



STROUD DISTRICT COUNCIL

Council Offices • Ebley Mill • Ebley Wharf • Stroud • GL5 4UB

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14 November 2019

DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held on **TUESDAY 26 NOVEMBER 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.

A G E N D A

- 1 APOLOGIES**
To receive apologies for absence.
- 2 DECLARATIONS OF INTEREST**
To receive Declarations of Interest in relation to planning matters.
- 3 MINUTES**
To approve and sign as a correct record the minutes of the Development Control Committee meeting held on 15 October 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 NORTH WEST OF BOX ROAD, CAM, GLOS (S.19/0810/REM)**
Approval of reserved matters following permission S.17/1366/OUT for the erection of 90 residential dwellings (including affordable housing), access related works, with public open space, and associated works.

- 4.2 **PAINSWICK ROCOCO GARDEN, GLOUCESTER ROAD, PAINSWICK, GLOS (S.19/0570/FUL)**
Construction of a new visitor centre, community and education room, function room, secured compound with associated hard and soft landscaping.
- 4.3 **PARCEL PS1 LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND, GLOS (S.19/1122/REM)**
Reserved matters application for the new primary school and nursery.
- 4.4 **LAND AT BERKELEY CLOSE, OLD TOWN, WOTTON-UNDER-EDGE, GLOS (S.19/1768/FUL)**
Resubmission of S.18/2510/FUL - Demolition of 10 no. disused lock-up garages and erection of 3 no. dwellings and associated parking.
- 4.5 **16A SOUTH STREET, ULEY, DURSLEY, GLOS (S.19/1404/HHOLD)**
Side extension and loft conversion with rear dormers and double garage to side.
5. **PUBLIC SPEAKING PROCEDURE AT DEVELOPMENT CONTROL COMMITTEE (DCC)**
To approve a revised procedure for public speaking at scheduled and special meetings of DCC.

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

15 October 2019

6.00 pm – 20.34 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
Development Manager
Housing Strategy & Community
Infrastructure Manager
Highways Representative

Solicitor & Deputy Monitoring Officer
Planning Officer
Senior Planning Officer
Democratic Services & Elections Officer

Other Members in Attendance

Councillor Young

Councillor Baxendale, the Chair, advised the Committee that this would be the Development Manager's last Development Control Committee as he was starting a new position at Worcester City Council. He thanked the Development Manager on behalf of the Committee for all his hard work over the years.

DC.021 APOLOGIES

There were none.

DC.022 DECLARATIONS OF INTEREST

There were none.

DC.023 **MINUTES – 3 SEPTEMBER 2019**

RESOLVED That the Minutes of the meeting held on 3 September 2019 are accepted as a correct record.

DEVELOPMENT CONTROL PLANNING SCHEDULE

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

1	S.18/2698/FUL	2	S.10/2513/FUL	3	S.19/0609/DISCON
4	S.19/0831/REM	5	S.19/1122/REM		

Late Pages relating to Scheduled Item 1 had been circulated to Committee prior to the meeting and were also available at the meeting.

DC.024 **LAND AT MIDDLE HILL, CHALFORD HILL, STROUD, GLOS**
(S.18/2698/FUL)

The Senior Planning Officer introduced the application for full planning permission for the erection of 31 new dwellings, it was confirmed that the application had been put forward as a Rural Exception Site under Policy HC4 due to the site being outside the defined Settlement Limits of Chalford. To comply with this Policy, a slight majority of affordable housing had been proposed. Since the last Committee on 3 September 2019 Highways had confirmed that the revised scheme was now at adoptable standards.

Councillor Young, Ward Councillor for Chalford, outlined reasons for refusal. It was stated that the site did not meet the requirements of Policy HC4, the proposed mix of housing was different to the mix suggested by the Housing Needs Survey carried out in 2014 and therefore the identifiable need would not be met by the proposed development. She also stated that 6 of the residents that completed the survey, who had an identified need for affordable accommodation, were under the age of 18. Councillor Young also advised that people would be unable to walk to local services or use public transport and would therefore rely on the use of a car, which would not be sustainable. She also raised concerns that the developer would request to reduce the amount of affordable housing in the future due to financial problems.

The Housing Strategy and Community Infrastructure Manager stated that she understood the concerns surrounding the number of affordable housing units being reduced but advised that the site was being promoted by a Housing Association who would have no motivation to reduce the amount of affordable housing.

Councillor Paul Lilly, Chair of Chalford Parish Council advised that Chalford Parish Council strongly objected to the application. He stated that they did not believe the site met the criteria to be classed as a Rural Exception Site and therefore the application should be refused. He also referred to Policy ES7 that states major development in the Area of Outstanding Natural Beauty (AONB) will only be permitted in exceptional circumstances and that the circumstances for this application were not exceptional.

Martin Leach a resident of Chalford Parish also raised objections to the application. He stated that there had been an application in 2016, for conversion of a stable block to one dwelling, which had been rejected and also rejected at appeal. The report of the independent inspector stated that they were concerned by the detrimental impact on the

AONB and the reduction of separation between the existing settlements. He also stated that the village needed additional work opportunities and not additional housing.

Barry Wood, Executive Director of the Green Square Group spoke on behalf of the applicant in support of the application. He advised that Green Square Housing Association built on average 300 new affordable homes each year to try and meet the need for affordable housing. It was confirmed that if the Committee granted approval, the affordable homes would be owned and managed by the regulated Housing Association Green Square Group.

Councillor Marjoram questioned the sustainability of the site. The Senior Planning Officer advised that Chalford was a Tier 3 Settlement and that it was therefore restricted in the level of amenities available, however the Local Plan states that there is potential to build affordable housing in Tier 3 Settlements. It was also advised that there was a bus service to Stroud and the site was adjacent to the Settlement Boundary.

Councillor Lydon stated that as a District Councillor they needed to look at the wider perspective of the shortage of housing and asked a question regarding the cost of the affordable housing. The Housing Strategy and Community Infrastructure Manager confirmed that affordable rent would be 20% discount from full market rent, however they would look to cap this at local housing allowance levels. It was also stated that the first priority would be given to people with a strong connection to Chalford Parish and second priority would be given to people with a strong connection to adjoining parishes before it cascaded to the rest of the district.

Councillor Binns asked for confirmation of the location of the local amenities. The Highways Representative ran through walking times to local amenities and confirmed that there would be a robust travel plan that would be entered into by the applicant and that he was satisfied that there would be public transport that would allow someone to be employed and rely on the service to travel to work.

Councillor Cooper asked questions regarding the Housing Needs Survey. The Housing Strategy and Community Infrastructure Manager confirmed the survey had been carried out by Gloucestershire Rural Community Council who are a charitable organisation and used a standard methodology to undertake the surveys. In response to a question from Councillor Jones it was confirmed that in the future the affordable housing will be let using the same criteria and this will be tied into the Section 106 planning agreement.

In response to a question from Councillor Jones, the Senior Planning Officer confirmed that there would be public benefit with the 16 affordable houses and that a landscape impact assessment had been carried out.

Councillor Clifton asked whether the Settlement Boundary would be moved to include the proposed dwellings. The Development Manager advised that this would not be necessary or desirable.

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

Members debated the sustainability of the site, the impact on the AONB and the need for affordable housing.

On being put to the vote there were 6 votes for and 5 votes against.

RESOLVED To Grant Permission for Application S.18/2698/FUL.**DC.025 CROFT FARM, UPTON HILL, UPTON ST LEONARDS, GLOS
(S.10/2513/FUL)**

The Planning Officer presented the application for a replacement dwelling and new access. It was stated that the basement is now a listed structure and the proposed building had been designed to provide protection to the listed structure. It was also advised that at a previous site visit bats had been found in the basement, there had been a delay to allow an ecology survey to be carried out. A suitable mitigation scheme had now been proposed by condition.

Councillor Cooper confirmed that although it was in his Ward he would be speaking as a normal Member of Committee rather than as a Ward Councillor.

Martin Smith, a resident of Upton St Leonards Parish expressed concerns for the application and advised that although he was surprised that an application for a bungalow of this size was being recommended to be approved he is not directly wishing to oppose its construction. He advised that Croft Farm did not carry out traditional farming activity in recent years, animals had not been kept and crops had not been sown. They are therefore concerned about the intended purpose of the site and of the size and location of the new access. He queried why such a substantial new driveway was necessary and drew attention to its placement next to the boundary of his own property.

Councillor Williams advised that they had seen a larger number of bats than reported at the last site visit and that he was concerned that the likely change in temperature, caused by the development would, confuse the bats. The Planning Officer confirmed that the report submitted had been assessed by the Senior Biodiversity Officer who advised that the proposals would most likely lead to more favourable conditions for the bats. The Chair also confirmed that a licence would need to be applied for from Natural England who would have to approve the scheme and ensure that it is suitable.

Councillor Williams queried the additional access for the site. The Highways Representative confirmed that if access is requested by an applicant on to the public highway every applicant has to follow the same technical procedure to ascertain whether the access will be safe and suitable.

Councillor Marjoram asked a question regarding the material that will be used for the access. The Highways Representative confirmed that it would need to be a bound material for the first 5 metres. The Head of Development Management referred the Committee to Condition 11 on page 34 that confirmed the material for the access driveway for the first 10 metres. Councillor Lydon drew the Committees attention to Page 29 which stated that the track would largely be constructed of hardcore.

Councillor Cooper asked whether there were any restrictions on the size of a replacement dwelling. The Head of Development Management confirmed that the size of a replacement dwelling is supposed to be similar to the original size however each application is looked at on its merits. It was advised that because of the listed structure, the new dwelling would sit above and protect the structure and therefore would have a larger footprint than the original dwelling.

Councillor Binns asked whether the width of the track was standard or excessive. The Highways Representative confirmed that although it may be appropriate to have a narrower track with passing places, the track width proposed was reasonable and fair.

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

On being put to the vote there were 10 votes for the Motion and 0 votes against with 1 abstention.

RESOLVED To grant approval for Application S.10/2513/FUL.

DC.026 PARCEL PS1, LC1 AND LC2 - LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND, GLOS (S.19/0609/DISCON)

The Development Manager introduced the 3 applications for land west of Stonehouse which involved the master plan for the local centre including shops, medical centre, pub, community centre, school, playing fields and drainage pond. The applications also involved the highway and associated infrastructure of the site and reserved matters for the school and nursery.

Councillor Williams asked for clarification as to what the Committee was being asked to approve. The Development Manager advised that all three applications would be considered individually. He also confirmed that the settlement wide master plan had previously been approved and that the requirement by condition was that the area master plan needed to be approved. The area master plan included slightly more detail about the strategic landscaping and showed particular access points.

Councillor Miles asked whether the Bridleways would have separation between cyclists and pedestrians. The Development Manager confirmed that the Bridleways would be wide enough to allow this but it had not yet been decided. Councillor Jones advised that some thought would need to go into the surface material used for the Bridleway because of its varying uses.

Councillor Clifton asked how many parking spaces would be available within the local centre. The Development Manager advised that this had not been specified yet but there was potential for good capacity for parking.

Councillor Binns asked a question regarding the Doctors Surgery. The Development Manager advised that if a Doctors surgery doesn't come forward as an option then the site would need to be used by another similar commercial community use, e.g. physiotherapy, dentist etc.

Councillor Binns also asked a question about the traffic calming measures proposed. The Highways Representative confirmed that a road with 20mph speed limit either needs geometries that dictates you cannot drive at more than 20mph or some form of traffic calming.

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

On being put to the vote there were 10 votes for the Motion and 0 votes against with 1 abstention.

RESOLVED To grant approval for Application S.19/0609/DISCON.

DC.027 PHASE 3B - LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND, GLOS (S.19/0831/REM)

There were no further questions from Members regarding this application.

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

On being put to the vote there were 10 votes for the Motion and 0 votes against with 1 abstention.

RESOLVED To grant approval for Application S.19/0831/REM.

DC.028 PARCEL PS1 - LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND, GLOS (S.19/1122/REM)

Councillor Miles advised that Stonehouse Town Council have asked that the school should have solar panels. The Development Manager had asked the applicant whether sustainable design could be incorporated, the architects had decided to go with a fabric first approach, this would instead maximise the insulation to make the building more energy efficient. Councillor Williams asked that whether given our announcement of a Climate Change Emergency was there anything that we could do to make the building more environmentally sustainable.

The Solicitor and Deputy Monitoring Officer reminded Members of the legal agreement between the applicant and the County Council which mentioned the use of renewable energy for the school.

The Development Manager suggested to Members that delegated authority is given to Officers to grant permission subject to the agreement for installation of solar panels on the school building. If, after discussion with Officers, the applicant does not wish to include solar panels on the school building the application will return to the Committee for determination.

Councillor Miles proposed a Motion to accept the Officers' advice and proposed the amendment to the decision as stated by the Development Manager; this was seconded by Councillor Clifton.

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

RESOLVED To grant permission for Application S.19/1122/REM subject to the above amendment.

The meeting closed at 20.34 pm.

Chair



Stroud District Council

Planning Schedule

26th November 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

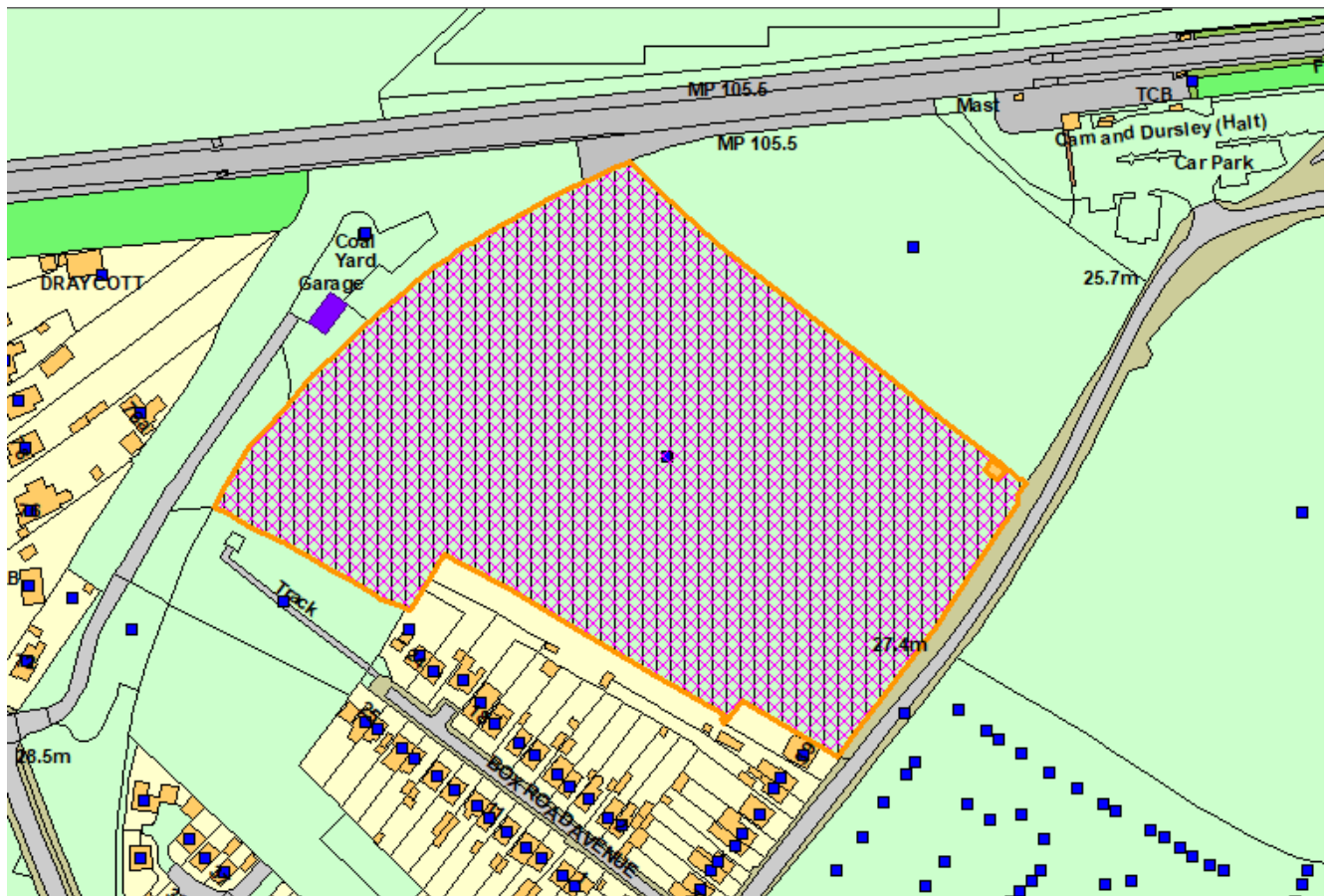
A copy of the Scheme for Public Speaking at Development Control Committee meetings is available at the meeting.

Parish	Application	Item
Cam Parish Council	Land North West Of, Box Road, Cam. S.19/0810/REM - Approval of reserved matters following permission S.17/1366/OUT for the erection of 90 residential dwellings (including affordable housing), access related works, with public open space, and associated works (375076 - 202009)	01
Painswick Parish Council	Painswick Rococo Garden, Gloucester Road, Painswick. S.19/0570/FUL - Construction of a new visitor centre, community and education room, function room, secured compound with associated hard and soft landscaping (386327 - 210466)	02
Eastington Parish Council	Parcel PS1 Land West Of Stonehouse, Grove Lane, Westend. S.19/1122/REM - Reserved Matters Application for the new primary school and nursery.	03
Wotton Under Edge Town Council	Land At Berkeley Close, Old Town, Wotton-Under-Edge. S.19/1768/FUL - Resubmission of S.18/2510/FUL - Demolition of 10 no. disused lock-up garages and erection of 3 no. dwellings and associated parking (375644-193378)	04
Uley Parish Council	16A South Street, Uley, Dursley. S.19/1404/HHOLD - Side extension and loft conversion with rear dormers and double garage to side (379207 - 198258)	05



Development Control Committee Schedule 26/11/2019

Item No:	01
Application No.	S.19/0810/REM
Site No.	PP-07670964
Site Address	Land North West of, Box Road, Cam, Gloucestershire
Town/Parish	Cam Parish Council
Grid Reference	375076,202009
Application Type	Reserved Matters Application
Proposal	Approval of reserved matters following permission S.17/1366/OUT for the erection of 90 residential dwellings (including affordable housing), access related works, with public open space, and associated works (375076 - 202009)
Recommendation	Resolve to Grant Permission subject to the satisfactory resolution of highway matters
Call in Request	Cllr Jessica Tomblin





Development Control Committee Schedule 26/11/2019

Applicant's Details	Wainhomes Severn Valley C/o Ridge And Partners LLP, Thornbury House , 18 High Street, Cheltenham, GL50 1DZ
Agent's Details	Ridge and Partners LLP Thornbury House , 18 High Street, Cheltenham, GL50 1DZ,
Case Officer	Amy Robertson
Application Validated	09.05.2019
CONSULTEES	
Comments Received	Environmental Health (E) Flood Resilience Land Drainage Biodiversity Officer Contaminated Land Officer (E) SDC Water Resources Engineer Network Rail(E) Severn Trent Water Ltd (E) Public Rights Of Way Officer
Constraints	Consult area Within 50m of Listed Building Neighbourhood Plan Cam Parish Council Railway land with 10m buffer SAC SPA 7700m buffer
OFFICER'S REPORT	

DESCRIPTION OF SITE

The application site is approximately 3,6ha and located to the north west of Box Road and comprises of a single agricultural field. The site is enclosed by mature hedgerows.

To the north of the site is the Coaley Junction site, to the north east is the agricultural field with Cam & Dursley Railway Station beyond. To the south west are the residential properties of Box Road Avenue and Box Road itself forms the south east boundary.

The site obtained outline planning permission for the erection of 90 residential dwellings including affordable housing under reference S.17/1366/OUT.

PROPOSAL

This application relates to the reserved matters for the scheme, including layout, scale, design, open space, landscaping and associated works.

REVISED DETAILS

Significant revisions including layout and design have been made throughout the course of the application.



Development Control Committee Schedule 26/11/2019

REPRESENTATIONS

Statutory Consultees:

Cam Parish Council were consulted and responded stating: No observations but comment: As previous pre-application discussions with the landowner, Cam Parish Council would be supportive of any discussions regarding car parking/land swap on adjoining property.

SDC Arboriculture officer was consulted and at time of writing, no comment was received.

Gloucestershire County Council Local Highways Authority – having received a relatively late formal response from the HA, the applicant is attempting to address the issues raised and a full update on this will be made available on late pages.

Environmental Health were consulted and responded stating no comments on the application.

The senior contaminated lands officer was consulted and responded stating they are satisfied with the information submitted and have no further comments to make on the application.

Gloucestershire Lead Local Flood Authority were consulted and responded stating: “The proposal results in a drainage solution that is far from ideal. As surrounding sites develop independently the overall drainage solution for the development will become increasingly incongruous. The ongoing maintenance costs for future residents will be higher than necessary if a good scheme were implemented in collaboration with other developments in the area. The proposal is for a solution that will work and the drainage calculations accompanying the application show that it will protect properties on the site without increasing the flood risk outside the development area and therefore the LLFA has no reason to object”.

SDC water resource engineer responded stating refer to the LLFA response (as above).

The public rights of way officer were consulted and at the time of writing, no comments were received.

Severn Trent Water were consulted and they responded stating no objections.

Network Rail were consulted and responded stating that they have no objection in principle with the development subject to a number of conditions being imposed to secure their assets.

The conservation team were consulted but at the time of writing had not provided a response.

The biodiversity team were consulted and responded stating that the information submitted to discharge conditions 15 and 16 were acceptable – please note this request to discharge these conditions has been moved to application ref: S.19.1966/DISCON.

Public:

One representation was made from a member of public objecting to the scheme.

The objection raised issue with:

- The previous outline scheme showed more landscaping - the proposed scheme will increase light pollution, vehicle fumes etc.;
- Security to neighbouring properties is jeopardised;
- The red line boundary is inaccurate
- The boundary hedgerow is inaccurate
- This REM now shows a cycleway that was not part of the outline application – increasing security risk and overlooking opportunities to existing properties;
- The proposed walkway/cycleway will not directly meet up with the Bovis/Millfields development opposite;
- There will be issues of overlooking and loss of privacy for existing properties;



Development Control Committee Schedule 26/11/2019

- There will be light pollution from street lights;
- The 2.5 and 3 storey properties are out of keeping on box road;
- The scheme does not allow for wildlife to remain on site

PLANNING CONSIDERATIONS - NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

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

Planning (Listed Buildings and Conservation Areas) Act 1990 Section 66(1).

Stroud District Local Plan.

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

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

Local Plan policies considered for this application include:

- CP1 – Presumption in favour of sustainable development.
- CP2 – Strategic growth and development locations.
- CP3 – Settlement Hierarchy.
- CP4 – Place Making.
- CP5 – Environmental development principles for strategic growth.
- CP6 – Infrastructure and developer contributions.
- CP7 – Lifetime communities.
- CP8 – New housing development.
- CP9 – Affordable housing.
- CP13 – Demand management and sustainable travel measures.
- CP14 – High quality sustainable development.
- EI12 – Promoting transport choice and accessibility.
- ES1 – Sustainable construction and design.
- ES2 – Renewable or low carbon energy generation.
- ES3 – Maintaining quality of life within our environmental limits.
- ES4 – Water resources, quality and flood risk.
- ES6 – Providing for biodiversity and geodiversity.
- ES7 – Landscape character.
- ES8 – Trees, hedgerows and woodlands.
- ES10 – Valuing our historic environment and assets.
- 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:

Residential Design Guide SPG (2000)

Stroud District Landscape Assessment SPG (2000)

Planning Obligations SPD (2017)

Cam has been designated as a Neighbourhood Area however have not as yet submitted a Neighbourhood Development Plan to the Council.

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



Development Control Committee Schedule 26/11/2019

PRINCIPLE OF DEVELOPMENT

The principle of residential development was established under the outline application. Therefore, appearance, layout, scale, and landscaping are the only matters submitted for consideration under this application.

APPEARANCE AND LAYOUT

The overall layout follows an indicative masterplan submitted as part of the outline application.

The proposed layout provides a clear frontage onto Box Road, following the linear pattern of development along this stretch of road. Following the established development line in this location helps to root the development to the locality and form a better cohesive channel of development along Box Road.

On entering the site, both vehicular and non vehicular visitors will be drawn to a view of several trees that will lead the eye to where the play area and open space is located. This layout creates the feeling of openness, attracts people to move throughout and within the site, and encourages greater permeability.

Primary roads are proposed to accommodate the main bulk of traffic, with secondary roads leading off these into separate cul-de-sac locations. Materials used will change, clearly demarcating a change in area from main thoroughfare to quieter residential road.

The site is less dense to the rear of the application site, furthest from Box Road. In this location, it was thought to have a more informal layout of units running parallel with the walkway and boundary.

A number of trees are proposed within the application site. These trees will form an important visual character to the development, and will create the softening of the built form, as well as creating a sense of place.

A number of house types are proposed throughout the development. A mixture of detached, semi-detached, terraced and apartment properties are spread throughout the site offering a range of different styles and materials.

The train station overflow carpark is proposed to be located to the front of the site, accessed just off Box Road. Some vegetative screening is proposed in order to help mitigate the overall appearance of this section of development.

The designs of the units are considered to be 'tenure-blind', meaning the external appearances of the affordable units are not distinguishable from the full market units.

AFFORDABLE HOUSING

The quantum of affordable units was defined under the outline approval, however their positioning forms part of this reserved matters.

These units are clustered in four main groups within the site.

SDCs supplementary planning guidance document allows up to 8 affordable units in one location before they need to be separated and more widely dispersed. In this instance, the proposed positions comply with the SPG documents

The affordable units are secured under the legal agreement of the outline application. As part of this application the applicants propose both shared ownership and rented tenures for these units; a mixture that is accepted by the LPA.



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LANDSCAPING

A landscaping master plan has been submitted as part of the application.

This plan in detail describes the extent of existing vegetation to be retained on site, as well as proposing the layout and species of any new planting.

As mentioned above, a number of new trees are to be inserted within the site. Most of the trees will be of a compact variety and will be positioned within small verges between houses/ pavements etc. A number of larger trees will be positioned in more prominent locations, either fronting Box Road, to the southern/rear portion of the site and surrounding the SUDS pond and LEAP.

Importantly, a number of new trees are to be inserted along the front boundary to Box Road. This will not only help to soften the built line of the development when stood or travelling along Box Road, but will create an attractive 'avenue' style frontage to the street as a whole.

Species rich grassland and wildflower meadow is also proposed

Overall the proposed landscaping is considered to comply with the policies contained within the local and national planning framework/plan. The scheme is not considered to harm any elevated views from the AONB.

NOISE/ RESIDENTIAL AMENITY

The outline permission considered the impact of the development of this site for residential development on the neighbouring properties in terms of noise and residential amenity.

As part of this reserved matters application, it is pertinent to assess the residential amenity for those future occupants of the site.

All gardens and external space accords to the Councils minimum space standards and so is considered to be sufficient in these terms.

Distances between buildings are deemed appropriate, being located at sufficient distances as to avoid any loss of privacy between neighbouring properties.

Two areas of open space are proposed within the site, one as an informal walkway with tree- planting and another LEAP for children. This space has been incorporated into the development to increase the amount of amenity space for future occupants, as well as providing a better sense of place and community facility.

The site is located within close proximity to the railway line, however the noise implications of this were considered acceptable under the outline application. There have been no significant material changes to this.

HIGHWAYS

The late pages will address the highway assessment of the site.



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FLOOD RISK

The site is located within Environment Agency Flood Zone 1 (i.e. land being assessed as having a less than 1 in 1000 annual probability or <0.1% chance of flooding) and the Lead Local Flood Authority, concerned with localised flood risk, raised no objection to the outline proposal in light of the submitted information.

This reserved matters application proposes the use of sustainable urban drainage systems (SUDS) as well as foul/surface water sewers within the scheme- a solution similarly considered appropriate.

The SUDS basin is to be located to the rear of the application site and will be surrounded by landscaping. The basin will not only form an effective drainage solution for surface water, but will also provide a beneficial landscape feature within the site.

RECOMMENDATION

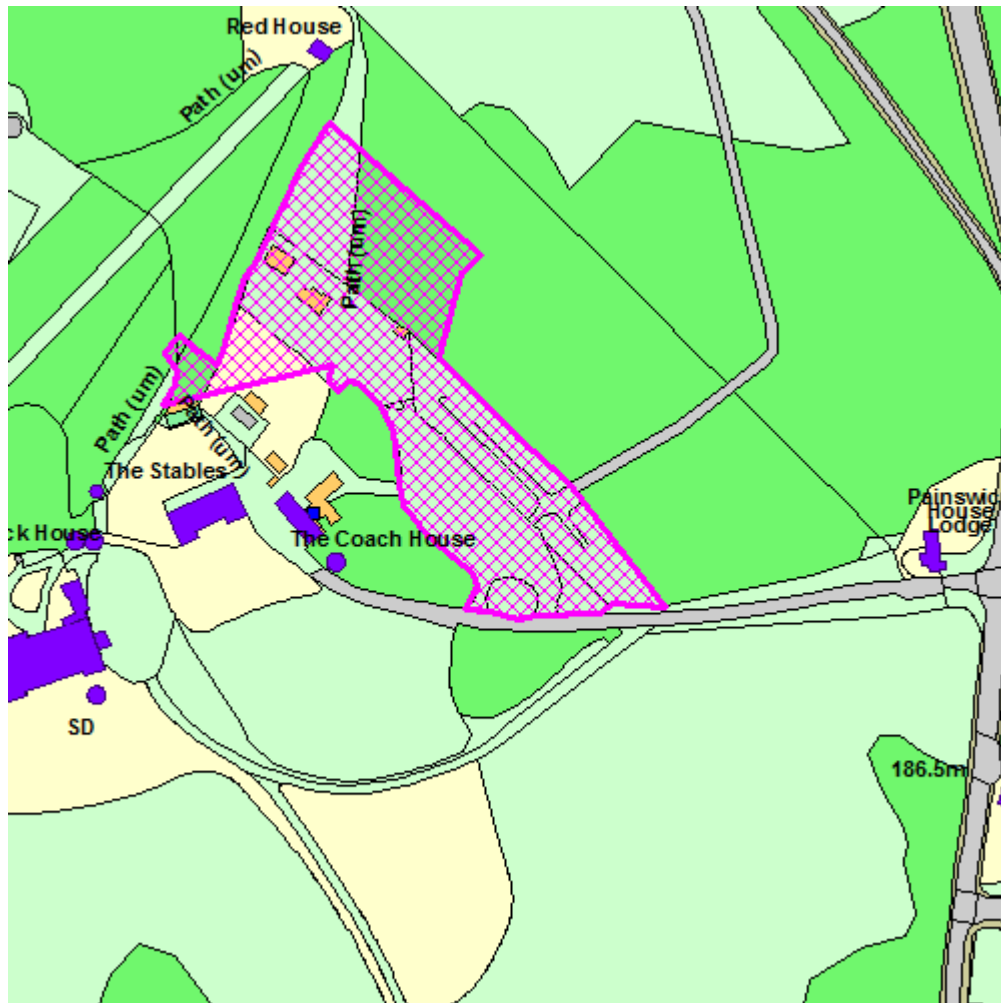
The application is recommended for resolution to grant planning consent subject to highways issues being satisfactorily resolved.

A full list of conditions will be issued under the late pages document.



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Item No:	02
Application No.	S.19/0570/FUL
Site No.	PP-07683467
Site Address	Painswick Rococo Garden, Gloucester Road, Painswick, Stroud
Town/Parish	Painswick Parish Council
Grid Reference	386327,210466
Application Type	Full Planning Application
Proposal	Construction of a new visitor centre, community and education room, function room, secured compound with associated hard and soft landscaping (386327 - 210466)
Recommendation	Permission
Call in Request	Parish Council and Head of Development Management





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Applicant's Details	Mr D Hamilton Painswick Rococo Garden, Gloucester Road, Painswick, Stroud, Gloucestershire GL6 6TH
Agent's Details	Quattro Design Architects Ltd Matthews Warehouse, High Orchard Street, Gloucester Quays, Glos, GL2 5QY,
Case Officer	John Chaplin
Application Validated	28.03.2019
CONSULTEES	
Comments Received	Archaeology Dept. (E) Arboricultural Officer (E) Biodiversity Officer Flood Resilience Land Drainage SDC Water Resources Engineer Environmental Health (E) The Gardens Trust Historic England SW Painswick Parish Council SDC Water Resources Engineer Environmental Health (E) Archaeology Dept. (E) Flood Resilience Land Drainage Environmental Health (E) Historic England SW Painswick Parish Council Arboricultural Officer (E)
Constraints	Area of Outstanding Natural Beauty Parks & Gardens of Special Interest Painswick Parish Council
OFFICER'S REPORT	

MAIN ISSUES

- Principle of development
- Archaeology and Heritage Assets
- Design and appearance
- Noise & Residential Amenity
- Highways
- Landscape impact
- Ecology
- Drainage & Flood risk



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DESCRIPTION OF SITE

The site is located to the North of Painswick and is located in the coach field within the Grade II* Registered Painswick House Park and Garden. The Rococo Garden to located to the rear with the site also in the wider setting of the Grade I listed Painswick House. The garden also includes a further number of important listed buildings and structures including, most significantly, the Grade II* Listed Red House which is sited in the valley below.

Painswick House and The Stables, which are also Listed are residential properties located to the south of the site. The Grade II Listed Lodge house is located adjacent to the access drive and has a close visual relationship with the site.

The site is also within the Cotswolds Area of Outstanding Natural Beauty but is outside the settlement limits of Painswick.

The site slopes up from Painswick House across the open parkland setting with mature trees within the parkland and along the boundary with the existing garden valley. A car park for use by the public visiting the Rococo Garden is already on site and makes use of an existing hardstanding area but also extends into a grassed area above. A maintenance and plant growing area is located adjacent to the West end of the car park.

The Rococo Garden is open to the public and makes use of the Coach house and other ancillary buildings with access through the garden of the Stables to the garden.

PROPOSAL

This proposal is for the construction of a new visitor centre, community and education/function room and secured compound with associated hard and soft landscaping.

The proposal is set in 2 phases to help with financing with the 1st phase being the main visitor and garden facilities e.g. entrance, café, toilets and staff/volunteers space. The 2nd phase will be the function room for weddings and community uses.

The scheme also includes a reconfiguration and expansion of the existing car park with more formalised space allocation within it.

REVISED DETAILS

Revised tree survey and updated tree protection plan received on 02 April and 04 September, Additional ecological information 03 April.

Additional supporting statement 29 March, 19 June and 02 October.

Revised plans and transport statement 29 July.

Update noise information/plan 08 August.

Revised plans removing green house and alteration to car park/building entrance 14 October.

MATERIALS

Roof: Standing seamed zinc and grass roof

Walls: Black and natural timber with some red brick and natural stone

Windows and Doors: Aluminium/uPVC/Comosite (Anthracite / Dark Grey)



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REPRESENTATIONS

Statutory Consultees:

Painswick Parish Council:

Painswick Parish Council considered this application in their meeting held on Wednesday 17th April 2019. The Council decided to strongly support this application. The Council would also like this application referred to the Development Control Committee if the Officer is minded to refuse the application.

Revised Plan comment:

Painswick Parish Council considered the revised plans in their meeting held on Wednesday 30th October 2019 and agreed to support the proposals.

GCC Highways:

"I am satisfied with the transport consultants submission and agree in principle that the additional floor space is not going to result in an increase in trip generation. I am satisfied of this as the café (A3) use will no longer be present. I would note that the highway authority would want assurance this is conditioned or part of the permission that A3 is restricted.

I will require a parking management plan with wording as:

Prior to the first occupation of the development, a Parking Management Plan shall be submitted to the Local Planning Authority for approval in writing. The plan should describe how parking will be provided and restricted for coaches including consideration of disabled parking for all modes of travel and managed on the site and the location.

Reason: To ensure suitable arrangements for parking as part of the development"

Further representation:

"Apologies I meant the food retail. So in terms of the restriction I was wondering if it can be limited to just the café. Sorry I didn't explain that very well. My concern would be if the offer is extended again there may be more trips. But overall I very much doubt it would change the current recommendation."

The Garden Trust (Gloucestershire Gardens and Landscape Trust):

"Thank you for alerting The Garden Trust as Statutory Consultee, and The Gloucestershire Gardens and Landscape Trust (GGLT) as their County representative responding on their behalf.

Having looked at the revised submission that has clarified some of the outstanding issues, I would draw your attention to GGLT's consultee response dated 11th May 2019. In this letter GGLT drew the Planning Committees attention to the balance that needed to be struck between "change" and the implications of turning the clock back on the achievement in rescuing the Rococo Garden in the first place. On that basis, GGLT supported upholding a future for this unique garden, and accepting well considered and relatively limited changes within the context of this wider historic landscape. This position remains unchanged.

However, it is considered that more work is still needed to resolve the landscape and planting possibilities, to avoid the character of small scale gardening becoming apparent."



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Historic England:

Request consideration of the alternatives options

Additional comments from Historic England:

“ I have had a look at the revised drawings and welcome the changes made by the applicant to address the concerns outlined in our letter of 23/09/19 (ref. P01059013). These being:

- The omission of the glazed, double height atrium, which has helped to reduce the visual impact of the new facility on the surrounding RPG.

- The re-location of the coach drop-off, which has enabled a more generous visitor arrival space to be introduced between the car park and the visitor centre, thus improving the arrival experience. We note that the requirement for a cellular confinement system in the root protection areas (RPAs) where the bin store and coach drop off now extend will need to be reviewed as a result of this change. This is to help protect the existing belt of trees south/ south west of the car park.”

GCC Archaeology:

“I advise that I have checked the application site against the County Historic Environment Record: no archaeology is known at this location.

In my view there is a low risk that this revised development proposal will have any adverse impacts on archaeological remains. For that reason, I recommend that no archaeological investigation or recording need be undertaken in connection with this revised scheme.

I have no further observations.”

Society for the Protection of Ancient Buildings:

“Thank you for consulting the SPAB regarding the proposed construction of a new visitors centre within the Grade II* 18th century gardens.

Unfortunately, the date of the gardens falls outside our period of interest and therefore we will defer to The Georgian Group in this instance.”

The Georgian Group:

No comment received

GCC as Lead Local Flood Authority (LLFA):

“Information supplied in the document Civil and Structural Engineering Strategies published by Davidson Walsh adequately demonstrates that the drainage strategy proposed will be effective the LLFA therefore has no objection to this proposal.

NOTE 1: The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2: Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.”

SDC Water Resources Engineer:

Supports LLFA no comment



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Environmental Health:

“Following receipt of additional noise information, I would recommend the following conditions: -
The cumulative noise from any new building services plant shall be designed to limit the noise level at the façade of any residential property to the values shown below. The noise levels should be calculated in accordance with the methodology set out in BS4142:2014 + A1:2019 (or subsequently amended): -

Operating Hours	Maximum Acceptable Rating Level
07:00 - 23:00	20 dB(A) LAeq,1 hour
23:00 - 07:00	15 dB(A) LAeq,15 minutes

Prior to use of the development, a validation noise survey shall be conducted by a competent acoustic assessor and a consequent report shall be submitted to the Local Planning Authority for approval to demonstrate that the standards required have been achieved.

Prior to use of the development, the applicant shall submit to the LPA for approval a Noise Management Plan which shall take account of the following matters.

Restriction of noise from the Function Room and Terrace to assure compliance with the standards set out in Tables 10 and 11 of the submitted Noise Impact Assessment (Report ref: M4474 - v.1 Draft for Discussion); and

Management of vehicles leaving evening events in order to minimise the impact of traffic noise on occupiers of Painswick Lodge.

It is acknowledged that a draft Noise Management Plan has been submitted in respect of this application. However, sections 6, 7 and 9 of that Plan have not been confirmed. With respect to sections 6 and 7, I can confirm that I am satisfied with the drafted hours. However, section 9 provides no suggested number or frequency of events and thus it is not yet possible to confirm suitability.”

Senior Arboriculture Officer:

“I have no objection to the application subject to the following conditions.

1) A landscape scheme for the site must be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant size and proposed numbers/ densities and an implementation programme. Species must reflect the historic parkland setting.

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).

2) All hard and soft landscape works shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved, or in accordance with a programme agreed with the local planning authority.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area 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).

3) All works must be fully compliant with drawing No. 5698-P-10 Rev C produced by Quattro design architects.



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Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area 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).

4) Prior to work commencing on the land a pre-start meeting must take place with the main contractor and the local planning authority tree officer.

Reason. To preserve trees and hedges on the site in the interest 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 paragraph 15, 170 (b) & (c) & (d).

5) Root protective fencing / ground protection must be installed / erected prior to the ground works starting on the land.

Reason. To preserve trees and hedges on the site in the interest 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 paragraph 15, 170 (b) & (c) & (d)."

SDC Biodiversity Team:

Acceptable subject to the following conditions:

All works shall be carried out in full accordance with the recommendations contained in the Ecological Appraisal, Tyler Grange, June 2012 and the Bird and Bat Locations, Focus Ecology Ltd, April 2019 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Prior to occupation of the development written confirmation by a suitably qualified/experienced ecologist shall be submitted to and approved in writing by the local planning authority confirming that the recommendations made within the submitted report have been implemented in accordance with the report.

Reason: To protect and enhance the site for biodiversity in accordance with paragraph 174 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.

No lighting shall be erected unless a lighting design strategy for biodiversity has been 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."

Comments:

The bird and bat box plans are suitable for the development however, we still require a lighting contour plan which needs to include lighting usage during and post development to ensure that dark corridors are maintained for nocturnal wildlife, including bats. If lighting is erected near bat boxes,



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eliminating important dark corridors, then ultimately these boxes will not be utilised, and opportunities for biodiversity enhancements will be missed.

Senior Conservation Officer:

Historic England's Note 3 (the Setting of Heritage Assets) states that, 'settings of heritage assets which closely resemble the setting in which the asset was constructed are likely to contribute to significance.'

The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset; may affect the ability to appreciate that significance; or, may be neutral.

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

The site is within the Grade II* Registered Painswick House Park and Garden; it is also in the wider setting of the Grade I listed Painswick House and has a close visual relationship with the Grade II listed lodge house. The site is also close to a number of listed buildings, including, most significantly, the Grade II* Listed Red House which is sited in the valley below.

The experience of arrival is often an important component when considering the impact on the setting of a listed building. In this instance, the proposed development would fall within the wider setting of Painswick House and its associated lodge. The camber of the land is such that on arrival the eye is drawn from down from the lodge to the main house rather than to the corner of parkland in which the building would sit. Following the revisions to remove the more strident glazed element, its mix of materials and broken form should allow the building to sit as a stand alone feature that would not overpower its surroundings, therefore I am confident that the visitors' centre itself would not harm the sense of arrival to the main house or the setting of the lodge.

The Grade II * Red House in the valley below is situated in a place of solitude, and important component of its setting. The proposed development has the potential to diminish the tranquillity of the place, however, the building is to be set away from the valley's edge, therefore there should be no intrusion into the solitude of the setting of the Red House. There would be no impact on any of the other nearby listed structures.

The associated parking would be still be a visual intrusion with the potential to cause most harm to the setting of Painswick House and the lodge, as well as having a detrimental impact on the Registered Park and Garden. Because the harm would not entail the physical destruction of the identified heritage assets, it would be considered to be less than substantial in terms of the Framework. In cases such as this, the harm has to be balanced against any public benefits that the development would bring. I consider that the provision of the visitor centre and facilities would contribute to the future viability and sustainability of the highly significant Rococo Garden, therefore, on very fine balance, the scheme is deemed to be acceptable in spite of the identified harm.



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Public:

16 Objection comments received:

- Cause harm to G2* Listed parkland and setting of G1 Listed house. Within AONB.
- Too big, excessive and out of proportion. Will spoil Painswick and make it more like Bourton on the water.
- Increase traffic and associated noise & fumes. Impact on Holcombe Lane. High speeds on B4073. No traffic monitoring. No pedestrian crossing. Dangerous junction between Gloucester Road B4073 and Holcombe Lane. Overflow car park into field. Spread of parking (glinting sea of car roofs).
- Routing of visitors should be controlled.
- Impact on local residents with increased noise from wedding and events
- Risk of further mission creep
- Character and materials out of keeping and would ruin an important group of buildings and their setting.
- Impact on ecology and local wildlife.
- No need for increased facilities. Transform the character of the garden. Painswick already has various venues.
- Alternative site/scheme not justification for this proposed scheme.
- No disable access.
- Not charity but to make profit.
- Should charity fail proposed building could be used for less sympathetic purposes and set a dangerous precedent.
- Loss of grazing use and nature of parkland.
- Does not relate to the previous supported plans/cheap alternative.

11 Support comments received

- Positive image and contribution Rococo makes to Painswick, Stroud and indeed England. Vital tourism and supports local economy.
- The Charity is doing a brilliant job in conserving this unique garden and restoring it to its eighteenth century design. Wider appeal and community benefit.
- As a Charity all funds gained are returned in kind to the garden. Not a business expansion.
- Need modern facilities.
- Necessary to secure the long term survival of the Rococo Garden
- Current lease will run out
- Supports the Garden which is significant, historic and unique.
- Linked financial benefit to the wider area.
- Will look not dissimilar to various barns with large part underground and will not impinge on the landscape.
- Considered the trees.



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Painswick Valleys Conservation Society:

Should fully explore the alternative outside the parkland. Future viability is essential. Recommend a number of improvements/additional information requested.

Revised plan comment:

Painswick Valleys Conservation Society have commented earlier on the original application. We have also discussed the most recent revisions made to the application with Dominic Hamilton, the manager at the Gardens and would like to make the following comments on the revised plans.

1. We support the recent reduction in the scale of the proposals, which has been made in response to comments by Historic England.
2. Our concerns about the appearance and impact of the car park on the rural aspect of Holcombe Lane should, we hope, be addressed in the detailed landscape plan, as required by your Senior Arboriculture Officer.
3. A platform lift is now proposed to take visitors down to the lower ground floor, but this is not labelled on the plans.
4. We still have one major concern relating to accessibility. The current site plan shows a pathway leading from the lower ground floor of the visitor centre down to the garden's entrance; this path has a number of flights of steps. There is ample room for an alternative design to facilitate a sloping pathway, thereby facilitating access for wheelchairs/prams and buggies. Access for people with disabilities, as you will know, is required under the Equalities Act 2010. Dominic Hamilton has agreed to refer this matter to their architects. We hope that this will be rectified before planning permission is given.

Committee of the Friends of the Painswick Rococo Garden:
Strongly support

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework 2.2.

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

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66(1).

Stroud District Local Plan.

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

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

Local Plan policies considered for this application include:

- CP1 - Presumption in favour of sustainable development.
- CP2 - Strategic growth and development locations.
- CP3 - Settlement Hierarchy.
- CP4 - Place Making.
- CP5 - Environmental development principles for strategic growth.
- CP6 - Infrastructure and developer contributions.
- CP7 - Lifetime communities.

CP11 - New employment development.

CP13 - Demand management and sustainable travel measures.

CP14 - High quality sustainable development.



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CP15 - A quality living and working countryside.

EI10 - Provision of new tourism opportunities.

EI11 - Promoting sport, leisure and recreation.

EI12 - Promoting transport choice and accessibility.

ES1 - Sustainable construction and design.

ES2 - Renewable or low carbon energy generation.

ES3 - Maintaining quality of life within our environmental limits.

ES4 - Water resources, quality and flood risk.

ES5 - Air quality.

ES6 - Providing for biodiversity and geodiversity.

ES7 - Landscape character.

ES8 - Trees, hedgerows and woodlands.

ES10 - Valuing our historic environment and assets.

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

PRINCIPLE OF DEVELOPMENT

The Rococo Garden currently operates from the leased Coach house and other various outbuildings and sheds. The lease for these facilities and the current access to the garden ends in February 2022 and for the Trust to continue to operate they need to find an alternative. The existing facilities are also small and restricted and are split between various buildings, with the Coach house being the café and shop and a separate modern unsightly orangery acting as a function space.

The Garden therefore needs an appropriate new facility to accommodate a sufficient number of visitors to sustain the garden and the other activities the garden provides. To stay in the existing facilities is no longer an available long term option.

Consideration of alternative options

There is no policy requirement to sequentially test alternative sites and it is not for the local planning authority to negotiate with landowners to sale or lift covenants. We have looked to limit the harm of the proposal and discussed if there are any other options currently available and viable. Alternative options which are not located within or limit the impact on the historic parkland have been addressed by the applicant (Garden Trust) along with why they are not viable options. This is attached as Appendix1. A determination has to be made on the proposal submitted on the current available information.

Continuing the use of the existing Coach house is not an option with the restricted nature and the lease ending. Whilst rolling short term extensions to the lease maybe granted this is not a long term solution which would help guarantee the survival of the garden. It is understood that the owners are looking to maximise the financial potential of their assist and whilst they may be willing to discuss various options no formal offer to sell the land at this stage to the Garden or others have been evidenced.



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Building in the maintenance/plant sales area would appear to be a preferable location and it would be less harmful to the parkland having existing structures and being located in a less prominent position. However, as outlined by the applicant this land is restricted by covenants which restrict how they would build, use and finance a new centre. It is also located closer to the adjacent neighbours. Various verbal offers to fund a reduced project have been outlined. This has not progressed to a formal written offer and Officers understand that this included various conditions against the rest of the garden that the Trust is not happy/able to progress. The covenants would also still restrict a proposal in this area and it is not evident that these would be lifted.

Other areas around the site are also located within the parkland and are in more prominent or harmful positions. They are therefore not preferable.

Historic England and the Garden Trust (GCCLT) have also recognised the various legal and civil issues which have restricted development and lead the proposal to this location.

The proposal is located within the historic parkland and will cause a degree of harm which is address below; however, this is the only viable alternative currently available. The ending of the lease and a potential grant opportunity require the Garden to act now.

Whilst the site is located in a countryside location, the proposal seeks to improve the facilities and ongoing financial viability of the Rococo gardens, an existing countryside attraction. There are no other suitable alternative existing locations or buildings.

The site and Garden has a previous planning approval for a new visitor centre back in 2012. This was for a modern circular building also set into the ground and was not progressed due to the high cost of its construction. This permission has now lapsed and is not considered to be a fall-back position. However, the previous acceptance of a building is noted but cannot be given significant weight.

ARCHAEOLOGY & HERITAGE ASSETS

Painswick House is a Grade I listed building. This stands within its own parkland with a landscaped garden behind. The parkland and garden are a Grade II* Registered Park and Garden. Within this area are also a number of other Grade II* and II listed structures and statutes including the Stables, the Coach House, and the Red House etc. The Listed Park forms a large sweep to the south of Painswick House and extends to the North West including the Coach field where the proposal is located. Apart from the restoration of the garden the parkland setting has largely remains unaltered since it was first laid out in the mid-18th century with later additions in the mid-19th century.

The Rococo garden itself is located within a small subsidiary valley creating a unique playful sense of charm, mystery and surprise when entering and enjoying the various areas and structures within the garden. It was established between 1738 and 1748. The Rococo style was only popular for a short period making this one of the only few surviving examples and being the only one open to the public to enjoy. The Rococo Garden, ancillary buildings and the Grade II* parkland are a very significant heritage asset.

In accordance with the statutory duty set out in Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 special attention has to be paid when considering the impact of the proposal on the special architectural and historic interest of the Listed park and setting of nearby Listed buildings and garden.



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In considering development proposals in heritage settings like this, National Planning Policy Guidance (NPPG) concentrates on securing appropriate and proportionate protection and conservation of those heritage assets.

The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset; may affect the ability to appreciate that significance; or, may be neutral.

Historic England's Note 3 (the Setting of Heritage Assets) is also useful in addressing the setting and states that, 'settings of heritage assets which closely resemble the setting in which the asset was constructed are likely to contribute to significance.'

Being located within the parkland the proposal would have a visual impact on the setting of the registered park and garden as it is located in an area that is currently undisturbed and would be visible from across the park, the west drive, the adjacent road and footpath. In this instance, the proposed development would also fall within the wider setting of Painswick House and its associated lodge.

The experience of arrival is often an important component when considering the impact on the setting of a listed building. The camber of the land is such that on arrival the eye is drawn down from the lodge to the main house rather than to the corner of parkland in which the building would sit. Following the revisions to remove the more strident glazed element, its mix of materials and broken form should allow the building to sit as a standalone feature that would not overpower its surroundings. It is therefore considered that the visitors' centre itself would not harm the sense of arrival to the main house or the setting of the lodge.

Similar to the previous application Historic England have outlined that in addition to the obvious benefit of the visitor centre and facilities to paying visitors to the Rococo Garden, the decision maker should consider the public benefit inherent in the contribution the visitor centre could make to the viability and sustainability of the garden.

As address above, the siting of the proposed replacement visitor centre is restricted by ownership and legal constraints. It is therefore not possible to avoid extending into the parkland and as the applicant and the Garden Trust (GCCLT) have outlined this creates a dilemma and a balance has to be struck. If no incursion into the listed parkland, however minor or mitigated can be contemplated, the outcome would be the refusal of this development proposal. With the constraints there is currently no other viable option and this would leave the Garden with an uncertain future and increase the risk of closure.

Planning policy and guidance sets out the desirability of preserving and enhancing the character and setting of Heritage assets. Building on the parkland would cause a degree of harm, but with the expert input from Historic England, the Garden Trust and our in-house Conservation specialist it is considered that this harm is less than substantial harm. The design and materials of the building has been chosen to reduce its prominence and it is located in a small corner area of the park. Whilst the building and the parked cars will be visible, the design, location and landscaping help reduce and mitigate the impact. This would remain localised and not result in the loss of the wider parkland setting and as the Garden Trust have outlined 'relatively minimal when set against the entirety of the overall parkland'.



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Key views from within the garden valley below and the impact on the setting of the other Listed buildings like the Red House (Grade II *) also have to be considered. The Grade II* Red House in the valley below is situated in a place of solitude, an important component of its setting. The proposed development has the potential to diminish the tranquillity of the place, however, the building is to be set away from the valley's edge, and therefore there should be no intrusion into the solitude of the setting of the Red House.

Being moved away from the boundary of the garden, set into the ground and with the boundary trees and vegetation providing some screening it is considered that the proposed building will not be overly visible from within the garden. It is therefore considered there would be no harm on any of the other nearby listed structures. This also retains the special atmosphere, the character and sense of arrival to the wider Rococo garden itself which is key to protecting this heritage asset.

The proposal is also set away from the principle Listed building of Painswick House and the adjacent stables and coach house. The distance and intervening trees and vegetation are also of help in providing separation.

The associated parking has the potential to be visual intrusion and cause the most harm to the setting of Painswick House and the lodge, as well as having a detrimental impact on the Registered Park and Garden. As the harm would not entail the physical destruction of the identified heritage assets, it would be considered to be less than substantial in terms of the NPPF.

The county archaeologist has checked the application site against the County Historic Environment Record and as there is no archaeology known at this location. He considers there is a low risk that this proposal will have any adverse impacts on archaeological remains. Therefore, no archaeological investigation or recording is required to be undertaken in connection with this scheme.

With the harm identified as being less than substantial, paragraph 196 of the NPPF states that this harm should be weighed against the public benefits of the scheme. The wider public benefits are addressed in the planning balance the specific heritage balance is required here.

The support and continued operation of the Rococo Garden Trust would allow the continued restoration and management of this unique garden and other listed structures onsite. The provision of the proposed visitor centre and facilities would contribute towards this and help facilitate the future viability and sustainability of this highly significant Rococo Garden. It also allows the continued greater public access and enjoyment. Whilst the proposal will cause harm this has been mitigated as far as possible with the design and positioning. It is therefore considered that the benefits of the current proposal outweigh the heritage harm. This conclusion is supported by the Council's specialist Conservation Officer.

DESIGN AND APPEARANCE

The design has set the proposed building into the ground. The 1st floor greenhouse has been removed to maintain a low profile to the building and allows it to follow the slope of the ground. This retains the design principal of working with the existing sloping topography. A farmstead form and vernacular character has been used to have regard to the rural setting of the site.

Historic England is satisfied with the approach to the materials of the revised scheme. These are in keeping and take their lead from the vernacular of other nearby farm buildings. The natural materials, timber and grass roof also help reduce the prominence of the built form with the adjacent field and parkland setting. The glazing and details provide a modern finish to this approach with a nod to the playful character of the Rococo style.



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Historic England had raised concern about the scale of the building. The revised drawings have removed the prominent glazed greenhouse from on top of the proposal which had significantly reduced the prominence and appearance of bulk of the building. The size of the café and terrace has not been reduced but given that this is only slightly larger than the existing provision it is considered acceptable to support the viability of the garden.

The orientation of the building and the large amount of glazing seeks to maximise natural daylight and solar gain as well as connecting visitors with the outside. The temperature is controlled with the use of solar control glazing and the pergola along the outside terrace which seeks to prevent overheating by providing shade. The agent has outlined that the building will have a high level of insulation with the rooflights and glazing also providing natural ventilation. With the sensitive nature of the site and the other benefits of the design no solar panels have been proposed. The scheme outlines that air source heat pumps are also proposed. This is considered appropriate and acceptable.

Concern about the accessibility of the proposed building and the entrance into the garden has been raised in particular by the Painswick Valley Conservation Society. The building and its entrance has been designed to be level and wheelchair suitable to create an inclusive space that is accessible to all. There is a lift within the building which has been designed in accordance with the appropriate standards (Part M etc.).

The pathway down to the garden is however currently shown to include steps. The agent has confirmed that this as currently shown is building regulations Part M compliant, however, they are aware this still creates an issue and there is an opportunity to provide improvements to this access. It is therefore proposed that the detailed design of the access path should be addressed further with details submitted for approval as part of the landscape conditions. This would allow more time and detailed design consideration to make the necessary improvements.

NOISE AND RESIDENTIAL AMENITY

The proposed building is located outside of the residential area of Painswick. This both reduces the number of adjacent neighbours but also provides a quieter setting.

The nearest residential properties are located to the south, being Painswick House and The Stables. These are located closer to the existing operations of the Garden at the Coach house where visitors to the garden are immediately adjacent to The Stables and walk through part of the garden to access the public garden space. The increased distance and space will improve this relationship and reduce the potential for disturbance.

There are other nearby properties at the Lodge and the Hill Farm group as well as properties in the village and further along Holcombe Lane are noted but set further away.

The proposed visitor centre includes a shop and enlarged café with an outside terrace for guests to use. Phase 2 also includes a function room. These facilities are to a degree already available and used on site if in a more rustic fashion making use of existing buildings, the coach house and an unsightly modern conservatory on site. The proposal will however allow greater use including the function area to better cater for groups, activities and also events like weddings.

A noise assessment of the proposed visitor centre has been submitted. This includes an assessment of the noise from the café, shop, equipment and increased traffic noise including at the end of evening functions. The function space and control of the use of the terrace after 21.00, with closure of the doors when amplified music is played have all been proposed and our Environmental Protection



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Manager is satisfied that noise levels can be appropriately controlled. It is considered that during the day the café terrace will not generate such levels of noise to significantly adversely affect the residential amenity of the neighbours. The building plant and services can also be controlled via condition.

The noise assessment recommends appropriate noise levels to be no greater than the minimum typical background level. Conversational noise on the terrace is also at or lower than the background level, however, 5dB above would also only have a limited adverse impact. Environmental Health have recommended conditions on the noise levels and for these to be validated with noise reports being submitted to make sure noise from the scheme is restricted and managed in accordance with the outlines levels. A draft noise management plan has been submitted but further details are required and can be agreed via condition. As mentioned above this would retain control over the number of events and include for example the management of cars leaving the car park, closing the doors when amplified music is being played and use of the café terrace during the day time only. The building itself is set into the bank providing screening effect to the North. The function room terrace will also be enclosed with the insulation standard of the building limiting noise from within.

Traffic noise does have the potential to affect local residents with Painswick Lodge, located on the access drive, potentially being the greatest affected. After evening events the background noise levels will also be lower. However, any disturbance will be for short periods and on limited occasions. This can also be mitigated by staff supervision as part of the Noise Management Plan. Therefore, whilst there will be an affect this is not considered to be unacceptable.

As with all development some noise and disturbance will occur during the construction phases. With the nature of the use of the garden, the quality of the space and an understanding of the setting, the applicant will also be sensitive to construction noise. It is therefore considered this will add greater consideration and pressure on the contractors during the building phases, to the benefit of all. Appropriate controls will however still be required via condition including a construction method statement.

The garden already operates as a public garden with visitors and events and this existing disturbance has to be appreciated.

With the expert input of the Environmental Protection Manager, Officers are satisfied that the scheme with the mitigation outlined and controlled, will not cause such significant increase in noise or disturbance to warrant a refusal.

HIGHWAYS

The site is located to the North of Painswick taking its access from the B4073 Gloucester Road. This section of road is straight with a 50mph speed limit at the access point. The 30 mph limit is located a short distance towards the village.

The site access uses the existing access junction and internal drive which are currently used by the existing garden traffic and the adjacent residential properties. The reconfiguration of the car park will provide a single point of access from the drive and define the private residential driveways.

The county highway officer has not raised any specific highway safety concerns regarding the nearby network. However, local residents have highlighted the restricted visibility and high vehicle speeds along the main road and Holecombe Lane.



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The proposal involves a new visitor centre building with a gross floor area of 1,100 sqm. The main attraction of the Rococo Garden remains unaltered and the applicant's highway consultant has considered the existing use to provide a baseline for calculating the required parking provision. The snowdrops in February provide an abnormally high level of visitors with the overflow provision being provided. The normal peaks in demand have therefore been used to calculate the parking provision required.

The Garden as a charity is looking to generate income from visitors to support the ongoing work that they do. The proposed visitor centre has been designed to accommodate 50,000 visitors per year. This is only a slight increase on current numbers (approx. 47,000 in 2018) which the applicant is struggling to support with the restricted amenities and limitation of the existing Coach House and orangery. The proposal will replace the existing facilities and whilst an improved facility, the additional floor space is not going to result in a significant increase in trip generation. GCC Highways are satisfied with the trip generation, access and parking provision.

119 car parking spaces have been provided along with 8 disable spaces and coach provision. The reconfiguration seeks to make better use of the current car park and limit the extent to which the car park needs to extend into the parkland. The scheme also regularises the use of some of this area as car parking. The provision of some electric vehicle charging including an implementation timetable can also be required and agreed via condition.

There is no specific standard for cycle parking for this type of use. Therefore, the 6 proposed cycle spaces located near to the entrance is based on the operation experience of the Garden. This is considered acceptable and could easily be increased in the future if demand increases.

As buses may also bring organised trips and visitors to the garden, tracking has been submitted to demonstrate an appropriate and useable layout for this sized vehicle has been proposed. These similarly allows refuse and recycling vehicles to also access and navigate around the site.

To mitigate any conflict between different types of users and make best use of the space to avoid impacting on local residents and the surrounding network a parking management plan can also be required via condition.

It is therefore considered that the proposal will not cause a significant or severe impact on highway safety and makes available alternative modes of transport.

LANDSCAPE IMPACT

The impact on the parkland setting is addressed above as part of the heritage assessment. The site is however also located within the wider landscape and within the Cotswold Area of Outstanding Natural Beauty where great weight should be given to conserving and enhancing landscape and scenic beauty.

The design and finished materials of the building along with it being set into the ground help limit the impact on the wider setting. The topography and the adjacent trees and woodland also limit views of the site from the wider countryside.

The car park surface will not be overly intrusive and will be similar to the existing car park. However, the vehicles glinting in the sunshine does have a greater potential to cause harm. These vehicles are temporary and transient and are a consequence rather than controllable development themselves. However, the scheme does seek to mitigate the impact by keeping as much as possible of the parking within the existing car park area and in the least prominent position within the parkland. Given the



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parkland setting, a heavy planting belt would also not be appropriate to the open character, however, a hedge line to help screen and soften the majority of the vehicles is proposed.

The Cotswold Conservation Board have not raised objection.

The positive impacts, tourism, social and economic to the surrounding area and the wider Cotswolds AONB also have to be appreciated and are noted elsewhere in the report.

The need onsite to support the Rococo Garden demonstrates that there is a clear public interest and that this could not be achieved on alternative sites outside the AONB.

Given the above it is therefore considered that the proposed scheme with the mitigation and landscaping will not cause significant adverse effects on the quality and character of the surrounding landscape.

ECOLOGY

The application has been supported by a Preliminary Ecological Appraisal from June 2012 when the previous visitor centre was approved. An addendum and update has also been submitted with a re-survey in November 2018. The habitat and conditions on site have not significantly changed since the previous survey.

The habitat on the site of the development is generally of a low ecological value being mainly made up of poor semi-improved grassland. The trees and hedging are the greatest features of value. Similarly, the area of the development site is of low to moderate value for foraging of bats however the wider area including the woodland areas have greater potential. Appropriate mitigation including designing the lighting so that it does not adversely affect bats within the site and adjacent areas is required.

Appropriate methods have also been proposed within the ecological report to avoid and mitigate harm on reptiles, amphibians and birds. The scheme also includes wildlife enhancements, native planting within the landscaping and bird and bat boxes. These can be required to be implemented during the work via condition.

As outlined elsewhere the site is located within the parkland which includes important trees (some with TPOs). An Arboricultural Assessment & Method Statement has been submitted to assess the impact on the trees. Whilst some of the minor trees including the self-seeded sapling will be removed, the scheme does not result in the loss of any of the significant protected or higher quality trees. These will be retained and protected as part of the scheme with particular focus on the large London Plane which is a key feature of this part of the parkland.

The method statement includes tree protection measures and protective fencing. The Council's Senior Arboriculture Officer is satisfied with the submitted scheme and that the tree protection measures can be controlled and implemented via appropriate conditions.

DRAINAGE & FLOOD RISK

The site is not located within an area identified as being considered to be affected by flooding from the seas or rivers (Flood Zone 1). It is an area of free drainage soils so is also not overly at risk of flooding from surface water runoff.

The proposed drainage scheme seeks to use soakaways within the car park area to deal with the water from the development. To avoid the introduction of high flows of surface water, the proposed soakaway system includes a reduced permeability membrane to reduce the outflow of the water with the strategy designed to deal with a 1 in 100 year plus 40% for climate change, with a 6-hour event.



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GCC as the Local Lead Flood Authority are satisfied that the technical information supplied in the submitted drainage strategy will be effective.

A new package treatment plant is proposed for the foul drainage.

The submitted drainage details are considered to be acceptable with implementation of these being controlled via condition. The applicant will be responsible for the on-going maintenance.

PLANNING BALANCE & CONCLUSION

As addressed above the proposed site is the only viable option currently available. It is not for the planning authority to get involved in civil matters between landowners regarding the sale or lifting of covenants. A determination has to be made on the proposal submitted on the current available information.

The proposals do cause harm to the registered parkland but this has been mitigated and reduced by the design and landscaping. The position is in the least intrusive available. This less than substantial harm has been weighted against the public benefits of the scheme with both the benefits to visitors and the continuation, protection and sustainable management of the Rococo Garden outweighing the harm to this small part of the parkland. The proposed development has the potential to diminish the tranquillity and affect the setting of the Grade II* Red House in the valley below, however, the proposed building is to be set away from the valley's edge, therefore there should be no intrusion into the solitude of the setting of the Red House. There would be no harm on any of the other nearby listed structures.

The associated parking would still be a visual intrusion with the potential to cause most harm to the setting of Painswick House and the lodge, as well as having a detrimental impact on the Registered Park and Garden. Because the harm would not entail the physical destruction of the identified heritage assets, it would be considered to be less than substantial. Again this harm has to be balanced against any public benefits that the development would bring. It is considered that the provision of the visitor centre and facilities would contribute to the future viability and sustainability of the highly significant Rococo Garden, therefore, on balance, the scheme is deemed to be acceptable in spite of the identified harm.

The scheme also seeks to mitigate the impact of noise and disturbance to local residents. The wider landscape impact is also mitigated.

The wider benefits of the garden are also relevant to the planning balance as the improved facilities will protect and allow public access to continue. The scheme will enhance and allow better public access to experience and better reveal the significance of the Rococo Garden. The garden provides employment and economic benefit to the wider tourism industry being an important attraction in the wider area. Whilst it is hard to quantify the garden also has a positive effect on the identity of Painswick, the district and the wider Cotswolds.

The garden also has significant well-being and social benefits to the community. The applicant has outlined the large number of volunteers, training and apprenticeships and well as community groups that use the garden. The new facility will allow these educational and social uses to continue and develop.

Whilst the proposal will cause some harm this has been mitigated and controlled as much as possible. It is therefore considered that the overall benefits of the scheme including the sustainable future of the garden are such that they outweigh the harm.



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RECOMMENDATION

Given the above, it is recommended that the permission should be granted subject to the outlined conditions.

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">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.The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below: Site Location Plan of 14/03/2019 Plan number = 5698-P-01 Site Plan Proposed of 14/10/2019 Plan number = 5698-P-10 Version number = Rev E Plan number = 5698-P-11 Version number = Rev B Plan number = 5698-P-12 Version number = Rev B Proposed floor plan of 14/10/2019 Plan number = 5698-P-20 Version number = Rev A Plan number = 5698-P-21 Version number = Rev A Plan number = 5698-P-22 Version number = Rev A Plan number = 5698-P-23 Version number = Rev B Plan number = 5698-P-24 Version number = Rev B Plan number = 5698-P-25 Version number = Rev A Plan number = 5698-P-27 Version number = Rev A Section of 14/10/2019 Plan number = 5698-P-600 Version number = Rev A Proposed Elevations of 14/10/2019 Plan number = 5698-P-700 Version number = Rev A Plan number = 5698-P-701 Version number = Rev B Plan number = 5698-P-702 Version number = Rev B Plan number = 5698-P-703 Version number = Rev A Plan number = 5698-P-704 Version number = Rev B
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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. The development hereby approved shall only be used in connection with the Painswick Rococo Garden Trust (the applicant) and associated uses like events, weddings and groups run or facilitated by the Painswick Rococo Garden Trust.

Reason:

To retain control of the use of the development which has been considered and approved to meet a specifically need and benefit which other unconnected use may not have, in accordance with Policies CP15 and ES10 of the adopted Stroud District Local Plan, November 2015 and paragraphs 196 & 200 of the National Planning Policy Framework, Feb 2019.

4. Within 3 months of the first use of the proposed replacement visitor centre by paying members of the public or an alternative timetable first submitted to and approved by the Local Planning Authority, the applicant shall cease using the existing shop and cafe at the Coach House for paying visitors and members of the public.

Reason:

To retain control over the size and scale of the development to mitigate the impact on the local residents, the character of the area and provide sufficient access and parking in accordance with Policies CP15, ES10 and ES12 of the adopted Stroud District Local Plan, November 2015 and paragraphs 109, 196 & 200 of the National Planning Policy Framework, Feb 2019.

5. The proposed permanent retail element of the development hereby approved shall not exceed 100 sq m of total net retail sales area.

Reason:

To retain control over the retail element of the scheme so that it remains an ancillary element and does not generate additional visitor numbers and traffic movements to the detriment of highway safety in accordance with Policies CP12, CP13, and ES3 of the adopted Stroud District Local Plan, November 2015.

6. Prior to the commencement of any above ground works hereby approved, details including samples of the precise materials used in the construction of the external surfaces of the development including the finishes and colours shall be submitted to and approved by the Local Planning Authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details and retained in perpetuity.



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Reason:

To enable the Local Planning Authority to ensure the satisfactory appearance of the development in accordance with Policies CP14, ES3, ES7 and ES10 of the adopted Stroud District Local Plan, November 2015.

7. No development shall take place until details of the existing ground levels, proposed finished floor levels of the building (all phases), and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development have been submitted to and approved by the Local Planning Authority. Such details shall also provide comparative levels of any adjacent relevant features to demonstrate the comparable heights. The development shall be carried out in accordance with the details as approved.

Reason:

In the interests of the amenities and setting of the surrounding area and heritage assets and to ensure the satisfactory appearance of the development, in accordance with Policies CP14, ES3, ES7 and ES10 of the adopted Stroud District Local Plan, November 2015 and the provisions of the National Planning Policy Framework.

8. Prior to commencement of development hereby approved, a landscape scheme for the site shall be submitted to and approved by the Local Planning Authority. The landscaping scheme shall address the 2 proposed phases and include details of hard landscaping plans, revised and improved accessibility details of the access path between the visitor centre and the garden entrance, boundary treatment, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant size and proposed numbers/densities. The submitted details include species must reflect the historic parkland setting.

Reason:

To preserve trees and hedges on the site and provide appropriate landscaping in the interests of visual amenity, biodiversity and the character of the area and the setting of the nearby heritage assets in accordance with Policies CP14, CP15, ES6, ES7, ES8 and ES10 of the adopted Stroud District Local Plan, November 2015 and with guidance in revised National Planning Policy Framework paragraphs 15, 170 (b) & (d) & 175 (c) & (d) 192 and 200.

9. All hard and soft landscape and boundary works shall be completed in full accordance with the approved scheme, within the first planting season following completion of that phase of the development hereby approved, or in accordance with an alternative implementation programme which has been submitted to and approved by the Local Planning Authority.



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Reason:

To preserve trees and hedges on the site and provide appropriate landscaping in the interests of visual amenity, biodiversity and the character of the area and the setting of the nearby heritage assets in accordance with Policies CP14, CP15, ES6, ES7, ES8 and ES10 of the adopted Stroud District Local Plan, November 2015 and with guidance in revised National Planning Policy Framework paragraphs 15, 170 (b) & (d) & 175 (c) & (d) 192 and 200.

10. The development hereby permitted shall be carried out in accordance with the recommendations of the submitted Arboricultural Survey & Impact Assessment (Focus ecology Ltd Ref: 1483 Rev 2), the tree protection plan (Drg No. 1483 Rev B) and the Site Plan 5698-P-10 Rev E or an alternative tree protection scheme which has first been submitted to and approved by the Local Planning Authority. The approved root protective fencing/ground protection must be installed/ erected prior to the ground works starting on the land and retained during the construction phase.

Reason:

To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Policy ES8 of the adopted Stroud District Local Plan, 2015 and with guidance in revised National Planning Policy Framework paragraphs 15, 170(b) & 175 (c) & (d).

11. The development hereby permitted shall be carried out in accordance with the recommendations contained in the submitted Ecological Appraisal, Tyler Grange, June 2012, the Updated Ecological Appraisal Focus Ecology Ltd, November 2018 and the Bird and Bat Locations, Focus Ecology Ltd, April 2019 or an alternative Ecological mitigation and enhancement strategy which has first been submitted to and approved by the Local Planning Authority.
Prior to first occupation of the development written confirmation by a suitably qualified/experienced ecologist shall be submitted to and approved by the Local Planning Authority confirming that the recommendations made have been implemented in accordance with the above approved reports/strategy.

Reason:

To protect and enhance the site for biodiversity in accordance with Policy ES6 of the adopted Stroud District Local Plan 2015, paragraph 174 of the National Planning Policy Framework and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

12. No lighting shall be erected on site until a lighting design strategy has been submitted to and approved by the Local Planning Authority. The strategy shall:
- identify the areas/features on site that are particularly sensitive for foraging bats;
 - show how and where external lighting will be installed (through the



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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.
c) limit the wider light pollution by keeping lighting to a minimum and consider timers and other mitigation methods.
All external lighting shall be installed and maintained in accordance with the specifications and locations set out in the approved strategy.

Reason:

To protect the local amenity, the surrounding dark landscape character and nature conservation including to maintain dark corridors for nocturnal wildlife in accordance with Policies ES6 and ES7 of the adopted Stroud District Local Plan, 2015, paragraph 180 of the National Planning Policy Framework and the Cotswolds Conservation Board Dark Skies & Artificial Light Position Statement (Adopted March 2019).

13. Prior to the first occupation of the building hereby approved, the vehicle and cycle parking and turning facilities shall be provided in accordance with the approved details and shall be maintained available thereafter.

Reason:

To ensure adequate parking is available to reduce impact on the local highway network and encourage more sustainable modes of transport in accordance with Policies CP13, CP14, CP15, EI12 and ES3 of the adopted Stroud District Local Plan, 2015 and paragraphs 108 and 110 of the National Planning Policy Framework, Feb 2019.

14. Prior to the first occupation of the building hereby approved, a Parking Management Plan shall be submitted to and approved by the Local Planning Authority. The Parking Management Plan shall describe how car parking will be provided and managed including use by coaches, cycles and disable parking and during day time and evening events. It shall also outline the proposed method/details of the promotion of more sustainable modes eg car sharing, public transport, cycling and walking. The Parking Management Plan shall thereafter be implemented as approved.

Reason:

To ensure suitable arrangements for parking are managed and retained as part of the development to reduce impact on the local highway network and encourage more sustainable modes of transport in accordance with Policies CP13, CP14, CP15, EI12 and ES3 of the adopted Stroud District Local Plan, 2015 and paragraphs 108 and 110 of the National Planning Policy Framework, Feb 2019.

15. Prior to the first occupation of the building hereby approved, a scheme for electric/low emission vehicle charging shall be submitted to and approved by the Local Planning Authority. The charging scheme shall provide a minimum of 2 vehicle charging points and include a timetable for implementation. The charging scheme shall then be implemented in accordance with the approved details.



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Reason:

To ensure the development incorporates facilities for charging plug-in vehicles and so more sustainable forms of transport can be taken up in accordance with Policies CP13, CP14, CP15, EI12 and ES1 of the adopted Stroud District Local Plan, 2015 and paragraphs 108 and 110 of the National Planning Policy Framework, Feb 2019.

16. No development shall take place until a Construction Method Statement has been submitted to and approved by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
- i. specify the type and number of vehicles;
 - ii. provide for the parking of vehicles of site operatives and visitors;
 - iii. provide for the loading and unloading of plant and materials;
 - iv. provide for the storage of plant and materials used in constructing the development;
 - v. provide for wheel washing facilities;
 - vi. specify the intended hours of construction operations;
 - vii. measures to control the emission of dust and dirt during construction;

Reason:

To reduce the potential impact on the public highway, accommodate the efficient delivery of goods and supplies and to protect the residential amenity of the residents of surrounding residential properties in accordance with Policies CP13, CP14, ES2 and ES3 of the adopted Stroud District Local Plan, November 2015 and paragraphs 108-111 of the Revised National Planning Policy Framework.

17. The cumulative noise from any new building services plant shall be designed to limit the noise level at the façade of any residential property to the values shown below. The noise levels should be calculated in accordance with the methodology set out in BS4142:2014 + A1:2019 (or subsequently amended): -

Operating Hours	Maximum Acceptable Rating Level
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07:00 – 23:00	20 dB(A) LAeq,1 hour
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23:00 – 07:00	15 dB(A) LAeq,15 mins
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Prior to the first use of each phase of the development, a validation noise survey shall be conducted by a competent acoustic assessor and a consequent report shall be submitted to the Local Planning Authority for approval to demonstrate that the standards required have been achieved. The plant shall then have been maintained thereafter to not exceed the above values.

Reason:

To protect the amenity of the surrounding area and that of nearby residents in accordance with Policies CP14 and ES3 of the adopted Stroud District Local Plan, 2015.



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18. Prior to first use of each phase of the development, a Noise Management Plan shall be submitted to and approved by the Local Planning Authority. The Noise Management Plans shall outline the methods to restrict noise from events including within the Function Room and Terrace to assure compliance with the standards set out in Tables 10 and 11 of the submitted Noise Impact Assessment (Report ref: M4474 – v.1 Draft for Discussion); and management of vehicles leaving evening events in order to minimise the impact of traffic noise on local residents including occupiers of Painswick Lodge. The Noise Management Plan shall then be implemented in accordance with the approved details.

Reason:

To protect the amenity of the surrounding area and that of nearby residents in accordance with Policies CP14 and ES3 of the adopted Stroud District Local Plan, 2015.

19. Prior to first use of the development, the surface water and foul drainage strategy outlined in the submitted report (Davison Walsh Ref: 18051 including Appendix B Drg No. 03 Rev B and 4 Rev B received on 14th March 2019) or an alternative scheme which has first been submitted to and approved by the Local Planning Authority, shall be implemented in accordance with the approved details and appropriately maintained thereafter.

Reason:

To ensure the implementation and continued operation and maintenance of drainage features serving the site and to avoid flooding in accordance with Policy ES4 of the adopted Stroud District Local Plan, November 2015.

Informatives:

1. With the important trees on site it is recommended that prior to work commencing on the land a pre-start meeting should take place with the main contractor and the local planning authority tree officer.



John Chaplin, Senior Planning Officer
Planning Services, Stroud District Council
Ebley Mill, Stroud,
Gloucestershire
GL5 4UB

7 June 2019

cc. All interested parties – listed below

Dear Mr Chaplin,

Proposed new visitor centre at Painswick Rococo Garden - S.19/0570/FUL

Since our submission of the above planning application for new visitors' facilities, you have requested further information on the rationale for the siting of the proposed visitor facilities outside of the area known as the Plant Sales Area. You will appreciate that this issue is a complex one, and circumstances relating to the possibility of this have recently changed. We have now re-evaluated our decision on the current proposed location in light of new information. As such, we have put together the attached document which summarises the issues that we took into account when re-evaluating our options for the siting of visitor facilities. This has been collated with the aim of providing an open and honest account of the background to our proposals, and we will circulate it to all interested parties.

It should be noted that, in relation to our application, the Trust exists as a charity and we give up our time as individuals in order to ensure the long-term survival of the Garden and its enjoyment by all. That is, of course, the primary aim with which we took all decisions with regards to the visitors' centre, and came to the conclusion that the location proposed was the best possible. In light of our recent deliberations, we are currently of the opinion that the current location to the north of the Plant Sales Area is still the best possible location. This option is currently favoured, based on consideration of existing circumstances. However, as Trustees seeking the most effective and economic option for the future of the Garden, we remain open to other detailed suggestions in future.

continued overleaf >

Painswick Rococo Garden, Painswick, Gloucestershire GL6 6TH
Tel: 01452 813204 Email: info@rococogarden.org.uk
www.rococogarden.org.uk

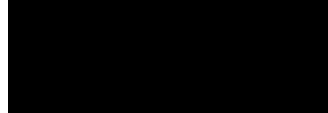
Registered Charitable Trust No. 1107844

We trust that the information provided in this document provides you (and all interested parties) with the information you require, but please get in touch if we can provide any further information, or if you or any interested parties are aware of any further information we should take into account.

Yours sincerely,

The Board of Trustees of Painswick Rococo Garden

cc. Historic England



Painswick Parish Council
Gardens Trust / GGLT



OPTION 1: CONTINUATION OF OPERATION OF VISITOR FACILITIES FROM THE COACH HOUSE

Description

We understand that it was suggested by [REDACTED] the owner of Painswick House, in an email published online that he had offered to buy the Coach House and would allow us to operate visitor facilities from there. (This was first mentioned to us verbally in November 2108, but we stated that it was not in our remit to comment as we are tenants, as he needed to talk to our landlords, the owners of The Coach House.)

Pros and Cons

Pros

- In the short term, this would have no material impact on the Rococo Garden and parkland as it would be a continuation of current operations.

Cons

- It is our understanding that the owners of the Coach House, who are our landlords, have now informed [REDACTED] that this building is not for sale, and it is therefore not within [REDACTED] gift to offer it to us.
- If facilities were perpetuated within the Coach House, access to the Garden would require the consent of the owners of The Stables, who own the land through which access is currently gained to the Garden. This right of access and any other rights of access to the Garden which are currently enjoyed by the Trust across land owned by the Stables will terminate at the same time as the current lease of the Coach House.
- Against a baseline of the cessation of visitor facilities in this location at the end of the lease, this option would result in a change to the setting of The Stables through immediately adjacent facilities.
- We are struggling to cope with the current visitor numbers in the current Coach House building, which does not have enough capacity for the café, shop, kitchen and offices. A specifically-designed new purpose-built building would be advantageous for the future operation of the Garden.

Discussion

In light of the Coach House not being offered for sale, this option is not feasible. The reliance on this becoming possible at some unspecified point in the future would be too great a risk to the operation of the Garden, as it is our consideration that it would be very likely to result in us having no visitor facilities after 2022.

Conclusion

This option is not possible.

OPTION 2: CONSTRUCTION OF VISITOR FACILITIES IN THE PLANT SALES AREA

Description

This option comprises the construction of visitor facilities to the south of the currently proposed location, in the area known as the Plant Sales Area. This is currently used to house a number of small structures associated with the maintenance of the Garden. This option has been re-evaluated due to potential changes to circumstances which have arisen since the submission of the planning application.

Pros and Cons

Pros

- Construction in this area would avoid land-take in the parkland, which has intrinsic heritage significance. Whilst the Plant Sales Area also lies within the Registered Park and Garden, this area does not have the same intrinsic heritage significance.
- This option is favoured by our neighbours at Painswick House.
- There has been an offer of finance from [REDACTED] if the proposals are moved to this area¹.
- The restrictions on the size of the building in this area² would mean a reduced build cost, although many of the other fixed costs (eg provision of services, improvements to car parking) would remain the same.
- The reduction of the difference in elevation from the visitors' facilities to the new Garden entrance would make disabled access easier.
- There would be a smaller area to landscape between visitors' centre and new Garden entrance.

Cons

- This option is not favoured by our neighbours at The Stables.
- Restrictive covenants are in place relating to this area (see below).
The existing restrictive covenants which affect what the Trust can do in relation to the Plant Sales Area comprise:
 - Not to carry out on the area or permit or suffer to be carried out anything that may become a nuisance to the owner of Painswick House including the emission of noxious smells and noise from the area.
 - Not to make any external alteration to the buildings standing on the area without the previous consent in writing of the owners of Painswick House (such consent not to be unreasonably withheld or delayed).
 - Not without the prior consent of the owners of Painswick House (such consent not to be unreasonable withheld or delayed) to hold more than 2 outside performances of a public or major nature on the area.

¹ Whilst there has been an offer of a loan from [REDACTED] if the proposed location is moved to the Plant Sales Area it is our understanding that this would be on the basis of a charge being granted over the Rococo Garden. Due to restrictions that were put in place when the freehold was transferred, this is not possible. As such, it would only be possible for the Trust to consider an unsecured loan or donation from any private individual. PRGT would also require to comply with the Charities Act obligations to obtain independent advice in writing from a suitable qualified adviser that any such loan was necessary, the terms were reasonable and that PRGT would be able to repay (s124 Charities Act 2011).

² It may be possible to lift some of the restrictive covenants in this area that operate between the Trust and the Owners of The Stables, and this is discussed further below. However, one of the conditions to this would be that any building in the Plant Sales Area would need to be smaller than that currently proposed.

- Not to do or suffer any act matter or thing whatsoever on the area which is a nuisance annoyance damage or disturbance to the owner of The Stables or the occupiers of adjoining or neighbouring property.
- Not to dispose of the area whether by sale charge lease or otherwise or to agree to dispose of the area without first offering it to the owner of The Stables and two named others thereby triggering their right of pre-emption to purchase the area for a nominal amount. (Please note that this restriction on the Trust only operates during the lifetime of the named individuals and does not transfer to successors in title to the Stables.)
- The Trust has the right to build a new entrance building in the Plant Sales area, provided that the plans and specifications have been approved in writing by the owner of the Stables before commencement of any work and that all required planning and building regulation consents have been obtained. The new building must be used exclusively for the garden business and shall not include any residential accommodation or any accommodation not necessary for the functioning of the garden.

It is understood that because the owners of Painswick House favour the Plant Sales Area location for the visitors' facilities, they would not withhold their permission to building in the area to which the covenant relates. Nevertheless, this may represent a potential future operational risk if the facilities require alteration that is critical to their operation and either the current owners or any future owners of Painswick House withhold permission (although we accept that the covenant sets out that any consent to alterations cannot be unreasonably withheld or delayed).

The agents of the owners of The Stables have recently stated that it may be possible to lift the abovementioned restrictive covenant between the Trust and the owners of The Stables, relating to the Trust's restricted ability to grant a charge over the area. However, two further issues remain.

Firstly, they would only be willing to lift elements of the covenant subject to the following conditions:

- We build a smaller building at less cost which would mean the Trust had less need to generate more revenue/footfall but also has less capacity to accommodate visitors. In the absence of significant donations or interest-free funding, this could be a risk to the ongoing financial security of the Garden. The currently proposed building is designed at the minimum size required to meet the needs of the Garden in the long term to ensure the business is sustainable, so a smaller building could prove limiting. We would need to discuss further whether the current size and design meets with their approval.
- The amount of financial exposure the Trust entered into to finance the facilities was small enough that the agents of the [REDACTED] considered there was no risk of the Trust going bankrupt in the foreseeable future, as they do not want land to end up being owned by a bank or other funder to then be sold where it wishes. In essence they are setting out that they would be satisfied if the Trust raised enough money through fundraising that any loans were serviceable. It is uncertain how much of a risk this is, as this is a subjective issue.
- The building proposed was no more likely to provide noise disturbance to The Stables than the current planned one which is further away. This is likely to be

harder to achieve, due to the simple matter of it being significantly closer to The Stables.

Secondly, further elements of the restrictive covenant would remain. This includes the Trust's obligation not to cause a nuisance, annoyance or disturbance. If this were measured against a baseline of no visitor facilities after 2022, we consider that the proximity of new facilities in the Plant Sales Area is more likely to cause such a nuisance than facilities in the currently proposed location. Nonetheless, this may be a future operational risk, as outlined above.

- The Plant Sales Area is closer, not just to The Stables but also to Painswick House, and so location on that site poses a higher risk of noise impacts for them both. It is recognised that if the Trust was free from the financial pressure to meet loan interest repayments fewer visitors will be needed to ensure the Trust has sufficient funds to remain operationally viable, but overall, proximity is considered to be a larger risk than overall numbers.
- It is possible that a building in this position would detrimentally impact on the kinetic views from within the historic core of the garden, although this would need to be tested with additional evaluation.
- The cost of modifying the current application, both for the architects and for the planning submission. This is a secondary point, and has weighed lightly in our overall consideration of the issues. Additionally, time is short as our lease of the Coach House expires in March 2022, so any delay could cause issues when the current lease to the Coach House ends.

Discussion

Whilst the avoidance of change to the parkland is very attractive, and has weighed very heavily in our consideration of the issue, the potential operational risks to the Garden of the remaining elements of the restrictive covenants have out-weighed this issue. While the offer of a loan by ██████ could be attractive, the potential operational risks to the Garden of the remaining elements of the restrictive covenants have out-weighed the potential benefits of pursuing this as an option. Further, ██████ has suggested that we could perhaps offer the Rococo Garden as security. However, the Rococo Garden is subject to the same charging restrictions as the Plant Sales Area, so this is not possible. As such, we reluctantly consider that this option represents too big a risk to proceed with.

However, based on our analysis above, should ██████ wish to make a detailed written offer to provide a significant unsecured loan or donation, and also if both he and the owners of The Stables would be willing to consider a variation of the existing covenants or agreement as to their operation (most notably the alteration of buildings on the Plant Sales Area), then we would reassess this situation in the light of a specific proposal.

Conclusion

Currently this option represents too big a risk to the long-term operation of the Garden. We would require the offer of a significant donation or interest-free unsecured loan for this to be a realistic operational alternative, as well as for existing covenants to be revised or lifted.

OPTION 3: CONSTRUCTION OF VISITOR FACILITIES IN PARKLAND TO THE NORTH OF THE PLANT SALES AREA AS PER THE LIVE PLANNING APPLICATION

Description

The currently proposed location in parkland to the north of the Plant Sales Area.

It should be noted that if this location is proceeded with and the land purchased, the agents of the owners of The Stables will make certain covenants on the Trustees when selling this land, which would include a restriction on its use solely as a visitor centre, preventing loud music, no parking outside specified hours, machinery used only when the Garden is open etc.

Pros and Cons

Pros

- Avoidance of issues relating to restrictive covenants that cover the Plant Sales Area.
- Further away from Painswick House and The Stables.
- Fully-formed planning application relates to this area, with a size of building that will accommodate the facilities needed to ensure the long-term financial viability of the Garden.
- Minimal harm to parkland and Listed buildings outweighed by the heritage benefits of the proposed scheme.
- Additionally, it should be noted that this was the same location where a previous application for a new visitor facility building was granted planning permission in 2012.

Cons

- Proposed in an area that has some intrinsic heritage significance and would change the character of part of this area.
- Probable greater visibility of building in this location from The Lodge and eastern driveway.
- New entrance needed across the Plant Sales Area, and the need for additional landscaping of this area.
- Steeper access into the Garden makes more complicated disabled access.
- In the absence of significant donations or financial assistance there will be a requirement for an increase to visitor numbers to fund loan repayments.

Discussion

This option would change the character of a small area of parkland, and would be visible from The Lodge and the eastern driveway. However, the small amount of heritage harm that would result from this is considered to be outweighed by the provision of visitors' facilities that would allow the ongoing public access and appreciation of the Garden. Nevertheless, this option has been very carefully considered against the alternative location of the Plant Sales Area, in case the original (later outweighed) harm could be minimised or avoided. It is therefore concluded that the lack of restrictions to future operations that would result from the construction outside of the Plant Sales Area is the best possible option for the long-term operation of the Rococo Garden under current circumstances.

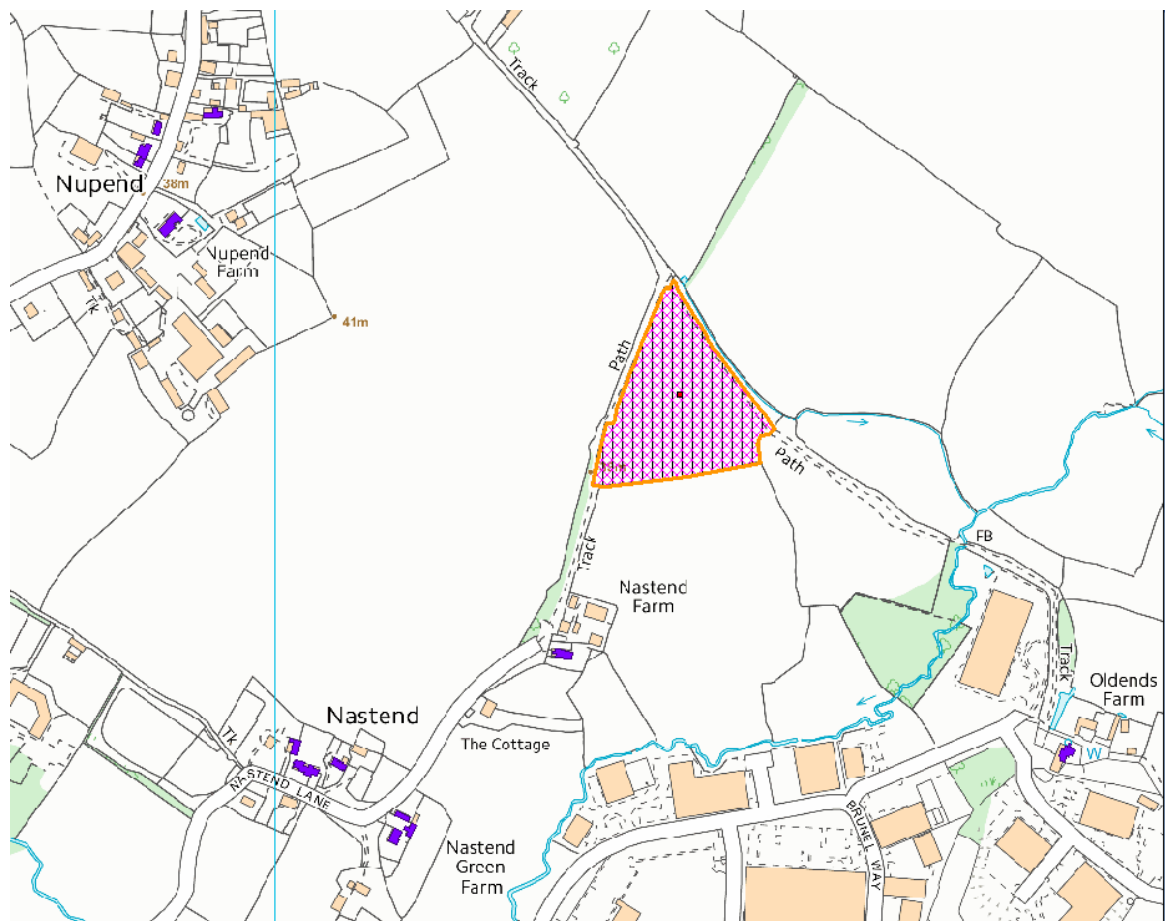
Conclusion

This option is currently favoured, based on consideration of existing circumstances. However, as Trustees seeking the most effective and economic option for the future of the Garden, we remain open to other detailed suggestions in future.



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Item No:	03
Application No.	S.19/1122/REM
Site No.	PP-07684873
Site Address	Parcel PS1 Land West Of Stonehouse, Grove Lane, Westend, Stonehouse
Town/Parish	Eastington Parish Council
Grid Reference	379429,206590
Application Type	Reserved Matters Application
Proposal	Reserved Matters Application for the new primary school and nursery.
Recommendation	Approval
Call in Request	DC Committee





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Applicant's Details	Robert Hitchins Ltd The Manor, Boddington, Cheltenham, GL51 0TJ,
Agent's Details	Quattro Design Architects Ltd Matthews Warehouse, High Orchard Street, Gloucester Quays, Gloucester, GL2 5QY
Case Officer	John Chaplin
Application Validated	24.05.2019
	CONSULTEES
Comments Received	Eastington Parish Council Development Coordination (E) Arboricultural Officer (E) Flood Resilience Land Drainage Stonehouse Town Council Eastington Parish Council
Constraints	Employment Land (LP) Key Wildlife Sites - Polygons Neighbourhood Plan Eastington Parish Council Affecting a Public Right of Way SAC SPA 7700m buffer Single Tree Preservation Order Points
	OFFICER'S REPORT

UPDATE

This application was considered at October Committee (DCC) where Members delegated to Officers to negotiate the addition of solar PV panels on the roof of the proposed school. The case officer has been in discussions with the applicant regarding the solar panels but they have outlined that solar panels are not feasible. As agreed, the application has therefore been brought back to committee to allow Members to determine as originally proposed without solar PV on the development.

The applicant recognises the Climate Emergency and while they have not been able to include solar panels at this stage, their position is that the proposed scheme seeks to address sustainability in a different way. A full copy of their Briefing Note is attached at Appendix 1 to this report.

The proposal seeks to provide a 'fabric first approach'. This seeks to maximise the performance of the building fabric and materials to maximise the energy efficiency of the building. This includes higher levels of insulation than the basic building regulations, making best use of natural light and ventilation, intelligent heating and lighting controls.

The applicant has also outlined the difficulties of adding solar panels at this late stage and how this would conflict with the design and position of the proposed building. To re-orientate the building could require greater soil moved off site, possibly affect the landscape features and hedge retention and would impinge on the roof lights which are part of the design. The school building has a modern/contemporary appearance designed for learning and a sense of community and whilst generation on site would be an advantage, retrofitting it to the current design has the potential to significantly affect the appearance of the building. Officers are therefore supportive of the other measures to make the building sustainable.



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Officers have also been in discussions with colleagues at GCC property/education as GCC are the commissioning client and maybe the future owners/occupiers if the school is not an Academy. Whilst they have signed off the detailed design of the proposed school, solar provision is also something that GCC are investigating to establish how their buildings measure up and how such initiatives would contribute to improving sustainable design. Solar PV also brings the potential for an additional maintenance issue which has not been resolved.

It is unfortunate that the solar panel option requested by Members has not been taken up by the applicant, however, the measures proposed do still make a positive contribution. Whilst there is a degree of control via the agreement by GCC, full details and implementation of the measures outlined can be required via a new sustainability statement condition (no.7).

The officer recommendation to Committee remains unchanged subject to the updated planning conditions listed below.

OCTOBER COMMITTEE REPORT

THE PROPOSAL

This a 1.5 form entry school, with a 2,341sqm floor area, however it is designed with a 2 form entry core to allow for future expansion. The proposal includes a playing field, hard and soft play facilities and covered bike/scooter facilities for 26 bikes and 42 scooters.

37 parking spaces are proposed within the school curtilage for staff/visitors. Two adjacent car parks, approximately 50m away, are intended for dropping off pupils.

The land levels would be similar to the existing.

This is a reserved matters submission giving details of appearance, landscaping, layout and scale.

PLANNING HISTORY

S.14/0810/OUT: 1,350 dwellings, 9.3ha. employment land, community centre uses and a primary school. Permitted 18/4/16.

Condition 46 of the outline permission above requires the submission of Area Master Plans. S.19/0609/DISCON is the Area Master Plan for the local centre which includes the school, retail, public house and community centre. This is also on the committee agenda.

S.19/0831/REM details the road layout around the local centre. This is also on the committee agenda.

CONSULTATIONS

Eastington Parish Council: Hedging should be retained, question drop off arrangements.

Stonehouse Town Council: Question the adequacy of cycle parking and would like to see solar panels.

County Highways: No objection.

County Education: not received.

SDC Arboricultural Officer: no objection.

SDC Biodiversity Officer: no objection conditions recommended on landscaping, lighting, ecological management and bat /bird boxes.

SDC Conservation Officer: no comment



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POLICY

Local Plan policies include:

CP2 allocates the site for development.

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

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

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

CP7 Lifetime Communities: Promotion of accessibility. Lifetime accommodation.

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

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

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

ES1 Sustainable Construction and Design: Promotes energy efficiency.

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

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

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

ES14 Public Art: Promotes publically accessible features.

SDC Residential Design Guide: This covers many design aspects, from form, style, detailing, materials to landscaping and amenity.

SDC Landscape Assessment: Defines and highlights the various landscapes in the District. It highlights settlement character as well as vegetation.

Stonehouse Design Guide: Whilst this tends to concentrate on the town itself it does highlight the landscape setting including the AONB and the canal, and the importance of the various outward views.



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Stonehouse Neighbourhood Development Plan, is now part of the Development Plan.

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

Residential Design Guide SPG (2000)
Stroud District Landscape Assessment SPG (2000)
IHCA Conservation Area Management Proposals SPD (2008)

NPPF:

Paragraph 124: creation of high quality buildings and places is fundamental to planning.

Paragraph 126: use of plans and codes to create a framework to create distinctive places.

Paragraph 127: safe and accessible environments, reflect local context, effective landscaping, function over the lifetime of the development.

Paragraph 128: Design quality should be considered at the outset.

PLANNING CONSIDERATIONS

PRINCIPLE

The outline permission for the West of Stonehouse development includes a school and the associated section 106 requires its delivery. The outline permission includes a master plan which shows the siting and extent of the school.

This reserved matters application accords with the principles in the section 106 agreement and the master plan.

The applicants in their Design and Access Statement refer to positive pre-application consultations with County Education.

ACCESS/PARKING

The proposal does not provide specific school parking for parents/pupils rather facilities would be shared with adjacent shops, community centre, doctors and public house. The following questions then arise. Will the car parks be used (for those not walking), is there enough capacity, and what are the implications for the adjoining roads.

There is an example of a new school at Longford, on the northern edge of Gloucester, which partially relies upon similar shared parking. The case officer observed parking behaviour at school time on a wet Tuesday. Use was made of the parking by the shops, although this was not exclusive as the surrounding roads have no parking restrictions.

In contrast the new school at Hunts Grove has parking within the school curtilage, however the walking distances to the actual school entrance are similar to here. So what is the difference between provision within the school curtilage and shared facilities? The pedestrian links between the school and the car parks need to be well connected and parents must be advised accordingly. The car parks must be free and perceived as available. Given these parameters, then this car parking arrangement will work, particularly because the spaces will be prominent.



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The roads around the school will also have restrictions to prevent parking. The area master plan also shows that the local centre is opposite the school gates rather than residential driveways. This avoids the potential conflicts between neighbouring dwellings and indiscriminate parking which are prevalent with other schools.

The shops/community centre/public house are unlikely to be heavily used at drop off/pick times and master plan suggests that there will be ample spaces. This sharing of the parking spaces also makes more efficient use of the resource.

The covered cycle and scooter parking should encourage sustainable travel to school taking advantage of the good cycling/walking routes across the development.

DESIGN

The internal layout follows the accepted best practice in education and this has in turn influenced the external design.

It is a cruciform shape, which gives the opportunity to maximise the school's communal rooms whilst differentiating other areas for specific needs and offering surveillance at the entrance.

The cruciform massing is broken down further by its roofscape. There is a higher steeper, central section and lower, shallower offshoots. This gives the building interest, without which it would appear overly squat and mundane. The higher element is the hall which lends itself to recreational activity.

The elevations show a contemporary approach. The taller cross gable element would be clad in raised seam sheeting, which should appear as a striking contrast to the more deferential rendered offshoots. The windows are arranged in a fairly uniform pattern to give the building coherency. One larger window is orientated on the main entrance which helps to provide a focal point. The southern end gable wall is cut away to maximise day lighting whilst an overhanging roof reduces excessive solar gain and addresses the viewpoint.

This will provide a landmark which helps define the local centre, commensurate with its elevated and prominent position.

The proposal respects the requirements of Local Plan Policy ES1, by having high insulation, using passive ventilation and using the aspect to maximise day lighting.

LANDSCAPING

A landscaping scheme has been submitted. It shows that the existing trees around the site boundaries would be retained. Similarly the hedges around the application site boundary will be retained and used to demarcate the school curtilage. These hedges would be interspersed with some informal trees, typically "field" specimens.

There is some new tree planting on the eastern frontage around the school entrance, which helps compliment the sense of arrival. The trees would have high crowns which maintain visibility. The proposal also includes some new large specimens within the grounds.

Whilst the landscaping submission is helpful it is felt that the planting details could be refined to maximise this opportunity to establish quality green infrastructure. In particular this application site has sensitive boundaries, which are critical to wider network of open spaces.



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BIODIVERSITY

The boundary vegetation is being retained around the school playing field which offers some potential habitat and foraging. Lighting around the school would be focussed on essential areas to create dark corridors for bats. Similarly bat/bird boxes would be likely to be utilised. Conditions are recommended.

The increased planting should enhance biodiversity, as at the moment the site is part of an intensive agricultural field. The precise species and planting need to maximise this opportunity and similarly must be managed sensitively thereafter.

RESIDENTIAL AMENITY

The proposal does not generate any shadowing, privacy, noise or overbearing implications, being sited well away from the nearest dwelling.

PUBLIC ACCESS AND INCLUSION

There is good flat access for everybody, including those with mobility challenges.

Whilst the sports pitches are higher than the school building, a 1:25 footpath provides an easy gradient.

The open frontage allows social mixing and inclusiveness. The clear visibility and defined boundaries also accord with secure by design principles.

HERITAGE

The proposal is sufficiently distanced from listed buildings, non designated heritage assets and the IHCA to avoid any impact.

CONCLUSION

This is a community facility to serve a substantial housing development. It is placed in a central location to be accessible and support other services. The design provides a landmark for the development and this community.

Approval is recommended.

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. Prior to the school being brought into use, secure and covered dedicated scooter and bicycle parking shall be provided in accordance with details submitted to and approved by the Local Planning Authority beforehand. Provision shall be made for at least 26 bikes and 42 scooters and maintained thereafter.

Reason:

In the interest of sustainable transport.

2. Notwithstanding the submitted details the development hereby permitted shall not be brought into use until revised details of a scheme of hard and soft landscaping for the site have been submitted to and approved by the Local Planning Authority. The details shall include measures for the sensitive ecological management post planting. Development shall then be carried out in strict accordance with the approved details, and maintained in accordance with the approved ecological management details.

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

Reason:

To promote biodiversity and the appearance of the area. The site makes an important contribution to the green infrastructure of the wider development.

3. No external lighting shall be erected unless full details of its design, location, orientation and level of illuminance (in Lux) provided have first been submitted to and approved by the Local Planning Authority. Such lighting shall be kept to the minimum necessary for the purposes of security and site safety and shall prevent upward and outward light radiation and have regard for the ecological implementations.

Reason:

In the interests of the amenities of local residents and the surrounding area and to minimise light pollution and maintain dark corridors around the site for the benefit of wildlife.

4. Prior to the occupation of the school, bat and bird boxes shall be erected around the site in accordance with details submitted to and approved by the Local Planning Authority beforehand.

Reason:

In the interest of biodiversity. The site makes an important contribution to the green infrastructure of the wider development.



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5. Prior to the first occupation of the school and nursery, car parking and drop-off/pick up facilities shall be provided for staff and parents in accordance with details submitted to and approved by the Local Planning Authority beforehand. This shall include details of the ongoing retention and maintenance of the availability of the proposed parking provision.

Reason:

To ensure the efficient operation of the school and highway safety.

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

5827-P-001A : Site location plan rec'd on 27 Aug 2019.
5827-P-100B : Proposed site block plan received on 19 Aug 2019.
5827-P-110E: Proposed site plan received on 19 Aug 2019.
5827-P-111B: Proposed block plan with landscaping received on 27 Aug 2019.
5827-P-113B Proposed block plan with landscaping received on 27 Aug 2019.
5827-P-700C Proposed elevations received on 26 July 2019.

Reason:

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

7. Prior to the above ground level works starting on site a sustainability and energy statement shall be submitted to and approved by the Local Planning Authority. This statement shall include details of all sustainable measures proposed including but not limited those measures outlined in the submitted Briefing Note: Sustainability (PV) received on 29th October 2019 which addressed the 'fabric first' approach. The approved measures shall be fully implemented prior to first occupation of the development and shall thereafter be permanently retained to serve the development and maintained in a working order in accordance with the approved details.

Reason:

To encourage sustain design and construction, maximise energy efficiency and a reduction of CO2 emissions in accordance with Policies CP14 and ES1 of the adopted Stroud District Local Plan, November 2015 and paragraph 148 of the revised National Planning Policy Framework.



Briefing Note: Sustainability (PV)

Application Reference: S.19/1122/REM

1.0 Introduction

- 1.1 The application was debated at the October Development Control Committee, where members opted for delegated approval subject to PV / solar panels being provided on the new school building. The LPA has subsequently highlighted Policy ES1 to the applicants. The application has been brought back to the Committee as for various reasons outlined below PV / solar panels are not possible in this particular instance.
- 1.2 It is important to note that Policy ES1 was current at the time the outline planning consent for the site was granted. The need for the school was determined as part of the outline consent. Therefore if PV was a requirement of the LPA, it should have imposed a suitably worded condition to this effect as part of the outline planning permission. No such condition applies to this development and therefore seeking to ensure PV is installed now could be deemed as derogating from the outline planning permission.
- 1.3 Notwithstanding the above, the applicant and design team involved in this project recognise that Stroud District Council has declared a Climate Emergency since the outline consent was granted and have therefore taken measures to ensure the proposed school is sustainable and seeks to reduce carbon emissions. The principles applied to the design and sustainability were discussed with planning officers from the LPA and agreed as part of the pre-application meeting for the proposed school.
- 1.4 It is fully recognised that this will be a key community building in the central hub of the development. However, there are a number of constraints that the Committee need to be aware of detailed below that have led to the proposals submitted and the conclusion that PV / solar panels are not feasible in this instance.

2.0 Constraints, Key Events and Design Details

- 2.1 The school site itself is defined by existing well established hedgerows which are predominantly to remain. The school area has been formally agreed with Gloucestershire County Council pursuant to the legal agreement and is wholly in accordance with the Masterplan for the development as a whole. It is therefore not possible to relocate the school to another part of the site.
- 2.3 Under the legal agreement for the provision of the school, certain requirements need to be met to ensure suitable internal and external spaces are achieved. This ensures that classrooms, playing fields etc. are sized accordingly and function well. Given the school site shape, being triangular, this severely limits options with locating the actual building to achieve the necessary areas, particularly for external zones, and yet still present a strong frontage to the school site entrance as it will be a key landmark building.
- 2.4 A further constraint is the topography of the site and trying to orientate the building to facilitate the potential for a future school extension should it be required. The building has been positioned such that it follows the contours as closely as possible. In doing so, the designs as a whole limit the amount of cut and fill on the site, ensuring that material that needs to be potentially exported off the site is substantially reduced. This in turn means vehicle movements, and in particular HGV movements are significantly reduced as well, offering a sustainable design solution.
- 2.5 As detailed above, the school building position has therefore been set to address the above constraints and achieve the necessary internal and external areas. The design team has assessed various positions in terms of physical construction to limit HGV movements needed when trying to achieve finished levels. The submitted proposal is the most effective in limiting cart-away of materials. It provides a strong building frontage to the road, in keeping with the landmark status of this community facility. It is orientated to facilitate the potential for future expansion if needed, and ensures that any such expansion can be achieved as economically as possible for the Council moving forwards.
- 2.6 All of the above was discussed in detail with the Planning Officers from Stroud District Council at a pre-application meeting and the Officers commented on how well the design team had looked to position the building according to the constraints of the site.
- 2.7 The result is that the building orientation is such that the inclusion of PV on the school roof would prove inefficient. It would also impinge on the proposed roof lights, which are providing natural light and ventilation to the class rooms, ensuring a bright and comfortable learning environment for the future pupils. Again, this was discussed at the pre-application meeting with Stroud District Council and was acknowledged by the Planning Officers. It was therefore agreed that a fabric first approach to the building would be the best way forward.
- 2.8 With the above in mind, Quattro Design has developed the school building with the following measures to ensure low energy usage, reduce the carbon footprint and provide a sustainable design solution:
- High levels of insulation, above building regulation requirements to reduce the energy required to heat the school.

- Large windows providing high levels of natural light to teaching spaces, with solar shading to limit any overheating.
- High build quality and detailing that will reduce energy loss through air leakage.
- Natural ventilation using windows and rooflights or roof terminals to create controlled airflow.
- Openable louvres provide purge ventilation or secure night-time cooling.
- Temperature and CO₂ monitoring equipment in each classroom to give teachers control of their internal environment without wasting energy.
- Highly efficient lighting and control systems. These will automatically turn off lights when spaces are unoccupied or when natural light reaches a certain level.
- Zoning the building such that the hall and lettable areas can be heated, without wasting energy heating the whole school.

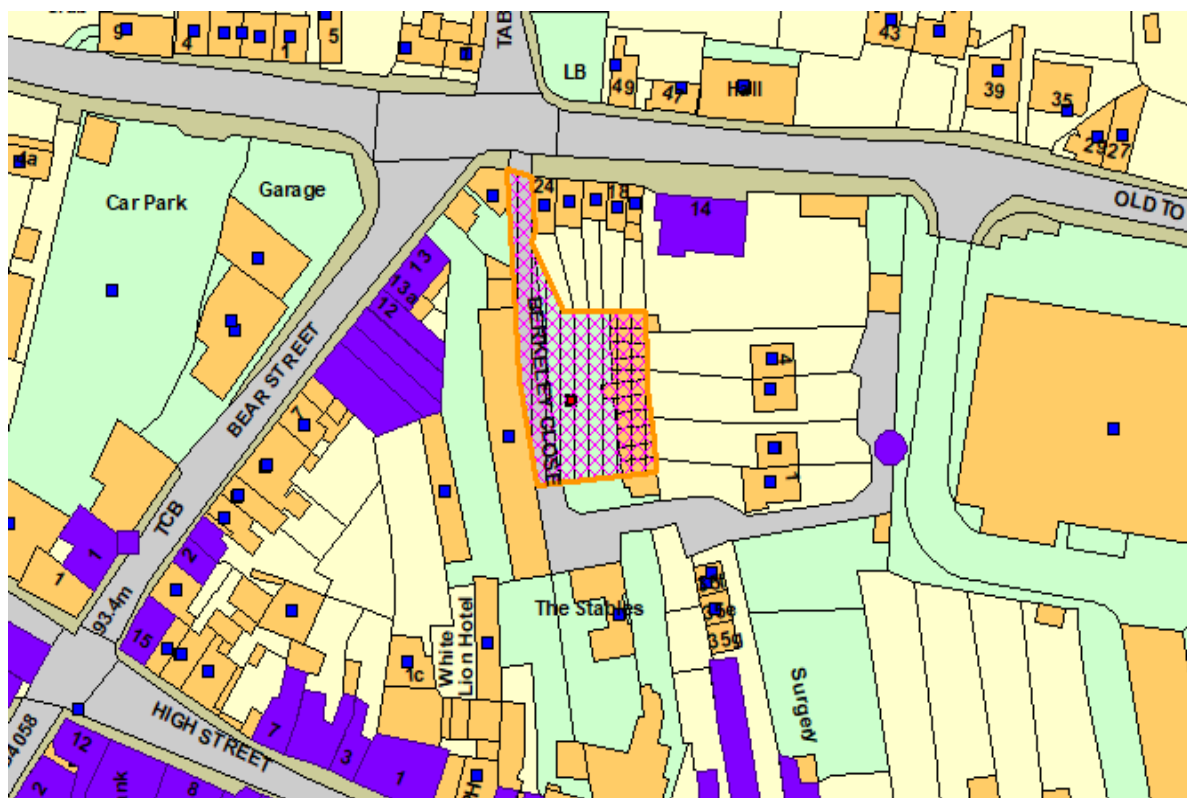
3.0 Conclusion

- 3.1 The proposed school has been in development for some considerable time and well in advance of the climate emergency being declared by the District Council. Notwithstanding this, the design team acknowledges the importance of sustainability.
- 3.2 The design process has involved both the Planning Authority (Stroud District Council) and the Education Authority (Gloucestershire County Council), with the latter signing off the designs as part of the legal agreement process prior to the planning application being submitted. The designs therefore meet all the necessary requirements of the legal agreement for the provision of the new school.
- 3.3 The constraints that have led to the building's position and orientation are such that it offers the most sustainable and practicable solution for the delivery of the school and potential extension whilst still ensuring a key landmark building fronting the access road.
- 3.4. The position and orientation of the school and the fact that this would prevent PV use was discussed with Stroud District Council at the pre application meeting and it was agreed that a fabric first approach to the building would be utilised instead as the physical constraints of the site severely limit options for positioning the building elsewhere.
- 3.5 In this particular instance due to the constraints of the site, it simply would not be efficient to install PV which would potentially hinder other key aspects of the school such as natural light and ventilation.
- 3.6 The designs have ensured a sustainable and energy efficient building through the use of fabric first approach as detailed above.
- 3.7 The applicant is committed to delivering this school for the new development and the wider community as a whole. It is hoped that after assessing the above and understanding the processes and rationale applied to the design, together with previous discussions / agreements with the District Council, the committee will approve the new school which will still enable its construction to begin to meet with the programmed opening in September 2021.



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Item No:	04
Application No. Site No.	S.19/1768/FUL
Site Address	Land At Berkeley Close, Old Town, Wotton-Under-Edge, Gloucestershire
Town/Parish	Wotton Under Edge Town Council
Grid Reference	375644,193378
Application Type	Full Planning Application
Proposal	Resubmission of S.18/2510/FUL - Demolition of 10 no. disused lock-up garages and erection of 3 no. dwellings and associated parking (375644-193378)
Recommendation	Permission
Call in Request	Parish Council





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Applicant's Details	Bathurst Ltd PO Box 339, Stroud, Gloucestershire, GL6 7AY,
Agent's Details	David Foulkes Associates Ltd 10 Green Close, Uley, Dursley, Gloucestershire, GL11 5TH
Case Officer	Rachel Brown
Application Validated	12.09.2019
CONSULTEES	
Comments Received	Wessex Water (E) SDC Water Resources Engineer Development Coordination (E) Contaminated Land Officer (E) Archaeology Dept. (E) Environmental Health (E) Wotton Under Edge Town Council
Constraints	Affecting the Setting of a Cons Area Area of Outstanding Natural Beauty Article 4 Directive 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
- Flood risk
- Archaeology and Heritage Assets
- Obligations



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DESCRIPTION OF SITE

The site is located to the rear of the Malthouse, off Old Town and within the centre of Wotton under Edge. The site comprises 10 lock up garages and associated land, accessed off Old Town, close to its junction with Bear Street. The site is bordered to the north and east by residential properties. To the south is the rear of premises that front onto the High Street, and to the west is the Malthouse.

The site lies within the Wotton under Edge Conservation Area, and is within the Cotswold Area of Outstanding Natural Beauty. There are a number of listed buildings nearby.

PROPOSAL

The application seeks permission for the demolition of 10 garages and the erection of 3 dwellings. This is a revised application following a previous refusal S.18/2510/FUL.

MATERIALS

Walls: Cotswold natural stone, cream render and red brick details
Roof: Natural slate
Doors: Pastel green painted
Windows: White painted high performance timber

REPRESENTATIONS

Statutory Consultees:

WATER RESOURCES ENGINEER

"The applicant has overcome my previous concerns with regards to the culvert. The GPR information and subsequent excavations are conclusive and as such I no longer have any concerns regarding this.

I am happy with the proposed connection to the combined sewer, however further information is required, which can be obtained through a condition. The applicant has stated they will not allow the site to flood in the 1:30, however they also need to ensure that the site will not flood internally or flood where else in the 1:100. Storing up to the 1:100 is often the best way to achieve this. This detail needs to be submitted, and therefore the following condition is recommended:

Detail design Condition: No development shall commence on site until a detailed design, maintenance & management strategy and timetable of implementation for the surface water drainage strategy (e.g. Sustainable Drainage System SuDS) presented in the Drainage Strategy (Surface Water Drainage Strategy (S.19/1768/FUL)) has been submitted to and approved in writing by the Local Planning Authority. The detail must demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere in both the 3% AEP and 1% AEP (plus allowance for climate change) and the measures taken to manage the water quality for the life time of the development. 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."



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ENVIRONMENTAL PROTECTION MANAGER

"I would please request further details as to the construction of the garages to be demolished, in particular whether they contain asbestos containing materials.

Furthermore, I would recommend the following conditions and informative for this application:

Conditions:

1. No construction site machinery or plant shall be operated, no process shall be carried out and no construction-related deliveries taken at or dispatched from the site except between the hours 08:00 and 18:00 on Mondays to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.
2. 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.

Burning Informative:

The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of smoke/fumes and odour during the construction phases of the development by not burning materials on site. It should also be noted that the burning of materials that give rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume or odour complaints be received."

In response to the receipt of additional information, the following comments have been received from the Environmental Protection Manager:

"I'm afraid that this does not address the issue. It would appear likely that the roofing is of corrugated asbestos cement construction and, given the description of it as (essentially) damaged, there is a strong likelihood that fragments are present in the area and/or could be released during demolition. Unless it can be shown that the roofs are not of asbestos cement construction, then the demolition/removal will need to be conditioned.

A suitable condition would be something along the lines of "No demolition works shall commence unless and until a plan detailing methods, controls and management procedures relating to removal of Asbestos Containing Materials associated with the development site has been submitted to and approved in writing by the Local Planning Authority."

CONTAMINATED LAND OFFICER

"Thank you for consulting me on the above application. I have no comments."

GCC ARCHAEOLOGIST

"Thank you for consulting me concerning the above planning application. I wish to make the following observations regarding the archaeological implications of this scheme.

I advise that I have checked the application site against the County Historic Environment Record. No archaeology is known within the application site, which is located adjacent to, but outside, Wotton-under-Edge's medieval settlement area.

In my view there is a low risk that this development proposal will have any adverse impact on archaeological remains. For that reason I recommend that no archaeological investigation or recording should be undertaken in connection with this scheme.

I have no further observations."



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GCC HIGHWAYS

"I refer to the above application received on the 18th September 2019 submitted with application form, site plan ref 0572 100A, design and access statement and site layout ref 0572 101A.

The development is located adjacent to Old Tow, a class B highway subject to a sign posted limit of 30mph. It comprises close walking and cycling distances to various amenities and access points to sustainable means of transport.

For the purposes of this assessment, the highways impact of the proposed development will be assessed on a 'worst-case scenario' basis. The existing 11 no. garages could in principle generate on average between 44 no. and 55 no. daily trips. When compared to the proposal, the 3no. dwellings could in principle generate on average 15no. daily trips which would increase to an average of 20no. trips through the access when adding the possible trips generated by the retained 1no. garage (5no. daily trips).

The proposed development is therefore perceived to be subject to a reduction of multi-modal trips through the access, thus not to present a detrimental impact on the adjacent highway.

Recommendation:

The highway authority recommends no highway objection to be raised."

WESSEX WATER

"Thank you for the consultation in respect of the above. Please find attached a map showing the approximate location of our services near the site.

Wessex Water has no objections to this application and can advise the following information for the applicant:

The Planning Application

The planning application indicates that foul sewerage will be disposed of via the main sewer.

Rainwater running off new driveways and roofs will require consideration so as not to increase the risk of flooding. The current planning submission indicates that rainwater (also referred to as "surface water") will be disposed of via the main sewer.

Applying for new drainage connections

If your proposals require new connections to the public foul sewer, notes and application forms can be found here.

The water service provider for this location is Severn Trent Water.

Are existing public sewers affected by the proposals?

According to our records there are no recorded public sewers within the red line boundary of the development site. Please refer to the notes on the attached map for advice on what to do if an uncharted pipe is located.

Wessex Water note the comments made by nearby residents to this proposed site. In this instance, the additional predicted foul flows from the proposed dwellings will be minimal. The main cause of sewer flooding in our networks is by blockages caused by disposal of non-flushable items into the sewers such as wet wipes in the bathroom and fats, oils and grease in the kitchen. Information on how to dispose of these items correctly can be found here.

The surface water strategy

You have indicated that surface water will be disposed of via the main sewer.

We understand that infiltration testing has not been successful in this location and the SuDS Hierarchy has been considered. We can accept an attenuated rate of surface water to the existing combined sewer not exceeding 5 l/s.

The site must be served by separate systems of drainage until the last manhole before exiting the site boundary into the public combined sewer."



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Public:

At the time of writing this report 8 public comments (6 objections; 2 support) have been received.

Objections raised can be summarised as:

Impact from heavy traffic/plant movements during construction

Highway safety

Location of bin store adjacent to garden wall

Overlooking/loss of privacy

Lack of parking

Possible damage from removal of tree

Surface water run-off/flooding/drainage

Layout

Wildlife

Overdevelopment

Lack of detail regarding boundary wall and tree

Building height

Incorrect/inaccurate information submitted with application

Failure Highways Authority to properly consider impact

Lack of detail for moving power/BT lines

Removal of party wall without permission of neighbours

Fence not high enough to give privacy

No construction details

Right of access/covenants on the land

Wotton under Edge Town Council

Object and make the following comments:

"Wotton-under-Edge Town Council wishes to object to this application on the grounds of:

- The D&A statement claims that this application is "substantially similar" to that approved in 2015. It is not. One of the three properties, in height and scale is substantially different. Furthermore, the footprint of the proposed development moved 6 feet more towards the rear boundary of the Southernmost proposed property, resulting in overlooking onto neighbouring properties and affecting their privacy.
- The proposed car parking is insufficient - there are only 5 proposed spaces for the three properties. The 2015 SDC Local Plan specifies under section 5.67 that Wotton is a special case and Appendix 2 states that such cases need a minimum of 2 spaces per dwelling. Given the lack of alternative parking availability, and the narrowness of the access, a minimum of 2 parking spaces per dwelling must be provided.
- Access for neighbouring properties which require usage of this site must be maintained at all times during construction. It is known that 24 Old Town the property adjacent to the entrance is of an age not to have been built on proper foundations and could be damaged by construction traffic. Thus a construction method statement is required.
- More information is needed regarding the retention and protection of the existing walls which are important for maintaining the privacy of neighbouring properties. It is noted that the rear walls of the garages have been built on top of a tall retaining wall and consideration needs to be given to their retention for privacy purposes.
- Consideration must be given to safeguarding of the tall retaining wall behind the proposed properties to ensure its stability during garage demolition and subsequent construction. It is noted that the footprint of the proposed development has been moved closer to the wall which could affect its stability.
- The three roof windows facing Old Town look directly into the first floor windows of the neighbouring properties resulting in loss of privacy (ES3/1). Furthermore, can it be confirmed that the rear facing false first floor window will be permanently closed.



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- The two storey building will block afternoon/evening sunlight enjoyed by the neighbouring Old Town properties (ES3/1).
- Due to the neighbouring properties at the rear being much lower (typically 3m) than the development site, the proposed two storey building will be overbearing on these (ES3/1).
- The large tree (Ash?) on this site is a 'tree in a conservation area' and would need consent for any works/removal. Assurance is requested that any works to this tree would not result in the retaining wall becoming unstable. Any wall damage would need to be repaired.
- If planning officers are minded to approve this application then it is requested that this application is called in to Development Control Committee for a site visit (to observe the significant difference in levels (which are larger than shown on the plans), the likely effect of the development on neighbouring properties and access concerns) and for decision.
- This Council reminds planning officers of the long history of applications on this site (speculative or otherwise) and the constant attempts to overdevelop the site, in spite of the Planning Inspector's recommendation from a few years ago stating that 'single storey buildings only' should be built in this location."

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.

ES4 - Water resources, quality and flood risk.

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)



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NEIGHBOURHOOD DEVELOPMENT PLAN

Wotton under Edge has been designated as a neighbourhood; however as yet not submitted a Neighbourhood Development Plan.

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

PRINCIPLE OF DEVELOPMENT

The 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

The proposal is for three new dwellings, two of which would be single storey and one two storey. Officers initially raised concerns over the height of the two storey property. Following discussions with the agent, revised plans were submitted reducing the overall eave and ridge height, with the first floor accommodation contained within the roof space. The reduced height of the building ensures that it would sit more comfortably adjacent to the single storey dwellings.

The proposed dwellings are of traditional design and would be finished in materials that would be in keeping with the immediate surroundings. The proposed development would not appear out of keeping or unduly prominent within the wider setting.

The plots are relatively small; however, each dwelling would have an adequate area of garden and would be compliant with the standards set out in the Council's adopted Residential Design guide. Furthermore, the plots would not appear cramped or overdeveloped.

RESIDENTIAL AMENITY

Immediate neighbouring properties are located to the north on Old Town, and to the east of the application site, Nos. 1-4 Berkeley Close. There is a separation distance of at least 15m to the north and approximately 23m to the east. The application site is level, but to the east there is a significant drop in land levels with the properties in Berkeley Close being at a much lower level. A substantial retaining wall forms the boundary between Nos. 1-4 Berkeley Close and the application site. Whilst the new dwellings would be slightly higher than the existing garages, the dwellings would be set into the site approximately 4m from the wall and given the degree of separation, the proposal would not give rise to significant loss of light or have an overbearing impact.

Views to the north and south from ground floor windows would be largely screened by the boundary wall, albeit given the lack of detail on the submitted drawings, a condition requiring the approval of boundary treatment is recommended. Plot 1 is a two storey property, albeit the upper floor accommodation is proposed within the roof space. Concerns have been raised of overlooking from the roof lights proposed in the north facing roof slope. Two of the roof lights serve bathrooms and the third a bedroom. The submitted drawings detail all the roof lights in the north elevation to be obscurely glazed; a condition is recommended to control this. Furthermore, a condition is recommended removing permitted development rights, including the insertion of windows. The proposed development has been designed to maintain privacy levels



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HIGHWAYS

The proposal encompasses the demolition of 9 No. discussed lock-up garages (2 No. to be retained) and the erection of three dwellings and associated parking.

The development is located adjacent to Old Town, a class B highway, subject to a sign posted limit of 30 mph. The site is within close walking and cycling distances to various amenities and access points to sustainable means of transport.

For the purposes of this assessment, the highways impact of the proposed development will be assessed on a 'worst-case scenario' basis. The existing 11no. garages could in principle generate on average between 44no. and 55no. daily trips. When compared to the proposal, the 3no. dwellings could in principle generate on average 15no. daily trips which would increase to an average of 20no. trips through the access when adding the possible trips generated by the retained 1no. garage (5no. daily trips).

The proposed development is therefore perceived to be subject to a reduction of multi-modal trips through the access, thus not to present a detrimental impact on the adjacent highway.

Whilst concerns have been raised over the lack of parking, the parking provision proposed meets the requirements of the Council's adopted Parking Standards. Moreover, the site is located within the defined settlement boundary and as such, the occupiers of the property would have easy access to local facilities without the need to travel by car.

LANDSCAPE

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

TREES

The only significant tree on the land is an ash tree behind the garages. The tree is not protected by a Tree Preservation Order, however is protected by being within a conservation area. The lower branches are growing over the roofs, and the upper canopy close to the power cables. Notwithstanding this application, the tree needs to be crown lifted to clear the branches off the garages. Branch reduction pruning is also being required to stop the branches interfering with the power cables. This type of pruning would only be a temporary solution to contain the tree mass. The re-growth from the cut surfaces would form a dense canopy which would be counterproductive. The shoots that would form from the cut surfaces would be attached to a thin cambium layer increasing the risk of branch failure.

The Council's Senior Arboriculture Officer has no objection to the removal of the tree subject to a landscaping condition. The submitted site layout plan includes an appropriate landscaping scheme.

FLOOD RISK

Local Plan Policy ES4 - water resources, quality and flood risk, requires the Council, when determining applications, to ensure flood risk is not increased elsewhere. The site is located in Flood Zone 1, and so is at low risk of fluvial flooding.

Local residents have reported a possible culvert running under the site and the previous application was refused in the grounds that the applicant could not demonstrably prove the absence of the culvert, and as such represented a flood risk that had not been adequately mitigated. A Surface Water Drainage Strategy has been submitted with this application. This reports that in order to



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establish if the culvert existed under the site or not, a ground penetrating radar survey was undertaken, followed by exploratory trenching in locations showing signal anomalies. Whilst the results of the radar survey were not definitive, no culvert or other drainage infrastructure was encountered during the exploratory trenching, and it has been concluded that it is unlikely to exist under the site. An infiltration test previously carried out on site indicated a very slow infiltration rate and reflects the clayey nature of the underlying fill material, exposed during the exploratory trenching. In view of this the report recommends that soakaways are not proposed for the drainage strategy.

Concerns have been raised by residents from within the cul-de-sac, over possible flooding from surface water run-off. Currently, rainfall run-off flows along the unmade track and down into the cul-de-sac. It is proposed that the proposals will act to divert a significant amount of this flow into the main sewer and so will provide a flood risk benefit to the local community. Wessex Water Services have accepted the proposals in principle subject to a restricted discharge rate and a 30 year return flood standard.

The Water Resources Engineer has confirmed that the applicant has overcome previous concerns with regards to the culvert. The GPR information and subsequent excavations are conclusive and as such no longer has any concerns regarding this.

The Officer is happy with the proposed connection to the combined sewer, however further information is required, which can be obtained through a condition. The applicant has stated they will not allow the site to flood in the 1:30, however they also need to ensure that the site will not flood internally or flood where else in the 1:100. Storing up to the 1:100 is often the best way to achieve this. This detail needs to be submitted, and therefore a condition is recommended requiring detailed design work to be submitted. It is considered that this development will amount to a betterment of the existing scenario.

ARCHAEOLOGY AND HERITAGE ASSETS

Gloucestershire County Council's Archaeologist has checked the application site against the County Historic Environment Record. No archaeology is known within the application site, which is located adjacent to, but outside, Wotton under Edge's medieval settlement area.

In his view there is a low risk that this development proposal will have any adverse impact on archaeological remains and for that reason it is recommended that no archaeological investigation or recording should be undertaken in connection with this scheme.

The application site is located in the Wotton under Edge Conservation Area. Special attention must be paid to the desirability of preserving or enhancing the character and appearance of the area. It has to be remembered that the built environment derives its character as much from the spaces between and around the buildings as it does from the buildings themselves. The site is also within close proximity to a number of grade II listed buildings.

The proposal includes the demolition of garages that have no historic merit and in their current condition have a negative impact on the character and appearance of the Conservation Area.

The demolition of these buildings will enable the site to be re-developed in a manner that could be an enhancement to the character of the conservation area at this point. The proposed new dwellings are relatively lower key and, provided that the materials and detailing are carefully controlled, will have a positive impact on the character of the area. The proposed landscaping will be an enhancement on the current neglected site.



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Where listed buildings or their settings are affected by development proposals, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act requires the decision maker to have special regard to desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. The impact on the setting of the listed buildings will be negligible and will not cause them any harm.

The proposal 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 ES10 of the Stroud District Local Plan.

OTHER MATTERS

ASBESTOS

It is likely that the roofing of the garages is of corrugated asbestos cement construction and, given the description of it as (essentially damaged), there is a strong likelihood that fragments are present in the area and/or could be released during demolition. A condition is recommended for the submission and approval of a plan detailing methods, controls and management procedures relating to removal of asbestos containing materials associated with the development is recommended

OBLIGATIONS/AFFORDABLE HOUSING

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

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

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 and permission is recommended.

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 Plan Proposed of 12/09/2019
Plan number = 0572 101 B

Proposed plans and elevations of 19/08/2019
Plan number = 0572 102 B

Reason:
To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.
3. Notwithstanding the submitted drawings, the development hereby permitted shall not be occupied until details of the bin storage facilities has been made available in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved bin storage facilities shall be made maintained thereafter.

Reason:
In the interests of the amenities of occupiers of adjoining residential properties.
4. No window or door openings other than any fenestration shown on the approved plans shall be formed in the dwellings hereby permitted.

Reason:
In the interests of the amenities of occupiers of adjoining residential properties.
5. Notwithstanding the submitted drawings, no window or door opening shall be formed in the first floor rear (east) elevation of plot 1.

Reason:
In the interests of the amenities of occupiers of adjoining residential properties.
6. The roof lights proposed in the north side elevation of the development hereby permitted shall be glazed in obscure glass and maintained as such thereafter.



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Reason:

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

7. 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. Development shall then be carried in strict accordance with the approved details.

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.

8. No demolition works shall commence unless and until a plan detailing methods, controls and management procedures relating to removal of Asbestos Containing Materials associated with the development site has been submitted to and approved in writing by the Local Planning Authority. Development shall then be carried in strict accordance with the approved details.

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.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or any order revoking and re-enacting that order with or without modification), no development permitted under Article 3 and described within Classes A to E of Part 1 of Schedule 2, shall take place.

Reason:

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

10. 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 Local Planning Authority. The approved cycle storage facilities shall be made maintained thereafter.

Reason:

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



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

Reason:

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

12. 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.

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

Reason:

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

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.



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15. All planting, seeding or turfing comprised in the approval details of landscaping as detailed on the approved drawing No 0572 101 B, shall be carried out in the first complete planting and seeding seasons following the occupation of the buildings, or the completion of the development to which it relates, whichever is sooner. Any trees or plants which, within a period of five years from the completion of the development, die, or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of the visual amenities of the area.

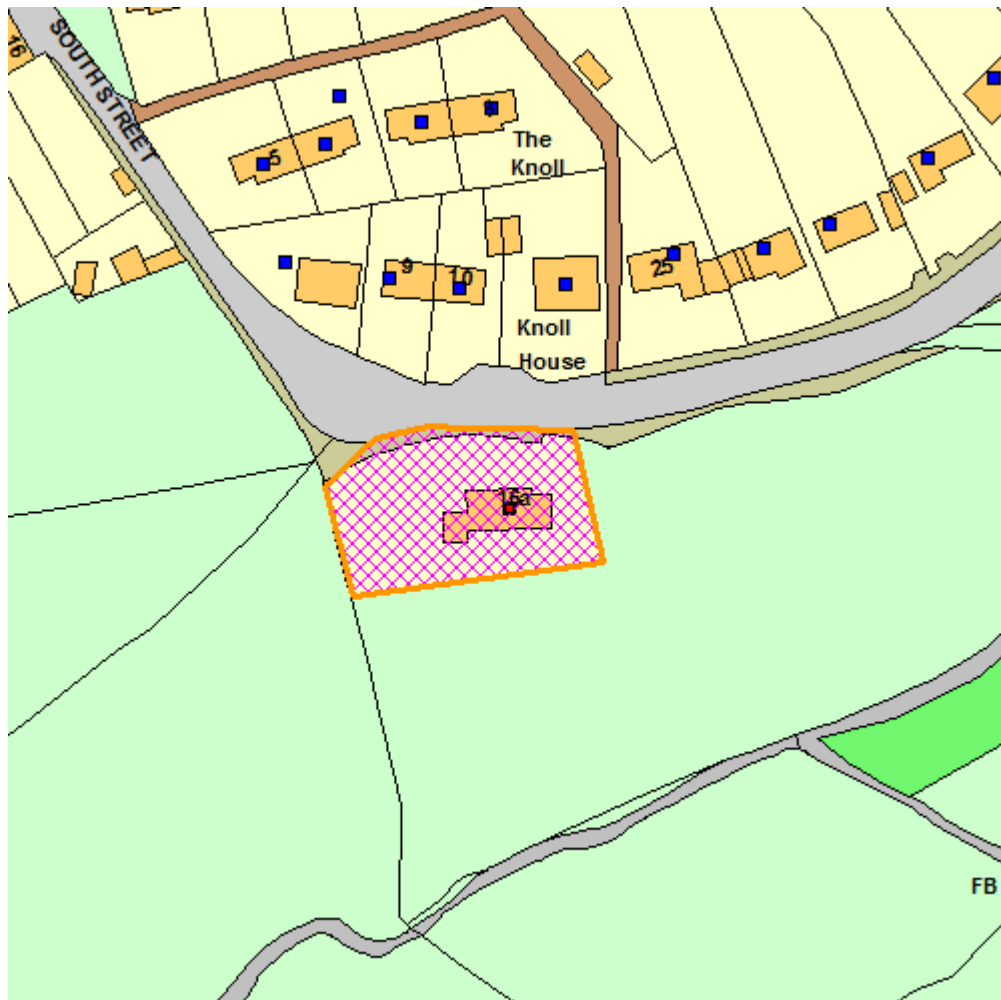
Informatives:

1. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of smoke/fumes and odour during the construction phases of the development by not burning materials on site. It should also be noted that the burning of materials that give rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume or odour complaints be received.



Development Control Committee Schedule

Item No: 05	
Application No.	S.19/1404/HHOLD
Site No.	PP-07974301
Site Address	16A South Street, Uley, Dursley, Gloucestershire
Town/Parish	Uley Parish Council
Grid Reference	379207,198258
Application Type	Householder Application
Proposal	Side extension and loft conversion with rear dormers and double garage to side (379207 - 198258)
Recommendation	Permission
Call in Request	Parish Council





Development Control Committee Schedule

Applicant's Details	Mr S Littlewood C/O Elevation One Building Design Ltd , 25 Uley Road, Dursley, GL11 4NJ,
Agent's Details	Elevation One Building Design Ltd 25 Uley Road, Dursley, GL11 4NJ, ,
Case Officer	Laurence Corbett
Application Validated	12.07.2019
CONSULTEES	
Comments Received	Conservation South Team Biodiversity Officer Uley Parish Council Contaminated Land Officer (E)
Constraints	Affecting the Setting of a Cons Area Area of Outstanding Natural Beauty Consult area Conservation Area Nympsfield Airfield Zone Uley Parish Council Village Design Statement
OFFICER'S REPORT	

DESCRIPTION OF SITE

The property is a single storey detached dwelling set marginally back from South Street, a minor road running to the front (north) of the property in the village of Uley. The property is surrounded by private garden and has an existing vehicular access onto the public highway. Due to existing ground conditions (sloping uphill from south to north) the property is marginally set down from the public highway. The property is adjacent to the settlement development limit for Uley.

There are Public Rights Of Way (PROW) close to the property, to the north is Uley footpath 41 (approximately 20m away), to the west is Uley footpath 49 and 53 (approximately 25m away, these are within Millennium Green) and to the south is Uley footpath 52 (approximately 110m away). The dwelling is within the Uley Conservation Area and within the Cotswolds Area of Outstanding Natural Beauty.

PROPOSAL

The application proposes a single storey side extension with glazing, a loft conversion with dormers to the rear and a double garage to the side.

REVISED DETAILS

Revised plans submitted on the 14/08/2019. Bat report submitted on the 31/10/2019 and method statement submitted on 07/11/2019.

MATERIALS

Walls: Natural stone to front and sides. Timber cladding to dormer and garage.
 Roof: Recon stone tiles with flat roof to rear.
 Windows: Grey aluminium.
 Door: Detailed on plans.



Development Control Committee Schedule

REPRESENTATIONS

Statutory Consultees:

Uley Parish Council comments - 08/08/2019:

The site is outside the Uley settlement development boundary. Stroud Local Plan Core Policy CP15 says proposals "outside identified settlement development limits will not be permitted except where these principles are complied with" - then lists six principles, none of which are satisfied in this case (one is "it is a replacement dwelling" but this proposal is for an extension, not a replacement dwelling). The policy then goes on to say that even "Where development accords with any of the principles listed above, it will only be permitted if" - then lists six conditions, of which two are relevant but not in the Parish Council's view satisfied ie "(i) it does not have any adverse impact on heritage assets and their setting" and "(iv) in the case of extensions to buildings, it does not result in an inappropriate increase in the scale, form or footprint of the original building".

The site is inside the Uley Conservation Area. The application includes a heritage statement which focuses only on the compatibility of the proposal with houses on the opposite side of South Street. These are outside the Conservation Area. The issue is the impact on the Conservation Area, which includes a neighbouring large swathe of green land which was presumably included in the Conservation Area as it forms an important apron in front of the village as seen from the south. The scale, form and materials proposed for the extensions would make the building far more prominent in these views (including ones from various footpaths and from the Millennium Green public space immediately to the west). Paragraph 5 of Stroud Local Policy Delivery Policy ES10 says that "Any harm or loss [to the heritage asset] would require clear and convincing justification to the relevant decision-maker as to why the heritage interest should be overridden." Indeed paragraph 195 of the National Planning Policy Framework appears to go further and states that "Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss" (or that four conditions - not met in this application - subsequently set in the paragraph are satisfied).

The application is in conflict with seven policies set out in the Uley and Owlpen Community Design Statement:

UO1: "New buildings or alterations should not demonstrably harm the landscape character in the valley when viewed from public vantage points"

Key vantage points are identified in Appendix D to the Design Statement and the site is visible in the photographs from Viewpoints 1, 7 and 8 included in that Appendix and the supporting selection at the link <http://bit.ly/CDS-photos> referred to on page 42 of the Design Statement. The large dormer and two storey full height glazing to the south elevation, the fully glazed gable end on the west elevation and the extended length of the buildings would be much more prominent in these views, particularly given the reflective quality of the extensive glazing and the proposal to remove the large conifer at the west end of the site (see the application's block plan, drawing 01).

UO2: "In amplification of Stroud District Local Plan 2015, Policy CP15, the design of any new buildings or alterations to existing buildings outside the identified Local Plan development limits should be sympathetic to adjacent properties and their wider landscape setting and not be obtrusive in scale or in terms of building materials."



Development Control Committee Schedule

The design is not sympathetic to the adjoining Conservation Area landscape and is obtrusive to that landscape in terms of scale and materials.

UO7: "A clear visual transition between outlying areas and the core of the existing settlement should be maintained. Proposals for further building or alterations anywhere near the settlement boundary should be closely reviewed for the impact looking towards the village as a whole and public views looking out from the village to the surrounding countryside, which are an important part of the settlement character"

Comments as for UO1.

UO9: "New buildings or extensions should observe locally distinctive detailing, proportions and scale and respect the existing pattern of development especially in terms of scale, proportion and massing..."

The fully glazed gable on the western elevation and the full height glazing on both storeys of the southern elevation do not meet this requirement.

UO10: "The impact on the wider 'villagescape' should be considered... [the village's] historic setting should not be demonstrably harmed."

Comments as for the other Design Statement policies cited above.

UO14: "New dormers and rooflights should be installed in a way sympathetic to the roofscape..."

Neither the first floor dormer running the full length of the building nor the fully glazed gable to the western elevation at the same level are sympathetic to the roofscape of the village, nor is the extensive cladding in uPVC.

UO15: "In the Conservation Area replacement windows and doors should be constructed in traditional materials, detailing and design. The use of uPVC will be strongly resisted..."

The windows are of non-traditional materials (uPVC or aluminium), detailing and design.

Uley Parish Council comments - 23/09/2019:

The Parish Council remains of the view that the proposal represents overdevelopment of the site, whose sensitivity is underlined by the past decisions to include it within the Conservation Area and to place it outside the adjacent settlement boundary, and inappropriate design. As set out in detail in our earlier comments, the proposal breaches no less than seven policies adopted in the Uley and Owlpen Design Statement and if officers are minded to recommend approval it is our very strong wish that the proposal goes before the Development Control Committee.

Policy HC8

The Parish Council considers that the application does not meet criterion 2 ie that "the height, scale, form and design of the extension ... is in keeping with the scale and character of the original dwelling (taking into account any cumulative additions) and the site's wider setting and location."

This is a sensitive site, as clearly reflected in the decisions. While it is true, as the Conservation Officers comment, that the existing bungalow does not contribute positively to the character or appearance of the Conservation Area, it sits low on the site and the absence of roof lights or dormers, the traditional-sized glazing, the dull colouring of the roof and the large conifer on the western side



Development Control Committee Schedule

mean that it is visually unobtrusive viewed from the Millennium Green or the Design Statement viewpoints 1, 7 and 8. The increased mass, the proposed extensive glazing to the west and south elevations and the felling of the conifer (although the application form states no trees are to be felled, the block plan states that the conifer will be removed) will make the building much more prominent. This would not be in keeping with the scale or character of the original dwelling nor with the wider setting and location.

Paragraph 4.56 of the Local Plan states that SDC will seek a high standard of design for extensions to dwellings. In our view, the proposal fails to meet the principles set out therein, ie it does not "respect the appearance of the site and local area" or "minimise the impact on the environment". Arguably it also, by transforming a modest dwelling into what might be termed an "executive home", fails to "avoid potential impact on local community socio-economic needs, including housing mix."

The conflicts with seven Design Statement policies demonstrates that the applicants have not followed the advice in paragraph 4.57 of the Local Plan.

Policy CP15

While we accept that it may have been the policy intention behind CP15 that it did not apply to extensions to existing dwellings outside settlement boundaries, this is not an interpretation that had previously occurred to us and one that we find difficult to support from looking at the Policy's wording. The Policy starts by referring simply to "proposals" outside settlement boundaries, with no exclusion of household extensions, and condition (iv) states that "in the case of extensions to buildings, it does not result in an inappropriate increase in the scale, form or footprint of the original building." We can find nothing that excludes condition (iv) from applying to extensions to existing dwellings. The existence of a separate policy for household extensions regardless of location (ie Policy HC8) does not preclude household extensions outside settlement boundaries having to be assessed against both Policy HC8 and CP15. We therefore respectfully request that SDC do so in the current case.

Conservation Officers' Comments

Since we spoke, the Parish Council has seen the Conservation Officers' comments posted on the SDC website. These contain two errors of fact:

(i) The "significant glazing" is not restricted to the south elevation, the gable on the west elevation is also entirely glazed.

(ii) The "unequivocally modern elements" on the south elevation will be seen from a variety of publicly accessible viewpoints of which Design Statement viewpoints 1, 7 and 8 are illustrative. From those viewpoints, the proposed extensions will be prominent in the foreground of the village and therefore be a discordant element in the views of the "historic built form" of the village seen in its wider landscape setting.

The Parish Council also notes that the Conservation Officers refer to the fields to the south of the site but not to the Millennium Field to the west, which is also part of the Conservation Area and from which, as noted above, the west elevation of the proposed extension will be clearly visible and particularly so if the conifer is felled.

We therefore cannot agree with the Conservation Officers' conclusion of "no harm" to the character or appearance of the Conservation Area.

Stroud Contaminated Land Officer:

Thank you for consulting me on the above application. I have no comments.

Stroud Conservation Officer - 18/09/2019:

The above site is situated in the Uley Conservation Area.



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The proposal is for a side extension and loft conversion of a modern detached bungalow. The existing bungalow does not contribute positively to the character or appearance of the conservation area. Whilst the proposed extension would add unequivocally modern elements including box dormers, a significant amount of glazing and a first floor balcony, these are all on the rear elevation. These features will not be seen in relation to any historic built form and will not harm the character of the street scene.

It is noted that the conservation area includes the fields to the south of the site, but it is not considered that the proposed extensions would have a negative impact on the character of the natural environment.

For these reasons, it is considered that no harm will be done to the character or appearance of the conservation area.

The application has been assessed in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Bio-diversity Officer comments:

Comments relate to the following documents:

Bat Inspection Survey, by All Ecology, dated 24th October 2019

Bat Method Statement, by All Ecology, dated November 2019

Recommendation:

Acceptable subject to the following conditions:

- No development, site clearance, soil stripping, removal of materials shall take place other than in STRICT accordance with the details contained in the Bat Method Statement, by All Ecology, dated November 2019, as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
Reason: To ensure the safeguard of protected species in accordance with Policy ES6 of the Adopted Local Plan.
- Prior to the first habitation of the approved development, written confirmation from the Project Ecologist that the mitigation and enhancement measures have been implemented as approved shall be submitted to the Local Planning Authority.
Reason: To ensure the protection of biodiversity in the long-term and in accordance with Local Plan Policy ES6.
- No additional external lighting shall be erected unless a lighting design strategy for biodiversity is 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.



Development Control Committee Schedule

Comments:

The original bat survey concluded that the building provides some potential roost features that could not be fully inspected and therefore given the site location and the nature of the features, which are minor gaps, some of which at relatively low heights, any potential for bat roosts can only be regarded as low and likely limited to individual or low numbers of bats, however, the presence of bats cannot be entirely ruled out and as such a minimum of one activity needs to be undertaken between the optimal survey period between the months of May and August in accordance with published guidance Bat Survey Guidelines, Bat Conservation Trust, 2015.

However, the features that provide potential bat access points have largely been created during demolition of an extension and the removal of tiles by the applicant which the applicant has stated took place just prior to the original bat survey taking place and as such it is highly unlikely that in such a short space of time outside of the optimal bat roosting season that bats would have colonised the features. There are however, two further possible opportunities for bats to enter as shown on page 14 of the October bat inspection survey, photograph 11, showing gaps under tiles these types of features would only offer limited roosting space for either individual or low numbers of crevice dwelling species.

It has therefore been agreed in this instance to move away from recommended guidance due to the very limited likelihood of bats being present within the existing building concerned. In support of the application A Bat Method Statement has been submitted in order to mitigate the likely worst case scenario roost that could be discovered at the site. The likely worst case scenario that the identified features could offer roosting bats is a crevice dwelling bat species maternity roost (however, this has been deemed as highly unlikely) which will be mitigated through the provision of adequate compensatory roosting features (A bat box to be installed on a suitable tree and 3 bat access panels to be incorporated into the proposed design) in the new building, timings and methods of working and post development monitoring.

In the unlikely event that roosting bats are discovered during works, correct working methods and mitigation to mitigate the worst likely scenario has been provided to the LPA and if a licence was required the LPA can confirm that the proposed development is able to meet the three tests of derogation as listed with the Conservation of Habitats and Species Regulations 2017:

1. the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 53(2)(e))
2. there must be 'no satisfactory alternative' (Regulation 53(9)(a)); and
3. the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 53(9)(b)).

Suitable bat roost mitigation has been provided in the form of working methods and timings, 3x bat access panels and 1 x hibernation bat box. The proposals are considered likely to provide adequate compensatory measures that will successfully maintain the population of the species concerned if found at a favourable conservation status in their natural range and as such this would meet Reg 53(9)(b) of the Habitat Regulations.

I am satisfied that this derogation test can be met by this application so long as the actions conditioned are implemented in full.



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Regulation 55(2)(e) which states: a licence can be granted for the purposes of "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment".

Regulation 55(9)(a) which states: the appropriate authority shall not grant a licence unless they are satisfied "that there is no satisfactory alternative".

Case law indicates that the process of consideration of the 3 derogation tests should be clearly documented by the LPA. It is my view that if the case officer feels that the application accords with Local Planning Policy all 3 derogation tests have been adequately assessed in a accordance with Natural England guidance.

Public:

Three letters of support, two letters objecting and one neither supporting nor objecting. Support letter says the proposal will not be any larger than the existing and that the proposal is fitting within the area, also that the objection comments are not from people within the street who are affected by existing property. Objection letters echo the concerns raised by the Parish Council suggesting the proposal is aggressive and unsympathetic. Letter of comment states that proposal will be bigger than existing and an opportunity has been missed to "pretty up" the property.

PLANNING CONSIDERATIONS - NATIONAL AND LOCAL PLANNING POLICIES

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 published on July 2018.

National Planning Policy Framework available to view at:

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

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/environment/planning-and-building-control/planning-strategy>

Local Plan policies considered for this application include:

HC8 - Extensions to dwellings.

ES3 - Maintaining quality of life within our environmental limits.

ES6 - Providing for biodiversity and geodiversity.

ES7 - Landscape character

ES10 - Valuing our historic environment and assets.

CP15 - A Quality Living and Working Countryside.

Uley and Owlpen Design Guide July 2016



Development Control Committee Schedule

DESIGN/APPEARANCE/IMPACT ON THE AREA

The proposal will replace an existing single storey side extension, add a flat roofed single storey rear extension that will have a balcony above, also proposed is a flat roofed dormer to the rear. An attached garage will be removed and a pitched roof double garage is proposed to the side.

The proposed replacement side extension is not detailed to be any higher than the host property. The replacement side extension will be brought forward from its current position and is proposed to be built inline with the original dwelling which will have glazing to the gable end to the roof. This replacement has been designed to match the ridge and eaves of the host property. Due to its minor scale this is considered to be subservient to the original dwelling. The proposed double garage to the side will be a detached structure and will be set down from the host property. The rear extension will extend approximately 1.5m off the rear of the original dwelling and will allow for a small balcony above.

There are public footpaths to the side and rear of the dwelling. Glimpses of the property can be seen from here PROW Uley 53 through established boundary hedging but due to the location and size of the extension any proposed development would be viewed against the existing built form of the host property. The application site is not overly visible from PROW 52, but due to existing ground conditions (land rising from south to north) the built form of South Street, and Uley in general is visible behind the application site, as such any views of the property would be viewed in context of the built form of Uley as a whole.

Whilst the proposed development has modern elements (as referenced in the Conservation Officers response) the development is not considered to harm the character or appearance of the Conservation Area. The main development is to the rear of the site that is not visible from the street scene. As mentioned earlier the site has limited views from nearby PROW's. These PROW's do have views of numerous other dwellings that show numerous built forms including properties with significant areas of glazing that have been found acceptable within the wider setting.

The existing dwelling is a 1 ½ storey property that is set marginally down from the public highway to the north. The proposed development would marginally increase the built form when viewed from the public highway but it is considered the overall modest character of the dwelling would be retained.

The proposal does increase the size of the property but the plot size is large enough to accommodate the development without appearing cramped with adequate amenity space remaining to serve the enlarged dwelling.

The materials proposed for the property would be similar to existing. This is considered appropriate for the host property and would not harm wider setting including the Conservation Area or the Cotswold AONB.

RESIDENTIAL AMENITY

The proposal will introduce glazing to the side (north) and rear and also a balcony. The property does not have and neighbours to the side or rear and it is considered that these developments would not introduce any overlooking of private amenity areas.

Due to the height and size of the proposed extension and the position in relation to the neighbouring dwelling the authority considers there would be no unacceptable impact on the living conditions of neighbouring residents and it is considered the proposed extension will not affect the amenity of neighbouring dwellings.



Development Control Committee Schedule

HIGHWAY SAFETY

The existing covered parking provision would be increased to two off street parking places and the vehicular access would remain unaffected by this proposal. The development will not lead to any significant increase in traffic movements and therefore will not be detrimental to highway safety and would accord with policy HC8 & ES3 of the local plan.

ECOLOGY

The proposal represents a minimal increase in foot print, which would be confined to the existing residential curtilage. Due to the location of the proposal and current condition of the property the Councils Bio-diversity team requested a bat survey. This was submitted on the 1st November 2019. In response to this report additional information was requested. A method statement submitted on the 7th November 2019 and was found acceptable by the bio-diversity team. The proposal is recommended for approval subject to conditions.

RESPONSE TO OBJECTIONS RAISED

Uley Parish Council have stated that the proposal should be considered with regards to CP15 of the SDLP 2015 as the dwelling is outside the settlement development limit for Uley and this policy does not specifically omit extensions to dwellings but does state "proposals outside identified settlement development limits". The proposal site is a residential property and is being considered under the most appropriate policy contained within the SDLP 2015 which is HC8 - Extensions to Dwellings. Policy CP15 would not be the most appropriate policy as the proposal would not be addressed within the principles of the policy. Uley Parish Council states that criterion iv of Policy CP15 would be appropriate for this type of development:

iv in the case of extensions to buildings, it does not result in an inappropriate increase in scale, form or footprint of the original building.

This criteria would only be relevant if the proposal accords with any of the principles of this policy which it does not. Therefore the proposal is being considered under the most appropriate policy HC8.

Uley parish council state that the proposal is contrary to policies within Uley and Owlpen Design Statement 2016, as detailed earlier in the report. This document is a material consideration with regards to the application. The concerns raised have been addressed within the body of the report.

The objections highlighted that a tree has been identified as being removed from the site but the application form states that no trees are being removed. The agent was contacted and the plan showing the tree being removed has been addressed. Amended plan submitted on the 06/11/2019.

RECOMMENDATION

In light of the above, it is considered that the proposal does comply with the policies outlined and permission is recommended.

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.



Development Control Committee Schedule

Subject to the following conditions:	<ol style="list-style-type: none">1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below: Location Plan: Ref - 01 - 02/07/2019 Elevation Plan: Ref - 05 - 02/07/2019 Floor Plan: Ref - 04 - 02/07/2019 Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.3. No development, site clearance, soil stripping, removal of materials shall take place other than in STRICT accordance with the details contained in the Bat Method Statement, by All Ecology, dated November 2019, as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. Reason: To ensure the safeguard of protected species in accordance with Policy ES6 of the Adopted Local Plan.4. Prior to the first habitation of the approved development, written confirmation from the Project Ecologist that the mitigation and enhancement measures have been implemented as approved shall be submitted to the Local Planning Authority. Reason: To ensure the protection of biodiversity in the long-term and in accordance with Local Plan Policy ES6.5. No additional external lighting shall be erected unless a lighting design strategy for biodiversity is submitted to and approved in writing by the local planning authority:<ol style="list-style-type: none">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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Development Control Committee Schedule

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.

STROUD DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE

**AGENDA
ITEM NO**

26 NOVEMBER 2019

5

Report Title	PUBLIC SPEAKING PROCEDURE AT DEVELOPMENT CONTROL COMMITTEE (DCC)
Purpose of Report	To approve a revised procedure for public speaking at scheduled and special meetings of DCC.
Decision(s)	The Committee RESOLVES to Approve the procedure for Public Speaking attached at Appendix 1 of this report at all DCC meetings with immediate effect.
Consultation and Feedback	The procedure was presented to the Planning Review Panel on 22 nd October 2019.
Financial Implications and Risk Assessment	There are no financial implications directly related to this report Adele Rudkin, Accountant Tel: 01453 754109 Email: adele.rudkin@stroud.gov.uk
Legal Implications	The Committee has authority to adopt procedures in terms of Patrick Arran Interim Head of Legal Services and Monitoring Officer Tel: 01453 754369 Email: patrick.arran@stroud.gov.uk
Report Author	Geraldine LeCointe, Head of Development Management Tel: 01453 754322 Email: geraldine.lecointe@stroud.gov.uk
Options	The Committee can decide whether or not to adopt the procedure as recommended.
Background Papers/ Appendices	Appendix 1 – Proposed Procedure for Public Speaking Appendix 2 – The currently adopted Procedure for Public Speaking

1. INTRODUCTION / BACKGROUND

1.1 The procedure for public speaking at DCC was introduced approximately 8 years ago.

1.2 The adopted procedure currently makes no reference to public speaking at special meetings of DCC. These are meetings where single large

complex applications are considered. There have been a number of special meetings in the last 24 months which have led to the adopted procedure being temporarily amended with the agreement of the Chairman on each separate occasion. In this context, and with the likelihood of more special meetings in the future, it is considered pertinent to review and update the procedure so that all parties are clear as to the process for all DCC meetings.

2. ISSUES FOR CONSIDERATION

- 2.1 Taking the above into account , it is recommended that the current procedure is revised and broadened to encompass the following:
- a. To extend the procedure to cover special meetings of DCC and for these meetings, to include an extended public speaking period for Town/Parish Council, objectors and supporters of 8 minutes each;
 - b. To extend public speaking in the same three categories at scheduled DCC meetings from 3 minutes to 4 minutes.
 - c. To require all parties who wish to speak to register with the democratic services and/or planning by noon on the day of the Committee (so that the Chairman is aware and that officers can prepare);
 - d. That everyone who has registered to speak is invited to arrive at the meeting in good time so agreement can be reached before the meeting starts as to how each category slot is to be split up should there be more than one speaker.

3. CONSULTATION

- 3.1 The revised procedure was considered by the Planning Review Panel (PRP) on 22nd October 2019. Panel members recommended changes to the time periods allowed for the public speaking from 3 to 4 minutes at scheduled DCC meetings and from 6 to 8 minutes for special meetings but made no other recommendations in respect of the revised procedure.
- 3.2 Appendix 1 reflects the longer time periods recommended. It is not considered that the longer time slots would unreasonably affect the length of meetings and that it is likely they would be welcomed by Town and Parish Council's and the public.

4. CONCLUSION / RECOMMENDATION

- 4.1 That the Committee adopts the revised Procedure for Public Speaking at DCC attached at Appendix 1.

DEVELOPMENT CONTROL COMMITTEE

Procedure for Public Speaking

The Council encourages public speaking at meetings of the Development Control Committee (DCC). This procedure sets out the scheme in place to allow members of the public to address the Committee at the following meetings:

1. Scheduled DCC meetings

2. Special meetings of DCC

Introduction

Public speaking slots are available for those items contained within the schedule of applications. Unfortunately, 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 application consultation process. Therefore, you must have submitted written comments on an application if you wish to speak to it at Committee. If this is not the case, you should refer your request to speak to the Committee Chairman in good time before the meeting, who will decide if it is appropriate for you to speak.

Those wishing to speak should refrain from bringing photographs or other documents for the Committee to view. Public speaking is not designed as an opportunity to introduce new information and unfortunately, such documentation will not be accepted.

Scheduled DCC meetings are those which are set as part of the Council's civic timetable. Special DCC meetings are irregular additional meetings organised on an ad-hoc basis for very large or complex applications.

Before the meeting

You must register your wish to speak at the meeting. You are required to notify both our Democratic Services Team democratic.services@stroud.gov.uk and our Planning Team planning@stroud.gov.uk in advance and you have until noon on the day of the meeting to let us know.

At the meeting

If you have registered to speak at the meeting, please try to arrive at the Council Chamber 10 minutes before the Committee starts so that you can liaise with the democratic services officer and other speakers who have also requested to speak in the same slot. Where more than one person wishes to speak, you may wish to either appoint one spokesperson or share the slot equally.

1. Scheduled DCC Meetings

There are three available public speaking slots for each schedule item, all of which are allowed a total of **four minutes** each:-

- Town or Parish representative
- Objectors to the application and
- Supporters of the application (this slot includes the applicant/agent).

Please note: to ensure fairness and parity, the four minute timeslot is strictly adhered to and the Chairman will ask the speaker to stop as soon as this period has expired.

Those taking part in public speaking should be aware of the following:-

- They will be recorded and broadcast as part of the Council's webcasting of its meetings.
- Webcasts will be available for viewing on the Council's website and may also be used for subsequent proceedings e.g. at a planning appeal.
- Names of speakers will also be recorded in the Committee Minutes which will be published on the website.

The order for each item on the schedule is:-

1. Introduction of item by the Chair
2. Brief presentation and update by the planning case officer.
3. The Ward Member(s)
4. Public Speaking
 - a. Parish Council
 - b. Those who oppose the application
 - c. Those who support the application
5. Committee Member questions of officers
6. Committee Members motion tabled and seconded
7. Committee Members debate the application
8. Committee Members vote on the application

2. Special DCC meetings

There are three available public speaking slots for each schedule item, all of which are allowed a total of up to **eight minutes** each:-

- Town or Parish representative
- Objectors to the application and
- Supporters of the application (this slot includes the applicant/agent).

Please note: to ensure fairness and parity, the eight minute timeslot will be strictly adhered to and the Chairman will ask the speaker to stop after this time period has expired.

Those taking part in public speaking should be aware of the following:-

- They will be recorded and broadcast as part of the Council's webcasting of its meetings.
- Webcasts will be available for viewing on the Council's website and may also be used for subsequent proceedings e.g. at a planning appeal.
- Names of speakers will also be recorded in the Committee Minutes which will be published on the website.

The order for each item on the schedule is:-

1. Introduction of item by the Chair
2. Brief presentation and update by the planning case officer.
3. The Warde Member(s)
4. Public Speaking
 - a. Parish Council
 - b. Those who oppose the application
 - c. Those who support the application
5. Committee Member questions of officers
6. Committee Member tabled and seconded
7. Committee Members debate the application
8. Committee Members vote on the application

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 Council's 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.