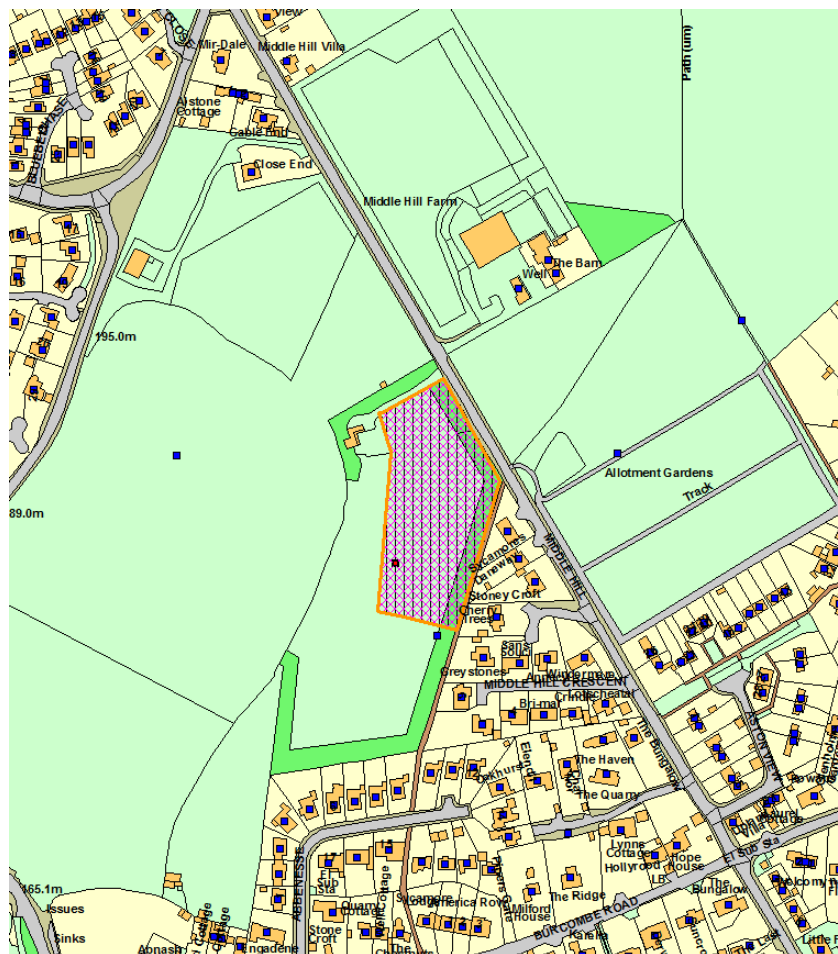




## Development Control Committee Schedule 15/10/2019

<b>Item No:</b>	<b>01</b>
<b>Application No.</b>	S.18/2698/FUL
<b>Site Address</b>	Land At, Middle Hill, Chalford Hill, Stroud
<b>Town/Parish</b>	Chalford Parish Council
<b>Grid Reference</b>	389507,203406
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	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).
<b>Recommendation</b>	Resolve to Grant Permission
<b>Call in Request</b>	Cllr D Young





## Development Control Committee Schedule 15/10/2019

<b>Applicant's Details</b>	Edgemore Developments Ltd C/O Ridge And Partners LLP, Thornbury House , 18 High Street , Cheltenham, Gloucestershire GL50 1DZ
<b>Agent's Details</b>	Ridge And Partners LLP Thornbury House , 18 High Street , Cheltenham, Gloucestershire, GL50 1DZ
<b>Case Officer</b>	Amy Robertson
<b>Application Validated</b>	21.12.2018
	<b>CONSULTEES</b>
<b>Comments Received</b>	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) Cotswold Conservation Board
<b>Constraints</b>	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
	<b>OFFICER'S REPORT</b>



## **Development Control Committee Schedule 15/10/2019**

### **UPDATE SINCE SEPTEMBER COMMITTEE**

#### **Highways Update**

On the 3rd September 2019, GCC submitted an email to the case officer outlining their concerns regarding the proposed development. In response to this email, and as a result of the lateness of such an email, it was recommended and hence voted by committee the application be referred till next committee, in order for proper consideration to be given into the emails contents.

Simply, the email raised the issue that the proposed development fundamentally was not considered to be up to adoptable standards. Since this, frequent dialogue has occurred between the LPA, GCC highways, and the applicant's highways consultants in order to resolve these issues.

After submission of revised plans and revised consultation, GCC Highways provided an updated formal consultation response on 25th September 2019 stating the application is now considered acceptable in highways terms subject to condition. The revised plans show a layout that is technically acceptable to GCC Highways and is up to adoptable standards.

Key changes to the previous layout include:

- Rumble strip on access now omitted and the plans now show a dropped crossing point.
- All kerb lines pulled out to the parking bay line to ensure no jarring of layout
- All kerbs now have a minimum 125mm upstand to class as footway
- A mixture of allocated and unallocated parking is now proposed in order to meet with technical compliance standards.

In addition, a travel plan will be requested by way of condition.

Following the revised details and positive consultation response from GCC Highways, the LPA uphold their previous position that the application will not cause any significant or detrimental impact on highway safety.

#### **Effects on the AONB update**

On the 24th September, the LPA received an objection consultation response from the Cotswolds Conservation Board (CCB).

The full consultation response has been attached to this report and it is recommended that members read this report in full prior to committee.

The CCB objects to the development on two grounds.

Firstly, the CCB consider the case officer report to not adequately address the requirements of the statutory duty of regard and the NPPF. At paragraph 172 of the NPPF, national guidance outlines how great weight should be given to "conserving and enhancing landscape and scenic beauty in ... areas of outstanding natural beauty, which have the highest status of protection".

Furthermore, footnote 55 of the NPPF states "for the purposes of paragraphs 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined".



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Although the site is visible from within other undeveloped fields within the AONB, the nature is as such that the site is relatively well contained within abundant vegetation boundaries that screen the site well when travelling along Chalford Hill.

The LPA acknowledge that the site lies on the crest of Chalford Hill and therefore is visible from within the Valley bottom. However, as the NPPF provides, it is for the decision maker to assess whether the proposed development would have a significant adverse effect on the area or not.

Given the site occupies a position immediately adjacent to residential development, proposes to retain the considerable vegetative boundary surrounding the site, and will only be visible when located within a small number of view points, the development is not considered to cause significant adverse impacts onto the AONB.

As highlighted within appeal ref: APP/C1625/W/17/3175953 (Land at Holywell Farm, Wotton-Under-Edge), the Inspector stated how the context of a site merely relates to the factual nature of the size and scale of development compared to its vicinity - not the effect of development on the AONB itself.

With this in mind, given the scale of development is not overly large, would not be overtly prominent, nor would it cause considerable visual intrusion into the AONB when read against its wider setting, the LPA do not consider this application to be classified as 'major development' when read against paragraph 172 and footnote 55 of the NPPF.

The second reason the CCB have objected to the proposed development relates to the proportion of affordable housing being too low for a location within a protected landscape.

The LPA reiterate that the proportion of affordable housing satisfies the policies contained within both the NPPF, as well as the policies contained within the Stroud District Local Plan.

As highlighted later in this report, cross-subsidising rural exception sites with full market housing are a nationally acceptable way of securing affordable housing. Further, the viability of this site and proposals has been tested through the District Valuer, who is happy with the scheme in terms of its financial contributions.

The CCB response states: "many protected landscapes require rural exception sites (RES) to provide 100% affordable housing". However, the subtext of Policy HC4 of the Local plan states: "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...". With regards to this application, the policy has been correctly applied.

### **MAIN ISSUES**

- Principle of development
- Design and appearance
- Residential amenity
- Noise
- Highways
- Landscape Impact
- Contaminated Land
- Public Open Space
- Affordable Housing
- Ecology/Arboriculture



## Development Control Committee Schedule 15/10/2019

Flood Risk  
Archaeology and Heritage Assets  
Obligations

### 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 both the site and 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

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.



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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.

An application for conversion of the stables adjoining the site was refused by SDC 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 policy ES7 and CP15.

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

SDC Conservation Officer was happy that the proposed development would not have any 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.

SDC 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.

SDC environmental health were consulted and 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.



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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

### **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 via the link below:  
<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 via the following link:  
[http://www.stroud.gov.uk/info/plan\\_strat/newlocalplan/PLAIN\\_TEXT\\_Local%20Plan\\_Adopted\\_November\\_2015.pdf](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





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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 and 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.



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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 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.

### **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



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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.

### **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.



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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.

### **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.



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### **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 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:

A full set of planning conditions will be provided by way of late pages. Conditions will include:

- Time limit
- List of approved plans
- Samples of materials
- Surface water drainage
- Construction hours
- Dust control scheme
- Lighting design strategy
- Ecological design strategy
- Landscape and ecological management plan
- Road layout
- Vehicle parking
- Charging plug in points
- Traffic calming scheme
- Future management of streets
- Provision of fire hydrants
- Construction method statement
- Visibility splays
- Travel plan
- Tree protective fencing
- Root protection
- Arboriculture impact assessment
- Landscaping scheme

#### 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.