



STROUD DISTRICT COUNCIL

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21 August 2019

DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held on **TUESDAY 3 SEPTEMBER 2019** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **6.00 pm.**

Kathy O'Leary
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.

AGENDA

- 1 **APOLOGIES**
To receive apologies for absence.
- 2 **DECLARATIONS OF INTEREST**
To receive Declarations of Interest in relation to planning matters.
- 3 **MINUTES**
To approve and sign as a correct record the minutes of the Development Control Committee meeting held on 23 July 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 MIDDLE HILL, CHALFORD HILL, STROUD, GLOS (S.18/2698/FUL)**
A residential development of 31 new homes (as a rural exception site), together with associated vehicular and pedestrian access, car parking, landscaping and associated works. (389507-203406).

4.2 BRADLEY STREET AND GLOUCESTER STREET, WOTTON-UNDER-EDGE, GLOS (S.19/1054/FUL)

The erection of 8 affordable dwellings with associated vehicle parking and landscaping following the demolition of the existing buildings. (375486-193386).

4.3 22 WELL HILL, MINCHINHAMPTON, STROUD, GLOS (S.19/0534/LBC)

The removal of the flat roof to the rear extension and replacement with a fully insulated roof, new ground floor entrance side extension and new first floor side extension, new storey and a half glazed extension to side, minor changes to the first floor internal arrangement, landscaping changes to accommodate the new extensions and addition of a replacement steps and handrail to the front elevation entrance. (Revised/reduced scheme from S.18/1049/HHOLD and S.18/1050/LBC) (387114-200556).

4.4 22 WELL HILL, MINCHINHAMPTON, STROUD, GLOS (S.19/0533/HHOLD)

The removal of the flat roof to the rear extension and replacement with a fully insulated roof, new ground floor entrance side extension and new first floor side extension, new storey and a half glazed extension to side, minor changes to the first floor internal arrangement, landscaping changes to accommodate the new extensions and addition of a replacement steps and handrail to the front elevation entrance. (Revised/reduced scheme from S.18/1049/HHOLD and S.18/1050/LBC) (387114- 200556).

Members of Development Control Committee

Councillor Martin Baxendale (Chair)

Councillor Miranda Clifton (Vice-Chair)

Councillor Dorcas Binns

Councillor Nigel Cooper

Councillor Haydn Jones

Councillor Steve Lydon

Councillor John Marjoram

Councillor Jenny Miles

Councillor Sue Reed

Councillor Mark Reeves

Councillor Jessica Tomblin

Councillor Tom Williams



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DEVELOPMENT CONTROL COMMITTEE

23 July 2019

6.00 pm – 7.50 pm
Council Chamber, Ebley Mill, Stroud

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Minutes

Membership

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

P = Present A = Absent

Officers in Attendance

Head of Development Management	Senior Planning Officer
Principal Planning Officer (Major Sites)	Solicitor & Deputy Monitoring Officer
Development Team Manager	Democratic Services & Elections Officer

Also in Attendance

A representative from Gloucestershire County Council Highways Department.

Other Members in Attendance

Councillors Craig, Davies, Green, Pickering and John Jones.

DC.009 APOLOGIES

An apology for absence was received from Councillor Reed.

DC.010 DECLARATIONS OF INTEREST

Councillor Haydn Jones declared interests in both Applications. Schedule Item 4.1 - he had an association with the landowner and then became involved with Slimbridge Parish Council. Schedule Item 4.2 - he had a non-pecuniary sensitive personal interest. He left the Council Chamber and did not participate.

DC.011 **MINUTES – 4 AND 12 JUNE 2019**

Members agreed with the minutes of 4 June 2019.

Councillor Cooper proposed an amendment to page 6 of the document pack; minutes of 12 June 2019 suggesting the insertion of the following words at the end of the penultimate paragraph. *“No consideration or regard should be made to the canal or any contribution towards the canal in considering this application because it has been quite clearly spelt out there is little or no impact from the Planning Officers’ point of view on the IHCA and therefore should not form part of your consideration.”*

His reasons for the amendment were that this referred to the advice given by the Solicitor who instructed Committee to ignore the issue of the canal immediately before debate and the amendment would reflect this.

Committee supported the amendment.

RESOLVED That the Minutes of the meetings held on 4 and 12 June 2019 are accepted as a correct record, with the above amendment.

DEVELOPMENT CONTROL PLANNING SCHEDULE

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

1	S.19/0181/FUL	2	S.19/0760/FUL
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Late Pages relating to Scheduled Items 1 and 2 had been circulated to Committee prior to the meeting.

DC.012 **LAND AT KINGSTON ROAD, SLIMBRIDGE, GLOS (S.19/0181/FUL)**

The Senior Planning Officer presented the Application for the creation of a car park, drawing attention to the revised plan in the Late Pages.

Councillors Green and Craig were both supportive of the Application because at the moment cars parked everywhere and the car park would provide parking. The issue of residents on canal boats living permanently on their boats could be addressed by the Canals Trust.

Councillor Philip Garrett, Chair of Slimbridge Parish Council acknowledged that there were parking issues and there was congestion. The opportunity arose for the Parish Council to lease land for the parking of 42 vehicles. A Road Traffic Order for the double yellow lines to be painted on the roadside would be applied for once the car park is in situ.

Ian Hamilton represented the Shepherds Patch Residents Association who opposed the Application, stated that traffic problems are mainly at weekends and Bank Holidays; the proposal was not fit for purpose. The main beneficiary would be The Tudor Arms. He posed a question for the committee to consider, who would Police the double yellow lines?

Speaking in support of the Application were two local residents, Christopher Blackstone and Peter Rock (owner of the Tudor Arms). Confirming that the current parking was very dangerous with people parking on bends and grass verges.

In response to questions the Senior Planning Officer confirmed the following:-

- Condition 9 related to a height restrictor barrier which as part of discharge of that Condition would need to be agreed.
- Condition 7 related to the management (including opening hours) for the car park. A detailed Management Plan would be submitted as part of discharging that Condition.

Councillor Marjoram proposed a Motion to accept the Officers' advice and this was seconded by Councillor Cooper.

Councillor Marjoram was impressed with the work that had been undertaken by the Parish Council.

Councillor Cooper acknowledged how hard Slimbridge Parish Council had worked on addressing road safety.

During debate Councillor Tomblin requested a further Condition was added to the Application requiring specific detail on the height of the entrance and the opening and closing times of the car park.

The Head of Development Management confirmed that the details to be supplied as part of Condition 7 (which Councillor Tomblin wanted the specific detail included now) had not been agreed although this could be clarified with the Parish Council, if the Committee was minded to accept this amendment then her recommendation would be that authority be delegated to her in consultation with the Chair and Vice-Chair of Committee to address the details of that Condition.

Councillor Marjoram agreed, however, Councillor Cooper, did not agree with the proposed Condition because Slimbridge Parish Council would take these matters into account when they submitted their Management Plan, commenting that Committee should not dictate.

Councillor Tomblin, accepted Councillor Cooper's explanation and withdrew her proposal.

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

RESOLVED To grant permission for application S.19/0181/FUL.

The meeting adjourned at 6.40 pm and reconvened at 6.47 pm.

DC.013 LAND TO THE EAST OF HIGH GREEN, LONGNEY, GLOS
(S.19/0760/FUL)

The Principal Planning Officer (Major Sites) presented the Application for the construction of a solar park. He confirmed that the panels could cover an area of approx 30 hectares and he was happy with the revised scheme with its landscape enhancements.

A photomontage taken from a key viewpoint from the south showed the layout and the landscaping, with internal hedges being 3m – 4m in height and outer hedging 5m in height illustrating year 1 and year 5 impacts.

Concerns regarding the impact on the highway for construction traffic would be addressed in Condition 13, there would be one route taken; a map was displayed showing the route. The land would be restored after the 30 year period (Condition 4).

Updates had been received and circulated in Late Pages, including the drawing numbers outlined in Conditions 2 and 5 to reflect the drawings; Condition 20 regarding an unexploded ordnance survey.

Councillor Williams asked the Chair why Councillor Pickering was being allowed to address Committee.

The Chair clarified that Councillor Pickering was attending to answer questions as he was familiar with climate change. As Chair he could invite a non-Committee Member to speak as a guest. But he was happy for Committee to decide.

Councillor Cooper's concern was that if Councillor Pickering addressed Committee it may jeopardize the decision and lead to a legal challenge and thought it inappropriate.

Upon taking advice, the Chair invited the Committee to decide whether Councillor Pickering should address the Committee by vote.

Councillor Cooper proposed a Motion to vote on whether Councillor Pickering should be allowed to address the Committee; this was seconded by Councillor Williams.

On being put to the vote there were 7 votes against Councillor Pickering addressing Committee and 3 votes for him addressing Committee with 0 abstentions.

As the proposed HGV construction route also went through two neighbouring Parishes the Chair had invited Councillors representing the Severn Ward to speak. Members confirmed that they were happy for them to speak.

Councillor Davies was speaking on behalf of Councillor Mossman, who was unable to attend. The Parish was resigned that there would be a solar farm but had concerns regarding construction traffic and suggested that the use of the canal would be a greener option for transportation. They would oppose if there was not a good Highway Plan.

Councillor John Jones spoke on behalf of both Frampton-on-Severn and Fretherne-with-Saul Parish Councils emphasizing their concerns. Due to the very restricted nature of the roads he suggested that four extra items were included within Conditions; householder notification letters, escort vehicles, any damage repaired and strict adherence to approved route.

Councillor Louise Everett represented Longney and Epney Parish Council. They noted the reduced size of the proposal but still had some serious concerns regarding the Application e.g. the height of the panels, the transport route, and possible use of the canal to transport the panels. She asked that an additional Condition be added to the Application. Finally stating that 70 of the 78 supportive comments the Council had received regarding the Application had been from people who lived outside of the Parish.

There were no speakers opposing the Application.

Andrew Cook, the Agent, outlined his reasons for the Application to be granted, which included ES2, supporting the Government's Lower Carbon Future and the Council's commitment to tackling climate change and working towards a Carbon Neutral District by 2030. The landscape impact has been reviewed and the County Highways had not raised any objections.

Councillor Cooper questioned what the benefit was to the community under ES2, paragraph 4.

The Principal Planning Officer answered Members' questions and confirmed that:-

- The scheme included an educational area and information boards but there were no financial benefits to the local communities.
- A previous Application (for a larger farm on the site) was currently being appealed. This Application was to be treated separately.
- The archeological sensitive areas were highlighted on a drawing. The solar panels in these areas would be placed on concrete sleepers on the ground to protect the site.
- In 30 years time the site would be cleared at the expense of the Applicant or the landowner, this would be enforceable by the Condition.
- If the Applicant wanted to make any variations to the Application these would require a separate planning application.
- Condition 13 covered the time of the traffic and discussions have taken place with the Agent who confirmed they would avoid peak times.
- The panels would be a maximum 3m in height but the natural gradient of the land would vary this.
- Compared to other sites solar panels have been up to a maximum of 3m, 2.7m and 2.6m in height. The panels are 4m in length.
- The outer hedges of the site would be 5m and the inside hedges between 3m – 4m.
- For the first few weeks there would be more vehicle movements, approximately 6 per day and then they would be less frequent.
- Materials would be placed in a compound, a plan showing the location was displayed.
- The site was a Second World War historical site and there may be unexploded munitions. This is why an unexploded ordnance survey is recommended as a Condition.
- The maintenance of the boundary hedges was included in Condition 9.

Councillor Lydon proposed a Motion to accept the Officers' advice updated by late pages, this was seconded by Councillor Binns.

The proposer noted that the area on the Application had been reduced and respected the concerns of the local residents regarding traffic on the narrow roads but trusted the Conditions that had been attached to the Application.

Members debated the Application, stating their differing views.

Councillor Clifton asked if an extra clause could be added to Condition 13 to ensure that the HGV movements avoided the rush hours in the mornings and afternoons.

The Chair asked the Proposer and Secunder, if they would agree to add this and they both agreed to add this to their Motion.

On being put to the vote there were 9 votes for and 1 vote against with 0 abstentions to the substantive Motion.

RESOLVED To grant permission for application S.19/0760/FUL, together with the updated and addition Conditions contained within the late pages and an additional clause to condition 13 to avoid rush hour traffic.

The meeting closed at 7.50 pm.

Chair



Stroud District Council

Planning Schedule

3rd September 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

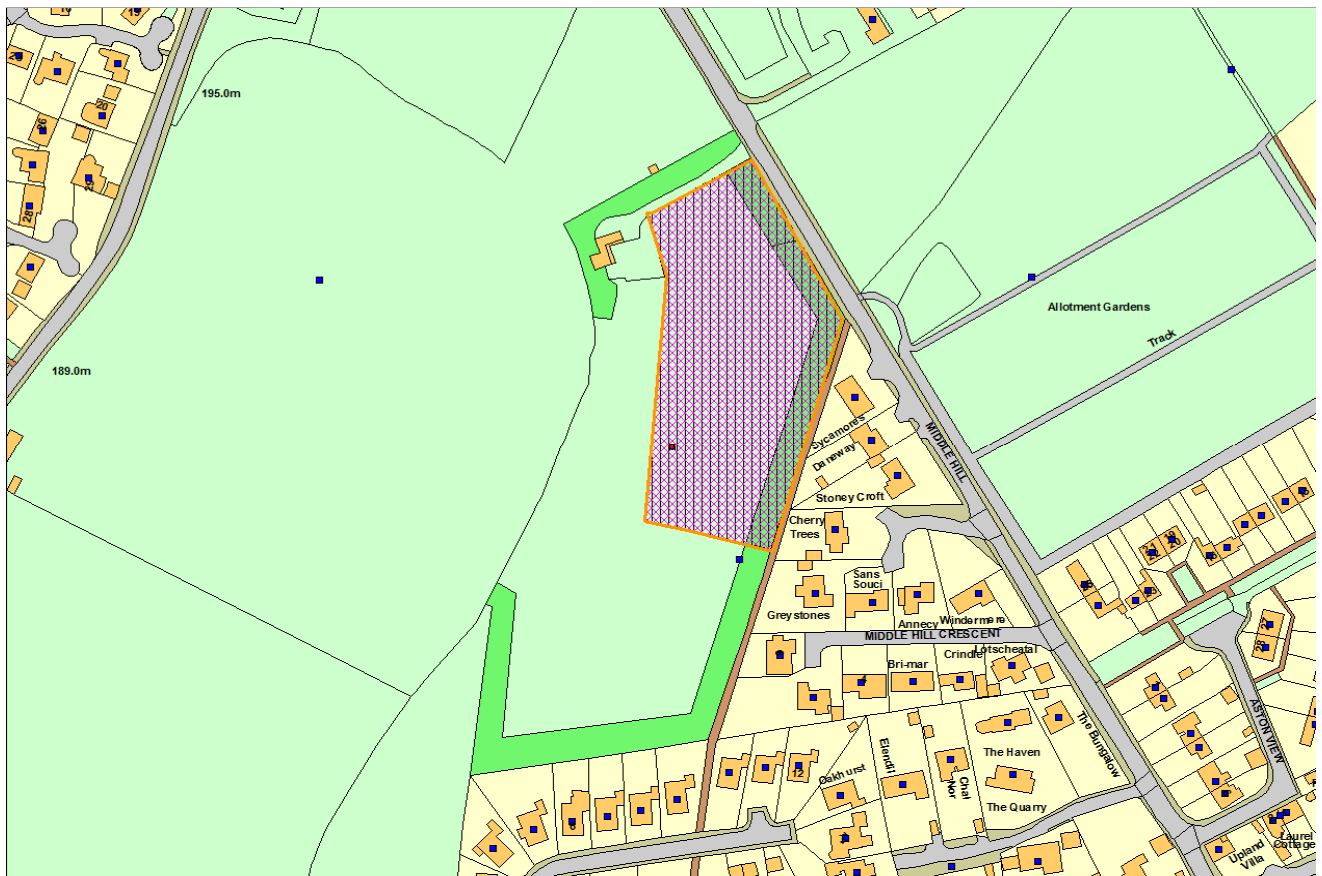
A copy of the Scheme for Public Speaking at Development Control Committee meetings is available at the meeting.

Parish	Application	Item
Chalford Parish Council	Land At, Middle Hill, Chalford Hill. S.18/2698/FUL - Residential development of 31 new homes (as a rural exception site), together with associated vehicular and pedestrian access, car parking, landscaping and associated works. (389507-203406).	01
Wotton Under Edge Town Council	Bradley Street & Gloucester Street, Wotton-Under-Edge, Gloucestershire. S.19/1054/FUL - Erection of 8 affordable dwellings with associated vehicle parking and landscaping following the demolition of the existing buildings. (375486 - 193386)	02
Minchinhampton Parish Council	22 Well Hill, Minchinhampton, Stroud. S.19/0534/LBC - Removal of the flat roof to the rear extension and replacement with a fully insulated roof, new ground floor entrance side extension and new first floor side extension, new storey and a half glazed extension to side, minor changes to the first floor internal arrangement, landscaping changes to accommodate the new extensions and addition of a replacement steps and handrail to the front elevation entrance. (revised/reduced scheme from s.18/1049/hhold & S.18/1050/LBC) (387114-200556)	03
Minchinhampton Parish Council	22 Well Hill, Minchinhampton, Stroud. S.19/0533/HHOLD - Removal of the flat roof to the rear extension and replacement with a fully insulated roof, new ground floor entrance side extension and new first floor side extension, new storey and a half glazed extension to side, minor changes to the first floor internal arrangement, landscaping changes to accommodate the new extensions and addition of a replacement steps and handrail to the front elevation entrance. (Revised/reduced scheme from s.18/1049/hhold & S.18/1050/LBC) (387114- 200556)	04



Development Control Committee Schedule 03/09/2019

Item No:	01
Application No.	S.18/2698/FUL
Site Address	Land At, Middle Hill, Chalford Hill, Stroud
Town/Parish	Chalford Parish Council
Grid Reference	389507,203406
Application Type	Full Planning Application
Proposal	Residential development of 31 new homes (as a rural exception site), together with associated vehicular and pedestrian access, car parking, landscaping and associated works. (389507-203406).
Recommendation	Resolve to Grant Permission subject to S106
Call in Request	Cllr D Young





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Applicant's Details	Edgemore Developments Ltd C/O Ridge And Partners LLP, Thornbury House , 18 High Street , Cheltenham, Gloucestershire GL50 1DZ
Agent's Details	Ridge And Partners LLP Thornbury House , 18 High Street , Cheltenham, Gloucestershire, GL50 1DZ
Case Officer	Amy Robertson
Application Validated	21.12.2018
	CONSULTEES
Comments Received	Chalford Parish Council Contaminated Land Officer (E) Archaeology Dept (E) Housing Strategy And Community Infrastructure Manager Conservation North Team SDC Water Resources Engineer Contaminated Land Officer (E) Environmental Health (E) Biodiversity Officer Arboricultural Officer (E) Development Coordination (E)
Constraints	Aston Down Airfield Consultation Zones Area of Outstanding Natural Beauty Consult area Kemble Airfield Hazard Neighbourhood Plan Chalford Parish Council Settlement Boundaries (LP) Village Design Statement
	OFFICER'S REPORT

MAIN ISSUES

- Principle of development
- Design and appearance
- Residential amenity
- Noise
- Highways
- Landscape Impact
- Contaminated Land
- Public Open Space
- Affordable Housing
- Ecology/Arboriculture
- Flood Risk
- Archaeology and Heritage Assets
- Obligations



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DESCRIPTION OF SITE

The application site relates to a predominantly rectangular parcel of land on Middle Hill, Chalford. The site is currently used for grazing and therefore contributes positively towards the rural setting of the locality.

The site sits on a gently sloping but elevated position within Chalford, a third tier settlement with limited facilities. The site lies outside of the settlement development limits of Chalford and within the Cotswold AONB.

A footpath runs along the eastern boundary of the site.

The site is bordered by residential development to the east and south, and undeveloped countryside to the west and north. Allotments are located to the opposite side of Middle Hill.

PROPOSAL

Rural exception site comprising the development of 31 dwellings with associated access, parking and landscaping.

REVISED DETAILS

During the course of the application a number of revisions to the scheme have been submitted. Notably, garden sizes of plots (16-25) have been made smaller, in order to resolve an issue relating to the extensive vegetative boundary and conflict between trees within the AONB and potential residents of the site.

MATERIALS

Roof: stone effect concrete tiles

Walls: rough rubble/reconstituted stone

Fenestration: UPVC

REPRESENTATIONS

Statutory Consultees:

Chalford Parish Council were consulted and object to the application on a number of grounds. Members are encouraged to read the entire parish objection, however a synopsis has been provided below:

- The housing needs survey of 2014/2015 identified 66 households in need of affordable accommodation which is questioned by Parish question - are these figures accurate or more of a housing wish list?
- There is no guarantee that people from Chalford will benefit from these houses as they may not fit the criteria, in which case they will go to people from surrounding areas.
- Housing mix not representative of needs - require predominantly 1 bedrooms.
- It is acknowledged that finding affordable sites within Chalford itself is difficult, but there are a number of sites nearby the parish boundary that are subject to affordable housing development.
- The Parish think the village should be downgraded to a Tier 4 settlement.
- Concern regarding impact the development will have on local infrastructure including doctors/schools etc.
- The site is within the AONB and provides a significant positive visual separation between manor village / Bussage. Protecting the AONB should be paramount and the coalescence of Chalford and Bussage as a result of development should be avoided.
- The site is a wildlife corridor.



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- An application for conversion of the stables adjoining the site was refused in 2015 and an appeal dismissed. The reasons for refusal were 'erosion of the visual separation of the villages', 'proliferation of residential development away from the existing settlements' and conflict with local plan policies ES7 and CP15.

SDC Housing Strategy and Community Infrastructure Manager was consulted and supports the application as it proposes affordable housing.

SDC Conservation Officer is happy that the proposed development has no significant negative impacts on the Chalford Hill Conservation Area, or any listed buildings in the near vicinity owing to its optimum positioning within the site.

Gloucestershire Lead Local Flood Authority were consulted and has no objections to the development subject to condition.

Gloucestershire Highways were consulted and do not object to the scheme. The full response is discussed under separate heading later within the report.

Planning strategy were consulted and responded stating that the site was identified under the SALA 2017 as having future potential for housing and/or community uses, there is clear and evidenced need for affordable housing in the area, play space should be sought on the site, and a 16 to 15 affordable to market housing split is acceptable subject to viability testing.

Environmental health has recommended standard conditions.

PUBLIC

Around 147 public objections have been received. All objections are available to view on the Council website. The points raised are summarised below:

- The site lies outside of agreed settlement limits and therefore should be refused as contrary to policy
- The rural nature of the parish is at risk with the conglomeration of Chalford and Bussage
- 'affordable' housing will not be 'affordable', local people are already priced out of the area
- The development will cause significant safety concerns for school children walking to schools etc through an increase of traffic.
- Speeds on Middle Hill are already high, more cars on the road will increase risk to pedestrians and other road users
- There is insufficient parking on site
- Traffic generation will cause problems within village, especially along narrow roads.
- The development will put further strain on already depleted infrastructure within the village.

14 public comments were received in support of the application. All comments are available to view on the Council website. The points raised are summarised below:

- The site is well connected to the rest of the village and will not be cut off
- Once constructed, it will not look out of place
- The development will provide for affordable housing that will be available for local residents



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PLANNING CONSIDERATIONS - NATIONAL CONSIDERATIONS AND LOCAL PLANNING POLICIES

NATIONAL

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Stroud District Local Plan, November 2015 is the development plan for Stroud District. Due weight should be given to policies in this plan according to the degree of consistency with the National Planning Policy Framework (NPPF). The NPPF is a material consideration in planning decisions. The NPPF was revised in July 2018.

Full details of the NPPF is available to view using the following link:

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

LOCAL

For the full content of the Stroud District Local Plan policies above together with the preamble text and associated supplementary planning documents are available to view on the Councils website:

http://www.stroud.gov.uk/info/plan_strat/newlocalplan/PLAIN_TEXT_Local%20Plan_Adopted_November_2015.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.
- CP7 - Lifetime communities.
- CP8 - New housing development.
- CP9 - Affordable housing.
- 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.
- ES10 - Valuing our historic environment and assets.
- ES12 - Better design of places.
- ES14 - Provision of semi-natural and natural green space with new residential development.
- ES15 - Provision of outdoor play space.

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 Affordable Housing (Nov 2008), SPD Housing Needs Survey (2008), and Chalford community design statement (2019).



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PRINCIPLE OF DEVELOPMENT

The starting point when considering a planning application is section 38(6) of the Planning and Compulsory Purchase Act 2004, read together with section 70(2) TCPA 1990. Application should be determined in accordance with the development plan unless material considerations indicate otherwise.

A recent high court judgement confirms the process of applying the Section 38(6):

The council is under a duty to make a decision by giving the Development Plan priority, but weighing all other material considerations in the balance to establish whether the decision should be made in accordance with the Development Plan;

The council must understand the relevant provisions of the development plan, recognising that they may sometimes pull in different directions;

Section 38(6) does not prescribe the way in which the LPA is to go about discharging the duty;

The duty can only be properly performed if the council establishes whether or not the proposal accords with the development plan as a whole;

The duty is not displaced or modified by government policy in the NPPF. This does not have the force of statute, or the development plan. Its relevance to a planning decision is as one of the other material considerations to be weighed in the balance.

Policy CP2 limits growth outside designated areas unless the proposal is in accordance with other policies in the plan.

Policy CP3 outlines a hierarchy of settlements and is designed to reduce the need to travel, but still promotes sustainable countryside with development based on services and facilities of each settlement.

LOCATION

In terms of classification, Chalford is defined as a 3rd tier settlement within this hierarchy as it is considered an accessible settlement with limited facilities. The village has a primary school, church, allotments and youth centre. There are no significant employment opportunities, and whilst there is a bus service, destinations are limited.

The application site lies outside of the Chalford residential settlement limits and is therefore contrary to the policies contained within the SDC Local Development Plan (2015), particularly CP15, which requires new residential development to be located within such boundaries.

Delivery policy HC4 and Core policy CP1 of the local plan recognise the importance of sustainable development which includes meeting the local need for affordable housing within locations where residents can access services and facilities. Policy HC4 acknowledges that meeting this need within rural areas is difficult, and so the policy does accept that such development may take place in larger rural settlements of tier three or above.

The site lies adjacent to the settlement boundary, and is located opposite the allotments on Middle Hill. There is a pavement facility leading down the hill towards the main village centre, and also to Eastcombe, where Thomas Keble secondary school is located. It is considered that walking to both the primary and secondary school and to other facilities within the village is achievable.

Policy CP14 seeks high quality, sustainable development which, amongst other things, seeks to locate development with good access to essential services by means other than the private car. The exception policy HC4 also seeks good access to services and gives particular importance to sustainability considerations. The NPPF also states that new residential development should be most



Development Control Committee Schedule 03/09/2019

appropriately located, where there is access to alternative modes of transport other than the private car and where journey lengths to services and opportunities for employment can be minimised.

As mentioned above, there are very limited employment opportunities within Chalford, and the rural nature and topography of the area creates a challenging environment. There are two bus services that operate within Chalford to Stroud and the surrounding areas. It is likely however that given the rural nature of the area, future residents would be reliant on private cars to reach services outside of the village.

Overall, it is considered that whilst the site technically lies outside of the defined settlement boundary of Chalford, the site is well located adjacent to it, and when built, the development will create a logical extension to the village.

PROVISION OF AFFORDABLE HOUSING

The NPPF outlines that in rural areas, LPAs should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing. The affordable housing need has been identified within the Parish Survey conducted in 2015, identifying 66 households in need of affordable housing within the Parish.

The need for affordable housing is increasing all the time. SDC seeks to increase the levels of affordable housing throughout the district and has specifically included this in one of the corporate aims for the Council.

SDC Housing Strategy and Community Infrastructure Manager is in strong support of the application and had discussions with the applicant prior to the scheme being submitted for formal consideration.

The NPPF and supporting text in the Local Plan allows for an element of open market housing to help fund or cross-subsidy the affordable housing units within a rural exception site. The policy of the wording of HC4 does not specifically make reference to the cross subsidy of the scheme with market housing, however the supportive text within HC4 does, stating: "National policy suggests that LPAs should consider whether allowing some market housing on exception sites would facilitate the provision of significant additional affordable housing to meet local needs. In response the council will consider proposals where a majority of affordable homes are cross subsidised by the provision of a minority of market housing, subject to the production of a detailed viability study demonstrating the requirement for this cross-subsidy".

This support text of the Local Plan refers to national policy which outlines that it is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role that housing can play in supporting the broader sustainability of villages and smaller settlements. Paragraph 77 of the NPPF addresses this but also includes cross-subsidy with the second half stating local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional housing to meet local needs.

The glossary of the NPPF is also supportive with a definition of rural exception sites as 'small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market housing may be allowed at the local authorities' discretion, for example where essential to enable the delivery of affordable units without grant funding.



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Whilst technically this application proposes a majority in affordable units, this is by an extremely small margin of 16 affordable units to 15 full market units. Given the cross-subsidy nature of this application, the applicant is required to submit a full viability appraisal for the site to demonstrate the need for market units in order to provide cross-subsidy for affordable units. The content of this report is treated as confidential because of commercially sensitive information supplied, but the information is assessed and verified by officers and the District Valuer (DV).

The DV forms a specialist property arm of the Valuation Office Agency which in itself forms part of HM Revenue and Customs. The valuer's office provides independent valuation and professional property advice to bodies across the entire public sector, and where public money or public functions are involved. After reviewing the scheme, the DV agrees with the applicant that the figures of the scheme justify the inclusion of open market housing. Whilst it would be preferred that a higher number of affordable units were provided, development finance has meant this level of cross-subsidy has been necessary.

LANDSCAPE CHARACTER AND EFFECTS ON THE AONB

The site is located within the AONB. Paragraph 172 of the NPPF indicates that great weight should be given to conserving the landscape and scenic beauty of the AONB which have the highest status of protection in relation to landscape and scenic beauty. Paragraph 172 goes further as to suggest developments should be refused in the AONB unless in exceptional circumstances and where it can be demonstrated they are in the public interest.

Similarly, local plan policy ES7 places a priority on conserving the landscape and enhancing the natural and scenic beauty of the landscape and only permits major development where there is a lack of alternative sites.

The trees surrounding the site form an important landscape feature and are widely appreciated for enhancing the rural landscape. They make a significant positive contribution to the scenic character and diversity of the landscape, and provide a vital habitat for dependent wildlife populations.

The boundary trees are to be retained as part of the development, a vital feature that is considered to greatly benefit the development as a whole. With the vegetation already established, once constructed, the site will immediately be seen as more mature and will create a more 'lived-in' development that blends into its surroundings.

The application occupies an elevated position and there are views of the site and its trees from within the valley bottom. Significantly, the site is viewed as pasture, and thus any residential development will inevitably change the character of the site completely.

Notwithstanding this, it is considered that by incorporating the vegetative boundary into the scheme provides a balance that, when considering all other mitigating factors such as the provision of affordable housing, tips the planning balance.

Throughout the application process, SDCs Arboriculture officer raised concerns regarding the proximity of the boundary trees and the residential dwellings. Concern specifically surrounded the potential for future inhabitants of the dwellings to put pressure on the LPA to fell/excessively prune the trees as the overshadowing and lateral spread of sycamore debris would cause annoyance for residents.

The original plans submitted showed an indicative canopy cover of the boundary trees which was replaced by an accurate canopy cover plan when this was queried by case officer. In addition, it was



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requested that the rear gardens of plots 16-25 be made smaller in order to remove the majority of canopy from within private ownership, and to create an ecological exclusion zone. The amended plan not only achieves adequate garden sizes for these properties when compared to SDCs residential design guide minimum amenity standards, but also provides for the natural landscape surrounding the site to not be put under pressure as a result of the development.

At the time of writing this report, Cotswolds Conservation Board had not provided comment on the application and as such, it is perceived that they have no serious concerns regarding the application.

The proposed scheme seeks to contribute to the affordable housing need of the parish, a scheme outside the AONB would not relate to the need in the parish and would be located further away from the village causing greater landscape and negative sustainability impacts.

Although the proposed development would undoubtedly alter the character of the application site, the key landscape features surrounding the site are to be retained and protected by way of management plan and through tree preservation orders. This limits the impact the development will have in terms of landscape degradation as the majority of impact will be well contained within the site.

DESIGN AND APPEARANCE

Predominantly, dwellings within the village are constructed from typical Cotswold Stone with limited examples of modern detailing and materials shown throughout the village.

The proposed development includes a range of dwellings which seek to reflect the local character of the village. Both two storey and bungalow dwellings have been proposed on the site, with bungalows being requested by local residents. The bungalows proposed are also located towards the 'front' of the development, closest to Middle Hill, and will therefore provide for a softer edge and entrance to the development.

Given the location within the AONB, detailing and materials are important. Reconstituted stone walling is considered to be significant in this location and is welcomed. Details of specific materials can be agreed via conditions.

Detailing including porches and stone detailing around windows help improve the appearance of the units and integrate to the character of the village.

LAYOUT

The proposed scheme follows a linear settlement pattern with housing located either side of the highway. Four bungalows are proposed at a slight angle to the remaining units, fronting Middle Hill but separated by an area of informal open space.

Residential parking is primarily located to the front and side of each residential unit, with the exception of the apartment buildings where parking is to be located in a courtyard and the bungalows where the parking will be situated to the rear of the units. A pedestrian walkway will run parallel to the road.

A number of new trees, hedging and other landscaping are proposed under the application. This will create a sense of place within the development, and will add to the sites aesthetic value once completed.



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RESIDENTIAL AMENITY

The site is located on the edge of the village and is only bordered by neighbouring properties on one side. Whilst the residents neighbouring the site on Middle Hill and Middle Hill Crescent will inevitably experience some level of impact as a result of the development, the separation between existing residents and those future occupants of the site is heavily aided by the vegetation surrounding the site. It is therefore considered that the proposal will not have such a material impact on residential amenities currently enjoyed to warrant a refusal of the scheme.

HIGHWAYS

A large number of public objections relating to the application concerned the highways safety concerns local residents have with regards to the scheme.

Local plan policy CP14 promotes sustainable locations and safe and convenient access by foot and cycle, with CP13 promoting sustainable travel, adequate parking provision and the protection of all road users. Similarly, paragraphs 108 and 110 of the NPPF seek priority for pedestrian and cycle users, and also seek the most sustainable locations for new development, allowing for choice in transport modes.

GCC Highways have considered the application and are satisfied that the scheme is acceptable subject to conditions.

In terms of the proposed development, the application site is considered to be a sustainable location, within walking distance of a number of public amenities via footway on the western side of Middle Hill. A bus stop is located approximately 160m south of the application site operating an hourly service into Stroud.

After incident analysis, GCC Highways have confirmed there are no overriding or unexpected highway safety patterns or concerns. Whilst a number of public concerns raised issues surrounding the safety of road users and specifically pedestrians as a result of the development, without specific evidence or objection from county highways officers, it is not demonstrated that this would occur.

A sufficient visibility splay will be achieved offering acceptable visibility to vehicle users when travelling into and out of the site.

Layout of the highways and parking is considered acceptable in terms of highway adoptable standards as suitable passing and clearing can be achieved.

Each dwelling is to be allocated 2 parking spaces, with the four apartments having one space each. Five visitor spaces are also proposed. Parking provision therefore exceeds the SDC parking standards and is thus considered acceptable in both highways and planning terms.

Throughout the application process, local residents were in contact with GCC Highways department discussing vehicle speeds exceeding the 30mph limit along Middle Hill. A mobile speed camera was erected and there was evidence of vehicles travelling faster than this speed limit.

The applicant has proposed to erect a measure to reduce speeds along Middle Hill, with its position to be agreed and secured under planning condition.



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ECOLOGY

The site, although undeveloped pastoral land, consists of poor quality semi-improved grasslands with little ecological value.

SDC senior biodiversity officer did however have concerns regarding the positioning of the development, and the impact a residential use of the land would have on the trees lining the site, in particular, the trees on the eastern boundary behind plots 16-25.

After discussion between officers and applicant, the plans were revised and the rear gardens of these properties were made smaller in order to remove the majority of canopy from within private ownership, and to create an ecological exclusion zone. In doing so, the concerns raised by the biodiversity officer into the potential for conflict between the built and natural environment has been mitigated without sacrificing either.

FLOOD RISK AND DRAINAGE

GCC as Lead Local Flood Authority (LLFA) has considered the implications for surface water runoff and the associated flood risk within the development or to the existing development outside of the site.

Individual soakaways are proposed for each residential unit, a solution that given the sites location on top of greater oolite geology, is acceptable.

The LLFA has accepted the wider drainage strategy, as well as for permeable paving on roads, parking and turning areas.

The LLFA therefore has no objection subject to standard conditions being applied to the permission.

ARCHAEOLOGY AND HERITAGE ASSETS

The site lies adjacent but not within the Chalford Hill Conservation Area and in proximity to a wide range of listed buildings, the nearest being Abnash House and Byways.

As the site is heavily screened by a mature vegetative boundary, any views of the site that would harm the Conservation Area would come from the properties along Abnash Road. However, owing to the positioning of the development towards the more northerly portion of the site, it is considered that this impact is not necessarily harmful to the Conservation Area, indeed, the senior conservation officer concluded that the impact the proposed development would have would be less than substantial.

In terms of archaeology, the wider area is known to contain extensive archaeological remains relating to prehistoric and roman activity and settlement.

As part of the submission documents, a desk based heritage report was submitted and reviewed by Gloucestershire County Council's archaeologist. This report confirmed that there was potential for prehistoric and roman remains to be present on the site, and as such, the County archaeologist requested an archaeological field evaluation prior to determination in accordance with paragraph 189 of the NPPF.

After undertaking the field investigation, it was found that no significant archaeological remains were found on the site. The County Archaeologist has subsequently removed his objection to the application and no conditions are considered appropriate.



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PUBLIC OPEN SPACE

Policy ES15 seeks the provision of outdoor play space for new residential development. The policy requires this open space to be usable and easily accessible to dwellings it is intended to serve.

The application does not propose specific outdoor play space on the site owing to physical constraints and commercial reasons. There are however a number of formal public open spaces in the near vicinity to the site which future occupants will benefit from, with Parish owned open space located directly opposite the site, allotments and several parks within easy walking distance.

An area to the front of the application site, adjacent to Middle Hill is to be retained as informal open space and maintained under Management Company. It is considered that given this element, as well as the proximity to nearby open space facilities, the explicit lack of on-site play space is acceptable.

OBLIGATIONS

The scheme seeks to provide 16 affordable housing units as a rural exception site. No additional obligations have been put forward.

A legal agreement will be signed to secure the provision of the affordable units in the long term.

PLANNING BALANCE AND RECOMMENDATION

The proposed scheme seeks to provide affordable housing on a rural exception site within Chalford, a rural village within the district. The scheme will enable affordable housing for those who are currently priced out of the area with local connections to stay within the area, as well as increasing the numbers of much needed affordable housing within the parish.

As viability of the scheme has been tested, it is considered that the inclusion of the open market units is justified and acceptable in policy terms.

Issues surrounding the landscaping and ecological concerns have effectively been addressed and are no longer reasons for objections by the appropriate officers.

The site can achieve suitable parking, vehicle manoeuvrability and access/egress; there are no highways objections.

Given the above, it is considered that the benefits of the scheme outweigh any limited harm the proposal may have and therefore, the application is recommended for resolution to grant, as a legal agreement is needed to be entered into prior to releasing the consent.

HUMAN RIGHTS

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



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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
Plan Number = PL-01

Existing Site Topography Plan
Plan Number = PL-02

Proposed Planning Layout
Plan Number = PL03-REV E

Illustrative Site Layout
Plan Number = LO_20 REV B

Housetype Planning Drawing Charlbury (2B3P Bungalow)
Plan Number = HT-2B3P

Housetype Planning Drawing Cricklade (2B4P House)
Plan Number = HT-2B4P

Housetype Planning Drawing Enford (3B5P House)
Plan Number = HT-3B5P

Housetype Planning Drawing Chedworth (1B2P Apt)
Plan Number = HT-1B2P

Street Scene Site Section
Plan Number = SS-01 REV A

Accommodation Schedule
Plan Number = SC-01

Parking Schedule
Plan Number = SC-02

Design and Access Statement
Plan Number = DAS

Reason:

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



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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 building works hereby permitted shall be commenced until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The information submitted shall be in accordance with the principles set out in the approved drainage strategy. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The SuDS Manual, CIRIA C753 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason:

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

5. 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.



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

Reason:

To reduce the potential impacts on surrounding areas, and in the interests of the amenities of the surrounding area and local residents in accordance with policies ES3 and CP13 of the adopted Stroud District Local Plan November 2015.

7. Prior to the commencement of development a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority
- a) the strategy will identify the areas/features on site that are particularly sensitive for foraging bats;
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason:

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

8. An ecological design strategy (EDS) shall be submitted to, and be approved in writing by, the local planning authority addressing mitigation and enhancement has been submitted to and approved in writing by the local planning authority.
- The EDS shall include the following:
- a) Full details of hedgerows to be retained and protected during construction.
- b) Details of planting, such as hedgerows, wildflower planting and establishment.
- c) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- d) Time table for implementation demonstrating that works are aligned with the proposed phasing of development.
- e) Details for the erection of bird/bat boxes.
- f) Details of initial aftercare and long-term maintenance and persons responsible for the maintenance.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.



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Reason:

To protect and enhance the site for biodiversity in accordance with paragraph 175 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

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

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

Reason:

To protect and enhance the site for biodiversity in accordance with paragraph 175 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

10. Prior to the occupation of the proposed development hereby permitted the first 20m of the proposed access road, including 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.



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11. 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.

12. Notwithstanding the submitted details, the construction of the car parking associated with each building within the development (including garages and car ports where proposed) 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.

13. Notwithstanding the submitted details, the details of an off site traffic calming scheme (gateway feature) to be located on the Middle Hill shall be submitted and approved in writing by the Local Planning Authority, prior to the first occupation on the development.

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.

14. No building on the development shall be occupied until the carriageway(s)(including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface 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 pedestrian in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.



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15. Prior to occupation of the proposed development hereby permitted, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing 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.

Reason:

To ensure that safe, suitable and secure access is achieved and maintained 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 and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as requires by paragraph 127 of the framework.

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

Reason: To ensure adequate water infrastructure provisions 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.

17. 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.

18. The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway 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 0.26m and 2.0m at the Y point above the adjacent carriageway level.



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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.

19. All tree protective fencing must be erected prior to any site clearance work commencing. The fencing must be in full compliance with the Tree Protection plan. The fencing must remain in situ until all construction works are complete and all trades are off site.

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

20. All service runs that are to be sited within the root protection areas (RPAs) of the retained trees must be undertaken by a moling contractor and supervised by the project tree consultant.

Reason:

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

21. No dwellings shall be occupied in connection with each phase of development until details of the maintenance schedule for the landscaping scheme within that phase has been submitted to and approved by the Local Planning Authority. The landscaping shall be maintained thereafter in accordance with the approved maintenance schedule. The developer may wish to submit one maintenance schedule covering the whole site that would cover the principles of maintenance of the various areas.

Reason:

To ensure that the landscaping is adequately maintained in the interests of the visual amenity and wildlife interest of the area in accordance with Stroud District Local Plan Policies CP14, CP15 and ES8 and with guidance in revised National Planning Policy Framework paragraphs 15, 170(b) & 175 (c) & (d).

22. An Arboriculture impact assessment must be submitted to the Local Planning Authority detailing how the direct or indirect effects of the development on the retained trees will be mitigated against.

Reason:

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



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Informatives:

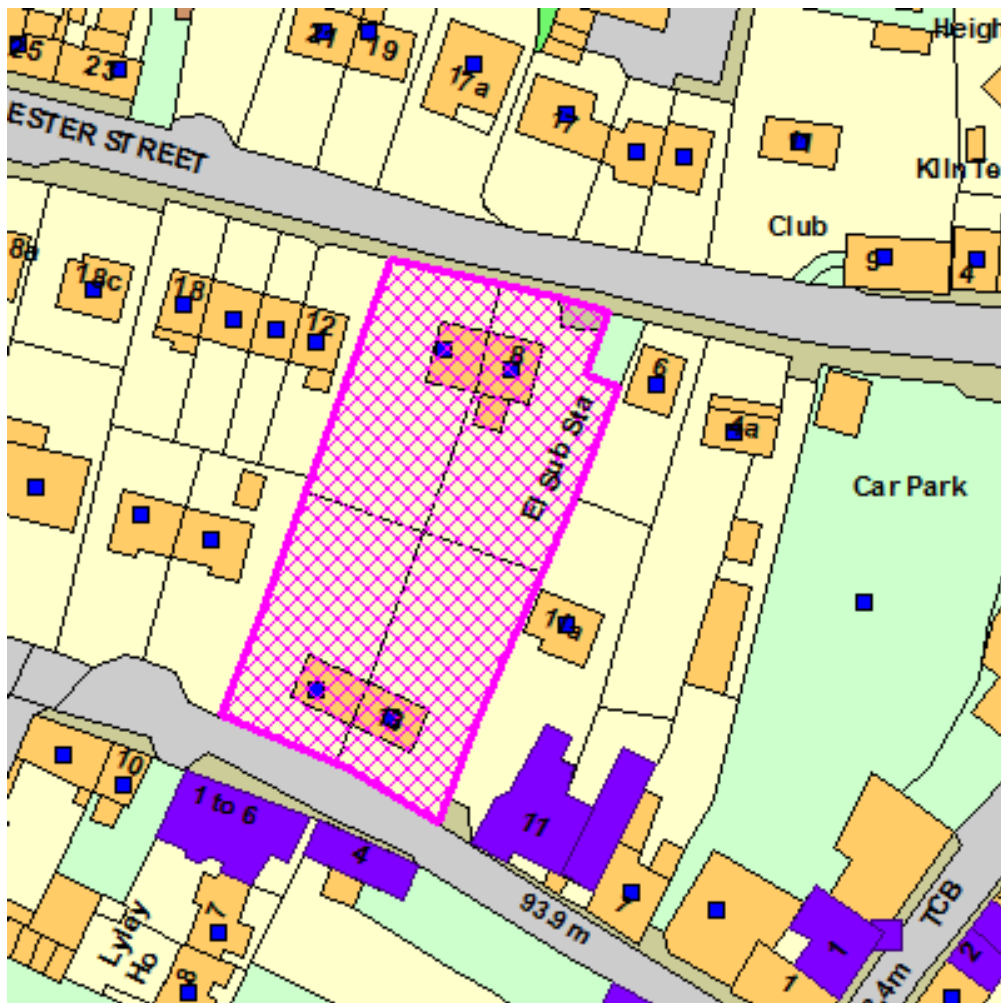
1. The proposed development will involve works on the highway and the developer is required to obtain the permission of Gloucestershire County Council's Divisional Surveyor for the Area: Southern 01453 822193 before commencing those works.
2. The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway. You are advised to contact Gloucestershire Highways 08000 514 514.
3. Noise and dust control informative:

The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust 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 and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated 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.19/1054/FUL
Site Address	Bradley Street & Gloucester Street, Wotton-Under-Edge, Gloucestershire, GL12 7AP
Town/Parish	Wotton Under Edge Town Council
Grid Reference	375486,193386
Application Type	Full Planning Application
Proposal	Erection of 8 affordable dwellings with associated vehicle parking and landscaping following the demolition of the existing buildings. (375486 - 193386)
Recommendation	Subject to conditions
Call in Request	Head of Development Management





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Applicant's Details	Stroud District Council (New Homes & Regeneration Team) Ebley Mill, Ebley Wharf, Stroud, Gloucestershire , GL5 4UB
Agent's Details	Trower Davies Ltd 8 Manor Park , Mackenzie Way , Cheltenham, Gloucestershire , GL51 9TX
Case Officer	Rachel Brown
Application Validated	16.05.2019
CONSULTEES	
Comments Received	Wotton Under Edge Town Council Contaminated Land Officer (E) Development Coordination (E) Policy Implementation Officer (E) SDC Water Resources Engineer Conservation South Team
Constraints	Affecting the Setting of a Cons Area Area of Outstanding Natural Beauty Consult area Conservation Area Within 50m of Listed Building Neighbourhood Plan Wotton under Edge Town Council Settlement Boundaries (LP) Village Design Statement
OFFICER'S REPORT	

MAIN ISSUES

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



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DESCRIPTION OF SITE

The application site is located between Gloucester Street and Bradley Street, within the settlement of Wotton under Edge and comprises two blocks of semi-detached dwellings. The application site is rectangular in shape, approximately 0.22 hectares in area.

The site lies within the Cotswolds Area of Outstanding Natural Beauty (AONB) and sits adjacent to the Wotton under Edge Conservation Area. There are a number of grade II listed buildings within close proximity of the site.

PROPOSAL

The application seeks permission for the erection of 8 affordable dwellings with associated vehicle parking and landscaping following the demolition of the existing dwellings.

REVISED DETAILS

Revised site plan submitted to address highway related matters.

MATERIALS

Walls: Stone/render

Roof: Plain tile

Doors/windows: PVCu or similar

REPRESENTATIONS

Statutory Consultees:

SDC Contaminated Land Officer - Recommends landfill informative

SDC Housing Strategy and Community Infrastructure Manager - Support

SDC Water Resources Engineer - Recommends a condition

SDC Senior Biodiversity Officer - Acceptable subject to conditions

GCC Highways Development Management - No highway objection subject to conditions.

Wessex Water - comment on applying for new drainage and water supply connects; confirm no recorded public sewers or water mains within the site; advise surface water discharge must be disposed of in accordance with SuDS Hierarchy and NPPF Guidelines.

Wotton under Edge Town Council - Support with comments.

Summary of their comments:

1. Parking spaces (plot 3) long way from house
2. Concern regarding adequacy of turning area and access onto Gloucester Street



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Public:

At the time of writing this report, 2 objections had been received.

One writer supports the Gloucester Street development; however objects to the plans for the Bradley Street development. These can be summarised as:

- Lack of consideration given to current tenants; will cause detrimental effects to health, social and cultural wellbeing
- Design shows little consideration to reducing green house gas emissions/consideration of environment
- Development of Bradley Street would cause great deal of disruption and ruin one of the older streets of Wotton under Edge
- Loss of home; concern at being relocated
- Lack of need to remove Bradley Street houses
- Immediate effect on surrounding properties i.e. value
- Impact on Conservation Area; houses believed to be first built by local authority within Gloucestershire; should be preserved and maintained; creation of entrance would be dangerous
- Object on financial point of view - lack of justification for gain of one house

One writer agrees to the principle of developing the whole of the site, however objects for the following reasons:

- Goes against social strand of sustainability
- Little consideration given to environmental strand of sustainability - buildings and planting
- Existing building line not being maintained; will change proportions and character of the street
- Poor design
- Little consideration for design of refuse collection points
- Lack of detail regarding treatment to the frontage
- Lack of visitor parking would result in increase demand for parking on Gloucester Street.

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) and Section 72(1).

Stroud District Local Plan.

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

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

Local Plan policies considered for this application include:

CP1 - Presumption in favour of sustainable development.

CP3 - Settlement Hierarchy.

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.



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ES4 - Water resources, quality and flood risk.
ES6 - Providing for biodiversity and geodiversity.
ES7 - Landscape character.
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)

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:

INTRODUCTION

The proposal is for the erection of 8 affordable dwellings. Currently the site comprises four 3-bed semi-detached properties that would require considerable expenditure to bring them up to current building regulation standards, in particular with regard to sound insulation, thermal efficiency, access and future adaptability.

Following a Housing Committee Decision in 2017, an initial Demolition Notice was served on all four properties. This notice remains in force until 25th June 2024.

PRINCIPLE OF DEVELOPMENT

The site lies within the defined Settlement Boundary of Wotton under Edge, which is designated as a Second Tier settlement within the Local Plan. Wotton under Edge is a market town that has the ability to support sustainable patterns of living and 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 town 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

Gloucester Street and Bradley Street are mixed in character in terms of the appearance and scale of the dwellings, and there is a variety in terms of building line and size of plots. The existing properties, the subject of this application, sit within relatively large plots in comparison to neighbouring dwellings.

The scale and design of the proposed dwellings is compatible with the surrounding properties and the use of stone roof tiles and natural stone walling is considered appropriate to the new dwellings and their surroundings.

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 plots as defined would provide an adequate garden for the proposed dwellings, including sufficient area for bin storage, compliant with the standards set out in the Council's Residential Design Guide and in keeping with the form of surrounding development. It is also noted that ample space would remain so as not to appear cramped or overdeveloped. Furthermore, the redevelopment of this site would not result in a loss of any open space that is important to the locality.



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RESIDENTIAL AMENITY

The new dwellings have been designed to maintain privacy levels. The new dwellings would be positioned so that they would not result in any significant shadowing or overbearing issues.

The development would not be detrimental to the amenities of the occupiers of neighbouring properties.

HIGHWAYS

A new access would be created directly off Bradley Street to served plots 1, 2 and 3; together with a new access and repositioned access directly off Gloucester Street. The submitted site plan illustrates suitable emerging vehicle visibility splays from the site access.

Each property would have two parking spaces. The internal layout of the site provides for sufficient parking and turning space.

As such, access and parking arrangements are considered to be acceptable.

LANDSCAPE

The site is located within the Cotswold Area of Outstanding Natural Beauty however is surrounded by residential properties and the development of a house in this location would not have a harmful impact on the wider landscape within this part of the AONB.

ECOLOGY

A Preliminary Ecological Assessment and Bat Survey have been submitted with this application. The ecological surveys concluded that no protected species were found to be using the buildings or the site proposed to be re-developed. However the planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. Simple biodiversity enhancements can be incorporated into the development proposal in the form of bat and bird boxes in trees, integrated bat roost units (bricks and tubes) in buildings, specific nest boxes for swifts, swallows and martins, hedgehog boxes, gaps under fencing to allow free movement of small mammals (e.g. hedgehogs) and amphibians, native tree planting, fruit/nut tree planting, wildflower area. This has been considered and agreed within the submitted plans.

OBLIGATIONS/AFFORDABLE HOUSING

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

The application will provide 8 affordable homes. The applicant has signed a legal agreement to secure the affordable housing.

ARCHAEOLOGY AND HERITAGE ASSETS

The site is situated adjacent to the Wotton under Edge Conservation Area and within close proximity to a number of listed buildings. 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 demolition of 4 houses and the erection of 8 affordable dwellings with vehicle parking. The part of the site that will affect the setting of the conservation area and the adjacent listed buildings relates to the south side which fronts onto Bradley Street.



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The houses currently in this location are of mid C20 date and are not of any particular historic significance. However, they are simple in their detailing and materials and set in generous garden plots. This combines to afford them some aesthetic value and this contributes positively to the setting of the designated heritage assets.

The proposal is for the replacement of these houses with three smaller houses with associated car parking and vehicle turning space. The houses have been simply detailed and will be benign in their appearance. Whilst it is somewhat regrettable that the current gardens will be partially lost to car parking and turning provisions, on balance, this will have only a limited negative impact on the setting of the heritage assets and is considered to be less than substantial harm. Paragraph 196 of the Framework states that any less than substantial harm should be weighed against the public benefits of the proposal. There will be some public benefit afforded by the provision of 4 additional affordable houses and this mitigates the potential harm done by the development.

The proposals would comply with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, Paras. 189 - 202 of the NPPF (The Framework); and Policy HC1 of the Stroud District Local Plan.

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.

PUBLIC SECTOR EQUALITIES DUTY

Section 149 of the 2010 Equalities Act states that a public authority must have due regard to equalities.

The two properties on Gloucester Street are long term major voids and currently boarded up. The two properties on Bradley Street are currently occupied. The proposal would involve the demolition of these two properties and the construction of new dwellings. A number of consultations have been undertaken with both tenants, and individual officers have been designated to each household. A meeting was held with the tenants prior to the planning submission, and the drawings sent to each household to they could see the plans prior to the application going live on the Council's website. The tenants will be supported and provided with suitable alternative accommodation throughout the whole process. Following construction of the new dwellings, the tenants will be given the option to return to one of the new properties.

HUMAN RIGHTS

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



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Subject to the following conditions:	<ol style="list-style-type: none"><li data-bbox="456 427 1530 672">1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.<li data-bbox="456 694 1530 1971">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 16/05/2019 Plan number = 1501 Site Plan Proposed of 23/07/2019 Plan number = 1502 Version number = Rev B Site Sections of 16/05/2019 Plan number = 1503 Street Elevations of 16/05/2019 Plan number = 1504 Proposed floor plan - plot 1 of 16/05/2019 Plan number = 1510 Proposed Elevations - Plot 1 of 16/05/2019 Plan number = 1511 Proposed floor plan - plots 2 and 3 of 16/05/2019 Plan number = 1520 Proposed Elevations - plots 2 and 3 of 16/05/2019 Plan number = 1521 Proposed floor plan - plots 4-6 of 16/05/2019 Plan number = 1530 Proposed Elevations - plots 4-6 of 16/05/2019 Plan number = 1531 Proposed floor plan - plots 7 and 8 of 16/05/2019 Plan number = 1540 Proposed Elevations - plots 7 and 8 of 16/05/2019 Plan number = 1541
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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 development shall commence on site until a detailed design, maintenance & management strategy and timetable of implementation for the surface water drainage strategy presented in the Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put in to use/occupied.

Reason:

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

5. Prior to the first occupation of the permitted development the ecological enhancement features will be implemented in full accordance with the previously agreed site plan, drawing number 1502 Rev B, dated July 2019.

Reason:

To protect and enhance the site for biodiversity in accordance with paragraph 175 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

6. Prior to the occupation of development a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority

a) The strategy will identify the areas/features on site that are particularly sensitive for foraging bats;

b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.



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All external lighting shall be installed in accordance with the specifications and locations set out in the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason:

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

7. 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
- v. All the above to be annotated on a scale plan

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.

8. 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. 1502 rev B, 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. No above ground works shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason:

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

10. The vehicular access (Gloucester Street) hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway



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edge of the public road 37m east and 31m west (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 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.

11. The vehicular access (Bradley Street) hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 13m west and 19m east (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 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.

12. The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 1 bicycle per dwelling 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.

13. Prior to occupation of the proposed development hereby permitted details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing 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



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dedication agreement has been entered into or a private management and maintenance company has been established.

Reason:

To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraph 108 and 110 the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 127 of the Framework.

Note: The applicant is advised that to discharge condition 02, 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.

14. 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.

15. Prior to their construction, details of the new retaining walls elements shown on submitted Site Plan, drawing No 1502 Rev B, shall be 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.

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

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.



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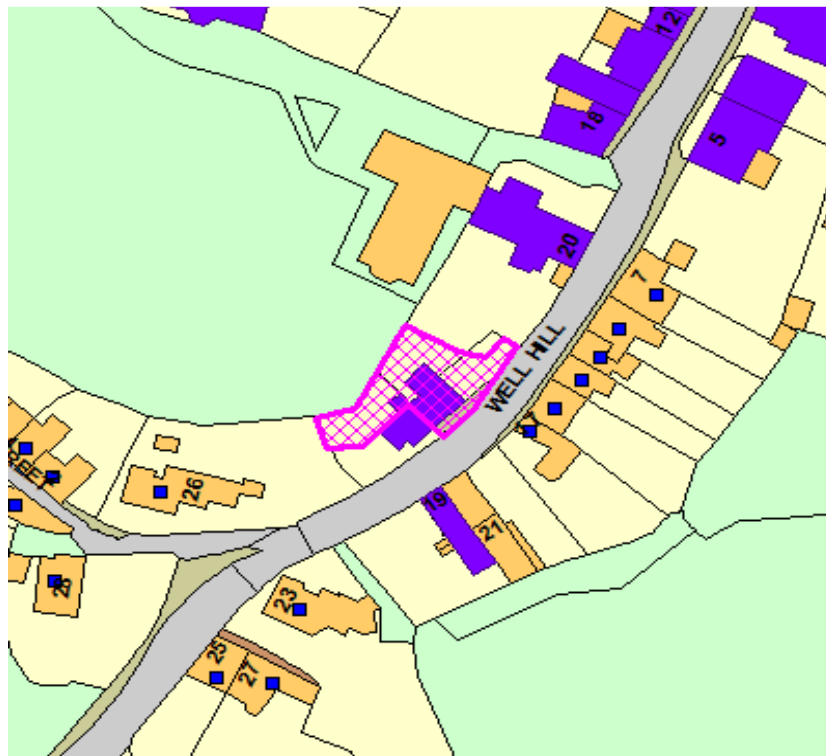
Informatives:

1. The application site is within 250 metres of a suspected landfill site, the applicant/developers attention is drawn to the fact that there is the potential for production and migration of landfill gas. You are reminded that the responsibility for safe development rests with the owner and/or developer. Accordingly, the applicant/developer is advised to seek independent expert advice, regarding the possibility of the presence, or future presence, of gas and whether any precautionary measures are necessary. The Council's Environmental Health Section will make available to you, free of charge, any information or data which it has in relation to the land to which the application applies.
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 applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise, dust, smoke/fumes and odour during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting, not burning materials on site and advising neighbours in advance of any particularly noisy works. It should also be noted that the burning of materials that gives rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume, noise or dust complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.



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Item No:	03
Application No.	S.19/0534/LBC
Site Address	22 Well Hill, Minchinhampton, Stroud, Gloucestershire
Town/Parish	Minchinhampton Parish Council
Grid Reference	387114,200556
Application Type	Listed Building Application
Proposal	Removal of the flat roof to the rear extension and replacement with a fully insulated roof, new ground floor entrance side extension and new first floor side extension, new storey and a half glazed extension to side, minor changes to the first floor internal arrangement, landscaping changes to accommodate the new extensions and addition of a replacement steps and handrail to the front elevation entrance. (revised/reduced scheme from s.18/1049/hhold & S.18/1050/LBC) (387114-200556)
Recommendation	Subject to conditions
Call in Request	Cllr N Hurst





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Applicant's Details	Mr T Field Pond Lodge, Bushwood Road, Richmond, TW9 3BG,
Agent's Details	Austin Design Works The Old Warehouse , Old Market, Nailsworth, Gloucestershire, GL6 0DU
Case Officer	Della Gould
Application Validated	11.03.2019
	CONSULTEES
Comments Received	
Constraints	Aston Down Airfield Consultation Zones Affecting the Setting of a Cons Area Area of Outstanding Natural Beauty Consult area Conservation Area Kemble Airfield Hazard Listed Building Listed Building Within 50m of Listed Building Neighbourhood Plan Minchinhampton Parish Council Rodborough 3km core catchment zone Settlement Boundaries (LP)
	OFFICER'S REPORT

DESCRIPTION OF BUILDING

Two houses. Late C17; later C18 addition. Random rubble limestone; brick rebuilt and rendered chimney; stone slate roof. Two-storey with attic. Front: earliest part (No 22) to right has full gable with 2-light chamfered mullioned attic casement with hoodmould; 2-window fenestration below, all 2-light with linking hoods. Central doorway with plank door. Blocked doorway to right with timber lintel and small inserted casement. Part to left has 2-window casement fenestration, C20 porch addition to left. Lean-to at south west end. Rear built into steep bank.

PROPOSAL

Removal of the flat roof to the rear extension and replacement with a fully insulated roof, new ground floor entrance side extension and new first floor side extension, new storey and a half glazed extension to side, minor changes to the first floor internal arrangement, landscaping changes to accommodate the new extensions and addition of a replacement steps and handrail to the front elevation entrance. (revised/reduced scheme from S.18/1050/LBC.

The site is steeply sloping with a number of retaining walls and a boundary wall to the road. The proposals will include changes to the land levels and the walls.

REVISED DETAILS

None.



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MATERIALS

Roof: Single ply membrane, Cotswold stone, green roof and lead.

Walls: Cotswold stone

Fenestration: Timber and metal frames

REPRESENTATIONS

Statutory Consultees:

Parish Council: The Parish Council regrets that its original grounds for objection have been overlooked in the previous refusal, related to application S.18/1049, as these are critical to its position. The lack of reference to overlooking, lack of parking, over development, the impact on access for neighbouring properties and the loss of architectural heritage transcend the geological issues. If the local planning authority is able to upgrade the objections concerning the development then they should do so.

Public: A number of objections have been received a summary of which is as follows:

- Potential inconvenience to road users.
- The excavation will disrupt the listed buildings and cause difficulties on the road causing congestion and preventing flow of traffic.
- There is no need for a larger house.
- There is no provision for additional parking.
- Negative impact on the conservation area and visual impact on neighbours.
- Over development of the site.
- There has been no consultation with neighbours and does not address the risk to adjoining listed buildings.
- The heavy goods vehicles will be polluting.
- Not in keeping with the local vernacular and does not enhance the existing structure.
- Method statement is insufficient and has mistakes and does not guarantee that harm will not be done to the adjacent structures.
- The Assessment of Significance is incomplete and the potential for harm or loss cannot be assessed.

HERITAGE CONSIDERATIONS

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

PLANNING POLICY AND GUIDANCE

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16(2).

Section 66(1).

Section 72(1)

National Planning Policy Framework

Paragraphs 189 - 202.



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Historic England Advice Note 2 - Making Changes to Heritage Assets

DESIGN/APPEARANCE/IMPACT ON THE BUILDING

The existing building is one of a pair of late C17 cottages, with later C18 additions. Number 22 is two and a half storey with a flat roof two storey addition to the rear, this having had C20 alterations.

A previous application for listed building consent and planning permission for extensive alterations and extensions were refused in 2018 following concerns about the potential structural impact on adjacent listed structures. This is a much scaled down proposal and is now for internal and external works as follows:

Internal Alterations:

Relocation of first floor bathroom which will involve the subdivision of bedroom two to create a new bathroom. This work will have little impact on the character of the room and will not harm any important historic fabric. Therefore, this will have no detrimental impact on the character or special interest of the listed building.

External Alterations:

Erection of side and rear extension and realignment of garden wall and steps. This proposal will involve the partial re-working of the existing rear extension, garden walls and steps. The existing rear wing is a C18 addition which has had considerable C20 alterations. This rear wing opens into a small courtyard bounded by high retaining walls. To the north east of the cottage are further retaining walls and steps. The proposal includes the erection of an extension to the rear and side of the existing building and for the erection of new retaining walls and steps.

The re-working of the C18 wing will involve the removal of C20 fabric that is not of special interest. The extensions, both to the sides and rear, have been sensitively detailed and scaled in order to compliment the existing building and to be compatible with its existing character. By virtue of their location, simple detailing and scale they will be recessive in character leaving the host building as the dominant form. Furthermore, as they are partly under ground and set well back from the front elevation, this will help to reduce the visual impact of the new extensions when seen in relation to the host building. This will ensure that they do not compete visually with the host building thereby ensuring that its character is preserved. For these reasons it is felt that the extensions will not harm the character and significance of the listed building.

The extension will not conflict with the inherent nature of the existing built form and will not be unduly prominent in the street scene. As a result, it will cause no harm to the character and appearance of the listed building or the conservation area.

The realignment of the existing garden walls and steps will not result in the loss of important historic fabric as these walls are not considered to be of any particular significance. The new wall and steps will continue an established theme within the garden and will not cause any harm to the setting of the listed building or the appearance of the conservation area.

Although the proposed side extension is considered acceptable in scale and design terms, there is concern in relation to the implementation of the proposals and the impact that this work will have on the stability and retention of the adjacent listed building and walls. To address this concern a Method Statement has been provided with the application that shows how this work will be carried out. This has been considered by this Authorities' Building Control Consulting Engineer who has concluded that the design of the retaining wall to the side of the new steps, together with the rear and side of the new



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lobby/WC and bathroom 3, is acceptable and that the method of temporary shoring of the existing walls and earth bank is adequate. This will ensure the preservation of the listed buildings.

It is considered that the impact on the heritage asset would be less than substantial and any harm arising has been weighed against securing a viable use for the building and the provision of any public benefit. The extensions will provide an enhanced level of accommodation that will be of benefit to the building and there will be some public benefit derived from the provision of a quality family home.

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, the Stroud District Local Plan 2015, and guidance from Making Changes to Heritage Assets'- Historic England Advice Note 2.

REVIEW OF CONSULTATION RESPONSES

A number of objections have been received regarding these proposals. These are summarised as follows:

- Negative impact on the conservation area and visual impact on neighbours.
The extension is largely to the rear of the existing cottage and is partly sub-terranean. The bulk of the extension will therefore be hidden from view. The visible parts have been carefully considered in order to be a recessive rather than prominent element. The historic character of the existing cottage will thereby be retained and there will be only a minimal impact on the street scene. The rebuilding of the garden walls and steps will largely reflect those currently on site and this landscaping is considered to be in keeping with the character of the conservation area and the setting of the listed building.
- Not in keeping with the local vernacular and does not enhance the existing structure.
This concern is noted and addressed in the report.
- Method statement is insufficient and has mistakes and does not guarantee that harm will not be done to the adjacent structures.
The Method Statement has been assessed by this Council's Consulting Engineer who is content that it is sufficient to ensure the stability and preservation of the adjacent house and walls.
- The Assessment of Significance is incomplete and the potential for harm or loss cannot be assessed.
The assessment of significance is considered to be sufficient to enable a full consideration of the proposals. These are detailed in the report.

RECOMMENDATION

You are recommended to grant Listed Building Consent for these works.

HUMAN RIGHTS

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



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Subject to the following conditions:

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

Reason:

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

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

Proposed Elevations of 11/03/2019

Plan number = SD-2-240 Version number = A

Proposed floor plan of 11/03/2019

Plan number = SD-2-202

Proposed floor plan of 11/03/2019

Plan number = SD-2-201 Version number = A

Roof plan of 11/03/2019

Plan number = SD-2-200

Proposed Elevations of 11/03/2019

Plan number = SD-2-241

Section of 11/03/2019

Plan number = SD-2-221

Section of 11/03/2019

Plan number = SD-2-220

Reason:

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

3. Before work on the new extensions begins, it shall be agreed in writing with the Local Planning Authority the appropriately qualified professional structural engineer who will supervise the hereby approved works, This is to ensure that the operations are undertaken with reference to the underlying ground conditions and that any modifications to the proposed works are appropriate. Any proposed changes to the agreed supervision arrangements shall be subject to prior written agreement of the Local Planning Authority.

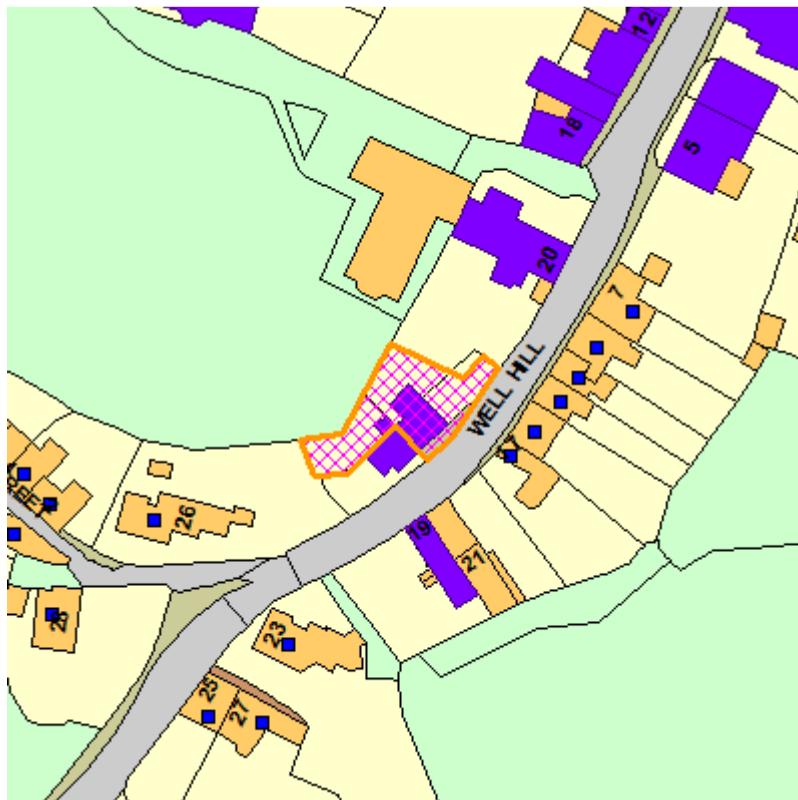
Reason:

To ensure that special regard is paid to the stability of the listed buildings and to ensure that fabric is protected from damage or collapse during the course of the works.



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Item No:	04
Application No.	S.19/0533/HHOLD
Site Address	22 Well Hill, Minchinhampton, Stroud, Gloucestershire
Town/Parish	Minchinhampton Parish Council
Grid Reference	387114,200556
Application Type	Householder Application
Proposal	Removal of the flat roof to the rear extension and replacement with a fully insulated roof, new ground floor entrance side extension and new first floor side extension, new storey and a half glazed extension to side, minor changes to the first floor internal arrangement, landscaping changes to accommodate the new extensions and addition of a replacement steps and handrail to the front elevation entrance. (Revised/reduced scheme from s.18/1049/hhold & S.18/1050/LBC) (387114- 200556)
Recommendation	Subject to conditions
Call in Request	Cllr N Hurst





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Applicant's Details	Mr T Field Pond Lodge, Bushwood Road, Richmond, TW9 3BG,
Agent's Details	Austin Design Works The Old Warehouse , Old Market, Nailsworth, Gloucestershire , GL6 0DU
Case Officer	Della Gould
Application Validated	11.03.2019
	CONSULTEES
Comments Received	Minchinhampton Parish Council
Constraints	Aston Down Airfield Consultation Zones Affecting the Setting of a Cons Area Area of Outstanding Natural Beauty Consult area Conservation Area Kemble Airfield Hazard Listed Building Listed Building Within 50m of Listed Building Neighbourhood Plan Minchinhampton Parish Council Rodborough 3km core catchment zone Settlement Boundaries (LP)
	OFFICER'S REPORT

MAIN ISSUES

- Design and appearance
- Residential Amenity
- Highways
- Ecology
- Archaeology and Historic Assets

DESCRIPTION OF SITE

The cottage is one of a pair of late C17 cottages facing Well Hill. The site is constrained by the road to the front and the ground behind which rises very steeply giving rise to a garden set at different levels. The garden is retained behind a number of retaining walls with steps linking the different levels. To the side of the cottage is a garden wall which fronts the highway.

The site is within the Minchinhampton Conservation Area and there are a number of listed buildings nearby.

PROPOSAL

The proposal is for the replacement of the flat roof to the rear, the construction of a new two storey rear and side extension, the replacement of the front steps and handrail, the landscaping of the garden including the erection of a number of garden steps and retaining walls.



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REVISED DETAILS

None.

MATERIALS

Walls: Cotswold stone

Roof: Cotswold stone and ply membrane to flat roof, Green roof and lead.

Fenestration: Timber and metal framed

REPRESENTATIONS

Statutory Consultees:

Parish: The Parish Council regrets that its original grounds for objection have been overlooked in the previous refusal, related to application S.18/1049, as these are critical to its position. The lack of reference to overlooking, lack of parking, over development, the impact on access for neighbouring properties and the loss of architectural heritage transcend the geological issues. If the local planning authority is able to upgrade the objections concerning the development then they should do so.

Public: A number of objections have been received a summary of which is as follows:

- Potential inconvenience to road users.
- The excavation will disrupt the listed buildings and cause difficulties on the road causing congestion and preventing flow of traffic.
- There is no need for a larger house.
- There is no provision for additional parking.
- Negative impact on the conservation area and visual impact on neighbours.
- Over development of the site.
- There has been no consultation with neighbours and does not address the risk to adjoining listed buildings.
- The heavy goods vehicles will be polluting.
- Not in keeping with the local vernacular and does not enhance the existing structure.
- Method statement is insufficient and has mistakes and does not guarantee that harm will not be done to the adjacent structures.
- The Assessment of Significance is incomplete and the potential for harm or loss cannot be assessed.

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 16(2).

Section 66(1).

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



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Local Plan policies considered for this application include:

HC8 - Extensions to dwellings.

ES3 - Maintaining quality of life within our environmental limits.

ES10 - Valuing our historic environment and assets.

ES12 - Better design of places.

PLANNING CONSIDERATIONS

DESIGN/APPEARANCE/IMPACT ON THE AREA

The existing building is one of a pair of late C17 cottages, with later C18 additions. Number 22 is two and a half storey with a flat roof two storey addition to the rear which has had some C20 alterations.

A previous application for listed building consent and planning permission for extensive alterations and extensions were refused in 2018 following concerns about the potential impact on adjacent listed structures. This is a much scaled down proposal for internal and external works.

The existing rear wing has been subject to previous C20 alterations and has inappropriate fenestration to the courtyard elevation. This elevation is to be reworked with the installation of new windows to the first floor and a new glazed extension to the ground floor. There will be no loss of fabric of historic significance and the character of the building will not be compromised. This part of the proposals is considered acceptable.

The new side extension will have an elevation facing the street, however, this will appear very much subservient to the host building which itself will remain the prominent feature. The extension will be recessive in its siting and detailing and will not compete with the prominence of the host building. The exterior works will appear similar in scale and detailing to the existing walls and steps which are present in the garden.

The extension will not conflict with the inherent nature of the existing built form and will not be unduly prominent in the street scene. The new retaining walls and steps within the garden will continue an established theme. As a result, the extensions and landscaping works will cause no harm to the character and appearance of the listed building or the conservation area.

RESIDENTIAL AMENITY

The property will retain a reasonably sized garden plot giving adequate amenity space. There will be no increase in overlooking of adjacent properties.

HIGHWAY

There will be no change to the existing access to the property.

ECOLOGY

It is noted that the extension represents an increase in foot print, which would be confined to the existing residential curtilage. As such, the ecological impact of the development would be minimal.

ARCHAEOLOGY AND HISTORIC ASSETS

There are a number of works proposed:

Erection of side and rear extension and realignment of garden wall and steps. This proposal will involve the partial re-working of the existing rear extension, garden walls and steps. The existing rear wing is an C18 addition which has had considerable C20 alterations. This rear wing opens into a



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small courtyard bounded by high retaining walls. To the north east of the cottage are further retaining walls and steps. The proposal includes the erection of an extension to the rear and side of the existing building and for the erection of new retaining walls and steps.

The re-working of the C18 wing will involve the removal of C20 fabric that is not of special interest. The extensions, both to the sides and rear, have been sensitively detailed and scaled in order to compliment the existing building and to be compatible with its existing character. By virtue of their location, detailing and scale they will be recessive in character leaving the host building as the dominant form and the new extensions will appear relatively small in scale. This will ensure that they do not compete visually with the host building thereby ensuring that its character is preserved. For these reasons it is felt that the extensions will not harm the character and significance of the listed building.

The extension will not conflict with the inherent nature of the existing built form and will not be unduly prominent in the street scene. As a result, it will cause no harm to the character and appearance of the listed building or the conservation area.

The realignment of the existing garden walls and steps will not result in the loss of important historic fabric as these structures are not of any particular significance. The new wall and steps will continue an established theme within the garden and will not cause any harm to the setting of the listed building or the appearance of the conservation area.

Although the proposed extension is considered acceptable in scale and design terms, there is concern in relation to the implementation of the proposals and the impact that this work will have on the stability and retention of the adjacent listed building and retaining walls. To address this concern a Method Statement has been provided with the application that shows how this work will be carried out. This has been considered by this Authorities' Building Control Consulting Engineer who has concluded that the design of the retaining wall is acceptable and that the method of temporary shoring is adequate. The statement demonstrates that the proposed works can be carried out without any risk to the stability of the listed structures.

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, the Stroud District Local Plan 2015, and guidance from Making Changes to Heritage Assets'- Historic England Advice Note 2.

REVIEW OF CONSULTATION RESPONSES

A number of objections have been received regarding these proposals. These are summarised as follows:

- Potential inconvenience to road users. The excavation will disrupt the listed buildings and cause difficulties on the road causing congestion and preventing flow of traffic.

This will be for only a limited time period and is not considered to be a valid reason for the prevention of the development.

- There is no need for a larger house. Whilst the additional bedroom will increase its size, it will remain a single residence. There will be no increase in terms of reception rooms. The building is already a family sized house and the addition of one extra bedroom will make little difference to the occupancy rate.



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- Over development of the site.

The extension will be mainly to the rear and part sub-terrarium. For this reason, it will be visually recessive and the historic building will remain the dominant feature on the site.

- There is no provision for additional parking.

The cottage already functions as a three bedroom family sized home and as such it commands a certain level of car parking in the vicinity. The extension will provide one additional bedroom but the cottage will remain as a single family residence and the need for car parking will not be significantly increased.

- Negative impact on the conservation area and visual impact on neighbours.

The extension is largely to the rear of the existing cottage and is partly sub-terranean. The bulk of the extension will therefore be hidden from view. The visible parts have been carefully considered in order to be a recessive rather than prominent element. The historic character of the existing cottage will thereby be retained and there will be only a minimal impact on the street scene.

- There has been no consultation with neighbours and does not address the risk to adjoining listed buildings.

The applications have been advertised and the immediate neighbours consulted. A method statement has been provided and has been assessed by this Council's consulting engineer. He has concluded that the design and methods to be used are satisfactory.

- The heavy goods vehicles will be polluting.

This will be for a limited time period whilst construction takes place.

- Not in keeping with the local vernacular and does not enhance the existing structure.

This concern is noted and addressed in the report.

- Method statement is insufficient and has mistakes and does not guarantee that harm will not be done to the adjacent structures.

The Method Statement has been assessed by this Council's Consulting Engineer who is content that it is sufficient to ensure the stability and preservation of the adjacent structures.

- The Assessment of Significance is incomplete and the potential for harm or loss cannot be assessed.

The assessment of significance is considered to be sufficient to enable a full consideration of the proposals. These are detailed in the report.

- The proposal is contrary to the Minchinhampton Neighbourhood Development Plan

It is considered that the proposals comply with the requirements of MP Dev 1 in that the extension has been sensitively designed and detailed in order to respect the host building and not to cause it any harm in terms of loss of important historic fabric or alteration to its inherent character.



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- Overlooking, lack of parking, over development, the impact on access for neighbouring properties and the loss of architectural heritage.

These issues currently exist and the proposed development will have little, if any, further impact.

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.

Subject to the following conditions:	<ol style="list-style-type: none">1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent. Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below: Roof plan of 11/03/2019 Plan number = SD-2-200 Version number = A Proposed Elevations of 11/03/2019 Plan number = SD-2-241 Section of 11/03/2019 Plan number = SD-2-221 Proposed floor plan of 11/03/2019 Plan number = SD-2-202 Proposed floor plan of 11/03/2019 Plan number = SD-2-201 Version number = A Section of 11/03/2019 Plan number = SD-2-220 Proposed Elevations of 11/03/2019 Plan number = SD-2-240 Version number = A
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Reason:

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

3. Before work on the new extensions begins, it shall be agreed in writing with the Local Planning Authority the appropriately qualified professional structural engineer who will supervise the hereby approved works, This is to ensure that the operations are undertaken with reference to the underlying ground conditions and that any modifications to the proposed works are appropriate. Any proposed changes to the agreed supervision arrangements shall be subject to prior written agreement of the Local Planning Authority.

Reason:

To ensure that special regard is paid to the stability of the listed buildings and to ensure that fabric is protected from damage or collapse during the course of the works.