dimensional plans do not completely convey the topography of the site nor do the elevational drawings accurately depict the relative position of the new addition, which would be sited well to the rear of the plot. In reality, the most significant aspect of the original building, its front elevation, and the new 'wing' would not be seen together.

Although the scale of the proposed extension would seem to be disproportionate to the size of the original house, care has been taken to ensure that the massing of the new building would be lessened by breaking it up into separate elements, each constructed from different materials.

The key elevation is to the front, where the ground floor is to be a linear streak of Cotswold drystone walling contrasting with an expanse of dark glazing. The upper floor is to comprise a smaller structure built wholly of black glass. The least architecturally resolved part of the extension would be a charred timber block to the rear. This would be largely obscured from view.

Whilst the proposed extension is not as would be normally expected, it is considered that the its carefully considered modern design and imaginative use of materials would provide a bold and unequivocal contrast to the main listed building. Furthermore, the extension's recessive positioning would mean that the standalone quality of the main house's architecturally significant front elevation would be preserved. No harm would be done to the special interest of the listed building.

In terms of the extension's appearance in long range views, other examples of the use of reflective black glazing show that it bounces back the reflection of the wider landscape, rendering it surprisingly inconspicuous in daylight hours. The Cotswold stone walling would be unobtrusive, whilst the dark colour of the charred timber would lessen its impact in any glimpsed views. No harm would be done to the character or appearance of the Pitchcombe Conservation Area.

The creation of the extension would entail the loss of some historic fabric, but this would be negligible in terms of the listed building overall.

REVIEW OF CONSULTATION RESPONSES

Noted and addressed above.



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RECOMMENDATION

This application is recommended for consent.

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.

1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason:

To comply with Section 18 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the details of the deleted garage, the development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:

Proposed Block Plan of 16/08/2018 Version number = OW.01
Proposed floor plan of 30/08/2018 Version number = OW.04
Proposed Elevations of 31/08/2018 Version number = OW.05A

Reason:

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

3. Prior to the commencement of the relevant works for which consent is hereby given, a sample of the proposed glazing materials to be used for the exterior of the proposed extension shall be submitted to and approved in writing by the Local Planning Authority. The works shall then only be carried out strictly in accordance with those approved details.

Reason:

To ensure the preservation of the character and special interest of the listed building.



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08/01/2019**

4. Prior to the commencement of any works for which consent is hereby given, samples of the stone to be used shall be submitted to and approved in writing by the Local Planning Authority. The work shall then only take place strictly in accordance with those approved samples.

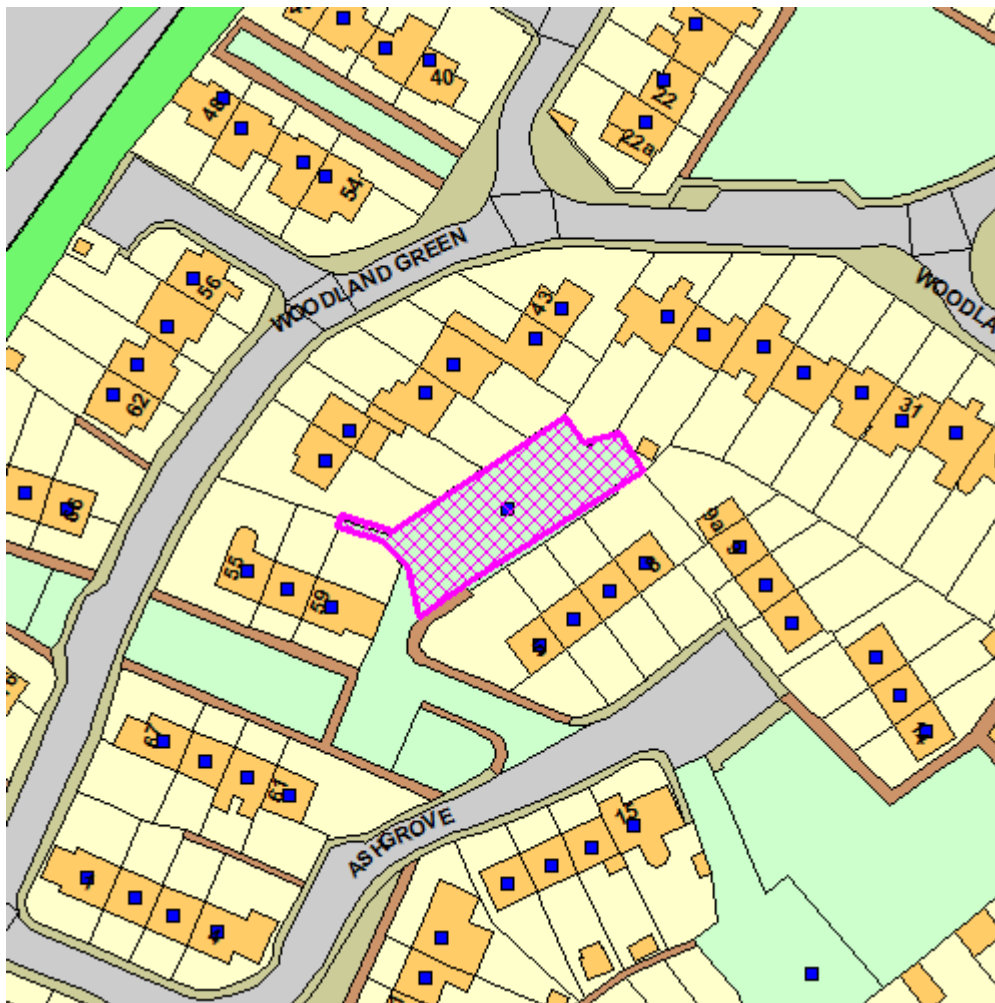
Reason:

To ensure the preservation of the special interest of the listed building.



Development Control Committee Schedule 08/01/2019

Item No:	06
Application No.	S.18/2219/FUL
Site No.	PP-07350048
Site Address	Land Adjacent To 59, Woodland Green, Upton St Leonards, Gloucestershire
Town/Parish	Upton St Leonards
Grid Reference	386351,215242
Application Type	Full Planning Application
Proposal	Erection of two dwellings.
Recommendation	Permission
Call in Request	Planning Manager



Applicant's	Coombes Everitt Architects
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Development Control Committee Schedule 08/01/2019

Details	105-107 Bath Road, Cheltenham, GL53 7LE, ,
Agent's Details	None
Case Officer	Gemma Davis
Application Validated	12.10.2018
	CONSULTEES
Comments Received	Upton St Leonards PC Environmental Health (E)
Constraints	Within 200m of M5 Upton St Leonards Parish Council Settlement Boundaries (LP)
	OFFICER'S REPORT

MAIN ISSUES

- o Background
- o Principle of development
- o Design and layout
- o Residential amenity
- o Highways
- o Obligations and affordable housing
- o Other matters

DESCRIPTION OF SITE

The application site comprises an area of hard-surfacing that was once a central car park area that served the homes that surrounds the site. The site is accessed off of Ash Grove and sits amongst residential properties to all four sides.

The site does not lie within any landscape designation.

PROPOSAL

The application seeks permission for the erection of two dwellings.

REVISED DETAILS

None

MATERIALS

Walls: Red brick and cement tile cladding
Roof: Concrete roof tiles
Doors/windows: White UPVc



Development Control Committee Schedule 08/01/2019

REPRESENTATIONS

Statutory Consultees:

Upton St Leonards Parish Council objects to the development on the following grounds:

- o Loss of parking
- o Impact on waste vehicles negotiating the site / wider area
- o Potential loss of bus service

Public:

A number of objection letters have been received raising the following concerns:

- o Loss of privacy and overlooking
- o Highway safety, inadequate parking and access
- o Impact on residential amenities
- o Drainage issues
- o Dwellings out of character
- o Loss of light
- o Loss of view
- o Loss of vehicular access to rear of site

The Council's Environmental Health Officer has recommended standard conditions and informatives should planning permission be forthcoming.

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view

at:<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Stroud District Local Plan.

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.
- CP9 - Affordable housing.
- CP14 - High quality sustainable development.

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

ES1 - Sustainable construction and design

ES3 - Maintaining quality of life within our environmental limits.

ES4 - Water resources, quality and flood risk.

ES6 - Providing for biodiversity and geodiversity.



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ES8 - Trees, hedgerows and woodlands.

ES12 - Better design of places.

The proposal should also be considered against:

Residential Design Guide SPG (2000)
Planning Obligations SPD (2017)

BACKGROUND

The application is supported by the following statement:

“Stroud District Council is obliged to manage its assets and make the best use of its existing property to build new homes and safeguard its finances, therefore the retention of underused land requires investment that represents an unacceptable impact on Council finances, particularly as investment in housing takes a higher priority.”

In September 2015 the Council's Housing Committee reviewed its district wide land and garage ownership and resolved to rationalise its stock via various options including their redevelopment and/or sale.

In this instance, the site itself was a central car parking area that once served the homes that surround it, these homes have since been privately purchased from the Council and therefore the new owners lost the right to park on the proposed site. The purchased properties have their own arrangements on driveways.”

This current application has been submitted following a withdrawn application for the erection of two dwellings. That proposal was considered unacceptable due to concerns regarding the design and the impact of the development on neighbouring properties. The previous scheme was wholly contemporary in appearance and concerns were also raised with respect to the impact on neighbouring properties. The revised scheme amends the design of the units to seek to overcome the above issues.

PRINCIPLE OF DEVELOPMENT

The site lies within the defined Settlement Boundary of Upton St Leonards designated as a Third Tier Settlement within the Local Plan, where there is a presumption in favour of development subject to design and amenity considerations and to a satisfactory means of access being provided.

The site is set amongst other residential properties. In this respect the principle of further residential development on the site can be supported; however, the further consideration of the design, layout and appearance of the scheme has to be assessed.

DESIGN AND LAYOUT

This part of Upton St Leonards contains dwellings which are largely uniform in appearance. The area is predominately characterised by a mixture of housing comprising two storey detached, semi-detached and terraced units and bungalows.



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The submitted drawings indicate a very simple pair of detached dwellings with a traditional style yet with a nod to contemporary design. The units benefit from a rectangular form under both a flat and mono pitched roof arrangement with large glazing. The properties have largely been designed around the constraints of the site and therefore comprise buildings that are relatively narrow, low eaves and low ridge height. The unobtrusive form and bulk of the buildings, would not detract from the character and appearance of the area and would integrate with the surrounding built form.

The siting of the dwellings and their general layout would not compete with surrounding development and there would be no detrimental impact caused to the character and appearance of the street scene.

The arrangement of the plot would provide adequate garden for the proposed dwellings, compliant with the standards set out in the Council's Residential Design Guide and in keeping with the form of surrounding development. Sufficient space would remain so as to ensure the plots did not appear cramped or overdeveloped. To ensure that the plot size would not become cramped / overdeveloped in the future, a condition removing permitted development rights has been imposed.

The dwellings would be finished in materials similar to those found on the adjacent and neighbouring houses and as such would not look out of place.

RESIDENTIAL AMENITY

The site has neighbouring properties to all four sides, however the new dwellings have been designed to minimise the impact on the amenities of neighbouring properties. In terms of overlooking, the principle elevation contains fenestration overlooking the car park areas and the rear elevation overlooks the gardens. As such, there would be no issue in terms of privacy loss. Furthermore, it should also be noted that there would also be more than sufficient separation distance between the front and rear facing elevations to neighbouring properties to ensure that there would not be any significant level of overlooking. From the back wall of the rear facing elevation there would be a separation distance of approximately 13.2m and 11m to the common boundary with the rear neighbouring properties. With respect to the front elevation, there would be a separation distance of approximately 13m to the common boundary with neighbouring properties and this view would be oblique so again there would not be any issues in terms of overlooking.

Nor would there be any issues of overlooking to the properties located to the north and south (side elevation of proposed units) as the ground floor fenestration is screened by the existing boundary treatment and the roof lights are of high level and also provide light to the stairwell.

Due to the limited height, the design of the roof (that slopes away from neighbouring properties) and the separation distance between the application properties and its neighbours, there would be no issues of overbearing or overshadowing that would warrant refusal of the application. While it is acknowledged that the built form would be visible from these properties and will have a physical impact, this does not make the scheme unacceptable.



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HIGHWAYS

The proposal provides 2 parking spaces in accordance with SDLP parking standards to the front of the dwellings. Turning facilities are shown and would ensure that vehicles and pedestrians can successfully negotiate the site. As such, access arrangements are considered to be acceptable and in accordance with the provisions of Policy ES3. Furthermore, the site is located at the end of a private road with slow vehicle movements as such the proposed layout is not considered to result in any severe detrimental impact upon highway safety.

Moreover, the site is located within the defined settlement boundary and as such, the occupiers of the property would have easy access to local facilities without the need to travel by car.

Local residents have raised objections to the loss of the parking area; however the site's use to date for parking has been by informal permission only with the users having no known rights of the land. Furthermore, the site is not linked to any current Council tenancy agreement.

OBLIGATIONS / AFFORDABLE HOUSING

Adopted Local Plan policy CP9 specifies that small scale residential schemes (1 -3 dwellings) for should pay a contribution to affordable housing of at least 20% of the total development value (where viable). Given that this policy has now been tested and it has been shown that the majority of these very small sites have been unable to support a payment towards affordable housing, the Council will only be pursuing an affordable contribution in respect of sites less than 4 units where the combined floor area of the units exceeds 1000m².

OTHER MATTERS

There are 6 neighbouring properties that would appear to have had pedestrian access rights across parts of the site at some time, these are 57 & 59 Woodland Green, and 5-8 Ash Grove. The rear alleyway to the Woodland Green properties is overgrown and appears unused, whilst gates to the back gardens of 7 & 8 Ash Grove appear to be in use still. The proposal makes provision for all existing pedestrian access routes, regardless of whether they continue to be used or not.

The Local Bus being unable to negotiate the roads due to on street parking would not be a material planning consideration. This is a matter that would be enforced by the Police.

The sewage and drainage system is not a material planning consideration. This is a matter that would be controlled via other disciplines such as building control.

REVIEW OF CONSULTATION RESPONSES

Letters of objection and comment have been received in response to the application and these are available to view on the electronic planning file.

The objections and comments raised have been duly noted and considered in full in the main body of this report.



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RECOMMENDATION

In light of the above, it is considered that the proposal complies with the policies outlined and is therefore recommended for permission.

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.

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. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans: PL001 Site location plan, PL003 Proposed site plan, PL004 Proposed layout and PL005 Proposed elevations.

Reason:

To ensure that the development is carried out in accordance with the approved plans.

3. 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 Monday to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason:

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



Development Control Committee Schedule 08/01/2019

4. The proposed dwelling shall not be occupied until all the car parking has been provided in accordance with the submitted plan (PL003) and that area shall not be used for any other purpose other than for the parking of vehicles thereafter.

Reason:

To ensure that adequate off road parking is provided, in the interests of highway safety and to comply with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

5. No construction works shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

1. provide for the parking of vehicles of site operatives and visitors;
2. provide for the loading and unloading of plant and materials;
3. provide for the storage of plant and materials used in constructing the development;
4. undertake measures to control the emission of dust and dirt during construction

Reason:

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in the interests of highway safety and accordance with Local Plan Policy ES3.

6. No development shall take place until details of the existing ground levels, proposed finished floor levels, ridge and eave heights of the dwelling and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development have been submitted to and approved by the Local Planning Authority. Such details shall also provide comparative levels of eaves and ridge heights of the proposed and adjoining properties. The development shall be carried out in strict accordance with the details as approved.

Reason:

Ground levels must be agreed prior to any works taking place in order to avoid a situation where unacceptable ground level alterations cannot be undone without significant reconstruction work. Ground levels need to be agreed to secure an acceptable finished building height to ensure the satisfactory appearance of the development, in accordance with Policies HC1 of the Stroud District Local Plan, November 2015.



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7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development permitted under Article 3, and described within Classes A - E; of Part 1 of Schedule 2, shall take place.

Reason:

To ensure the satisfactory appearance of the development and to ensure that the site does not become cramped or overdeveloped, in accordance with Policy HC1 of the adopted Stroud District Local Plan, November 2015 and the provisions of the National Planning Policy Framework.

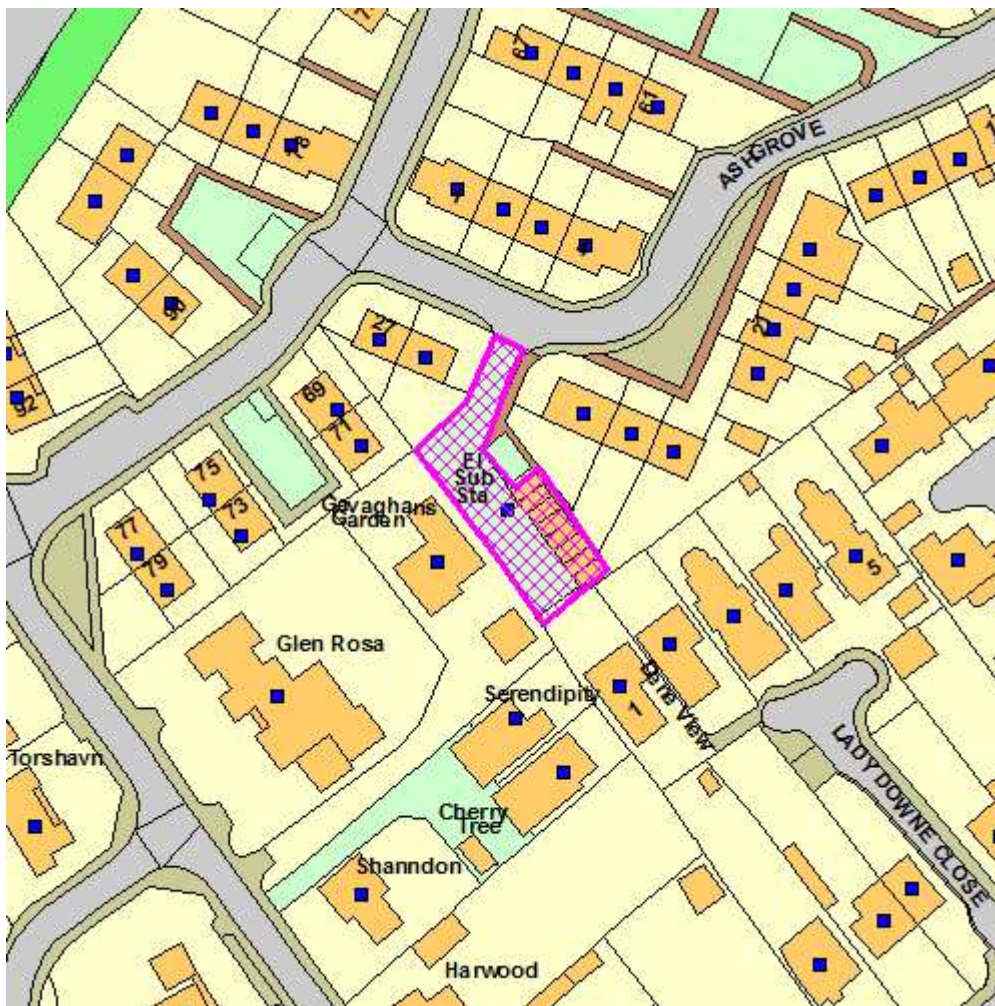
Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant.
2. 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, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke or fume complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.



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Item No:	07
Application No.	S.18/2222/FUL
Site No.	PP-07350327
Site Address	Land Adjacent To 26, Ash Grove, Upton St Leonards, Gloucestershire
Town/Parish	Upton St Leonards
Grid Reference	386290,215128
Application Type	Full Planning Application
Proposal	Proposed dormer bungalow.
Recommendation	Permission
Call in Request	Planning Manager





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Applicant's Details	
Agent's Details	John Everitt 105-107 Bath Road, Cheltenham, GL53 7LE, Gloucestershire,
Case Officer	Gemma Davis
Application Validated	12.10.2018
CONSULTEES	
Comments Received	Upton St Leonards PC Environmental Health (E)
Constraints	Within 200m of M5 Upton St Leonards Parish Council Settlement Boundaries (LP)
OFFICER'S REPORT	

MAIN ISSUES

- o Background
- o Principle of development
- o Design and layout
- o Residential amenity
- o Highways
- o Obligations and affordable housing
- o Other matters

DESCRIPTION OF SITE

The application site comprises an area of hard-surfacing and a garage block that once served the homes that surrounds the site. The site is accessed off of Ash Grove and sits amongst residential properties to all four sides.

The site does not lie within any landscape designation.

PROPOSAL

The application seeks permission for the erection of a single 1.5 storey detached dwelling.

REVISED DETAILS

None

MATERIALS

Walls: Red brick
Roof: Tile
Doors/windows: White UPVc



Development Control Committee Schedule 08/01/2019

REPRESENTATIONS

Statutory Consultees:

Upton St Leonards Parish Council objects to the proposed development on the following grounds:

- o Loss of parking
- o Impact on waste vehicles negotiating the site / wider area
- o Potential loss of bus service

The Councils Environmental Health Officer has recommended standard conditions and informatives should planning permission be forthcoming.

Public:

A number of objection letters have been received raising the following concerns:

- o Loss of privacy
- o Loss of parking
- o Loss of trees
- o Loss of bus service
- o Loss of light
- o Increased noise
- o Incremental development at a further date

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view

at:<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Stroud District Local Plan.

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.
- CP9 - Affordable housing.
- CP14 - High quality sustainable development.

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

ES1 - Sustainable construction and design

ES3 - Maintaining quality of life within our environmental limits.

ES4 - Water resources, quality and flood risk.

ES6 - Providing for biodiversity and geodiversity.



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ES8 - Trees, hedgerows and woodlands.
ES12 - Better design of places.

The proposal should also be considered against:

Residential Design Guide SPG (2000)
Planning Obligations SPD (2017)

BACKGROUND

The application is supported by the following statement:

“Due to ongoing maintenance requirements Stroud District Council's garage stock is in decline in terms of being fit for purpose and their financial viability. Reduced demand for garage spaces and historic underinvestment has become a catalyst for anti-social and criminal behaviour in some residential areas which is a concern.

The retention of underused land and garages requires investment that represents an unacceptable impact on Council finances, particularly as investment in housing takes a higher priority. Stroud District Council is obliged to manage its assets and make the best use of its existing property to build new homes and safeguard its finances.

In September 2015 the Council's Housing Committee reviewed its district wide garage ownership and resolved to rationalise its garage stock via various options including their redevelopment and/or sale.

It must be noted that the strategy applies only to garages and parking spaces that are let independently of any other tenancies, and for which a separate charge is levied. Any garages or parking spaces managed by the Council (e.g. garages attached to houses, carports etc) are outside the scope of this policy and managed according to commercial arrangements.”

This current application has been submitted following a withdrawn application for the erection of a single dwelling. That proposal was considered unacceptable due to concerns regarding the design and the impact of the development on neighbouring properties. The previous scheme was much taller and of a larger scale and wholly contemporary in appearance. In addition, concerns were also raised with respect to the impact on neighbouring properties. The revised scheme amends the design of the unit to seek to overcome the above issues.

PRINCIPLE OF DEVELOPMENT

The site lies within the defined Settlement Boundary of Upton St Leonards designated as a Third Tier Settlement within the Local Plan, where there is a presumption in favour of development subject to design and amenity considerations and to a satisfactory means of access being provided.

The site is set amongst other residential properties. In this respect the principle of further residential development on the site can be supported; however, the further consideration of the design, layout and appearance of the scheme has to be assessed.



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DESIGN AND LAYOUT

This part of Upton St Leonards contains dwellings which are largely uniform in appearance. The area is predominately characterised by a mixture of housing comprising two storey detached, semi-detached and terraced units and bungalows.

The submitted drawings identify a 1.5 storey property with the first floor accommodation in the roof space. The proposed dwelling would have a rectangular shape with protruding gables and a pitched roof arrangement. The building would appear proportionate, with suitable ridge height and gable widths and roof to wall ratio. The appearance of the new dwelling has been simplified to ensure that it would appear less bulky, grand and dominant.

Upton St Leonards benefits from a wide range of properties of varying scales, densities, layouts and designs and as such the proposed unit would not be considered to be wholly incompatible with the character, appearance and amenity of the settlement.

The layout of the development is such that the dwelling is afforded a suitable level of private amenity space for the occupants, in accordance with the Council's Residential Design Guide. The proportionate scale of the development is also such that remainder of the site would not appear cramped or overdeveloped and would remain in-line with other properties in the vicinity.

The general layout of the new dwelling would not compete with the surrounding form of the area and there would be no detrimental impact caused to the character and appearance of the street scene.

The dwelling would be finished in materials similar to those found on the adjacent neighbouring houses and as such would not look out of place.

RESIDENTIAL AMENITY

The site has neighbouring properties to all four sides. An existing mature boundary hedge provides screening between the site and the neighbouring properties to the south and fencing and vegetation provides screening between the site and the neighbouring properties to the east and west. Notwithstanding this, it should be noted that the new dwelling has been designed to minimise the impact on neighbouring properties amenities.

In terms of overlooking, the principle elevation contains fenestration overlooking the car park area and the rear elevation only benefits from ground floor fenestration with a roof light to serve the bathroom. In terms of side facing fenestration, the north east elevation is blank and the south west elevation benefits from a ground floor window. As such, there would be no issue in terms of privacy loss to surrounding properties. A condition restricting any future fenestration can be imposed to ensure that privacy of neighbouring properties is maintained.

Due to the reduction in height and footprint of the dwelling, the fact that it has been positioned away from the boundaries and the orientation of the proposed dwelling in relation to the neighbouring occupiers, there would be no unacceptable overbearing effect or impact upon light levels for the occupiers that would warrant refusal of the application. While it is noted that there will be a physical presence, this does not warrant refusal of the application.



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It should be further noted that existence of a planning permission for the proposed dwelling does not prevent the Council from taking action under Statutory Nuisance legislation should the need arise. This legislation is entirely separate to planning legislation and would enable a nuisance such as noise to be controlled irrespective of its compliance with any pre-existing planning permission or condition attached thereto.

HIGHWAYS

The site is located within a built up residential area, where traffic speeds are fairly slow. The proposed arrangements would necessitate vehicles reversing in to or out from the parking spaces in common with other arrangements in the area. Turning facilities are shown and would ensure that vehicles and pedestrian can successfully negotiate the site. As such, access arrangements are considered to be acceptable and in accordance with the provisions of Policy ES3.

The proposed scheme would utilise its own private access and would provide two parking spaces for the proposed unit, meeting the Council's parking standards. As such, the scheme is not considered to be detrimental to highway safety.

Moreover, the site is located within the defined settlement boundary and as such, the occupiers of the property would have easy access to local facilities without the need to travel by car.

Local residents have raised objections to the loss of the parking area; however the site's use to date for parking has been by informal permission only with the users having no known rights of the land. Furthermore, the site is not linked to any current Council tenancy agreement.

AFFORDABLE HOUSING / OBLIGATIONS

Adopted Local Plan policy CP9 specifies that small scale residential schemes (1 -3 dwellings) for should pay a contribution to affordable housing of at least 20% of the total development value (where viable). However, in May 2016, planning practice guidance was updated to stipulate that contributions for affordable housing should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016 which gives legal effect to policy set out in the Ministerial Statement on 28 November 2014.

In order to support the delivery of small scale housing, the Council will follow national guidance and not seek contributions for the proposal.

OTHER MATTERS

The potential loss of property value would not be a material planning consideration and therefore such a concern does not carry any weight in the determination of the planning application.

The local bus being unable to negotiate the roads due to on street parking would not be a material planning consideration.



Development Control Committee Schedule 08/01/2019

REVIEW OF CONSULTATION RESPONSES

Letters of objection and comment have been received in response to the application and these are available to view on the electronic planning file.

The objections and comments raised have been duly noted and considered in full in the main body of this report.

RECOMMENDATION

The application is considered to comply with the relevant policies and is therefore recommended for permission.

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.

Subject to the following conditions:	<ol style="list-style-type: none"><li data-bbox="448 1093 1511 1350">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.<li data-bbox="448 1391 1511 1682">2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans: PL003 Proposed site plan, PL004 Proposed layout and PL005 Proposed elevations. Reason: To ensure that the development is carried out in accordance with the approved plans.<li data-bbox="448 1722 1511 1935">3. 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 Monday to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.
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Development Control Committee Schedule 08/01/2019

Reason:

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

4. The proposed dwelling shall not be occupied until all the car parking has been provided in accordance with the submitted plan (PL005/B) and that area shall not be used for any other purpose other than for the parking of vehicles thereafter.

Reason:

To ensure that adequate off road parking is provided, in the interests of highway safety and to comply with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

5. No construction works shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

1. provide for the parking of vehicles of site operatives and visitors;
2. provide for the loading and unloading of plant and materials;
3. provide for the storage of plant and materials used in constructing the development;
4. measures to control the emission of dust and dirt during construction

Reason:

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in the interests of highway safety and accordance with Local Plan Policy ES3.

6. No development shall take place until details of the existing ground levels, proposed finished floor levels, ridge and eave heights of the dwelling and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development have been submitted to and approved by the Local Planning Authority. Such details shall also provide comparative levels of eaves and ridge heights of the proposed and adjoining properties. The development shall be carried out in strict accordance with the details as approved.



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Reason:

Ground levels must be agreed prior to any works taking place in order to avoid a situation where unacceptable ground level alterations cannot be undone without significant reconstruction work. Ground levels need to be agreed to secure an acceptable finished building height to ensure the satisfactory appearance of the development, in accordance with Policies HC1 of the Stroud District Local Plan, November 2015.

7. The turning / manoeuvring space hereby permitted in accordance with plan PL003 Proposed site plan shall be maintained free of obstruction and shall only be used for the purposes of turning / manoeuvring only.

Reason:

To ensure that sufficient parking and turning space is made available in the interests of highway safety.

8. No additional windows or doors shall be formed in the Northern, Eastern, Southern and Western elevations of the dwelling hereby permitted.

Reason:

In the interests of the amenities of the occupiers of adjoining residential properties to accord with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

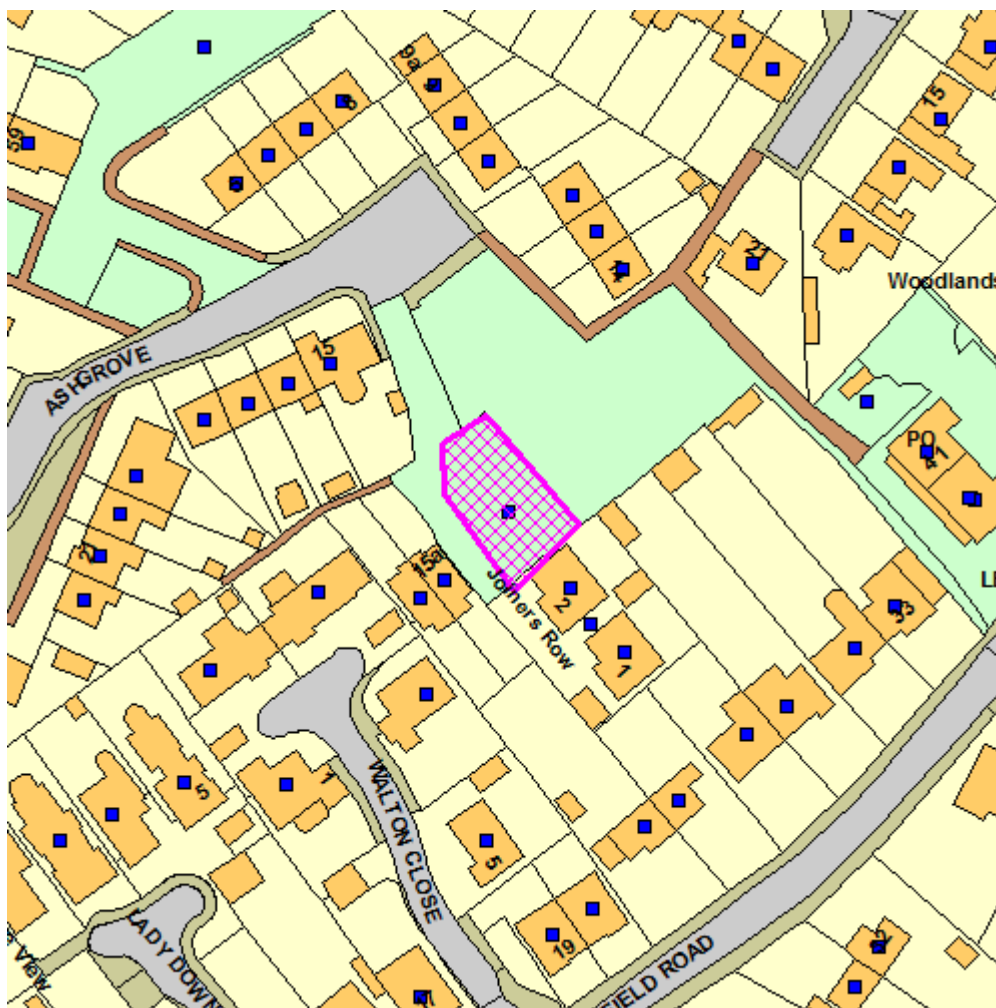
Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant.
2. 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, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke or fume complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.



Development Control Committee Schedule 08/01/2019

Item No:	08
Application No.	S.18/2237/FUL
Site No.	PP-07355986
Site Address	Land Adjacent To 15A, Ash Grove, Upton St Leonards, Gloucestershire
Town/Parish	Upton St Leonards
Grid Reference	386401,215165
Application Type	Full Planning Application
Proposal	Detached dwelling.
Recommendation	Permission
Call in Request	Planning Manager



Applicant's Details	105-107 Bath Road, Cheltenham, Gloucestershire, GL53 7LE,
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Agent's Details	Coombes Everitt Architects Limited 105-107, Bath Road, Cheltenham, Gloucestershire, GL53 7LE
Case Officer	Gemma Davis
Application Validated	16.10.2018
	CONSULTEES
Comments Received	Upton St Leonards PC
Constraints	Within 200m of M5 Upton St Leonards Parish Council Settlement Boundaries (LP)
	OFFICER'S REPORT

MAIN ISSUES

- o Background
- o Principle of development
- o Design and layout
- o Residential amenity
- o Highways
- o Obligations and affordable housing
- o Other matters

DESCRIPTION OF SITE

The application site comprises an area of hard-surfacing that was once a central car park area that served the homes that surrounds the site. The site is accessed off of Ash Grove and sits amongst residential properties to all four sides.

The site does not lie within any landscape designation.

PROPOSAL

The application seeks permission for the erection of a detached dwelling.

REVISED DETAILS

None

MATERIALS

Walls: Render
Roof: Slate roof
Doors/windows: Composite timber / aluminium



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REPRESENTATIONS

Statutory Consultees:

Upton St Leonards Parish Council objects to the development on the following grounds:

- o Loss of parking
- o Impact on waste vehicles negotiating the site / wider area
- o Potential loss of bus service

The Councils Tree Officer raises no objection to the proposal.

Public:

A number of objection letters have been received raising the following concerns:

- o Loss of parking
- o Loss of bus service
- o Drainage
- o Village school over subscribed
- o Doctors oversubscribed
- o Encroachment on green space
- o Materials out of keeping
- o Brick wall out of keeping

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view

at:<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Stroud District Local Plan.

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.
- CP9 - Affordable housing.
- CP14 - High quality sustainable development.

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

ES1 - Sustainable construction and design

ES3 - Maintaining quality of life within our environmental limits.

ES4 - Water resources, quality and flood risk.

ES6 - Providing for biodiversity and geodiversity.

ES8 - Trees, hedgerows and woodlands.



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ES12 - Better design of places.

The proposal should also be considered against:

Residential Design Guide SPG (2000)
Planning Obligations SPD (2017)

BACKGROUND

The application is supported by the following statement:

“Stroud District Council is obliged to manage its assets and make the best use of its existing property to build new homes and safeguard its finances, therefore the retention of underused land requires investment that represents an unacceptable impact on Council finances, particularly as investment in housing takes a higher priority.

In September 2015 the Council's Housing Committee reviewed its district wide land and garage ownership and resolved to rationalise its stock via various options including their redevelopment and/or sale.

In this instance, the site itself was a car parking area that once served the Homes that surround it, these homes have since been privately purchased from the Council and therefore the new owners lost the right to park on the proposed site. The purchased properties have their own arrangements on driveways.”

This current application has been submitted following a withdrawn application for the erection of a detached dwelling. That proposal was considered unacceptable due to concerns regarding the design and the impact of the development on neighbouring properties. Since the withdrawal, a few tweaks have been made to the scheme that includes removal of fenestration and a pitched roof added to the dormer windows.

PRINCIPLE OF DEVELOPMENT

The site lies within the defined Settlement Boundary of Upton St Leonards designated as a Third Tier Settlement within the Local Plan, where there is a presumption in favour of development subject to design and amenity considerations and to a satisfactory means of access being provided.

The site is set amongst other residential properties. In this respect the principle of further residential development on the site can be supported; however, the further consideration of the design, layout and appearance of the scheme has to be assessed.

DESIGN AND LAYOUT

This part of Upton St Leonards contains dwellings which are largely uniform in appearance. The area is predominately characterised by a mixture of housing comprising two storey detached, semi-detached and terraced units and bungalows.



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The submitted drawings indicate a very simple, modern designed 1.5 storey modular property that benefits from a rectangular form under a pitched roof arrangement. The ridge height of the proposed dwelling would be set at the same level of height of the adjacent neighbouring dwelling. The first floor accommodation is partially set within the roof space with dormer windows to the rear north-western elevation.

The unobtrusive form and bulk of the building, coupled with its curtilage, indicates that it would not detract from the character and appearance of the area and would integrate with the surrounding built form. While it is acknowledged that the design of the dwelling is not overly in keeping with the design of the surrounding built form, given that neighbouring properties in the vicinity vary in design and scale, it is considered that a house of the design proposed would not appear out of keeping in this location. Furthermore, it should also be noted that the site is a standalone location.

The proposed building follows the existing building line that has been established by the properties on Joiners Row. As such the proposed development would not appear as an incongruous addition.

The arrangement of the plot as detailed would provide adequate garden for the proposed dwelling, compliant with the standards set out in the Council's Residential Design Guide and in keeping with the form of surrounding development. Sufficient space would remain so as to ensure the plot does not appear cramped or overdeveloped. To ensure that the plot size would not be cramped / overdeveloped, a condition removing permitted development rights has been imposed.

Given the mixed palette of materials found within the vicinity, the proposed dwelling would not look out of place.

RESIDENTIAL AMENITY

The new dwelling has been designed to minimise the impact on neighbouring properties amenities. In terms of overlooking, no first floor fenestration has been proposed to the south east and south west elevation, therefore the proposed development will not give rise to privacy loss. While it is acknowledged that roof lights have been proposed to the south west elevation, these are at high level and serve a landing, therefore there will not be any issues in terms of overlooking.

The rear elevation benefits from ground and first floor protruding windows. Given that the outlook is across green open space, there will not be any issues in terms of privacy loss.

Given the degree of separation and position of new dwelling in relation to the neighbouring properties, there would be no significant overbearing issues.

HIGHWAYS

The site is located within a built up residential area, where traffic speeds are fairly slow. The proposed arrangements would necessitate vehicles reversing in to or out from the parking spaces in common with other arrangements in the area. Turning facilities are shown and would ensure that vehicles and pedestrian can successfully negotiate the site. As such,



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access arrangements are considered to be acceptable and in accordance with the provisions of Policy ES3.

The proposed scheme would utilise its own private access and would provide two parking spaces for the proposed unit, meeting the Council's parking standards. As such, the scheme is not considered to be detrimental to highway safety.

Moreover, the site is located within the defined settlement boundary and as such, the occupiers of the property would have easy access to local facilities without the need to travel by car.

Local residents have raised objections to the loss of the parking area; however the site's use to date for parking has been by informal permission only with the users having no known rights of the land. The site is not linked to any current Council tenancy agreement.

AFFORDABLE HOUSING / OBLIGATIONS

Adopted Local Plan policy CP9 specifies that small scale residential schemes (1 -3 dwellings) for should pay a contribution to affordable housing of at least 20% of the total development value (where viable). However, in May 2016, planning practice guidance was updated to stipulate that contributions for affordable housing should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016 which gives legal effect to policy set out in the Ministerial Statement on 28 November 2014.

In order to support the delivery of small scale housing, the Council will follow national guidance and not seek contributions for the proposal.

OTHER MATTERS

The local bus being unable to negotiate the roads due to on street parking would not be a material planning consideration.

The proposed dwelling is contained within the hard surfaced area. It does not encroach upon the open space beyond.

The proposed development is located adjacent to an ornamental cherry tree. The Council's Arboriculturalist has assessed the proposed development in relation to this tree and raises no objection.

REVIEW OF CONSULTATION RESPONSES

Letters of objection and comment have been received in response to the application and these are available to view on the electronic planning file.

The objections and comments raised have been duly noted and considered in full in the main body of this report.

RECOMMENDATION

The application is considered to comply with the relevant policies and is therefore recommended for permission.



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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.

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. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans: PL005/B Site plan as proposed, ground floor and landscape, PL102/B Elevations as proposed, PL103/A Sections as proposed, PL104/A Sections as proposed, PL101/B Plans as proposed and PL001 Site location plan.

Reason:
To ensure that the development is carried out in accordance with the approved plans.
3. 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 Monday to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

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



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4. The proposed dwelling shall not be occupied until all the car parking has been provided in accordance with the submitted plan (PL005/B) and that area shall not be used for any other purpose other than for the parking of vehicles thereafter.

Reason:

To ensure that adequate off road parking is provided, in the interests of highway safety and to comply with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

5. No construction works shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. provide for the parking of vehicles of site operatives and visitors;
- ii. provide for the loading and unloading of plant and materials;
- iii. provide for the storage of plant and materials used in constructing the development;
- iv. measures to control the emission of dust and dirt during construction

Reason:

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in the interests of highway safety and accordance with Local Plan Policy ES3.

6. No development shall take place until details of the existing ground levels, proposed finished floor levels, ridge and eave heights of the dwelling and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development have been submitted to and approved by the Local Planning Authority. Such details shall also provide comparative levels of eaves and ridge heights of the proposed and adjoining properties. The development shall be carried out in strict accordance with the details as approved.

Reason:

Ground levels must be agreed prior to any works taking place in order to avoid a situation where unacceptable ground level alterations cannot be undone without significant reconstruction work. Ground levels need to be agreed to secure an acceptable finished building height to ensure the satisfactory appearance of the development, in accordance with Policies HC1 of the Stroud District Local Plan, November 2015.



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7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development permitted under Article 3, and described within Classes A - E; of Part 1 of Schedule 2, shall take place.

Reason:

To ensure the satisfactory appearance of the development and to ensure that the site does not become cramped or overdeveloped, in accordance with Policy HC1 of the adopted Stroud District Local Plan, November 2015 and the provisions of the National Planning Policy Framework.

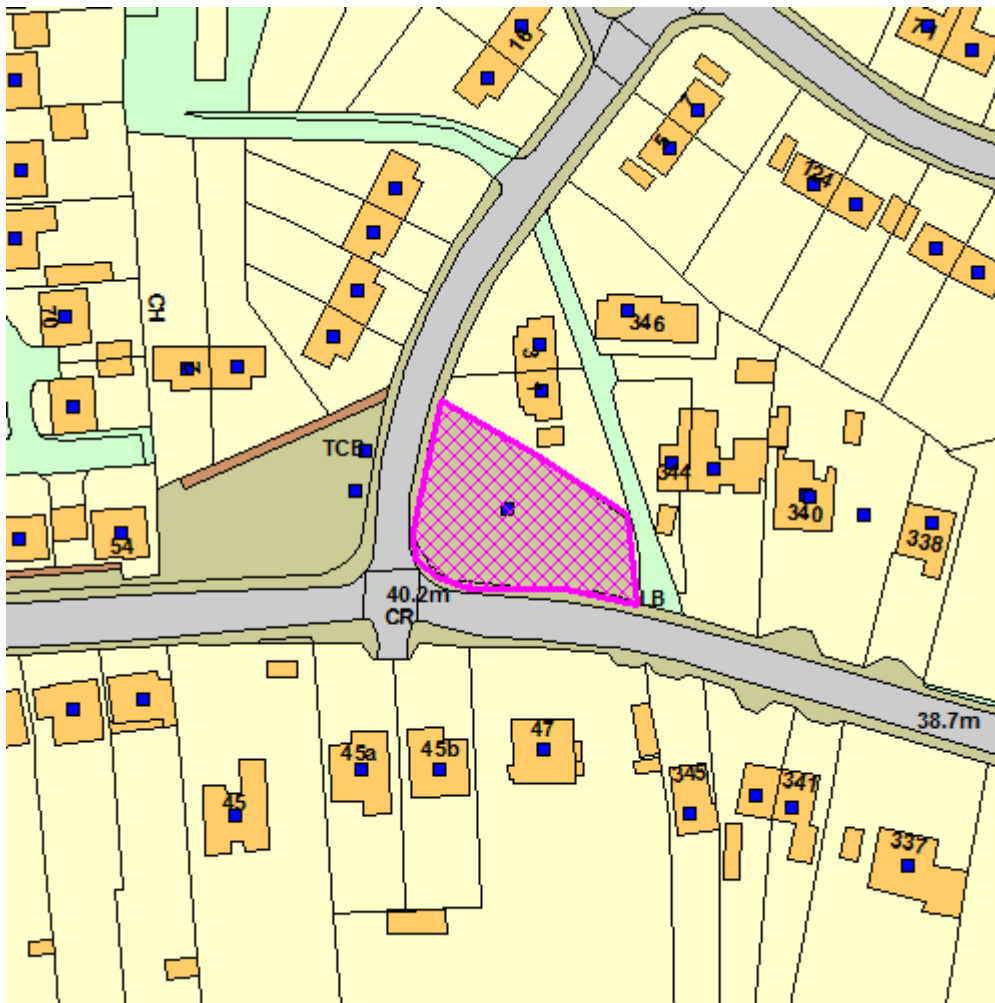
Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant.
2. 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, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke or fume complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.



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Item No:	09
Application No.	S.18/2275/FUL
Site No.	PP-07361345
Site Address	Land Adjacent No.1, Orchard Road, Ebley, Stroud
Town/Parish	Cainscross Parish Council
Grid Reference	382262,204732
Application Type	Full Planning Application
Proposal	Erection of a two storey residential apartment block with associated vehicle parking and landscaping.
Recommendation	Permission
Call in Request	Planning Manager





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Applicant's Details	Mr Oliver Tyler 8 Manor Park, Mackenzie Way, Cheltenham, GL51 9TX,
Agent's Details	None
Case Officer	Gemma Davis
Application Validated	19.10.2018
	CONSULTEES
Comments Received	Development Coordination (E) Environmental Health (E) Cainscross Parish Council Contaminated Land Officer (E)
Constraints	Adjoining Canal Affecting the Setting of a Cons Area Consult area Cainscross Parish Council Rodborough 3km core catchment zone Settlement Boundaries (LP)
	OFFICER'S REPORT

MAIN ISSUES

- o Background
- o Principle of development
- o Design and layout
- o Residential amenity
- o Highways
- o Obligations and affordable housing

DESCRIPTION OF SITE

The application site comprises an area of open green grassland that is located off of Orchard Road. The site is trapezoid in shape and has an area of approx 0.07ha. The site is bounded by a mature tree line along its southern boundary with Westward Road and a maintained hedgerow along its boundary with No.1 Orchard Road.

The site does not lie within any landscape designation.

PROPOSAL

The application seeks permission for the erection of a two storey residential apartment block, comprising two one bedroom flats, with associated vehicle parking and landscaping.

REVISED DETAILS

None



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MATERIALS

Walls:	Traditional brick and render
Roof:	Plain tiles
Doors/windows:	UPVc

REPRESENTATIONS

Statutory Consultees:

The Council's Arboriculturalist raises no objection to the proposal subject to condition.

GCER have identified protected species potentially within 105m of the site.

The Local Highway Authority raises no objection to the proposal subject to condition.

The Council's Environmental Health Manager has recommended standard conditions and informatives should planning permission be forthcoming.

The Council's Contaminated Land Officer has identified that the proposed building lies within 250m of a former landfill site. As such, a landfill informative has been requested should planning permission be forthcoming.

Public:

Two letters of objection have been received raising the following concerns:

- o Poor access
- o Lack of parking
- o Out of keeping with Orchard Road
- o Loss of open space
- o Construction hindrance
- o Increase in traffic

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view

at:<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

NATIONAL AND LOCAL PLANNING POLICIES

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Stroud District Local Plan.

Policies together with the preamble text and associated supplementary planning documents are available to view on the Council's 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:



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CP1 - Presumption in favour of sustainable development.
CP2 - Strategic growth and development locations
CP3 - Settlement Hierarchy.
CP9 - Affordable housing.
CP14 - High quality sustainable development.

HC1 - Meeting small-scale housing need within defined settlements.
ES1 - Sustainable construction and design
ES3 - Maintaining quality of life within our environmental limits.
ES4 - Water resources, quality and flood risk.
ES6 - Providing for biodiversity and geodiversity.
ES8 - Trees, hedgerows and woodlands.

ES12 - Better design of places.

The proposal should also be considered against:

Residential Design Guide SPG (2000)
Planning Obligations SPD (2017)

BACKGROUND

The application is supported by the following statement:

“Stroud District Council is obliged to manage its assets and make the best use of its existing property to build new homes and safeguard its finances, therefore the retention of underused land requires investment that represents an unacceptable impact on Council finances, particularly as investment in housing takes a higher priority.

In September 2015 the Council's Housing Committee reviewed its district wide land and garage ownership and resolved to rationalise its stock via various options including their redevelopment and/or sale.”

This current application has been submitted following a withdrawn application for the erection of a detached building comprising 2 flats. That proposal was considered unacceptable due to concerns regarding the design of the proposal, highway safety matters and the adequacy of the tree report. Since the withdrawal, a revised design has been proposed, the building has been re-located, highway safety issues have been addressed and a robust tree report has been submitted.

PRINCIPLE OF DEVELOPMENT

The application site is located within the development limit of Stroud, a first tier settlement as defined by policy CP3. First tier settlements have the ability to support sustainable patterns of living in the District because of their current levels of facilities, services and employment opportunities. They have the potential to provide for modest levels of jobs and homes in order to help sustain and, where necessary, enhance their services and facilities promoting better levels of self containment and viable, sustainable communities.



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DESIGN AND LAYOUT

The current form of development in Orchard Road is mostly characterised by semi-detached properties of a linear layout which follows the existing road network with properties facing on to the highway which are set back in the plot or with properties fronting areas of open space. The submitted drawings identify a unit that is similar in design to surrounding properties and a unit that fronts the highway and is set back within the plot.

The building has been designed to reflect the local vernacular. The property would sit comfortably within the plot whilst providing an appropriate area of private amenity space. The arrangement of the plot as defined would provide adequate shared garden areas for the proposed units, compliant with the standards set out in the Council's Residential Design Guide and in keeping with the form of surrounding development. It is also noted that sufficient space would remain so as not to appear cramped or overdeveloped.

The building would be finished in materials similar to those found on the adjacent neighbouring houses and as such would not look out of place. The new dwelling would also have a traditional form with a two storey pitched roof form. The dwelling appears proportionate, with a suitable ridge height, gable widths and wall to roof ratio.

While it is acknowledged that the building would be forward of the building line that has been formed by No.1 and No.3 Orchard Road, the general layout of the new building would not compete with the surrounding form of the area. Furthermore, it should also be noted that the building would be constructed within the building line formed by the newly erected residential estate known as Rennard Rise that is located to the west of the site. As such, it would be difficult to argue that there would be detrimental impact caused to the character and appearance of the street scene. In addition, it should also be noted that the building is positioned behind a well established tree line that separates the site from Westward Road, it is therefore considered that the building would not appear prominent or incongruous in the street scene.

RESIDENTIAL AMENITY

The building would more or less follow the building line of the streetscene. Owing to the orientation and position of the proposed windows, the new flats would not result in any unacceptable increase in overlooking. Should additional fenestration be added in the future, a further application would be required as flats do not benefit from permitted development rights.

The proposed layout, separation distance and reduced height ensures that neighbouring properties would not be affected by way of loss of light or have an overbearing impact that would warrant refusal of the application.



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HIGHWAYS

The proposed development is located adjacent to Orchard Road, a Class 4 highway subject to a 30mph speed limit.

In order for the required visibility splays for the proposed access to be provided in accordance with the deemed to satisfy requirements, a speed survey was conducted in accordance with TA22/81. It was concluded the 85thile speeds Northbound of the proposed access were 14.0mph and 16.0mph Southbound. These are respectively subject to 17m and 19m visibility splays (Y distances), which the highway authority deems to be achievable.

The development also comprises a segregated footway from the adjacent highway to each individual dwelling, which is positively emphasized by the highway authority. In relation to parking arrangements, the highway authority deems the proposed level of parking (3no. Parking spaces) for the development to be acceptable and compliant with Stroud District Local Plan.

OBLIGATIONS AND AFFORDABLE HOUSING

Adopted Local Plan policy CP9 specifies that small scale residential schemes (1 -3 dwellings) for should pay a contribution to affordable housing of at least 20% of the total development value (where viable). However, in May 2016, planning practice guidance was updated to stipulate that contributions for affordable housing should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016 which gives legal effect to policy set out in the Ministerial Statement on 28 November 2014.

In order to support the delivery of small scale housing, the Council will follow national guidance and not seek contributions for the proposal.

As the site lies within 3km of the Rodborough Common Special Area of Conservation (SAC), the development results in the need for an appropriate mitigation strategy or for the developer to enter into an appropriate Section 106 agreement to make contributions to a central fund. A signed Section 106 agreement has been received to secure funding towards the latter.

REVIEW OF CONSULTATION RESPONSES

Letters of objection and comment have been received in response to the application and these are available to view on the electronic planning file.

The objections and comments raised have been duly noted and considered in full in the main body of this report.

RECOMMENDATION

The application is considered to comply with the relevant policies and is therefore recommended for permission.



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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.

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. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans: 9A02 Site Plan, 9A11 Proposed elevations, 9A10 Proposed floor plans and 9A01 Location Plan.

Reason:

To ensure that the development is carried out in accordance with the approved plans.

3. The development shall be undertaken in accordance with the arboriculture impact assessment report produced by Focus Ecology Ltd dated October 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 preserve trees and hedges on the site in the interests of visual amenity and the character of the area, having regard to Policy ES8 of the adopted Stroud District Local Plan 2015, coupled with paragraph 15, 170(b) & 175 (C) & (D) of the National Planning Policy Framework 2018.

4. 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 2.0m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 17m Northbound and 19m



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Southbound (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.

5. The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 1no. bicycle has been made available in accordance with details to be submitted to and approved in writing by the LPA.

Reason:

To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

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

- 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.

7. 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 Monday to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.



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Reason:

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

8. The proposed flats shall not be occupied until all the car parking has been provided in accordance with the submitted plan (9A02) and that area shall not be used for any other purpose other than for the parking of vehicles thereafter.

Reason:

To ensure that adequate off road parking is provided, in the interests of highway safety and to comply with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant.
2. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise, dust, smoke/fumes and odour during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting, not burning materials on site and advising neighbours in advance of any particularly noisy works. It should also be noted that the burning of materials that gives rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume, noise or dust complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.