

# Public Document Pack



## STROUD DISTRICT COUNCIL

Council Offices • Ebley Mill • Ebley Wharf • Stroud • GL5 4UB  
Telephone 01453 766321  
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Monday, 7 February 2022

## DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held on **TUESDAY, 15 FEBRUARY 2022** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **6.00 pm**

Kathy O'Leary  
Chief Executive

Please Note: The meeting is being held in the Council Chamber at Stroud District Council and will be streamed live on the Council's [YouTube Channel](#). A recording of the meeting will be published onto the [Council's website](#). 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.

**Due to the Covid-19 pandemic a maximum of 6 members of public will be permitted in the Council Chamber at any one time, if you would like to attend this meeting please contact [democratic.services@stroud.gov.uk](mailto:democratic.services@stroud.gov.uk).**

### A G E N D A

1. **APOLOGIES**  
To receive apologies of absence.
2. **DECLARATIONS OF INTEREST**  
To receive Declarations of Interest in relation to planning matters.
3. **MINUTES (Pages 3 - 6)**  
To approve the minutes of the meeting held on 18 January 2022.
4. **PLANNING SCHEDULE AND PROCEDURE FOR PUBLIC SPEAKING (Pages 7 - 12)**  
(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 WOODSIDE FARM, WOODSIDE LANE, KINGS STANLEY, STONEHOUSE  
(S.21/2829/HHOLD) (Pages 13 - 18)**

Erection of garage with store above.

**4.2 SUNNYSIDE NURSERIES, CAM, DURSLEY, GLOUCESTERSHIRE  
(S.21/1829/OUT) (Pages 19 - 38)**

Redevelopment of the site for an industrial and storage use (Use Class B2/B8) retail use (Use of class A1 now E(a)) and change of use of the existing dwelling to office use (Use class B1 now E(g)(i)) with associated works, infrastructure and improvements to the existing access onto the A38 with all matters relating to appearance and landscaping reserved.

**Members of Development Control Committee**

**Councillor Martin Baxendale (Chair)**

Councillor Chris Brine  
Councillor Martin Brown  
Councillor Jason Bullingham  
Councillor Helen Fenton  
Councillor Victoria Gray

**Councillor Trevor Hall (Vice-Chair)**

Councillor Haydn Jones  
Councillor Loraine Patrick  
Councillor Mark Ryder  
Councillor Lucas Schoemaker  
Councillor Ashley Smith



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## DEVELOPMENT CONTROL COMMITTEE

18 January 2022

6.00 - 7.19 pm

Council Chamber

### Minutes

#### Membership

##### **Councillor Martin Baxendale (Chair)**

Councillor Chris Brine  
Councillor Martin Brown  
Councillor Jason Bullingham  
Councillor Helen Fenton  
Councillor Victoria Gray  
Councillor Loraine Patrick

\*= Absent

##### **Councillor Trevor Hall (Vice-Chair)**

Councillor Haydn Jones  
Councillor Mark Ryder  
Councillor Lucas Schoemaker  
Councillor Ashley Smith

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#### Officers in Attendance

Head of Development Management  
Principal Planning Lawyer, One Legal  
Majors & Environment Team Manager

Development Team Manager  
Principal Planning Officer (Majors)  
Democratic Services & Elections Officer

#### Other Member(s) in Attendance

Councillors

#### DCC.031 Apologies

An apology for absence was received from Councillor Patrick.

#### DCC.032 Declarations of Interest

There were none.

#### DCC.033 Minutes

**RESOLVED** That the Minutes of the meeting held on 23 November 2021 were approved.

#### DCC.034 Planning Schedule and Procedure for Public Speaking

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

1	S.21/1050/REM
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### **DCC.035    Site for Sports Pitches North of Parcels H10 & H11, Great Oldbury (S.21/1050/REM)**

The Principal Planning Officer (Majors) introduced the application and explained that it was a reserved matters application which related back to the outline consent for the Great Oldbury site (S.14/0810/OUT). He showed the Committee the plans of the site and the proposed works.

The Principal Planning Officer (Majors) drew the Committees attention to the main points of the proposal:

- Earth works would be needed to level the site.
- It was for the creation of 3 sports pitches. 2 smaller pitches 40mx70m and one larger pitch 60mx100m.
- The landscaping areas proposed included various native shrubs and trees which was in response to Biodiversity Officers' comments.
- The erection of a fence along Great Oldbury Drive to prevent balls from rolling onto the road, was included in response to Highways comments.

The Principal Planning Officer (Majors) explained that this was only the first stage of this development and the next stage would involve a further 3 pitches, 2 buildings and a car park. The site would still retain its public rights of way, although they had been realigned in the proposal.

The Principal Planning Officer (Majors) gave the following answers in response to questions asked:

- The first phase of pitches was likely to be for informal use due to the lack of changing facilities which were included within phase 2.
- To be used for League games the pitches would need to meet the suitable requirements which would likely involve waiting for the changing facilities to be built.
- Highways had confirmed they were content that the surrounding highway had capacity to hold cars for the interim use of the pitches until the car park was built in phase 2.

Councillor Ryder questioned who would be responsible for the booking and the management of the pitches. The Principal Planning Officer (Majors) confirmed there was a management company who would be responsible for the maintenance and could also be responsible for the booking however, in other areas it was the Parish Council who took responsibility for the booking of the pitches.

Councillor Fenton questioned whether the land could be used for a variety of activities or a skatepark and asked why it had just been used for football pitches. The Principal Planning Officer (Majors) explained there was no application for a skatepark and the pitches could also be used for other games when used informally. He also informed the committee that the next stage of the Great Oldbury development included equipped play spaces around the development.

Councillor Ryder proposed and Councillor Gray seconded.

Councillor Brine joined the meeting.

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Councillor Hall expressed his support for the application. He also noted that Eastington Parish Council had not sent anyone to object to this proposal.

Councillor Ryder debated the parking and explained in his previous experience, Sports England usually had a ratio of parking spaces to sports pitches which could be included in the plans for phase 2 with the buildings.

Members debated the parking issue at length.

After being put to a vote, the Motion was carried unanimously.

**RESOLVED To PERMIT the application.**

### **DCC.036    Establishment of Development Management Advisory Panel**

The Head of Development Management introduced the report and explained that it was for the creation of an informal Working Group. The Working Group was recommended as part of the planning enforcement audit that was taken to Audit and Standards Committee in November 2021. She explained that the group was not a decision making committee and would have no powers to make decisions or take votes.

She drew the Committees attention to page 39 of the document pack, the proposed Terms of Reference (ToR) and in particular the functions. She further explained that the terms of reference were different from other working groups and this is why it was recommended that the new panel be chaired by an Officer.

The Head of Development Management explained the recommendation was for her to chair the Working Group however, the Committee may prefer a Member to chair the Working Group. If so, Councillor Baxendale would be an ideal candidate but they would need to agree to amend the ToR.

In response to a question raised, the Head of Development Management further confirmed that the Monitoring Officer felt that due to the quasi-judicial nature of the committee and the issues that were dealt with by Development Control Committee (DCC), the Working Group should be chaired by an Officer. This would also further highlight the fact that the Working Group was not a Sub-Committee of DCC.

Councillor Brown proposed the amendment that the Working Group be chaired by the Chair of the Development Control Committee. Councillor Brine Seconded.

Councillor Brine raised a point that if a Member chaired the group then it would free up the Officer to be fully involved with discussions.

Councillor Brown raised a further point that if the Working Group was led by an Officer it would feel more like self scrutiny rather than the recommended member oversight.

Councillor Ryder questioned whether the Working Group would remain non political if it was led by a Member and explained that an Officer would still be able to guide discussions and bring their own experiences to the meeting and still fulfil the role of Chair.

The Head of Development Management confirmed:

## Agenda Item 3

2021/22

- The Working Group would not take votes or make decisions however, if something needed to be addressed it could be brought to the attention of DCC.
- As it was a completely new Working Group, there was a recommendation to review it in 12 months' time.

Councillor Bullingham questioned how the decision would be reached to bring something to the attention of DCC if the Working Group could not take a vote. The Chair confirmed it would be down to a consensus.

The Development Team Manager highlighted that the statistics of the department were now circulated twice a year to DCC and explained that the Working Group would be a forum for discussing any issues with the figures and any changes from Central Government. He further explained it would be much more of a discussion for the Members and Officers in the Working Group and should a decision be required, it would be brought to the attention of DCC.

In response to Councillor Ryder, the Head of Development Management confirmed that on page 39 of the document pack where it referred to the elected members having 'appropriate training and experience'. This was in reference to all Members of DCC as opposed to Members who don't sit on that Committee and may not have received the same training or have similar experiences.

Councillor Fenton debated whether there could be an open process for elected Members and whether Members could put themselves forward for the Working Group.

After much debate the Chair confirmed that he would liaise with the group leaders in order to elect the membership of the Working Group.

After being put to a vote, the amendment for the panel to be chaired by the Chair of Development Control Committee was carried.

Councillor Fenton proposed an additional amendment for the Councillor membership of the Panel to be appointed by the Chair in consultation with the Group Leaders. Councillor Brine seconded.

After being put to a vote, the amendment for the Councillor membership of the Panel to be appointed by the Chair in consultation with the Group Leaders was carried.

After being put to a vote, the amended Motion was carried unanimously.

**RESOLVED Development Control Committee RESOLVED to:**

- a) Establish the Development Management Advisory Panel, with the position of Chair to be filled by the Chair of Development Control Committee and the Councillor Membership to be agreed by the Chair in consultation with Group Leaders.**
- b) Approve the draft Terms of Reference for the proposed new Panel, attached as Appendix A, subject to the amendments made at part a of this resolution;**
- c) Review the operation of the Panel within the next 12 months.**

The meeting closed at 7.19 pm

Chair



# **Stroud District Council**

## **Planning Schedule**

### **15<sup>th</sup> February 2022**

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.

## Planning Schedule 15/02/2022

### 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](mailto:democratic.services@stroud.gov.uk) and our Planning Team [planning@stroud.gov.uk](mailto: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 try to arrive at the Council Chamber 10 minutes before the Committee starts so that you can liaise with the democratic services officer and other speakers who have also requested to speak in the same slot. Where more than one person wishes to speak, you may wish to either appoint one spokesperson or share the slot equally.



## Planning Schedule 15/02/2022

### **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

## Planning Schedule 15/02/2022

### **2. Special DCC meetings**

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

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

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

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

- They will be recorded and broadcast as part of the Council's webcasting of its meetings.
- Webcasts will be available for viewing on the Council's website and may also be used for subsequent proceedings e.g. at a planning appeal.
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6. Committee Member tabled and seconded
7. Committee Members debate the application
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**Planning Schedule 15/02/2022**

<b>Parish</b>	<b>Application</b>	<b>Item</b>
Kings Stanley Parish Council	Woodside Farm, Woodside Lane, Kings Stanley. S.21/2829/HHOLD - Erection of garage with store above.	1
Slimbridge Parish Council	Sunnyside Nurseries, Cam, Dursley. S.21/1829/OUT - Redevelopment of the site for an industrial and storage use (Use Class B2/B8) retail use (Use Class A1 now E(a)) and change of use of the existing dwelling to office use (Use Class B1 now E(g)(i)) with associated works, infrastructure and improvements to the existing access onto the A38 with all matters relating to appearance and landscaping reserved	2

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**Development Control Committee Schedule  
15/02/2022**

<b>Item No:</b>	1
<b>Application No.</b>	S.21/2829/HHOLD
<b>Site Address</b>	Woodside Farm, Woodside Lane, Kings Stanley, Stonehouse
<b>Town/Parish</b>	Kings Stanley Parish Council
<b>Grid Reference</b>	380669,202410
<b>Application Type</b>	Householder Application
<b>Proposal</b>	Erection of garage with store above.
<b>Recommendation</b>	Permission
<b>Call in Request</b>	Requested by Head of Planning



## Agenda Item 4.1



### Development Control Committee Schedule 15/02/2022

<b>Applicant's Details</b>	Mr N Studdent-Kennedy Woodside Farm, Woodside Lane, Kings Stanley, Stonehouse, Gloucestershire GL10 3LA
<b>Agent's Details</b>	Mr S Price 29 Gannicox Road, Stroud, Gloucestershire, GL5 4EZ,
<b>Case Officer</b>	Rachel Brown
<b>Application Validated</b>	29.11.2021
	<b>CONSULTEES</b>
<b>Comments Received</b>	
<b>Constraints</b>	Area of Outstanding Natural Beauty Nymphsfield Airfield Zone Kings Stanley Parish Council Surface flooding 1 in 100 years
	<b>OFFICER'S REPORT</b>

#### MAIN ISSUES

Principle of Development  
Design and appearance  
Residential Amenity  
Highways  
Landscape

#### DESCRIPTION OF SITE

The application site is located off Woodside Lane within a rural part of Kings Stanley and comprises a large detached two-storey dwelling that sits within a good sized plot, towards the south eastern boundary. The site is surrounded by agricultural land.

There are no nearby listed buildings or conservation areas, however the site is within the Cotswolds Area of Outstanding Natural Beauty.

#### PROPOSAL

Erection of garage with store above

#### REVISED DETAILS

Reduction in height and replace balcony with 'Juliette' balcony.

#### MATERIALS

Walls: Reconstructed stone to match the existing/K-rend to match colour of the recon stone  
Roof: Concrete interlocking tiles to match  
Windows: White upvc/Velux conservation rooflights  
Doors: Roller shutter doors



## Development Control Committee Schedule 15/02/2022

### REPRESENTATIONS

#### Statutory Consultees:

None received

#### Public:

None received

### 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](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:

HC8 - Extensions to dwellings.

ES3 - Maintaining quality of life within our environmental limits.

ES7 - Landscape character.

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:

### PLANNING CONSIDERATIONS PRINCIPLE OF DEVELOPMENT

The proposal is for the erection of a garage with store above, situated within the residential curtilage of the host dwelling.

Policy HC8 allows outbuildings incidental to the enjoyment of the dwelling subject to relevant criteria. The principle of the development can therefore be supported.

### DESIGN/APPEARANCE/IMPACT ON THE AREA

Officers initially raised concerns with the height and design of the proposed development. The submitted revised plans reposition the eaves to just above the garage doors; the ridge height has been reduced to be approximately one metre below the ridge line of the host dwelling. The balcony has been replaced with a 'Juliette' style balcony. The revised plans address the officers concerns.

The proposed garage would have a relatively large footprint; however, the ridge height would be lower than the host dwelling by approximately 1 metre. The proposal would appear subordinate in scale and not of a disproportionate size to the family sized dwelling it would serve. It would also fit comfortably within the plot without the site appearing cramped or overdeveloped. The building would be constructed in materials to match the existing house.



### **Development Control Committee Schedule 15/02/2022**

It is therefore concluded that the proposed outbuilding would be in keeping with the scale and character of the original building and would not be harmful to its appearance.

Although the proposed scale and height of the development would make it highly visible from nearby footpaths, particular as it is proposed to remove trees along the north eastern boundary to accommodate it, the built form, by virtue of its shape, materials and position, would not appear at odds with its setting and the character of the wider area.

In light of the above, it is concluded that the proposal would not harm the character and appearance of the dwelling or the street scene. Accordingly, the proposal complies with Policy HC8 of the Local Plan.

#### **RESIDENTIAL AMENITY**

The application site is separated from neighbouring residential properties by agricultural land. Given the degree of separation, the proposal would not have a detrimental impact on the occupier's residential amenity and would accord with Policy ES3.

#### **HIGHWAYS**

The existing parking provision and vehicular access would not be affected by this development. There would be no detrimental impact on highway safety.

#### **LANDSCAPE**

The site is located within the AONB, however the building would be situated within an existing domestic garden. The development would not intrude into the countryside nor have a harmful impact either on the street scene or on the wider landscape within this part of the AONB. The proposal accords with Policy ES7.

#### **REVIEW OF CONSULTATION RESPONSES**

At the time of writing this report, no consultation responses had been received.

#### **CONCLUSION**

For the reasons outlined above, the proposal is considered to accord with policy.

#### **RECOMMENDATION**

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.





**Development Control Committee Schedule  
15/02/2022**

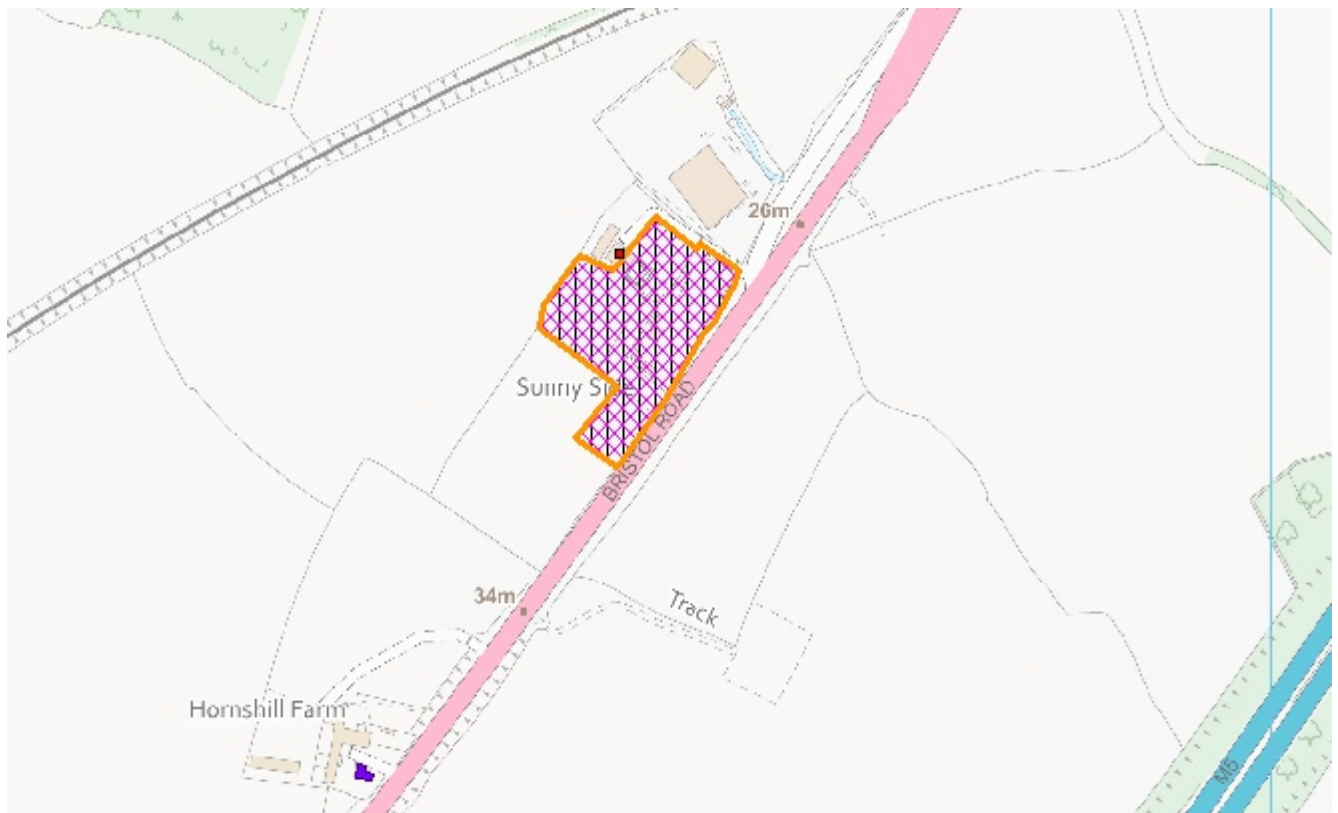
<b>Subject to the following conditions:</b>	<p>1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the 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>Site Location Plan of 23/11/2021 Plan number = NSK/001</p> <p>Site Plan Proposed of 23/11/2021 Plan number = NSK/004</p> <p>Proposed Elevations of 11/01/2022 Plan number = NSK/010</p> <p>Proposed floor plan of 14/01/2022 Plan number = NSK/011</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><b>Informatives:</b></p> <p>1. <b>ARTICLE 35 (2) STATEMENT</b> - The case officer contacted the applicant/agent and negotiated changes to the design that have enhanced the overall scheme.</p>
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## Development Control Committee Schedule 15/02/2022

<b>Item No:</b>	<b>2</b>
<b>Application No</b>	S.21/1829/OUT
<b>Site Address</b>	Sunnyside Nurseries, Cam, Dursley, Gloucestershire
<b>Town/Parish</b>	Slimbridge Parish Council
<b>Grid Reference</b>	373566,201702
<b>Application Type</b>	Outline Planning Application
<b>Proposal</b>	Redevelopment of the site for an industrial and storage use (Use Class B2/B8) retail use (Use Class A1 now E(a)) and change of use of the existing dwelling to office use (Use Class B1 now E(g)(i)) with associated works, infrastructure and improvements to the existing access onto the A38 with all matters relating to appearance and landscaping reserved.
<b>Recommendation</b>	Resolve to Grant Permission
<b>Call in Request</b>	Requested by Head of Planning



## Agenda Item 4.2

	<h3>Development Control Committee Schedule</h3> <h3>15/02/2022</h3>
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<b>Applicant's Details</b>	Mr & Mrs McNally Sunnyside, Gossington, Cam, Dursley , Gloucestershire GL11 5JA
<b>Agent's Details</b>	Powells Powells Chartered Surveyors, Singleton Court Business Park, Monmouth, Monmouth, NP25 5JA
<b>Case Officer</b>	John Chaplin
<b>Application Validated</b>	23.07.2021
	<b>CONSULTEES</b>
<b>Comments Received</b>	Slimbridge Parish Council Clerk - Mrs H Dunn Contaminated Land Officer (E) Biodiversity Officer Contaminated Land Officer (E) Environmental Health (E) Development Coordination (E) Flood Resilience Land Drainage
<b>Constraints</b>	Berkeley Safeguard Area Consult area Slimbridge Parish Council SAC SPA 7700m buffer Village Design Statement
	<b>OFFICER'S REPORT</b>

### MAIN ISSUES

- \* Principle of development
- \* Highways
- \* Landscape impact and ecology
- \* Flood risk
- \* Archaeology and Heritage Assets
- \* Residential amenity
- \* Planning Balance

### DESCRIPTION OF SITE

The application site relates to Sunnyside Garden Centre, a recently closed business site on the A38 at Gossington.

The site is covered with a mixture of hard standing and a range of buildings associated with the last use of the site as a garden centre. Access to the site is from a layby off the A38 which serves the application site and residential property (Sunnyside), as well as the adjacent waste transfer centre.

The site is well screened from the road by mature vegetation that conceals the site in its majority whilst travelling along the A38. The site is not located within any specific landscape designations.



## Development Control Committee Schedule 15/02/2022

### PROPOSAL

This proposal is for the redevelopment of the existing garden centre site to provide an industrial and storage use (Use Class B2/B8) and retail use (Use Class A1 now E(a)). The scheme also includes the change of use of the existing dwelling into office use (Use Class B1 now E(g)(i)).

The proposal is mainly for B2 Industrial and B8 Storage or distribution uses with 3 units of 1392 square metres. One building 464 square metres is proposed as Class E(a) retail sale of goods (other than hot food).

The proposal includes associated works, improvements to the existing access onto the A38 and SUDS drainage pond to the south of the site.

This is an outline application with details of access, layout and scale being submitted for consideration. The details of appearance and landscaping have been reserved by the applicant for future submission and consideration.

### REPRESENTATIONS

#### Statutory Consultees

##### Slimbridge Parish Council:

Slimbridge Parish Council have reviewed this application and with the change of access from the previous proposal, Cllrs now support this application.

An additional comment / request from the Slimbridge Parish Cllrs was that all vehicles coming out of the site should turn northbound towards to the roundabout and turn at the roundabout instead of crossing the road to go southbound.

##### GCC Highways:

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 recommends that this application is refused.

The justification for this decision is provided below.

This application is a resubmission which seeks to address concerns expressed as part of application S.20/2148/OUT. The comments of the Highway Authority at that time can be summarised as, the vehicle access design was unsuitable and secondly the site does not provide alternatives transport modes.

The current proposal focuses on the suitability of the site access. It now proposes to utilise the southernmost entrance/exit to the lay-by fronting the A38, the Highway Authority has concluded that due to the visibility of the site and expected demand on a route so strategic importance, that a ghost lane is required for existing access. The applicant has now submitted a drawing that shows details of such an arrangement. The Transport Statement



### **Development Control Committee Schedule 15/02/2022**

has not been updated to account for this alteration, however the Highway Authority has considered the proposal from a design and safety perspective. It is concluded that the design shows that a suitable design is achievable in principle, but should permission be granted a detailed design will need to be submitted for approval and implemented via a section 278 agreement. The Highway Authority has identified that splitter islands will be required either side of the right turn lane itself to prevent overtaking through the altered junction and this would need to be included in the detailed design. The works will need to be delivered before the first use of the proposal.

The application does not address the matters of sustainable access which is a significant concern. The proposal does not offer genuine transport choices as is required by the National Planning Policy Framework and the submitted transport assessment does not address this. The nature of the A38 in this location is a high speed, heavily trafficked route, it does not create an environment which encourages walking or cycling trips. Whilst the applicant cites the National Cycle Network and on road cycleways it is not a route that would appeal to anyone but the most experienced cyclist. The site is not within expected walking distances of local communities and there are no bus stops within walking distance. The proposal therefore is unable to offer a range of transport choices, and this will result in reliance on the private car. It is likely that the indicated trip rates are an underestimate of the proposal given the lack of alternative choices.

The proposal is not supported with a travel plan, and whilst it is recognised that one could be provided it offers limited potential to address sustainable transport given the lack of infrastructure to support it.

The proposal therefore conflicts with SO4, CP11, CP13 and EI12 of the Stroud Local Plan, and paragraphs 105, 110 and 112 of the NPPF. Furthermore, it conflicts with policy PD0.1, PD0.3 and PD0.4 of the Local Transport Plan.

The proposal therefore does not represent sustainable development in transport terms and conflicts with Local and National Policy.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would be conflict with the provision of safe and suitable access for all users by virtue of the location and lack of mitigation, and therefore recommends that this application is refused.

#### GCC as Lead Local Flood Authority (LLFA):

The LLFA has no objection to this proposal.

The drainage technical note submitted with this application, published by Nimbus Engineering Consultants ref C2419-R1 at rev B, provides a suitable drainage strategy with acceptable surface water discharge rates. It is suitably detailed such that there is no need to apply drainage conditions to any permission granted against this application.

#### SDC Senior Contaminated Land Officer:

No comments on application.



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### SDC Environmental Health:

With respect to this application, I would recommend the following conditions and informative:

#### Conditions:

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

2. Construction/demolition works shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the Local Planning Authority. This should include an assessment of the presence of any asbestos containing materials and, if present, how these will be safely dealt with.

Informative: The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring premises 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, may constitute immediate offences, actionable by 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.

### SDC Biodiversity team:

The submitted ecological appraisal concluded the four buildings proposed for demolition offer negligible potential to support roosting bats. Additionally, the report concluded the habitats on site are considered to be that of common and widespread habitat types. Overall, the site holds limited ecological value however, an active swallow nest was recorded in building B4. This nest will be lost as a result of the proposed demolition therefore; the report has outlined appropriate mitigation that will need to be adhered to protect nesting birds. Furthermore, the report has outlined precautionary working methods to ensure terrestrial mammals are protected in the unlikely event that they enter the site during the construction phase.

The planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. The submitted ecological appraisal has included appropriate enhancement measures which would be suitable for the development including, bird and bat boxes, hedgehog friendly boundaries, and native hedgerow and tree planting. These enhancement features should be considered at an early stage to avoid potential conflict with any external lighting plans.

The surrounding landscape provides a number of linear features that nocturnal species will use to navigate, in particular, European protected bat species will utilise these features in order to commute between foraging and roosting sites. Therefore, the Biodiversity Team recommend no lighting or a low-level lighting scheme should be implemented during and after construction to avoid indirect disturbance to bats and other nocturnal species that may exploit local habitats.



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Acceptable subject to the following conditions:

All works shall be carried out in full accordance with the recommendations contained in the Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey, Arbtech, dated September 2020 already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

Within 3 months of commencement, a specification (including methodology and programme of implementation) for the enhancement of biodiversity through the provision of bird and bat boxes, hedgehog friendly boundaries and native hedgerow and tree planting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved specification and programme of implementation and be retained thereafter.

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

Prior to the installation of external lighting for the development hereby approved, a lighting design strategy for biodiversity shall be submitted to and approved by the Local Planning Authority. The strategy will:

- a) identify the areas/features on site that are particularly sensitive for foraging bats;
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.

All external lighting shall be installed only in accordance with the specifications and locations set out in the strategy.

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

#### **Public**

At the time of writing no comments have been received during this application.

#### **RELEVANT PLANNING POLICY GUIDANCE**

National Planning Policy Framework revised July 2021.

Available to view at

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

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.





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Local Plan policies considered for this proposal include:

- CP1 - Presumption in favour of sustainable development.
- CP13 - demand management and sustainable travel measures
- CP15 - A quality living and working countryside
- EI3 - Small employment sites (outside identified employment areas)
- EI4 - Development on existing employment sites in the countryside
- ES1 - Sustainable construction and design.
- ES6 - Providing for biodiversity and geodiversity.
- ES7 - Landscape character.
- ES8 - Trees, hedgerows and woodlands.

For the full content of the Stroud District Local Plan policies together with the preamble text and associated supplementary planning documents are available to view on the Councils website at:  
<http://www.stroud.gov.uk/environment/planning-and-building-control/planning-strategy/stroud-district-local-plan>

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

### **PRINCIPLE OF DEVELOPMENT**

This application is for the commercial re-development of the former Sunnyside Nursery into a mixed use of industrial, storage, retail and office space. As described above the majority of the floor area proposed is for industrial and storage with small elements of retail and office space.

A previous similar application on this site (S.20/2148/OUT) was considered by Development Control Committee on the 15th June 2021 where it was refused due to the implications on highway safety.

The nature and extent of the authorised use of the site was questioned during the consideration of the previous planning application. Further clarification has been provided which outlines that the site has been used as a garden centre with the applicant running it between approximately 2000 to 2010 and then leased the business out from 2010 to 2017.

The residential dwelling is also part of the site. This was connected to the commercial use with for example the shared access and drive being used as part of the parking provision. The ownership remains the same and whilst the mixed use because slightly more defined with separate operation, it is considered that the residential use remains connected to the commercial operation. The agent/applicant have outlined that the small paddock area to the rear was used for growing plants, seasonal storage of retail plant stock and items with temporary polytunnels. Whilst there is not recent evidence of this, there is nothing in the planning history that questions this linked use.

Whilst the garden centre has now stopped operation and closed, the site is considered as an existing employment site. In this location Policy EI4 is relevant as it addresses development on existing employment sites within the countryside.



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Policy EI4 allows for the extension to buildings, erection of new buildings, and the infilling in-between existing employment buildings on employment sites within the countryside providing they adhere to certain criteria.

The proposed development proposes new employment units on the garden centre site which could facilities local employment opportunities and is to this regard, acceptable in principle terms.

As with the previous application, a small parcel of land to the South of the site does not fall within the developed area of the existing site. This small section of land is to be the location of a proposed attenuation pond, with no built development located on it.

This element would therefore not technically comply with the policy being beyond the boundary of the employment site. However, Officers are satisfied that the limited size of the area, its connection to the site and as a pond with associated landscaping will have limited wider impact and does not represent a harmful intrusion into open countryside. This therefore does not undermine the principle support for the proposal.

In policy terms, retail uses (former A1 classes) should normally be targeted towards town centre locations and not countryside ones as is the case here. However, the site has been used as a garden centre and whilst this can include plants propagated on the premises, its primary use is for the retailing of imported goods to visiting members of the public. Given this history of a retail use and that the inclusion of a proposed retail element of the development is only a small part of the scheme and the retail floor space can be controlled via condition, it is considered this does not undermine the retail hierarchy with the Local Plan (CP12).

Therefore, on a balanced assessment, the principle of redevelopment for the commercial uses outlined above is considered acceptable.

#### **HIGHWAYS**

Ensuring safe and accessible highways for all users is a key planning consideration that falls under both local Policy CP13 and is contained within the National Planning Policy Framework (paras 110-113). It is important that any proposal for planning permission be adequately assessed in terms of its projected impact upon the existing highway networks.

Following the previous refusal the scheme has been revised to provide access via an improved existing access. This provides access via the layby into the site instead of a new separate access directly from the A38. To achieve this some of the existing boundary vegetation will be removed to improve the visibility from the access i.e., 2.4 metres x 192 metres to the south and 2.4 metres x 192 metres to the north.

GCC Highways have considered the proposal and given the visibility of the site and the traffic levels on the A38 they sought provision of a ghost island to provide a right turn lane to improve safety and access to the site. This has been shown on the submitted drawing and GCC Highways are satisfied with the principle of the design and its safety. They have outlined that splitter islands maybe required to prevent overtaking through the junction



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improvements but are happy this can be addressed via their separate highways agreement process.

With the provision of these improvements prior to first use of the proposed development GCC Highways have removed their highway safety objection to the scheme.

GCC Highways are however still recommending refusal, raising sustainability concerns given the location of the site.

They highlight that the nature of the A38 in this location is a high speed, heavily trafficked route, it does not create an environment which encourages walking or cycling trips and is not located with accessible bus stops. They feel that this will result in reliance on the private car as the proposal cannot offer a genuine transport choice as is required by the National Planning Policy Framework.

The County advice on this matter is appreciated however it would be a matter for the planning authority to consider as part of the wider planning balance of the proposal.

The agent refers to the use of the adjacent waste transfer station as a precedent. This is noted but does not warrant a straight dismissal of the issue. The adjacent development was assessed at the time on its own merits considering the extant use, a different policy context, the nature of the use proposed and the planning benefits it provided. This cannot be directly transfer to this proposal which still requires a planning judgement to be made on its own merits.

A travel plan can be required via condition and whilst I note the highways officers concern about a lack of alternatives some provision can be made, including car share and bus provision. There is a cycle lane along the A38 and whilst this is only likely to be used by experienced cyclists given the nature of the road connection via Woodend lane towards Cam and Dursley may also be an option.

Therefore, give the current extant commercial use and the provision that can be made by the scheme, it is considered that the benefits of the proposal of providing new employment opportunities can be weighed against this concern.

The proposed scheme will generate additional vehicular movements with the applicant highway consultant outlining a net increase of two and four during the AM and PM peak hours, respectively. Whilst GCC think this maybe an underestimate it still is a limited amount in network terms and is not detrimental to the existing traffic situation on the A38.

Provision of parking within the site has been proposed and is shown on the layout plan. Electric vehicle charging and cycle parking can be provided via condition.

The Parish Council have recommended that all vehicles coming out of the site should turn left, northbound. Then any wishing to go south use the Slimbridge roundabout instead of crossing the road to go southbound.



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Vehicles are permitted to turn right from the access and travel South via the give way markings onto A38. The improved visibility from the access also help in this regard. In order to recommend a condition controlling this use it would have to be necessary in terms of highway safety having regard for the existing situation. It has also not been raised as a concern by GCC Highways. A similar issue occurred with the adjacent waste transfer station where the management of the site seeks that all commercial vehicles exit left/northbound.

The merits of the Parish Council's idea are appreciated and it has been raised with the agent to encourage users to use the roundabout before heading south. As it is considered there is not sufficient highway safety justification to recommend a condition and additional highway works required for a left turn only from the improved access this would be more of a management issue for the site to address.

#### **LANDSCAPE IMPACT AND ECOLOGY**

The application site does not lie within any significant landscape or environmental constraints in policy terms. The site is however located within a countryside location and is bordered by mature vegetation.

As outlined above the site is an existing commercial site and is located between the A38 and the main Gloucester to Bristol railway line with the Gossington A38 bridge also being located nearby to the north of the site. Adjacent to the site is a waste transfer station and vehicle depot. Whilst the surrounding area is rural these features do provide some immediate context to the site and the proposal will therefore not appear as a totally isolated development.

The boundary treatment and landscaping will also be important to provide some screening, ground the development into the site and help limit the impact on the wider landscape. No details of the landscaping have been submitted as they have been reserved for later consideration. However, the submitted layout plan does provide space for landscaping and retention of as much of the existing mature trees and hedgerows on the site boundary would be required. This includes a section along the A38 and also the boundary to the South and West where the site joins to wider countryside. The landscaping of the drainage pond and its boundary will also be part of this. With appropriate planting the scale and mass of the buildings can also be broken up and soften the edges.

The scale of the development has been submitted for consideration with the planning statement outlining that each building would be 21.5 m (W) x 21.5m (L) x 6m (H). With the context of the site this height is considered acceptable and whilst the appearance and design of the building has not been submitted the scale of building can be controlled via condition.

The design and appearance of the buildings has also been reserved for later consideration. Appropriate choose of materials including the colour would also help limit the prominence of any built form in the wider setting.

The Council's biodiversity team have assessed the submitted preliminary ecological assessment and are satisfied with the submitted details. Overall, the site holds limited ecological value with any habitats present on site considered to be common and widespread habitat types.



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The existing buildings to be removed provide negligible potential to support roosting bats, however, the surrounding landscape does provide the opportunity that bats could be in the area. Therefore, no lighting or a low-level lighting will need to be controlled and a condition requiring the details will look to avoid indirect disturbance to bats and other nocturnal species. Appropriate mitigation to protect nesting birds and precautionary working methods to ensure terrestrial mammals are protected have also been proposed.

To provide net gains for biodiversity appropriate enhancement measures will be included. These will include the landscaping and native hedgerow and tree planting but other measures like hedgehog friendly boundaries and bird and bat boxes have been proposed. Details of these can be required and controlled via conditions.

### **FLOOD RISK**

Flood risk was not raised as a concern during the previous application and this application has also been accompanied by a flood risk assessment. The site lies within the Environment Agency flood zone 1-the lowest risk of flooding having an annual probability of less than 1 in 1000 years.

A sustainable urban drainage system (SUDS), is proposed to deal with the surface water run off on the site. All hardstanding areas will be constructed from porous paving with slot drains to help drain storm water. A wall mounted rainwater harvesting tank will be provided on each building to encourage the re-use of rainwater. Remaining surface water is to be directed into an attenuation pond that has been calculated to a 1 in 100 years plus 40% climate change event capacity. The SUDS scheme also outlines that a management company will be formed and maintenance schedule outlined.

The Lead Local Flood Authority have reviewed the application and the accompanied documentation and have provided no objection to the scheme. Whilst no further design details are required a drainage condition does form part of the recommendation to require implementation of the SUDS scheme at an appropriate time and the ongoing maintenance and management.

An onsite treatment plant is proposed to deal with the foul drainage.

### **ARCHAEOLOGICAL AND HERITAGE ASSETS**

The application site does not lie within any conservation area, nor is located in close proximity to any listed building which are set away from the site on the other side of the railway. Officers are satisfied that there will be no significant negative impact on any archaeological or heritage assets as a result of this application.

### **RESIDENTIAL AMENITY**

The application site seeks to remove the part residential use from the site in favour of a mixed commercial scheme. Noise was raised as a concern by a local resident during the previous application but whilst there are properties in the wider area there are no other immediate residential neighbours to the site. With the background noise levels of the neighbouring waste transfer station, the A38 and also the railway, this along with the distance, it is considered there will not be a significant adverse impact on the residential amenities currently enjoyed as a result of the proposed development.



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#### **CONCLUSION AND PLANNING BALANCE**

The proposed scheme seeks to redevelop an existing (now closed) garden centre. Given the existing commercial use, the principle is considered acceptable and accords with Policy E14 development on existing employment sites in the countryside.

Whilst part of the proposal is outside the existing site this is limited and only provides SUDS pond and associated landscaping. The built development is located within the existing site and with the adjacent wastewater transfer station, A38 and railway the proposal will not cause significant landscape harm.

The proposal will provide a small group of small/medium sized commercial units. Depending on the final use these will provide an opportunity for employment and business use which will have a positive benefit.

The drainage and amenity impacts have been adequately addressed and provide natural weight.

The revised plans now provide an improved access arrangement that GCC Highways are satisfied is safe in highway terms. They do raise concern about the sustainability of the site particularly for the retail and office elements of the proposal. These concerns are noted however, the retail and office use are only small elements of the scheme. Whilst the rural location does limit the possible alternatives and the private car will be the main choice, it is considered that the recommended conditions do offer some alternative sustainable transport options if more limited than some locations.

The scheme does provide benefit of providing small/medium size units and whilst the scale is noted including if used for storage use this still provides an employment benefit to either retain or grow local business opportunities. The rural location and therefore sustainable transport concern are a negative, however, it is considered that the employment benefits outweigh this concern resulting in a positive planning balance.

#### **RECOMMENDATION**

With a clarification update to the use classes within the description of development and to make sure the proposal has been fully advertised in accordance with the regulations a further consultation period has been started.

Given the above positive planning balance, Officers are supporting the current proposal. However, as the consultation has not yet quite finished Officers are therefore seeking a resolution to delegate to the Head of Development Management to grant consent in accordance with the recommended conditions subject to the completion of the consultation.

#### **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



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by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.

<b>Subject to the following conditions:</b>	<p>1. The development hereby permitted shall be begun not later than whichever is the latest of the following dates: -</p> <ul style="list-style-type: none"> <li>i. The expiration of five years from the date of this permission; or</li> <li>ii. The expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.</li> </ul> <p>Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).</p> <p>2. Approval of the details of the appearance and landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.</p> <p>Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development.</p> <p>3. Application for the approval of the matters reserved shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.</p> <p>Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).</p> <p>4. The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Site location - Existing Built Form Plan - Drawing No. P18_0942_01 B received on 23 July 2021  MASTERPLAN - Drawing No. SUN-OUT-08/20-01 received on 23 July 2021  Proposed Right Turn Lane Drawing - Drawing No. 4814-SK-07</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning,</p>
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	<p>biodiversity, highway safety, residential and visual amenity in accordance with Policies EI4, CP11, CP13, CP14, ES3 and ES7 of the adopted Stroud District Local Plan, November 2015.</p> <p>5. Details submitted as part of the appearance reserved matter for the development shall include details of the proposed finished floor levels for that part of the scheme and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed following completion of the development. The building hereby approved shall have a maximum height of 6m. Such details shall also provide comparative levels of eaves and ridge heights of adjoining buildings and details of the levels of any existing or proposed boundary treatments. The development shall be carried out in accordance with the details as approved.</p> <p>Reason: To ensure the satisfactory appearance of the development in accordance with Policies EI4, ES3 and ES7 of the adopted Stroud District Local Plan, November 2015.</p> <p>6. Details submitted as part of the landscaping reserved matter for the development shall include details of the proposed boundary treatment and details of a scheme of hard and soft landscaping for the site. The development shall be carried out in accordance with the details as approved.</p> <p>Reason: To ensure the satisfactory appearance of the development in accordance with Policies EI4, ES3 and ES7 of the adopted Stroud District Local Plan, November 2015.</p> <p>7. Prior to above ground works for any building hereby approved, an appropriately detailed Waste Minimisation Statement for that part of the development site shall be submitted to and approved by the Local Planning Authority. The Waste Minimisation Statement/s shall address the requirements of Core Policy WCS2 of the Gloucestershire Waste Core Strategy, adopted November 2012 and the Gloucestershire Waste Minimisation Supplementary Planning Document for both Construction Activities and the Operational Life of the development. This shall include but not be limited to:</p> <ul style="list-style-type: none"> <li>a) The monitoring and minimisation of construction waste;</li> <li>b) Address the re-used of waste on and off-site;</li> <li>c) Provision within commercial and business areas of facilities or allocated areas to sort, store, treat and manage a majority of the waste produced internal to each of those</li> </ul>
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- d) parts of the site;  
Suitable accessing arrangements for recycle/waste collection vehicles.

Thereafter, within each phase/unit of the development to which the Waste Minimisation Statement refers, no building shall be occupied until the provisions set out in the approved Waste Minimisation Statement have been implemented. All of the approved measures shall thereafter be maintained unless an alternative strategy is submitted and approved by the Local Planning Authority.

**Reason:**

To ensure that a waste minimisation strategy has been considered to provide a sustainable management of waste from the development during the construction phase and ongoing during occupation in accordance with Core Policy WCS2 of the Gloucestershire Waste Core Strategy, adopted November 2012, the Gloucestershire Waste Minimisation Supplementary Planning Document and Policies CP14 and ES1 of the adopted Stroud District Local Plan, November 2015.

8. The new build development hereby permitted shall only be used for purposes falling within Class B2 (General Industrial) B8 (Storage and distribution) and E(a) retail uses as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), and for no other purpose whatsoever, without express planning consent from the Local Planning Authority first being obtained. This shall apply notwithstanding other uses within Class E and any other permitted change of use outlined in the GPDO.

**Reason:**

To retain control of the development in the interest of the amenities and landscape of the surrounding area and to protect the retail hierarchy of the district in accordance with Policies CP14, EI4 and EI9 of the adopted Stroud District Local Plan, November 2015.

9. The development hereby permitted shall provide no more than 464 square metres of floorspace (GIA) for retail uses (Use Class E(a)) of the Town and Country Planning (Use Classes) Order 1987 (as amended) within a single unit.

**Reason:**

To limit the impact of a retail use on the retail hierarchy of the district and the vitality and viability of nearby centres in accordance with Policies EI4 and EI9 of the adopted Stroud District Local Plan, November 2015.



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	<p>10. No development shall take place until details, including samples and colours where required, of the materials used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved by the Local Planning Authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details and retained in perpetuity unless otherwise approved by the Local Planning Authority.</p> <p>Reason: To enable the Local Planning Authority to ensure the satisfactory appearance of the development, in accordance with Policies EI4 and ES7 of the adopted Stroud District Local Plan, November 2015.</p> <p>11. No operations (including the deliveries to and from the site) shall take place except between the following hours: Monday to Friday 08:00 to 18:00 Saturday &amp; Sundays 08:00 to 16:00.</p> <p>Reason: In the interests of the amenities of the occupiers of nearby residential properties and the character of the surrounding area in accordance with Policies EI4 and ES3 of the adopted Stroud District Local Plan, November 2015.</p> <p>12. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:</p> <ul style="list-style-type: none"> <li>i. provide for the parking of vehicles of site operatives and visitors;</li> <li>ii. provide for the loading and unloading of plant and materials;</li> <li>iii. provide for the storage of plant and materials used in constructing the development;</li> <li>iv. provide for wheel washing facilities and all construction traffic to leave the site with clean wheels;</li> <li>v. specify the intended hours of construction operations;</li> <li>vi. measures to control the emission of dust and dirt during construction;</li> <li>vii. measures to avoid soil compaction in areas where infiltration has been proposed.</li> </ul> <p>Reason: To protect the amenity of the locality, especially for people living</p>
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and/or working nearby, to avoid soil compaction and severely impacting infiltration rates and reduce the potential impact on the public highway in accordance with Policies ES3, ES4 and EI4 of the adopted Stroud District Local Plan, November 2015.

13. All works shall be carried out in full accordance with the recommendations contained in the Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey, Arbtech, dated September 2020 already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason:

To protect and enhance the site for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework, Policies EI4 and ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

14. Within 3 months of commencement, a specification (including methodology and programme of implementation) for the enhancement of biodiversity through the provision of bird and bat boxes, hedgehog friendly boundaries and native hedgerow and tree planting shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved specification and programme of implementation and be retained thereafter.

Reason:

To protect and enhance the site for biodiversity in accordance with paragraph 174(d) of the National Planning Policy Framework, Policies EI4 and ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

15. Prior to the installation of external lighting for the development hereby approved, a lighting design strategy for biodiversity shall be submitted to and approved by the Local Planning Authority. The strategy will:

- a) identify the areas/features on site that are particularly sensitive for foraging bats;
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.



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	<p>All external lighting shall be installed only in accordance with the specifications and locations set out in the strategy.</p> <p>Reason: To maintain dark corridors for nocturnal wildlife in accordance with Policies EI4 and ES6 of the Stroud District Local Plan 2015.</p> <p>16. No building hereby permitted shall be occupied until all SuDS/attenuation features and associated pipework have been provided in accordance with the Flood Risk Assessment &amp; Suds Report for Sunnyside, Bristol Road, Cam, GL11 5JA Document Number: C2419-R1-REV-B - Nimbus Engineering Consultants Ltd received on 04 August 2021. The SUDS maintenance plan shall then be implemented in full in accordance with the agreed terms and conditions.</p> <p>Reason: To ensure that the development is provided with a satisfactory means of drainage, to reduce the risk of creating or exacerbating a flooding problem and as well as to minimise the risk of pollution for the lifetime of the development in accordance with Policies ES4 and EI4 of the adopted Stroud District Local Plan, November 2015.</p> <p>17. No building hereby permitted shall be occupied until the visibility splays have been provided in accordance with the approved plans. Nothing shall be planted, erected and/or allowed to grow on the triangular area of the land so formed which would obstruct the visibility described above.</p> <p>Reason: In the interests of highway safety in accordance Policies CP13, CP14 and ES3 of the adopted Stroud District Local Plan, November 2015.</p> <p>18. The improvements to the site access as shown on drawing no 4814-SK-07 shall be constructed in accordance with the approved plans (including any additional splitter islands if required by the Local Highway Authority) before any of the buildings hereby permitted are first occupied.</p> <p>Reason: To ensure that improvements are undertaken to the transport network and that a safe and secure access is laid out that mitigates the significant safety impacts of the development in accordance and Policy CP13 of the adopted Stroud District Local Plan, November 2015.</p>
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19. No unit of the development hereby approved shall be brought into use/occupied until a detailed specific travel plan for that unit has been submitted to and approved by the Local Planning Authority. These shall include evidence that any pre-occupation elements have been put in place. The approved Travel Plans shall then be implemented in accordance with the details and timetable, monitored and reviewed to the satisfaction of Local Planning Authority.
- Reason:  
To ensure that the opportunities for sustainable transport modes including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling are taken up in accordance with paragraphs 108 - 111 of the Revised National Planning Policy Framework.
20. No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking, turning and loading/unloading facilities within the site for that building have been provided in accordance with the approved plans and shall then be maintained available for those purposes for the duration of the development.
- Reason:  
To ensure adequate parking facilities and that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework and Policies CP11 & CP13 of the adopted Stroud District Local Plan, November 2015.
21. No building hereby approved shall be brought into use/occupied until the cycle storage facilities for that unit which accords with Stroud Council's Parking Standards for cycles have first been submitted to and approved by the Local Planning Authority and then also made available for use in accordance with the approved plans. The approved facilities shall be maintained for the duration of the development.
- Reason:  
To ensure that the opportunities for sustainable transport modes and the provision and availability of adequate cycle parking have been taken up in accordance with Policies EI4 and CP13 of the adopted Stroud District Local Plan, November 2015.
22. Prior to the first operational use of the development hereby permitted a scheme for Electric Vehicle Charging Points for the



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new development that provided a minimum of 10% parking spaces must be made operational. All charging systems shall be maintained and kept in good working order as specified by the manufacturer and retained in perpetuity.

**Reason:**

To ensure a satisfactory standard of development which meets the needs of current and future generations in accordance with Policy ES1 of the Stroud District Local Plan adopted 2015.