



STROUD DISTRICT COUNCIL

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

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8 June 2020

DEVELOPMENT CONTROL COMMITTEE

A remote meeting of the Development Control Committee will be held on **TUESDAY 16 JUNE 2020** at **6.00pm**.

Kathy O'Leary
Chief Executive

Venue

This meeting will be conducted using Zoom and a separate invitation with the link to access the meeting will be sent to Members, relevant officers and members of the public who have submitted a question.

Members of the public are invited to access the meeting streamed live via Stroud District Council's [YouTube channel](#).

A recording of the meeting will be published onto the Council's website (www.stroud.gov.uk). The whole of the meeting will be recorded except where there are confidential or exempt items, which may need to be considered in the absence of press and public.

Public Speaking

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 18 February 2020.
- 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 **DUTCHCOMBE FARM, YOKEHOUSE LANE, PAINSWICK (S.19/2399/FUL)**
Revised replacement dwelling, new access and driveway (386863 - 208739).

- 4.2 LAND AT, GREENAWAYS, EBLEY (S.19/2527/FUL)**
Erection of 2 flats and 6 terraced houses (Resubmission of refused application S.19/0600/FUL) (383004 - 204744).
- 4.3 GARAGES, MOUNT PLEASANT, WOTTON-UNDER-EDGE (S.19/2329/FUL)**
Erection of five residential dwellings with associated parking and landscaping (revisions to S.18/1289/FUL) (376267 - 193200).
- 4.4 PARCEL H16-20 LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND (S.19/2165/DISCON)**
Discharging condition 46 - Area masterplan on permitted application S.14/0810/OUT.
- 4.5 PHASE 4A LAND WEST OF STONEHOUSE, GROVE LANE, WESTEND (S.20/0449/REM)**
Reserved matters for the primary infrastructure pursuant to outline planning permission S.14/0810/OUT.

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

3

18 February 2020

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

Minutes

Membership

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

P = Present A = Absent

Officers in Attendance

Head of Development Management
Senior Planning Officer
Specialist Conservation Officer

Head of Legal Services & Monitoring Officer
Democratic Services & Elections Officer
GCC Highways Officer

Other Members in Attendance

Councillors Curley and Ross.

DC.045

APOLOGIES

Apologies for absence were received from Councillors Binns, Reed and Tomblin.

DC.046

DECLARATIONS OF INTEREST

Councillors Lydon and Williams declared a personal and prejudicial interest in Scheduled Item 2, S.19/1905/FUL and left the meeting after the first Scheduled Item had been determined.

DC.047

MINUTES – 26 November 2019, 18 December 2019 and 8 January 2020

RESOLVED That the Minutes of the meetings held on 26 November 2019, 18 December 2019 and 8 January 2020 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.19/0810/REM	2	S.19/1905/FUL
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Late Pages relating to Scheduled Item 2 had been circulated to Committee prior to the meeting and were also available at the meeting.

DC.048 **LAND NORTH WEST OF BOX ROAD, CAM, GLOS (S.19/0810/REM)**

The Senior Planning Officer outlined the above application for approval of reserved matters following permission for the erection of 90 residential dwellings, including affordable housing, access related works, with public open space and associated works.

In the absence of the Ward Member, Councillor Tomblin, the Head of Development Management read out an email from her apologising for her absence. This stated that she had not supported the outline application which was outside of the settlement boundary and therefore called in the application in June 2019. There were several separate developments along Box Road, parking issues and the road was not wide enough. She acknowledged issues relating to the design and materials had now been addressed and had no further comment to make on this application.

Guy Wakefield, Agent for Ridge and Partners LLP confirmed that the internal access arrangements were for discussion and confirmed that the design of the houses had been accepted by Cam Parish Council and also Officers. It also complied with planning policies.

In reply to Members' questions the following answers were given by Officers:-

- There was not a dedicated cycle route running through the estate but the layout allowed for cycle users to use the road.
- Before dwellings are occupied electric charging points would be connected.
- There were no solar panels on the site.
- The orientation of the original layout of the site had been amended to add trees and landscaping to create a barrier between the car park and residential properties.
- There were 2 parking spaces per dwelling, a minimum of 1 parking space per flat and visitor parking.
- It was estimated that currently there are 40 cars parked in the surrounding streets who could park in the railway car park. 42 extra car parking spaces would be provided and car parking would be monitored.

Councillor Clifton proposed a Motion to accept the Officer's advice; this was seconded by Councillor Cooper.

In summing up, Councillor Clifton stated that the development was outside of the settlement boundary and had permission as a result of a planning appeal decision. She had concerns regarding the drainage and had counted 37 vehicles parked along Box Road. She was disappointed at the location of the affordable housing and thought the play area would have been better cited in the middle of the site.

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

RESOLVED To Grant Permission for Application S.19/0810/REM.

Councillors Lydon and Williams left the Council Chamber.

DC.049 LAND NEAR HORSETROUGH ROUNDABOUT, EBLEY ROAD, STONEHOUSE, GLOS (S.19/1905/FUL)

In the absence of the case officer, the Senior Planning Officer outlined the above application for the erection of an auction showroom along with associated parking and landscaping. Attention was drawn to the Late Pages, these gave the correct reference to page 52, as paragraphs 184-202 and also further comments received from Gloucestershire County Council regarding drainage. Officers recommended that refusal reason 3 should now be removed from their recommendation.

The green field site was outside of the settlement boundary, located within the Industrial Heritage Conservation Area, parts are located in a flood zone and the site is in open countryside along the canal and B4008.

Officers had carefully considered the application and did not consider the site to be exceptional. Various site plans were displayed on the screen.

The Specialist Conservation Officer explained the huge impact the proposal would have on the Conservation Area. There had been 3 appeals that had been lost in the vicinity of the site for applications relating to residential development. These had been dismissed because of the impact on the Industrial Heritage Site and Conservation Area. There were only 3 areas of flood meadow left along the canal and the Council wished to protect this area.

Councillor Curley, Ward Member for Cainscross supported Stonehouse Town Council and the 154 individuals who had also supported the application. The proposal would be of economic benefit to the district. The green gap had been eroded a long time ago and the area in question was bounded by 2 busy roads and was only just outside of the settlement boundary.

Councillor Neil Gibbs from Stonehouse Town Council stated that the site was not a flood meadow as stated by Officers. He confirmed that local businesses also supported the application and if granted permission would encourage visitors to Stonehouse. There were good transport links. The design minimised its carbon foot print and would also have a minimum impact on the environment. The applicant has worked closely with Stroud Valleys Canal Company and the Town Council commended the application.

James White, Chair and Engineering Director of the Cotswold Canals Trust also supported the application which would provide moorings adjacent to the restored part of the canal and also attract visitors to the area. He strongly supported the application and the health and wellbeing this development offered.

Nick Bowkett, the Applicant confirmed that he had searched for another site in and around Stroud. He stated that there would be an economic and social benefit to the local community if the application were to be granted. The owners of the land were supportive of the application, as were Stonehouse Town Council. He needed a stable base for his business and asked Committee to consider keeping their business in Stroud.

Officers gave the following replies to Members' questions:-

- Yes, the proposal was on protected open space.
- The building would be sunk into the flood plain.
- The site was located within the Industrial Heritage Conservation Area where we have a string of mill sites.
- The open space was an important part of the history of the industrial development of the area.
- The Senior Biodiversity Officer and the Senior Arboriculture Officer had been consulted and were happy with the proposed scheme.
- If permission were granted for the application this could set a precedent for future applications.

Councillor Marjoram proposed a Motion to accept the Officer's advice; this was not supported.

The Head of Development Management confirmed that because the case officer was unable to be present and some questions that Members had asked had been unanswered, Members may be minded to defer the application to the next meeting on 7 April 2020.

Councillor Jones was concerned that Members may not have all of the information to make an informed decision.

The Chair asked Members if they wished to determine the application or defer making a decision.

Councillor Cooper proposed a Motion to grant permission; this was seconded by Councillor Reeves.

Councillor Cooper stated that this was a difficult decision because it went against the Local Plan, planning policies and was in an IHCA but after weighing up all of the factors; the support of Stonehouse Town Council, Councillor Curley and local residents there were benefits to the local economy. The canal restoration will benefit the whole of the district. This was a thriving local business that we should support. Every effort to mitigate damage should be made.

Councillor Reeves stated that there had been overwhelming support from local residents with no objections having been raised. This would boost the economy and create more jobs locally.

Councillor Marjoram stated that Members should support the Officers.

Members debated the application and stated that it would be good for the local economy, but a difficult decision nevertheless to make. A lot of effort had been made by the Applicant to make the site acceptable.

The Head of Development Management requested that if Members were minded to grant permission could they give delegated authority to herself, the Chair and Vice-Chair of Committee to agree the conditions prior to a Decision Notice being issued.

Both the Proposer and Seconder agreed to the request.

On being put to the vote there were 6 votes to grant the application and 1 vote against.

RESOLVED To Grant Application S.19/1905/FUL, with delegated authority to the Head of Development Management in consultation with the Chair and Vice-Chair of Committee to agree conditions prior to a Decision Notice being issued.

The meeting closed at 7.50 pm.

Chair



Stroud District Council

Planning Schedule

16th June 2020

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 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 by 12 noon 1 clear working day before the day of the meeting, exceptionally, the council will consider late representations if appropriate.

At the meeting

If you have registered to speak at the meeting please follow the instructions contained within the "Guidance for Public Participants for Remote Meetings which will have been provided to you by Democratic Services. Where more than one person wishes to speak, you may wish to either appoint one spokesperson or share the slot equally, democratic services will inform you by email should there be more than one speaker sharing the timeslot.

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:

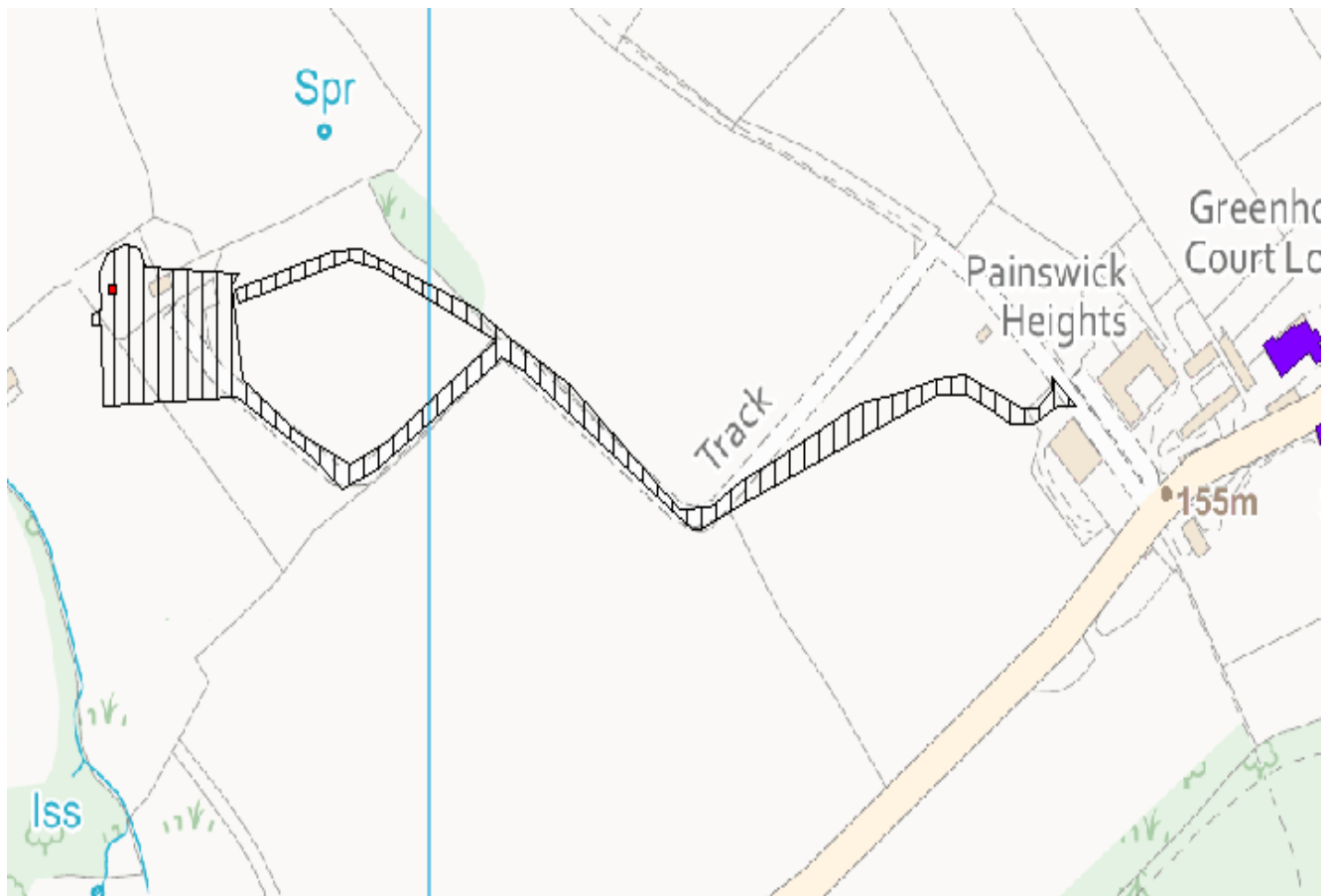
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7. Committee Members debate the application
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Parish	Application	Item
Painswick Parish Council	Dutchcombe Farm, Yokehouse Lane, Painswick. S.19/2399/FUL - Revised replacement dwelling, new access and driveway (386863-208739)	01
Cainscross Town Council	Land At, Greenaways, Ebley. S.19/2527/FUL - Erection of 2 flats and 6 terraced houses (Resubmission of refused application S.19/0600/FUL) (383004 - 204744)	02
Wotton Under Edge Town Council	Garages, Mount Pleasant, Wotton-Under-Edge. S.19/2329/FUL - Erection of five residential dwellings with associated parking and landscaping (revisions to S.18/1289/FUL) (376267-193200)	03
Eastington Parish Council	Parcel H16-20 Land West Of Stonehouse, Grove Lane, Westend. S.19/2165/DISCON - Discharging condition 46 - Area masterplan on permitted application S.14/0810/OUT	04
Eastington Parish Council	Phase 4A Land West Of Stonehouse, Grove Lane, Westend. S.20/0449/REM - Reserved matters for the primary infrastructure pursuant to outline planning permission S.14/0810/OUT	05

Item No:	01
Application No.	S.19/2399/FUL
Site No.	PP-08200333
Site Address	Dutchcombe Farm, Yokehouse Lane, Painswick, Stroud
Town/Parish	Painswick Parish Council
Grid Reference	386863,208739
Application Type	Full Planning Application
Proposal	Revised replacement dwelling, new access and driveway
Recommendation	Refusal
Call in Request	Parish Council



Applicant's Details	C/O Ridge and Partners Dutchcombe Farm, Yokehouse Lane, Painswick, Stroud, Gloucestershire GL6 7SG
Agent's Details	Ridge and Partners Thornbury House, 18 High Street, Cheltenham, Gloucestershire, GL50 1DZ
Case Officer	Gemma Davis
Application Validated	08.11.2019
	CONSULTEES
Comments Received	Arboricultural Officer (E) Painswick Parish Council Biodiversity Officer Development Coordination (E)
Constraints	Area of Outstanding Natural Beauty Painswick Parish Council
	OFFICER'S REPORT

MAIN ISSUES

- Principle of development
- Design layout and appearance
- Residential Amenity
- Highways
- Landscape
- Ecology
- Flood risk

DESCRIPTION OF SITE

The site falls within a rural area, on the outskirts of Painswick and within an Area of Outstanding Natural Beauty. Dutchcombe Farmhouse was demolished following a fire in 2015. The site is set some distance from the nearest highway and accessed via a private unsurfaced track.

PROPOSAL

The application seeks permission for the erection of a replacement dwelling. The footprint of the proposed development no longer sits on the footprint of the former building; the proposed location has moved to the south east of the original footprint.

REVISED DETAILS

Revised location plan received 4/3/20 re-directing the proposed track.

MATERIALS

Walls: Cotswold stone walls, timber louvres and rough cast render

Roof: Artificial Cotswold tile and timber shingle

Doors/windows: Painted timber

REPRESENTATIONS

Statutory Consultees:

The Councils Arboriculturalist has made the following comments:

The submitted landscaping scheme needs further work to demonstrate establishment for the first five years. This can be resolved by adding the following condition;

The landscaping scheme shall include details of hard landscaping areas and boundary treatments (including the type and colour of materials), 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 establishment details for the first five years.

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).

The Councils Biodiversity Officer has made the following comments:

Further information has been provided to the LPA with regards to the ecological surveyors' expertise and as such it is agreed that the surveyor has the level of competency required to undertake the extended phase 1 survey. The surveyor has recommended that the Barn field is most likely Calcareous unimproved grassland, but suggests that the density of indicator species for Lowland Calcareous Grassland (priority habitat) is too low and therefore does not qualify.

However, there are still concerns over the survey methodologies that have been employed to make this assessment as previously stated in my response back in December, it still appears that the surveyor has undertaken a visual walk-over survey noting species and using the DAFOR scale to understand estimated abundance and estimated coverage. The DAFOR scale is a useful tool to use when undertaking an extended phase 1 surveys, however, unless it's clear that the habitat is not species rich e.g. improved or semi improved grassland, further phase 2 survey is then required to classify if the habitats are priority habitats. In order to classify a habitat as Lowland Calcareous unimproved grassland a National Vegetation Classification (NVC) Survey must be undertaken by a suitably experienced and qualified ecologist/botanist and undertaken in accordance with the NVC magnificent meadows guidance. 2m by 2m quadrants are to be used and should be representative of the whole habitat not just a particularly species rich element in order to fully understand if the habitat represents that of a priority habitat. When conducting NVC surveys the DAFOR scale should not be used as there are no quantitative meaning to the frequencies, Scales such as DOMIN or Braun Blanquet Scale should be used instead which allows a percentage cover to be given to each species identified within the quadrants. Once species and percentage cover have been gathered from the quadrants the data has to be run through a computer programme either TABLEFIT or MAVIS to understand if the habitat falls under a priority habitat type. This has not been undertaken at the site as such there is still uncertainty over the conclusions of the report.

Furthermore, given that the habitat has already been identified as unimproved calcareous grassland the development of an access track cutting through that habitat in Barn field would be considered unacceptable in accordance with Local Plan Policy ES6 and the revised NPPF. The hedgerows on site are also classified as priority habitat, the loss of sections of the hedgerows would also be deemed as unacceptable in accordance with Local Plan policy ES6 and the revised NPPF. The current access track would be considered more acceptable as it follows existing field patterns which have at least remained since the 1900's and does not result in the loss of rare habitat. I would also suggest that the applicant refer to Local Plan ES6 and the mitigation hierarchy which states the following 'All effects upon the natural environment should be addressed sequentially in accordance with the principle of the mitigation hierarchy:

- Avoid
- Reduce, moderate, minimise
- Rescue e.g. translocation
- Repair, reinstate, restore compensate or offset

Furthermore, it is proposed or already undertaken native tree planting within some of the grassland areas, given the likely species richness of the grasslands it may not be the most appropriate planting regime, it would be more appropriate to leave as grassland and manage as a species rich grassland.

The applicant states that the current access track is not fit for purpose due to the likely future compaction of tree roots as identified within the arboricultural report. However, no arboricultural report has been provided to support this application only a tree constraints plan and therefore no evidence has been provided to substantiate this claim.

Furthermore, the applicant suggests that the new access track will be less visibly intrusive as it lies on lower ground from that of the existing track. However, I would argue that point and suggest that as the proposed access track will sit on the side of the hill side it will likely be more visible than the existing access track which sits neatly behind the existing hedgerow and historic field patterns. The site also sits in the designated landscape area the Cotswold Area of Outstanding Beauty and given the sensitivity of the landscape it is recommended that this should be appropriately assessed in accordance with the Cotswold Management Plan (Cotswold Conservation Board) and Stroud Landscape Character Assessment in accordance with Local Plan Policy ES7. Finally, it is recommended that justification and evidence needs to be provided by the applicant detailing the reasons why the existing access track is not fit for purpose and why the proposed access track is more appropriate.

Recommendation:

Further information is required to assess biodiversity implications:

- NVC vegetation survey for Barn Field
- Landscape Assessment required in order to justify why the proposed access is more appropriate than the existing access within the Cotswold AONB.
- Arboricultural Report to substantiate claims that the existing access track is not fit for purpose.

If the above information cannot be provided Refusal is recommended for the following reasons:

- There is insufficient information to be able to adequately assess the impacts on biodiversity in accordance with policies ES6 and ES7.

After reviewing the submitted documents, it is felt that these surveys fill the role of a management plan rather than a Phase One Preliminary Survey. It is good to see these reports offer advice and enhancement features to encourage biodiversity on site, it also offers insight to the plant species present which is why we have asked for a further Phase 2 National Vegetation Classification survey to understand the plant species present and their abundance on site. This survey would need to be carried out during the correct surveying season (May-August) and by a suitably qualified ecologist. After researching further into CB Design Ltd. we feel that the Phase One Preliminary Survey was not carried out by a suitably qualified and experienced ecologist and therefore we ask for a Phase One Survey to be submitted to the LPA by suitably qualified ecologist as stated by the Biodiversity British Standard BS 42020 4.3.2 (2013) "Any individual dealing with ecological issues at any stage of the planning application process should be able to demonstrate that they have sufficient technical competence and experience to carry out the particular tasks and activities for which they are responsible in the role that they are performing.

They should only attempt to offer a bona fide ecological opinion if they have the necessary knowledge, skills and experience to do so, or have secured appropriate competent assistance".

The submitted reports do not offer insight as to how the proposed development will impact any protected/priority habitats and species, it does not suggest if there was evidence on site of protected/ priority species other than plants. The report has offered enhancement features that could be implemented alongside the new development however, the LPA need to understand what species are present or may be impacted to understand whether these suggested enhancement features are suitable.

Ecological surveys/assessments and impact assessment should follow the Chartered Institute of Ecology and Environmental Management (CIEEM) and other appropriate best practice guidance. Information on where to find a suitably qualified ecological consultant can be found on the Chartered Institute of Ecology and Environmental Management's (CIEEM) website - <http://www.cieem.net/> (from the main page, select 'About CIEEM' and then 'Directory').

Further information is needed to assess the potential impacts to biodiversity:

An ecological assessment to be undertaken in accordance with the CIEEM Ecological Impact Assessment Guidelines (2006) and a Phase 2 NVC survey carried out by a suitably qualified and experienced ecologist of the proposed development site. The assessment should include information on whether the proposed development is likely to have an adverse impact on any key habitats and species within the proposed application site.

If the above information cannot be supplied, refusal will be recommended for the following reasons:

Policy ES6 of the local plan makes it clear that planning applications must be accompanied by adequate information for the impacts on biodiversity to be assessed.

A further comment was received by the Councils Biodiversity Officer on the 6/3/20 stating:

"I am pleased to see that the scheme has now been revised in line with my previous recommendations and as such I have no further objections to the proposals. If it is minded to grant the proposals consent, I would recommend an Ecological Construction Environmental Management Plan be conditioned prior to the commencement of works to ensure the safeguard of protected species during construction."

Painswick Parish Council made the following comments:

Painswick Parish Council considered this application in their meeting held on Wednesday 11th December 2019 and agreed to 'support'.

Painswick Valley Conservation Society have made the following comments:

Dutchcombe farmhouse, a modest, traditional Victorian style house, was destroyed by fire a few years ago and permission was given for a replacement (16/2461) of similar scale and appearance. The current application for a new dwelling on this largely vacant site, within an isolated field in a prominent location on the hillside below Wickridge, proposes a significantly larger residential property.

The new proposal would comprise a large five-bedroomed house on three floors, together with a single storey annex linked to the main house by a glazed corridor. The annex has a footprint even larger than that of the main house. The principal living rooms and bedrooms are within the main house, whilst the annex contains the service rooms of the house (dining kitchen, laundry etc.). The main house exhibits an eclectic mix of architectural styles from the 16th, 17th and 18th centuries; the modern annex has triple-aspect glazed walls to the dining area and significant expanses of glazing along the west elevation, all affording views up, down and across the Painswick Valley.

The proposed house would be visible from locations around the Painswick Valley such as Rudge Common National Nature Reserve and the A46 approach to Painswick from Cheltenham. Most particularly, there would be significant light emitted at night from the annex with its extensive glazing, impacting on the rural surroundings. The same glazing would also reflect sunlight in the afternoon and evening. There would consequently be an adverse effect on the AONB contrary to Local Plan Policy ES7.

We therefore object strongly to this proposal as it stands and ask that it be reduced in scale and the fenestration be reduced to mitigate the impact of light on the rural environment.

The Local Highway Authority raise no objection subject to the following condition:

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.

Public:

At the time of finalising the report 27/5/20, six letters of support have been received concluding that the proposal would be an enhancement, in keeping with Cotswold style, an improvement and the size of the unit will fit nicely into the landscape.

At the time of finalising the report 27/5/20, eight letters of objection have received raising the following concerns:

- Size of dwelling
- Size of windows
- Dominate the valley
- Light pollution
- Out of keeping
- Prominent in landscape

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779764/NPPF_Feb_2019_web.pdf

Stroud District Local Plan.

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

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

Local Plan policies considered for this application include:

CP1 - Presumption in favour of sustainable development.

CP2 - Strategic growth and development locations

CP3 - Settlement Hierarchy.

CP14 - High quality sustainable development.

CP15 - A quality living and working countryside.

HC5 - Replacement dwellings

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.

ES12 - Better design of places.

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

Residential Design Guide SPG (2000)

Stroud District Landscape Assessment SPG (2000)

Planning Obligations SPD (2017)

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

PRINCIPLE OF DEVELOPMENT

The site lies outside the defined development limits where new residential development is not supported unless in certain circumstances, which includes the replacement of dwellings.

Local Plan policy HC5 seeks to protect traditional smaller properties in the countryside by ensuring the following criteria are met; the replacement dwelling should be smaller or similar in size to the existing dwelling with only a minor extension permitted to allow the dwelling to be brought up to modern standards; the proposal should not detract from the character or appearance of its surroundings; the residential use must not be abandoned and the existing dwelling must be of permanent construction.

It is understood that the original property had a footprint of approximately 250m² (GF and FF). It is unclear from the level of information submitted if the building benefited from accommodation in the roof space. The extant scheme has a footprint of approximately 324m² and the proposed scheme has a footprint of approximately 710m².

The applicant has included the footprint of other historic built form outside of the domestic curtilage of Dutchcombe Farm. Built form outside of the domestic curtilage cannot be included within the footprint of the replacement dwelling.

In determining what constitutes 'similar size', account has been taken to the fact that the dwelling could be extended under permitted development rights. Owing to the location of the dwelling in Article 2(3) land, the dwelling would only have deemed consent to construct a single storey extension to the rear of the property by 4m. The footprint of the proposed property appears to be much larger than what could be achieved through permitted development. As such, the increased scale, form and footprint of the dwelling would exceed an acceptable scale and goes above and beyond what is required to achieve a basic living standard. The proposal therefore conflicts with points 2 and 3 of policy HC5 and the principle of the replacement dwelling is not accepted.

Whilst Dutchcombe Farmhouse no longer exists due to extensive fire damage in 2015, Officers consider that the residential use has not been abandoned and therefore should still be considered under Policy HC5.

DESIGN, LAYOUT AND APPEARANCE

The site lies in the open countryside and was occupied by a farmhouse that was relatively large in size and scale and was simple in terms of its appearance. While the building would not have added to the character of the street, due to it being set significantly back from the roadside and at the bottom of a hillside, its simple design and detailing would have been visible from across the valley. That notwithstanding, the built form would have been subservient and reflective of its period and would not have been prominent or visually strident from across the valley, the former dwelling would have blended in to the landscape.

The Stroud District Local Plan recognises that the principle of replacing an existing dwelling is acceptable. However, LP HC5 aims to protect local character by limiting the size of replacement dwellings, and requires that their scale, form and footprint should be of a similar size to the existing dwelling. A recent appeal was dismissed for a replacement dwelling that was 3.5 larger in Cranham (Ref; APP/C1625/W/18/3211901). The appeal inspector concluded that: "The explanatory text to Policy HC5 makes it clear that there are two objectives to the policy, to protect the character of the area from the cumulative effect of the replacement of smaller dwellings with larger ones, leading to a greater suburban character, but also to protect the supply of the smaller rural dwellings."

The proposal would provide a 5-bedroom with en-suite dwelling, with generous accommodation comprising a drawing room, study, snug, dining room, kitchen, utility, boot room and plant / storage room. The dwelling would have a large sprawling floor plan under a pitched roof arrangement, the main bulk of the dwelling being three storey and some elements single storey. The overall height of the building would measure 10.6m to ridge and 7.9m to eaves. The extant scheme measures 10.1m to ridge and 5.6m to eaves. No details have been provided with regard to the original fire damaged building to enable height comparisons to be undertaken.

While it is acknowledged that the design of the proposal has been largely landscape led, the proposed dwelling would be considerably larger in scale, bulk and massing than the existing built form on the site. Furthermore, the replacement dwelling would have a floor space of approximately 710 square metres, in the region of 460 square metres more than the existing dwelling. The level of built form on this site is over 3 times more than that of the existing building and 2.5 larger than that of the extant scheme. Therefore, the scale, form and footprint would not be of a similar size to the existing dwelling and therefore the proposal would be contrary to both the wording and the intention of the policy.

While the plot size can accommodate a larger dwelling in terms of amenity space, parking and density, the increased scale in combination with the design, form and massing of the dwelling would result in a more dominant structure on the site.

The dwelling is viewed in a rural setting with only a small number of properties of various sizes and styles in the vicinity. The design of the proposed unit appears fussy and complicated and is not reflective of the site or its surroundings and therefore does not relate with the rural character and surroundings. As such, the proposal would detract from the character of the area, and would be contrary to policy HC5 and CP14 of the adopted Stroud District Local Plan, November 2015.

To conclude, the proposal is not considered to be appropriate in terms of its design, size, scale, bulk and mass not being commensurate with the building in which it seeks to replace.

RESIDENTIAL AMENITY

The site is located within a remote location, the nearest neighbouring property being 420m away. Due to the degree of separation between the proposal and the neighbouring properties, the development would have no significant impact on the residential amenities of neighbouring occupiers.

HIGHWAYS

The site benefits from one vehicular access from the south east of the site, where there is an entrance onto Yokehouse Lane. A track leads from this location around the edge of the field boundary down to the centre of the site.

Due to concerns raised by the Councils Biodiversity Officer, the applicant has amended the proposed access that initially sought to cut across the site. The applicant now proposes to remove the Barn Field section of the driveway so that the existing track is followed in that area and construct a small section of driveway through the lower centre of the site off of the existing track. The newly aligned driveway would be finished in crushed loose stone, are therefore more akin to its surroundings.

Adequate parking facilities can be provided within the site.

LANDSCAPE

The application site is located within the Cotswold Area of Outstanding Natural Beauty (AONB). The landscape designation does not preclude development however Policy ES7 of the Local Plan seeks to ensure development proposals within the AONB should conserve or enhance the special features and diversity of the landscape. The site is located within the 'Secluded

Valley' as defined by the Councils Landscape Assessment. The key characteristics of this area comprise sloping pasture land that is more open in character where the valleys join. As such, careful consideration is required with regard to the siting and design of new development to maintain this character of landscape and to protect the AONB.

The application site itself is an area of both domestic and agricultural land that is set within natural landscape. Existing development here comprises both domestic and agricultural and is very sporadic and of low density. The site is not considered to be visually prominent from within the local surrounding area however is highly visible from across the valley.

The substantial dwelling would sit on a level area of land more or less at the bottom of the sloping field. While due regard has been given to the landscaping works undertaken and future enhancements and it is acknowledged that the existing vegetation and enhanced planting may provide some screening when in leaf, the new dwelling would be highly visible during the winter months and would likely to be visible year round from across the valley.

In light of the above, it is considered that the size, scale, massing and overall appearance of the replacement dwelling would appear as an incongruous feature within the landscape and would be an unsympathetic form of development within this part of the AONB and out of keeping with the rural setting. Overall it is considered that the development would fundamentally spoil the existing landscape character and is therefore contrary to Policy ES7.

ECOLOGY

The habitat has been identified as unimproved calcareous grassland.

It is proposed and some of which has already been undertaken for native tree planting within some of the grassland areas. The Councils Biodiversity Officer considers that given the likely species richness of the grasslands it may not be the most appropriate planting regime, it would be more appropriate to leave as grassland and manage as a species rich grassland. As the planting of trees is not considered to be development, the Local Planning Authority have no control over what has been undertaken or what is proposed in terms of tree planting.

Following receipt of the revisions, the Councils Biodiversity Officer raises no objection to the proposed development.

FLOOD RISK

The location of the dwelling does not fall within a Flood Risk Zone and as it is a replacement, it will not result in an increased use at the site.

RECOMMENDATION

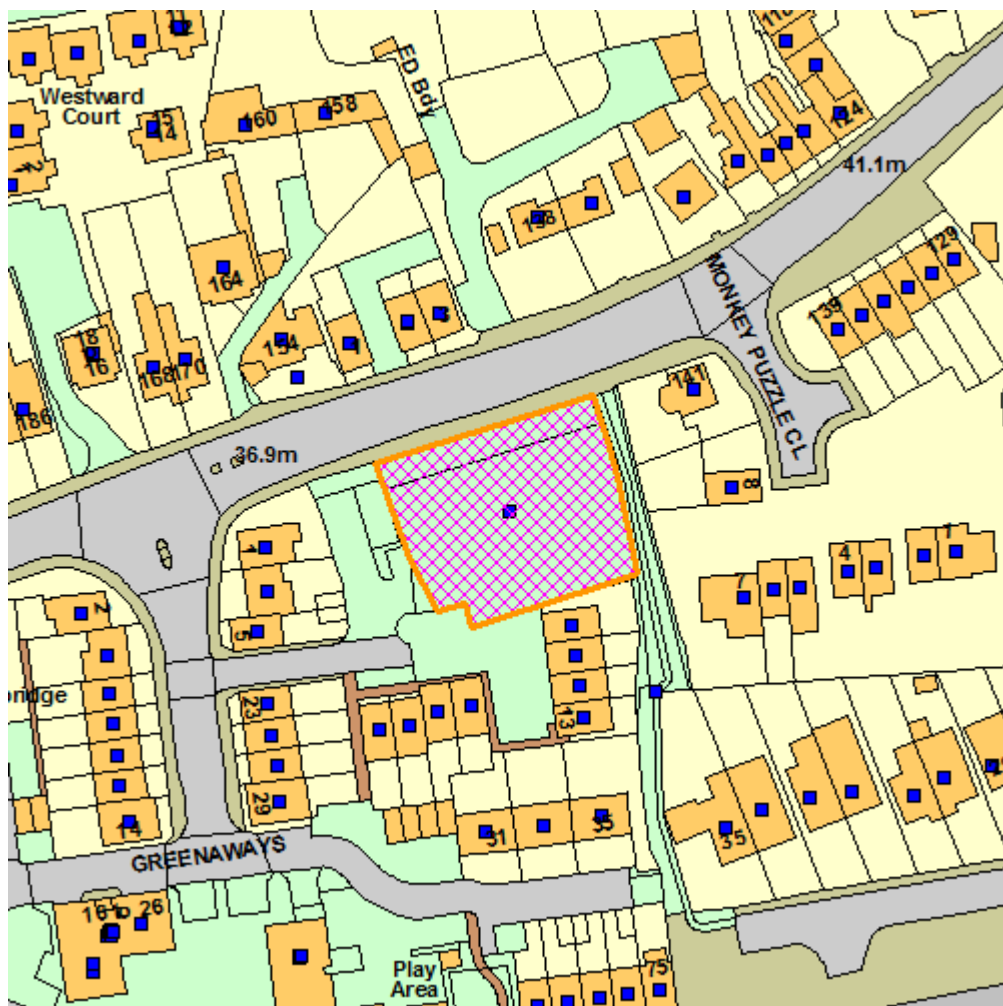
The proposal is NOT considered to comply with the provisions of policies listed in the reasons for refusal and contained in the adopted Stroud District Local Plan, November 2015 and the core planning principles set out in the NPPF.

HUMAN RIGHTS

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

For the following reasons:	<ol style="list-style-type: none">1. The proposed replacement dwelling by virtue of its design, scale, form, massing and footprint is not of a similar or smaller size to the original dwelling and would therefore result in an inappropriately dominant form of development which fails to reflect the character and appearance of the surrounding area that is derived by isolated dwellings with a locally distinctive character. The proposed development would therefore be contrary to Policy HC5 (2) (3), CP14 (5) and ES7 (1) of the adopted Stroud District Local Plan, November 2015.2. The size, scale, massing and overall appearance of the replacement dwelling would appear as an incongruous feature within the landscape and would be an unsympathetic form of development within this part of the AONB and out of keeping with the rural setting. The proposed dwelling would therefore be contrary to Local Plan Policy ES7 (1) and CP14 (5).
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Item No:	02
Application No.	S.19/2527/FUL
Site No.	PP-08321544
Site Address	Land at, Greenaways, Ebley, Stroud
Town/Parish	Cainscross Town Council
Grid Reference	383004,204744
Application Type	Full Planning Application
Proposal	Erection of 2 flats and 6 terraced houses (Resubmission of refused application S.19/0600/FUL)
Recommendation	Permission
Call in Request	Parish Council



Applicant's Details	Mr D Scott C/o David Scott, 43 The Stirrup, Cashes Green, Stroud, GL5 4SG
Agent's Details	David Scott 43 The Stirrup, Cashes Green, Stroud, GL5 4SG,
Case Officer	Gemma Davis
Application Validated	05.12.2019
	CONSULTEES
Comments Received	SDC Water Resources Engineer Development Coordination (E) Historic England SW Arboricultural Officer (E) Contaminated Land Officer (E) Housing Strategy and Community Infrastructure Manager Cainscross Parish Council Conservation North Team
Constraints	Adjoining Canal Affecting the Setting of a Cons Area Consult area Conservation Area Mixed use Allocation Cainscross Parish Council Rodborough 3km core catchment zone Settlement Boundaries (LP) TPO Areas (Woodland/ Groups)
	OFFICER'S REPORT

MAIN ISSUES

- Background
- Principle of development
- Design, appearance and impact on heritage environment
- Residential Amenity
- Highways and parking
- Landscape
- Trees
- Land Contamination
- Affordable housing
- Flood risk and drainage
- Ecology
- Archaeology and Heritage Assets
- Obligations

DESCRIPTION OF SITE

The area is known locally as Ebley Wharf. The site has been used as a temporary car park associated with the nearby gym known as The Fifth Dimension and Go Bananas soft play area. The area stands immediately south of Westward Road, Stroud, measuring approximately 1,000 sqm (0.1 hectares) of land.

The site lies to the north of the Stroud Water Canal and is located within the defined settlement boundary of Stroud and is also within an identified Conservation Area (Industrial Heritage Conservation Area). On the eastern boundary of the site is a Public Right Of Way (PROW) identified as Cainscross footpath 20 and a group of protected trees (TPO 346 Westward Road Stroud). The site has no further planning constraints attached.

PROPOSAL

The application seeks permission for the erection of one detached unit comprising two flats and a terrace of six houses.

REVISED DETAILS

Revised drawings have been received with the following amendments:

- Altering the layout of the development to seek to overcome highway safety issues
- Removing a tree from unit 1 to seek to alleviate amenity issues
- Altering unit 1 from a dwelling to two flats
- Amending the internal layout
- Alterations to the elevations of plots 2-7 and 2-5.

MATERIALS

Walls: Ibstock Arden Weathered Brick and buff coloured lintels

Roof: Breckland Black Norfolk pantiles

Doors/windows: Grey UPVc

REPRESENTATIONS

Statutory Consultees:

The Councils Conservation Officer has made the following comments on the proposal.

"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 Conservation Areas or their settings, are affected by development proposals, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act requires that, 'special attention shall be paid to the desirability of preserving the character or appearance of Conservation Areas.'

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 Industrial Heritage Conservation Area. I note that the proposals are in a similar vein to the rest of the Ebley Wharf development and will be seen in that context. No further harm would be done to the character or appearance of the conservation area. There is now a great deal of visual separation between the site and the listed buildings in the Ebley Mill complex, therefore there would be no further detrimental impact on their setting."

The Councils Contaminated Land Officer has made the following comment.

"Thank you for consulting me on the above application. Please attach the full contaminated land condition to any permission granted."

The Councils Environmental Health Officer has made the following comments:

"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.

In addition, the following comment has been received.

"I would be content for a condition requiring that all demolition/construction works should comply with the submitted document entitled "Control of dust, noise and burning on Construction Site".

The Councils Housing Strategy and Community Infrastructure Manager has made the following comments:

"At a site size of 1.15Ha and accommodating 7 units, the site falls below the affordable housing threshold for Cainscross."

Cainscross Parish Council made the following comment:

"Cainscross Town Council Noted the application."

The Councils Arboricultural Officer has made the following comments:

"I have no objection to the application subject to the following conditions;

1) Arboriculture supervision / site monitoring for the development must be undertaken by the project tree consultant. A site monitoring / supervision record must be submitted to the local planning authority tree officer in accordance with a timetable to be submitted to and approved by the local planning authority. Any proposed changes to the supervision arrangements shall be subject to prior written agreement of 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).

2) The development shall be undertaken in accordance with the Arboriculture report produced by Jim Unwin dated 29.1.2020. All of the provisions shall be implemented in full according to any timescales laid out in the method statement, unless otherwise approved by the Local Planning Authority.

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

A further comment received from the Councils Arboriculturalist on the 27th May 2020.

The relocation of the terrace increases the juxtaposition between the existing trees and increases the length of the proposed rear gardens. This provides the following benefits;

1. Increased levels of daylight and sunlight entering the gardens and properties.
2. Reduced seasonal nuisance (aphids, and leaf litter).
3. Human Rights. The occupiers will benefit from the full enjoyment of their gardens.

Below ground constraints: Root disturbance. An arboriculture method statement is required for the removal of the bank. The work must be supervised by the project arboriculturalist.

The Local Highways Authority has made the following comments:

"Further to the latest submitted detailed plans, the Highway Authority recommends no highway objection to be raised subject to the following conditions attached to any permission granted: -

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24-hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

The Councils Water Resource Engineer has made the following comments:

"Whereas I am happy with the drainage layout, I cannot see that calculations have been submitted to show the required storage volumes. Nor have discharge calculations been submitted. I therefore do not have sufficient information to comment."

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) 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 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.

A further comment received from the Water Resources Engineer on the 30/4/20 stating:

"I am happy with the proposals, and happy to accept discharge to foul based on the advice from STW."

Severn Trent Water have made the following comments:

I refer to your Development Enquiry Request in respect of the above site. Please find enclosed the sewer records that are included in the fee together with the Supplementary Guidance Notes (SGN) referred to below.

Protective Strips

Due to recent change in legislation, there could be sewers, which have transferred over to the Company that are not shown on the statutory sewer records, but are located on your clients land. These sewers will have protective strips that we will not allow to be built over. The sewers could be identified whilst the land is being surveyed. If this is the case, please contact us for further guidance upon discovery.

Foul Water Drainage

The statutory sewer records, demonstrate a 150mm diameter foul sewer, within the highway. I can confirm the flows from the proposed development of 2 flats and 6 properties, with an approximate peak flow of 0.1248 l/s (2xDWF) should not have an adverse hydraulic impact on the existing network. A connection will therefore be acceptable at convenient location on the aforementioned sewer, subject to formal S106 approval (see later). I can confirm, we have a single reported flooding incident within the area, however this dates back to 2014 and no further repeat incidents.

Surface Water Drainage

Under the terms of Section H of the Building Regulations 2010, the disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and no watercourse is available as an alternative, the use of sewerage should be considered. In addition, other sustainable drainage methods should also be explored before a discharge to the public sewerage system is considered. I note from your submitted information, the site historically used to discharge directly into the River Frome. In the event of soakaways not being feasible, you should investigate to reutilise this discharge point.

Having viewed the statutory sewer records, they demonstrate a 225mm diameter surface water sewer, within the highway. If ground conditions are not favourable, for soakaways and other SUDs techniques and you are unable to reutilise the historic connection point, evidence should be submitted. This would satisfy the SGN (enclosed). A connection to the aforementioned sewer, should be considered once all avenues have been exhausted, with attenuation and flows in accordance with SGN (Greenfield) or as stipulated by the Lead Local Flood Authority (Local Council Authority), as statutory consultee in the planning process.

Subject to the above, you will need to demonstrate how the site is currently drained if indeed it is positively drained, identifying which impermeable areas drain to which pipeline and the connections/outfalls to the public sewerage system identified. In the case of multiple connections, the survey needs to also identify which impervious areas drain to which pipeline.

Connections

For any new connections (including the re-use of existing connections) to the public sewerage system, the developer will need to submit Section 106 application forms. Our Developer Services department are responsible for handling all such enquiries and applications. To contact them for an application form and associated guidance notes please call 0800 7076600 or download from www.stwater.co.uk

Please quote 8403979 in any future correspondence (including e-mails) with STW Limited. Please note that Developer Enquiry responses are only valid for 6 months from the date of this letter.

Historic England have made the following comments:

"Thank you for your letters of the 6th December regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisors as relevant."

Public:

Seven letters of objection to the revised scheme received raising the following concerns:

- Inadequate parking for site operatives
- Inadequate storage space for building materials
- No turning room for large delivery vehicles
- Highway safety
- Not aesthetically pleasing
- Construction safety issues
- Overdeveloped site
- Out of keeping with surrounding properties
- Overbearing
- Loss of privacy
- Inadequate parking

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779764/NPPF_Feb_2019_web.pdf

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72(1). Impact on setting of Conservation Area

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 and development locations

CP3 - Settlement Hierarchy.

CP8 - New housing development

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.

ES6 - Providing for biodiversity and geodiversity.

ES8 - Trees, hedgerows and woodlands.

ES10 - Valuing our historic environment and assets.

ES12 - Better design of places.

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

Residential Design Guide SPG (2000)

Planning Obligations SPD (2017)

IHCA Conservation Area Management Proposals SPD (2008)

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

BACKGROUND

The site is part of the Ebley Wharf Industrial Estate this was designated within the former Local Plan 2005 as a mixed use site. The site was previously given permission for a mixed use that would include office space and community facilities, doctor's surgery, under application S.09/0058/FUL (and further renewed under permitted application S.12/0116/VAR). These permissions have since lapsed.

In 2014 application an application for 15 one bed apartments was refused by Development Control Committee (DCC) on the basis of parking concerns and overbearing impact on neighbouring properties. (S.14/1450/FUL)

In 2015, planning permission was granted for the site to be used as a temporary car park (18 months) S.15/2584/FUL to serve nearby Fifth Dimension health club and customers of the nearby facilities in Ebley Wharf, until a new planning application is submitted for the permanent redevelopment of the site.

In 2019, planning permission was refused for the erection of 7 terraced dwellings and 2 flats on the grounds of the impact on the protected trees and the potential for privacy loss for residents on Monkey Puzzle Close.

The revised application has sought to address the above refusal reasons by reducing the number of units on the site, re-locating the units 25.5m away from residents located on Monkey Puzzle Close and away from the protected trees.

PRINCIPLE OF DEVELOPMENT

The site is part of the Ebley Wharf Industrial Estate of which was designated within the former Local Plan 2005 as a mixed use site. The site was previously given permission for a mixed use that would include office space and community facilities, doctor's surgery, under application S.09/0058/FUL (and further renewed under permitted application S.12/0116/VAR). These permissions have lapsed.

The agent has advised that attempts to secure an end user for a mixed use scheme has failed and hence the submission of an application solely for residential. The agent has advised that the former landowner had marketed this plot for over 10 years, since 2004, without any success.

The agent has advised that Persimmon stopped work on the site but the marketing continued. There was no interest in offices, and the landowner then shifted focus to a doctor's surgery but this did not proceed. The site has been well marketed nationally and locally by various agents including Bruton Knowles, John Ryde Commercial and Alder King.

In 2015 the land was acquired by Health and Leisure Properties Ltd, at that time the company were busy with other projects so they applied and gained planning consent for a temporary car park which was rented out to Fifth Dimension and Go Bananas. This consent has expired and the applicant is now applying for residential use.

There is clear evidence that there was no market interest in the site for offices or any other similar use. Furthermore, it should also be noted that the principal of residential was not objected to in previous applications.

While it is noted that the site was designated within the former Local Plan as a mixed use site, the site is no longer an allocation in the current Local Plan of which is up to date. As such, developing the site as solely residential would not be contrary to the Local Plan. It is also noted that a mixed use for the site has not come forward in 15 years.

The site is situated within Stroud which is identified within the SDLP as a First tier settlement. First tier settlements are the districts main towns and are the primary focus for growth and development. They will continue to provide significant levels of jobs and homes together with supporting community facilities and infrastructure to meet their economic potential in the most sustainable way.

Given the site is located within the settlement limits as defined in the SDLP, the principle of sustainable residential development is acceptable. This is subject to further considerations of the character and appearance, the impact on the living conditions of neighbouring occupiers, impact on trees, and a satisfactory means of access being provided.

DESIGN, APPEARANCE AND IMPACT ON THE HISTORIC ENVIRONMENT

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that, 'special attention shall be paid to the desirability of preserving the character or appearance of Conservation Areas.' Chapter 12 of the NPPF (paragraphs 128 and 132-134) outlines the requirement to safeguard designated heritage assets whilst at the same time promoting a balancing approach between the degree of harm caused to an asset, the heritage significance of that asset and the benefits arising from the overall scheme.

At the local level in respect of listed buildings, Conservation Areas, archaeology etc the relevant SDLP policy is Delivery Policy ES10 with general design matters considered under Policy CP14, a checklist for quality.

Local Plan Policy HC1 requires new housing to be of a scale, density, layout and design compatible with its surroundings.

The site comprises an overflow car park associated with The Fifth Dimension.

The scheme utilises the existing access road and proposes a terrace of six units facing west and a detached block of two flats facing south. The proposed development comprises the following mix of dwellings.

6 No. 3 bedroom properties
2 No. 1 bedroom flats

The dwellings would be three storey and similar in height, proportions and design to neighbouring properties. Window to wall ratios and wall to roof ratios are considered appropriate for the location and the proposed units would blend with the existing built form. As such, the proposed design of the units is appropriate for the context.

The layout and form of development would effectively 'square off' the built form in this location. As such, the proposed design, form and layout would not harm the character and appearance of the street scene.

The prevailing form of development within this part of Ebley is mixed, however mainly three storey terraced units and blocks of four storey apartments. The surrounding area is of a high density, with dwellings being set back from the road edge, and others that sit directly fronting the road.

The proposed development would be compatible with its surroundings and the density proposed is considered acceptable in this location. The arrangement of plots 2-7 would provide an appropriate garden area for the proposed dwellings, compliant with Local Plan Policy and the standards set out in the Council's Residential Design Guide. Furthermore, the level of amenity space would be reflective and in keeping with the form of surrounding development. Whilst the garden areas' associated with units 2-7 are appropriate in size, it is acknowledged that should any future additions be constructed, each individual plot may become cramped or overdeveloped, therefore to ensure that the site does not become cramped or overdeveloped, a condition removing permitted development rights from plots 2-7 will be imposed.

The level of amenity space proposed for the flats is considered appropriate. The area proposed, comprises a small courtyard to the north of the property that is bound by the main highway. This garden area exceeds the standards as set out in the Council's Residential Design Guide.

The proposed materials palette includes brick, render and concrete roof tiles. These are all considered appropriate for the location.

The proposed development will embody sustainable construction methods. The development will incorporate SUDS by the use of permeable paving to the road surface, and stormwater attenuation crates. Adequate services, water supply, foul drainage and sewage other utilities, transport and community infrastructure are on or adjacent to the site.

RESIDENTIAL AMENITY

The proposed terrace of dwellings would have an outlook to the east and the west. To the east are other residential properties within Monkey Puzzle Close that are approximately 25.5m away. Number 8 Monkey Puzzle Close has rear windows that face towards the application site. The Council's residential design guide (November 2000) identifies a standard distance of 25m where buildings face each other and both have clear glazing as a minimum distance to ensure privacy for the occupiers of that dwelling. The proposed development satisfies this.

Number 141 Westward Road is side facing so no concerns are raised in terms of privacy loss.

Number 15 & 17 Greenaways are located approximately 25m away from Unit 1, as such no concerns are raised with regards to the privacy to these dwellings.

Overall, the position and orientation of the new houses are sufficiently distanced to avoid any loss of light or overbearing effect. In addition, the new houses have been designed and positioned to avoid any potential loss of privacy.

HIGHWAYS AND PARKING

It is noted that residents have expressed concern that the access to the site is inadequate given the amount of existing congestion and on-street parking around the entrance, however the proposed scheme would use the access already approved in previous permissions on the site.

It is noted that facilitating a residential development could create additional congestion within Greenaways, however weight should also be given to the fact that there are historic permissions on the site comprising a doctor's surgery and a temporary car park (33 spaces) that would generate a higher level of traffic movements than a residential development of 8 units that includes 12 parking spaces. As such, the proposed development is not considered to adversely affect highway safety.

Whilst the comments received are noted with regard to the low parking levels and the existing on-street parking problems in the area, the proposal is in a highly sustainable location and there is sufficient parking proposed to serve the development and as such, a refusal on these grounds would be difficult to sustain on appeal.

The development is located within the settlement boundary and is in close proximity to a number of local facilities. It is also highly accessible, with a bus stop located approximately opposite. In this respect the proposal would be considered sustainable.

It should also be noted that the Local Highway Authority do not raise any objection to the proposal as such it would be difficult to sustain at appeal.

LANDSCAPE

The development would be located amongst an existing group of dwellings and built form, given the density, scale and design, there would be minimal landscape impact.

TREES

On the eastern boundary of the site is a Public Right Of Way (PROW) identified as Cainscross footpath 20 and a group of protected trees (TPO 346 Westward Road Stroud).

The relocation of the terrace increases the juxtaposition between the existing trees and increases the length of the proposed rear gardens. This provides the following benefits;

1. Increased levels of daylight and sunlight entering the gardens and properties.
2. Reduced seasonal nuisance (aphids, and leaf litter).
3. Human Rights. The occupiers will benefit from the full enjoyment of their gardens.

The proposed development requires no tree removal and no pruning. Off-site trees can be protected with careful development methods, as outlined in section 6 of the Arboricultural report.

The Councils Arboriculturalist raises no objection subject to condition.

LAND CONTAMINATION

Given the previous use of the site, it is proposed to condition that a full contaminated land survey be submitted to ensure that no environmental pollution would be caused and to protect the health of future users of the site from any possible effects of contaminated land.

AFFORDABLE HOUSING

At a site size of 1.15Ha and accommodating 8 units, the site falls below the affordable housing threshold for Cainscross.

FLOOD RISK AND DRAINAGE

The site is located within Flood Zone 1 the safest of the Environment Agency designated flood zones.

The application site is less than a hectare in size and more than 20 metres from the Stroudwater Canal. Accordingly, the application site is at very low risk of flooding.

STW have requested that connecting to the existing sewer should be dealt with by a Section 106 agreement. This would not be the correct mechanism in doing so as a sewer adoption by for example Severn Trent would be a S.104 agreement. The Local Planning Authority would not be party to this this would be for the developer to discuss separately with the water board. The proposal has been assessed by Severn Trent Water and the Council's Water Resources Engineer and has been deemed suitable subject to condition.

ECOLOGY

It is considered that the garden area may have the potential for habitat for common reptile species which are protected under the Wildlife and Countryside Act 1981 from deliberate harm. It is therefore recommended that the site be managed in order to make the development site less appealing to reptiles by keeping grass cut short and any debris removed allowing natural movement of animals away from the site.

Finally, in accordance with NPPF and Section 40 of the NERC Act we would welcome any opportunities for biodiversity enhancements to the proposed development, such as the erection of bat boxes, bird boxes or wildflower meadow planting.

ARCHAEOLOGY AND HERITAGE ASSETS

The site is within the Industrial Heritage Conservation Area. As discussed above, the proposals are in a similar vein to the rest of the Ebley Wharf development and will be seen in that context. In light of this, the Council's Conservation Specialist considers that no further harm would be done to the character or appearance of the conservation area. Furthermore, the Council's Conservation Specialist has also noted that there is now a great deal of visual separation between the site and the listed buildings in the Ebley Mill complex, therefore there would be no further detrimental impact on their setting.

OBLIGATIONS

Residential development is normally required to make a contribution towards off-site recreation provision and in this case, as the site lies within 3km of the Rodborough Common Special Area of Conservation (SAC), development would also result in the need for an appropriate mitigation strategy or for the developer to enter into an appropriate Section 106 agreement. A signed Section 106 agreement has been received securing a £200 contribution per dwelling unit.

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

RECOMMENDATION

In light of the above, it is considered that the proposal complies with the policies outlined and is therefore recommended for permission

HUMAN RIGHTS

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

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:<ul style="list-style-type: none">• S15/758/002 Rev J Proposed site layout• S18/758/004 Rev F Plots 2-7 plans and elevations• S18/758/005 Rev C Sectional elevation showing North Boundary wall• S18/758/009 Plans and Elevations Plots 1 and 1a• S18/758/006 Rev D Sectional elevation showing North Boundary wall• S18/758/008 Rev B Drainage layout• Control of dust, noise and burning document received 14/2/20• Tree protection method statement rev 29/1/20• GRATRP-Jan 20 Tree retention and protection plan• GRARPA-MAY 19 Root protection area plan• S18/758/007 Landscape layout• Location plan 1:1250
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	<p>Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.</p> <p>3. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:</p> <ul style="list-style-type: none"> • 24-hour emergency contact number; • Hours of operation; • Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction); • Routes for construction traffic; • Locations for loading/unloading and storage of plant, waste and construction materials; • Method of preventing mud being carried onto the highway; • Measures to protect vulnerable road users (cyclists and pedestrians) • Any necessary temporary traffic management measures; • Arrangements for turning vehicles; • Arrangements to receive abnormal loads or unusually large vehicles; • Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses. <p>Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.</p> <p>4. 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) 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 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.</p>
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	<p>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</p> <p>5. The development shall be undertaken in accordance with the Arboriculture report produced by Jim Unwin dated 29.1.2020. All of the provisions shall be implemented in full according to any timescales laid out in the method statement, unless otherwise approved by the Local Planning Authority.</p> <p>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).</p> <p>6. No construction site machinery or plant shall be operated, no process shall be carried out and no construction related deliveries taken except between the hours of 08:00hrs and 18:00hrs on Monday to Fridays, between 08:00hrs and 13:00hrs on Saturdays and not at any time on Sundays, Bank or Public Holidays.</p> <p>Reason: To protect the amenity of the locality, especially for the people living/ or working nearby, in accordance with Stroud District Local Plan Policy ES3.</p> <p>7. The development hereby permitted shall not begin until a scheme to deal with ground contamination, controlled waters and/or ground gas has been submitted to and approved by the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing: -</p> <p>1. A Phase 1 site investigation carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environment risk assessment, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated sites - Code of Practice.</p> <p>2. If identified as required by the above approved Phase 1 site investigation report, a Phase 2 intrusive investigation report detailing all investigation works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 investigation of potentially contaminated sites- codes</p>
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	<p>of practice. Where required, the report shall include a detailed quantitative human health and environmental risk assessment.</p> <p>3. If identities as required by the above approved Phase 2 intrusive investigation report detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end-point of the remediation should be stated, such as site contaminant levels or a risk management action, as well as how this will be validated. Any ongoing monitoring should also be outlined. No deviation shall be made from the scheme without prior written approval from the Local Planning Authority.</p> <p>No part of the development hereby permitted shall be occupied until: -</p> <p>4. Any previously unidentified contamination encountered during the works as been fully assed and an appropriate remediation scheme submitted to and approved the Local Planning Authority.</p> <p>5. A verification report detailing the remediation works undertaken and quality assurance with the approved methodology that has been submitted to, and approved by the Local Planning Authority. Details of any post- remedial criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.</p> <p>For further details, as to how to comply with this condition, please contact Katie Lerner, Senior Contaminated Land Officer tel: (01453) 754469.</p> <p>Reason: To protect the health of future users of the site from any possible effects of contaminated land in accordance with the guidance within the NPPF, in particular, paragraph 120.</p> <p>6. The dwellings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. S15/758/002 Rev J and those facilities shall be maintained available for those purposes thereafter.</p> <p>Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.</p>
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	<p>7. 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.</p> <p>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.</p> <p>8. The development hereby permitted shall not be occupied until details of the bin storage facilities has been submitted to and agreed in writing by the Local Planning Authority. The approved bin storage facilities shall then be maintained as such thereafter.</p> <p>Reason: In the interests of the amenities of occupiers of adjoining residential properties.</p> <p>9. 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.</p> <p>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.</p> <p>10. No window (including roof lights) or door openings other than any fenestration shown on the approved plans shall be formed in the dwellings hereby permitted.</p> <p>Reason: In the interests of the amenities of occupiers of adjoining residential properties.</p>
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11. Notwithstanding the submitted details, no development shall take place until details of the existing ground levels, proposed finished floor levels, ridge and eave heights of the dwellings and the proposed finished ground levels of the site including the parking area, relative to a datum point which is to remain undisturbed during the development have been submitted to and approved by the Local Planning Authority. Such details shall also provide comparative levels of eaves and ridge heights of the proposed and adjoining properties. The development shall be carried out in strict accordance with the details as approved.

Reason:

Ground levels must be agreed prior to any works taking place in order to avoid a situation where unacceptable ground level alterations cannot be undone without significant reconstruction work. Ground levels need to be agreed to secure an acceptable finished building height in the interests of the amenities of local residents and to ensure the satisfactory appearance of the development, in accordance with Policies HC1, ES7, ES3, ES10 and ES12 of the Stroud District Local Plan, November 2015.

12. Prior to commencement of the development hereby approved, arboriculture supervision / site monitoring evidence that includes a timetable for the removal of the bank and installation of the boundary fences(s) shall be submitted to and agreed by the Local Planning Authority. The development shall be carried out in strict accordance with the details as approved.

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.

13. Prior to occupation of the dwellings hereby permitted, surface water and foul drainage details shall be submitted to and approved by the Local Planning Authority and then implemented in accordance with the approved details.

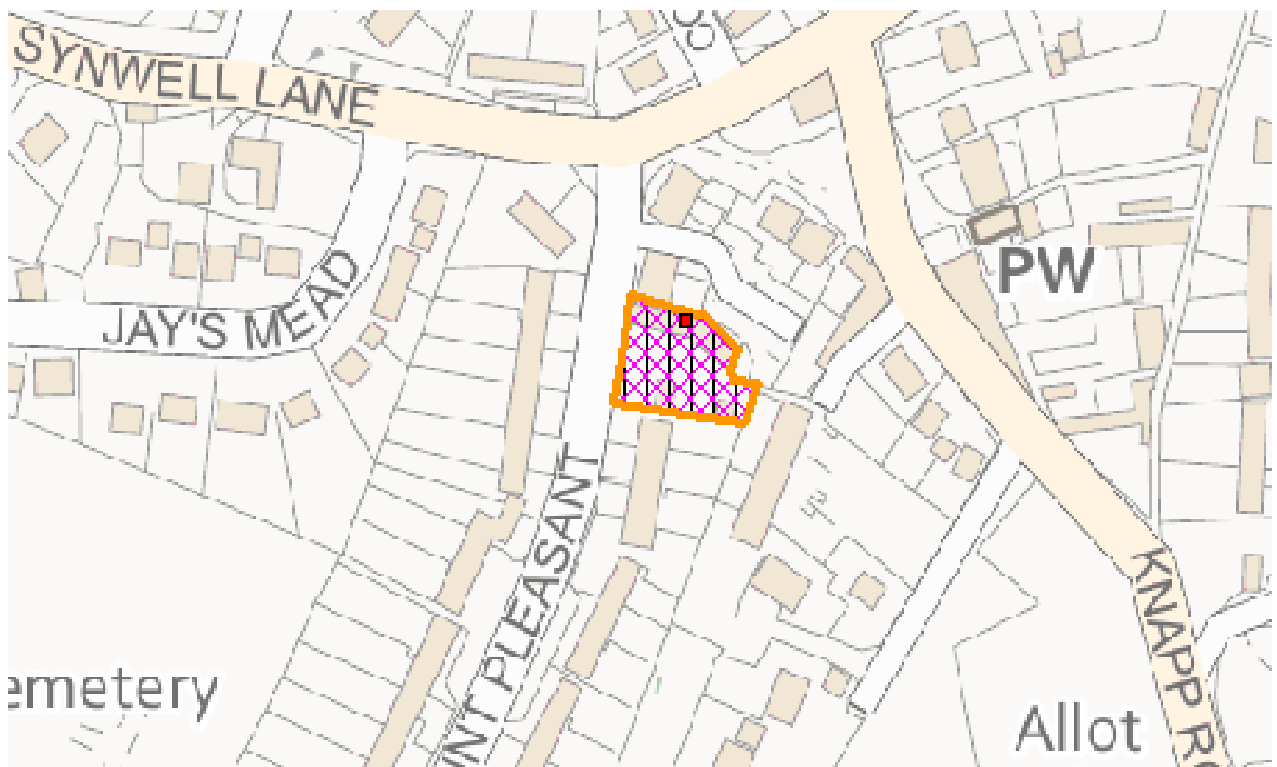
Reason:

To ensure the development is provided with a satisfactory means of drainage.

Informatives:

1. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise, dust, smoke/fumes and odour during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting, not burning materials on site and advising neighbours in advance of any particularly noisy works. It should also be noted that the burning of materials that gives rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume, noise or dust complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.

Item No:	03
Application No.	S.19/2329/FUL
Site No.	PP-08253480
Site Address	Garages, Mount Pleasant, Wotton-Under-Edge, Gloucestershire
Town/Parish	Wotton Under Edge Town Council
Grid Reference	376267,193200
Application Type	Full Planning Application
Proposal	Erection of five residential dwellings with associated parking and landscaping (revisions to S.18/1289/FUL)
Recommendation	Permission
Call in Request	Town Council



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Applicant's Details	Terrain (Plant) Holdings Ltd C/O Stokes Morgan Planning Ltd, Kestrel Court, 1 Harbour Road, Portishead, BS20 7AN
Agent's Details	Stokes Morgan Planning Ltd Kestrel Court, 1 Harbour Road, Portishead, BS20 7AN
Case Officer	Rachel Brown
Application Validated	29.10.2019
	CONSULTEES
Comments Received	Housing Strategy and Community Infrastructure Manager Wessex Water (E) SDC Water Resources Engineer Development Coordination (E) Contaminated Land Officer (E) Wotton Under Edge Town Council Public Rights of Way Officer Severn Trent Water Ltd (E) Wotton Under Edge Town Council
Constraints	Area of Outstanding Natural Beauty Consult area Neighbourhood Plan Wotton under Edge Town Council Affecting a Public Right of Way Settlement Boundaries (LP) Village Design Statement
	OFFICER'S REPORT

MAIN ISSUES

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

DESCRIPTION OF SITE

The site is located at Mount Pleasant, within the settlement of Wotton under Edge. The site currently comprises car parking and vacant garages.

The site is within the Cotswold Area of Outstanding Natural Beauty. There are no nearby listed buildings and the site is not within a conservation area.

PROPOSAL

The application seeks permission for the erection of five residential dwellings with associated parking and landscaping. This is a revised application following a previous permission S.18/1289/FUL (Erection of 4 two storey residential dwellings).

REVISED DETAILS

Revised drawings omit the front dormers and reduce the footprint; Solar photovoltaic panels and electric vehicle charging point added

Drainage strategy submitted (14/12/19)

MATERIALS

Walls: Bath stone/render

Roof: Plain tiles

Doors/windows: RAL 9010

REPRESENTATIONS

Statutory Consultees:

GCC PUBLIC RIGHTS OF WAY

"This development does not appear to affect the nearby public right of way CWE61 which shares the drive to this property. The Footpath should not be obstructed by vehicles or construction at any time. If there is any suggestion that it will, whether through a need for a temporary closure or permanent diversion then contact should be made with the PROW team at the earliest opportunity."

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 sustainable drainage systems.

Applying for new drainage and water supply connections

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

Are existing public sewers or water mains affected by the proposals?

Wessex Water will not permit the build over of public shared sewers by new properties. Your contractor must undertake private survey to determine the precise location of the existing public foul sewer which crosses the site. Easements are usually 3 metres either side of public sewer, subject to application sewers can sometimes be diverted, at the applicants cost, to achieve suitable easements. Further details can be found here:

The surface water strategy

One of our main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution.

You have indicated that surface water will be disposed of via sustainable drainage systems.

There are currently no surface water drainage plans available to view. Surface water must be disposed of via the SuDS Hierarchy which is subject to Building Regulations.

There must be no surface water connections into the foul network."

SDC ENVIRONMENTAL HEALTH

"With respect to this application, I would recommend the following conditions: -

1. No demolition works shall commence (to include the existing garages) 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.

Reason: To ensure that risks from asbestos to future users of the land and neighbouring land are minimized and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

2. 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.

3. 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."

SEVERN TRENT WATER

"Thank you for the opportunity to comment on this planning application. Please find our response noted below:

With Reference to the above planning application the company's observations regarding sewerage are as follows.

I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:

The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and

The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent."

SDC CONTAMINATED LAND OFFICER

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

SDC WATER RESOURCES ENGINEER

"The applicant has not submitted a drainage proposal. This needs to be submitted before I can comment further."

Following the submission of the Drainage Strategy Report, no further comments received.

GCC HIGHWAYS

"No objection (Subject to conditions)

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

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

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2m back along each edge of the access, measured from the carriageway edge, extending at an angle of 45 degrees to the footway, and the area between those splays and the footway shall be reduced in level and thereafter maintained so as to provide clear visibility at a height of 600mm above the adjacent footway level.

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

Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan drawing no. 1679(L)20H with any gates situated at least 5.0m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and with the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: - To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. 1679(L)20H, and those facilities shall be maintained available for those purposes thereafter.

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

The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan drawing no. 1679(L)20H and those facilities shall be maintained for the duration of the development.

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

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.

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

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

NOTE: GCC currently has no technical specification for shared space. This is an adoption matter to which GCC are not obliged to adopt any highway. GCC will only adopt roads that meet our published technical specification.

SDC HOUSING STRATEGY AND COMMUNITY INFRASTRUCTURE MANAGER

"Thank for you for consulting me on this application.

Unfortunately, we are unable to pursue an affordable housing element from this site as the threshold for Wotton Under Edge is 10 units."

WOTTON UNDER EDGE TOWN COUNCIL

"Wotton-under-Edge Town Council objects to this application for the following reasons: CP8/1 and HC1/1 - inappropriate density for that location.

CP8/3 - inappropriate layout and parking.

CP8/4 - the design of the buildings does not meet best of class sustainability and carbon reduction techniques.

CP9 - none of the proposed houses are designated "affordable".

CP13- does not provide appropriate parking in that location and, as a result will be detrimental to road safety and contribute to significant highways problems.

CP14/5 - design and appearance contrasts with the existing adjacent new estate and is not respectful of surroundings.

HC1/7 - inadequate private amenity space provided.

EI12 - inadequate parking provision. Developer has not demonstrated that the level proposed would not have a detrimental impact on the local road network.

The previously approved application (S18/1289/FUL) permitted the development of 4 two bedroom properties with 8 parking spaces on this former garage site. Wotton Town Council objected to this application because of the huge impact on local parking provision. The social housing which surrounds this site was built by the local authority without individual garages or any parking provision, other than on this site. Closure of this garages site has led to parking on all available spaces such as verges, street corners which subsequently causes traffic chaos - especially as this is a bus route and makes emergency access difficult. This new application now proposes 5 three bedroom houses but offers only 10 parking spaces for the larger houses proposed and it is unlikely that space 8 could be used if all others are occupied. Whilst it is accepted that the number of parking spaces meets, in theory, SDC's minimum standards for Wotton, the increase in the number and size of the houses has the potential to exacerbate the local parking problem, as evidenced by the overspill onto the nearby roads from the adjacent new Full Moon development. In addition, the attempt to build 5 houses with highly limited amenity areas on the site is regarded as over-development and the style is out of keeping with the adjacent Full Moon development, unlike the original permitted application (S18/1289/FUL) where care was taken to match the appearance. Three storey properties are unacceptable in this location and out of keeping with the local vernacular. There is also a concern that the proposed properties are right on the road edge and well in front of the building line of all of the existing houses in Mount Pleasant.

The proposed design of the housing does not include measures to help achieve Stroud District Council's Carbon Neutral 2030 target; indeed, there are hardly any renewable energy measures at these proposed properties. EV charging points should be provided at each of these properties.

None of the houses are "affordable" - at least one of these should be such.

There is a need for a construction method statement given the difficult location and parking/access problems at the site.

If the planning officer is minded to approve, despite all of the above strong reasons to refuse this application, then this Council requests that the application is called in to Development Control Committee."

Following the submission of revised drawings, the following response was received on 27/05/2020:

"Wotton-under-Edge Town Council objects to this application for the following reasons:

CP8/1 and HC1/1 - inappropriate density for that location.

CP9 - none of the proposed houses are designated "affordable".

CP13- does not provide appropriate parking in that location and, as a result will be detrimental to road safety and contribute to significant highways problems.

HC1/7 - inadequate private amenity space provided.

EI12 - inadequate parking provision. Developer has not demonstrated that the level proposed would not have a detrimental impact on the local road network.

The previously approved application (S18/1289/FUL) permitted the development of 4 two bedroom properties with 8 parking spaces on this former garage site. Wotton Town Council objected to this application because of the huge impact on local parking provision. The social housing which surrounds this site was built by the local authority without individual garages or any parking provision, other than on this site. Closure of this garages site has led to parking on all available spaces such as verges, street corners which subsequently causes traffic chaos - especially as this is a bus route and makes emergency access difficult. This new application now proposes 5 three bedroom houses but offers only 10 parking spaces for the larger houses proposed and there is no visitor parking. Whilst it is accepted that the number of parking spaces meets, in theory, SDC's minimum standards for Wotton, the increase in the number and size of the houses has the potential to exacerbate the local parking problem, as evidenced by the overspill onto the nearby roads from the adjacent new Full Moon development. In addition, the attempt to build 5 houses with limited amenity areas on the site is regarded as being over-development of the site. There is also a concern that the proposed properties are right on the road edge and well in front of the building line of all of the existing houses in Mount Pleasant.

2 EV Charging points is insufficient. Each house should have two allocated parking spaces, one of which should have an EV charger.

None of the houses are "affordable" - at least one of these should be such.

There is a need for a construction method statement given the difficult location and parking/access problems at the site.

The public footpath through the site (PROW 61) appears to have been blocked off at the Eastern edge of the site. Free access must be retained and the GCC Rights of Way officers should be consulted to ensure that the proposals are acceptable.

If the planning officer is minded to approve, despite all of the above strong reasons to refuse this application, then this Council requests that the application is called in to Development Control Committee."

Public:

At the time of writing this report (06/04/20) 1 letter of objection had been received. Objections raised on the following grounds:

- Overlooking

- Design

At the time of writing this report (06/04/20) 2 letters of comment had been received. The following comments were raised:

- Lack of details of boundary
- Siting of bin store
- Loss of car parking
- Lighting to car parking

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

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

Stroud District Local Plan.

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

ES6 - Providing for biodiversity and geodiversity.

ES7 - Landscape character.

ES12 - Better design of places.

Neighbourhood Development Plan

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

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

Residential Design Guide SPG (2000)

Stroud District Landscape Assessment SPG (2000)

Planning Obligations SPD (2017)

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

PRINCIPLE OF DEVELOPMENT

The site lies within the defined Settlement Boundary of Wotton under Edge, defined as a Second Tier Settlement within the adopted Local Plan, where there is a presumption in favour

of development subject to design and amenity considerations and to a satisfactory means of access being provided. The site is within walking distance of the 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 one pair of semi-detached dwellings and a terrace of three dwellings fronting the highway with garden and parking to the rear. The surrounding area comprises mostly two storey terraced houses. Immediately to the north of the site is a recently constructed residential development of two storey dwellings fronting the highway.

The proposed dwellings would be 3-storey. Initially it was proposed to include dormer windows, however following extensive negotiations with the agent, the dormers have been removed. The accommodation in the roof space would now be served by roof lights in the rear facing roof slope. The overall footprint of the proposed dwellings would be slightly larger to that previously approved, but not so significant that the dwellings would appear unduly dominant within the street scene. The roof ridge height would be very slightly lower than that of the previous scheme.

The siting of the new dwellings would respect the building of the new development to the north. The size and design would be compatible and would be in keeping with this part of Wotton under Edge.

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

The arrangement of the plot as detailed would provide adequate garden for the proposed dwellings, compliant with the standards set out in the Council's Residential Design Guide and in keeping with the form of surrounding development. Ample space would remain so as to ensure the plots did not appear cramped or overdeveloped.

Following the comments made by the Town Council regarding lack of renewable energy provision, Solar photovoltaic panels and electric vehicle charging point have been added to the latest revised drawings.

RESIDENTIAL AMENITY

The new dwellings would be positioned forward of the existing neighbouring properties to the south, but given their orientation, would not cause issues regarding over shadowing. There would be a separation distance of approximately 5 metres and there are no principal room

windows in the neighbouring property that directly overlook the site. Given the degree of separation and position of new dwellings in relation to the neighbouring properties, there would be no significant overbearing issues. The proposed dwellings have been designed to maintain privacy levels.

There is a development of recently constructed dwellings to the north. The nearest dwelling, Plot 1, has no principal room windows directly overlooking the site. There is a slight overlap in the footprint, with the proposed dwellings projecting approximately 2m further back than the rear elevation of the neighbour plot 1, however given the degree of separation this is not sufficient enough that the proposed development would cause unacceptable shadowing or overbearing issues.

The development would not have a harmful impact on the amenities of neighbouring occupiers.

HIGHWAYS

Each new dwelling will share the one altered vehicular access off Mount Pleasant leading to allocated parking at the rear of the site with ten parking spaces detailed. The proposal safeguards the route of the existing public right of way across the application site.

Historically the access served 18 garages and therefore this proposal should result in less vehicular movements into the site. Concerns have been made regarding the loss of parking (from the garages formerly on the site) and the increase in cars parked on the road. In September 2015 the Council's Housing Committee reviewed its district wide garage ownership and resolved to rationalise its garage stock via various options including their redevelopment and/or sale. The principle of residential development of this site has already been accepted with the previous approval. In respect of the current proposal, two parking spaces will be provided for each dwelling, in compliance with the Council's adopted parking standards. The proposal would not be detrimental to highway safety.

The local highway authority raises no objection subject to conditions.

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.

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 seeks to ensure an adequate and well targeted supply of affordable housing across the District. In this case however we are unable to pursue an affordable housing element from this site as the threshold for Wotton Under Edge is 10 units.

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 is recommended for permission.

HUMAN RIGHTS

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

Subject to the following conditions:	<p>1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p> <p>2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:</p> <p style="padding-left: 40px;">Site Plan Proposed of 09/04/2020 Plan number = 20N Proposed ground floor plan of 27/02/2020 Plan number = 21I Proposed first floor plan of 27/02/2020 Plan number = 22J Proposed second floor plan of 09/04/2020 Plan number = 23J Proposed West and East Elevations of 09/04/2020 Plan number = 24K Proposed North and South Elevations of 27/02/2020 Plan number = 25F</p> <p>Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.</p> <p>3. No works shall take place on the external surfaces of the building(s) hereby permitted until samples of the materials to be used in the construction works have been submitted to and approved in writing</p>
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by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area.

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

Reason:

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

5. The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason:

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

6. The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2m back along each edge of the access, measured from the carriageway edge, extending at an angle of 45 degrees to the footway, and the area between those splays and the footway shall be reduced in level and thereafter maintained so as to provide clear visibility at a height of 600mm above the adjacent footway level.

Reason:

To avoid an unacceptable impact on highway safety by ensuring that adequate pedestrian visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all

	<p>people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 the National Planning Policy Framework.</p> <p>7. Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan drawing no. 1679(L)20M with any gates situated at least 5.0m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and with the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.</p> <p>Reason: To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with paragraph 108 and 110 of the National Planning Policy Framework.</p> <p>8. The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan drawing no. 1679(L)20M and those facilities shall be maintained for the duration of the development.</p> <p>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.</p> <p>9. Throughout the construction and demolition period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:</p> <ul style="list-style-type: none"> 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 <p>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.</p>
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	<p>10. Prior to the occupation of the buildings hereby permitted, the proposed car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.</p> <p>Reason: To ensure that the development incorporates facilitates for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.</p> <p>11. The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. 1679(L)20M, and those facilities shall be maintained available for those purposes thereafter.</p> <p>Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.</p> <p>12. 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.</p> <p>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.</p> <p>13. No demolition works shall commence (to include the existing garages) unless and until a plan detailing methods, controls and management procedures relating to removal of Asbestos Containing Materials associated with the development site has</p>
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been submitted to, and approved in writing by, the Local Planning Authority.

Reason:

To ensure that risks from asbestos to future users of the land and neighbouring land are minimized and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14. 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.

15. 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:

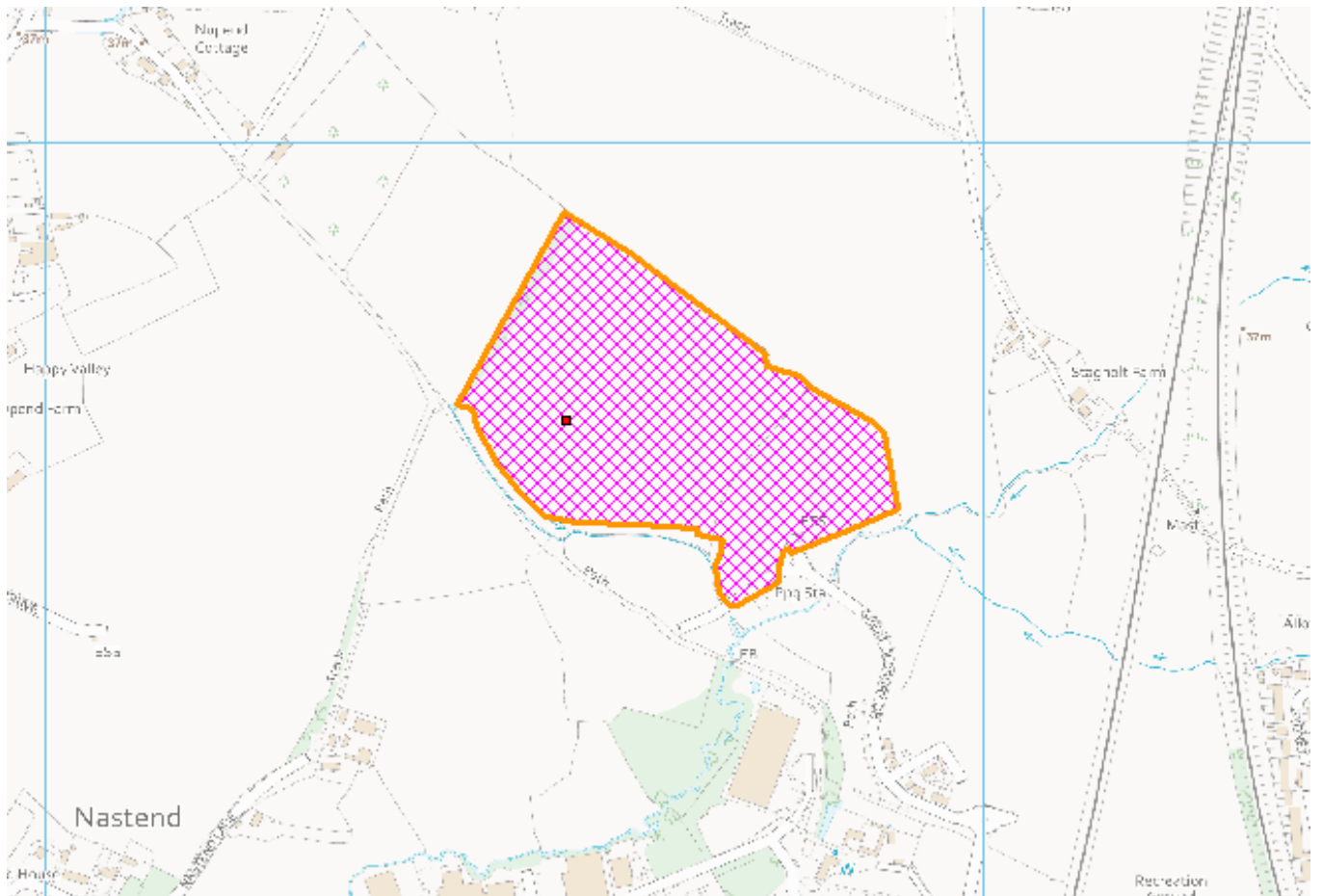
In the interests of the amenities of the local residents and the surrounding area and to comply with Policies HC1 and ES3 of the adopted Stroud District Local Plan, November 2015.

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.
2. Gloucestershire County Council currently has no technical specification for shared space. This is an adoption matter to which Gloucestershire County Council are not obliged to adopt any

	<p>highway. Gloucestershire County Council will only adopt roads that meet our published technical specification.</p> <p>3. The Footpath should not be obstructed by vehicles or construction at any time. If there is any suggestion that it will, whether through a need for a temporary closure or permanent diversion then contact should be made with the PROW team at the earliest opportunity.</p>
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Item No:	04
Application No.	S.19/2165/DISCON
Site No.	PP-08200765
Site Address	Parcel H16-20 Land West of Stonehouse, Grove Lane, Westend, Stonehouse
Town/Parish	Eastington Parish Council
Grid Reference	379553,206697
Application Type	Discharge of Condition
Proposal	Discharging condition 46 - Area masterplan on permitted application S.14/0810/OUT
Recommendation	Permission
Call in Request	Requested by DCC for all LWoS applications



Applicant's Details	Robert Hitchins Limited The Manor, Boddington, Cheltenham, Gloucestershire, GL51 0TJ
Agent's Details	Pegasus Planning Group Ltd First Floor, South Wing, Equinox North, Great Park Road, Almondsbury Bristol, BS32 4QL
Case Officer	Amy Robertson
Application Validated	08.10.2019
	CONSULTEES
Comments Received	Biodiversity Officer Contaminated Land Officer (E) Public Rights of Way Officer Development Coordination (E) Arboricultural Officer (E) Eastington Parish Council Stonehouse Town Council
Constraints	Consult area Key Wildlife Sites - Polygons Neighbourhood Plan Neighbourhood Plan Eastington Parish Council Standish Parish Council Affecting a Public Right of Way SAC SPA 7700m buffer
	OFFICER'S REPORT

MAIN ISSUES

- Principle of Development
- Layout, Design and Highways Structure
- Landscape and Ecology
- Public Open Space
- Residential amenity

DESCRIPTION OF SITE

The application site relates to parcels H16-H20 of outline permission S.14/0810/OUT for Land West of Stonehouse (Great Oldbury). The outline application was for a mixed-use development of up to 1350 houses, employment land, primary school, open space, landscaping etc. Parcels H16-20 form part of the residential areas within this wider site.

The parcels are located towards the north east of the outline site and form the most northerly point of the boundary.

The 5 parcels are contained within the 'northern edge' character area as outlined under the S.14/0810/OUT application.

PROPOSAL

The application proposes the discharge of condition 46 of the S.14/0810/OUT application, which requires the submission and agreement of the area masterplan for this phase of the development.

An area masterplan has been prepared for the site and is submitted to discharge this condition. In accordance with the condition, it is only at a masterplan level and therefore only shows key features such as main arterial road networks and significant landscape areas. As per standard outline and reserved matters applications, the detailed design, layout and appearance will be subject to a reserved matters application.

REVISED DETAILS

Throughout the course of the application, the biodiversity specialist officer expressed concern with the proposed masterplan and the amount of vegetative landscaping proposed to the northern boundary. As such, revised reports and masterplans (P19-0013_06G received on 13th February 2020) have been received that seeks to address these issues. The biodiversity specialist is now happy with the proposed plans.

RELEVANT PLANNING HISTORY

The application site forms part of a wider allocated development with outline planning permission for: "A mixed use development comprising up to 1,350 dwellings and 9.3 hectares of employment land for use classes B1, B2 and B8; a mixed use local centre comprising use classes A1, A2, A3, A4, A5, D1, D2 and B1; primary school, open space and landscaping, parking and supporting infrastructure and utilities; and the creation of new vehicular accesses from Grove Lane, Oldends Lane and Brunel Way".

Parcels H16-20, as is the subject of this application, are designated and approved for residential development under the above application.

REPRESENTATIONS STATUTORY

Stonehouse Town Council:

It is disappointing that the revised Masterplan document does not address the Biodiversity Officer's comments regarding the need for a study of the impact of introducing roads which cut through the hedgerow on the North East boundary in order to access the potential site allocation PS19. Mitigation measures should be considered and made conditions of the discharge of condition 46.

The revised Masterplan document (February 2020, P19-0013_06G) is still vague regarding a proposal to increase density along the edge of the H16 land parcel in the light of the possible site allocation PS19. The planning authority should seek clarification as to the number and type of units now proposed in this area.

Any cycle routes, such as the one shown on DRWG P19-0013_02, should be off road and designed so they can link to Stonehouse and other settlements as the development is built.

It is requested that all the trees and plants introduced as part of the landscape strategy are sourced from within the UK both for biodiversity benefits and to minimise the spread of tree diseases.

It should be noted that this response by Stonehouse Town Council was received prior to revised documents/plans being submitted to support this application.

Eastington Parish Council:

Comments as follows Existing footpath EEA7 (running along northern boundary and then leaving the site in an easterly direction) is located within the site and given a landscaped strip of grass in which to pass support in accordance with EP9 (Public rights of way and wildlife corridors). EPC would encourage replacement of the two stiles with kissing gates.

Existing footpath EEA10 (running along the western boundary) follows its original route except for a minor diversion at the southern end. The diversion is not within the site area but assuming that this route and diversion remains on grass as a rural path in accordance with EP9 (Public rights of way and wildlife corridors) no objection is raised and no objection should be raised to a diversion order in due course). Clarification is sought to ensure that that is what the developer means when it shows a white dashed line.

The existing bridleway EEA11 appears unaffected except for at the road access previously agreed from land parcel PS1 (primary school).

The proposed new pedestrian walking routes as marked in black lines should be generously sited so as not to impact or reduce the surrounding green corridors. Their current annotation implies impact on established hedges and needs clarification. For clarification as these are not formal PROW EPC would be happy to see these provided in a surfaced manner to aid wider circulation objectives.

It is noted that provision is made for two accesses to a potential extension to WOS are shown this should ensure provision to do as little damage to hedge row and existing trees as possible. In view of the ten metre level changes within the site (north to south) has consideration been given to water runoff and solar gain? It appears more likely to facilitate solar gain if streets on the eastern half of the site facilitated south facing windows and did not channel water so quickly through the site.

Revised comments:

Comments are submitted pursuant to amendments and removal of hedgerow on site EPC object to the manner in which development is now being intensified at land parcels H16, H19 and H20 given their sensitive green corridors as highlighted by the Ecology Officer. PS19a is not yet an allocated site in an adopted Local Plan and whilst a road network may need to be able to cope with additional traffic it should not be at the expense of a sensitive design close to existing countryside. EPC are particularly keen to safeguard existing field boundaries for their historic value, ecology and visual amenity EP9 (Public rights of way and wildlife corridors).

Existing footpath EEA7 (running along northern boundary and then leaving the site in an easterly direction) is located within the site and given a landscaped strip of grass in which to pass - support in accordance with EP9 (Public rights of way and wildlife corridors). EPC would encourage replacement of the two stiles with kissing gates.

Existing footpath EEA10 (running along the western boundary) follows its original route except for a minor diversion at the southern end. The diversion is not within the site area but assuming that this route and diversion remains on grass as a rural path in accordance with EP9 (Public rights of way and wildlife corridors) no objection is raised and no objection should be raised to a diversion order in due course). Clarification is sought to ensure that that is what the developer means when it shows a white dashed line.

The existing bridleway EEA11 and its hedges appears from the proposals to be in tact except for at the road access previously agreed from land parcel PS1 (primary school). However, a hundred metre stretch of hedge was unnecessarily removed in December. This is shown in page 2 of the revised Masterplan document directly under the arrow and the removed part extends left towards the taller trees shown in that hedgerow.

The proposed new pedestrian walking routes as marked in black lines should be generously sited so as not to impact or reduce the surrounding green corridors. Their current annotation implies impact on established hedges and needs clarification. For clarification as these are not formal PROW EPC would be happy to see these provided in a surfaced manner to aid wider circulation objectives.

It is noted that provision is made for two accesses to a potential extension to WOS are shown - this should ensure provision to do as little damage to hedgerow and existing trees as possible. It is noted that SDC Ecologist is particularly concerned about the watercourse/hedge boundary at H19 and that this revision, being denser will likely impact on that more.

In view of the ten metre level changes within the site (north to south) has consideration been given to water runoff and solar gain? It appears more likely to facilitate solar gain if streets on the eastern half of the site facilitated south facing windows and did not channel water so quickly through the site.

Standish Parish Council:

Standish Parish Council supports the concerns of Eastington Parish Council and Stonehouse Town Council regarding footpaths, bridleways and new walking routes; protecting existing hedgerows and trees; and site layout in relation to water run-off and solar gain. The Parish Council shares the concern that the Masterplan document refers to increasing density along the edge of the H16 land parcel in the light of the possible site allocation PS19a and requests the planning authority to seek clarification as to the number and type of units now proposed in this area. The Parish Council strongly endorses the Biodiversity Officers concerns re the importance of retaining and enhancing the hedgerow networks as features within the landscape and essential wildlife corridors. There is a serious concern that the green corridor to the north east could be breached if and when PS19a, which is entirely within Standish Parish, is allocated for development. The Parish Council supports the need for a study of the impact of introducing roads which breach the north east hedgerow and consideration of suitable mitigation measures. The Parish Council supports the view that all new plants and trees should be sourced from within the UK. The Parish Council takes the view that any cycle routes should be off-road, with good linkage to existing and planned paths. They should be available to all non-motorised users and, as such, would be more appropriately named multi-user paths.

SDC Senior Biodiversity Officer:

Revised comment:

It is proposed that a 3 metre natural buffer will be retained between the hedgerow to the northern boundary of the site and the proposed development works. This therefore is considered sufficient to enable the discharge of condition 46.

Initial comment:

Further information is required in order for Condition 46 to be discharged:

There are particular concerns relating to the boundary hedgerow to the north-east boundary of phase H19. Further ecological enhancements are required for the length of hedgerow to the north-eastern boundary with particular focus on increasing and buffering the north-eastern boundary hedge of phase H19. The submitted revised plans have not provided any further confidence that this section of hedgerow will be enhanced, from the plans presented it appears that this particular section of hedgerow will be further diluted with no reasonable buffers to ensure its future protection and ability to function as a green corridor. This feature currently acts as an important landscape link and wildlife corridor and should be retained and buffered to ensure it continue to function as such and to ensure that the proposals accord with local plan policy ES6 which states the following 'the council will support development that enhances existing sites and features of nature conservation value (including wildlife corridors).

Comments: It is important to ensure that the site boundaries to the NE are retained and adequately buffered to ensure that they are able to function as connecting features within the landscape for wildlife movement. The originally approved outline master plan did not indicate that roads would cut through the hedgerow to the NE boundary and as such great weight was given to ensuring that boundary be retained as a green corridor. However, it is understood that the fields to the north east are being promoted as site allocations in the review of the local plan and as such road connections will need to be incorporated in order to connect the sites for future development.

It must also be noted that phases H16-H20 represent some of the most important hedgerow networks for wildlife within the whole Land west of Stonehouse allocation and as such it is imperative that they be retained where possible and continue to function as corridors for wildlife movement within the greater landscape. After considering how the site sits within the landscape it is clear that the boundary to the NE of the proposed phases acts as an important link between natural features either side of the built development site. Furthermore, the already agreed and approved outline Master plan, Dwg H.0324_08-1F showed a more robust hedge line along the NE boundary of phase H19 than that proposed within the submitted Dwg P19-0013-02 which offers limited to no connectivity for wildlife, the revised plan P19-0013-06 Rev F, doesn't appear to offer any further confidence.

It is therefore recommended that the NE boundary at phase H19 be further enhanced for wildlife connectivity and buffered, with further investigation to be provided detailing how the impact of proposed roads cutting through these sections of hedgerow can be mitigated to reduce the impact on habitat connectivity. Furthermore, it is proposed that a new cycleway will be added to the NE boundary, by enhancing this area ecologically it will also contribute towards multifunctional green infrastructure and ultimately provide a more aesthetically pleasing area for future residents by breaking up the built form with high quality ecological planting.

SDC Tree Officer:

The proposed master plan needs to be overlaid on the tree protection plan, so the applicant can demonstrate how the remaining trees and hedges will be adequately protected during the construction phase(s). The tree protection plan should be superimposed on a layout plan, based on the topographical survey and showing all hard surfacing and other existing structures within the (rot protection area) RPA. The plan should clearly indicate the precise location of protective barriers to be erected to form a construction exclusion zone around the retained trees. It should also show the extent and type of ground protection, and any additional physical measures, such as tree protection boxes, that will need to be installed to safeguard vulnerable sections of trees and their RPAs where construction activity cannot be fully or permanently excluded. These measures should be indicated on the plan, accompanied by descriptive text as required. Barrier and ground protection offsets should be dimensioned from existing fixed points on the site to enable accurate setting out. The position of barriers and any ground protection should be shown as a polygon representing the actual alignment of the protection. I shall comment further once the additional information has been submitted.

SDC Contaminated Land Officer: No comments relating to the application.

The Public Rights of Way Officer (GCC) was consulted and responded with no objections, but made an observation that consideration should be given to multi users of PROWs.

Can the developer please consider that any access over the open space is dedicated as a Public Right of Way; this protects the path by means of recording it on the Definitive Map of rights of way. I am happy to talk further about this. I would also recommend that horse riders are always taken into consideration in any development. They are vulnerable users and should also have access to multi user tracks. Again this can be done via bridleway dedications. Cycle tracks should not exclude vulnerable users such as horse riders and we suggest re-naming them as 'multi-user' paths. Hedgerows are important wildlife corridors and we would therefore object to any un-necessary removal of them but hugely support the planting of additional ones

Gloucestershire County Council Highways Department was consulted and provided response stating no objection.

The proposed Master plan layout is acceptable; however, I would remind the designers of any proposed detailed application to be submitted that all roads within the estate should be designed for a maximum speed of 20mph. Further, Manual for Streets Gloucester has now been withdrawn and a revised document being produced. This authority will no longer accept shared surfaces streets for adoption and these will consequently have to remain as private streets.

PUBLIC

At the time of writing, no representations from the public had been made.

PLANNING CONSIDERATIONS - NATIONAL CONSIDERATIONS AND LOCAL PLANNING POLICIES

NATIONAL

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Stroud District Local Plan, November 2015 is the development plan for Stroud District. Due weight should be given to policies in this plan according to the degree of consistency with the National Planning Policy Framework (NPPF). The NPPF 2.2 is a material consideration in planning decisions. The NPPF was revised in February 2019.

Full details of the NPPF is available to view at

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

Local

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

http://www.stroud.gov.uk/info/plan_strat/newlocalplan/PLAIN_TEXT_Local%20Plan_Adopted_November_2015.pdf

The proposal should also be considered against the guidance laid out in SPG Stroud District Landscape Assessment.

Eastington Neighbourhood Development Plan & the adjacent Stonehouse NDP also form part of the development plan.

PRINCIPLE OF DEVELOPMENT

The principle of development for this site was established under the outline application ref: S.14/0810/OUT with the land use parameters, building heights, character areas and indicative masterplan and green infrastructure considered. Therefore, the principle of development is not for consideration under this application.

This application seeks to address the requirement of condition 46 to provide more detailed Area Master Plan for parcels H16-20.

Condition 46 of the outline permission reads:

Prior to the submission of Reserved Matters on each particular phase, an Area Master Plan for that particular phase shall be submitted to and approved by the Local Planning Authority. Each Reserved Matters application shall broadly accord with the approved accompanying Area Master Plan. The Area Master Plans shall include details of strategic landscaping within that part of the site, the landscaping along the boundaries of the site, open spaces, building frontages, road hierarchy, public realm, pedestrian/cycling movements, identify key buildings and plot views in/out.

Reason:

To provide a more detailed working of the Design Strategy December 2015 to allow a quality development, which is also sympathetic to the surrounding hamlets and landscape, in accordance with NPPF paragraphs 58-64 and Stroud District Local Plan (19th November 2015) Policy CP1.

LAYOUT, DESIGN AND HIGHWAYS STRUCTURE

The layout shown under the illustrative masterplan sought to be discharged under this application is largely comparable to that shown under the outline approval. The total site area for all five parcels are designated and have been approved as residential development. These parcels are within the Northern edge character area of the Land West of Stonehouse (Great Oldbury) development.

With the site, three character areas are indicated under the masterplan; primary street frontage along the spine road, core housing areas and open space edge frontage. Feature housing will be located at prominent locations within the site, on key corners and bends within the development in order to create a better sense of place, build character and to create presence within the street scenes.

A number of spine roads are proposed within the site, with secondary streets leading off these roads. Residential dwellings will be served off the road network with some units having direct access onto the primary/secondary streets, with some units being served off private drives. Density of the proposed units is to follow a more urban character, with density decreasing the further from the main spine roads the units are. The hierarchy of the streets outlines how this will be achieved with the space and planting between buildings. The proposed road network on site is considered to be appropriate in relation to the wider strategic layout into the wider network.

The proposal does look to increase the density of the some of the residential areas particularly to towards the northern boundary with the introduction of two primary streets going north. With these the developer is looking to the Local Plan Review extension site to the north. Whilst it has to be acknowledged that there is still significant way to go for this potential allocation it is difficult to resist these areas of future proofing in this masterplan stage. Whilst the Parish's concerns are noted, the main landscaping features are retained and it is not evident that the increase will cause significant wider harm.

Footpath and pedestrian links are maintained with routes being provided along the green infrastructure. In addition to the vehicle speeds will be kept low on the residential areas a cycle route off the main vehicle carriage way has been identified. As highlighted by the Public Rights of Way Officer, the cycle routes proposed should not exclude vulnerable users such as horse riders and suggest they are re-named as 'multi-user' paths. Further discussions and input from GCC regarding this and the registration of paths and open space on the Definitive Map of rights of way can take place during the dedication process. It is therefore considered that the masterplan for the scheme provides suitable provision for cyclist, pedestrians and other users to connect with the wider provision and to nearby destinations.

The overall indicative layout provided under this masterplan is considered acceptable by way of it providing opportunity to create character and sense of place when the finer detail is submitted under the reserved matters application.

LANDSCAPE AND ECOLOGY

The proposed application site is currently undeveloped land and therefore being subject to a large scale mixed-use development will be the subject to a fair amount of visual change. The proposed illustrative landscaping plan shows the key features proposed under this discharge of condition application. Notably, there is a significant amount of vegetation to be retained to the north western boundary of the site, and then further planting along the northern boundary.

Throughout the course of the application, it was considered that the vegetation planting and retention along the northern element of the site was of specific importance and should be both protected and enhanced further in order to increase the mitigating impact, as well as promoting significant environmental benefits.

As the site is currently undeveloped it has an expansive amount of established vegetation in situ particularly along the field hedge boundaries which are important to protect. Vegetation and existing hedgerows in this location have been retained where possible in order to protect the species and habitats. These field boundaries are sensitive and important wildlife corridors and whilst there are some gaps to facilitate the approved development and connections these have been kept to a minimum.

Over the course of the application, an increase in vegetative boundary towards the northern boundary of the site has been requested by the Biodiversity Officer, and revisions to this boundary has been received with a landscape hedgerow buffer of a minimum 3m in width to the development has been negotiated with the agent. Whilst pressure has been applied this is constrained by the approved outline permission and the approved land use parameters and green infrastructure.

This buffer area will be maintained outside the householder gardens to avoid it be degraded and will form part of the wider landscaping features. At the thinnest part of the boundary adjacent to H19, the existing hedge is also outside the red line so would be in addition to the proposed 3m buffer. It is therefore considered that given the constraints of the outline permission this is an acceptable provision to protect the ecological habitat within this area, as well as providing an element of landscaping along the boundary of the development.

The main arterial roads are proposed to be tree lined which encourages greater ecological enhancements to areas of the site that will be primarily denser development. These connect with the nodal/green points through the development and to the more strategic green infrastructure of the wider scheme. The full details of the landscaping scheme and tree protection will be required by the more detailed reserved matters and other discharge of conditions.

Whilst the land to the north of this site has been initially identified as a strategic site for potential residential development under the Local Plan Review process, this plan is not at such an advanced stage as to be certain. As such, it is considered that providing substantial landscaping and planting to the northern boundary of the site remains important and will protect the landscape and biodiversity. Should further development occur with the development to the north of this application site coming forward, further additional landscaping buffer width on this potential allocation will be required to maximise the opportunity for connectivity and functionality of this boundary as a wildlife corridor. The agent has offer reassurance regarding

this matter and whilst it can be highlighted as a minimum requirement for any potential allocation to the north this would be outside the scope of this application.

PUBLIC OPEN SPACE

Whilst public open space areas are provided throughout and connected to the wider strategic development, within this application area, the main informal open space is provided towards the north west of the site in accordance with the approved masterplan. An area of landscaping, retained vegetation and meandering footpaths are proposed, and will provide areas for future residents to walk and enjoy. Formal green 'pocket parks' are also proposed throughout the development.

The public open space elements of this area masterplan application therefore accord with the outline masterplan, as well as the policies contained within the SDC Local Plan.

RESIDENTIAL AMENITY

The purpose of this application is not to put forward individual plot locations and therefore a full assessment of residential amenity will be withheld for the Reserved Matters stage. However, it is considered that the parcels of land will be able to cater for the required number of residential units proposed and will not adversely affect existing residents which are mainly set away from these parcels.

RECOMMENDATION

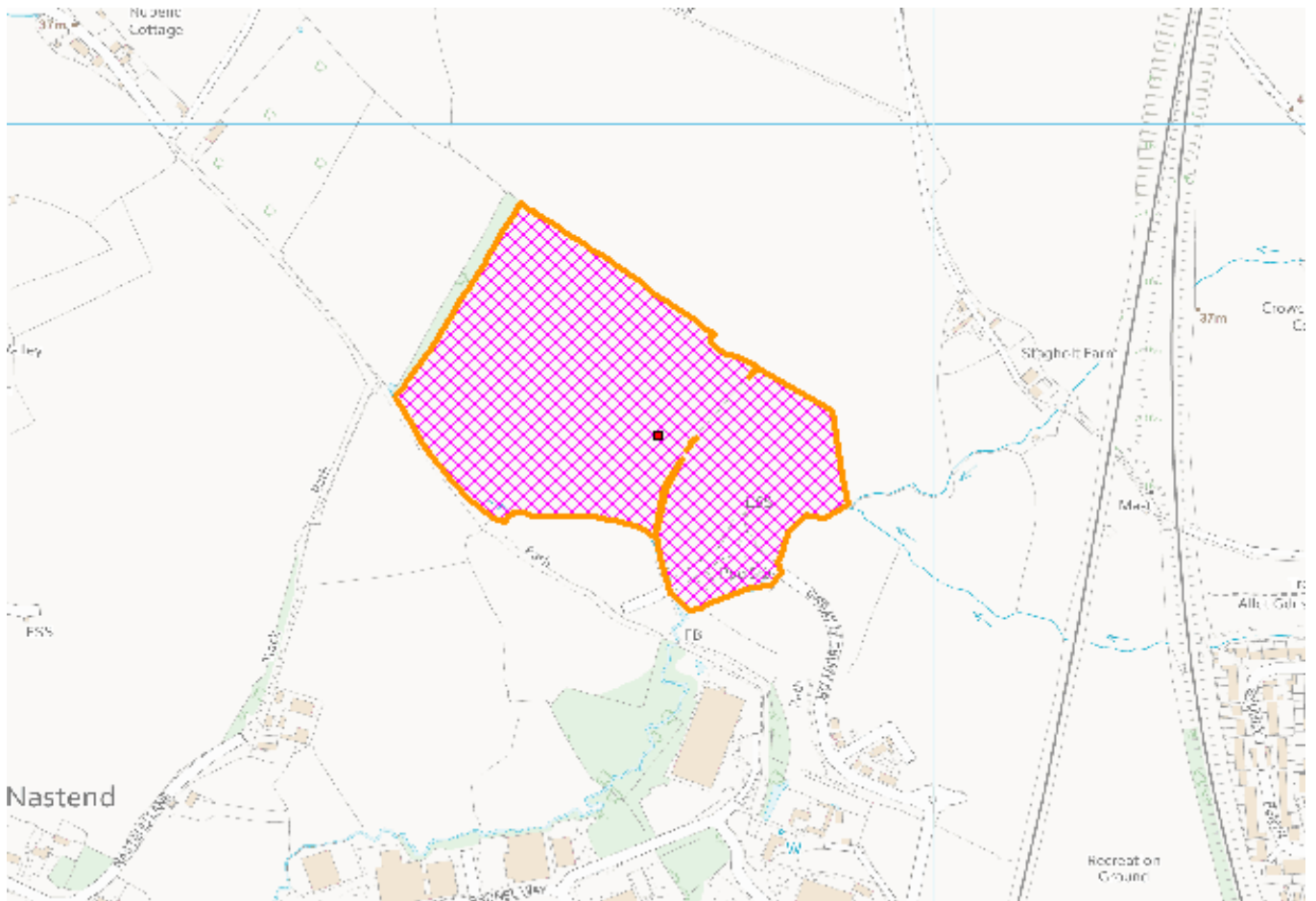
The proposed area masterplan is in general accordance to the approved wider masterplan under application ref: S.14/0810/OUT. In the absence of any adverse material considerations, it is considered that the submitted mini area masterplan required by condition 46 is acceptable.

The reserved matters for these parcels will provide the detailed information in accordance with the approved masterplan. It is therefore recommended that this discharge of condition application is approved.

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.

Item No:	05
Application No.	S.20/0449/REM
Site Address	Phase 4A Land West of Stonehouse, Grove Lane, Westend, Stonehouse
Town/Parish	Eastington Parish Council
Grid Reference	379711,206659
Application Type	Reserved Matters Application
Proposal	Reserved matters for the primary infrastructure pursuant to outline planning permission S.14/0810/OUT
Recommendation	Approval
Call in Request	Requested by DCC for all LWoS applications



Applicant's Details	Robert Hitchins Ltd The Manor, Boddington , Cheltenham , Gloucestershire , GL51 0TJ
Agent's Details	None
Case Officer	Ranjit Sagoo
Application Validated	24.02.2020
	CONSULTEES
Comments Received	Eastington Parish Council Contaminated Land Officer (E) SDC Water Resources Engineer Biodiversity Officer Archaeology Dept (E)
Constraints	Consult area Flood Zone 2 Flood Zone 3 Key Wildlife Sites - Polygons Neighbourhood Plan Eastington Parish Council Standish Parish Council Stonehouse Town Council Affecting a Public Right of Way SAC SPA 7700m buffer Village Design Statement
	OFFICER'S REPORT

DESCRIPTION OF SITE

The Land West Stonehouse development is 5 miles (approx.) west of Stroud. The main site access is via the spine road (Grove Lane) that connects onto the A419 (Bristol Road) and to Oldends Lane on the Stonehouse side of the wider scheme.

To the north of the site is open countryside, railway line to the east, industrial estate to the south, the A419 to the south-east and the village hamlet of Nupend to the north-west.

The gradient of the application boundary is higher compared to the southern part of the development.

PROPOSAL

The reserved matters application is for the primary infrastructure (Phase 4A), the main spine roads, bus shelters etc. The infrastructure will primarily serve Parcels H14 - H20 as identified in the Outline Approval S.14/0810/OUT, however, the details of housing (i.e. layout, scale and appearance etc.) will be the subject of separate reserved matters application.

The proposal will link onto the roundabout that forms part of the approved Phase 2 primary infrastructure and also link to the road serving the primary school, approved as part of Phase 3B primary infrastructure.

REVISED DETAILS

Revised plans to be submitted to show the re-instatement of the a section hedge. Condition has been amended to take account of the re-instatement of hedge, following plans and documents included:

- * General Engineering (273-PH4-100 Rev A, dated 28.05.20)
- * Detailed Engineering Sheet 1 (273-PH4-150-01 Rev A, dated 28.05.20)
- * New Hedgerow Specification Statement (dated 29.05.20)

PLANNING HISTORY

The mixed use development known as land west of Stonehouse received outline planning permission (LPA ref: S.14/0810/OUT) in 2016. The development comprised of up to 1,350 dwellings and 9.3 hectares of employment land for use classes B1, B2 and B8; a mixed use local centre comprising use classes A1, A2, A3, A4, A5, D1, D2 and B1; primary school, open space and landscaping, parking and supporting infrastructure and utilities; and the creation of new vehicular accesses from Grove Lane, Oldends Lane and Brunel Way.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (revised February 2019)

Relevant NPPF policies are set out below:

- Chapter 2 (achieving sustainable development) sets out the three overarching objectives of achieving sustainable development which are economic, social and environmental.
- Paragraph 11 - presumption in favour of sustainable development.
- Chapter 4 (Decision-making) relevance to paragraph 47 relates to planning applications determined in accordance with the development plan, unless material considerations indicate otherwise.
- Chapter 8 (Promoting healthy and safe communities) seeks to achieve healthy, inclusive and safe places. Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 92 aims to provide social, recreational and cultural facilities and services the community needs.
- Chapter 9 (Promoting sustainable transport) consideration for transport issues, including potential impact on transport network, transport infrastructure (existing and proposed), sustainable modes of travel; and patterns of movement and transport integration.
- Chapter 12 (Achieving well-designed places) creating better places to live and work with a clear design vision.
- Chapter 15 (Conserving and enhancing the natural environment) planning policies and decisions should contribute to and enhance the natural and local environment. Most relevant to this application, minimising impacts to biodiversity and a coherent approach for ecological networks.

Stroud District Local Plan (adopted November 2015)

Relevant Local Plan policies, both core policies and delivery policies are set out below:

- Core Policy CP1 - Presumption in favour of sustainable development. Follows on from the NPPF and that the Council will take a positive approach to reflect presumption in favour of sustainable development.
- Core Policy CP4 - Place Making. Relevant to this proposal, the proposals would be expected to show connectivity, reduce car dependency, improve transport choice. In addition, creating safe streets, well managed attractive public and private spaces.
- Core Policy CP14 - High Quality Sustainable Development. The District will support high quality development which protects, conserves and enhances the built and natural environment.
- Delivery Policy ES1 - Sustainable Construction and Design requires integration of sustainable design and construction to all new developments in Stroud.
- Delivery Policy ES3 - Maintaining Quality of Life within our Environmental Limits protects against unacceptable impacts to life of residents, workers and visitors.
- Delivery Policy ES6 - Providing for Biodiversity and Geodiversity. All new developments will be required to conserve and enhance the natural environment, including all sites of biodiversity or geodiversity value.
- Delivery Policy ES7 - Landscape Character. Relevant to this application would be the to conserve or enhance the special features and diversity of the different landscape character types found within the District.
- Delivery Policy ES8 - Trees, Hedgerows and Woodlands. Development should seek where appropriate to enhance and expand the District's tree and woodland resource.
- Delivery Policy ES12 - Better Design of Places states that the District requires layout and design of new development to create well designed, socially integrated, high quality successful places.

Eastington Neighbourhood Development Plan also forms part of the development for the area.

Consultations

Highway Authority (Gloucestershire County Council): comments to follow.

Archaeologist (Gloucestershire County Council): comments received (9th March 2020) - the outline planning permission (S.14/0810/OUT), the current application site was the subject of an archaeological field evaluation.

A planning condition was attached to the outline planning permission in order to secure a programme of archaeological mitigation recording.

Since the programme of archaeological mitigation is secured by a condition attached to the outline permission for development, I would see no need to attach any similar condition to any planning permission which may be granted for this reserved matters scheme.

SDC - Contaminated Land Officer: comments received (10th March 2020) - no comments.

SDC - Water Resources Engineer: comments received (24th March 2020) - no comments.

SDC - Biodiversity: original comments received (3rd April 2020) - it had been noted that Condition 38 (Construction Ecological Management Plan - CEMP) of the outline planning consent S.14/0810/OUT has not be discharged for this phase of development. This is required to ensure that the works are undertaken with appropriate measures in place to protect protected species from harm during construction a CEMP document is required to be provided prior to determination of this reserved matters application. Furthermore, a discharge of condition application is required to discharge condition 38 for this particular phase of development. Additional comments received in relation to Condition 28 (27th May 2020), to ensure that the hedgerows and trees are safeguarded during construction. This will be addressed through the CEMP which is covered by a separate application for the discharge of this condition.

Eastington Parish Council: comments received (13th April) - Plan RMA Identification plan STH.PH4A.E.1 appears to show the foul spur and the adoptable surface water and foul sewers inside the significant tree/hedge strip of the Bridleway BW EEA11. It is understood that the centre line of this tree/hedge strip is the Bridleway and the trees and hedges forming the bridleway are valued by the parish for their ecology and visual amenity. These were to be retained as shown on the Green Infrastructure plan STH,P.6.WS.01 Rev A (S.17/2212/DISCON Green Infrastructure).

Whilst it appears that there may be an existing open drainage channel which needs to be maintained this should be carried out with care such that all vegetation is not affected. Works on site have already ripped out much of that field boundary with the proposed Primary school (subject of an unresolved enforcement complaint). The Green Infrastructure plan dictated that a strip of Dense vegetation was to remain. Please reference Google Maps to see the depth of the vegetation at that point as it still shows there.

As these details appear unclear the Parish objects to the application as they are contrary to EP2 (protect and enhance biodiversity and the natural environment) and EP9 (Public rights of way and wildlife corridors).

PLANNING CONSIDERATIONS

PRINCIPLE OF DEVELOPMENT

This scheme accords with the general infrastructure arrangement of the approved master plan (outline planning permission) and other approved reserved matter applications for infrastructure.

CONNECTIVITY & HIGHWAYS

This proposal (Phase 4A) will link Phase 2 primary infrastructure and also link to the road serving the primary school, approved as part of Phase 3B primary infrastructure. The infrastructure will primarily serve Parcels H14 - H20 as identified in the Outline approval S14/0810/OUT.

The proposed bus stop will be located adjacent to Parcels H17 and H16 which has the potential to serve the central area of the development and the north.

The carriageway will include a pedestrian width of 2 metre (minimum) and a cycleway width of 3 metres (minimum). This will connect to the approved reserved matters school and proposed local centres.

Visibility splays and engineering details of the proposed roads have been submitted. Whilst the road adoption process is a separate matter it has been outlined that the road will be put forward to GCC with a Section 38 plan identifying the areas covered. Detailed comments on these technical highway issues from the Highways Officer at GCC Highways are still awaited and will be reported to committee.

DESIGN

The layout and design is consistent with the approved outline application and approved reserved matters applications for infrastructure. The detailed design of the homes (Parcels H14 - H20) will be subject to separate reserved matters applications.

BIODIVERSITY

Concerns relating to the protection of hedgerows and ecology during the construction phase have been raised. This have been raised with the agent and needs to be addressed. However, as they are controlled via conditions on the outline permission the details management of this is already controlled via the need to submit Construction Ecological Management Plan (CEMP).

The Parish have raised concerns relating to a drainage works and impact on the section of hedgerow. These works had been carried out under the approved reserved matters for Phase 3B drainage channel works. Following discussions with the agent, it is recognised that the exiting ditch had been within close proximity and impugning the hedgerow. The agent has revised the plans that now include planting along the bank to reinstate the section previously removed.

DRAINAGE

The main drainage details for this part of the wider site have already been addressed with the SUDS ponds submitted and approved. The details drainage of the roads proposed has been shown and does not undermine the wider strategy. Our drainage engineer has raised no objection.

CONCLUSION

This application is consistent with the approved indicative masterplan and follows on from the other subsequent reserved matter applications for infrastructure for the wider development. Concerns raised by the parish have been addressed.

Subject to the response from GCC Highways, it is considered that this proposal accords with national and local planning policy and is therefore recommended for approval, subject to 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:	<p>1. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below: General Engineering (273-PH4-100 Rev A, dated 28.05.20) Detailed Engineering Sheet 1 (273-PH4-150-01 Rev A, dated 28.05.20) Detailed Engineering Sheet 2 (273-PH4-150-02) Detailed Engineering Sheet 3 (273-PH4-150-03) Road and Sewer Longsections (273-PH4-200) Kerbing, Surfacing, Markings and Signage Sheet 1 (273-PH4-250-01) Kerbing, Surfacing, Markings and Signage Sheet 2 (273-PH4-250-02) Section 38 Plan (273-PH4-400) Vehicle Swept Path Analysis (273-PH4-405) Visibility and Dimensions (273-PH4-415) Flood Exceedance Routing (273-PH4-510) Bus Shelter Details (ST.PH4A.BS.01) Phase 4A RMA Identification Plan (STH.PH4A.E.1) New Hedgerow Specification Statement (dated 29.05.20)</p> <p>Reason: In the interests of proper plan for the area.</p> <p>Informatives:</p> <p>1. Applicant is advised to comply with the Conditions set out in the outline planning consent relevant (LPA ref: S.14/0810/OUT) to this proposal.</p>
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