

20 March 2019

DEVELOPMENT CONTROL COMMITTEE

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



Chief Executive

Please Note:

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

A G E N D A

1 APOLOGIES

To receive apologies for absence.

2 DECLARATIONS OF INTEREST

To receive Declarations of Interest in relation to planning matters.

3 MINUTES – 19 FEBRUARY 2019

To approve and sign as a correct record the minutes of the Development Control Committee meeting held on 19 February 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 **LAND AT 27, HIGH STREET, KINGS STANLEY (S.18/2640/FUL)**
Construction of two new build houses (revised application following permission S.18/0563/FUL).
- 4.2 **WESTEND COURTYARD, GROVE LANE, WESTEND (S.18/1351/FUL)**
Proposed expansion of existing bi-use business park with relocated access (378312, 207043).
- 4.3 **LAND AT MIDDLE LYPIATT COTTAGE, MIDDLE LYPIATT, STROUD S.18/2502/FUL**
Erection of three 'glamping tents', access road and car park (part-retrospective) and other associated works (387817 - 204593).

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

3

19 February 2019

6.00 pm – 9.25 pm
 Council Chamber, Ebley Mill, Stroud

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	A
Councillor Nigel Cooper	P	Councillor Mark Reeves	P

P = Present A = Absent

Officers in Attendance

Planning Manager	Senior Planning Officers
Development Manager	Solicitor and Acting Monitoring Officer
Team Manager	Democratic Services Officer

Other Members in Attendance

Councillors Mossman, Whiteside, McAsey, John Jones and Pearson were in attendance.

DC.056 APOLOGIES

Apologies for absence were received from Councillors Tomblin and Haydn Jones.

DC.057 DECLARATIONS OF INTEREST

Councillors Miles and Clifton, as Members of the Housing Committee declared that they did not have an interest in Agenda items 4.3, 4.4 and 4.5. Nevertheless in being transparent and open they wished it to be noted that they are members of the Housing Committee; however, they had not been involved with the application and did not consider they had an interest under the Code of Conduct which would prevent them from taking part in the matter and had retained an open mind.

DC.058 MINUTES – 8 AND 22 JANUARY 2019

RESOLVED That the Minutes of the meetings held on 8 and 22 January 2019 are accepted as a correct record.

DEVELOPMENT CONTROL PLANNING SCHEDULE

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

1	S.18/2326/REM	2	S.17/1446/FUL	3	S.18/2219/FUL
4	S.18/2222/FUL	5	S.18/2237/FUL	6	S.18/2073/VAR
7	S.18/1678/FUL	8	S.18/1039/FUL	9	S.18/2322/FUL

Late pages relating to items 4.1, 4.2, 4.6 and 4.9 on the schedule had been circulated to Committee prior to the meeting.

DC.059 PARCEL H11 & H12 LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND (S.18/2326/REM)

The Planning Officer advised Members that the application was being brought back to Committee because of the late comments that had been received from the Highway Authority. The view from the Highway Authority was to remove the shared space and to leave a greater area of hard surface. Officers reported that this would necessitate a re-design of the layout.

Officers asked for delegated consent to approve the final design and layout.

Councillor Cooper proposed a Motion to accept Officers' advice; this was seconded by Councillor Lydon.

On being put to the vote there were 9 votes for and 1 vote against.

RESOLVED To grant application S.18/2326/REM.

DC.060 LAND EAST OF WATERWELLS, MARCONI DRIVE, QUEDGELEY (S.17/1446/FUL)

Planning Officers reported that the full application was for 118 dwellings with the majority located within the Gloucester City boundary and only 34 within the Stroud District boundary. Gloucester City Council had already granted consent for the dwellings within its boundary and Officers reported that this permission would be a material consideration and should be given significant weight when considering the application on the Stroud side.

Councillor Mossman spoke on behalf of Hardwicke Parish Council and as Ward Councillor. There were concerns that Marconi Drive was the only access road into Hunts Grove and the proposed construction work would further hinder residents of Hunts Grove. Councillor Mossman noted that a new construction road into Hunts Grove was planned to be in place by August 2019. Councillor Mossman proposed some additional conditions to the application; the provision of a traffic marshal in Waterwells Drive to ensure that construction vehicles did not enter the site before the agreed times, a fine of £200 to be levied against companies not adhering to the agreed times. It was also proposed that any management charges would be applied equally across the site.

In response to a question from Members the Senior Planning Officer advised that the issue of traffic marshals could be included within a construction method statement but that charging fines for not adhering to the agreed times was not something that could be controlled by the Council. A traffic marshal would operate similarly to a 'banksperson'.

Members asked for clarification as to when the affordable homes would be built and asked that such provision should be brought forward early in the development. The Planning Manager recommended that the District Council seek a trigger of all the affordable homes being built before 25% of the market housing is completed. Further Members questions sought to stress the importance that the affordable housing was brought forward in a timely manner.

Councillor Lydon proposed a Motion to accept Officers' advice; with the inclusion of the 25% trigger for affordable homes and the provision of traffic marshals, this was seconded by Councillor Marjoram.

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

RESOLVED To grant permission for application S.17/1446/FUL, subject to confirmation from Natural England, the addition of a traffic marshal provision and delegated authority to complete the legal agreement.

**DC.061 LAND ADJACENT TO 15A ASH GROVE, UPTON ST LEONARDS.
(S.18/2237/FUL)**

In response to a request from Councillor Pearson this item was considered before applications S.18/2219/FUL and S.18/2222/FUL. Councillor Pearson's would be commenting on all three applications.

The Senior Planning Officer introduced the application which was an 'in house' application for a four bed dwelling with the land being held by the Housing Revenue Account. The site was a car parking area that had once served the homes that surround it. The homes having been privately purchased from the Council.

Councillor Pearson spoke as Ward Councillor and Chair of Upton St Leonards Parish Council. He informed the Committee that his comments would cover the 3 applications which were sites within the Parish. He stated that he supported the Council's aims to maximise use of its land to provide homes. The main concerns around the applications related to the parking proposals. The areas were Council designated areas which previously accommodated some garage blocks. Residents had been parking in these areas for the past 50 years and at no time had the District Council indicated that parking was not allowed.

The proposed developments would remove these parking spaces and displace 20 vehicles which would then be parked in areas making it difficult for buses and refuse vehicles to travel around this area. A Member expressed concern that the loss of 14 car parking spaces would be a great inconvenience to residents.

Members asked if residents who currently use the existing parking spaces, would be able to claim some rights over the area given that it had been a parking area for over 50 years. The Planning Manager advised that this would be an issue for the applicant in implementing permission but would not be an impediment to the Committee granting permission.

In response to questions about the traffic survey Members were advised that the survey was undertaken on weekdays and weekends.

Councillor Binns proposed a Motion to accept Officers' advice; this was seconded by Councillor McKeown.

When put to the vote there were 6 votes for and 4 votes against.

RESOLVED To grant permission for application S.18/2237/FUL

DC.062 LAND ADJACENT TO 59 WOODLAND GREEN, UPTON ST LEONARDS (S.18/2219/FUL)

The Senior Planning Officer presented the application for the development of two dwellings on land owned by the Council's Housing Revenue Account. The site was a central parking area that once served the homes that had since been privately purchased from the Council under the Right to Buy Scheme and therefore the owners lost the right to park on the site.

A resident spoke on behalf of himself and another resident. He stated that the view of residents was that they had, through 'adverse possession', the right to continue to park on the site. It was also claimed that the area was in daily use.

In response to a Member's question on adverse possession, the Council's Solicitor and Acting Monitoring Officer advised that the question of land ownership was not a material planning matter but an issue for the applicant when it would come to implementation.

Councillor Binns proposed a Motion to accept Officers' advice; this was seconded by Councillor Miles.

When put to the vote there were 6 votes for and 4 votes against.

RESOLVED To grant permission for application S.18/2219/FUL.

DC.063 LAND ADJACENT TO 26 ASH GROVE, UPTON ST LEONARDS. (S.18/2222/FUL)

The Senior Planning Officer presented the application and highlighted that Stroud District Council's garage stock was in decline in terms of being fit for purpose. In September 2015 the Council's Housing Committee resolved to rationalise its garage stock including their redevelopment or sale.

The application was a revised application, the original application was considered due to its design and impact on neighbouring properties.

Letters had been received for the retention of the trees and hedgerows and the Planning Officer confirmed that this could be imposed through a condition to retain them. In response to Members' questions the Officer advised that the condition could relate to the retention of a soft boundary treatment.

Councillor Clifton proposed a Motion to accept Officers' advice; this was seconded by Councillor Miles.

When put to the vote there were 9 votes for and 1 vote against.

RESOLVED To grant permission for application S.18/2222/FUL.

DC.064 LEWISTON MILL, TOADSMOOR ROAD, BRIMSCOMBE
(S.18/2073/FUL)

The Committee were informed that the application was seeking to amend the previous planning permission to increase the size of the car park. This would service the commercial needs on site, avoid onstreet parking and if approved would remove the temporary construction car park.

The area concerned had been a nature area with low quality scrub and bramble. The proposal would enhance the area with higher quality native planting and provide an otter resting halt in the stream. The site would also have provision for electric charging points, cycle storage and connection to a bus stop.

Councillor Whiteside welcomed the proposal and thanked Officers for the work to deliver the ecological compensation and enhancements the proposals which would see the area developed. He acknowledged the benefits of seeing this derelict site redeveloped but noted that brambles can aid bio-diversity. He added that it would be beneficial to provide some swift boxes onto the Mill. Confirmation was given that some swift boxes had been provided as well as boxes for grey wagtails and dippers.

Members asked about the representation from the Parish Council which highlighted the retrospective nature of the application. Officers reported that the retrospective application concerned the temporary construction car park. This had to be considered on its merits and it was not possible to punish the retrospective nature.

Councillor Baxendale proposed a Motion to accept Officers' advice updated by late pages; this was seconded by Councillor Binns.

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

RESOLVED To grant permission for application S.18/2073/FUL

DC.065 LAND ADJACENT TO 24 THE CLOSE, WHITMINSTER
(S.18/1678/FUL)

The Senior Planning Officer informed the Committee that this was a revised application to address the Committees' previous concerns over the height of the previous design, choice of material and parking provisions.

Councillor John Jones advised Members that the Parish Council supported the application and were satisfied that the agents had delivered a more acceptable design. There was still some concern, however, about vehicles that now park in The Close. Councillor Jones added that the letters of objection noted in the Committee papers related to the previous application.

Councillor Cooper proposed a Motion to accept Officers' advice; this was seconded by Councillor Miles.

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

RESOLVED To grant permission for application S.18/1678/FUL.

DC.066 THE RAM INN, HIGH STREET, SOUTH WOODCHESTER
(S.18/1039/FUL)

Councillor McAsey left the Council Chamber before this item was considered.

The Chair read out a statement from Councillor McAsey saying that he had an interest in the above application and would not be present when the item was being considered.

The Senior Planning Officer presented the Officer's report and highlighted that the application was for two elements; extensions to the public house and the construction of a pair of semi-detached houses.

Dr Hamilton, Chair of Woodchester Parish Council expressed the concerns of the Parish Council that the application fell short of Section 16 of the NPPF and the additional floor space and related parking would have an adverse effect on the environment of the area. The proposed changes to parking would not be adequate to meet the needs of staff and residents. He added that during busy periods visitors would park on nearby roads.

A resident spoke in opposition to the application and reported that there had been 30 letters of objection. The Public House is valued by the community but residents believed that the proposal would be detrimental. Concern was also expressed that if there was approval for the new properties there was no guarantee that this would lead to investment in the Ram Inn.

In response to questions from Members, Officers advised that the proposal for the new properties would be a valid application in its own right and within the settlement boundary and the Committee could only consider what was before it. The site was in a conservation area and the proposals would not be out of character. Officers advised that the harm to the setting of the conservation area would be less than substantial. Therefore Members had to weigh up the harm against the public benefits, there was no presumption in favour of development under these circumstances and it was an untitled balance.

Officers further advised that the application was policy compliant. In particular it complied with the Local Plan's car parking requirements for the pub. Members asked if it would be possible to defer the application to seek further information on the parking issues. The Council's Solicitor and Acting Monitoring Officer advised that if there was a deferral, the Council could be subject to a challenge for non-determination and if that deferral was not for good planning reasons they could not only lose but potentially be subject to adverse costs. Members were reminded they need to determine the planning application in accordance with the Development Plan (the Local Plan and other relevant documents) unless other material considerations indicate otherwise. Other material considerations need to be properly evidenced.

Councillor Baxendale proposed a Motion to reject the Officers' advice; this was seconded by Councillor McKeown when put to the vote there were 0 votes for and 10 against.

Councillor Cooper proposed a Motion to accept Officers' advice; this was seconded by Councillor Miles. Councillor Cooper accepted an amendment to the motion, which was to add a condition that the new parking arrangements are in place prior to the development of the site.

When put to the vote there were 6 votes for and 4 votes against.

RESOLVED To grant permission for application S.18/1039/FUL, with an additional condition that the new parking arrangements are in place prior to the development of the site.

**DC.067 LAND AT LYDAY CLOSE, OAKRIDGE LYNCH, STROUD
(S.18/2322/FUL)**

The Senior Planning Officer introduced the application which was for a detached - subterranean dwelling set over three floors. The Officer highlighted certain conditions including; boundary treatment and a reptile mitigation strategy.

Sarah Broadstock, Architect for the applicants, spoke in support of the application. The application had been revised to ensure that the building would be less dominant to the landscape. The site is adjacent to a series of terraced gardens, an ecological survey had been undertaken and its recommendations had been incorporated into the application.

Members asked questions about the treatment of the stone walls and were advised that this could be covered in the conditions.

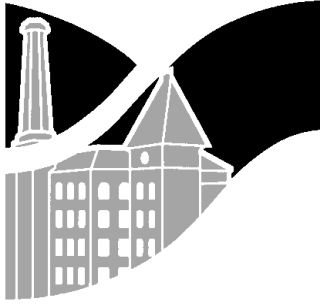
Councillor Clifton proposed a Motion to accept Officers' advice; this was seconded by Councillor Miles.

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

RESOLVED To grant permission for application S.18/2322/FUL.

The meeting closed at 9.25 pm.

Chair



Stroud District Council

Planning Schedule

2nd April 2019

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

DEVELOPMENT CONTROL COMMITTEE

Procedure for Public Speaking

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

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

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

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

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

The order for each item on the schedule is

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

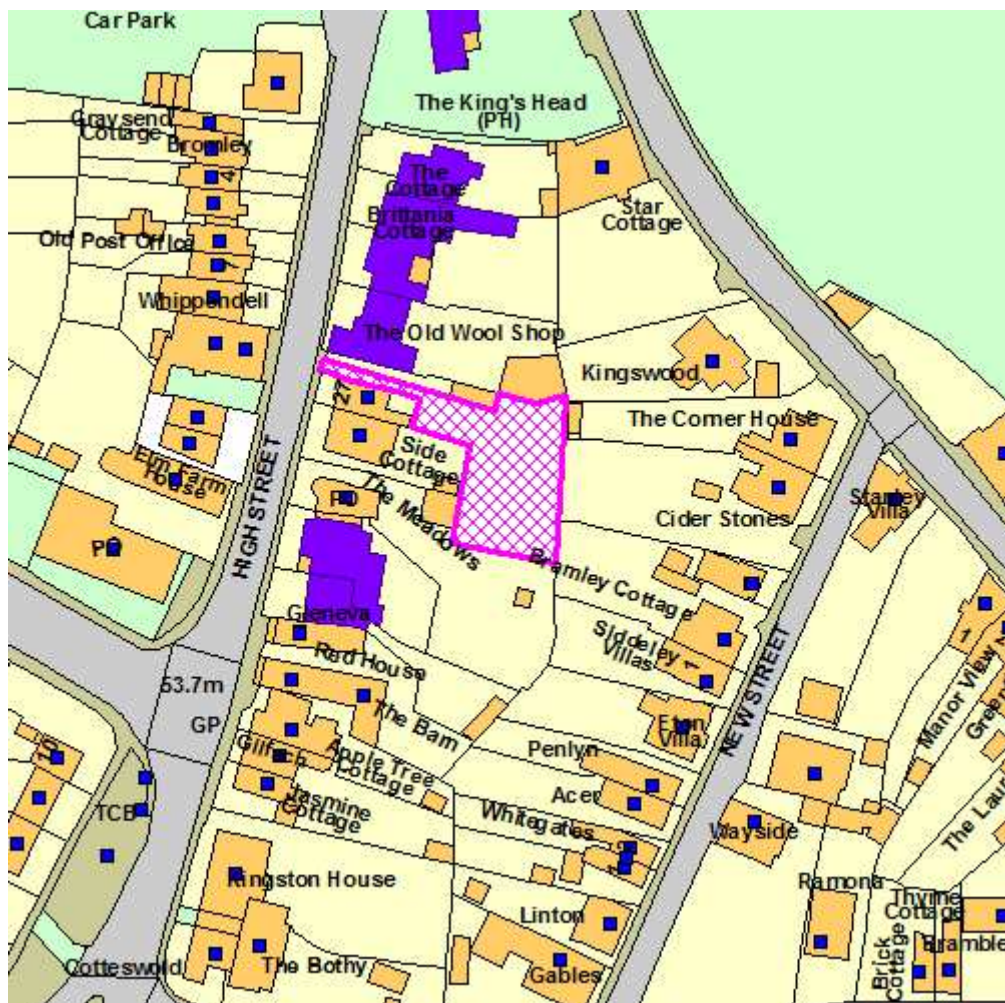
A copy of the Scheme for Public Speaking at Development Control Committee meetings is available at the meeting.

Parish	Application	Item
Kings Stanley Parish Council	Land At 27, High Street, Kings Stanley. S.18/2640/FUL - Construction of two new build houses (revised application following permission S.18/0563/FUL)	01
Eastington Parish Council	Westend Courtyard, Grove Lane, Westend. S.18/1351/FUL - Proposed expansion of existing bi-use business park with relocated access (378312, 207043)	02
Bisley With Lypiatt Parish Council	Land At Middle Lypiatt Cottage, Middle Lypiatt, Stroud. S.18/2502/FUL - Erection of three 'glamping tents', access road and car park (part-retrospective) and other associated works (387817 - 204593)	03



Development Control Committee Schedule 02/04/2019

Item No:	01
Application No.	S.18/2640/FUL
Site No.	7466314
Site Address	Land At 27, High Street, Kings Stanley, Gloucestershire
Town/Parish	Kings Stanley Parish Council
Grid Reference	381185,203409
Application Type	Full Planning Application
Proposal	Construction of two new build houses (revised application following permission S.18/0563/FUL)
Recommendation	Resolve to Grant Permission
Call in Request	Kings Stanley Parish Council





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Applicant's Details	Mr M Webb 18 Goldwater Springs, Station Road, Nailsworth, Stroud, GL6 0AH
Agent's Details	None
Case Officer	Rachel Brown
Application Validated	20.12.2018
	CONSULTEES
Comments Received	Kings Stanley Parish Council Contaminated Land Officer (E) SDC Water Resources Engineer Development Coordination (E) Conservation South Team
Constraints	Consult area Within 50m of Listed Building Kings Stanley Parish Council SAC SPA 7700m buffer Settlement Boundaries (LP)
	OFFICER'S REPORT

INTRODUCTION

The application before you is a revised scheme following permission S.18/05563/FUL for two new dwellings, removed from the previous scheme.

MAIN ISSUES

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

DESCRIPTION OF SITE

The site is located on the High Street and within the Local Centre of Kings Stanley as defined within the Local Plan and comprises the rear of the former Daniels TV premises, including for sales building and offices. The site is accessed off the High Street and is set back from the road behind buildings that front the High Street. The site is surrounded by residential properties and their associated gardens.



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The site is not affected by any sensitive landscape designation and is not within or adjacent to a Conservation Area. There are a number of nearby listed buildings.

PROPOSAL

This application seeks permission for the construction of two new houses.

REVISED DETAILS

Revised site plan - additional parking spaces

MATERIALS

Walls: Brick and timber
Roof: Slate
Doors/windows: Aluminium and timber

REPRESENTATIONS

Statutory Consultees:

SDC Contaminated Land Officer - No comments

SDC Water Resource Engineer - following submission of additional information has no objection

GCC Highways - No highway objection subject to conditions

Kings Stanley Parish Council - This re-application does not address the reasons the previous application was deferred. Agreed that it must object to this application on the same grounds that it objected previously.

Public:

At the time of writing this report 3 letters of objection had been received on the following grounds:

- o Unacceptable parking provision
- o Damage/disturbance to roots of nut tree
- o Potential for damage to underground stream
- o Increase in air, noise and light pollution from cars accessing the site
- o Increase risk of crime or damage
- o Likely damage to boundary wall
- o Light and noise pollution from properties
- o Highway safety
- o No visit from development before application submitted
- o Does not meet issues previously raised at DCC
- o Site needs to be seen as a whole including previously approved applications
- o Overlooking
- o Legal right of access to the application site is questioned
- o This application does not overcome the previous objections of overbearing, overlooking and over-development



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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).

Stroud District Local Plan.

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

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

Local Plan policies considered for this application include:

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.

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)

Planning Obligations SPD (2017)

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

BACKGROUND AND INTRODUCTION

The site was previously used as office and retail space in association with Daniels TV, an electronics store. The business has moved into Stonehouse and the premises have since been vacant.

In February 2018 an application for the prior notification for change of use from office use (Class B1(a)) to use as three dwelling houses was granted on the two storey building within the north corner of the plot and the two storey building adjacent to the access.

Members will recall an application for the creation of two dwellings (conversion from the office building) and the erection of two new dwellings was presented to the Development Control Committee on the 4th September 2018. That application was deferred to allow the applicant to revise the scheme. The application was revised, omitting the two new build dwellings and was brought back to DCC on the 27th November where the application was permitted.

This current application is for the erection of two new dwellings, omitted from the previous application.



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PRINCIPLE OF DEVELOPMENT

The site lies within the defined Settlement Boundary of Kings Stanley, 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

The High Street is varied in terms of the height and design of the buildings and the height and size of the new dwellings would be comparable to neighbouring buildings. The proposed new dwellings would be of a contemporary design would be largely screened from the High Street by the existing buildings with just glimpses through to the site between buildings. The development therefore would not be overly prominent within the street scene.

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

Whilst the plots are relatively small, the arrangement of the plot as detailed would provide adequate garden for the proposed dwellings with a small outside communal area for the apartments, 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 dwellings would be positioned towards the south of the site, within approximately 4m of the southern boundary. Immediately to the south of the application site is the private garden for The Meadows. The dwellings have been designed to minimise overlooking with the bedroom windows facing north over the courtyard/parking area and the bathroom windows with obscure glazing facing south. Boundary treatment would provide screening from the ground floor windows. Whilst the development would introduce a new two storey structure, the dwellings would be orientated to the north of the affected garden and there would be sufficient degree of separation so that any impact on amenity would not be so significant to be considered harmful.

HIGHWAYS

The proposed development would make use of the existing access onto the High Street. The access serves both the application site and the neighbouring residential property The Old Wool Shop. It is understood that the occupiers of The Old Wool Shop own the majority of the access (a 3m wide strip). There is some question over the legality of the right of access; however this is a civil matter between the relevant land owners.

The submitted drawings show 6 parking spaces to serve the two new houses and the two apartments previously permitted. The Council's adopted parking standards require an



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average of 1.5 spaces per dwelling. The proposed parking provision therefore satisfies the Council's adopted parking standards.

Concerns have been raised regarding the site access and highway safety and the possible increase in traffic. The site is accessed through a narrow passage way between the building to the front of the site and the adjacent building known as The Old Wool Shop. This is approximately 3.4 m wide which does not allow for a vehicle to pass a pedestrian or for two vehicles to pass each other. This is however a historic situation and the site could operate as a retail unit without the need for a further planning application. Therefore the proposed development would represent betterment to the existing situation on the site in highway safety terms. The local highway authority recommends that no highway objection be raised subject to conditions.

ECOLOGY

The site is within 7.7km of the River Severn SAC. Policy ES6 of the adopted Local Plan requires development proposals to contribute to appropriate mitigation and management measures. This would be secured by way of a simple unilateral undertaking for a mitigation contribution of £385 per dwelling. A draft Unilateral Undertaking has been sent to the applicant for completion, however at the time of writing this report, the completed deed has not been returned.

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 1000m².

FLOOD RISK

The application is located in Flood Zone 1. The application details the disposal of surface water to a mains sewer. Severn Trent Water has confirmed that they will accept the proposed surface water flows into the public foul sewer within the site. This will be facilitated by way of a formal Section 106 approval between Severn Trent Water and the developer.

Furthermore, given that the geology and soil is fairly impermeable, a soak away is unlikely to be a viable option for this density of housing at this location.

The Council's Water Resource Engineer has confirmed he has no further objection to this development.



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ARCHAEOLOGY AND HERITAGE ASSETS

The Archaeologist at Gloucestershire County Council were consulted on the previous application however for some reason has not been consulted on this application. A request for comments has been sent but at the time of writing this report a response had not been received. Notwithstanding this, as the application site is the same it is considered reasonable that the response would be consistent with the previous application. The application site is located within Kings Stanley's medieval settlement area. Archaeological remains relating to medieval settlement may be adversely affected by construction ground works required for this development. Therefore, while this site has been the subject of some previous development, it would be prudent to make provision for archaeological monitoring of the ground works required for the construction of this scheme, so that any significant archaeological remains revealed during the development can be recorded. To facilitate the archaeological work, a condition is recommended.

This is a revised scheme for the erection of two houses to the rear of 27 High Street, Kings Stanley. A previous proposal which included these two houses was considered by the Conservation Team which had no concerns relating to the impact on the historic environment.

Where Listed buildings or their settings, are affected by development proposals, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act requires the decision-maker to have special regard to desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

The site is located within 50m of a listed building. However, due to the degree of separation between the application site and the historic asset, it is considered that no harm will arise and there will be no subsequent harm to the setting of the listed building. The application has been assessed in accordance with paragraphs 131-134 of the NPPF and Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

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 Making Changes to Heritage Assets'- Historic England Advice Note 2.

REVIEW OF CONSULTATION RESPONSES

Letters of objection and comment have been received in response to the application and these are available to view on the electronic planning file. The objections and comments raised have been duly noted and considered in full in the main body of this report.

RECOMMENDATION

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



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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:

Site Plan Proposed of 29/01/2019
Plan number = 757(P)11D

Proposed floor plan of 04/12/2019
Plan number = 757(P)16B

Proposed Elevations of 04/12/2019
Plan number = 757(P)17B

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 and to comply with Local Plan Policy HC1.

4. No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.



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Reason:

It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 199 of the National Planning Policy Framework

5. 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.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 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 to E of Part 1 of Schedule 2, shall take place.

Reason:

In the interests of the amenities of the local residents and the surrounding area and to comply with Policies HC1 and ES3 of the adopted Stroud District Local Plan, November 2015.

7. The first floor windows proposed in the south elevation of the dwellings hereby permitted shall be glazed in obscure glass and maintained as such thereafter, as detailed on the approved drawings.

Reason:

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



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8. No window or door openings other than any fenestration shown on the approved plans shall be formed in the development hereby permitted unless otherwise agreed by the Local Planning Authority.

Reason:

In the interests of the amenities of occupiers of adjoining residential properties, and to comply with Local Plan Policy ES3.

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

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

Reason:

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

10. The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of no. 2 bicycles has been made available in accordance with details to be submitted to and approved in writing by the LPA.

Reason:

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

11. The building(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no.757(P)11D, 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.



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12. Prior to the occupation of the building(s) hereby permitted, the proposed car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason:

To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

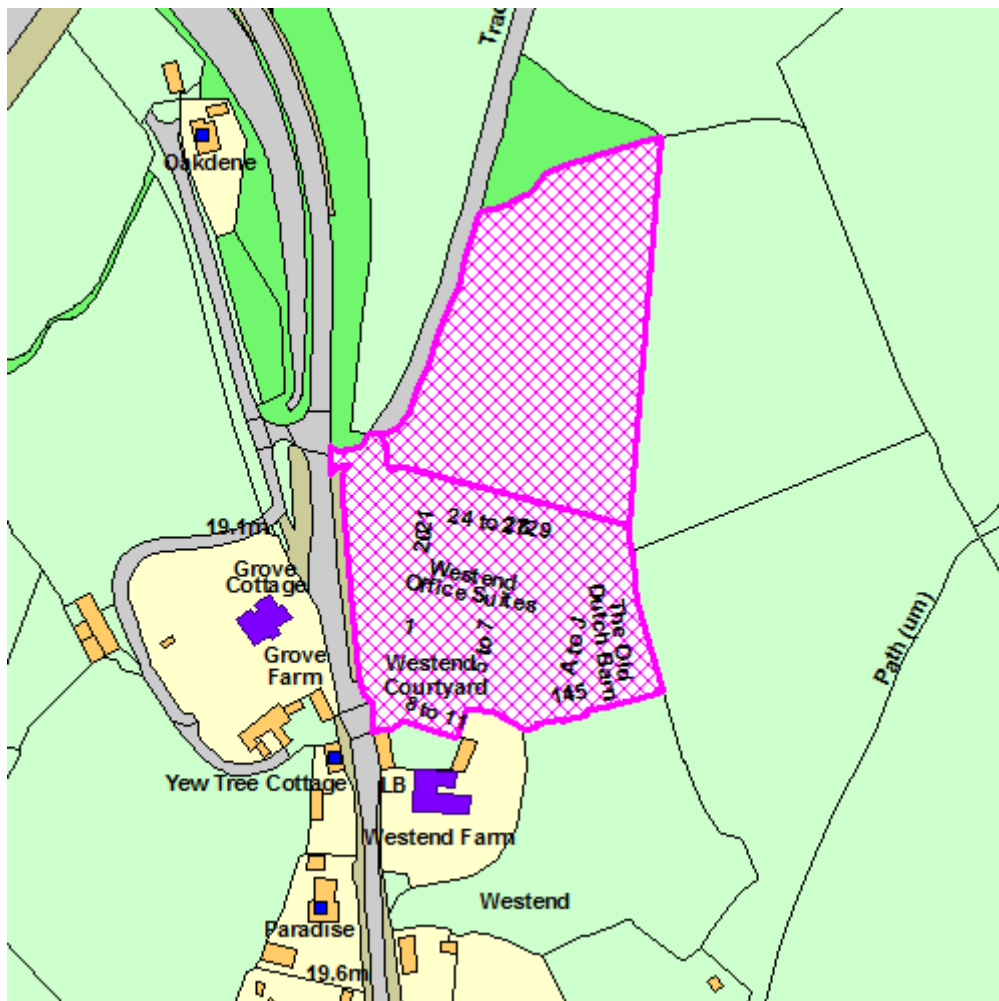
Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant. Whilst there was little if any pre-application discussion on this project, it was found to be self contained and required no further dialogue with the applicant.
2. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise, dust, smoke/fumes and odour during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting, not burning materials on site and advising neighbours in advance of any particularly noisy works. It should also be noted that the burning of materials that gives rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume, noise or dust complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.



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Item No:	02
Application No.	S.18/1351/FUL
Site No.	
Site Address	Westend Courtyard, Grove Lane, Westend, Stonehouse
Town/Parish	Eastington Parish Council
Grid Reference	378312,207043
Application Type	Full Planning Application
Proposal	Proposed expansion of existing bi-use business park with relocated access (378312, 207043)
Recommendation	Permission
Call in Request	Eastington Parish Council





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Applicant's Details	Westend Office Suites Ltd Westend Farmhouse, Grove Lane, Westend, Stonehouse, Gloucestershire GL10 3SL
Agent's Details	Patricia Smart Designs Stone End Farm, Churcham, Gloucestershire, GL2 8AA,
Case Officer	Sarah Crawley
Application Validated	23.06.2018
CONSULTEES	
Comments Received	Development Coordination (E) Biodiversity Officer Planning Strategy Manager (E) Conservation South Team Development Coordination (E) Eastington Parish Council Arboricultural Officer (E) Highways England
Constraints	Within 50m of Listed Building Within 200m of M5 Neighbourhood Plan Eastington Parish Council SAC SPA 7700m buffer
OFFICER'S REPORT	

MAIN ISSUES

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

DESCRIPTION OF SITE

The site comprises land associated with the Westend Courtyard business park which is situated to the east of Grove Lane at Westend. The site was initially developed from the former farm buildings of Westend Farm which is a Listed Building situated alongside the southern boundary of the site. The existing vehicular access to the site is at this southern boundary and leads into the business park that comprises a range of low level new and



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converted buildings set amidst planting and car parking on a generally level site. There are open fields to the north, east and west with one other property to the south of the original farmhouse. There is a small cluster of dwellings on the opposite western side of the highway that includes another Listed Building. The motorway is approximately 250 meters to the north of the site.

PROPOSAL

The proposal has been revised to reduce the extent of the development. It is now proposed to extend the existing "Dutch Barn" office building, erect a single storey four unit building (New Unit A) alongside the existing northern boundary of the site and to move the vehicular access to the north by improving an existing field access.

REPRESENTATIONS

It should be noted that at the time of preparing this report few responses to the revised scheme had been received. Further representations received will be reported to the meeting.

Statutory Consultees:

Eastington Parish Council objected to the original scheme concluding "The site is outside of the settlement boundary and the proposed new build business units are therefore contrary to policies seeking sustainable locations for development in the interest of sustainable travel options. Whilst some weight can be attributed to the benefits of the extension and intensification of the existing site, there is no substantive justification for the additional units to be located at this site and they should be directed to a settlement boundary or allocated employment land. The lack of sustainable means of access and the creation of visibility splays which remove trees also weigh against the site and as such it is suggested that EPC object to the application at this location as it is contrary to CP3, CP13, EI4 and CP11 of the Local Plan and EP1, EP2, EP4 and EP6 of the Neighbourhood Development Plan".

The Member for Parliament supported the original application.

The Ward Member, Cllr John Jones, objected to the original scheme.

Public:

Objections to the original scheme were received that included reference to impact upon rural character, highway safety and conflict with policies.

Numerous representations of support were also received.

NATIONAL AND LOCAL PLANNING POLICIES

Revised National Planning Policy Framework 2018 is available to view at - <https://www.gov.uk/government/collections/revised-national-planning-policy-framework>

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66(1).

Stroud District Local Plan.



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

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

Local Plan policies considered for this application include:

- CP1 - Presumption in favour of sustainable development.
- CP2 - Strategic growth and development locations.
- CP3 - Settlement Hierarchy.
- CP11 - Economic growth and strategic employment needs.
- CP12 - Retail and town centres.
- CP13 - Travel and transport.
- EI3 - Small employment site.
- EI4 - Development on existing employment sites in the countryside.
- EI12 - Promoting transport choice and accessibility.
- CP14 - High quality sustainable development.
- CP15 - A quality living and working countryside.
- ES1 - Sustainable construction and energy efficiency.
- 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:
Stroud District Landscape Assessment SPG (2000)

The Eastington Neighbourhood Plan was adopted on the 27th October 2016 and now forms part of the statutory Development Plan for the District of Stroud. ENP policies considered for this application include:

- EP1 : Sustainable Development.
- EP2 : Protect and Enhance Biodiversity and The Natural Environment.
- EP4 : Siting and Design of New Development and Conservation.
- EP6 : Business and Employment.
- EP8 : Traffic and Transport.

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 Dutch barn building is within the existing site and the proposed Unit A results in a modest addition that would generally be seen within the context of the cluster of existing buildings. There is a commensurate reduction in parking requirements as a result of the reduction in the scale of the proposals. In addition supporting material demonstrates that



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there is a shortage of good quality office space within the area. As a result the reduced scheme is now considered acceptable.

RESIDENTIAL AMENITY

The proposed New Unit A and extended Dutch Barn buildings would not be so high and large or situated so close to any neighbouring dwellings that they would result in any overbearing effect or impact upon light levels. The development would lead to a modest increase in activity but this is not considered to be so significant as to result in an unacceptable increase in noise and disturbance.

The re-positioned site access would move it further away from the majority of neighbouring dwellings leaving the existing access to serve only the original farmhouse. This is considered to result in a reduction in the impact of vehicular movements upon residential amenity.

HIGHWAYS

The Highway Authority had no objection to the proposed access subject to conditions. An appropriate level of further parking to serve the additional units is provided within the site. Highways England had no objection to the development.

LANDSCAPE

The wider site is agriculturally improved and managed grassland identified as escarpment foot slopes and is not within the Cotswold Area of Outstanding Natural Beauty. The site is generally level although Grove Lane rises to cross the motorway just to the north. The proposed access would be created by improving an existing field access. Whilst the improvement works would require some clearance to accommodate the required visibility additional planting would be carried out to provide screening. The additional Unit A building would generally sit alongside the existing buildings and would not result in a significant expansion of the site.

ECOLOGY

A preliminary ecological appraisal and a subsequent revision to that appraisal have been submitted. The Senior Biodiversity Officer had no objection to the development subject to conditions.

TREES

The Senior Arboricultural Officer had no objection to the development subject to conditions. Replacement tree planting would be provided as part of these relevant conditions.

ARCHAEOLOGY AND HERITAGE ASSETS

The Conservation Team had no objection to the development.

RECOMMENDATION

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



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HUMAN RIGHTS

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

Subject to the following conditions:

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

Reason:
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:

Site Location Plan of 13/03/2019

Proposed Block Plan of 11/03/2019
Plan number = 1031:08

Proposed Elevations of 11/03/2019
Plan number = 1031:03 Version number = Rev A

Ecology report of 11/03/2019
Plan number = Rev 3

Access plan of 19/06/2018
Plan number = 18-02-01 01

Reason:
To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.
3. No development shall commence on site until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local planning Authority; the landscaping scheme shall include details of hard landscaping plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant size and proposed numbers/ densities and an implementation programme.



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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 paragraphs 170, 175, of the National Planning Policy Framework 2018.

4. The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays in accordance with Proposed Access Arrangements plan 18-02-01 01 including a further visibility splay from 2.4m inside the site access centreline to nearside tangent of the bend to the north. The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason:

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

5. Throughout the construction [and demolition] period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:
 - i. parking of vehicles of site operatives and visitors;
 - ii. loading and unloading of plant and materials;
 - iii. storage of plant and materials used in constructing the development;
 - iv. provide for wheel washing facilities

Reason:

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

6. The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in general accordance with the submitted plans except for inclusion of a minimum of 3 disabled 3.6m x 6m parking spaces, 1 electric vehicle charging spaces and 9 motorcycle spaces, and those facilities shall be maintained available for those purposes thereafter.



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Reason:

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

7. Notwithstanding the submitted plans minimum 1.2m width step-free pedestrian pathways shall be provided from disabled parking spaces to proposed building front entrances and minimum 1.2m width pedestrian pathways from illustrated parking spaces to annotated associated building entrances prior to occupation of permitted buildings.

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.

8. Prior to occupation of the proposed development hereby permitted the first 15m of the proposed access road, including the junction with the existing public road and associated visibility splays, shall be completed to at least binder course level.

Reason:

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

9. The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in general accordance with the submitted plan including a minimum of 9 spaces using Sheffield style stands and those facilities shall be maintained for the duration of the development.

Reason:

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



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10. No above ground works shall commence on site until a scheme has been submitted for the provision of fire hydrants for the benefit of the commercial development in a location agreed with the Council and should meet the requirements of Building Regulations Approved Document B Volume 2 Sections 15 & 16 (Fire Hydrants/Water Supplies and Vehicle Access). The commercial development buildings shall not be occupied until the hydrants have been provided to the satisfaction of the Council.

Reason:

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

Note: The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

Note: 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.

Note: The proposed development will require the provision of a verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

11. Development shall only be carried out in accordance with Appendix One of the Clarke Webb Ecology Limited Preliminary Ecological Appraisal Revision Three

Reason

To ensure the development is in accordance with policy ES6 of the Adopted Stroud District Local Plan, November 2015 and in order to comply with the council's duty to discharge its statutory obligations under the Conservation of Habitats and Species Regulations 2017 with regards European protected species.

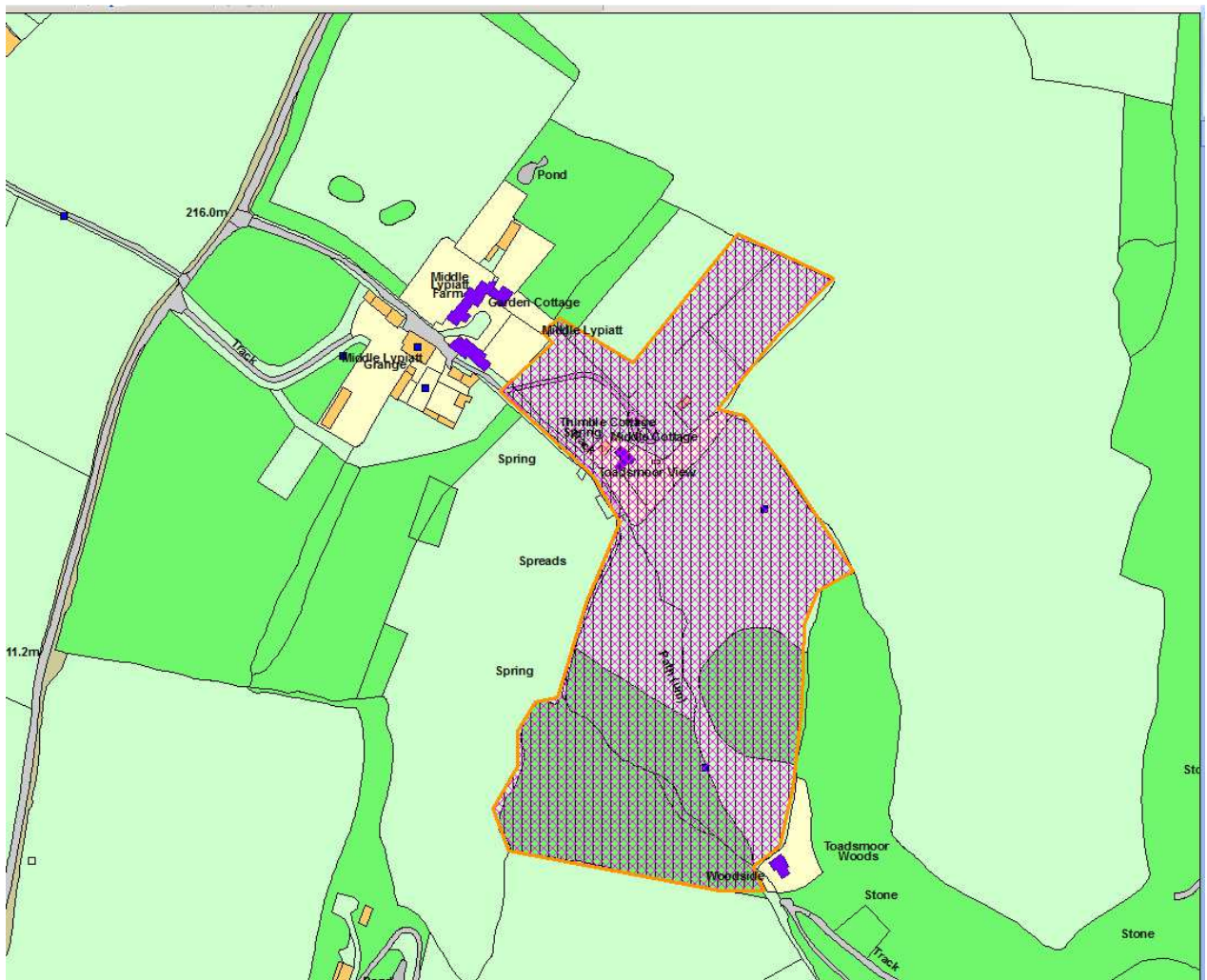
Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant.



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Item No:	03
Application No.	S.18/2502/FUL
Site No.	PP-07430445
Site Address	Land At Middle Lypiatt Cottage, Middle Lypiatt, Stroud, Gloucestershire
Town/Parish	Bisley With Lypiatt Parish Council
Grid Reference	387900,204561
Application Type	Full Planning Application
Proposal	Erection of three 'glamping tents', access road and car park (part-retrospective) and other associated works (387817 - 204593)
Recommendation	Refusal
Call in Request	Cllr Timothy Williams





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Applicant's Details	Mr Thomson Middle Lypiatt Cottage, Middle Lypiatt, Stroud, Gloucestershire, GL6 7LP
Agent's Details	Ridge And Partners LLP Thornbury House, 18 High Street, Cheltenham , GL50 1DZ,
Case Officer	Sarah Crawley
Application Validated	17.12.2018
CONSULTEES	
Comments Received	Biodiversity Officer Planning Strategy Manager (E) Development Coordination (E) Conservation North Team Contaminated Land Officer (E) Bisley With Lypiatt Parish Council
Constraints	Aston Down Airfield Consultation Zones Ancient Woodland Area of Outstanding Natural Beauty Consult area Kemble Airfield Hazard Key Wildlife Sites - Polygons Listed Building Within 50m of Listed Building Bisley Town Council Affecting a Public Right of Way Rodborough 3km core catchment zone Village Design Statement
OFFICER'S REPORT	

MAIN ISSUES

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

DESCRIPTION OF SITE

The site comprises an extensive area of land around the detached property known as Middle Lypiatt Cottage which is a Listed Building standing within the Cotswold Area of Outstanding Natural Beauty. There are extensive areas of land in the ownership of the property outside



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the residential curtilage. The area proposed for use as a "glamping" site is situated to the south-east of the dwelling. The land level here falls steadily to the south with varying levels from east to west across the rough grass land before tree cover becomes more evident. A public footpath passes alongside the southern boundary of the property and then down through the site to the lower southern boundary. The vehicular access to the main dwelling has been taken from the track to the west and leads to the immediate north-east of the property where a gravel surfaced looped drive and extended parking area have been created.

PROPOSAL

The proposal is for the provision of three "glamping" tents on permanent wooden platforms having elevated decks with associated works such as ground levelling, septic tanks and pathways. It is also proposed to form additional pathways, a viewpoint with picnic bench and a pond within the site.

Retrospective permission is also sought for the vehicle driveway, turning loop and parking area to the north of the Listed Building.

REPRESENTATIONS

Statutory Consultees:

The Senior Contaminated Land Officer had no comment on the application.

The Highway Authority had no objection subject to conditions.

The Senior Biodiversity Officer had no objection subject to recommended conditions.

The Parish Council supported commenting "Three "glamping structures_&A are proposed on a 13 acre self enclosed site of rough pasture in the grounds of the Grade II Middle Lypiatt Cottage. The site is surrounded by semi-mature woodland and hedgerows. Bisley Parish supports tourism that is low impact, environmentally respectful, and does not add significantly to local traffic. We believe the structures will not be visible from the surrounding landscape apart from a possible view from Eastcombe /The Vatch. However the applicant proposes to plant additional native trees along the south of the site to enhance screening so that there is no visual intrusion into and from the AONB. The structures will be dark green to further reduce intrusion. There will be no artificial light, so dark skies will be protected. A native hedgerow will be planted alongside the public footpath that runs through the site, protecting walkers and visitors from each other. We suggest a small percentage of holly will help further screening. A new pond will be installed. The ecological survey suggests there is no significant wildlife on the site but it is within the Rodborough Common SAC impact area and not far from Swifts Hill, an important SSSI. So we welcome the new tree planting, pond, and hedge that will enhance opportunities for wildlife, and wildlife corridors, improving the environmental quality of the site & fulfilling Local Plan policies ES6 and ES8. Wood burning stoves will provide heat/cooking so the site is energy efficient. For waste each tent has its now septic tank so local water course are protected fulfilling SDLP CP14. The _&Aglamps_&A will be organically installed on a 'trial' basis - one in 2019. The Local Plan identifies a wish to see tourism "flourish" in the District "according to demand" so the applicant's strategy fulfils this policy objective. The applicant will provide guidance to visitors



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so they are encouraged to use the many local footpaths and the bus routes, thus encouraging walkers/cyclists; the applicant has said they are happy to collect and return visitors to local rail/bus stations as per their support to current visitors to their B&B at the cottage (fulfils Local Plan Policy EI11). There will inevitably be some car borne visitors so we acknowledge the request for the (part -retrospective) car access track and six parking spaces. If the project is approved and visitors do support the parish's pubs and shops in Eastcombe and Bisley, then we welcome this potential economic bonus for our local businesses"

A ward councillor made a representation of support.

The response of the Planning Strategy team is detailed below.

The response of the Conservation Team is detailed below

Public:

Representations of support were also received.

NATIONAL AND LOCAL PLANNING POLICIES

Revised National Planning Policy Framework 2018 is available to view at -
<https://www.gov.uk/government/collections/revised-national-planning-policy-framework>

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66(1).

Stroud District Local Plan.

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

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

Local Plan policies considered for this application include:

- CP1 - Presumption in favour of sustainable development.
- CP2 - Strategic growth and development locations.
- CP3 - Settlement Hierarchy.
- EI10 - Provision of new tourism opportunities.
- EI12 - Promoting transport choice and accessibility.
- CP13 - Demand management and sustainable travel measures.
- CP14 - High quality sustainable development.
- CP15 - A quality living and working countryside.
- 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:



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Stroud District Landscape Assessment SPG (2000)

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

Initially Planning Strategy responded -

"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 application is for the erection of three glamping tents, an access road and car park (both part retrospective) and other associated works. Pre application advice has been given which requested a number of matters be looked at.

The Local Plan supports new tourist accommodation located at higher tier settlements within settlement boundaries in order to protect the countryside and maximise the tourism benefits to local people. In exceptional cases, tourist accommodation can be supported in lower tier settlements in association with a specific countryside attraction or where no suitable buildings capable of re-use exist or a countryside location is essential for the proposed use. In these cases, the site must be compatible with the landscape setting, have adequate access to infrastructure and reasonable access to local services.

The site is located at Middle Lypiatt, an unclassified settlement. No sequential assessment has been provided as to why such tourist accommodation cannot be provided at higher order settlements in the area, such as Stroud. It is located 981m as the crow flies from Stroud's Slade Ward SDL (Tier 1). In terms of lower tier settlements it is 1117m from Eastcombe SDL (a fourth tier settlement) as the crow flies. Both distances are outside the 800m suggested for walking to shops and services agreed at Local Plan examination in respect of Policy EI6. The distances here also are misleading as road or footpath distances are much longer and across undulating landform. The applicant has previously indicated that the majority of Glamping sites are on farms and so in rural locations. However, this proposal is not part of any farm diversification scheme where such uses may be appropriate within the environs of and to support a working farm.

The application does not state that there is a relationship to a specific countryside attraction to justify this location. The application refers to the accommodation would appeal to visitors wishing to explore a number of attractions within the District. However, this is just as relevant for other more sustainable locations in this area.

The application does not address existing buildings on site which could be re-used but that in any case a countryside location is considered essential for Glamping. The Local Plan favours re-use or the provision of temporary structures such as tents in countryside locations rather than new build.



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The form of the development may not appear to be particularly intrusive within the local landscape as the site appears currently as paddock land within a layered landscape of treelines, hedges, woods and grazing fields within countryside. Three tent pods would not appear to be an intensive use of the land. However the platforms are a more permanent form and associated infrastructure such as septic tanks are not temporary. Three sporadic tents and platforms would not appear to be an intensive use of the land, but the concern remains with the existing BnB use at the Cottage and the likely family sized visitor use of the tents which would increase noise and activity in this valley. The associated use may impact the character with lighting and noise.

The development appears to offer adequate site access and on-site infrastructure.

In terms of reasonable access to local services, Middle Lypiatt does not contain any local services to support this development and services in the area are a car drive away as the development scale indicates family use and parking. The application does not refer to local businesses supplying produce of benefit to this rural area. It is reasonable to expect visitors to have access to a basic range of goods and services nearby and that the benefits of tourism are reflected in the local economy.

With regard to other policy considerations, it is advised to seek ecological advice on the requirements in terms of the site's location within the recommended recreation catchment zone of the Rodborough Common SAC and going into the future the potential Cotswolds Beechwoods SAC, having regard to compliance with Policy ES6. It may be that development will require a proportionate contribution to strategic mitigation measures. It is noted additional planting of hedges is proposed.

The site has a grade II listed building and policy ES10 should be carefully considered in this context. It is advised to seek heritage advice on any potential impacts.

Conclusions

New tourist accommodation should be located within designated settlements with a range of local facilities. This site is located at Middle Lypiatt, an unclassified settlement. The applicant can argue that Glamping, as a particular type of tourist accommodation, is an exceptional case requiring a countryside location. However where a countryside location is essential the Council favours re-use or the provision of temporary structures in countryside locations rather than new build. In this case, whilst the tents are of a more temporary structural form and character than new buildings, the platforms are a more permanent form and associated infrastructure such as septic tanks are not temporary".

Following this further observation were submitted in support of the application expanding on the need for the rural location and why it was considered that the development met the requirements of the local plan. This submission was again considered by Planning Strategy which resulted in the following -

"The Local Plan supports new tourist accommodation located at higher tier settlements within settlement boundaries in order to protect the countryside and maximise the tourism benefits to local people. This policy was found sound and compliant with national advice at that time.



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In exceptional cases, tourist accommodation can be supported in lower tier settlements in association with a specific countryside attraction or where no suitable buildings capable of re-use exist or a countryside location is essential for the proposed use. In these cases, the site must be compatible with the landscape setting, have adequate access to infrastructure and reasonable access to local services. It is noteworthy that the letter indicates that there should not be a reliance on public transport to access local facilities and services, contrary to the policy intent. The footpath distances are much longer and across undulating landform. The applicant has previously indicated that the majority of Glamping sites are on farms and so in rural locations. However, this proposal is not part of any farm diversification scheme where such uses may be appropriate within the environs of and to support a working farm.

The appeal case cited in November 2014 was prior to the adoption of the Local Plan and the Local Plan Inspectors detailed consideration of the policies. 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.

Conclusions

New tourist accommodation should be located within designated settlements with a range of local facilities. This site is located at Middle Lypiatt, an unclassified settlement.

The site is not close to village services and facilities, and there is no detailed case for linking benefits with specific local businesses beyond presence and potential opportunity. Statements elsewhere have been more detailed and explicit on this aspect. There is no detail on the visitor attractions they would wish to utilise in the local area.

The letter emphasises the benefits of tourism and that the District is underperforming (but no source is provided). There is still not an exceptional case here yet to support sufficiently the scheme from a policy perspective.

On the planning balance you will need to consider whether there are any material considerations here that indicate a change in the planning weight accorded to rural tourism benefits in the NPPF and the adopted Local Plan policies".

It is not considered that there are material considerations here that indicate a change in the planning weight accorded to rural tourism benefits.

RESIDENTIAL AMENITY

The use of the proposed glamping pods would give rise to a modest increase in vehicular movements but these are not considered to result in a significant impact upon residential amenity. Due to the distance between unrelated dwellings and the site there should not be any unacceptable impact upon residential amenity arising from the use and occupation of proposed glamping pods.

HIGHWAYS

The Highway Authority had no objections to the application subject to the inclusion of recommended conditions should planning permission be granted.



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LANDSCAPE

A visual impact assessment of the site has been submitted. This assessment and accompanying documents generally concludes that with additional hedge planting the development should not impact unacceptably upon the wider setting of the Cotswold Area of Outstanding Natural Beauty. Subject to appropriate planting the scheme would not appear unacceptable in this setting.

ECOLOGY

The Senior Biodiversity Officer considered the scheme acceptable subject to conditions should planning permission be granted.

ARCHAEOLOGY AND HERITAGE ASSETS

The Conservation Team commented "The proposed glamping pods would be situated at a reasonable distance from the Listed Building and would sit at a lower level within the neighbouring field well outside the residential curtilage of the dwelling. As a result there would be no unacceptable impact upon the setting.

The driveway changes to serve the dwelling and the glamping pods appear to have been completed. The surface treatment is acceptable. However, the "looped" turning area and driveway planting are at odds with the simple status of the building and would benefit to being reduced to a simple turning area that would have a lesser impact upon the setting of the Listed Building".

RECOMMENDATION

The proposal is NOT considered to comply with the provisions of policies listed in the reasons for refusal and contained in the adopted Stroud District Local Plan, November 2005 and the core planning principles set out in the NPPF.

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.

For the following reasons:

1. The site is in a rural location in an area with no pavements and little street lighting and which is poorly served by public transport and facilities. As a result visitors would be most likely to rely on private vehicles contrary to point i) of Core Policy CP13 and point 3 of Core Policy CP14 of the Adopted Stroud District Local Plan, November 2015.



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2. The proposed development is not essential to the maintenance of a farming enterprise and whilst the site uses the benefit of a rural location it is not essential that it is located in this position and so is contrary to point two of CP15 of the Adopted Stroud District Local Plan, November 2015.
3. The site lies outside the defined settlement boundary. It has not been adequately demonstrated that the site relates to a particular countryside attraction nor would it assist with rural regeneration or community wellbeing. The proposal does not re-use existing buildings nor is the countryside location essential for the proposed use. The site is also not considered to have reasonable access to local services. As a result the development would be contrary to points one, two and five of Delivery Policy E110 of the Adopted Stroud District Local Plan, November 2015.

Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant.
2. The application was determined using the following plans and documents
 - Site Plan Proposed of 20/11/2018
Plan number = 001 Version number = (Photomontage info)
 - Site Plan Proposed of 20/11/2018
Plan number = 001
 - Biodiversity Survey of 20/11/2018
 - Planning Statement of 20/11/2018
 - Other of 20/11/2018
Plan number = Visual Impact Statement
 - Site Location Plan of 05/12/2018
 - Proposed floor plan of 17/12/2018
Plan number = 500
 - Proposed Elevations of 17/12/2018
Plan number = 501
 - Section of 17/12/2018
Plan number = 502
 - Additional information of 30/01/2019