

6 February 2019

## **DEVELOPMENT CONTROL COMMITTEE**

A meeting of the Development Control Committee will be held on **TUESDAY 19 FEBRUARY 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](http://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 – 8 JANUARY AND 22 JANUARY 2019**  
To approve and sign as a correct record the minutes of the Development Control Committee meetings held on 8 January 2019 and 22 January 2019.
- 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 LAND EAST OF WATERWELLS, MARCONI DRIVE, QUEDGELEY (S.17/1446/FUL)**  
Erection of 118 dwellings and associated works including access, drainage and landscaping (cross boundary application - duplicate planning application also submitted to Gloucester City Council).
- 4.3 LAND ADJACENT TO 59 WOODLAND GREEN, UPTON ST LEONARDS (S.18/2219/FUL)**  
Erection of two dwellings.
- 4.4 LAND ADJACENT TO 26 ASH GROVE, UPTON ST LEONARDS (S.18/2222/FUL)**  
Proposed dormer bungalow.
- 4.5 LAND ADJACENT TO 15A ASH GROVE, UPTON ST LEONARDS (S.18/2237/FUL)**  
Detached dwelling.
- 4.6 LEWISTON MILL, TOADSMOOR ROAD, BRIMSCOMBE (S.18/2073/VAR)**  
Variation of condition 22 approved plans of Planning Permission S.15/1385/FUL to provide an increased sized car park (retrospective for temporary construction car park) (387565 - 202255).
- 4.7 LAND ADJACENT NO.24, THE CLOSE, WHITMINSTER (S.18/1678/FUL)**  
Erection of one single storey dwelling with associated vehicle parking and landscaping (revised scheme).
- 4.8 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).
- 4.9 LAND AT LYDAY CLOSE, OAKRIDGE LYNCH, STROUD (S.18/2322/FUL)**  
Proposed new dwelling with garage and associated landscape works (E 391501 - N 203462).

#### **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

8 January 2019

6.03 pm – 7.47 pm

Council Chamber, Ebley Mill, Stroud

# 3

### Minutes

#### Membership

Councillor Tom Williams (Chair)	P	Councillor Haydn Jones	A
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	Principal Planning Officer
Development Manager	Interim Head of Legal Services and
Team Manager	Monitoring Officer
Conservation Officer	Democratic Services Officer
Solicitor and Deputy Monitoring Officer	

#### DC.045 APOLOGIES

An apology was received from Councillor Haydn Jones.

#### DC.046 DECLARATIONS OF INTEREST

Schedule Item 4.9 – land adjacent to 1 Orchard Road, Ebley. Councillor Miles declared that as ward member she would not take part in the debate nor vote as a committee member; but would exercise her local ward member rights to speak at the start of the item.

#### DC.047 MINUTES – 27 NOVEMBER 2018

**RESOLVED** That the Minutes of the meeting held on 27 November 2018 are accepted as a correct record.

#### DEVELOPMENT CONTROL PLANNING SCHEDULE

The Chair stated that application (S.18/1039/FUL), The Ram Inn had been withdrawn by the Monitoring Officer. The in-house application S.18/1094/FUL had been formally withdrawn by the applicant and the in-house applications S.18/2219/FUL,

S.18/2222/FUL, S.18/2237/FUL had all been removed from the Agenda by the Chair and Planning Manager.

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

1	S.18/2326/REM	4	S.18/1797/HHOLD	5	S.18/1798/LBC
9	S.18/2275/FUL				

Late pages relating to items 1, 6, 7, 8 and 9 on the schedule had been circulated to committee prior to the meeting and items being withdrawn.

**DC.048**      **PARCEL H11 & H12 LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND (S.18/2326/REM)**

The Chair outlined the above application. The Planning Manager read the comments within the late pages. The Principal Planning Officer had nothing to add to his report.

No persons were present to speak on the application.

Members asked questions regarding the disruption caused by the temporary closure of bridleways/footpaths. Steps were being taken to reduce inconvenience as much as possible. Meetings had been set up with the developers and parishes have been kept updated. The width of the footpath was also discussed and members wanted a condition to be added for the footpath width to be a minimum of 3m, rather than the normal 1.8m width.

Councillor Cooper proposed a motion to accept officers' advice; this was seconded by Councillor Binns, with the addition of the width of the footpath being conditioned to 3m.

On being put to the vote the motion was unanimously carried.

**RESOLVED To grant application S.18/2326/REM, subject to the additional condition that the footpath width was 3m.**

**DC.049**      **OLD WEAVERS, PITCHCOMBE, STROUD. (S.18/1797/HHOLD)**

The Conservation Officer outlined the above application. Members raised concerns about the future protection of the trees that were currently in place.

Mr Shore, Chair of Pitchcombe Parish Council read out a statement which outlined reasons for refusal, this included Local Plan policy ES.10.

Mr Little, a local resident also did not support the application because the extension was inappropriate.

In reply to members' questions it was established that when driving through the core of the village the extension would not be highly visible but it would be at night and also from other aspects. The trees were not protected by a Tree Preservation Order and they also fell outside of the conservation area but had been included within the Arboriculture report for maintenance. Drawings of the site were handed around to members. The footprint of the extension would be approximately ¼ of the whole building. The terrace wall and extension were highlighted. The building was built in the 1800's. The landscaping formed part of the application.

Councillor Marjoram proposed a motion to refuse the application because it did not enhance the character of the listed building and conservation area and failed to demonstrate any architectural cohesion; this was seconded by Councillor Cooper.

Councillor Cooper stated he liked the extension but it was in the wrong place and did not enhance the listed building or conservation area stating it was contrary to policies ES3 and ES10.

Members debated the application and when put to the vote there were 6 votes in favour, 5 votes against and no abstentions.

**RESOLVED To refuse application S.18/1797/HHOLD, because it did not enhance the conservation area and was contrary to policies ES.3 and ES.10.**

**DC.050 OLD WEAVERS, PITCHCOMBE, STROUD (S.18/1798/LBC)**

The Conservation Officer confirmed that the above application was for listed building consent and the impact of the extension on the listed building.

Mr Shore and Mr Little had nothing to add to their objections and reasons for refusal.

The Chair reminded members that this application was for the impact of the extension on the listed building.

Councillor Marjoram proposed a motion to refuse the application because it would damage the character of the listed building; this was seconded by Councillor Cooper. Councillor Cooper also cited policies ES.10 and ES.3 which Councillor Marjoram was happy to adopt into his motion.

Members debated the application and Councillor Baxendale thought the extension detracted from the existing character of the listed building.

When put to the vote there were 6 votes for, 5 vote against and 0 abstentions.

**RESOLVED To refuse application S.18/1798/LBC, because it would damage the character of the listed building and was contrary to policies ES.10 and ES.3.**

At 19.22 pm the meeting adjourned and reconvened at 19.30 pm.

**DC.056 LAND ADJACENT TO 1 ORCHARD ROAD, EBLEY (S.18/2275/FUL)**

Having taken advice from the Monitoring Officer, Councillor Clifton declared that she did not consider she had an interest in this item because she was a member of the Housing Committee. Nevertheless in being transparent and open she wished it to be noted that she was part of the Housing Committee; however, she had not been involved with the application and did not consider she had an interest under the Code of Conduct which would prevent her from taking part and had retained an open mind.

The Team Manager outlined the application and drew members' attention to the late pages. There had been further objections received from the Parish Council and two neighbours.

Councillor Miles speaking as Ward Member raised concerns of the loss of this piece of green amenity land, the speed of traffic, the location of construction vehicles and the affect this would have on local residents.

In reply to questions there was no data on the use of the land, which was not a public open space. In the parish the public had access to Victory Park, Queen Elizabeth II field and also the canal tow path.

A plan showing the designated spaces from the local plan was displayed. The retention and maintenance of the trees had been included in Condition 3. The proposed layout had been agreed with Gloucestershire County Council.

Councillor Binns proposed a motion to accept officers' advice and to impose a further planning condition relating to retaining the existing trees; this was seconded by Councillor Cooper.

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

**RESOLVED To grant application S.18/2275/FUL, subject to a suitable Section 106 Deed/Unilateral Undertaking being entered into.**

The meeting closed at 7.47 pm.

Chair

## DEVELOPMENT CONTROL COMMITTEE

# 3

22 January 2019

5.00 pm – 9.10 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	A
Councillor Martin Baxendale	P	Councillor Karen McKeown	P
Councillor Dorcas Binns	P	Councillor Jenny Miles	A
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	Principal Planning Officer
Team Manager	Democratic Services Officer
Conservation Officer	Biodiversity Officer

#### Others in Attendance

Councillor David Mossman  
 Two Planning Consultants from Prospero Planning Consultancy

#### DC.052      APOLOGIES

Apologies for absence were received from Councillors Lydon and Miles.

#### DC.053      DECLARATIONS OF INTEREST

There were none.

#### DEVELOPMENT CONTROL PLANNING SCHEDULE

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

1	S.17/2729/FUL	2	S.17/2730/LBC
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Late pages relating to items 1 and 2 on the schedule had been circulated to committee prior to the meeting. A further document from the County Council, relating to highways matters, had been received by the Planning Manager at 6.00 pm.

**DC.054      FORMER STANDISH HOSPITAL AND FORMER WESTRIDGE HOSPITAL, STANDISH, STONEHOUSE (S.17/2729/FUL)**

**Exclusion of the Press and Public Section 100A and Schedule 12A, Local Government Act 1972**

Members noted that this application would involve the consideration of a report from the District Valuer on the viability assessment of the development produced by the Applicant.

This would be a significant planning consideration in evidencing the minimum amount of enabling development required to secure the restoration and preservation of the listed buildings with which the application was concerned. The District Valuer's report had been marked commercially sensitive and not for publication as it contained sensitive commercial and financial information relating to the applicant. Members were therefore asked to consider whether the public should be excluded from the meeting during the consideration of the District Valuer's report (a) because the information should be considered as "confidential" pursuant to section 100A of the 1972 Act and/or (b) because the information was of the nature referred to in paragraph (3) of Part 1 of Schedule 12A to that Act. Regarding the latter issue members were advised that they must balance the public interest in disclosing the information against the public interest in excluding the public.

**Members considered the issues referred to above and resolved to exclude the public from the meeting during the consideration of the District Valuer's report. The exclusion of the public commenced at 5.17 pm and the Committee resolved to re-admit the public at 6.00 pm.**

The Districts Council's planning consultants presented the report which set out the background and history of the site and the proposals; for 48 residential units through the conversion of Standish House and ancillary buildings and 99 new build units across the Standish House site and Westridge site.

The Council's consultants highlighted that the proposal was an 'enabling' development and a development such as this may not normally be supported but could be considered an exception site because of the high heritage value of the listed buildings and the site.

The Ward Councillor, Councillor David Mossman spoke in support of the proposal. He commented that along with Standish Parish Council there had been much work on the scheme over a long time and a lot of interest had been shown by the local community. He acknowledged that some aspects of the scheme gave cause for concern such as; the 6 units in the north east corner and transportation within the site.

Standish Parish Councillor Jackie Knight presented a response on behalf of the Parish Council. The views of the Parish Council were finely balanced; recognising the historic value of the site and also its challenging nature. There were concerns about access to public transport and local services. There were concerns too about the safety of cyclists with a need to ensure there was improved safety. It was suggested that traffic speed through the site should be 20 mph.

The Parish Council requested that it be consulted on a number of the conditions attached to the application.

Richard Wilshaw, Planning Manager of PJ Livesey presented the views of the applicants. He highlighted the need for the new build homes to support the viability of the site and to



help boost the supply of housing in the area. He acknowledged that it was a unique site and by its nature would set a precedent for other developments. He commented that the application had been developed over a long period of time and was now ready to move forward.

The Planning Manager reported to the Committee that a late submission had been received from the County Council as highways authority. The comments from the County Council proposed an additional condition to the internal layout of the site which would result in a more engineered design. This would include widening carriageways and additional lighting. In the opinion of the Planning Manager, this condition could not be attached because its potential impact of matters of heritage, landscape and biodiversity could not be addressed without knowing the full details of the changes required.

If the condition could not be attached, the recommendation from the County Council's Highways Officers was to refuse the application as the site did not provide safe and suitable access for all visitors and a reason for refusal was read out by the Planning Manager.

The Chair, expressed his concern about the response from the County Council at such a late stage in the process.

The Council's Solicitor advised the Committee that it was not compelled to agree with the County Council's recommendations. The Committee could demonstrate that it had taken due consideration of the comments from Highways.

The Chair opened the discussion for questions. A Member noted the poor state of the buildings and asked how soon the work would start. The Planning Manager acknowledged that an application could last for three years but the expectation was that work would commence as soon as possible.

In response to questions about development in the north east corner of the site, the Council's consultants stated that this was to reduce the landscape impact.

A question was raised about maintaining the historic value of the buildings. The Conservation Officer reported that a lot of work had gone into the design of the main building to maintain its character.

In response to questions on the visual impact, the Planning Consultant outlined the landscape photographs showing the impact one year on from development. The screening would develop more over time.

Members asked for assurances that the local community would be able to use the open space. After the adjournment, it was confirmed that all the open space within the development would be available for the general public to access with the exception of private garden areas and a field to the north of the Lodge.

Part of the Section 106 would set up a master plan and a management company would be established management of the site.

The Biodiversity Officer informed Members that there were a number of bat roosts on the site some roosts would be moved to other areas and some existing areas would remain. The overall ecological balance of the area would be retained. Some of the scrub areas would be cleared and native species would be encouraged.

In respect of the future operation of the Lodge it was confirmed that it would be a facility for community use. The area around the Lodge would accommodate 16-20 car parking spaces.

The meeting adjourned at 7.50 pm and reconvened at 8.06 pm.

The Planning Manager confirmed that the proposal was to provide public access to the site except for the field which would be for the person running the lodge and facilities. This would form part of the management plan.

Members asked further questions in respect of highways issues. It was noted that as this would be a privately managed development speed limits throughout the site could be set at 20mph, speed could also be reduced by landscaping.

In response to questions about lighting the Planning Manager advised that the lighting would be subdued and could include bollard lighting.

Councillor Haydn Jones proposed a motion to accept officers' advice; subject to the addition that Standish Parish Council be consulted on the certain planning conditions attached to the approval, this was seconded by Councillor Nigel Cooper.

On being put to the vote the motion was carried by 8 in favour and 2 abstentions.

**RESOLVED To permit application S.17/2729/FUL, subject to the conditions recommended within the schedule and to the conclusion of a Section 106 Agreement on terms acceptable to the Planning Manager and for Standish Parish Council to be consulted on the discharge of the relevant planning conditions.**

**DC.055      FORMER STANDISH HOSPITAL AND FORMER WESTRIDGE HOSPITAL, STANDISH, STONEHOUSE (S.17/2730/LBC)**

The Conservation Manager presented the Officers' report which set the proposals for the maintenance and conversion of the historic building.

Richard Wilshaw, Planning Manager of PJ Livesey thanked Members for their consideration and support of the developments and that the company wishes to commence the work as soon as possible.

Members asked questions about specific features of the building and were advised that as many features as possible would be retained.

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

Members debated the application and when put to the vote there were 9 votes in favour, and 1 abstention.

**RESOLVED To grant consent to application S.17/2730/LBC.**

The meeting closed at 9.10 pm.

Chair



# **Stroud District Council**

## **Planning Schedule**

### **19<sup>th</sup> February 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.

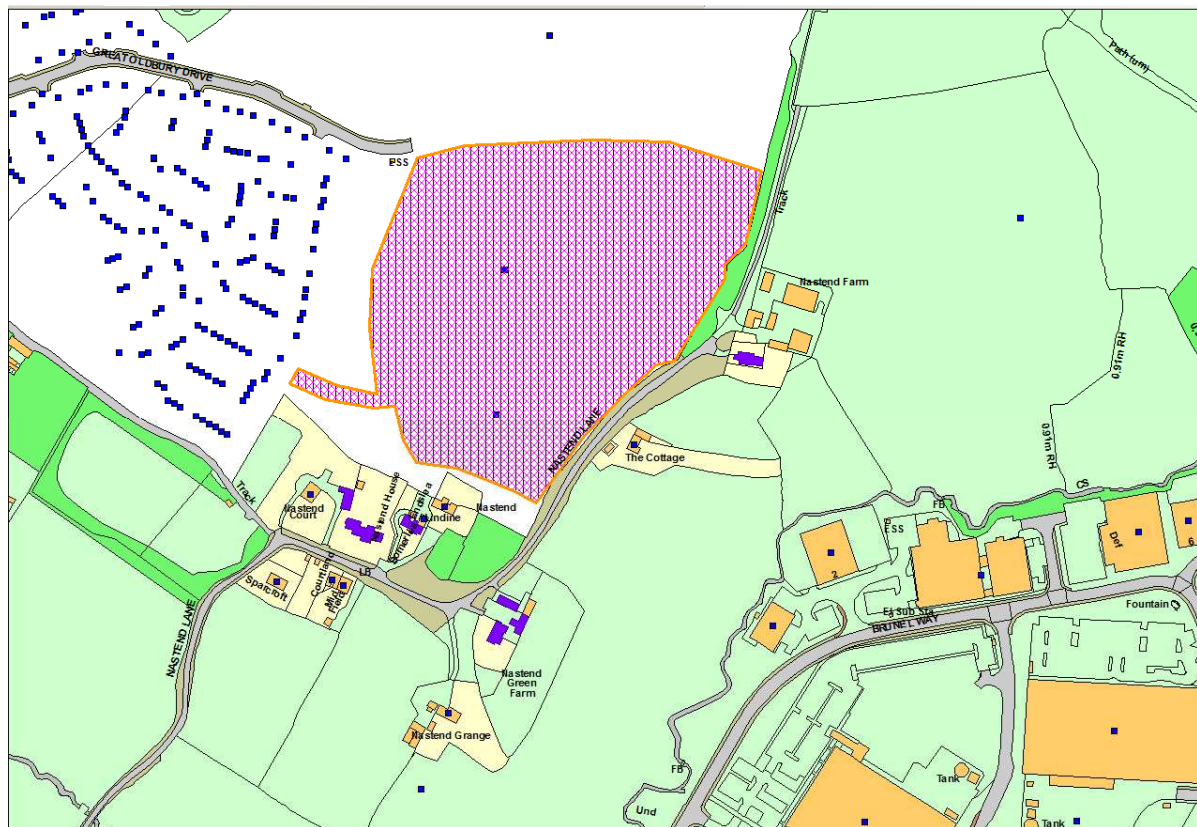
## II

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
Hardwicke Parish Council	Land East Of Waterwells, Marconi Drive, Quedgeley. S.17/1446/FUL - Erection of 118 dwellings and associated works including access, drainage and landscaping (cross boundary application - duplicate planning application also submitted to Gloucester City Council).	02
Upton St Leonards	Land Adjacent To 59, Woodland Green, Upton St Leonards. S.18/2219/FUL - Erection of two dwellings.	03
Upton St Leonards	Land Adjacent To 26, Ash Grove, Upton St Leonards. S.18/2222/FUL - Proposed dormer bungalow.	04
Upton St Leonards	Land Adjacent To 15A, Ash Grove, Upton St Leonards. S.18/2237/FUL - Detached dwelling.	05
Brimscombe And Thrupp Parish Council	Lewiston Mill, Toadsmoor Road, Brimscombe. S.18/2073/VAR - Variation of condition 22 approved plans of Planning Permission S.15/1385/FUL to provide an increased sized car park (retrospective for temporary construction car park) (387565 - 202255)	06
Whitminster Parish Council	Land Adjacent No.24, The Close, Whitminster. S.18/1678/FUL - Erection of one single storey dwelling with associated vehicle parking and landscaping (revised scheme).	07
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)	08
Bisley With Lypiatt Parish Council	Land At Lyday Close, Oakridge Lynch, Stroud. S.18/2322/FUL - Proposed new dwelling with garage and associated landscape works (E 391501 - N 203462)	09



## Development Control Committee Schedule 19/02/2019

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



<b>Applicant's Details</b>	Redrow Homes South West Redrow House, West Point, Great Park Road, Bradley Stoke, Bristol, BS32 4QG
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## Development Control Committee Schedule 19/02/2019

<b>Agent's Details</b>	None
<b>Case Officer</b>	David Lowin
<b>Application Validated</b>	31.10.2018
	<b>CONSULTEES</b>
<b>Comments Received</b>	Archaeology Dept (E) Eastington Parish Council Contaminated Land Officer (E) Public Rights Of Way Officer Natural England (E) Development Coordination (E) Historic England SW Flood Resilience Land Drainage Archaeology Dept (E) SDC Water Resources Engineer Highways England Arboricultural Officer (E) Stonehouse Town Council Archaeology Dept (E) Policy Implementation Officer (E) Severn Trent Water Ltd (E) Stonehouse Town Council
<b>Constraints</b>	Consult area Within 50m of Listed Building Neighbourhood Plan Eastington Parish Council Affecting a Public Right of Way SAC SPA 7700m buffer
	<b>OFFICER'S REPORT</b>

### UPDATE FOR DCC 19th FEBRUARY 2019

This application was considered at DCC on 8th January. Members resolved to delegate approval to Officers subject to comments from County Highways. Members also required a 3m wide pedestrian path. This is conditioned and readily accepted by the applicants. However this application is brought back to DCC in the light of the particular County Highways officer's response.

The Highway Authority having failed to comment on the original submission, validated on 31 October 2018, were then re-consulted on 16th December 2018 on the revised layout negotiated by your Officers. Their response was not received at the time the Officer report was presented to DCC on 8th January but finally received on the 25th January.



## **Development Control Committee Schedule 19/02/2019**

The comments of the Highways Officer are appended to the report. In summary that response would necessitate and requests a re-design of the layout. At no time during the initial consultation period or during the consultation period on the revised scheme did the Highway Officers seek a dialogue with your Officers to alert them to their concerns. Currently the application has exceeded the thirteen week period allowed for determination. However given the particular circumstances which have been explained to them the applicants have granted an extension of one month.

The revised scheme is based on the area master plan and its layout which was approved by DCC in September 2018.

The particular Highways Officer is unclear whether the accesses off the main spine road have been approved. S.17/0219/REM grants such approval.

The objection to the proposed road layout is not based on established Policy adopted by GCC but guidance. In terms of shared space provision, to protect the less mobile, the correspondence from the Dept of Transport referred to is meant to apply to densely trafficked area such as High Streets and retail areas.

The notated details sought of carriageway widths can be dealt with at adoption stage or by condition, however none is suggested.

The concerns on the visitor parking layout can be dealt by a suitable condition but none is suggested. The critique of the double tandem parking areas for residents on some plots is noted; however there is no policy justification for this stance. The highway response notes that a Safety Audit has been done and the results are generally accepted, however the consultee requires more reassurances from the applicant. No details of these matters are given in the consultee's letter.

The minimum space for cycle parking required can be dealt with by condition.

The current situation is that the Highway Officer having now consulted with senior management colleagues sent a further response to the proposals on 1<sup>st</sup> February which has reconsidered the matter and raises fewer issues than the response made in January. Officers have spoken to the applicant and forwarded the revisions. It is expected that they will respond generally positively on most aspects.

Officers recommend approval subject to conditions and compliance with the expected revised drawings.

The report to the 8th January DCC meeting is as follows:





## Development Control Committee Schedule 19/02/2019

### **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 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.

### **CONSULTATIONS**

Highway Authority. Awaited at time of Officer Report.

Highways England: No Objection

Lead Local Flood Authority: No objection



## Development Control Committee Schedule 19/02/2019

SDC Water Engineer: No objection

Public Rights of way Officer: None Received

SDC Contaminated Land Officer: No comments.

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

SDC Senior Arboriculture Officer: No objection

Natural England: Original consultation response awaited at time of report preparation.

Historic England: (commenting on the originally submitted scheme)

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



## Development Control Committee Schedule 19/02/2019

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

### **Recommendation**

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.



## Development Control Committee Schedule 19/02/2019

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

### **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 Council's website:

[https://www.stroud.gov.uk/media/1455/stroud-district-local-plan\\_november-2015\\_low-res\\_for-web.pdf](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.



## Development Control Committee Schedule 19/02/2019

ES1 Sustainable Construction and Design: Promotes energy efficiency.

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.

Consideration of Key aspects



## Development Control Committee Schedule 19/02/2019

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.

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



## Development Control Committee Schedule 19/02/2019

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.

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



## Development Control Committee Schedule 19/02/2019

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 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





## **Development Control Committee Schedule 19/02/2019**

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.

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



## Development Control Committee Schedule 19/02/2019

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.

### 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.

#### 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.



## Development Control Committee Schedule 19/02/2019

All planting, 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. Notwithstanding the submitted plans, the hoggin footpath alongside plots 261/262, 314/315 to 339/340, shall be hard surfaced (to an adoptable standard) at a width of 3m for the entire length past the curtilages of these plots. Such works shall be completed prior to the occupation of the 158th unit.

Reason:

To ensure that connectivity is promoted in accordance with Policy CP5 of the Stroud District Local Plan 2015.

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.

## Highways Development Management

Shire Hall  
Gloucester  
GL1 2TH

David Lowin  
Stroud District Council  
Council Offices  
Ebley Mill  
Stroud  
Gloucestershire  
GL5 4UB

email: [lucas.arinze@gloucestershire.gov.uk](mailto:lucas.arinze@gloucestershire.gov.uk)

Please ask for: Lucas Arinze

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Our Ref: S/2018/041686

Your Ref: S.18/2326/REM

Date: 24 January 2019

Dear David Lowin,

### **TOWN AND COUNTRY PLANNING ACT 1990 HIGHWAY RECOMMENDATION**

**LOCATION: Parcel H11 & H12 Land West Of Stonehouse Grove Lane Westend Stonehouse Gloucestershire**

**PROPOSED: Approval of reserved matters following permission S.14/0810/OUT. Development comprising the erection of 165 dwellings and associated landscaping, access, parking and infrastructure**

#### **Introduction:**

An outline application (Ref. S.14/0810/OUT) for A mixed use development comprising up to 1,350 dwellings and 9.3 hectares of employment land for use classes B1, B2 and B8; a mixed use local centre comprising use classes A1, A2, A3, A4, A5, D1, D2 and B1; primary school, open space and landscaping, parking and supporting infrastructure and utilities; and the creation of new vehicular accesses from Grove Lane, Oldends Lane and Brunel Way was approved on 14<sup>th</sup> April 2016.

This review relates to the approval of reserved matters comprising: access, appearance, landscaping layout and scale detail for the erection of 165 dwellings with parking and infrastructure.

Initially clarification is sought for the approval of reserved matters, if different from the above. The application form relates to the approval of reserved matters comprising: access, appearance, landscaping layout and scale however the Design and Access Statement (DAS) states that 'the planning

application refers to all matters except access, for which details have been approved in the Outline Planning Permission.'

### **Scope:**

The purpose of this review is to appraise the application from a highways perspective. A technical review has been completed of all relevant submitted documents to demonstrate accordance with local and national guidance, including Manual for Gloucestershire Streets (MfGS) and Manual for Streets (MfS).

### **Access:**

Subject to the above being clarified and access being a reserved matter for consideration clarification is required regard the distance of the two junctions located within close proximity to the roundabout junction with adjacent landscaping. Junctions should be located no closer than 20m to the main junctions, should be safe and suitable and should also minimise the scope for conflicts, in accordance with the guidance contained within Manual for Streets Figure 8.19 and the NPPF.

### **Road Layout:**

The DAS and illustrative layout plan submitted as part of the approved outline application have been reviewed in order to understand the key design principles adopted for the internal site layout and to determine the extent to which the reserved matters application complies with these documents.

To align with the guidance set out in both MfGS and MfS and the DAS the design parameters of the layout should provide a connected network of pedestrian and cycle friendly streets that provide safe movement for all users. Whilst this has been executed in areas of the layout there remains areas where pedestrians and cyclists haven't necessary been given priority first due to the design.

The DAS states that it recognises pedestrian desire lines and allows for safe pedestrian and cycle movement through the site in order to reduce the dependency on the car as well as pedestrian prioritised streets and traffic calming measures being proposed along the secondary street to provide a safer environment for pedestrians and cyclists, however parts of the layout remain contrary to this.

Areas of the layout have provided the provision of pedestrian prioritised streets, consisting of a 5.5m carriageway with 1.8m footpath on one side with the aim of providing a safer environment for pedestrians. However, pedestrians accessing plots 289-290 for example will have to step out into the carriageway to access the dwellings as a lack of pedestrian segregation has been provided.

In addition clarification is sought as to how access can be safely gained to plots 245-247, the proposed layout demonstrates to access these plots all users are expected to pass over grass verge.

Primary and secondary streets should be considered as continuous routes that permeate through the development; with the guiding principle being that vehicles should not be required to perform a U-turn. Cul-de-sacs should provide access to a small number of dwellings, provide turning facilities and occupy

the margins of the development. Although a cul-de-sac arrangement will be supported connectivity between development parcels is preferred.

Details of all carriageway and footway/cycleways widths and junction radii will need to be annotated on plan, together with annotations to denote any changes in width. Widths need to be appropriate to accommodate the expected vehicle movements and pedestrian/cycle flows.

The proposed layout shows fairly straight carriageway alignments which could result in excessive vehicle speeds through the development. Pedestrian and cycle routes through the development are convoluted due to the block structure, which creates the impression of a car-centric development. Furthermore, provision should be made for a more fluent dedicated shared pedestrian / cycle link to the external network as previously agreed with the LPA. As cycle facilities were removed from the spine road, it was proposed and supported by the LPA that a clearly defined, legible off-carriageway route should be provided through all parcels that would run broadly following the route of the spine road. Such routes are of great importance for this development and what was proposed and agreed tries to limit the impact on developable land whilst ensuring that a route on the likely desire lines to key residential, employment land parcels and leisure/retail facilities is provided and accessible for all users. This was supported as a way of safely integrating the development with the wider area.

Traffic calming and speed reduction can be achieved through good design and should not necessitate specific measures such as changes in road surface and road narrowing. Revised plans should make use of bends in the alignment of streets to slow vehicles and restrict forward visibility and therefore manage vehicle speeds. It should however be demonstrable that the minimum required level of visibility can be achieved in accordance with the target desire speed (target design speed to be clarified). The planning layout appears to show some type of tables; however I am unsure if these are raised. It will need to be ensured that the traffic calming offers vertical deflection to control vehicle speeds. An annotated plan showing that the required levels of emerging and forward visibility throughout the layout can be achieved will need to be submitted.

Signing and lining or buildouts or similar will be required to the west of the site as it is not clear to drivers when approaching junctions as to where the major flow is to/from the side road with the result that drivers may not 'give way' due to the lack of traffic. Priority should remain with the main arm carrying the higher flows.

#### **Shared Space:**

Following the correspondence received from The Department for Transport (DfT) last year, where shared surface is proposed the following criteria will apply:

- Shared surface will only be accepted in culs-de-sac or mews environments – if vehicles per hour exceeds 100 (about 170 dwellings), shared space is not acceptable (MHCLG/DfT letter, MfS);
- The total highway width will not be less than 6.8m and will need to be a minimum of 8.6m wide if designated parking is required (MfS/MfGS);
- A continuous protected space for pedestrians must be maintained at all times at a minimum width of 2.0m – this can be located within the 6.8m highway width (MfS/MfGS);

- If parking is not controlled and there is evidence that the highway will be used to accommodate parking, an additional designated parking area a minimum of 1.8m wide will be provided – this brings the highway width up to a minimum of 8.6m (MfS/MfGS);
- The highway will need to be widened on bends (MfS); and
- The design speed is 15mph. If this cannot be achieved, shared space is not acceptable (MfGS)

It is considered that shared space is not in the interest of disabled people who find it difficult to navigate level surfaces when the kerb between the road and pavement is removed. Disabled people are a protected group in the Equality Act 2010. As a result, unless the above can be demonstrated, shared surface shall not be permissible in such locations. It must be robustly demonstrated how the requirements set out in NPPF (2018) Paragraph 110 can be addressed.

Where the above criteria does apply full height upstands will need to be gradually tapered into the shared surface areas with a transitional feature which will alter the visual design with the aim of reducing vehicle speeds. Priority will need to remain with pedestrians.

### **Swept Path Analysis:**

Given that the proposed site layout in its current form is not fully supported, it is likely that revised plans will be submitted. Therefore, the submitted SPA drawings are not accepted by virtue of the comments made regarding the overall layout. A new package of SPA drawings should be submitted in conjunction with a revised layout. The following paragraphs, whilst relating to the submitted drawings, should be referred to when conducting SPA on the revised layout.

In the absence of specific information regarding the type of refuse vehicle used in the area as previous reserved matters proposals in the Stroud District area have been tracked with a 3 axle 10.7m long refuse vehicle, as this may have changed, it is recommended that Stroud District Council is consulted on the type of refuse vehicle that is used in the local area in order to provide a robust assessment. The submitted drawing does not provide a comprehensive assessment of refuse vehicle access through the site, with some junctions / bends omitted. A drawing must be provided which demonstrates that a refuse vehicle is able to serve all portions of the development. This should include SPA of the refuse vehicle passing through all junctions within the development and any other areas that are considered to necessitate tracking in order to prove that refuse vehicles can be accommodated. The refuse vehicle should be demonstrated passing a private estate car (1715mm x 4226mm) along all streets and maintain a minimum of 500mm clearance to boundaries (vertical kerb-line structure, tree, formal parking spaces (including visitor parking spaces) etc.) and between vehicles should be maintained.

To avoid large bend radii's it is acceptable that a car and a refuse do not have to pass each other on a bend, providing that adequate forward visibility is provided to allow drivers to be able see another vehicle prior to committing to the manoeuvre. However, a supermarket delivery box van should be able to pass an estate car on bends and junctions and will also need to be demonstrated on plan.

MfS guidance states that a refuse vehicle must be able to access within 55m of all dwellings, taking into account a maximum carry distance for residents of 30m and for refuse operatives of 25m. It would be useful to submit a refuse strategy alongside the SPA drawings to demonstrate that criteria for collection

distances have been satisfied, noting both single and communal collection points throughout the development.

In addition to refuse vehicle tracking, the SPA plan of a fire tender should be annotated to demonstrate that emergency access can be achieved. In accordance with MfS guidance, fire tenders must be able to access within 45m of all dwellings.

### **Parking:**

Stroud District Council's adopted Local Plan contains parking provision at 1.5 spaces per dwelling (average) 2/dwelling will be required where it can be demonstrated, through a supporting parking study, that a greater parking provision would assist in alleviating an existing, on-street parking problem.

A review of the proposed site layout 'schedule of parking' confirms that this minimum allocation (415 spaces proposed across the site) has been provided through a mixture of on-plot (driveways / car ports) and garage parking. For garages to be included in the overall parking allocation, they must be provided with minimum internal dimensions of 6m x 3m. A number of dwellings are shown to have space for double parking. The practice of double parking should be avoided where possible, particularly for dwellings located along streets with a high movement function. For example, in the proposed layout double parking is shown on the main access road into the development (serving Plots 199 and 202 for example). This is not preferred because it can lead to complex "car swap" manoeuvres involving vehicles potentially reversing onto the highway and possibly causing delay or safety issues.

In terms of visitor parking, the requirements are to provide one parking space per five dwellings. Any visitor parking provided should be 'well designed and legible', although MfS states that this can be in the form of on-street provision. The current proposals for the layout of visitor parking are currently unknown and should be clarified.

A minimum of one cycle space per dwelling is to be provided. There is no indication in the submitted documents that this requirement has been addressed. It should be demonstrated that a minimum allocation of one cycle space per dwelling can be accommodated, either in garages where provided or an alternative secure storage area where garages are not provided.

### **Pedestrian / Cycle Access:**

The submitted DAS proposed to create an identifiable and legible environment. As discussed in this review, the proposed site layout must be revised to reflect this overarching principle across the site with priority being given first to pedestrians and cyclist.

Pedestrians should be accommodated for throughout the development. A minimum footway width of 2.0m (on both sides of the road) must be provided on all roads. In terms of pedestrian crossing provision, dropped tactile crossings should be provided at all junctions and follow desire lines throughout the development to DDA standard. In addition corduroy paving should be provided where cyclists are directed on to the highway from the cycle path.

### **Road Safety Audit:**



A Stage 1 RSA has been undertaken and submitted with the designer response. Most of the auditor's recommendations have been accepted with alternative measures provided; however there are some recommendations that haven't been. A written response from the auditor is required demonstrating that the proposed alternative measures have been accepted

### **Statement of Due Regard**

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

Yours sincerely,

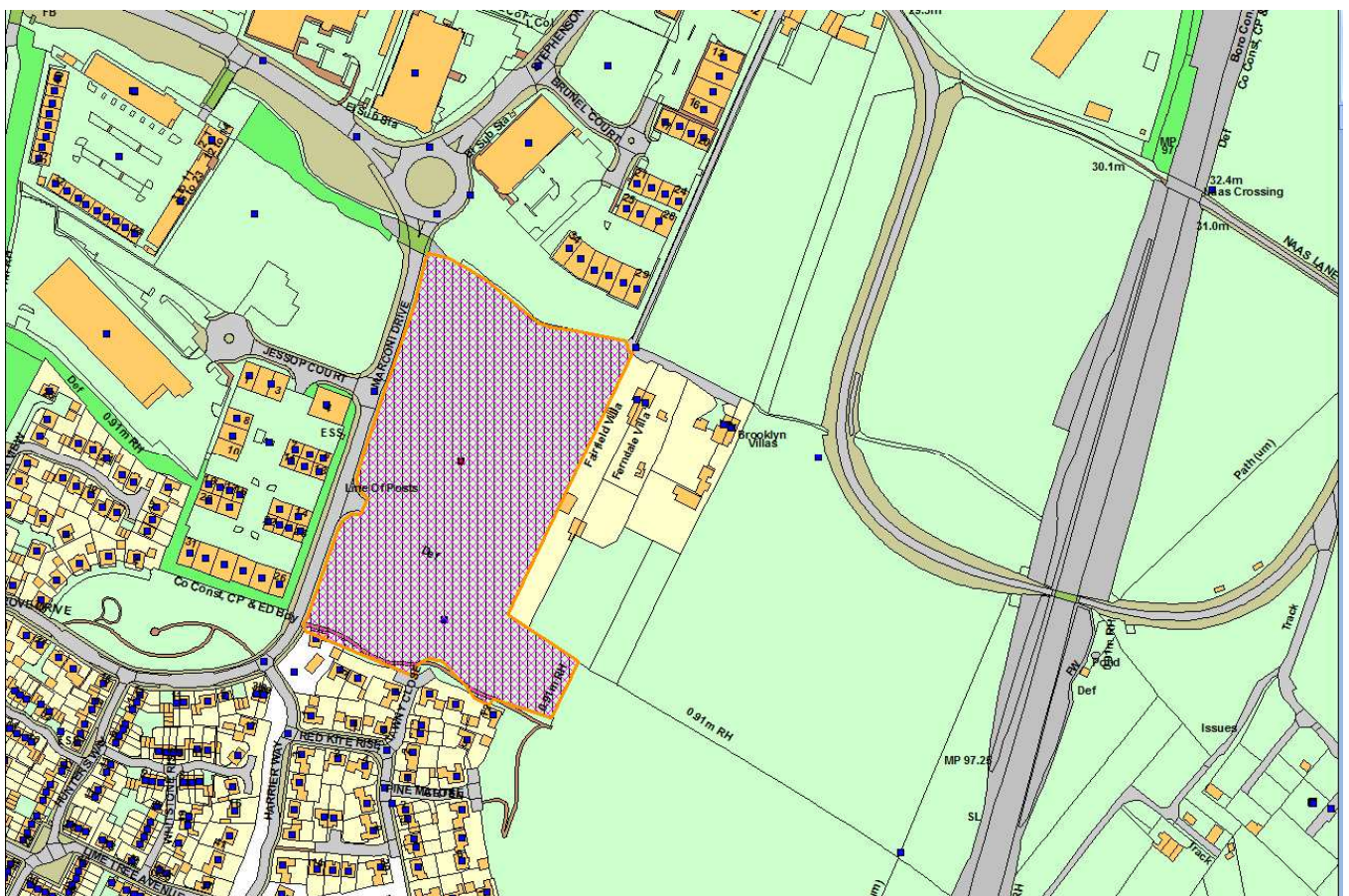
*Lucas Arinze*

Development Co-ordinator



## Development Control Committee Schedule 19/02/2019

<b>Item No:</b>	<b>02</b>
<b>Application No.</b>	S.17/1446/FUL
<b>Site No.</b>	PP-06093378
<b>Site Address</b>	Land East Of Waterwells, Marconi Drive, Quedgeley, Gloucester
<b>Town/Parish</b>	Hardwicke Parish Council
<b>Grid Reference</b>	381631,212442
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Erection of 118 dwellings and associated works including access, drainage and landscaping (cross boundary application - duplicate planning application also submitted to Gloucester City Council).
<b>Recommendation</b>	Resolve to Grant Permission
<b>Call in Request</b>	Parish Council





## Development Control Committee Schedule 19/02/2019

<b>Applicant's Details</b>	C/o Agent Crest Nicholson South West Ltd
<b>Agent's Details</b>	Peter Stockall GVA, St Catherine's Court, Berkeley Place, Bristol, BS8 1BQ
<b>Case Officer</b>	John Chaplin
<b>Application Validated</b>	26.06.2017
<b>CONSULTEES</b>	
<b>Comments Received</b>	Development Coordination (E) Quedgeley Town Council Development Coordination (E) SDC Water Resources Engineer Biodiversity Officer Contaminated Land Officer (E) Flood Resilience Land Drainage Development Coordination (E) Hardwicke Parish Council Highways England
<b>Constraints</b>	Mixed use Allocation Neighbourhood Plan Haresfield Parish Council Hardwicke Parish Council Affecting a Public Right of Way
<b>OFFICER'S REPORT</b>	

### MAIN ISSUES

- o Principle of development
- o Design, Appearance and Layout
- o Residential Amenity
- o Highways
- o Affordable Housing
- o Landscape impact
- o Ecology
- o Contaminated land
- o Drainage & Flood risk
- o Archaeology
- o Public Open Space
- o Obligations



## **Development Control Committee Schedule 19/02/2019**

### **DESCRIPTION OF SITE**

The application site lies between Hunts Grove and Waterwells Business Park. It is accessed via Marconi Drive, which borders the west of the site and links via Waterwells Drive to the main A38. Marconi Drive is a 30 mph road with pavements on both sides and street lights.

To the north of the site lies Dimore Brook and the industrial units of Waterwells Business Park, while to the west are further business units within Jessops Court and a vacant commercial site. To the east are a few detached and semi-detached dwellings of traditional design and set within long gardens. Beyond the dwellings the current paddock has a further residential proposal under consideration by Gloucester City. To the south is the Hunts Grove development. The adjacent section provides housing with open space to the SE.

Work has started on the site with ground works underway, focusing on the Gloucester end of the site. The land was vacant, covered by grass with a number of scattered bushes/small trees and hedgerows. Mature trees and dense vegetation are on the northern border by Dimore Brook. There are a line of taller trees along the southern boundary with the Hunts Grove development. The site slopes gently from south to north.

There is a footpath towards the north boundary of the site, along the southern side of Dimore Brook, identified as Public Right of Way Quedgeley Footpath 19.

The development site covers land within both Stroud District and Gloucester City and in these circumstances both Councils are required to determine applications covering the entire site, including land outside their administrative boundary.

### **PROPOSAL**

This is a full application for 118 dwellings and associated works. Given the cross boundary location, the majority of the site is within Gloucester City, only 34 dwellings are proposed within the Stroud.. A duplicated planning application has been submitted to Gloucester City Council (17/00699/FUL).

The scheme consists of two, two and half, and three storey units providing two, three and four bedroom properties across the overall site in the form of detached, semi-detached and terraced houses and flats. Overall there would be five blocks of flats, predominantly facing Marconi Drive, but also including another block set further in to the site, adjacent to the northern boundary.

### **REVISED DETAILS**

Revised plans March 2018, May 2018, Jun 2018, 03 Aug 2018 and 28 Aug 2018 including amending the number of units, affordable housing, layout.

Additional archaeological, ecology, highway, drainage and flood risk information also submitted.



## Development Control Committee Schedule 19/02/2019

### **MATERIALS**

Roof: Slate effect tiles

Walls: Red multi brick and white render with a dark grey weatherboarding and blue/grey feature brick

### **REPRESENTATIONS**

#### **Statutory Consultees:**

Revised Hardwicke Parish Council:

Object to the proposal as consider it not fully compliant with the policies of the NPPF, Stroud District Council Local Plan Core Policies and the policies of the Hardwicke Neighbourhood Development Plan.

Primary concern relates to Transportation matters.

- Parking is a problem with the lack of dedicated parking in Hunts Grove given rise to serious parking issues.
- Until the new southern Hunts Grove access road is built, Marconi Drive will be the only access road and carries a large amount of commercial and residential traffic.
- Highlights the response from Highways England flagging up the potential issues with M5 junction 12 and traffic flows through Hardwicke around the Cross Keys roundabout
- Within the layout itself concerns are raised with the ability for vehicles to pass each other in places, the lack of disabled parking spaces and the ability of a refuse vehicle to access all of the site.

Other concerns are outlines as follows:-

- a) The Hunts Grove residential development recognised the key characteristic of chimneys across the parish of Hardwicke, however the dwellings in this development are shown with none at all. Uncharacteristic double high windows.
- b) Providing new housing at the expense of employment opportunities, while providing limited open space on current open space would be no great benefit.
- c) Low level of affordable housing provision
- d) Not really increasing permeability across the site or integration with Hunts Grove Masterplan, while a sustainable urban drainage is just a requirement.
- e) The development is outside of the Hardwicke settlement boundary making it non-compliant with Hardwicke Neighbourhood Plan Policy GEN1.
- f) No information in the proposal to indicate that the needs of the elderly, those with specific needs, minority groups or lifetime accommodation has been provided.
- g) No Construction Environmental Management Plan for the development.

Original Hardwicke Parish Council:

Object to the proposal as consider it not fully compliant with the policies of the NPPF, Stroud District Council Local Plan Core Policies and the policies of the Hardwicke Neighbourhood Development Plan.

- a) Not sustainable development when contrary to plan - outside settlement limit.
- b) Too high a density for this rural community.
- c) Overdevelopment with number of dwellings including apartments.
- d) Concern regarding noise from adjacent commercial sites.



## Development Control Committee Schedule 19/02/2019

- e) Site construction and operation issues
- f) Loss of employment land
- g) Additional pressure of wider highway network including Cross Keys and M5 Jnc
- h) Additional pressure on Hunts Grove's only access. Should wait for A38 access.
- i) Insufficient parking provision.

Revised Quedgeley Town Council:

Neither support or object but wish to see a S106 or community infrastructure levy to mitigate the impact this development will have in Quedgeley.

Original Quedgeley Town Council:

Policy CP.8 of the Stroud District Council states; 'residential development proposal will need to have a layout, access, parking, landscaping and community facilities that are appropriate to the site and its surroundings.' To meet the day to day demands of the community and to address to parking issues currently experienced on the nearby Kingsway development an average parking standard of 2 parking spaces per property should be considered.

Haresfield Parish Council: No comment received

GCC Highways: No highway objection subject to conditions.

Highways England: No objection subject to recommended conditions

GCC Public Rights of Way (PROW): The footpath EQU19 needs to be retained at a good width with a temporary closure during construction.

Natural England: Understand the narrative and conclusions set out in the HRA and concur with the findings. They do however advise that the Authority be made aware of a recent court case at the Court of Justice of the European Union in relation to the interpretation of mitigation measures at the screening stage of a Habitat Regulations Assessment.

SDC Senior Biodiversity Officer: Recommends conditions

GCC Archaeology: No further archaeological investigation or recording should be required.

GCC as LLFA: No objection subject to conditions

SDC Drainage Engineer: Recommends condition

Environmental Heath: Recommends conditions

Senior Contaminated Land Officer: No remediation is required.

### **Public:**

19 Objections and comments received

Raising the following issues:

Insufficient parking provided. Already parking issues in Hunts Grove.

Traffic surveys should be based on Hunts Grove being built.

Impact of construction traffic given work already going on at Hunts Grove.

Crest Nicholson delayed A38 link road and community facilities.

Should finish houses on Hunts Grove first.



## Development Control Committee Schedule 19/02/2019

More affordable housing (and apartments) should be provided within Gloucester side.

Loss of employment land for nearby planning housing.

### **NATIONAL AND LOCAL PLANNING POLICIES**

National Planning Policy Framework.

Available to view at:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

### **Planning (Listed Buildings and Conservation Areas) Act 1990**

Section 66(1). If impact on or setting of listed building.

Section 72(1). If impact on Conservation area.

Stroud District Local Plan adopted 2015.

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

[www.stroud.gov.uk/localplan](http://www.stroud.gov.uk/localplan)

Local Plan policies considered for this application include:

CP1 - Presumption in favour of sustainable development.

CP2 - Strategic growth and development locations.

CP3 - Settlement Hierarchy.

CP4 - Place Making.

CP5 - Environmental development principles for strategic growth.

CP7 - Lifetime communities.

CP8 - New housing development.

CP9 - Affordable housing.

CP13 - Demand management and sustainable travel measures.

CP14 - High quality sustainable development.

CP15 - A quality living and working countryside.

EI3 - Small employment sites (outside identified employment areas).

EI4 - Development on existing employment sites in the countryside.

EI12 - Promoting transport choice and accessibility.

ES1 - Sustainable construction and design.

ES3 - Maintaining quality of life within our environmental limits.

ES4 - Water resources, quality and flood risk.

ES5 - Air quality.

ES6 - Providing for biodiversity and geodiversity.

ES7 - Landscape character.

ES8 - Trees, hedgerows and woodlands.

ES12 - Better design of places.

The proposal should also be considered against the guidance laid out in SPG Residential Design Guide (2000), SPG Residential Development Outdoor Play Space Provision, SPG



## Development Control Committee Schedule 19/02/2019

Stroud District Landscape Assessment, SPD Planning Obligations (2017) Heritage Strategy SPA (2018) and IHCA SPD.

Hardwicke Neighbourhood Development Plan was adopted on 19th October 2017 and forms part of the development.

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:

### **PRINCIPLE OF DEVELOPMENT**

The Local Plan has been adopted and full weight should be given to its contents, in accordance with paragraphs 11 and 12 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.

The site is located outside the settlement limit and is not part of the Hunts Grove allocation and therefore is contrary to Policies CP2 and CP3 of the Local Plan and Policy GEN1 of the Hardwicke NDP.

Development beyond settlement development limits is subject to Local Plan Policy CP15. The development proposed does not satisfy any of the principles or criteria set out in Policy CP15 and is therefore also contrary to this policy. The residential development of this land would be contrary to the Local Plan, in terms of its objective of preventing the uncontrolled expansion of settlements and protecting the countryside.

However, whilst the scheme is not within the settlement limit or a residential allocation and would normally be resisted, this site is enclosed by development, the approved Gloucester side of this scheme, Hunts Grove and adjacent employment developments. The impact on the countryside/landscape which these core policies seek to protect would be limited and therefore can only be given limited weight.

The Council has housing land supply figures of in excess of 5 years and as such there is no overriding need for open market residential development in this location. However, the site has been considered through the SALA process as having future potential and has been identified as a possible alternative site within the emerging strategy of the Local Plan review.

Whilst not allocated on the Stroud side the site was allocated for employment use under the Gloucester Local Plan (Second Stage Deposit Local Plan 2002). Outline planning permission was granted in 2010 on both sides of the LPA boundary for office/light industrial commercial development with all matters reserved except access. No reserved matters were ever submitted for this application and it is no longer extant. Additionally, quite a considerable time had passed since there had been a valid employment use planning permission on the site. The applicant outlines that they have marketed the site for employment for a consideration time but, as highlighted by the Parish Council, the loss of a potential employment site is a shame.





## **Development Control Committee Schedule 19/02/2019**

Following discussions between the policy planners at Gloucester City and Stroud, the site has been allocated within the draft Gloucester City Plan for residential use (Ref SA13). Whilst the site has an employment permission and an old employment allocation in the old Gloucester City Plan, there is no 'in principle' policy objection from Gloucester City. The section of the Stroud side is limited in size and frontage and being between two residential areas makes it unattractive for commercial use on its own.

With this background Gloucester City have already granted planning permission for a duplicate application for the development. This permission is a material consideration and should be afforded significant or substantial weight in the consideration of the application on the Stroud side.

Therefore, whilst contrary to the Local Plan, with the significant weight of the Gloucester City decision and looking to make an effective and efficient use of land no 'in principle' issue is raised with this proposal.

### **DESIGN, APPEARANCE AND LAYOUT**

Officers have liaised with Gloucester City to provide the overall scheme as a combined single development with no physical or design divide between the administrative divide. The existing landscaping adjacent to the Hunts Grove has been maintained with footpath connections linking this site into the Hunts Grove community, facilities and open space etc. This can be controlled via the conditions and S106.

On the perimeter of the site, along Marconi Drive, would be apartments. The scale of these acts as a transition between the adjacent large commercial buildings to the residential area beyond. The size and form of the residential dwellings behind are broken up with the layout providing good overlooking of public areas and quieter and more private rear gardens. The urban design officer at Gloucester considers the appearance of the dwelling types to be well balanced.

The Parish Council's concern about the lack of chimneys is noted but these are not an overriding feature across Hunts Grove which provide a range of design properties which don't all include chimneys. There are limited views across both sites where this would be overly evident and therefore harmful. Hence there is an appropriate transition. Gloucester City have also already approved the design on their side of the boundary.

Whilst the proposal does not meet the requirements of the NDP to provide bungalows and does not appear to demonstrate how a specific housing type meets the needs for elderly residents, the scheme has been well designed to address the wider local housing needs incorporating a range of different types of units both open market and affordable. The Stroud side of the site provides a mix with 9x 1 bed flats, 9x 2 bed dwellings, 13x 3 bed dwellings and 3x 4 bed dwellings.

In terms of materials, the submitted drawings show a mix of red brick and render with slate effect tiles. These appear appropriate for this modern approach to the proposal and the Hunts Grove setting. The detailed materials can be approved via condition.



## **Development Control Committee Schedule 19/02/2019**

### **RESIDENTIAL AMENITY**

With the separation distance, layout and landscaping the impact on existing resident's amenity from the Stroud section of the site will be limited. The hedge and landscape buffer provides space to the Hunts Grove residents.

The Stroud section of the site is located at the far end of the residential/garden areas, away from the existing adjacent residential properties (Fairfield and Ferndale Villas) east of the site. The revised layout has also removed and improved the relationship with these existing properties.

Another potential area of concern is the proximity of the site to the adjacent employment sites. The majority of the impact would be on the Gloucester side of the boundary which is nearer the source and where extant permissions for a manufacturing and distribution centre with an ancillary office and a distribution warehouse with ancillary offices have been granted. The existing employment uses to the west are predominantly smaller scale and of less intensity, though there is the DPD warehouse operation referred to in a concern by a local resident.

Environmental Health Officers at both Stroud and Gloucester are satisfied that the controls on the proposed commercial development will be appropriate to mitigate any significant impact and ensure a satisfactory relationship between the employment and residential uses.

Environmental Health Officers have ensured that the noise from all these existing units and the potential noise from the site with the extant planning permission have been included in the submitted noise survey and have been assessed. They are content that there would not be material harm, subject to the mitigation measures in relation to glazing and ventilator specifications etc identified in the applicant's noise survey.

The majority of the proposed properties have reasonable sized private gardens and access to the nearby open space and amenity areas. The amenity provision for proposed residents is considered acceptable.

Conditions covering the construction management, hours of operation and dust management are recommended to mitigate the impact on amenities during the build programme.

### **HIGHWAYS**

The site is located on Marconi Drive a class 4 highway subject to a 30mph limit with footways on both sides and street lighting.

Highways England originally recommended that planning permission not be granted until further information for the Transport Assessment had been provided in relation to trip generation and assignment, along with an understanding of committed developments and capacity assessment. They were concerned at capacity constraints at the Cross Keys roundabout and M5 J12, particularly at peak times. An improvement scheme has been identified for the Cross Keys roundabout, based on an already committed improvement scheme identified by the Hunts Grove - Phase 1 development proposals. The improvement scheme includes additional circulatory lanes and an enlarged junction, with extra entry lanes



## **Development Control Committee Schedule 19/02/2019**

on key approaches. The scheme is required to address queue interactions between the Cross Keys roundabout and M5 J12 via the B4008 which currently limits traffic from exiting J12 towards Gloucester. This scheme is to be brought forward over a shorter timescale than previously agreed for the Hunts Grove proposals by Gloucestershire County Council, with the assistance of National Productivity Infrastructure Funding (NPIF). The works are fully funded and looking to start in spring 2019.

In terms of M5 J12 recent surveys have shown existing concerns with the southbound off-slip during week day peak hours, with queues already extending in to the mainline. Any development trips adding to an off slip which then results in mainline queuing or extends an existing main line queue, and /or increases the frequency at which mainline queue occurs is considered to be a severe safety impact. Highways England has tested M5 J12 junction capacity using a fully validated and calibrated corridor model. Based on the results Highways England believe that the current proposals would have a severe impact without the improvement to the south bound off slip of the M5 Motorway.

Further information from the applicant was provided with regard to trip generation/assignments and capacity assessments. This proposes to bring forward the first phase of 40 new dwellings before the approved Quedgeley East Trading Estate M5 mitigation (S.16.1724/OUT). The draft phasing plan shows that the first 40 dwellings will be within the Gloucester side of the site and they would only result in an increase on the south bound off-slip of J12 of 1 vehicle in the AM peak hour and 3 in the PM peak hour. Highways England confirm that they no longer object to the application subject to the above highway improvement works being secure by planning condition, which also ensures that no more than 40 dwellings can be occupied on the site until the improvement scheme for the M5 Junction 12 and the improvement scheme identified for the Cross Keys roundabout are brought into use, as well as the appointment of a travel co-ordinator to secure delivery of the travel plan.

Whilst this negative Grampian style condition does restrict development on the site until other works not within the control of the applicant have taken place, the applicant is fully away of the issue which forms part of the risk/challenge of seeking to develop a site and would not preclude imposing the condition or withholding consent.

The junctions onto the Marconi Drive are located within the Gloucester side of the site. GCC Highways have considered the whole development and have sort amendments from the applicant's transport consultants to provide a suitable arrangement/layout that works in terms of junction radii, visibility splays, turning heads and safe passing between larger and smaller vehicles, be that in situations where they can directly pass one another or where one can safely wait to let the other one pass.

GCC Highways are satisfied that the revised junction assessments also illustrated there will not be a significant or detrimental impact caused by site traffic from the two proposed site access junctions to the A38 which links the site to the strategic highway network and that a refusal is not warranted. As addressed above, the impact on the Cross Keys roundabout has not been considered detrimental due to the timescale of the GCC junction improvement works coming forward on the roundabout.



## Development Control Committee Schedule 19/02/2019

GCC Highways are also satisfied with the internal layout on the Stroud section with appropriate swept path plans including swept path turning space for estate cars at the end of the shared drives which have been illustrated on latest plans.

Local residents and the Parish/Town Council have raised the existing parking issues on Kingsway and Hunts Grove. For the 34 units on the Stroud side, 52 allocated spaces, 15 garages and 2 visitor spaces have been provided. This is above the 1.5/dwelling average set out in the Local Plan. GCC Highways are also satisfied with the parking provision across the site as a whole. The submitted plan illustrates suitable allocated and unallocated off-street and on-street parking provision for the proposed number of dwellings with 157 allocated spaces and 34 garages plus 22 visitor spaces.

To maximise connectivity there are footway and cycleway connections to Hunts Grove and onto Marconi Drive to Kingsway, Waterwells and north towards Gloucester. There is a bus stop some 220m from the site with connections to Gloucester, Dursley, Wotton-under-Edge, Thornbury, Berkley and Bristol. Whilst objectors have raised concerns regarding bus service connections, the Local Highway Authority confirm that it is possible to get a bus from this stop within walking distance from the site into Gloucester in time for typical working hours. The services from the Park and Ride provide further connections, although are beyond typical walking distances to bus services. Furthermore, there are a number of local amenities and employment within the vicinity within reasonable walking and cycling distance reducing reliance on private vehicle trips. A travel plan has also been submitted, the delivery of which seeks to reduce reliance on the car.

Concern has been raised regarding the absence of the Hunts Grove Link road/access direct from the A38 and other Hunts Grove facilities. Work has started on the school and the A38 access is likely to progress later this year with Crest confirming a current target to have it open by October 2020.

### AFFORDABLE HOUSING

Officers at Stroud and Gloucester City have negotiated with the applicant to provide the following contribution of 25% affordable housing for Gloucester and 32% for Stroud District. This satisfied the 30% requirement for affordable housing requirement outlined in Local Plan Policy CP9. The detailed breakdown is outline in the table below.

Unit Type	Land within GCC Administrative Area	Land within SDC Administrative Area	Site as a whole
<b>Rented</b>			
1 bed flat	3	9	12
2 bed flat	6		6
2 bed house	4		4
3 bed house	3		3
<b>Shared Ownership</b>			
2 bed house	3	2	5
3 bed house	2		2
<b>Tenure Split</b>	76% Rented : 24% Shared Ownership	82% Rented : 18% Shared Ownership	78% Rented : 22% Shared Ownership
<b>Total</b>	21	11	32
<b>Percentage of overall units</b>	25%	32%	27%



## **Development Control Committee Schedule 19/02/2019**

The affordable housing offer on the Stroud side provides 9x 1 bedroom rented apartments. In consultation with our Policy Implementation Officer who leads on affordable housing, this is considered acceptable on a housing needs basis as it addresses an urgent need for 1 bed dwellings.

The two shared ownership houses are to be two bedroom properties, which is also in line with our housing need. With the limited scale of the Stroud part of the site the affordable housing layout is considered acceptable.

Overall viewing the whole site as an entity, there is a good balance of small and larger units from 1 bedroom flats to three bedroom family houses in the affordable housing offer. The housing officers of both Stroud and Gloucester City Councils are satisfied with the number, mix and tenure of the affordable units being offered with the affordable units spread throughout the site.

Separate legal agreements on the Stroud and Gloucester side will be the controlling mechanism for the affordable housing.

### **LANDSCAPE IMPACT**

Local Plan Policy ES7 requires developments to protect or enhance the local landscape character. This is supported by the adopted Stroud District Landscape Character Assessment and Hardwicke NDP.

This site is located with the Hunts Grove allocation to the South, Waterwell and the adjacent Jessop Court commercial development to the West and North. To the East on the Gloucester side are located a group of existing residential dwellings. It also again has to be noted that the Gloucester side of the site already has permission and could currently be built out. The previous consideration and acceptability of an employment approval is also noted along with the acknowledged potential within the SALA which supports the Local Plan Review.

In terms of the adopted Stroud District Landscape Character Assessment the site is located within Rolling Agricultural Plain. This is described as a varied landscape from open flat plain to a more undulating landform. This area does have some key priorities for action which include conserving wetland landscapes, management of hedgerows and trees.

The existing hedgerow and mature planting along the Southern boundary of the site are retained and managed to provide a landscaping buffer between this site and Hunts Grove. The open space and SUDS provision (on the Gloucester side) provide green provision within the site and along the Dimore Brook.

Therefore, with this setting of the site and the landscaping it is considered that the scheme will not cause significant landscape impact on the character or setting of the surrounding area.



## Development Control Committee Schedule 19/02/2019

### ECOLOGY

Following discussions additional ecological information has been submitted.

The reports demonstrate that there is a low potential for foraging bats with the likelihood of any potential features (including Tree T7) to be accessible to bats also being low. The additional reptile survey also concludes that a low population of slow worms exists on site. Mitigation proposals have been made, including a working method statement and habitat management which can be addressed via conditions included in the CEMP.

Appropriate biodiversity enhancements including exact locations of bird and bat boxes can be secured by a planning condition requiring a landscape and ecological management plan (LEMP).

The site falls within 5.37km of the Cotswold Beechwoods Special Area of Conservation (SAC) European site. The woodlands have been experiencing a level of degradation as a result of increased recreational pressures. In particular an increase in Mountain Biking within the woodlands is leading to further issues and degradation of the ground flora within the woodland. Given that 5.37km is a short distance to travel on a mountain bike, mitigation has been proposed to provide a householder information pack to inform future residents of appropriate activities and alternatives to help protect these sites from an increase in recreational pressure. An Appropriate Assessment (AA) in accordance with Regulation 63 of the Habitats Regulations is therefore required to be carried out.

Given the outcome of the Gloucester City AA it is very likely that the Stroud AA will confirm that there is insufficient evidence to demonstrate that there will be a significant effect given the proposed mitigation. The Council is required to consult with Natural England on the AA, as the Statutory Nature Conservation Organisation. **An update will be provided at Committee.**

### CONTAMINATED LAND

Whilst part of the site has been used as a temporary storage stockpile area during the construction of the adjacent development on Marconi Drive this materials has been removed. The site is currently undeveloped land. The site is also outside the known area of use by the nearby former RAF Quedgeley. The historic land fill site to the north is noted but is not considered a risk to the proposed dwellings.

Our Senior Contaminated Land Officer is satisfied with the updated desk study and ground investigation report and that no remediation is required.

### DRAINAGE & FLOOD RISK

The site is located within Flood Zone 1 the safest of the Environment Agency designated flood zones, however due to the size of the site a flood risk assessment was submitted.

The onsite drainage and attenuation pond is located within the Gloucester side of the site and following discussions an amended drainage strategy which demonstrates that it is capable of managing a 1 in 100 year plus climate change event. GCC as LLFA which have considered the scheme as whole and are satisfied with the submitted details and have raised no objection.



## Development Control Committee Schedule 19/02/2019

Whilst a drainage strategy has been submitted the detailed drainage design and timetable implementation and the SUDS management and maintenance plan can be approved via conditions.

### **ARCHAEOLOGY**

The wider locality is known to contain archaeological remains relating to prehistoric and Roman activity and settlement. Indeed, archaeological investigation prompted by proposed development to the immediate south of the current application site have revealed prehistoric and Roman remains, including several burials.

This planning application has been supported by a report on an archaeological desk-based assessment which incorporates a report on a geophysical survey. The assessment confirms that there was potential for archaeological remains to be present. However, the applicant has carried out further work and the result of the latest report submitted on the archaeological evaluation was negative. Therefore, the County Archaeologist advises there is a low potential for this site to contain any archaeological remains and recommends that no further archaeological investigation or recording should be required.

### **PUBLIC OPEN SPACE**

An equipped on site play space (LEAP) is provided within the Gloucester side of the development along with an area of open space. This will be managed by a management company which is covered by the Gloucester permission and S106. The site, in particularly the Stroud section is also linked into the open space provision of the adjacent Hunts Grove development.

Any off-site provision will be covered by CIL. The Gloucester section is also making a contribution towards Waterwells playing field and play area and improve Quedgeley Wanderers football club ground.

It is therefore considered difficult to require further specific play space on the Stroud section of the site.

### **OBLIGATIONS**

This site will be liable for Community Infrastructure Levy (CIL) therefore no further contributions have been sort.

The S106 will provide the affordable housing as outline above along with the management and maintenance of the open space/landscaping areas within the Stroud section of the site.

As the Gloucester City application was considered before the City adopted CIL, they and the County Council have sought contributions regarding the Gloucester side of the development only for education, libraries and play space. Provision of the open space is also covered by the City agreement.



## Development Control Committee Schedule 19/02/2019

### **PLANNING BALANCE & RECOMMENDATION**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides the familiar presumption to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

The scheme is not located within a settlement limit or an allocation within the Local Plan and provides no rural or exception policy justification and so would normally be resisted as contrary the Local Plan which is supported by the Hardwicke NDP.

The Gloucester City decision to grant permission is a material consideration which should be given significant weight.

The proposal would involve the loss of land that potentially could have been used for employment uses. However, the amount of land within the Stroud side is limited and given the adjacent residential uses including the Gloucester side, a residential use for this site is better suited. Being enclosed by development the impact on the countryside/landscape which the core policies of the Local Plan seek to protect can also only be given limited weight.

The proposed development would give rise to benefits in the form of new housing and in particular affordable housing. The scheme will bring forward 32% affordable housing for Stroud, 25% for Gloucester City, giving an overall number of 27% of units with a good range and tenure mix from single bedroomed flats to three bedroomed family dwellings in rented and shared ownership. The large number of 1 bedroom flats on the Stroud side meets the urgent need. The mix of market housing is also considered appropriate with a majority being smaller units like 2-3 bed properties. Significant weight is also given to the economic benefits that would arise from the proposal both during and post construction.

The proposed development would provide for a good quality housing scheme that connects with the neighbouring Hunts Grove residential development to the south and the wider overall surrounding area with links to Kingsway and beyond to the city centre. In terms of design the proposal has been developed on sound urban design principles with perimeter blocks being a transition from the adjacent commercial area and provides a residential area including public open space along and local play area to the rear.

Considerable work by both the applicant and officers from the County, Stroud and Gloucester along with Highway England has been carried out to ensure that both internally the scheme provides safe and easy passage of cars, cyclist and vehicles around it and that any harm to neighbouring roadways and the Strategic Road Network would be mitigated. Highways England did have considerable concerns regarding the possible impact of the proposal on both the Cross Keys roundabout and the southern slip road of Junction 12 of the M5. Resolution has been found on this matter by ensuring no more than 40 dwellings are constructed before improvements take place on the roundabout and motorway junction.

In terms of ecology, an Appropriate Assessment under the Habitats Regulations is likely to conclude that there is no evidence to demonstrate that the proposals would have an unacceptable impact on the Cotswold Beechwoods SAC, and there are no other ecological





## Development Control Committee Schedule 19/02/2019

constraints to developing the site, subject to planning conditions to secure biodiversity enhancements.

Whilst the Local Plan principle policy position is noted, given the above benefits of the scheme and the Gloucester City decision to grant permission, the planning balance weighs in favour of the scheme.

It is therefore recommended that Members **Resolve to grant permission** subject to Natural England being satisfied with the outcome of the Appropriate Assessment under Regulation 63 of the Habitats Regulations and give delegate Authority to complete the S106 agreement as outlined above.

### 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 accordance with the approved drawings:

Site Location Plan - Drg. No. P17-0346-14; Submitted 26/06/2017;

Site Layout - Drg. No. P17-0346-01 Rev. T; Submitted 28/08/2018;

House Pack - Drg. No. P17-0346-07 Rev. D; Submitted 28/08/2018;

Apartments Pack - Drg. No. P17-0346-08 Rev. B; Submitted 28/08/2018;

Street scenes - Drg.No. P17-0346-13-1 Rev B. Submitted 28/08/2018;

Materials Plan - Drg. No. P17-0346-16 Rev H; Submitted 28/08/2018;

Boundaries and Enclosures Plan - Drg. No. P17-0346-17 Rev. H; Submitted 28/08/2018;

Refuse Strategy Plan - Drg. No. P17-0346-18 Rev. H; Submitted 28/08/2018;



## Development Control Committee Schedule 19/02/2019

Parking Strategy Plan - Drg. No. P17-0346-19 Rev. H; Submitted 28/08/2018;  
Adoptable Areas - Drg. No. P17-0346-20 Rev. H; Submitted 28/08/2018;  
Affordable Housing - Drg. No. P17-0346-21 Rev. H; Submitted 28/08/2018;  
Building Heights Plan - Drg. No. P17-0346-22 Rev. D; Submitted 03/08/2018;  
Land Areas Plan - Drg. No. P17-0346-23 Rev. C; Submitted 28/08/2018;  
Site Sections - Drg. No. P17-0346-27 Rev. B; Submitted 28/08/2018;  
Adaptable Homes - Drg. No. P17-0346-28 Rev A; Submitted 21/08/2018.

Landscape Proposals Sheet 1 of 5 - Drg. No. DR-0001 Rev. P10; Submitted 28/08/2018;  
Landscape Proposals Sheet 2 of 5 - Drg. No. DR-0002 Rev. P9; Submitted 28/08/2018;  
Landscape Proposals Sheet 3 of 5 - Drg. No. DR-0003 Rev. P9; Submitted 28/08/2018;  
Landscape Proposals Sheet 4 of 5 - Drg. No. DR-0004 Rev. P9; Submitted 28/08/2018;  
Landscape Proposals Sheet 5 of 5 - Drg. No. DR-0005 Rev. P9; Submitted 28/08/2018;  
LEAP Proposals - Drg. No. DR-0006 Rev. P7; Submitted 28/08/2018;  
Surfacing Strategy - Drg. No. DR-0007 Rev. P10; Submitted 28/08/2018;  
Tree Pit Details - Drg. No. DR-0008 Rev. P1; Submitted 24/05/2018;  
Indicative Planting Palette - Drg. No. DR-0009 Rev. P1; Submitted 26/06/2017;

Drainage Strategy - Drg. No. 11816CE-3200 Rev. P8; Submitted 30/01/2019;  
External Levels - Drg. No. 11816CE-3300 Rev. P7; Submitted 30/01/2019;  
Pond Sections - Drg. No. 11816CE-3205 Rev. P3; Submitted 30/01/2019;

**Reason:**

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



## Development Control Committee Schedule 19/02/2019

3. Prior to the commencement of the development a phasing plan shall be submitted to and approved by the Local Planning Authority. The phasing plan shall indicate the sequence and approximate timescales of the development phases including the approximate number of dwellings and the highway and drainage infrastructure for each phase.

Reason:

To ensure appropriate phasing of infrastructure and in the interest of good design in accordance with Policy CP8 of the adopted Stroud District Local Plan, November 2015.

4. No work shall start on the construction of buildings until samples of facing and roofing have been submitted to and approved by the Local Planning Authority. The submission of material samples shall include a series of sample panels constructed on site, composed of the major facing materials. The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick facing materials, as well as any joins or joint details for any cladding panels and render. All works shall be carried out in accordance with the approved details.

Reason:

To ensure a positive and well planned appearance to the development in accordance with Policy CP14 of the adopted Stroud District Local Plan, November 2015.

5. No development shall take place until there has been submitted to and approved by the Local Planning Authority a plan showing full details, including elevations, of the type of boundary treatment to be erected. The boundary treatment surrounding each dwelling hereby permitted shall be completed before occupation of that dwelling. Development shall be carried out in accordance with the approved details.

Reason:

In the interests of visual amenity and to ensure dwellings have satisfactory privacy in accordance with Policy CP14 of the adopted Stroud District Local Plan, November 2015.

6. The development shall not be occupied until full details of the hard surfaces within the site, including driveways, parking and turning areas, footways and patios, have been submitted to and approved by the Local Planning Authority for each phase of the development. All new hard surfacing areas shall be permeable or drained to a permeable area. Each phase of the development shall not be occupied until the approved works for that phase have been carried out.



## Development Control Committee Schedule 19/02/2019

Reason:

In the interests of the character and appearance of the area, having regard to Policy CP14 of the adopted Stroud District Local Plan, November 2015.

7. No development shall commence on site, including site clearance, unless an Environmental Construction Method Statement (“ECMS”) has been submitted to and approved by the Local Planning Authority. The ECMS shall:
- i. specify the type and number of vehicles;
  - ii. provide for the parking of vehicles of site operatives and visitors;
  - iii. provide for the loading and unloading of plant and materials;
  - iv. provide for the storage of plant and materials used in constructing the development;
  - v. provide for wheel washing facilities;
  - vi. specify the intended hours of construction operations;
  - vii. identify measures to control the emission of dust and dirt during construction from site clearance and construction works;
  - viii. provide details of the external lighting of site and security compounds; and
  - ix. identify measures for the storage of waste.

The approved Statement shall be adhered to throughout the construction period and the works shall not be carried out unless in accordance with the approved ECMS.

Reason:

To safeguard residential amenity and to reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with Policies CP14 and ES3 of the adopted Stroud District Local Plan, November 2015 and paragraph 110 of the NPPF.

8. Prior to first occupation of any dwelling hereby approved, noise mitigation works shall be implemented in full accordance with the recommendations set out within sections 10.2 and 10.3 of the submitted Noise Survey & Assessment (noise.co.uk dated 22nd August 2017).

Reason:

To protect residential amenity in accordance with Policies CP14 and ES3 of the adopted Stroud District Local Plan, November 2015.



## Development Control Committee Schedule 19/02/2019

9. Prior to first occupation of any units contained within the proposed development, post-completion noise testing shall be carried out by a professional and competent contractor within the lounge and bedrooms of all units with a façade onto Marconi Drive. The purpose of the post completion-testing is to establish that compliance with the internal standards of BS8233 2014, outlined within the submitted noise.co.uk Noise Survey & Assessment (dated 22nd August 2017), has been accomplished via the mitigation measures. No residential unit shall be occupied until such time as the post-completion testing demonstrates compliance with the internal standards of BS8233: 2014 and the results have been submitted to and approved by the Local Planning Authority .

Reason:

To protect residential amenity in accordance with Policies CP14 and ES3 of the adopted Stroud District Local Plan, November 2015.

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

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

11. No development shall commence on site until a detailed design and timetable of implementation for the surface water drainage strategy (e.g. Sustainable Drainage System – SuDS) has been submitted to and approved by the Local Planning Authority. The detail must demonstrate the technical feasibility of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development. The volume balance requirements should be reviewed to reflect the actual development proposal, agreed discharge rate and the extent of impermeable areas and run off to be generated. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first occupied and retained for the duration of the development.



## Development Control Committee Schedule 19/02/2019

Reason:

To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding and minimise the risk of pollution in accordance with Policies CP14, ES3 and ES4 of the adopted Stroud District Local Plan, November 2015. 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 in the locality.

12. No development shall be brought in to use until a SuDS 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, has been submitted to and approved by the Local Planning Authority. The approved SuDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason:

To ensure the continued operation and maintenance of drainage features serving the site and avoid the risk of flooding or pollution problems in accordance with Policies CP14, ES3 and ES4 of the adopted Stroud District Local Plan, November 2015. 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 in the locality.

13. Prior to the commencement of the development details of the proposed foul water drainage arrangements shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the first use or occupation of the development.

Reason:

In order to ensure that satisfactory drainage arrangements are provided in accordance with Policies CP14, ES3 and ES4 of the adopted Stroud District Local Plan, November 2015.

14. The public open space area as shown on drawing no. 2562-5-2-DR-0006 Rev P6 shall be provided before occupation of the 40th dwelling (on the site as a whole) or within an alternative timescale which shall first be submitted to and approved by the Local Planning Authority.



## Development Control Committee Schedule 19/02/2019

Reason:

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with Policies CP7, CP8, CP14 and ES15 of the adopted Stroud District Local Plan, November 2015.

15. The Local Equipped Area of Play as shown on drawing no. no. 2562-5-2-DR-0006 Rev P6 shall be provided before occupation of the 40th dwelling (on the site as a whole) or within an alternative timescale which shall first be submitted to and approved by the Local Planning Authority.

Reason:

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with Policies CP7, CP8, CP14 and ES15 of the adopted Stroud District Local Plan, November 2015.

16. The landscaping details as shown on the approved drawings (Drg. Nos. DR-0001 Rev. P9; DR-0002 Rev. P8; DR-0003 Rev. P8; DR-0004 Rev. P8 and DR-0005 Rev. P8;) shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The planting shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason:

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with Policies CP7, CP8 and CP14 of the adopted Stroud District Local Plan, November 2015.

17. No development, including demolition or site clearance, shall commence on the site and no machinery or material shall be brought onto the site for the purpose of development until full details regarding adequate measures to protect trees and hedgerows have been submitted to and approved by the Local Planning Authority. This shall include:
- a. A scale plan accurately indicating the position of protective fencing around trees and hedgerows to be retained on site and



## Development Control Committee Schedule 19/02/2019

details of the protective fencing designed to specifications provided in BS5837:2005 or subsequent revisions, unless agreed in writing with the Local Planning Authority. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of development;

- b. The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the Tree Protection Zone (TPZ). Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, siting of site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the TPZ, unless agreed in writing with the Local Planning Authority. The TPZ shall be maintained during the course of development.

**Reason:**

To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenity of the area in accordance with Policies CP14 and ES8 of the adopted Stroud District Local Plan, November 2015.

18. No works shall take place (including ground works, vegetation clearance) until a construction ecological management plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall include the following:
  - a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones".
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The locations and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecological or environmental professionals need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The roles and responsibilities on site of an ecological clerk of works (ECoW) or similar person.
  - h) Details of the use of protective fences, exclusion barriers and warning signs.





## Development Control Committee Schedule 19/02/2019

The CEMP shall be based upon mitigation proposals for badgers, bats, birds and reptiles as described in the Ecological Appraisal, dated 06/2017, prepared by FPCR Environment and Design Ltd and the Report for Reptiles and Info for HRA, dated 01/09/2017, prepared by FPCR Environment and Design Ltd.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise approved by the Local Planning Authority.

Reason:

To safeguard biodiversity as set out by Wildlife and Countryside Act 1981 (as amended), section 11 of the National Planning Policy Framework and Policies CP14 and ES6 of the adopted Stroud District Local Plan, November 2015.

19. No development shall take place until a landscape and environmental management plan has been submitted to and approved by the Local Planning Authority. The management plan should expand on the baselines set out in sections 4.8 – 4.10 of the Ecological Appraisal, dated 06/2107 , prepared by FPCR Environment and Design Ltd and set out how the potential biodiversity value will be maximised to achieve the objectives of mitigation and/or ecological enhancement. It should set out any measures necessary to ensure protected species are appropriately accommodated within the operational site and to ensure that the success of the ecological features and the on- going management is regularly monitored. The development shall be carried out and retained in accordance with these approved details.

Reason:

To secure biodiversity mitigation in accordance with Policies CP14 and ES6 of the adopted Stroud District Local Plan, November 2015.

20. Prior to commencement of development a biodiversity enhancement scheme, such as incorporation of permanent roost/nest features for bats and birds (as described in section 4.10 of the Ecological Appraisal, dated 06/2017, prepared by FPCR Environment and Design Ltd), shall be submitted to and approved by the Local Planning Authority. The approved scheme shall include elevation and block plans detailing the type, design, number and location of biodiversity enhancements proposed and their timescale for installation. Development shall be carried out in accordance and permanently maintained in accordance with the approved scheme.



## Development Control Committee Schedule 19/02/2019

Reason:

To enhance the biodiversity of the site in accordance with Policies CP14 and ES6 of the adopted Stroud District Local Plan, November 2015.

21. Details of measures to mitigate any adverse impacts on the Cotswolds Beechwoods SAC shall be submitted to and approved by the Local Planning Authority before first occupation of any dwelling hereby permitted. These details shall demonstrate how the new residential occupiers will be made aware of alternative recreational areas to lessen impact on the Cotswolds Beechwoods SAC. The development shall be implemented in accordance with the details so approved.

Reason:

To ensure no adverse effects on the integrity of the Cotswolds Commons and Beechwoods SAC as a result of the development.

22. No dwelling shall be occupied until details of a travel plan coordinator have been submitted to and approved by the Local Planning Authority. The coordinator shall ensure the delivery of the travel plan in conjunction with Gloucestershire County Council and the development shall be carried out and operated in accordance with this approved plan.

Reason:

To ensure the safe and efficient operation of the strategic road network and that the opportunities for sustainable transport modes are taken up in accordance with Policies CP14 and E12 of the adopted Stroud District Local Plan, November 2015 and paragraph 111 of the NPPF.

23. The Travel Plan shall be implemented in accordance with the details and timetable therein regarding measures and targets, and shall be continued thereafter, unless otherwise approved by the Local Planning Authority.

Reason:

To ensure the safe and efficient operation of the strategic road network and that the opportunities for sustainable transport modes are taken up in accordance with Policies CP14 and E12 of the adopted Stroud District Local Plan, November 2015 and paragraph 111 of the NPPF.



## Development Control Committee Schedule 19/02/2019

24. No more than 40 dwellings (on the site as a whole) shall be brought into use until the improvement scheme identified for M5 Junction 12 as shown in the Phil Jones Associates Drawing ref: 02644-01-1 Rev B titled 'M5 Junction 12 Interim Mitigation Scheme – General Overall Layout' has been completed and brought in to use.

**Reason:**

To offset development traffic impacts at M5 Junction 12, to ensure the safe and efficient operation of the Strategic Road Network and to comply with in accordance with Policies CP14 and EI12 of the adopted Stroud District Local Plan, November 2015.

25. No more than 40 dwellings (on the site as a whole) shall be occupied until the improvement scheme identified for B4008/A38 Cross Keys Roundabout as shown in the Amey Consulting/Gloucestershire County Council Drawing ref: C291.01 Rev P01.12 'has been completed and brought in to use.

**Reason:**

The Cross Keys improvement scheme is necessary to mitigate the traffic impacts of the development which would otherwise cause vehicle queues to extend south on the B4008 from this junction and to conflict with the operation of junction 12 of M5.

26. The vehicular accesses hereby permitted on Marconi Drive shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.6m and 2.0m at the Y point above the adjacent carriageway level.

**Reason:**

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraph 110 of the National Planning Policy Framework.

27. Notwithstanding the layout changes forward visibility splays illustrated on submitted plan 11816CE-3804 Rev P9 shall be provided and maintained thereafter for the duration of the development. The area between these forward visibility splays and



## Development Control Committee Schedule 19/02/2019

the carriageway edge shall be kept clear of vertical features.

Reason:

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraph 110 of the National Planning Policy Framework.

28. Notwithstanding the layout changes the internal junction emerging visibility splays from the shared drives and cul-de-sacs illustrated on plan 11816CE-3804 Rev P9 shall be provided and maintained thereafter for the duration of the development. The area between those splays and the carriageway shall be maintained so as to provide clear visibility between 1.05m and 2.0m at the X point (at the centre of the accesses) and between 0.6m and 2.0m at the Y (the extent of splays to the carriageway edge) point above the adjacent carriageway level.

Reason:

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with Policies CP14 and E112 of the adopted Stroud District Local Plan, November 2015 and paragraph 110 of the National Planning Policy Framework.

29. Notwithstanding the submitted plans no plot frontage boundary treatment or vertical features shall be between 600mm and 2m above the adjacent footway level or over 550mm wide and maintained thereafter.

Reason:

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with Policies CP14 and E112 of the adopted Stroud District Local Plan, November 2015 and paragraph 110 of the National Planning Policy Framework.

30. Tactile pedestrian crossings shall be provided with a crossing generally across the site access junctions off Marconi Drive, the relocated pedestrian crossing on Marconi Drive away from the plots 48-51 driveways, either side of the cul-de-sac junction off the main



## Development Control Committee Schedule 19/02/2019

crescent road opposite plot 60, between the footways adjacent plot 43 and plot 56, between the footways opposite plot 52, plot 55, plot 43, between plots 79 and 80, across the footway at the plots 24-30 access junction. They shall be provided in accordance with the times scales as outlined in the agreed phasing plan for Condition 3.

**Reason:**

To ensure that the opportunities for sustainable transport modes have been taken up, the development is designed to give priority to pedestrian and cycle movements and provide access to high quality public transport facilities in accordance with Policies CP14 and E112 of the adopted Stroud District Local Plan, November 2015 and paragraphs 108 and 110 of the National Planning Policy Framework.

31. Each dwelling hereby permitted shall not be occupied until the vehicular parking facilities serving that property have been provided in accordance with the details shown on Drg. No. P17-0346-19 Rev. G, and those parking spaces shall be maintained for those purposes thereafter.

**Reason:**

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with Policies CP14 and E112 of the adopted Stroud District Local Plan, November 2015 and paragraph 110 of the National Planning Policy Framework.

32. Prior to the occupation of any dwelling hereby permitted within a particular phase identified in the phasing plan required by condition 3 of this permission phase, the visitor parking spaces within the respective phase of development shall be provided in accordance with Drg. No. P17-0346-19 Rev. G and maintained permanently for those purposes thereafter.

**Reason:**

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with Policies CP14 and E112 of the adopted Stroud District Local Plan, November 2015 and paragraph 110 of the National Planning Policy Framework.

33. No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 15m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.



## Development Control Committee Schedule 19/02/2019

Reason:

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the NPPF.

34. The public right of way footpath and connecting pathways to the estate road illustrated on the site plans shall be provided and maintained to a minimum of 2m wide.

Reason:

To ensure that the opportunities for sustainable transport modes have been taken up, the development is designed to give priority to pedestrian and cycle movements and provide access to high quality public transport facilities in accordance with Policies CP14 and E112 of the adopted Stroud District Local Plan, November 2015 and paragraphs 108 and 110 of the National Planning Policy Framework.

35. No dwelling of the development hereby approved shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established and details of which submitted and approved by the Local Planning Authority.

Reason:

In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies CP14 and ES3 of the adopted Stroud District Local Plan, November 2015 and the National Planning Policy Framework.

36. A minimum of 1 no. Electric Vehicle (EV) 'rapid charge' point shall be provided per 10 residential dwellings. A drawing showing their locations shall be submitted to and approved by the Local Planning Authority. This drawing should identify the 10 dwellings to be served by each charging point and these dwellings should not be occupied until their charging point is in place. The charging points should then be retained for the duration of the development.



## Development Control Committee Schedule 19/02/2019

Reason:

To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with Policy CP14 of the adopted Stroud District Local Plan, November 2015 and Paragraphs 108 and 110 of the revised National Planning Policy Framework.

37. The development shall not be occupied until lighting details have been submitted to and approved by the Local Planning Authority. The details shall include the lighting fixtures, their location on the site/on the buildings, and the extent of illumination. The approved lighting scheme shall be implemented prior to the commencement of the use of the development for which the lighting provides illumination and maintained for the duration of the use of the development.

Reason:

In the interest of good design and visual amenity of the surrounding area in accordance with Policies CP14 and ES6 of the adopted Stroud District Local Plan, November 2015.

38. The development shall not be occupied until details of a scheme for the provision of a refuse and recycling storage area has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and thereafter maintained for the life of the development.

Reason:

In the interests of amenity and sustainability to ensure the effective implementation of waste minimisation in accordance with Policies CP8, CP14 and ES1 of the adopted Stroud District Local Plan, November 2015 and Core Policy WCS2 of the Gloucestershire Waste Core Strategy.

39. The development shall be carried out in full accordance with the Waste Minimisation Statement by Envision dated 3 October 2017.

Reason:

In the interests of amenity to ensure the effective implementation of waste minimisation in accordance with Policies CP8, CP14 and ES1 of the adopted Stroud District Local Plan, November 2015 and Core Policy WCS2 of the Gloucestershire Waste Core Strategy.



## Development Control Committee Schedule 19/02/2019

40. Each dwelling hereby permitted shall not be occupied until details of cycle parking provision serving that property have been submitted to and approved by the Local Planning Authority, and thereafter implemented and retained in accordance with the approved details.

**Reason:**

To encourage a form of sustainable transport in accordance with Policies CP14 and EI12 of the adopted Stroud District Local Plan, November 2015 and Paragraphs 108 and 110 of the revised National Planning Policy Framework.

**Informatives:**

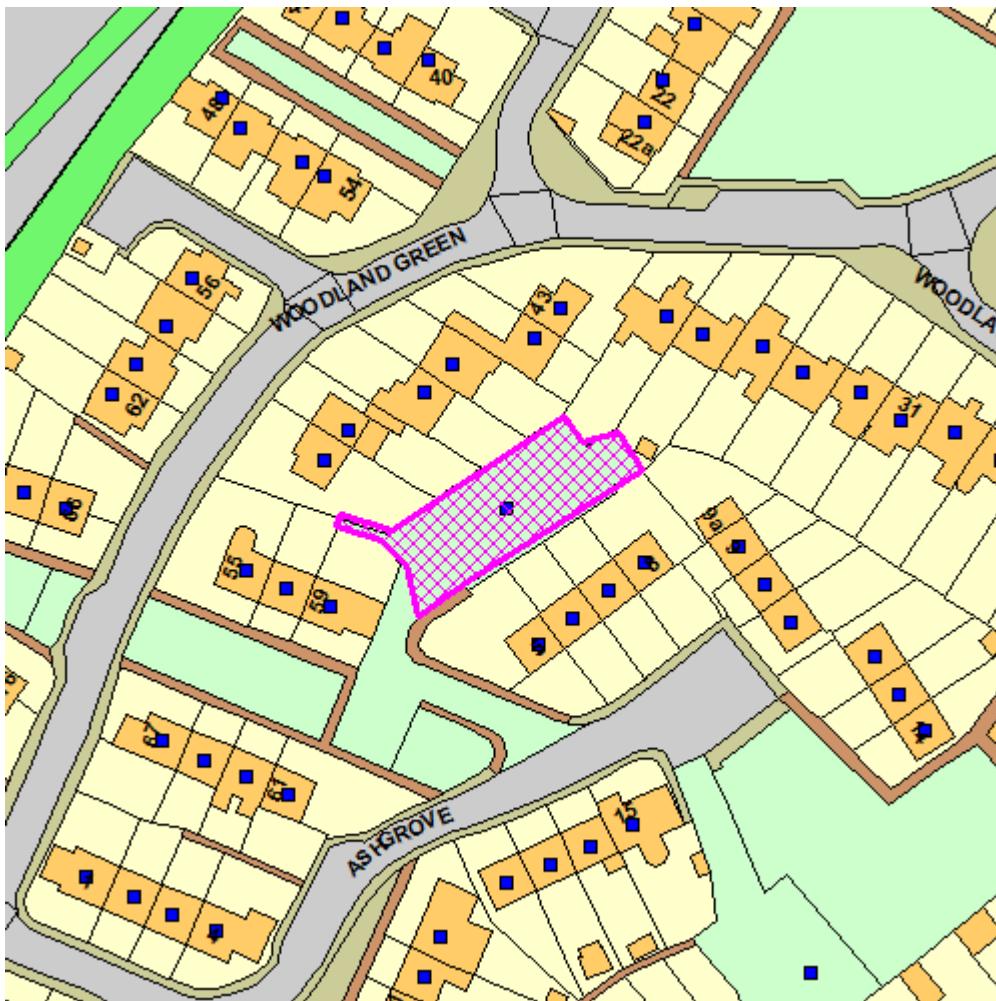
1. This application is subject to a legal agreement and the applicant's attention is drawn to the requirements and obligations contained there in and the need to ensure compliance as the development progresses.
2. The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.
3. The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.
4. The applicant is advised that to discharge the maintenance condition, that the Local Planning Authority requires a copy of a completed dedication agreement between the applicant and the Local Highway Authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.





## Development Control Committee Schedule 19/02/2019

<b>Item No:</b>	<b>03</b>
<b>Application No.</b>	S.18/2219/FUL
<b>Site No.</b>	PP-07350048
<b>Site Address</b>	Land Adjacent To 59, Woodland Green, Upton St Leonards, Gloucestershire
<b>Town/Parish</b>	Upton St Leonards
<b>Grid Reference</b>	386351,215242
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Erection of two dwellings.
<b>Recommendation</b>	Permission
<b>Call in Request</b>	Requested by the Planning Manager





## Development Control Committee Schedule 19/02/2019

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

### 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 which surround the site. The site is accessed off 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 19/02/2019

### 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:

In excess of 10 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](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.



## Development Control Committee Schedule 19/02/2019

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 that 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.



## Development Control Committee Schedule 19/02/2019

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 a building that is relatively narrow, of low eaves and low ridge height. 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.

The siting of the dwellings and their general layout 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 arrangement of the plot as detailed 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 be cramped / overdeveloped, 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 neighbouring properties amenities. 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, as such there would not be any issues in terms of overlooking. 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. Again, as such, there would not be any issues in terms of overlooking.

There would be no issues in terms 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 in terms of overbearing or overshadowing that would warrant refusal of the application. It should be further noted that while it is acknowledged that



## **Development Control Committee Schedule 19/02/2019**

the built form would be visible from these properties and will have a physical impact, this does not make it unacceptable.

### **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 pedestrian 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 1000m<sup>2</sup>.

### **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.



## Development Control Committee Schedule 19/02/2019

Upton St Leonards Parish Council's objection relates primarily to the impact of displacement car parking and a potential impact on the local bus service. As noted above, the provision of, or alteration to the current bus service falls outside of the planning remit and is not a material consideration.

With regard to the impact of displacement parking, an independent car parking study was requested by Stroud District Council and undertaken by Cotswold Transport Planning in October 2018. The survey studied three sites, all within U-S-L and all three applications are before Members at the February 2019 Development Control Committee meeting. The survey was carried out at intervals including mid week and weekend.

The survey found that by removing the cars parked at the identified 3 sites would result in up to 14 cars being displaced. A study of on-street parking within 200m (a reasonable walking distance to a dwelling) of the sites concluded that there was up to 23 spaces on the roads which could easily accommodate the displaced vehicles.

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

### 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.

<b>Subject to the following conditions:</b>	<ol style="list-style-type: none"><li>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><li>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.</li></ol>
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## Development Control Committee Schedule 19/02/2019

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.

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 Control Committee Schedule 19/02/2019

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.

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.

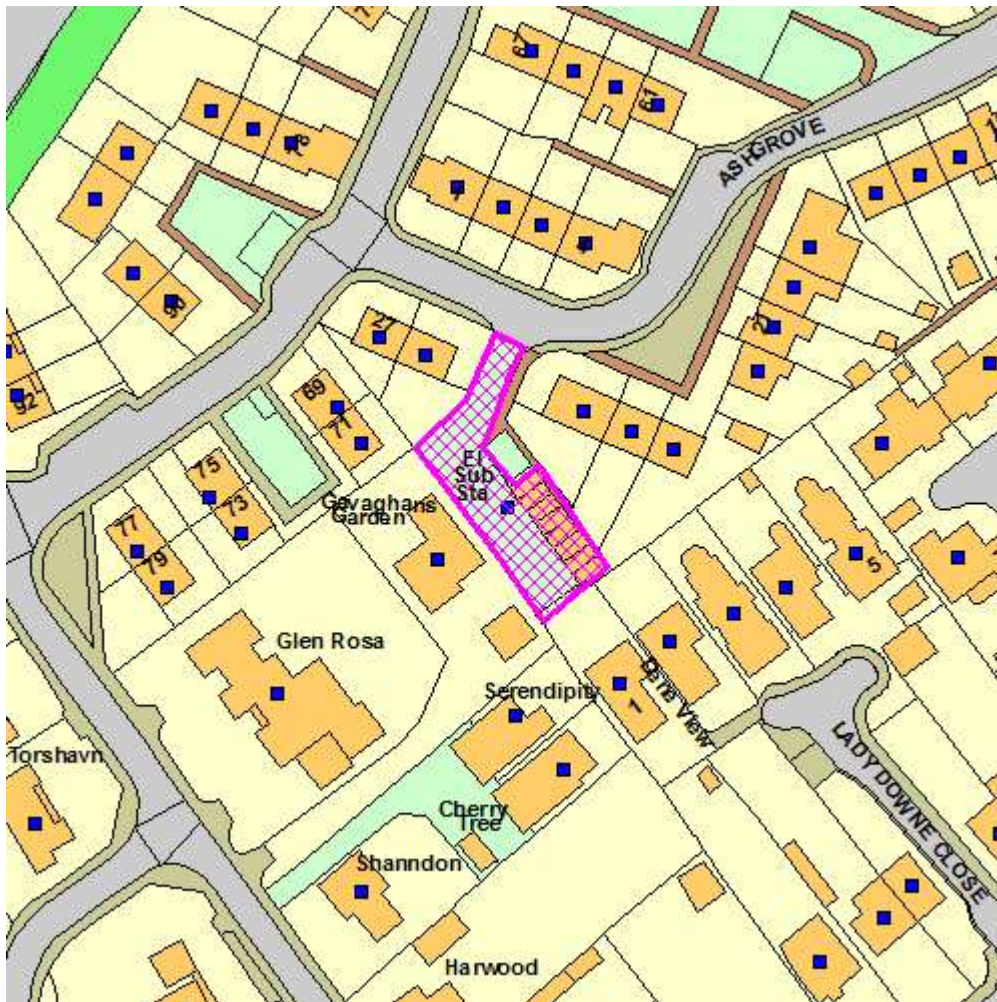
**Informatives:**

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.



## Development Control Committee Schedule 19/02/2019

<b>Item No:</b>	<b>04</b>
<b>Application No.</b>	S.18/2222/FUL
<b>Site No.</b>	PP-07350327
<b>Site Address</b>	Land Adjacent To 26, Ash Grove, Upton St Leonards, Gloucestershire
<b>Town/Parish</b>	Upton St Leonards
<b>Grid Reference</b>	386290,215128
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Proposed dormer bungalow.
<b>Recommendation</b>	Permission
<b>Call in Request</b>	Requested by the Planning Manager





## Development Control Committee Schedule 19/02/2019

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

### 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 which once served the homes that surround the site. The site is accessed off 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 detached dwelling.

### REVISED DETAILS

None

### MATERIALS

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



## Development Control Committee Schedule 19/02/2019

### 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 Council's 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](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.



## Development Control Committee Schedule 19/02/2019

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 (U-S-L) 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.



## **Development Control Committee Schedule 19/02/2019**

### **DESIGN AND LAYOUT**

This part of Upton St Leonards contains dwellings that 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.

U-S-L 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 U-S-L 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 the 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



## **Development Control Committee Schedule 19/02/2019**

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.

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.



## Development Control Committee Schedule 19/02/2019

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.

### 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.

Upton St Leonards Parish Council's objection relates primarily to the impact of displacement car parking and a potential impact on the local bus service. As noted above, the provision of or alteration to the current bus service falls outside of the planning remit and is not a material consideration.

With regard to the impact of displacement parking, an independent car parking study was requested by Stroud District Council and undertaken by Cotswold Transport Planning in October 2018. The survey studied three sites, all within U-S-L and all three applications are before Members at the February 2019 Development Control Committee meeting. The survey was carried out at intervals including mid week and weekend.

The survey found that by removing the cars parked at the identified 3 sites would result in up to 14 cars being displaced. A study of on-street parking within 200m (a reasonable walking distance to a dwelling) of the sites concluded that there was up to 23 spaces on the roads which could easily accommodate the displaced vehicles.

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:

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.





## Development Control Committee Schedule 19/02/2019

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.

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.

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



## Development Control Committee Schedule 19/02/2019

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.

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.



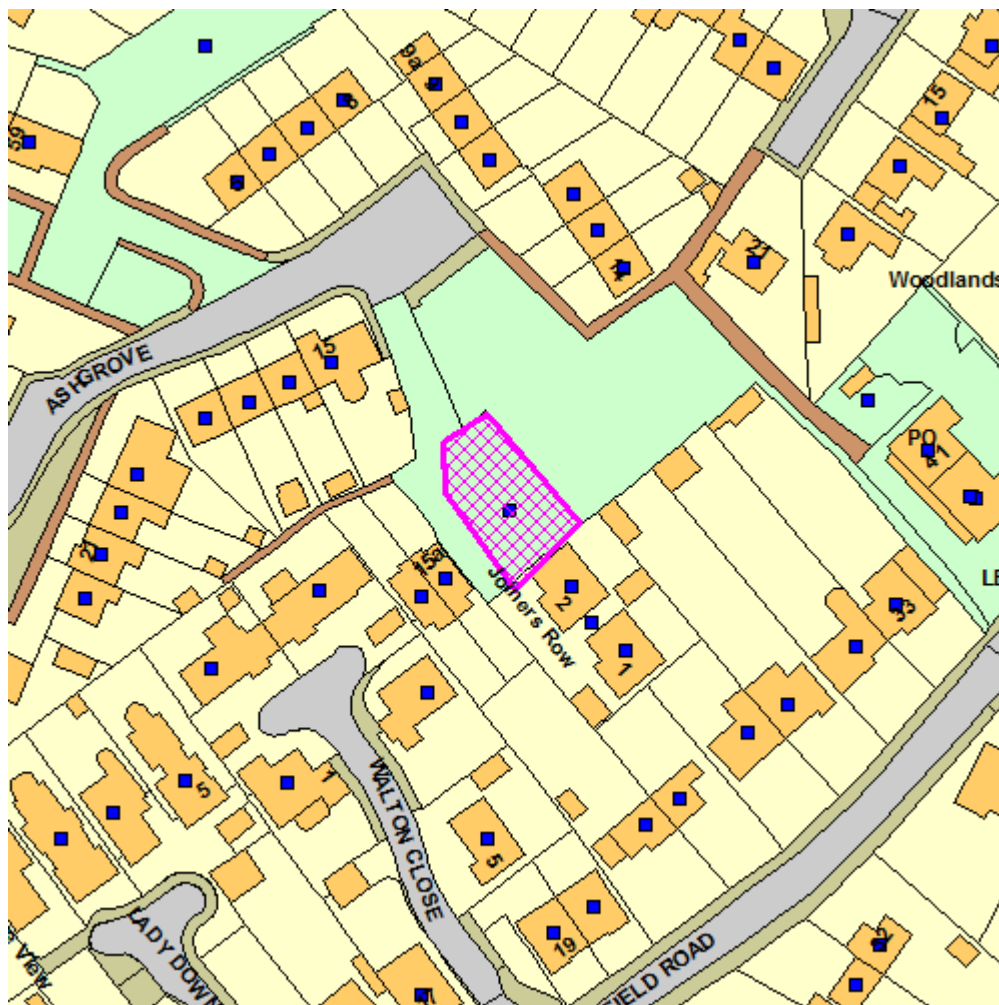
## Development Control Committee Schedule 19/02/2019

- 
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 19/02/2019

<b>Item No:</b>	<b>05</b>
<b>Application No.</b>	S.18/2237/FUL
<b>Site No.</b>	PP-07355986
<b>Site Address</b>	Land Adjacent To 15A, Ash Grove, Upton St Leonards, Gloucestershire
<b>Town/Parish</b>	Upton St Leonards
<b>Grid Reference</b>	386401,215165
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Detached dwelling.
<b>Recommendation</b>	Permission
<b>Call in Request</b>	Requested by the Planning Manager





## Development Control Committee Schedule 19/02/2019

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

### 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 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



## Development Control Committee Schedule 19/02/2019

### 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

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](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.



## Development Control Committee Schedule 19/02/2019

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 that 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 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



## **Development Control Committee Schedule 19/02/2019**

the proposed dwelling would be set at a level of the 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 would benefit 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, access arrangements are considered to be acceptable and in accordance with the provisions of Policy ES3





## **Development Control Committee Schedule 19/02/2019**

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 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 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.

Upton St Leonards Parish Council's objection relates primarily to the impact of displacement car parking and a potential impact on the local bus service. As noted above, the provision of, or alteration to the current bus service falls outside of the planning remit and is not a material consideration.

With regard to the impact of displacement parking, an independent car parking study was requested by Stroud District Council and undertaken by Cotswold Transport Planning in October 2018. The survey studied three sites, all within U-S-L and all three applications are



## Development Control Committee Schedule 19/02/2019

before Members at the February 2019 Development Control Committee meeting. The survey was carried out at intervals including mid week and weekend.

The survey found that by removing the cars parked at the identified 3 sites would result in up to 14 cars being displaced. A study of on-street parking within 200m (a reasonable walking distance to a dwelling) of the sites concluded that there was up to 23 spaces on the roads which could easily accommodate the displaced vehicles.

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:

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.



## Development Control Committee Schedule 19/02/2019

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.

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 Control Committee Schedule 19/02/2019

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.

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.

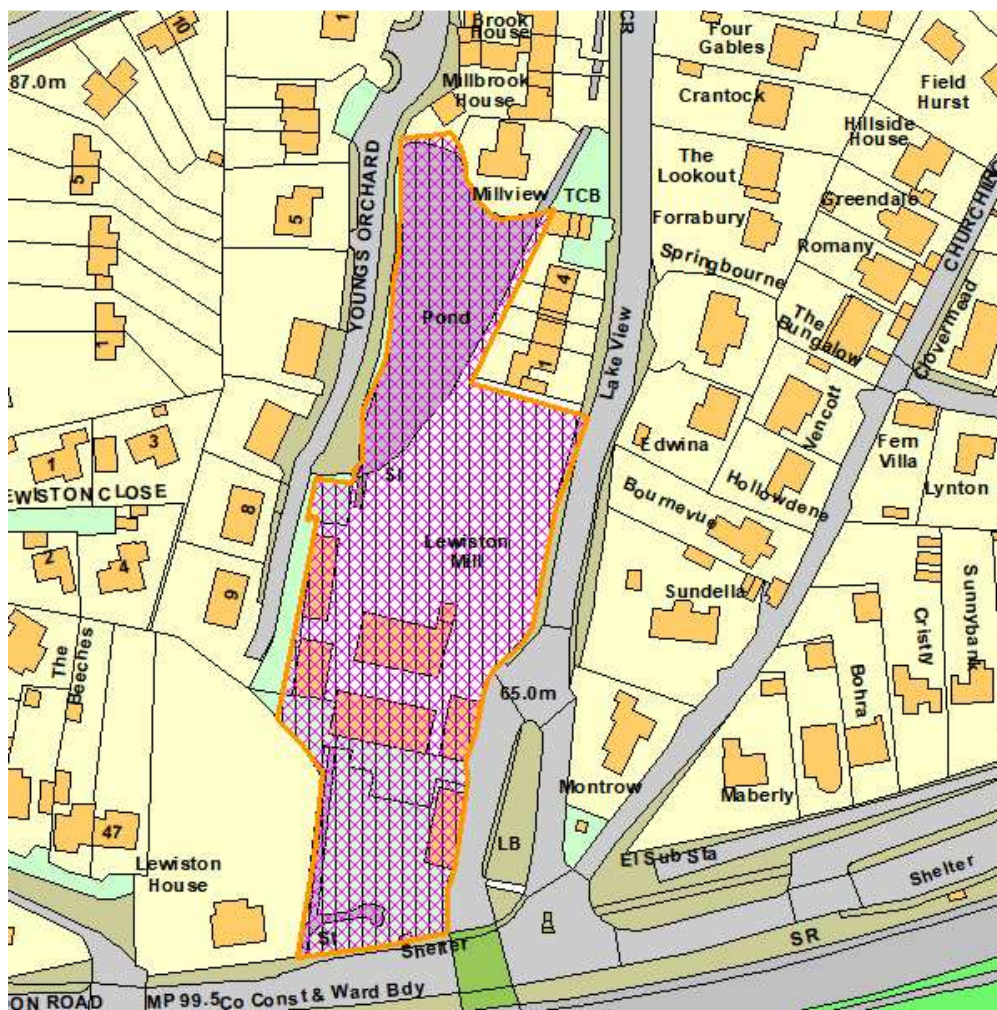
**Informatives:**

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.



## Development Control Committee Schedule 19/02/2019

<b>Item No:</b>	<b>06</b>
<b>Application No.</b>	S.18/2073/VAR
<b>Site No.</b>	
<b>Site Address</b>	Lewiston Mill, Toadsmoor Road, Brimscombe, Gloucestershire
<b>Town/Parish</b>	Brimscombe And Thrupp Parish Council
<b>Grid Reference</b>	387565,202255
<b>Application Type</b>	Variation of Condition
<b>Proposal</b>	Variation of condition 22 approved plans of Planning Permission S.15/1385/FUL to provide an increased sized car park (retrospective for temporary construction car park) (387565 - 202255)
<b>Recommendation</b>	Resolve to Grant Permission
<b>Call in Request</b>	Head of Planning





## Development Control Committee Schedule 19/02/2019

<b>Applicant's Details</b>	Colburn Homes Ltd Unit 4, Lewiston Mill, Toadsmoor Road, Brimscombe, GL5 2TE
<b>Agent's Details</b>	Andrew P Jones Associates Hollybank House, Stockwell Lane, Cleeve Hill, Cheltenham, GL52 3PU
<b>Case Officer</b>	John Chaplin
<b>Application Validated</b>	03.10.2018
<b>CONSULTEES</b>	
<b>Comments Received</b>	Development Coordination (E) Arboricultural Officer (E) Flood Resilience Land Drainage SDC Water Resources Engineer Brimscombe And Thrupp Parish Council
<b>Constraints</b>	Aston Down Airfield Consultation Zones Affecting the Setting of a Cons Area Consult area Conservation Area Flood Zone 2 Flood Zone 3 Kemble Airfield Hazard Neighbourhood Plan Brimscombe and Thrupp Parish Council Rodborough 3km core catchment zone Settlement Boundaries (LP) TPO Areas (Woodland/ Groups)
<b>OFFICER'S REPORT</b>	

### MAIN ISSUES

- o Principle of development
- o Highways
- o Ecology
- o Drainage & Flood risk
- o Residential Amenity
- o Landscape & Heritage impact

### DESCRIPTION OF SITE

The site is located at the junction of Toadsmoor Road and Knapp Lane and contains a collection of Mill buildings dating from 1856. It is not listed but is an important part of the Industrial Heritage Conservation Area.



## Development Control Committee Schedule 19/02/2019

Conversion and re-development work from the previous permission is well underway on site which will provide a mix of commercial spaces to the south and residential apartments and houses in the main Mill building and new build to the north.

A large mill pond which is fed from the Toadsmoor Brook is to the north of the Mill buildings. The Brook re-emerges at the southern end of the Mill Pond where it is channelled into a culvert. This will be reopened beneath a metal grill before opening out as an open stream at the southern part of the site.

The scheme has access from the modified existing accesses onto Knapp Lane with a further secondary access onto Toadsmoor Road.

### **PROPOSAL**

The application seeks to amend the previous planning permission (S.15/1385/FUL) to increase the size of the car park to the south of the site. This is primarily to provide a greater parking provision for the commercial element of the redevelopment.

Currently on site is a 'temporary construction car park'. If approved this will be removed and replaced with the proposed car park including drainage attenuation beneath.

### **REVISED DETAILS**

Following extensive discussions additional justification along with drainage and ecological information has been submitted.

### **REPRESENTATIONS**

#### **Statutory Consultees:**

Brimmscombe & Thrupp Parish Council:

Register major concerns to what clearly is a breach of planning regulations. This retrospective application should NOT be approved as the car park has been quite clearly built on to a green area. The Council should ensure that this application is refused and the applicant instructed to return the land to its original status.

GCC as LLFA: No objection

SDC Land drainage consultant: No comment - LLFA taking the lead

GCC Highways: No objection

SDC Senior Arboriculture Officer: No objection

SDC Senior Biodiversity Officer: To be reported

#### **Public:**

15 Objections received.

Concern regarding the retrospective nature and breach of planning control. Scheme not being implemented as previously approved. Should enforced approved scheme.

Concern regarding the reasons/justification/need.

Helps prevent flooding/pollution control.



## Development Control Committee Schedule 19/02/2019

Loss of nature reserve/biodiversity, should be reinstated, sets a dangerous precedent. Prior agreement that this area would be left as a nature reserve.

Nature conservation area made previous scheme acceptable and provided green gap/barrier.

Conserving nature is incredibly important to the health and prosperity of the Stroud District.

Need conservation areas more than we need 16 cars adding to congestion.

Should not allow more traffic on to this part of the network.

### **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](https://www.stroud.gov.uk/media/1455/stroud-district-local-plan_november-2015_low-res_for-web.pdf)

Local Plan policies considered for this application include:

CP1 - Presumption in favour of sustainable development.

CP2 - Strategic growth and development locations.

CP3 - Settlement Hierarchy.

CP4 - Place Making.

CP11 - New employment development.

CP13 - Demand management and sustainable travel measures.

EI3 - Small employment sites (outside identified employment areas).

EI12 - Promoting transport choice and accessibility.

ES1 - Sustainable construction and design.

ES2 - Renewable or low carbon energy generation.

ES3 - Maintaining quality of life within our environmental limits.

ES4 - Water resources, quality and flood risk.

ES5 - Air quality.

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 SPG Residential Design Guide (2000), SPG Residential Development Outdoor Play Space Provision, SPG Stroud District Landscape Assessment, SPD Planning Obligations (2017) Heritage Strategy SPA (2018) and IHCA SPD.





## **Development Control Committee Schedule 19/02/2019**

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:

### **PRINCIPLE OF DEVELOPMENT**

The conversion and redevelopment of the Mill complex has already been granted permission with a long and complex planning history. Work is underway.

The principle has already been established. This application only seeks to address the retrospective construction car park and the future retention as additional parking provision.

### **HIGHWAYS**

The applicant is seeking to provide additional parking on site to reduce parking pressures on Knapp Lane and make the commercial units more marketable.

The narrow width and orientation of Knapp Lane along with the close proximity of the junction with Toadmoor increase the desirability of avoiding on-street parking. Knapp Lane is currently used by the commercial premises to the south at the Olympic Varnish site with additional committed schemes at Wimberley and Dark Mills all adding additional future pressure and the need to not restrict vehicle flow on the sharp bend and narrow section of Knapp Lane adjacent to Lewiston Mill.

The approved commercial use of the units are limited to financial and professional services (A2) and/or Business (B1) office/R&D/Light industry which is appropriate in a residential area. This application does not change the use or size of the buildings. As the County Highways Officer has noted, the additional parking spaces will not increase demand which would be generated by additional site floor space but may reduce on-street parking demand and highway impact.

The parking standards outlined in the current Local Plan (Appendix 2) seek a worst case: 1 space per 25sq m which requires 34 spaces for the commercial space.

This revised scheme provides 36 parking spaces which is only a slight increase on the Local Plan standard. With the local pressure on the highway it is considered acceptable to consider this additional provision.

The applicant has also provided comment from a local commercial letting agent which outlines a desire for 45 spaces to make the commercial units more desirable to potential tenants. Whilst this is not based on any adopted standard or overly evidenced it is interesting background information which the applicant has taken on board to provide a successful and occupied development.

The redevelopment of the site has a complex planning history but the applicant is seeking to implement a scheme with 21 residential units a mix of houses near the Mill pond and apartments in the Mill building (block D), outbuildings and the new build block. The Mill pond houses have 2 parking spaces each with an additional 3 visitor spaces provided at this end of the site. The apartments have 1 allocated space each and the livework flats (19&20) 2 each. This gives a total for the 21 residential units of 30 parking spaces. Therefore, it has to be



## Development Control Committee Schedule 19/02/2019

noted that the scheme does not provide an excessively over generous level of residential parking.

This is set against a Local Plan standard that seeks an average of 1.5 spaces per residential unit resulting in a requirement of 31.5 spaces. The additional commercial spaces can therefore offset the rounded up, 2 missing residential space but also may provide some overspill parking, particularly during evening and overnight when the commercial parking space are more likely to available.

The scheme still provides other sustainable modal choices for occupiers. 2 cycle storage areas are retained, the connection to the bus stop on the main road along with the potential for electric charging in the future have been put forward.

Whilst the car park extension is an increase in the number of spaces, it is not significantly beyond the parking standard within the current Local Plan and does seek to address a known local highway constraint. GCC Highways Officer is satisfied with the proposal and has raised no highway objection.

### **ECOLOGY**

The car park extension is located on an area of the site that was set aside as a nature conservation area. This area has no formal protection as being part of a Key Wildlife site or SSSI but was provided as part of the ecological mitigation of the Mill redevelopment. Extensive discussions have taken place between Officers and the applicant regarding the loss of this area.

As highlighted by the applicant's ecologist, the lower flat central area where the car park has been extended was a disused part of the site and was not a well-established habitat with self-seeded saplings and low scrubby bramble.

Having reviewed the previous ecological reports it appears this area was provided for a small population of slow worms. The retrospective nature makes it unable to address any avoidance method during the work and with the reduced size of the area there appears to be limited merit left requiring it to be reinstated or marginally reduced. The limited size of the area and its isolated nature given the road and stream barriers make limited opportunities for a repopulation to occur.

The focus of discussions has therefore been on providing other more positive provision via other mitigation and enhancements. The wooded bank and brook are the primary areas and are of higher ecological value where it is hoped the enhancements will be more beneficial.

The ecological strategy instead seeks to protect and enhance the wooded bank and brook. This now includes provision of a resting place for otters that uses the brook, planting of flower-rich sward and adding bulbs like wild garlic and snowdrops which provide an early season source of nectar for insects. The trees will be managed allowing more light into the stream area with the large log and smaller log piles also retained to provide improved habitat for insects. Additional bat boxes will be erected and the scheme provides bird boxes for Dippers and Swifts.



## Development Control Committee Schedule 19/02/2019

The ecological benefits of the successful redevelopment of the Mill complex also have to be noted. These include the opening up of the culverted section of the brook and the works on the Mill pond and weirs themselves. The ongoing maintenance will also be appropriate and an ecological benefit.

Therefore, whilst it was disappointing that the temporary construction car park works was carried out prior to the submission and consideration of an application, with the input from our ecologist it is considered that the ecological compensation and enhancement works are now at an acceptable and appropriate level which could be reasonably justified and defended.

At the time of writing the final detailed summary of the ecological mitigation is being drafted. This with the final comments of our ecologist will be reported to committee.

### **DRAINAGE & FLOOD RISK**

The 2015 approved scheme proposed a drainage pond in this area of the site to take surface water runoff. It was designed to provide 48cu m storage of surface water from the development and then provide a controlled discharge/attenuated rate (5 l/s) back into the stream. This provides balancing of the surface water during storm events and a level of water quality improvement due to settlement etc. This was in addition to the redevelopment plans already resulted in a reduction of impermeable areas compared to the existing/predevelopment situation which also had an unrestricted discharge into the Toadsmoor stream.

The revised details submitted with this application seek to replace the attenuation pond with cellular storage built beneath the proposed car park extension.

The applicant has confirmed that the current car park on site is only temporary to address the need for construction vehicles during the construction phase and the agent has also outlined that not all the proposed drainage has been installed to avoid damage during this contractor car park use/phase. Following on from the main construction phase, the storage crates will be installed, mud free and the car park will be resurfaced in accordance with the drainage strategy.

The existing car park surface will be replaced with a permeable bitmac surface on the parking spaces and the central manoeuvring area is proposed to have a permeable paved surface with the existing running course punctured to allow permeable surface drainage to the sub-base.

The new drainage design provides 25cu m of cellular storage and an additional 35cu m of voids storage in the permeable paving. This gives a combined total of 60cu m of storage which is an improvement/betterment of an additional 12cu m.

The cellular storage uses infiltration geotextile wrap so it effectively functions as a soakaway. Whilst the infiltration rate will be low an outflow chamber is also proposed to provide a controlled discharge rate back to the stream. The drainage engineer at GCC as Local Lead Flood Authority (LLFA) is satisfied with the submitted drainage information and calculations.



## **Development Control Committee Schedule 19/02/2019**

The car park attenuation also addresses and manages pollutants with the permeable surfacing and geotextiles retaining heavy metals and treating any hydrocarbon spillages should they occur.

Implementation of the drainage can be controlled via condition. As with the previous approved scheme the ongoing management of the SUDS remains with the developer.

The flood risk and resilience within the buildings is not affected by this proposal.

### **RESIDENTIAL AMENITY**

The extended car park does make parked vehicles more evident to the neighbouring property Lewiston House. With the enclosed nature, the surrounding trees, road and buildings screen other nearby properties from this part of the site.

There is some space between the neighbour and the car park and the applicant has erected a section of hurdle style fence to help reduce the impact.

Whilst the ecological management has resulted in some thicker vegetation, like the laurel being removed for ecological benefits, there is still a mix of trees and vegetation which will help break up the form and mass of any parked vehicles.

With the management of the site, including nearby residential occupancy and the car park not being overly prominent it is considered that anti-social behaviour within this space is unlikely to develop into a problem.

The occupation and appropriate management of this area and the wider site also has an amenity benefit to the surrounding area.

### **LANDSCAPE & HERITAGE IMPACT**

Due to the enclosed nature of this part of the site, behind the existing commercial buildings, below the level of the main road A419 and with the retained trees/vegetation, the car park extension is not overly prominent or visible from public viewpoints and therefore does not have a significant impact on the wider landscape setting or the character of the Conservation Area.

However, the heritage benefits of making the development more desirable/usable have to be acknowledged with a longer term use and occupation of an important non-designated asset within the Conservation Area being a positive.

### **CONCLUSION & RECOMMENDATION**

The car park extension does increase parking spaces, however, this is not significantly beyond the parking standard within the current Local Plan and is proposed to make the commercial buildings more desirable to tenants and to avoid pressure on on-street parking in an area which is known as a local highway constraint. The scheme also provides other opportunities for residents to use more sustainable modes of transport with cycle storage, a new footpath connection to nearby bus stop and electric charging opportunities.



## Development Control Committee Schedule 19/02/2019

The retrospective nature of some of the works is regrettable and the local concern about this is appreciated.

Significant ecological compensation and enhancement have now been proposed including planting, management of the wood bank and stream, bird and bat boxes and an otter resting shelf. These provide a positive and justifiable ecological strategy for the site and address the loss of the previous onsite nature area.

With the above justification, compensation and mitigation it is therefore recommended that Members **Resolve to grant permission** subject to the final support of the SDC Ecologist.

### 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.

<b>Subject to the following conditions:</b>	<p>1. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:</p> <p>Site layout plan 7720/400 Rev A received on 24th Sept 2018</p> <p>Drawing Proposed Drainage Plan 14-1542 03 Rev C17 received on 23rd October 2018</p> <p>Document Micro Drainage Calculations 18/10/2018 11:06</p> <p>David Jeffery Infrastruct CS Ltd email sent on 23 October 2018</p> <p>Plans submitted and approved by Planning Permission S.15/1385/FUL</p> <p>No. 7720/11 Site Location Plan</p> <p>No. 7720/51 Central block, Lower ground floor</p> <p>No. 7720/52B Central block, Ground floor</p> <p>No. 7720/53C Central block, First floor.</p> <p>No. 7720/54D Central block, Second floor.</p> <p>No. 7720/55D Central block, Third floor.</p> <p>No. 7720/56A Elevations, Sheet 1</p> <p>No. 7720/57C Elevations sheet 2</p> <p>No. 7720/58A Housed 25-29</p> <p>No. 7720/59 Flat 19.</p> <p>No. 7720/60. Flat 20</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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## Development Control Committee Schedule 19/02/2019

2. Notwithstanding the approved site layout plan, this permission only approves the extension to the car park to the south of the site, adjacent to Commercial Block A. Any other alterations to the scheme shown on the site layout plan are not approved by this permission.

Reason:

For the avoidance of doubt and in the interests of good planning to ensure that the development is carried out in accordance with the approved plans.

3. Within 6 months of the date of this permission or an alternative timescale which has first been submitted to and approved by the Local Planning Authority, the approved drainage works shall be fully implemented in accordance with the drainage strategy/details identified in condition 1.

Reason:

To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding and minimise the risk of pollution in accordance with Policies CP14, ES3 and ES4 of the adopted Stroud District Local Plan, November 2015.

4. The development hereby approved shall not be occupied until details of a scheme of electric vehicle charging points, their maintenance schedule and implementation timetable have been submitted to and approved by the Local Planning Authority. The approved electric charging points shall then be provided in accordance with the approved plan and retained in perpetuity unless otherwise approved by the Local Planning Authority.

Reason:

To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with Policies CP8 and CP14 of the adopted Stroud District Local Plan, November 2015 and Paragraph 108 and 110 of the revised National Planning Policy Framework.

5. The development hereby approved shall only take place in accordance with the materials detailed and approved by discharge of condition application S.16/1120/DISCON or an alternative materials schedule which has first been submitted to and approved by the Local Planning Authority.



## Development Control Committee Schedule 19/02/2019

Reason:

In the interests of the visual amenities of the area in accordance with Policies CP8, CP11, CP14 and ES10 of the adopted Stroud District Local Plan, November 2015.

6. The scheme of foul sewage shall be implemented in accordance with the details submitted and approved by discharge of condition application S.16/1120/DISCON or an alternative foul sewage system which has first been submitted to and approved by the Local Planning Authority, before the development is first brought into use.

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 in accordance with Policies CP14, ES3 and ES4 of the adopted Stroud District Local Plan, November 2015.

7. The development hereby permitted shall not begin until a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures:
- i. A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175:2001 Investigation of Potentially Contaminated Sites - Code of Practice.
  - ii. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2001 Investigation of Potentially Contaminated Sites - Code of Practice. The report should include a detailed quantitative human health and environmental risk assessment.
  - iii. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation should be stated, such as site contaminant levels or a risk management action, and how this will be validated. Any on going monitoring should also be outlined. No deviation shall be made from this scheme.
  - iv. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the Local Planning Authority.



## Development Control Committee Schedule 19/02/2019

v. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason:

To protect the health of future occupiers of the site, from any possible effects of contaminated land in accordance with paragraphs 178-179 of the NPPF.

8. Prior to the occupation of the development hereby permitted, the vehicular accesses (including visibility splays) shall be laid out and constructed in accordance with the approved plans as detailed in Condition 1 and shall be maintained for the duration of the development.

Reason:

To reduce potential highway impact by ensuring the access is suitably laid out and constructed in accordance with Policies CP8, CP13 and CP14 of the adopted Stroud District Local Plan, November 2015.

9. The development hereby permitted shall not be occupied until the vehicular parking, turning and loading/unloading facilities have been provided in accordance with the approved plans and those facilities shall be maintained available for those purposes for the duration of the development.

Reason:

To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site in accordance with Policies CP8, CP13 and CP14 of the adopted Stroud District Local Plan, November 2015.

10. The buildings hereby permitted shall not be occupied until the footpath link between the site and London Road has been provided in accordance with the approved plans and those facilities shall be maintained available for those purposes for the duration of the development.

Reason:

To reduce potential conflict between vehicular and pedestrian traffic and in accordance with Policies CP8, CP13 and CP14 of the adopted Stroud District Local Plan, November 2015.





## Development Control Committee Schedule 19/02/2019

11. The construction period of the development hereby approved shall adhere to the Construction Method Statement approved by discharge of condition application S.16/1120/DISCON or an alternative Construction Method Statement which has first been submitted to and approved by the Local Planning Authority.

**Reason:**

To reduce the potential impact on the public highway in accordance with Policies CP8, CP14 and ES3 of the adopted Stroud District Local Plan, November 2015.

12. The development hereby permitted shall not be occupied until secure and covered bicycle and motorcycle storage facilities in accordance with the adopted minimum cycle parking standards of the Local Planning Authority have been made available in accordance with details approved by discharge of condition application S.16/1120/DISCON or an alternative cycle provision which has first been submitted to and approved by the Local Planning Authority.

**Reason:**

To ensure that adequate bicycle and motorcycle parking is provided and to promote cycle use in accordance with Policies CP8, CP13 and CP14 of the adopted Stroud District Local Plan, November 2015.

13. The lighting scheme for the development hereby approved shall be implemented in accordance with the details submitted and approved by discharge of condition application S.16/1120/DISCON or an alternative lighting scheme which has first been submitted to and approved by the Local Planning Authority.

**Reason:**

To protect the amenity of the locality, in terms of light pollution especially for people living and/or working nearby, in accordance with Policies CP8, CP14 and ES3 of the adopted Stroud District Local Plan, November 2015.

14. The development hereby approved shall be carried out in accordance with the ecological method statement submitted and approved by discharge of condition application S.16/1120/DISCON and the Ecology Strategy (CTM Wildlife V1.2 dated 14th Dec 2018) or an alternative ecological method statement which has first been submitted to and approved by the Local Planning Authority.

Prior to the first occupation of the site, written confirmation from the Project Ecologist that the works have proceeded as per the above agreed documents shall be submitted to and approved by the Local Planning Authority.



## Development Control Committee Schedule 19/02/2019

Reason:

In the interests of ensuring the protection of protected species and habitats within the site during the construction phase, in accordance with Policies CP8, CP14 and ES6 of the adopted Stroud District Local Plan, November 2015.

15. The development hereby permitted shall be implemented in accordance with the approved Ecological Survey and Assessment (by Gloucestershire Wildlife dated May 2015) the Ecology Strategy (CTM Wildlife V1.2 dated 14th Dec 2018) and the Ecology - enhancement, mitigation and management proposals with particular reference to the need to fully accord with all the recommendations and evaluation made within the report.

Reason:

To protect features of recognised nature conservation importance in accordance with Policies CP8, CP14 and ES6 of the adopted Stroud District Local Plan, November 2015.

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

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policies CP14 and ES3 of the adopted Stroud District Local Plan, November 2015.

17. The development hereby permitted shall be implemented in accordance with the flood evacuation procedures and timetable submitted and approved by discharge of condition application S.16/1120/DISCON or an alternative flood evacuation procedure and timetable which has first been submitted to and approved by the Local Planning Authority.

Reason:

To provide safe access and egress during flood events in accordance with the revised NPPF Chapter 14, and associated Technical Guidance and reduce reliance on emergency services.

18. The development hereby permitted shall be implemented in accordance with the flood mitigation measures submitted and approved by discharge of condition application S.16/1120/DISCON or alternative flood mitigation measures which has first been submitted to and approved by the Local Planning Authority.



## Development Control Committee Schedule 19/02/2019

Reason:

To mitigate incidence of flooding in accordance with Policies CP14 and ES4 of the adopted Stroud District Local Plan, November 2015.

19. No machinery shall be operated, no process shall be carried out, and no deliveries taken at or despatched from the site other than between the hours of 0800 and 1800 Monday to Friday, and 0800 and 1300 on Saturdays, and at no 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 Policies CP14 and ES3 of the adopted Stroud District Local Plan, November 2015.

20. The proposed commercial units within Blocks A, B, C and the ground floor areas underneath flat numbers 19 and 20 (as labelled on plan number 7720/50B) shall only be used for purposes falling within Classes A2 and/or B1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason:

To enable the Local Planning Authority to retain control over the use of the premises and to protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policies CP14 and ES3 of the adopted Stroud District Local Plan, November 2015.

21. The development hereby permitted shall be implemented in accordance with the scheme of hard and soft landscaping submitted and approved by discharge of condition application S.16/1120/DISCON (as updated by this proposal) or alternative scheme of hard and soft landscaping which has first been submitted to and approved by the Local Planning Authority.

Reason:

In the interests of the visual amenities of the area in accordance with Policies CP8, CP14 and ES10 of the adopted Stroud District Local Plan, November 2015.

22. All planting, 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, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.



## Development Control Committee Schedule 19/02/2019

Reason:

In the interests of the visual amenities of the area in accordance with Policies CP8, CP14 and ES10 of the adopted Stroud District Local Plan, November 2015.

23. The development hereby permitted shall be implemented in accordance with the Pre - construction Arboricultural Survey and Method Statement submitted and approved by discharge of condition application S.16/1120/DISCON or alternative method statement which has first been submitted to and approved by the Local Planning Authority.

Reason:

To ensure the health and safety of the trees on the site and to ensure continuity of the visual amenity that they provide and to comply with Policies CP8, CP14, ES6 and ES10 of the adopted Stroud District Local Plan, November 2015.

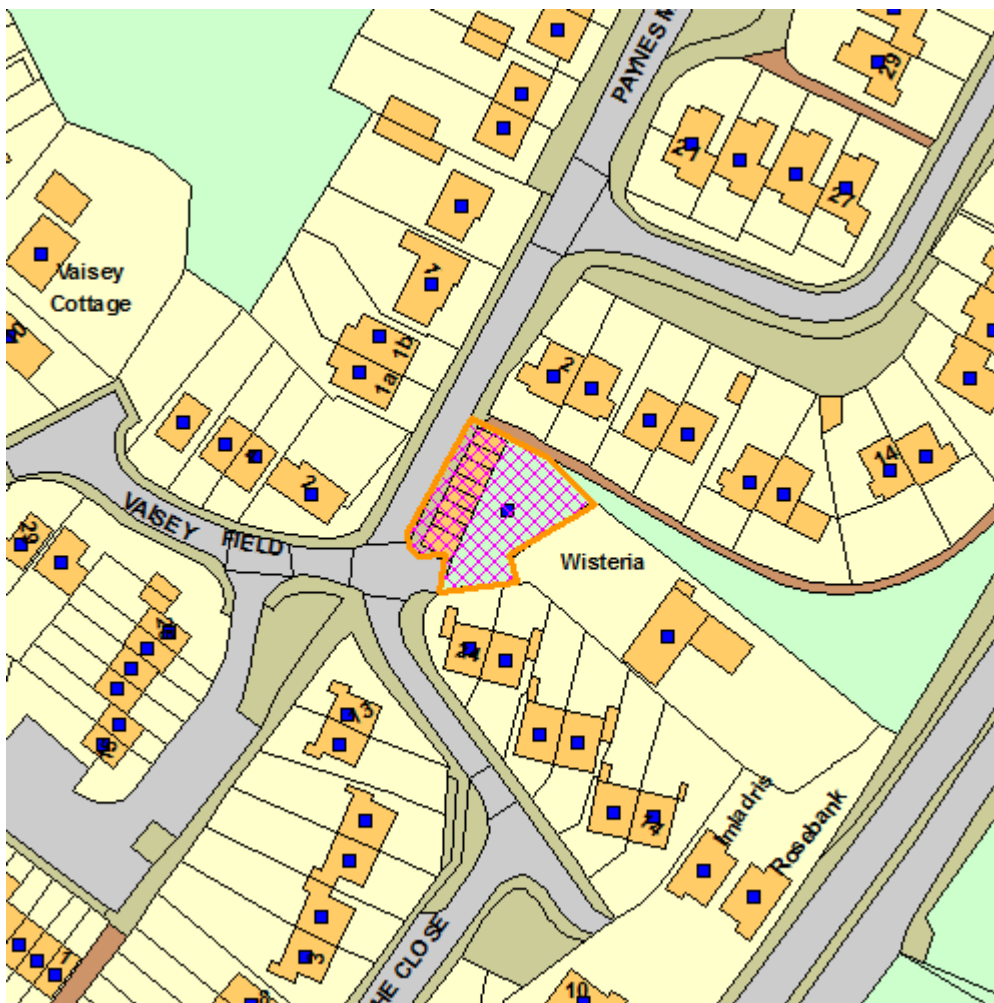
Informatives:

1. The lighting scheme should comply with the Institution of Lighting Engineers Guidance Note on Light Pollution. It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage. Specific consideration should be given to the need to retain dark corridors for ecological reasons.
2. Nesting Wild Birds - The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees and scrub are present on the application site and should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present.
3. In relation to flood warning measures, to ensure that owners and occupiers of premises are aware that the car parking area is at risk of flooding, the Environment Agency recommends that Flood warning notices are erected and kept legible and clear of obstruction.



## Development Control Committee Schedule 19/02/2019

<b>Item No:</b>	<b>07</b>
<b>Application No.</b>	S.18/1678/FUL
<b>Site No.</b>	PP-07097975
<b>Site Address</b>	Land Adjacent No.24, The Close, Whitminster, Gloucestershire
<b>Town/Parish</b>	Whitminster Parish Council
<b>Grid Reference</b>	377671,208190
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Erection of one single storey dwelling with associated vehicle parking and landscaping (revised scheme).
<b>Recommendation</b>	Permission
<b>Call in Request</b>	Requested by the Planning Manager





## Development Control Committee Schedule 19/02/2019

<b>Applicant's Details</b>	Trower Davies Ltd 8 Manor Park, Mackenzie Way, Cheltenham, Gloucestershire, GL51 9TX
<b>Agent's Details</b>	None
<b>Case Officer</b>	Rachel Brown
<b>Application Validated</b>	08.08.2018
<b>CONSULTEES</b>	
<b>Comments Received</b>	Policy Implementation Officer (E) Whitminster Parish Council
<b>Constraints</b>	Consult area Whitminster Parish Council SAC SPA 7700m buffer Settlement Boundaries (LP) Village Design Statement
<b>OFFICER'S REPORT</b>	

### MAIN ISSUES

- o Principle of development
- o Design and appearance
- o Residential Amenity
- o Highways
- o Landscape
- o Ecology
- o Affordable Housing
- o Obligations

### DESCRIPTION OF SITE

The site is located adjacent to 24 The Close, within the settlement of Whitminster. The site is currently car parking and garaging.

The site is not affected by any sensitive landscape designation. There are no nearby listed buildings and the site is not within a conservation area.

### PROPOSAL

Erection of one single storey dwelling with associated vehicle parking and landscaping (revised scheme).

### REVISED DETAILS

Revised drawings and design and access submitted amending the proposal to two dwellings (semi-detached).

Following the November Development Control Committee revised plans have been submitted (14/12/18) amending the proposal to a single storey dwelling.



## Development Control Committee Schedule 19/02/2019

### REPRESENTATIONS

#### Statutory Consultees:

GCER - protected species have been recorded within the vicinity

SDC Policy Implementation Manager (Planning, Housing & Regeneration) - No comment

SDC Environmental Protection Manager - recommends standard conditions and informative

Whitminster Parish Council Object to the application for the following reasons:

- Design of the development pays no regard to Whitminster Village Design Statement
- Type of dwellings proposed out of keeping with the locality; single storey dwellings would be more suited
- Inadequate parking
- Exacerbate on street parking problems
- Overbearing; loss of light; loss of privacy

Following the submission of revised plans (14/12/18) Whitminster Parish Council Support the application

#### Public:

9 letters of objection received on the grounds of:

- Overbearing
- Loss of light
- Tall buildings out of context with the street scene being surrounded by bungalows
- Materials of context with street scene
- Lack of parking
- No garden
- Prefer to see 2 bungalows
- Over-development
- Loss of privacy
- Out of character with the area
- Loss of off-road parking; result in cars parking on road
- Highway safety
- Restricted age bungalow more appropriate and beneficial to community
- Not in keeping with Whitminster Design Statement
- The building is too high
- Impact on view
- Insufficient infrastructure
- Impeded access for emergency vehicles
- Exacerbate existing parking issues
- Lack of consultation pre-application

Following the submission of the revised drawings 7 letters of objection have been received. Objections relate to:

- Overlooking
- Loss of privacy
- Parking issues



## Development Control Committee Schedule 19/02/2019

- 2 bungalows would be more in keeping
- Garages should have been offered for sale to local residents
- Loss of light
- Overbearing
- Not in keeping with area
- Previous objections still stand

Following the submission of the revised plans received 14/12/18 2 letters of support have been received.

### **NATIONAL AND LOCAL PLANNING POLICIES**

National Planning Policy Framework.

Available to view at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

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](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.
- ES6 - Providing for biodiversity and geodiversity.
- ES7 - Landscape character.
- ES12 - Better design of places.

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)

### **VILLAGE DESIGN STATEMENT**

The Whitminster Village Design Statement was adopted on 23rd October 2014 and is a material consideration. The relevant policies include:

WNE3 (protection of wider landscape character)

WBE1 (build design)

WBE2 (scale)

WBE3 (character/design)

WBE5 (pre-application consultation)

WBE6 (parking standards)





## Development Control Committee Schedule 19/02/2019

WCF2 (CIL)  
WBM1 (building materials)  
WBM3 (alternative energy/environmental solutions)  
WRP4 (off-road parking provision)

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 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.”

### **PRINCIPLE OF DEVELOPMENT**

The site lies within the defined Settlement Boundary of Whitminster, 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 within walking distance of the village centre and 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**

Initially the proposal was for the erection of a two storey residential apartment block comprising of 4 apartments with associated vehicle parking and landscaping. Following concerns raised regarding possible impact on neighbouring occupiers revised drawings were submitted, proposing two semi-detached dwellings with associated parking and landscaping. The application was presented to the November Development Control Committee where it was deferred for Officers to negotiate a single storey design and changes to the materials.



## **Development Control Committee Schedule 19/02/2019**

Revised plans have been submitted to address the Committee's concern over the height of the previous design, the choice of material finish and parking provisions. The application now proposes one single storey dwelling constructed using imitation stone finishes and a roof tile that better reflects neighbouring dwellings in Paynes Meadow.

The surrounding area comprises a mix of single storey and two storey dwellings in varying materials including recon stone and concrete hanging tile, together with brick. The dwellings within Vaisey Field are two storeys in height and finished in brick. The dwellings within Paynes Meadow are a mix of single storey and two storey dwellings, faced in recon stone with the occasional hanging concrete tiles.

The proposed dwelling is of a scale, layout and design compatible with the character, appearance and amenity of this part of Whitminster. The siting and general layout 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 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. Ample space would remain so as to ensure the plots did not appear cramped or overdeveloped.

### **RESIDENTIAL AMENITY**

The submission of the revised drawings addresses many of the objections made to the previous proposal regards to loss of light and loss of privacy.

A separation distance of approximately 14 metres is proposed between the new dwelling and the nearest neighbouring property. Given the dwelling now proposed is single storey and the degree of separation, the proposal would not have a detrimental impact on neighbour's light levels or have an overbearing impact. The privacy levels will be maintained. The development would not harm residential amenity.

### **HIGHWAYS**

The dwelling would have a vehicular access directly off Paynes Meadow together with two parking spaces. This would be in compliance with the Council's adopted parking standards. In addition the existing site access and vehicle turning area to the neighbouring property Wisteria, would be maintained.

### **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 7.7km of the Severn Estuary SPA/SAC/Ramsar site where Stroud District Council has adopted an interim strategy. Each new dwelling is required to pay £385 per dwelling to contribute to projects that relieve the recreational pressure on the designated site. A Unilateral Undertaking has been submitted to secure this payment.



## Development Control Committee Schedule 19/02/2019

### **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 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 1000m<sup>2</sup>.

### **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.

Following the November Development Control Committee, revised plans have been submitted to which two letters of support have been received. Furthermore, Frampton on Severn Parish Council now support the application.

### **RECOMMENDATION**

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.

<b>Subject to the following conditions:</b>	<ol style="list-style-type: none"><li>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><li>2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:  Site Plan Proposed of 14/12/2018 Plan number = 1002 Rev B  Proposed floor plans and elevations of 14/12/2018 Plan number = 1010 Rev B</li></ol>
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## Development Control Committee Schedule 19/02/2019

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.

4. 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.

5. Prior to the occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before the dwellings are occupied and maintained as such thereafter.

Reason:

In the interests of the amenities of local residents and to ensure the satisfactory appearance of the development, in accordance with Policies HC1 and ES3 of the Stroud District Local Plan.

6. The dwellings hereby permitted shall not be occupied until the vehicular parking has been provided in accordance with the approved plans. The approved parking shall be permanently available and free of obstruction thereafter.

Reason:

To reduce potential highway impact by ensuring that parking is available within the site, in accordance with Policy ES3 of the adopted Stroud District Local Plan, November 2015.



## Development Control Committee Schedule 19/02/2019

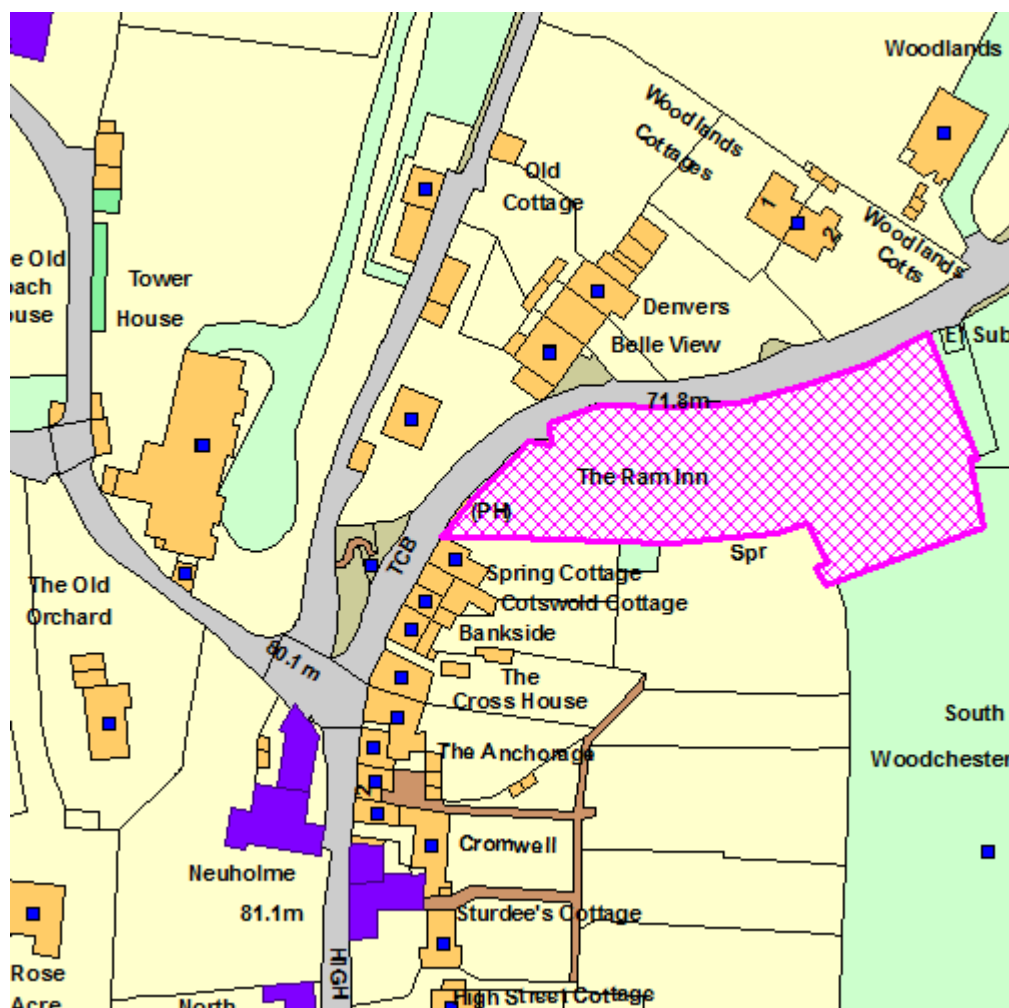
### Informatives:

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.



## Development Control Committee Schedule 19/02/2019

<b>Item No:</b>	<b>08</b>
<b>Application No.</b>	S.18/1039/FUL
<b>Site No.</b>	PP-06957516
<b>Site Address</b>	Ram Inn, High Street, South Woodchester, Stroud
<b>Town/Parish</b>	Woodchester Parish Council
<b>Grid Reference</b>	383948,202186
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Restaurant and kitchen extensions to the public house and erection of two dwellings (amended 03.09.2018)
<b>Recommendation</b>	Permission
<b>Call in Request</b>	Chair of DCC





## Development Control Committee Schedule 19/02/2019

<b>Applicant's Details</b>	MACSEYCO Limited C/O AC Planning Solutions Ltd, 12 Marling Crescent, Stroud, Gloucestershire, GL5 4LB
<b>Agent's Details</b>	AC Planning Solutions Ltd 12 Marling Crescent, Stroud, GL5 4LB, United Kingdom,
<b>Case Officer</b>	Ceri Porter
<b>Application Validated</b>	16.05.2018
<b>CONSULTEES</b>	
<b>Comments Received</b>	Woodchester Parish Council Development Coordination (E) SDC Water Resources Engineer Contaminated Land Officer (E)
<b>Constraints</b>	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
<b>OFFICER'S REPORT</b>	

### MAIN ISSUES

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



## Development Control Committee Schedule 19/02/2019

### 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 dropping to 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).

Cllr McAsey (Amberley and Woodchester Ward) is a Director of company making the application (Maseyco Ltd).

### 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





## Development Control Committee Schedule 19/02/2019

Planning Strategy Officer – No objection

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,



## Development Control Committee Schedule 19/02/2019

- \* Land stability issue
- \* 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](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:

Residential Design Guide SPG (2000)

Stroud District Landscape Assessment SPG (2000)

Planning Obligations SPD (2017)

IHCA Conservation Area Management Proposals SPD (2008)

Woodchester Village Design Statement Supplementary Planning Advice

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:



## **Development Control Committee Schedule 19/02/2019**

### **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.

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.

In respect of the proposed dwellings, the site is located within the identified settlement limits of South Woodchester. As such 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 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 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.



## **Development Control Committee Schedule 19/02/2019**

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.

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) should pay a contribution to affordable housing of at least 20% of the total development value (where viable). This policy has now been tested and it has been identified that the majority of these very small sites have been unable to support a payment towards affordable housing. As such the Council will only pursue an affordable contribution for sites less than 4 units where the combined floor area of the units exceeds 1000m<sup>2</sup>.



## **Development Control Committee Schedule 19/02/2019**

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.

### **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. A condition requiring the submission of a mitigation strategy is recommended.

### **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.

This proposal is for the extension of the public house, landscaping of the car parks and erection of two dwellings. The extension to the public house 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



## **Development Control Committee Schedule 19/02/2019**

pattern of development. Careful choice of materials and detailing would ensure the houses do not look out of place.

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 provision 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 and has been received.

### **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, subject to the submission of a completed unilateral undertaking.



## Development Control Committee Schedule 19/02/2019

### 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.



## Development Control Committee Schedule 19/02/2019

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;
- b. include a timetable for its implementation; and





## Development Control Committee Schedule 19/02/2019

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.



## Development Control Committee Schedule 19/02/2019

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.

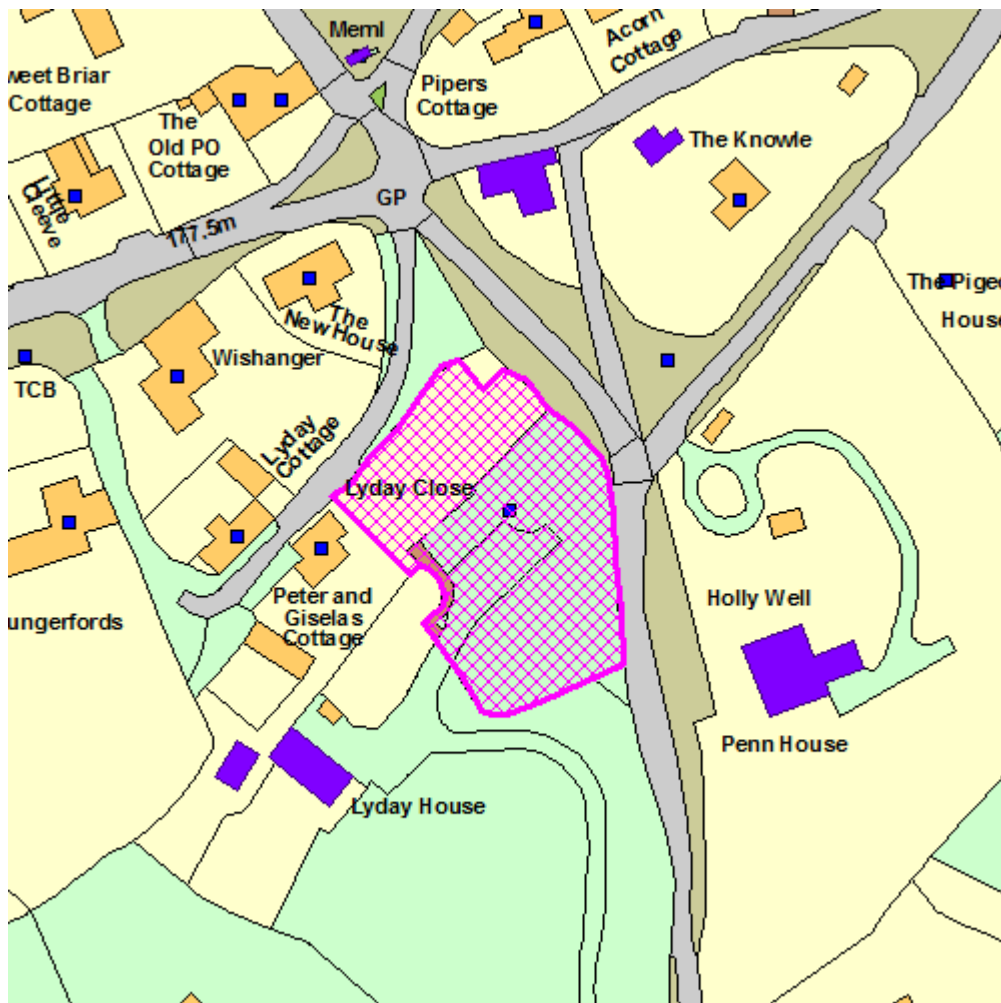
Informatives:

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.



## Development Control Committee Schedule 19/02/2019

<b>Item No:</b>	<b>09</b>
<b>Application No.</b>	S.18/2322/FUL
<b>Site No.</b>	PP-07365197
<b>Site Address</b>	Land At Lyday Close, Oakridge Lynch, Stroud, Gloucestershire
<b>Town/Parish</b>	Bisley With Lypiatt Parish Council
<b>Grid Reference</b>	391501,203462
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Proposed new dwelling with garage and associated landscape works (E 391501 - N 203462)
<b>Recommendation</b>	Permission
<b>Call in Request</b>	Bisley With Lypiatt Parish Council





## Development Control Committee Schedule 19/02/2019

<b>Applicant's Details</b>	Mr Oliver Morning 31 Coleshill Road, Teddington, London, TW11 0LL,
<b>Agent's Details</b>	Studio Bark The Old Baths, 80 Eastway, London, E9 5JH,
<b>Case Officer</b>	Sarah Carruthers
<b>Application Validated</b>	29.10.2018
<b>CONSULTEES</b>	
<b>Comments Received</b>	Bisley With Lypiatt Parish Council Contaminated Land Officer (E) Biodiversity Officer
<b>Constraints</b>	Aston Down Airfield Consultation Zones Area of Outstanding Natural Beauty Consult area Kemble Airfield Hazard Within 50m of Listed Building Bisley Town Council Settlement Boundaries (LP) Village Design Statement
<b>OFFICER'S REPORT</b>	

### MAIN ISSUES

- o Principle of development
- o Design and appearance
- o Archaeology and Heritage Assets
- o Landscape
- o Residential Amenity
- o Highways
- o Ecology

### DESCRIPTION OF SITE

The application site consists of an area of garden land associated with Lyday Close, located within the defined settlement boundary for Oakridge Lynch and the Cotswold Area of Outstanding Natural Beauty. The site forms part of the general garden and amenity land serving one of three properties located on the edge of the village and forms part of a listed Grade II complex. As is typical of this part of the village the valley wall slopes steeply north to south down the site, with the application site on the highest part of the overall site adjacent to the property, Giselas Cottage, a single story dwelling to the west. To the lower half of the site is a run of garages with access off the main village road. The northern boundary of the site is made up of a 2m high natural stone wall with an access track behind serving a small group of properties.



## Development Control Committee Schedule 19/02/2019

### PROPOSAL

For a detached contemporary style, part subterranean dwelling set over three floors and in place of the existing underground garage. An integral garage is proposed within the upper level of the site. Solar PV array on the single storey flat roof.

### REVISED DETAILS

Revised plans were received 18/1/19 that reduced the overall scale and massing of the dwelling.

Parking plan received 22/1/19

### MATERIALS

Walls: pre-weathered hardwood cladding, Cotswold stone

Roof: green sedum roof

Doors/windows: Aluminium

### REPRESENTATIONS

#### Statutory Consultees:

Tree Officer - No objection subject to a condition

Biodiversity Officer – No objection subject to planning condition

Senior Contaminated Land Officer - no comments

Bisley with Lypiatt Parish Council – objects on the following grounds:

- Impact on host and neighbouring listed buildings
- Impact on AONB
- Size and scale of proposed dwelling
- Drainage and surface water flooding issues

#### Public:

Three letters of objection received. Relevant objections include:-

- modern design is out of keeping with the setting
- landscape impact
- dominates the site
- timber cladding not in keeping
- cannot connect to main sewer
- impact on land stability due to under ground springs

### 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 66(1).

Stroud District Local Plan.



## Development Control Committee Schedule 19/02/2019

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](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.
- CP14 - High quality sustainable development.
- HC1 - Meeting small-scale housing need within defined settlements.
- 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.
- ES12 - Better design of places.

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)  
Bisley with Lypiatt Village Design Statement

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:

### **PRINCIPLE OF DEVELOPMENT**

Whilst the proposal falls within the setting of the listed Lyday House and Sugar House properties, the site falls on the edge and just within the defined settlement boundary and the principle of residential development has already been established by the extant 2010 permission (s.09/1668/FUL). This granted permission for a fairly modest, one and a half story, four-bedroom dwelling and a detached double carport.

Planning permission has been refused in 2015 and 2016 and a subsequent Appeal dismissed for a five bedroom dwelling. They were refused on the grounds of its scale and design and having a dominant impact on its setting, causing harm to the setting of the listed buildings.

### **DESIGN AND LAYOUT**

Pre-application discussions took place on what appeared to be a well considered contemporary scheme, and whilst not fully detailed, its scale, massing and design seemed to respond well to the land levels and was considered sympathetic to the existing group of buildings and its historic setting.

The scheme that was originally submitted as part of this application was not in line with the pre-application scheme and Officers raised concerns regarding the increase in scale and



## Development Control Committee Schedule 19/02/2019

massing and felt that the proposal would dominate the existing group of buildings and views into the site. The scheme had two projecting elements, one three story and one two storey, with a cluttered frontage, all visible from public view.

Following further discussions with the agent, a revised scheme was put forward. The agent has responded to the concerns raised and has reduced the overall mass, integrating it more with the landscape and with existing garage, creating a more subservient dwelling with a simplified frontage. The main projecting element has been reduced to single storey at its furthest point and the western element set back within the site so it takes on a more subservient form.

The reduction in scale was evident by the revised volume comparisons submitted by the agent, which compared the extant scheme with the proposed revised scheme. The total volume (above ground) of the new build of the extant 2010 scheme is 748.5m<sup>3</sup>, whilst the total volume (above ground) of the new build of the proposed scheme is 392m<sup>3</sup>, due to its part subterranean design. The proposed scheme has much greater architectural merit and would appear less dominant than the extant scheme, which had a traditional form set over two floors and was to sit on the upper level of the site.

The use of Cotswold stone for the terraced walls and the timber cladding for the main projecting element is considered appropriate for the site, reflecting the existing building form and its semi-rural setting. The grass roofs will enable the structure to integrate into the landscape and minimise its visual impact.

### **ARCHAEOLOGY AND HERITAGE ASSETS**

This application pertains to a new house in the grounds of Lyday Close, a former farm group that was radically transformed by Alfred Powell, a key figure in the Arts and Crafts Movement.

A planning application for a 'traditional' house was permitted in 2009, largely on the basis that the principle of development had been established by a scheme that was permitted prior to Lyday Close's listing. This new application proposes something completely radically different from the approved scheme. This seems to have caused concern, however, from a conservation point of view, I feel that the unequivocally modern approach is valid here, indeed there are very strong arguments for why the modern approach is appropriate in the historic environment.

With regard to materials, there is a belief that stone is the only correct material in District's hilltop villages; however, even in the most historic of the villages, materials other than stone are frequently found. Powell himself was not averse to breaking the 'rules'; at Lyday the thatch that he used as a roofing replacement for the original stone tiles is extremely atypical in its context; similarly the use of half round timbers on the exterior of his next house at Tunley is atypical.

It is accepted that this proposal is unusual; however, the radically different design approach would still allow Lyday Close and its associated buildings to be read as historic group. The new building would undoubtedly be apparent, and indeed somewhat surprising, in views of



## **Development Control Committee Schedule 19/02/2019**

the listed buildings, however, with its broken form and materials, it would not be a dominating cliff face of development as the previous scheme would have been. The proposals would not undermine their architectural interest of the listed building, nor 'muddy the waters' of their setting, the agricultural character of which has long been lost. The proposed building could not be deemed to cause harm to the setting of the listed building, and indeed would be preferable to the extant scheme.

The proposal has been considered in line with the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, policies set out in the NPPF and the Stroud District Local Plan 2015, and guidance from 'The Setting of Heritage Assets'- Historic England Advice Note 3.

### **RESIDENTIAL AMENITY**

The nearest neighbouring property is 'Gisellas and Peters Cottage' to the east of the dwelling, although given the degree of separation and the local topography, the proposal would have no unacceptable overbearing impact or cause overshadowing. Due to the single story nature of the upper level element, the proposed boundary treatments and orientation of the dwelling, the proposal would not lead to an unacceptable overlooking between the occupiers.

### **HIGHWAYS**

The scheme proposes to utilise the existing vehicular access that was to serve the extant scheme and shows adequate vehicle parking and turning facilities to serve the new dwelling.

### **LANDSCAPE**

The dwelling would be viewed as part of the domestic and residential character of this part of the wider settlement and would not impact significantly upon the wider setting of the Cotswold Area of Outstanding Natural Beauty.

### **ECOLOGY**

The site has been found to support a low population of reptiles namely slow-worms and grass-snakes, common UK reptiles are protected from deliberate harm under the Wildlife & Countryside Act and as such are a material planning consideration. The site itself is a considerable size and as such it is considered reasonable to accommodate the reptiles within the site without the need to translocate to a receptor site, it should also be noted that reptile translocation are often not very successful and should only be considered as a last resort. However details as to how the animals will be safe-guarded has not yet been provided. It is therefore recommended that a condition be included in any granting of planning consent that requires a reptile mitigation strategy.

### **REVIEW OF CONSULTATION RESPONSES**

The objections received were in relation to the original scheme. The revised scheme is a much improved scheme and now is considered acceptable in terms of planning policy. Whilst the scheme retains its contemporary design, it has been sufficiently reduced and redesigned so not to appear unduly prominent within the existing group of historic buildings and is considered to be sympathetic to its setting. Details of a method for foul sewage disposal has been required by condition.





## Development Control Committee Schedule 19/02/2019

### RECOMMENDATION

The proposal complies with the policies outlined above and the application is 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.

<b>Subject to the following conditions:</b>	<ol style="list-style-type: none"><li>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><li>2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:  Site Location Plan of 18/01/2019 Plan number = 0100 B  Proposed floor plan of 18/01/2019 Plan number = 1101 B  Proposed floor plan of 18/01/2019 Plan number = 1102 B  Proposed floor plan of 18/01/2019 Plan number = 1103 B  Roof plan of 18/01/2019 Plan number = 1104 B  Proposed Elevations of 18/01/2019 Plan number = 2101 B  Proposed Elevations of 18/01/2019 Plan number = 2102 B  Section of 18/01/2019 Plan number = 3101 B  Parking plan of 22/1/2019 Plan number = 1000 A</li></ol>
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## Development Control Committee Schedule 19/02/2019

Reason:

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

3. 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 planting, 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.

4. The development shall be undertaken in accordance with the arboriculture impact assessment report produced by Focus Ecology 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.

5. 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.



## Development Control Committee Schedule 19/02/2019

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 (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 (includes alterations, extensions, porches, garages, swimming pools and outbuildings), shall take place.

Reason:

The site is located in a prominent position and within a group of historic buildings and any further extension or alteration would require further consideration to ensure it complies with Policies HC8 and ES10 of the Stroud District Local Plan, adopted November 2015.

7. 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.

8. The development hereby permitted shall not be brought into use until works for the disposal of sewage have been provided on site to serve the development, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development. Development shall then be carried out in strict accordance with the details approved and maintained as such thereafter.

Reason:

To ensure adequate provision is made for the disposal of sewage.

9. No development shall take place (including demolition, ground works, vegetation clearance) until a Reptile Mitigation Strategy has been submitted to and approved in writing by the local planning authority. The Mitigation Strategy shall include the following:
- Measures that will be taken to protect Reptiles during the clearance of the site, such as methods used and details of a reptile safe zone.
  - Full details of how the loss of Reptile habitat will be mitigated through the enhancement of the site for this species.