



Development Control Committee Schedule 09/04/2024

Item No:	03
Application No.	S.21/0236/OUT
Site Address	Land Off, School Lane, Whitminster, Gloucestershire
Town/Parish	Whitminster Parish Council
Grid Reference	377102,208407
Application Type	Outline Planning Application
Proposal	Residential development (up to 100 dwellings), associated infrastructure, ancillary facilities, open space and landscaping. Construction of a new vehicular access off School Lane.
Recommendation	Refusal
Call in Request	Councillor John Jones





Development Control Committee Schedule 09/04/2024

Applicant's Details	Mrs K Maguire Robert Hitchins Limited, The Manor, Boddington, Cheltenham, GL51 0TJ
Agent's Details	None
Case Officer	Simon Penketh
Application Validated	01.02.2021
	CONSULTEES
Comments Received	Development Coordination (E) Archaeology Dept (E) Strategic Planning Flood Resilience Land Drainage Biodiversity Team Cllr John Jones Conservation North Team Mike Towson Environmental Health (E) Contaminated Land Officer (E) Severn Trent Water Ltd (E) Arboricultural Officer Whitminster Parish Council Area Walking Environment Officer Development Coordination (E) National Highways (Previously Highways England) Development Coordination (E) Development Coordination (E) Natural England (E) Historic England SW Biodiversity Team
Constraints	Glos Centre Env Records - Species Whitminster Parish Council Affecting a Public Right of Way SAC SPA 7700m buffer Single Tree Preservation Order Points TPO Areas (Woodland/ Groups) Village Design Statement
	OFFICER'S REPORT

1 MAIN ISSUES

- o Principle of development
- o Design and appearance
- o Heritage Considerations
- o Landscape impact
- o Highways
- o Planning Obligations
- o The Planning Balance



Development Control Committee Schedule 09/04/2024

2 DESCRIPTION OF SITE

2.1 The site made up of approximately 4.4 hectares of relatively level agricultural land accessed via a wide field gate and track from School Lane. It is located to the West of School Lane and existing development associated with Schoolfield Close. Whitminster playing fields are located due South. A public right of way (PROW Whitminster Footpath 21) dissects the site (running centrally from East to West) and connects into the surrounding public rights of way network. This follows the route of the existing track.

2.2 The site is not located in any landscape designations. The Industrial Heritage Conservation Area (IHCA) is located approximately 270 metres Southwest from the Western boundary of the site. The Stroud Water Canal is approximately 300 metres and runs within the IHCA. The canal is a non-designated heritage asset. There are no designated assets within or adjacent to the application site. The nearest designated assets are located to the Southeast (within Whitminster Village); these being 38 Upton Gardens and Parklands Farm House respectively.

2.3 Whitminster Village is a Tier 3 settlement as identified in policy CP3 of the Stroud District Local Plan (and is identified as Tier 3a of the emerging Stroud District Local Plan).

3 PROPOSAL

3.1 The proposed development is submitted in Outline and is for the construction of up to 100 dwellings. The application is submitted with all matters reserved (including access, layout, scale, appearance and landscaping).

3.2 Notwithstanding the above, an indicative layout (or Illustrative Masterplan) has been submitted with the planning application which shows the potential layout and other features of the development in the context of the site. Whilst access is a reserved matter, the application includes comprehensive submissions in that respect which have been considered by the Highway Authority (Gloucestershire County Council).

3.2 The applicant has indicated that the development would include 30% affordable housing.

4 REVISED DETAILS

4.1 No revisions have been submitted.

5 MATERIALS

5.1 This is an outline planning application. Materials are not submitted for consideration at this stage.

6 REPRESENTATIONS

The representations are noted here in brief. Detailed comments are provided at Annex A of this report.

6.1 - Parish/Town Councils/Local District Councillor:

6.1.1 - Whitminster Parish Council



Development Control Committee Schedule 09/04/2024

Objection

6.1.2 - Frampton on Severn Parish Council

Objection

6.1.3 - Cllr John Jones (District Cllr for Severn Ward)

Objection

6.2 - Stroud District Council Technical Officers

6.2.1 - Affordable Housing Officer

No objection subject to the delivery of policy compliant Affordable Housing

6.2.2 - Bio-Diversity Officer

No objection subject to appropriate mitigation.

6.2.3 - Senior Conservation Officer

Identifies 'less than substantial harm' to designated/non-designated heritage assets

6.2.4 - Environmental Health Officer (EHO)

No objection subject to conditions

6.2.5 - Contaminated Land Officer (CLO)

No comment

6.3 - Gloucestershire County Council Technical Officers

6.3.1 - Highway Authority

Refusal recommended.

6.3.2 - Lead Local Flood Authority (LLFA)

No objection

6.3.3 - County Archaeologist

No objection subject to conditions

6.3.4 - Community Infrastructure Team

Requests financial contribution of £698,120.50 (38.5 primary school places) and £19,600.00 for Stonehouse Library.

6.4 - External Agencies

6.4.1 - Natural England

HRA required.

6.4.2 - Nature Space (Advisor to SDC on GCN Issues)

District License (GCN) or require bespoke GCN Mitigation.

6.4.3 - Historic England

No comment



Development Control Committee Schedule 09/04/2024

6.4.4 - National Highways

No objection

6.4.5 - Severn Trent Water

Objection on capacity grounds

6.4.6 - Ramblers Association

No comment

6.5 - Public

14 responses received raising objection.

7 NATIONAL AND DEVELOPMENT PLAN POLICIES

7.1 - National Planning Policy Framework December 2023

7.2 - Adopted Local Plan; Stroud District Local Plan (adopted) 2015.

Strategic Objectives

- SO1 Accessible Communities
- SO2 Local Economy and Jobs
- SO4 Transport and Travel
- SO5 Climate Change and Environmental Limits

Core Policies - Making Places

- CP1 Presumption in favour of Sustainable Development.
- CP2 Strategic Growth and Development Locations.
- CP3 Settlement Hierarchy.
- CP4 Place Making
- CP6 Infrastructure and Developer Contributions

Core Policies - Homes and Communities

- CP7 Lifetime Communities
- CP8 New Housing Development
- CP9 Affordable Housing
- CP14 High Quality Sustainable Development

Delivery Policies - Economy and Infrastructure

- EI2 Regenerating Existing Employment Sites (Site ER7)
- EI11 Promoting Sport, Leisure and Recreation
- EI12 Promoting Transport Choice and Accessibility.
- EI13 Protecting and Extending our cycle routes

Delivery Policies - Environment and Surroundings

- ES1 Energy Efficiency and Sustainable Construction
- ES3 Maintaining Quality of Life Within Our Environmental Limits
- ES4 Water Resources, Quality and Flood Risk
- ES6 Biodiversity and Geodiversity
- ES7 Landscape Character
- ES8 Trees and Hedgerows and Woodlands



Development Control Committee Schedule 09/04/2024

- ES10 Valuing Historic Environment and Assets
- ES12 Better Design of Places.
- ES14 Provision of Semi-Natural and Natural Green Space with New Residential Development
- ES15 Provision of Outdoor Play Space
- ES16 Public Art Contributions

7.3 - County Level Development Plan

Gloucestershire Local Transport Plan (2020 to 2041) Adopted March 2021

- PDO.1 Reducing Transport Carbon Emissions and Adapting to Climate Change.
- PDO.2 Local Environmental Protection.
- PDO.3 Maximising Investment in a Sustainable Transport Network.
- PDO.4 Integration with Land Use Planning and New Development.

7.4 - Stroud District Local Plan Review - Pre-submission Draft Plan (May 2021) (Emerging Development Plan)

Strategic Objectives

- SO1 Accessible Communities
- SO2 Local Economy and Jobs
- SO4 Transport and Travel
- SO5 Climate Change and Environmental Limits
- SO6 Our District's Distinctive Qualities

Core Policies - Making Places

- DCP1 Delivering Carbon Neutral by 2030.
- CP2 Strategic Growth and Development Locations.
- CP3 Settlement Hierarchy.
- CP4 Place Making
- CP6 Infrastructure and Developer Contributions

Core Policies - Homes and Communities

- DCP2 Supporting Older People and People with Mobility Issues
- CP7 Inclusive Communities
- CP8 New Housing Development
- CP9 Affordable Housing

Delivery Policies - Homes and Communities

- HC1 Detailed Criteria for New Housing Development
- DHC5 Well Being and Healthy Communities.
- DHC6 Protection of Existing Open Spaces and Built and Indoor Facilities
- DHC7 Provision of new Open Spaces and Built and Indoor Facilities

Core Policies - Economy and Infrastructure

- CP13 Demand Management and Sustainable Travel Measures

Delivery Policies - Economy and Infrastructure

- EI12 Promoting Transport Choice and Accessibility
- EI13 Protecting and Extending Our Walking and Cycling Routes



Development Control Committee Schedule 09/04/2024

Core Policies - Environment and Surroundings

CP14 High Quality Sustainable Development

Delivery Policies - Environment and Surroundings

ES1 Energy Efficiency and Sustainable Construction
ES3 Maintaining Quality of Life Within Our Environmental Limits
ES4 Water Resources, Quality and Flood Risk
ES5 Air Quality
ES6 Biodiversity and Geodiversity
ES7 Landscape Character
ES8 Trees and Hedgerows and Woodlands
ES10 Valuing Historic Environment and Assets
ES11 Maintaining, Restoring and Regenerating the Districts Canals
ES12 Better Design of Places
DES2 Green Infrastructure
ES16 Public Art Contributions

Local Sites Allocation

PS46 Severn Vale - Whitminster (Land West of School Lane).

8 PRINCIPLE OF DEVELOPMENT

8.1 The Stroud District Local Plan (adopted) November 2015 is the starting point for the consideration of this planning application. The area of land subject of this planning application is beyond the settlement limits of Whitminster (i.e. it is in the open countryside). The site is not allocated for development in the adopted local plan. Accordingly, the proposal is contrary to the adopted Development Plan.

8.2 The application includes land that forms the draft allocation PS46 as set out in the Stroud District Local Plan Review (Pre-submission Draft Plan) May 2021 (the emerging development plan). The draft policy allocates the site for up to 40 dwellings and is currently under consideration by the Planning Inspectors at the Local Plan Examination in Public (EIP). At this stage, some weight is attributed to the emerging development plan which supports the principle of some development to the west of School Lane as set out in the draft allocation (PS46).

8.3 This planning application proposes development of up to 100 dwellings and the site area extends well beyond the draft allocation - further to the North. The site area is almost double the size of the draft allocation and proposes 150% more dwellings. The draft policy (PS46) sets a scale of development which is consistent with the scale of Whitminster. Whitminster is identified as a Tier 3 settlement (policy CP3 of the adopted Stroud District Local Plan) and Tier 3a in the emerging development plan. The adopted policy position identifies Whitminster as an 'accessible settlement with limited facilities'. Whilst the connectivity and proximity to higher tier settlements is acknowledged, Local Plan policy recognises that future growth associated with Whitminster as a Tier 3/3a settlement should be directed to within the settlement and in exceptional circumstances at the edge of the settlement principally to meet local housing need. The emerging allocation reflects this position. The proposed development of 100 houses would not be consistent with the scale and function of Whitminster and as such is not sustainable.

8.4 Accordingly, the proposed development is a significant deviation from the draft allocation (PS46) and as such is contrary to it. The proposal cannot be supported in principle as it is contrary



Development Control Committee Schedule 09/04/2024

to the adopted Development plan and the emerging Development Plan. *Substantial* weight against the development is attributed to this factor. As set out in this report, other negative factors emerge as a symptom of the scale and location of the development proposed. The level of identified harm is not outweighed by other factors when considered in the '*planning balance*'.

9 SOCIO-ECONOMIC CONSIDERATION

9.1 Stroud District Council currently maintains a healthy deliverable housing land supply. Recent changes to the NPPF are such that Local Planning Authorities that are at an advanced stage of 'plan making' (Regulation 18 or Regulation 19 stages) need only demonstrate a four-year housing land supply (as opposed to five years). Stroud District Council is now at an advanced stage of its plan making (at Regulation 19 stage) and as such the 4 year supply requirement is the appropriate test. At this stage, the housing supply based upon the 4 year requirement is at 5.3 years and so is well in excess of the minimum 4 year level.

9.2 The proposed development would provide up to 100 new dwellings. Stroud District Council can demonstrate a healthy and deliverable housing supply and the number of units over and above the draft allocation are not required to address an otherwise short housing land supply. Furthermore, the proposal is significantly different to the draft allocation and does not comply with the existing or emerging development strategy for Tier 3 settlements.

10 AFFORDABLE HOUSING

10.1 The planning application details the provision of 30% of the dwellings to be delivered as Affordable Housing. This is policy compliant and acceptable in principle. A development of 100 units would require the delivery of 30 affordable housing units.

10.2 Limited technical detail is provided which sets out the tenure mix and the housing types that would be secured as Affordable Housing. It is expected that the development would provide 50% rent and 50% intermediate (shared ownership); and, that the affordable housing should reflect the mix of housing market on the site. Officers are satisfied that the appropriate mix/tenure type can be secured through the drawing up of an appropriate legal agreement in discussion between Council Officers and the developer. Whilst the layout of the development is a 'reserved matter' a legal agreement secured at the outline stage can also include specific requirements so as to ensure that the detail/layout of the Affordable Housing is agreed as part of the reserved matters submissions.

10.3 Officers are satisfied that, in the event that this application is approved, appropriate Affordable Housing can be provided and secured as part of this outline application. This would be policy compliant and a requirement of the development. Accordingly *neutral* weight is attributed to this factor.

10.4 Notwithstanding the above, officers do not support the planning application and recommend refusal (as set out later in this report). Accordingly, in the absence of a legal agreement to secure policy compliant Affordable Housing units, the proposed development is contrary to Policy CP9 of the Stroud District Local Plan (adopted) November 2015. A refusal reason to this effect should be included in any decision to refuse to grant planning permission in respect of this application in order to protect the position of the Local Planning Authority should that decision be appealed.



Development Control Committee Schedule 09/04/2024

11 DESIGN, LANDSCAPE AND HERITAGE CONSIDERATIONS

11.1 *Design and Layout* - The design and layout of the development is a reserved matter and is not for consideration under this outline planning application. However, the application includes an illustrative master plan and a design and access statement. This shows development across the whole site from North to South. Dwellings are generally orientated to face a westerly direction where they are positioned on the western side of the site. The Western edge of the site would be enclosed in a landscaped area ranging from approximately 10 to 20 metres in depth. Limited vehicular access would be located along this edge with main access routes within the site area itself. Pedestrian links would be provided around the Western edge of the site within the landscaped area. The indicative masterplan shows a relatively large 'balancing pond' (SuDS) in the Eastern area of the site (against School Lane). As such, development would be set back from School Lane behind landscaped areas.

11.2 As set out below, it is considered that the level of development would result in a detrimental impact in landscape terms and in respect of the setting of designated and non-designated assets.

11.3 *Landscape Impact* - the application does not include a Landscape and Visual Impact Assessment for consideration by the Local Planning Authority. The application site covers the same area of land (WHI005) that was assessed as part of the Strategic Land Availability (SALA) 2017. This assessment includes the consideration of potential landscape impact informed by the Stroud District Landscape Sensitivity Assessment (LSA) (2016). The assessment indicates that the site is within an area that would have a medium sensitivity to housing development. The sensitivity of the area reflects its location on the top and northern slopes of the low ridge that forms the undeveloped skyline to the North of Whitminster. This open characteristic is an important part of the local landscape and views from the PROW crossing the site (East to West) and from the Thames and Severn Way (PROW recreational route); and from longer views from the North, West and Southwest.

11.4 The SALA has identified the potential for development within WHI005 but ruled out development to the North of the PROW crossing the application site from East to West. That area of land was considered unsuitable due to the potential negative landscape and visual impact. The potential scale of development on this area of land is also a factor that would affect the landscape. Accordingly, the SALA informed the draft allocation PS46, which (subject to further planning considerations) identifies the much smaller portion of the land to the South of the PROW as being suitable for housing development - and to a scale appropriate for Whitminster Village. Notably, the allocation would allow for the characteristic openness to be retained.

11.5 This outline planning application proposes up to 100 new dwellings. The development would be located between development associated with Schoolfield Close (to the South) and Highfield House (to the North). It extends well beyond the land forming the draft allocation (PS46) where potential development is considered more suitable. Whilst it is acknowledged that the indicative master plan shows potential landscaping to its Western boundary, the scope and scale of the development would effectively fill the open area and introduce new development too far into the rural area so increasing the impact of the settlement in views from the North, West and Southwest. It is considered that this would have significant negative impact upon the landscape character of the locality. In essence, the development would likely result in the negative impacts identified at the LSA and SALA stages. *Substantial* weight against the development is attributed to this factor.



Development Control Committee Schedule 09/04/2024

11.6 *Heritage Impact* - The site is located some 270 metres from the Industrial Heritage Conservation Area (IHCA). This is a designated heritage asset. The Stroud Water Navigation sits within the IHCA which is itself considered to be a non-designated heritage asset. This part of the IHCA is characterised by unpopulated, open agricultural land in which the Stroud Water Navigation is a significant contributor. These characteristics form an important part of the significance of the heritage assets.

11.7 The setting and significance of the heritage assets is in part derived from the characteristics of the wider landscape as described above, most notably its open character. The proposed development would remove the openness present along the ridge to the North of Whitminster. In medium to long range views (from the West and Southwest) and from within the IHCA the development would introduce built form across the whole ridge. In doing so this would undermine the historic relationship of the heritage assets with the agricultural landscape that forms the setting of them. This would erode the significance of the assets and would result in harm. Officers consider that the level of identified harm is 'less than substantial'.

11.8 Paragraph 205 of the National Planning Policy Framework sets out that when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the conservation of the asset. This is irrespective of the level of harm identified. As noted above, the identified harm to the designated heritage asset (IHCA) is less than substantial. Paragraph 208 of the NPPF goes on to set out that where harm to a designated heritage asset is less than substantial, the harm should be weighed against the public benefit. In respect of the non-designated heritage asset (the Stroud Water Navigation) paragraph 209 sets out that a balanced judgement is required that has regard to the scale of the harm and the significance of the asset. An assessment of the harm in the context of the public benefits and wider planning balance is set out later in this report. Officers note the public benefit of providing new dwellings, however this does not outweigh other identified harms.

11.9 When 'great weight' in terms of the conservation of the designated heritage asset is factored in, and in considering the negative impact on the non-designated asset (Stroud Water Navigation) *Substantial* weight against the development is attributed to this factor.

12 ENVIRONMENTAL ISSUES

12.1 *Ecology and Biodiversity* - Ecological and Biodiversity information has been submitted with this planning application for assessment. The Biodiversity Officer has confirmed that the required Habitat Regulation Assessment has been carried out which has identified necessary mitigation measures to off set the impact of the development in ecological terms. No objection is raised subject to the following requirements.

12.2 This includes a financial contribution towards the avoidance scheme for the Severn Estuary SPA/SAC designation. The site lies within the catchment zone by which this requirement is triggered. The applicant has agreed to meet this obligation. In this instance, the site is also within the catchment for Cotswold Beechwoods SAC mitigation scheme.

12.3 The application was submitted prior to the introduction of financial contributions towards this mitigation scheme and as such this has not been specifically requested. However, in that circumstance it is appropriate to apply a planning condition such that 'Homeowner Information Packs are provided that will provide specific information relating to the Beechwoods designation and setting out appropriate mitigation measures.



Development Control Committee Schedule 09/04/2024

12.4 The application was submitted prior to recent legislation requiring measures for Biodiversity Net Gain associated with new development. As such this legislation does not apply to this planning application. However, the Stroud District Local Plan (policy ES6) requires that new major development provides for on site enhancement and protection in the interest of the biodiversity interest of the site and the surrounding locality. Currently the site is managed intensely for agricultural purposes and has been so for considerable time. This would limit the ecological value of the site. However, as part of new development it is possible to introduce ecological features into areas of open space and drainage measures (for example). Officers are satisfied that this can be detailed at the reserved matters stage and that ecological enhancements as part of the development will achieve a net gain in biological terms (although it is important to highlight that new BNG regulations would not apply in principle). In order to achieve this, officers are satisfied that appropriately worded planning condition would secure the biodiversity enhancement through compliance with an appropriate Landscape and Ecological Management Plan (LEMP). Such measures would be influenced by the design and layout of the development, which at this stage is a reserved matter. Accordingly, in the event that this application is approved, the conditions should require that the LEMP is submitted as part of the reserved matters planning application for consideration. As such, a refusal reason on this basis would not be reasonable. *Neutral* weight is attributed to this factor.

12.5 The site is situated within red and amber zones relating to the presence of Great Crested Newts (GCN). The submitted ecological assessments show that evidence of GCN being present in the area was found. In this instance, the developer of the site has the option of entering into the District Level Licensing Scheme (for GCN) which is administered on behalf of Stroud District Council (the License holder) by NatureSpace. The alternative is for the developer to provide its own bespoke GCN mitigation. However, in this instance the applicant has indicated that the development would be subject to the District Level Licensing Scheme.

12.6 Officers are satisfied that this measure would adequately and appropriately mitigate the impacts of the development upon the GCN population. In this respect it is necessary for the applicant/developer to enter into the District Level License prior to the issuing of a planning permission where there is a requirement to provide GCN mitigation.; and in so doing secure the District Licence as part of the planning permission.

12.7 Subject to the above, officers are satisfied that the ecological impact of the development can be appropriately mitigated and as such is acceptable. Given that this is necessary to ensure that the development is planning policy compliance, *neutral* weight is attributed to this factor.

12.8 Notwithstanding this position, the obligation (towards the Severn Estuary avoidance scheme) would not be sought as the application is recommended for refusal. Similarly, officers do not anticipate that the applicant would pursue the Level Licence (GCN) in the event that the application is refused. In the absence of the appropriate legal agreement (for the SAC) and commitment to enter into a District Level Licence (GCN), this would also inform a refusal reason in order to protect the position of the LPA in the event that such decision is appealed.

12.9 *Agricultural Land* - The application is supported by an Agricultural Land Assessment. The assessment identifies the site as falling into Grade 3b (Agricultural Land Classification). This is consistent with the Natural England Agricultural Lands Classification Map (South West Region) which show this area associated with the site as being 'Grade 3 good to moderate'. The map does not break down the classification further to distinguish is as either grade 3a or grade 3b. The LPA



Development Control Committee Schedule 09/04/2024

does not have evidence to show the contrary to the applicant's evidence. Grade 3b land is below the level considered to be 'Best and Most Versatile Agricultural Land' and as such the proposed development is located on a sequentially preferable land classification. Given the scale of the development and classification of the land officers are satisfied that the development would not undermine the wider availability of agricultural land in Stroud District. *Neutral* weight is attributed to this factor.

12.10 *Building performance, and Climate Change* - Stroud District Planning Policy makes a strong presumption in favour of delivering efficient development that is designed to reduce reliance on fossil fuels and increase the use of renewable energy. As set out in this report, the planning application is submitted in outline. The performance of the buildings is a matter of detail and would be considered at the reserved matters stage. Officers are satisfied that efficient and appropriate design is entirely possible. Where outline consent is to be granted, it would be appropriate to impose a planning condition such that specific detail about building performance and other indicators are provided as part of the reserved matters for consideration. *Neutral* weight is attributed to this factor.

12.11 *Drainage* - Concerns raised by the local community in respect of the drainage of the site are noted. The Lead Local Flood Authority (Gloucestershire County Council) has considered the proposed development and advised that it is acceptable in drainage terms and is satisfied that the drainage design is sufficient to prevent an increase in flood risk due to surface water. The LLFA acknowledges the objections raised by Sever Trent Water. However, the LLFA confirms that it continues to have 'no objection' in drainage terms.

12.12 Severn Trent Water have provided further comments in respect of this development. It sets out that it objects to development that exceeds the level of development set in allocation PS46. This development proposal would exceed the prescribed level of development. However, connection to the drainage infrastructure is a matter for the developer and statutory undertaker (Severn Trent Water) to agree under appropriate applications under Section 106 of the Water Industry Act 1991.

12.13 In this regard, officers are satisfied that appropriate drainage design for the development can be provided at the reserved matters stage - and it is for the developer to ensure that the appropriate agreements are made with Severn Trent Water for connection to its drainage infrastructure. *Neutral* weight is attributed to this factor.

13 HIGHWAY IMPACT AND ACCESSIBILITY

13.1 Access is a reserved matter at this stage. However, the applicant has provided information and has engaged with the Highway Authority during the course of the assessment of this application. The objective of the applicant being to demonstrate that (whilst the matter is reserved for detailed consideration) the proposed development can be made acceptable in highway/access terms. However, as set out further below, this is not the case.

13.2 The Highway Authority (Gloucestershire County Council) has considered the proposal with reference to additional information provided by the applicant during the course of the assessment of this planning application. The Highway Authority recommends that the application is refused as it fails to meet the objectives of the Local Transport Plan (Gloucestershire County level) and the Stroud District Local Plan.



Development Control Committee Schedule 09/04/2024

13.3 The Highway Authority note that the site does not form part of the adopted Stroud District development plan but acknowledges that the site includes draft allocation PS46 (up to 40 dwellings) in the emerging development plan. Concern is raised as to the cumulative impact of this proposal in terms of the additional dwellings over and above the draft allocation level - and in particular that the Highway Authority evidence shows that there would be an increase in congestion on School Lane as a result. The Highway Authority considers that more assessment is required to account for the end of the emerging local plan period up to 2041. Further concern is raised in respect of the use of base year data from 2014 which is considered out of date by the Highway Authority; and who go on to suggested that data should not be less than three years old.

13.4 Concern is also raised that initial shortcomings identified by the Highway Authority in respect of sustainability, trip rates and availability of public transport have not been addressed by the applicant. The Highway Authority also advise that the applicants transport assessment has not been provided in accordance with the Manual for Gloucestershire Streets 2020 and fails to note the aspirations of Gloucestershire Transport Planning Policy; and that the development would likely be 'very car reliant'.

13.5 The Highway Authority advises that, based upon the information submitted, the development would create a severe congestion impact and would fail to provide a safe and suitable access for all users. Given that there is a fundamental objection to the proposed development in principle, the Local Planning Authority officers have not sought additional information from the applicant in order to provide the opportunity to address/resolve the concerns raised by the Highway Authority.

13.6 Accordingly, based on the information provided, it is not possible to establish whether the development can be made acceptable in Highway Impact/Accessibility terms. This position forms the basis of the associated refusal reason and *significant* weight against the proposed development is attributed to this factor.

14 RESIDENTIAL AND GENERAL AMENITY

14.1 The layout of the proposed development is reserved for consideration at the reserved matters stage. However, the indicative master plan demonstrates that the development would provide adequate amenity and separation of dwellings within the development itself, whilst ensuring that existing residential properties and occupants nearby would not suffer significant impact in terms of privacy and overlooking from the proposed dwellings. The development would also provide informal open space and Local Area for Play (LAP). Officers are satisfied that in the event that this application is approved, appropriate levels of amenity can be achieved at the reserved matters stage. Given that this is a policy requirement, *neutral* weight is attributed to this factor.

15 COMMUNITY INFRASTRUCTURE LEVY (School Places and Library Services)

15.1 Gloucestershire County Council Infrastructure Team (GCCIT) have requested S106 obligations to mitigate the impact of the development in respect Library Services and Education (School Places). The requests are summarised and considered as follows;

15.2 Education Contribution (School Places)



Development Control Committee Schedule 09/04/2024

- i) Primary School Places - £698,120.50 (38.5 places) at Whitminster CofE Primary and/or the Frampton Saul Primary Planning Area and/or the Stonehouse Primary Planning Area.
- ii) Secondary (11 to 16) - £0 is requested
- iii) Secondary (16 to 18) - £0 is requested

15.3 *Library Services* - £19,600.00 directed to Stonehouse Library. The County Council indicates that the funds would contribute towards improving customer access to services through refurbishment of the library building, improvements to stock, IT and digital technology and increased services.

15.4 *Consideration* - Stroud District Council implemented its Community Infrastructure Levy 1st April 2017. The Stroud Infrastructure Funding Statement (IFS) is produced annually and prioritises future spending from CIL and S106 funding. The IFS outlines the projects that Stroud District Council intends to be wholly, or partially funded by Community Infrastructure Levy. The IFS replaces the CIL Regulation 123 List.

15.5 The application site is not identified in the emerging draft Stroud District Local Plan as a Strategic Site (it is identified as a local housing site). As such, it is a CIL liable development. The IFS (December 2023) provides the identified areas for prioritisation of Infrastructure Funding. Specifically, the document sets out that Education Infrastructure (covering school places for ages 2 to 19) and Social Infrastructure (including community facilities such as library Services) is to be funded through CIL where the site is not within a strategic allocation. As such the requirement for this development proposal to secure this infrastructure via a s.106 legal agreement is contrary to policy CP6(4)4 of the Stroud District Local Plan (adopted) November 2015 (and the same draft policy contained in the emerging Stroud District Local Plan)

15.6 Regulation 122 of the CIL regulations (as amended in 2019) is particularly relevant to the County Council obligation request. The regulation sets out that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is;

- a) necessary to make the development acceptable in in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Paragraph 57 of the National Planning Policy Framework reiterates this criteria.

15.7 In respect of the requested contributions for school infrastructure, this has been calculated on a formulaic basis. Whilst local schools are identified as benefiting from the requested funding, this is not precise and there is no evidence that the funds would be required to make the development acceptable in planning terms (because there is infrastructure funding available otherwise under the SDC CIL regime). Accordingly, the request for education contributions fails to meet the above tests and the identified District Planning Policy.

15.8 Notwithstanding the above, where 'revenue funding' is required to make a proposed development acceptable in planning terms, CIL funding cannot be used as that relates to capital projects only. In this instance, officers consider that the required funding towards Stonehouse



Development Control Committee Schedule 09/04/2024

Library is revenue funding. The GCCIT has identified that the funds would be used towards improving customer access to services through refurbishment to the library building, improvements to stock, Information/Digital Technology, and increased services. For the avoidance of doubt, GCCIT have not provided evidence that indicates that the Education funding relates to revenue (as a whole or in part).

15.9 As such, in respect of the requests for funding towards Library Services, officers are satisfied that this cannot be collected from CIL money. Officers are satisfied that the purpose of the requested funding is necessary, directly related, and fairly and reasonably related in scale and kind to the development. Accordingly, in respect of this development proposal, the requested obligations comply with CIL regulation 122 as they meet the above tests. Furthermore, officers are satisfied that the effect of using a s.106 agreement to secure the funds would not amount to 'double counting' as it cannot be secured through CIL funding.

15.10 Officers therefore consider that it is appropriate to secure the requested funding (for library services only) for through s.106. The developer has agreed to meet this obligation accordingly. The developer has agreed to meet this obligation accordingly. *Neutral* weight is attributed to this factor.

15.11 Notwithstanding this position, there is a fundamental objection to the proposed development in principle. In the event that of refusal, the library obligation would not be secured through legal agreement. In the absence of the appropriate agreement, this would also inform a refusal reason in order to protect the position of the LPA in the event that such decision is appealed.

16 OTHER PLANNING OBLIGATIONS

16.1 Section 10 of this report sets out the key requirements of the development in respect of Affordable Housing. The applicant has indicated a broad commitment to secure 30% of the dwellings as Affordable Units. This would be subject to detailed negotiation in the event that it is resolved to approve the development proposal.

16.2 SAC's - The site is located within the 7.7 km core catchment zone of the Severn Estuary SPA/SAC. As such the development triggers the requirement for a commuted sum (£385 per dwelling) to provide the means to offset the impact of the development on the Severn Estuary. The applicant has agreed to meet this obligation, and this can be secured under an appropriate s106 Legal Agreement.

16.3 It is anticipated that financial contributions towards transport to school (in this instance of Secondary School age) would be required to offset the impact of the development in this regard. Given that there is a fundamental objection to the proposed development, officers have not sought this contribution from the applicant.

16.5 Again, as noted in paragraph 15.11 above, there is a fundamental objection to the proposed development in principle. In the event of refusal, the above obligations would not be secured through legal agreement. In the absence of the appropriate agreement, these issues would also inform refusal reasons in order to protect the position of the LPA in the event that such decision is appealed.



Development Control Committee Schedule 09/04/2024

17 CONCLUSION AND THE PLANNING BALANCE

17.1 Officers have identified that there would be some benefit in the form of the potential for the proposed development to make a positive contribution to the strategic supply of housing for the district of Stroud. This amounts to a public benefit. However, the benefit is neutralised by the fact that Stroud District Council can demonstrate a healthy supply of housing land, and the fact that the amount of housing proposed is in excess of the projected need identified (through draft allocations) in the emerging development plan.

17.2 In contrast, the assessment of this planning application has identified several factors that weigh against the proposed development. The proposed development is contrary to the adopted and emerging development plan and it would have negative impact upon the landscape character of the locality and the setting of designated and non-designated heritage assets. There is no identifiable public benefit that would outweigh the harm to those assets. These factors amount to substantial weight against the proposed development. There is uncertainty regarding the impact of the development in Highway Safety and Accessibility terms. Again, significant weight against the proposed development is attributed to this factor. Nonetheless, even in the event that the highway matters are resolved, it is not considered that there are any identifiable benefits to this proposal that would otherwise outweigh the identified harm to other factors.

17.3 For this reason, officers consider that the planning application should be refused.

18 RECOMMENDATION

18.1 That planning permission is **refused** for the following reasons.

For the following reasons:	<ol style="list-style-type: none"><u>1. Contrary to the adopted Development Plan</u> <p>The application site is located beyond the defined settlement development limits of Whitminster and does not form part of a housing allocation within the adopted Stroud District Local Plan. Whitminster is identified as a Third Tier 'Accessible settlement with limited facilities' in the adopted Stroud District Local Plan (November 2015) and as a Tier 3a 'Accessible settlement with local facilities' within the draft Local Plan (May 2021) subject to examination, where the development strategy is for future growth to meet local needs. The proposed development would not be consistent with the scale and function of Whitminster and is not sustainable. The Stroud District Council can demonstrate a healthy supply of housing land. As such there is a presumption against the proposed development. There no material overriding factors that would otherwise outweigh this position. The proposed development is contrary to Core Policies CP1, CP2, CP3 and CP15 of the adopted Stroud District Local Plan (November 2015).</p><u>2. Impact on Landscape Character</u> <p>The proposed development would result in new built form that would infill an important open rural area at the Northern Edge of Whitminster and that would increase the impact of the settlement in the landscape and in views from the surrounding locality. This would result in a detrimental impact upon the character of the immediate and wider landscape associated with Whitminster. The</p>
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Development Control Committee Schedule 09/04/2024

proposed development is therefore contrary to Policy ES7 of the Stroud District Local Plan (Adopted) November 2015

3. Impact on setting of Stroud District Industrial Heritage Conservation Area (IHCA)

The proposed development would result in new built form that would infill an important open rural area that is an important and intrinsic part of the setting of the Stroud Industrial Heritage Conservation Area (IHCA) and associated Stroud Water Navigation (non-designated heritage asset) and would act to degrade the significance of the assets. The proposed development is therefore contrary to Policy ES10 of the Stroud District Local Plan (Adopted) November 2015.

4. Highways Impact

Insufficient information has been provided in order to enable the Local Planning Authority to properly assess the impact of the proposed development upon Highway and Access. Given that there is a fundamental objection to the proposed development in principle, the Local Planning Authority officers have not sought additional information from the applicant in this regard. Based upon the information that has been provided it is concluded that the proposed development would create a severe congestion impact and would fail to provide a safe and suitable access for all users.

5. Affordable Housing

In the absence of and appropriate section 106 legal agreement, the proposed development fails to secure sufficient affordable housing. As such the proposed development is contrary to policy CP9 of the Stroud District Local Plan (adopted) November 2015.

6. Library Contribution

In the absence of and appropriate section 106 legal agreement, the proposed development fails to secure sufficient contribution towards library services. As such the proposed development is contrary to policy CP6 of the Stroud District Local Plan (adopted) November 2015.

7. Travel to School

In the absence of and appropriate section 106 legal agreement, the proposed development fails to secure sufficient contribution towards School Transport facilities. As such the proposed development is contrary to policy CP6 of the Stroud District Local Plan (adopted) November 2015.

8. Impact on Severn Estuary Special Area of Conservation (SAC)

In the absence of and appropriate section 106 legal agreement, the proposed development fails to secure appropriate mitigation to offset the impact of the development on Severn Estuary SAC. As such the proposed development is



Development Control Committee Schedule 09/04/2024

contrary to policy ES6 of the Stroud District Local Plan (adopted) November 2015

9. Impact on Great Crested Newts (GCN)

In the absence of secured measures to mitigate of impact of the development on GCN population and habitat on and around the site the proposed development is contrary to Policy ES6 of the Stroud District Local Plan (adopted) 2015

Informatives:

1. Plans List

The decision made has been having regards to the following plans;

Drawing numbered P.3.2 Rev A

Drawing numbered P.3.3

As received by the Local Planning Authority on 1st February 2021

2. **ARTICLE 35 (2) STATEMENT** - The application is contrary to the Stroud District Development Plan and has been submitted without pre-application discussion. No negotiation or amendments have been sought by the Local Planning Authority in order to prevent unnecessary abortive cost for the applicant. The Local Planning Authority has engaged with the applicant and outlined its concerns.



Development Control Committee Schedule 09/04/2024

Annex A REPRESENTATIONS

A.1 – Parish/Town Councils/Local District Councillor

A.1.1 – Whitminster Parish Council

Council resolved to OBJECT to the proposal on the following basis:

- i. The site is outside of the defined Settlement Boundary with the only nearby development being a rural affordable housing exception site that Council was informed would not set a precedent in favour of further development in this location. Previous applications for development outside of the Settlement Boundary have been refused for this very reason during the term of the prevailing Local Plan.
- ii. The village is currently assessed as a Tier 3 Settlement with limited facilities and, as such, suitable for small developments and infill. This proposal would represent close to a 25% increase in the size of the village and therefore cannot be considered appropriate. It would place an unbearable strain on local resources and infrastructure given the fact that it is not planned for and is also of a size that would not warrant the necessary wider investment to upgrade and enhance local facilities.
- iii. The proposal would remove an important green buffer between the defined settlement and ribbon development that extends further along School Lane towards Frampton-on-Severn. This would give rise to a fundamental change in the character of the area and at the very least would require highways improvements to link those outlying parts including new pavements and traffic calming measures. However, we are aware that an appeal in similar circumstances (APP/C1625/W/14/3000677) for land in Eastington was dismissed for associated reasons and the same circumstances apply in regard to this site.
- iv. Development would lead to the destruction of an important habitat for ground nesting birds.
- v. The site is crossed by a public right of way that is much used due to the far-reaching views that can be enjoyed and the fact that it is an easily accessible area of green space for local walkers. The proposal would remove this valuable amenity.
- vi. Development on the escarpment, as proposed, would impact notably on the setting of and vistas from and towards the Industrial Heritage Conservations Area surrounding the Stroudwater Canal as well as affecting the many nearby heritage assets such as Listed Buildings.
- vii. Contrary to the assertion of the applicant, there is no Post Office located within the village.
- viii. Contrary to the assertion of the applicant, there is no bus route serving School Lane other than a school term time school bus to local secondary schools for those that are able to secure a place within the catchment. This means that occupiers of the proposed dwellings will be wholly dependent on the use of private motor cars to reach centres of employment. This is not sustainable and contrary to the District Council's commitment to become carbon neutral.



Development Control Committee Schedule 09/04/2024

- ix. The local highways network is already under pressure with increased use of School lane giving rise to hazards over which we are currently in discussion with the County Council to enhance traffic calming in the proximity of the village primary school. Developments at Great Oldbury and Parklands Farm have further increased traffic volumes and congestion on the A38. It appears the applicant has not considered this in detail and has based assumptions on the situation prior to these developments coming on stream and has also based updated data on skewed period during the recent lockdowns when traffic volumes have not been normal. Further investigation is needed at the very least and we contend that this proposed development could give rise to 500 or more additional vehicular movements along School Lane, past the village school and either through the unsuitable Hyde Lane or to the School Lane / A38 crossroads that is already at capacity. It should be noted the applicant has referred to the A38 as being a dual carriageway. This is not the case and the short lengths of dual carriageway were removed over 10 years ago. This further implies that the matters surrounding traffic impact have not been considered fully nor accurately.
- x. The village school has no capacity for additional pupils and is located upon a constrained site without scope for expansion.
- xi. The current foul water drainage system is at capacity with issues frequently occurring that result in polluting discharge downstream at Frampton-on-Severn. This development would add further strain.
- xii. This proposal varies little from application reference S.14/1829/OUT refused by the Development Control Committee in 2014. It was then determined that such development would create an unacceptable impact on the rural setting in that the scale, the amount and layout of the development would result in a form of development that is inconsistent with the character of the rolling agricultural plains of the rolling Severn Lowlands. Nothing has changed in the intervening period and alternative brownfield and infill sites should first be considered before contemplating such harmful new development in the countryside.
- xiii. Council trusts that its comments, as above, will be fully taken into account when determining this application and that it will be refused. Should consideration be given to approving then Council would ask that the matter be referred to the full development Control Committee if it is not already that case that this has happened due the proposed scale.

A.1.2 – Frampton on Severn Parish Council

We wish to object to this proposal in the strongest terms. Our grounds for objection are that the current sewage system linking Whitminster to Frampton and beyond to the River Severn outlet is currently seriously under stress and cannot accommodate any further effluent. A new housing development should not be approved unless and until there is a major sewage upgrade in our area.

Some relevant planning paragraphs are:

NPPF 20. Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:



Development Control Committee Schedule 09/04/2024

(b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);

Plan-making may need to consider:

- I. the sufficiency and capacity of wastewater infrastructure,
- II. the circumstances where wastewater from new development would not be expected to drain to a public sewer,
- III. the capacity of the environment to receive effluent from development in different parts of a strategic policy-making authority's area without preventing relevant statutory objectives being met.

It is our view that the SDC Planning Authority has given insufficient attention to this paragraph when devising a local plan review which allocates more housing for Whitminster.

In addition, PPG Guidance updates state:

NATIONAL PLANNING PRACTICE GUIDANCE: Updates 21 – 23 July 2019

Water supply, wastewater and water quality:

The update introduces sections on wastewater, cross-boundary issues and information about the water environment. References to the EU Water Framework Directive are updated to refer to the Water Environment Regulations 2017. The guidance states that strategic policy-making authorities need to consider the objectives in the government's 25 Year Environment Plan to reduce the damaging abstraction of water from rivers and groundwater, and to reach or exceed objectives for rivers, lakes, coastal and ground waters that are specially protected (Paragraph: 002 Reference ID: 34-002- 20140306). Additional requirements for plan-making are also introduced, including:

- I. The impact on designated sites of importance for biodiversity should be considered to ensure the required infrastructure is in place before any environmental effects occur.
- II. The capacity of the environment to receive effluent from development in different parts of a strategic policy-making authority's area without preventing relevant statutory objectives being met. Reference is made to the Department for Environment, Food and Rural Affairs that has published a policy framework to encourage the wider adoption of an integrated catchment-based approach to improving the quality of the water environment (Paragraph: 008 Reference ID: 34-008-20140306).

Stroud Local Plan relevant policy paragraphs:

Core Policy 14.3: Planning will be supported when it demonstrates the following: 'Adequate water supply, foul drainage and sewage capacity to serve the development and satisfactory provision of other utilities, transport and community infrastructure'.



Development Control Committee Schedule 09/04/2024

In the last year, there have been 11 incidents of sewage leaks from the Perryway site as well as blockages and sewage leaks in other parts of the village. When the Perryway leaks, it bubbles up into the road and passing cars drive through it, splashing sewage over adjacent houses and gardens. We even had an adjacent bush covered in sewage icicles during the recent very cold weather. The sewage splashes over the cars passing by and it runs down onto the Green, where families picnic and children play. In the most recent incident, last week, two manholes in the Green burst, causing sewage flooding over a large area of the north east Green and, in some places, ankle deep. This did not drain away for more than 24 hours after the sewer was unblocked. Our Emergency Response Team had to be summoned to direct walkers away from the area until the flooding was over. This represents a serious health hazard to our parishioners and visitors to the parish and represents a hazardous form of environmental pollution. I include 4 photographs of the sewage bubbling up in the Perryway and on the Green. In addition, there were 6 houses in The Oval which had sewage leaking over their back gardens over the Christmas period in 2020-21. It took Severn Trent more than two weeks to locate the blockage causing that incident. In recent investigations, Severn Trent found significant amounts of silt in the pipework causing a buildup of pressure and thus the leaks.

Effluent from the west side of Whitminster is carried down the hill to Frampton and links to a sewer which runs along the Perryway, under the Green and across to the Frampton pumping station. From there, the waste water is carried to a sewage outlet on the River Severn. This system has shown signs of overload for at least 40 years. In the 1980s and 90s our council developed a policy of objecting to all housing developments in Whitminster until a new system was delivered. There was a short improvement in the early 2000s when Severn Trent installed holding tanks on a new development which held back and evened out the flow. However, in the last 10 years this has proved no longer fit for purpose. There has been considerable building in the two villages since the sewage system was installed. As far as we can tell, this was probably 70 years ago or more. At that time, the two villages had much less housing than now and we estimate that the number of households has increased 5 times. In addition, the system has been placed under pressure by increased flooding due to global warming. (There are a number of households in Frampton where the surface water drainage is directed into the sewer under the 'exception arrangements', where this can be permitted when normal soakaway measures cannot be taken. Our water table is close to the surface. Severn Trent have found that the pipe supplying the pumping station is actually lying in water at this time of year.) There is an additional pressure currently from the use of wet wipes. However, we wish to emphasise that these problems existed before wet wipes were ever invented and one of the issues is the accumulation of silt in the pipes, along with the fact that the whole system was built for a much smaller community.

Under these circumstances, an additional 100 houses in Whitminster could not be accommodated unless their sewage is directed elsewhere or a new system from Whitminster to Frampton and beyond to the sewage outlet is installed to support the added demand.

We ask that you either refuse this application or condition it to ensure that our sewage system is not put under any additional pressure.

FPC also provided photographs of flooding incidents that cannot be provided here

A.1.3 – Cllr John Jones (District Cllr for Severn Ward
Objects for the following reasons.



Development Control Committee Schedule 09/04/2024

The application is almost identical to the one refused by Development Control Committee in December 2014, S.14/1829/OUT refers.

Reasons for refusal specified in the Refusal Notice included:-

It would create an unacceptable impact on the rural setting of the village, the scale, amount and layout of the development would result in a form of development that is inconsistent with the established character of the rolling agricultural plain of the Severn lowlands.

The site is bisected by a Public Right Of Way, which provides a series of long distance views across the County. The proposal would result in an unacceptable loss of these existing views. Furthermore, to the southwest of the site is the Stroudwater Canal with Public Rights Of Way, which is part of the Stroud Industrial Heritage Conservation Area. Together with the nearby Listed Whitminster Parish Church of St Andrews, the proposal would have a significant detrimental effect on these assets by introducing a built form into the views and vistas of an otherwise uninterrupted landscape.

I see no reason why these reasons for refusal for the previous application should not apply now.

Policies ES7, ES10, ES13 and CP3 of the Adopted Local Plan 2015 apply.

In addition, Whitminster is rated in the current Local Plan as a Tier 3 Settlement with limited facilities, capable of taking small developments including infill. This proposal to build up to 100 houses is neither small nor infill. It would increase the number of dwellings in the village by almost 25%!

The proposal, if allowed, would remove the open green buffer between the built village and the sporadic development further along School Lane. (Please refer to the dismissed appeal notice on land in nearby Eastington Parish, APP/C1625/W/14/3000677) It would also remove valuable habitat for ground nesting birds, for local wildlife and for visiting overwintering birds from colder climates.

The site is outside the defined Whitminster Development Boundary. Previous applications for development outside of this Boundary have been refused for that reason during the life of the current Local Plan. The Village Primary School is not capable of taking extra pupils this proposal would generate, with very little prospect of extra building works taking place. This can only increase private car usage to transport young children to schools outside of the village, contrary to the District's ambitions to become carbon neutral.

Furthermore, School Lane is becoming increasingly busier with vehicles from the Severnside Parishes such as Frampton, Saul and Arlingham using it to gain access to the A38 and the M5. Extra traffic generated from this proposal, running past the village school, is not acceptable.

In addition, there is no public bus service on School Lane, other than school bus transport in term time. There is no Post Office in Whitminster, both these last statements by the applicant are inaccurate, and should be discounted.

It should also be noted that the foul drainage system in the village appears to be at capacity with the current number of houses connected to it. Adding another 100 or so households to the existing system could overload it completely and should be assessed properly before any decision is made. The Whitminster system is pumped to join the Frampton system close to the top of



Development Control Committee Schedule 09/04/2024

Frampton Village Green. Outages of raw sewage have occurred in recent years in the area of connection, this must be examined before further connections are made to the system in Whitminster.

A.2 - Stroud District Council Technical Officers

A.2.1 – Affordable Housing Officer

The lack of information supplied means that it is not possible to assess whether the affordable housing proposal is acceptable or not. In addition, the Heads of Terms supplied are unacceptable as they fail to secure the delivery of affordable homes in accordance with policy.

Further information is requested in order to demonstrate that the proposals are in accordance with policy CP9. This information needs to include percentage of affordable homes, unit size, type and tenure split; Policy CP9 and the Council's adopted Planning Obligations SPD refer. A revised Heads of Terms will need to demonstrate that the affordable housing will be contracted, secured and delivered in a timely fashion.

A.2.2 - Bio-Diversity Officer

2nd June 2021

Comments relate to the following document; Ecological Assessment, by Ecology Solutions, dated January 2021

Further information is required to assess Biodiversity Implications.

- I. There are concerns over the dead Great crested newt, it is unclear from the findings in the report where the newt may have originated from. As grass snakes generally swallow their prey immediately on capture it is likely the newt was found on or very close to the site. It is therefore, recommended that the applicant explores the Great crested newt district licencing scheme with NatureSpace. Any site clearance of suitable habitat could result in an offence if any GCN are found to be present. The site does also fall within both red and amber newt zones so I would recommend that a district licence may be the best approach in this instance to ensure development can proceed lawfully in accordance with the Conservation of Habitats and Species Regulations 2017 and for SDC to be able to discharge its statutory duty to the regulations.
- II. There are concerns over impacts the proposed development may have on breeding Yellowhammer, it is not considered that the mitigation proposed is sufficient to adequately mitigate the impact on this species. Other mitigation options need to be explored such as off-site options if necessary, in accordance with the NERC Act 2006 and Local Plan Policy ES6.
- III. Biodiversity Net Gain has not been adequately evidenced within the submitted Ecological Assessment. The conclusions of the assessment infer a net gain and substantial biodiversity benefits will be achieved, however, this has not been evidenced or equated by the use of a Biodiversity metric such as Defra v2.0. It is therefore recommended that a biodiversity metric be used to confirm biodiversity net gains in accordance with the revised NPPF.

The site falls within NatureSpace's amber and red zones and as such are highly likely to have potential to support GCN in their terrestrial stage. A dead half eaten GCN was found within the



Development Control Committee Schedule 09/04/2024

site and as such a population of GCN are likely to be close by. It is therefore recommended that GCN on the site cannot be ruled out and to ensure that works are undertaken lawfully the district licence maybe the best option.

Yellowhammer, a red data list species as listed under Section 41 of the NERC Act 2006, have been found to be breeding within the application site in low numbers, it's a bird that is a specialist farmland species. The species relies upon disturbance free agricultural landscapes with species rich margins, arable winter stubbles and well managed hedgerows. Yellow hammers also nest relatively low to the ground and as such would be vulnerable to domestic cat and dog predation. The introduction of residential development will significantly degrade the habitat for this species and likely result in the species being unable to use the site. It is therefore recommended that mitigation options need to be explored further to unsure that the impact on this species can be adequately mitigated.

If the above issues can be resolved a number of conditions would be recommended such as an Construction Ecological Management Plan, Ecological Design Strategy, Landscape and Ecological Management Plan and a lighting plan.

11th January 2022

There is insufficient information to assess biodiversity implications with regards to Great Crested Newts (GCN). Either;

- I. Further presence absence surveys are required to be undertaken on pond 1 during the optimal survey season mid-March and mid-June, or;
- II. the applicant explores Nature Spaces district licence; a Nature Space agreement would need to be submitted to the SDC prior to determination of the application.

If the above information cannot be provided Refusal is recommended for the following reason;

- I. Any site clearance of suitable habitat could result in an offence if any GCN are found to be present. As such are required to assess if the species are present within the adjacent pond and if GCN are present an appropriate mitigation strategy would be required to be submitted prior to determination of the application, this would then allow the LPA to assess whether the consented works can proceed lawfully. Alternatively, the applicant could take the district licence route. Currently there is insufficient information provided to allow the LPA to adequately discharge its statutory duties afforded them under the Conservation of Habitats and Species Regulations 2017.

If the above issues can be resolved the following conditions would be recommended for the consent of the application;

- i) Prior to the start of any works on site a Construction Environmental Management Plan shall be submitted to and approved in writing by the LPA. This will include the methods for protecting nesting birds and other vulnerable protected species. For the avoidance of doubt, works includes any habitat clearance or storage of any equipment or building material on site. This condition will be finally discharged when the LPA receives written confirmation from the Project Ecologist that development has proceeded and been completed in accordance with the agreed CEMP, biodiversity legislation and national and local policy.



Development Control Committee Schedule 09/04/2024

Reason. In the interest of wildlife protection and to accord with Local Plan Policy ES6 and the CROW Act 2000.

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

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

Reason. In order to fulfil the requirements of paragraph 180 of the NPPF by ensuring that Biodiversity Net gains are achieved, an EDS will be required to be provided prior to the commencement of development.

- iii) Prior to the submission of the reserved matters application, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of the development. The content of the LEMP shall include the following;
- a) Description and evaluation of the features to be managed.
 - b) Aims and objectives of management
 - c) Appropriate management options for achieving aims and objectives
 - d) Prescription for management actions
 - e) Preparation of work schedule (including an annual work plan capable of being rolled forward over a 30 year period)
 - f) Details of body or organisation responsible for implementation of the plan.
 - g) Ongoing monitoring and remedial measures.

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

Reason. To protect and enhance the site for biodiversity in accordance with paragraph 180 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in



Development Control Committee Schedule 09/04/2024

order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

- ii) Prior to the submission of the reserved matters application, an external 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.

The applicants ecologists Ecology Solutions provided SDC with further information with regards to the concerns raised in the Biodiversity Teams previous consultation response.

It was previously highlighted that there were concerns over the potential loss of breeding habitat for yellow hammer a red data list farmland birds. A low population of yellow hammer were found to be likely breeding within one hedgerow found within the site. The applicants ecologist has argued that they feel that it was likely only a single bird nesting within the site in hedgerow H3. H3 is proposed to be retained and buffered as part of the landscape proposals, further to this it is also argued that existing residential development is already relatively close to the hedgerow and as such is likely already subjected to a certain level of disturbance and predation from domestic animals. Given this counter argument the Biodiversity Team feels that the proposed mitigation is therefore likely to mitigate the impact on yellow hammer and therefore no longer objects on these grounds.

The Biodiversity team previously requested that Biodiversity net gains needed to be evidenced with the use of the latest Defra metric. The applicant has provided a completed defra metric version 3 and which concludes that net gains can be achieved 26.77% habitat net gains and 60% hedgerow net gains. This proposed habitat enhancement is welcomed.

Finally, there were concerns over the survey effort provided to assess the impacts of the development on Great Crested Newts. The last bottle trapping surveys were undertaken in 2014 nearly 8 years ago. Since this time a habitat suitability index survey (HSI) was undertaken in 2021 which found that the pond provided limited suitability for GCN. The pond was found to be dry in August and September and as such it was concluded the pond would be unlikely to support breeding GCN.

However, a dead GCN was discovered within the development red line area, therefore indicating some presence of the species. There is no information suggesting whether the pond has been assessed during the breeding season mid March to mid June, if the pond held water during these months it could be used by breeding GCN.



Development Control Committee Schedule 09/04/2024

GCN receive strict legal protection and the LPA is duty bound to consider them fully ahead of any planning permission granted in accordance with the Conservation of Habitats & Species Regulations 2017 and furthermore Circular 06/2005 states that “It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.”. Any works which may harm, disturb or destroy resting or breeding habitat needs a European Protected Species mitigation licence before they can proceed, the LPA must also be fairly confident that when planning permission is granted a licence will be able to be gained with the information provided. As a result, it is prudent that presence/ absence surveys are undertaken by a suitable experienced/qualified ecologist, if they are found to be present population surveys will be required to be provided in order to understand to what extent the proposed development may affect the species.

Alternatively, the applicant has the option to use the district GCN licence, in order for the application to be progressed further either a letter of confirmation that the developer has engaged and agreed to use the District Licence from Nature space will be required or the above required surveys and a mitigation strategy.

5th September 2023

No objection subject to appropriate mitigation.

Designated Sites - SDC as the competent authority has undertaken an Appropriate Assessment and has identified the following mitigation:

- i) The site falls within the 7.7 km core catchment zone of the Severn Estuary SPA/SAC site, the applicant has the opportunity to make a one-off site S106 contributions per new dwelling as part of Stroud District Council’s avoidance mitigation strategy or provide the LPA with their own mitigation strategy which will need to be agreed by SDC as the competent authority and Natural England.

The applicant has stipulated in their ecology report that they will make a financial contribution to SDC avoidance mitigation strategy.

A construction environmental management plan (CEMP) will need to be submitted to the Local Planning Authority.

- ii) The site falls within the 15.4 km core catchment zone of the Cotswold Beechwoods SAC, it is highly likely that new resident(s) will use the Cotswold Beechwoods for recreational purposes and may result in some indirect impacts to the qualifying features of the designated site. It is therefore recommended that prior to occupation, information is provided that details how this impact will be mitigated in the form of a homeowner information pack, explaining the importance of the SAC, code of practice for using the woodlands and alternative recreational opportunities in the local area.

Protected Species – Great Crested Newts. The development can be subject to the District Level Licencing Scheme. This would require a NatureSpace report to be submitted for consideration prior to determination of the application.



Development Control Committee Schedule 09/04/2024

The application is acceptable subject to the submission of;

- i) a NatureSpace report, and the following conditions;
- ii) a condition securing homeowner information pack for the Cotswold Beechwood SAC mitigation.
- iii) a Construction Environmental Management Plan (CEMP)
- iv) a Landscape and Environmental (LEMP) and an Ecological Design Strategy (EDS). These can be combined as one document to secure the Biodiversity Net Gain and biodiversity enhancements and their future management and should be entitled a Biodiversity Net Gain/Landscape Management Plan (BNGLMP).

A.2.3 - Senior Conservation Officer

Due to rising land levels, the site has a visual relationship with the Industrial Heritage Conservation Area (IHCA) which runs along the bottom of the slope to the south. Section 72(1) of the 1990 Planning (Listed Buildings and Conservation Areas) Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Furthermore, the Stroudwater Navigation is considered to be a non-designated heritage asset, a material consideration in planning terms.

The IHCA was subdivided into character parts at the time of its appraisal in 2008. This part of the conservation area was designated as being Rural Frome Vale. The majority of land falling within the Rural Frome Vale character type is overwhelmingly unpopulated agricultural land; this agricultural land forms the landscape through which the Stroudwater Navigation sliced in the late 18th century, and is a significant contributor to the character and appearance of the conservation area, a sharp contrast to the industrial stretches upstream.

It is considered that in medium and long range views, the proposals would result in the introduction of bulky built form into the verdant, pastoral surroundings of the conservation area and the Stroudwater Navigation, so undermining some of their historic relationship with the wider agricultural landscape, thereby eroding an appreciation of their significance. Given the sites prominent position on the ridge, it is unlikely that any development, particularly to the north and western edge of the site, could be screened or designed out.

In terms of the NPPF, the harm to the designated and non-designated heritage assets would be less than substantial, therefore the public benefits of the scheme must be weighed against the harm.

A.2.4 - Environmental Health Officer (EHO)

No objection subject to imposition of working hours and dust management conditions.

A.2.5 - Contaminated Land Officer (CLO)

Offers no comment.

A.3 - Gloucestershire County Council Technical Officers

A.3.1 - Highway Authority

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 Control Committee Schedule 09/04/2024

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.

A previous highway response was provided on the application in March 2021, highlighting reasons for refusal. A subsequent technical note has been provided by the applicant in response to our initial reasons for refusal. Given the time lapse, the Highway Authority has undertaken a further review of the proposals taking into account the additional information submitted.

The justification for our decision is provided below.

It is reiterated that this site does not form part of the Stroud Adopted Local Plan 2015, but does include for up to 40 dwellings in the emerging Stroud Local Plan. This is currently with the inspector but an evidence base does exist which includes the cumulative impacts of the plan proposals (through the use of Saturn). A review of this evidence base suggests an increase in congestion along School Lane. It is noted that a separate application (S.22/0423/OUT) has been submitted for up to 45 dwellings on the site.

Our previous response highlighted the need to utilise this evidence base. Given that this application is for development over and above the proposed allocation and transport evidence is now available via the local plan evidence, then this is required to be used for assessment. The submitted Transport Assessment provides an assessment of the A38/School Lane junction in 2025 and a further technical note in 2031 utilising tempo growth factors, but also needs to provide assessment for the end of the emerging local plan period (2041). It is acknowledged that tempo does provide local growth factors but these are unlikely to be consistent with the emerging growth forecasts in Stroud. Furthermore, utilising a base year of 2014, which is now data 10 years in the past, is not accepted. It is general practice that assessment should be based upon surveyed counts no more than three years old. Therefore, the assessment provided cannot be relied upon.

Our previous response highlighted the shortcomings in terms of the overall sustainability of the site and the need to review the trip rates submitted due to the limited transport choices available. This has not been addressed.

The assessment has not been provided in accordance with Manual for Gloucestershire Streets 2020 to assess accessibility in the form of the propensity to cycle tool kit and WHCRA. Additionally, the proposal fails to note the aspirations in Gear Change LTN1/20 or the Local Transport Plan 4. Therefore, the application has not included the full level of accessibility analysis required, and the mitigation put forward is inadequate and is unlikely to change behaviours making this development very car reliant.

Based on the analysis of the information submitted the Highway Authority concludes that the proposed development will create a severe impact and fails to provide safe and suitable access for all users. Therefore, it is recommended that this application is refused based on conflict with the following policies;

SO4, CP13, EI12, SO5, CP14 of the adopted Stroud Local Plan 2015
PD0.1, PD0.2, PD0.3, PD0.4 of the adopted Local Transport Plan 4
NPPF Paragraphs 114, 115 and 116

A.3.2 - Lead Local Flood Authority (LLFA)



Development Control Committee Schedule 09/04/2024

The LLFA has reviewed the drainage strategies. Apart from some confusion that S.22/0423/OUT appears to be a part of the same land that defines S.21/0236/OUT, both drainage strategies hold up independently but only one or the other can be permitted as building one would require redesign of the other.

Both have controlled surface water discharges with suitable climate change allowance for current guidance. The LLFA does not see how, if built out in compliance with the submitted designs, they would cause increase in flood risk due to surface water.

The LLFA has read the Severn Trent objection of 18th October 2023 to S.21/0236/OUT and think it rather lacks in detail. It does not describe the nature of the flooding that may be exacerbated, the LLFA imagine that they are referring to foul sewer flooding. All surface water is managed separately from the foul sewer system and is adequately controlled via open attenuation into the local ditch network.

The LLFA notes that in other areas Severn Trent are objecting on the basis that they want to see surface water separated from foul, but this has been happening since 1958 so I am not sure why they are suddenly concerned about it. Certainly, on these development proposals the surface water and foul are completely separate.

The LLFA will continue to have no objection.

A.3.3 - County Archaeologist

The county Historic Environment Record informs that the proposed development site was subject to archaeological evaluation in 2014. The trial trench evaluation identified the presence of a small number of undated pits and linear features of archaeological origin. The features were confined to the southern part of the site where later ridge and furrow field systems appear to have caused less truncation to underlying deposits. Extensive evidence for ridge and furrow was identified in the north of the site, but no finds or features of an earlier date were identified in this area.

Due to the presence of archaeological remains recorded during archaeological evaluation at the site, I recommend that a programme of archaeological excavation is made a condition of planning permission.

To facilitate the archaeological work I recommend that the following condition is attached to planning permission:-

'No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority'.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 199 of the National Planning Policy Framework.

A.3.4 – Community Infrastructure Team

Makes the following request (summary)



Development Control Committee Schedule 09/04/2024

Education Contribution (School Places)

- i) Primary School Places – £698,120.50 (38.5 places) at Whitminster CofE Primary and/or the Frampton Saul Primary Planning Area and/or the Stonehouse Primary Planning Area.
- ii) Secondary (11 to 16) at Severn Vale School and/or the East Stroud Secondary Planning Area - £0 is requested.
- iii) Secondary (16 to 18) at East Stroud Secondary Planning Area - £0 is requested

Library Services

£19,600.00 directed to Stonehouse Library. The County Council indicates that the funds would contribute towards improving customer access to services through refurbishment of the library building, improvements to stock, IT and digital technology and increased services.

A.4 – External Agencies

A.4.1 – Natural England

Summary. Further information required to determine the impacts on designated sites – Habitats Regulations Assessment Stage 2 – ‘Appropriate Assessment’ required.

As submitted, the application could, in combination with other new residential development in the authority area, have potential significant effects on the Severn Estuary Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site (including functionally linked land and watercourses) and the Cotswold Beechwoods SAC. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

HRA stage 2 Appropriate Assessment of the scheme taking account of:

- i) The Council’s Severn Estuary Recreation Management Strategy¹
- ii) Functional linkage with respect to the SAC and Ramsar Site’s migratory fish and the SPA’s wild birds (please see below for further information).
- iii) The Cotswold Beechwoods SAC recreation project.

Without this information, Natural England may need to object to the proposal.

A.4.2 – Nature Space (Advisor to SDC on GCN Issues)

In line with the guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, March 2021), there is a reasonable likelihood that great crested newts will be impacted by the development proposals and therefore, the applicant must either:



Development Control Committee Schedule 09/04/2024

- i) Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through Stroud District Council's District Licence; or
- ii) Provide further information in the form of an outline mitigation strategy which demonstrates how the applicant will carry out the development in a way that avoids, reduces or compensates for impacts on great crested newts, including long term management and monitoring.

A.4.3 – Historic England

Confirm that the Local Planning Authority does not need to notify Historic England in respect of this planning application. No specific comment has been made in respect of the proposed development.

A.4.4 – National Highways

Referring to the consultation on a planning application dated 14 July 2023 referenced above, in the vicinity of the M5 junction 13 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- a) offer no objection (see reasons at Annex A);

Highways Act 1980 Section 175B is not relevant to this application.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to planningsw@nationalhighways.co.uk.

Annex A National Highways' assessment of the proposed development.

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policies of the Secretary of State as set out in DfT Circular 01/2022 "The Strategic Road Network and the Delivery of Sustainable Development" and the National Planning Policy Framework (NPPF). This response represents our formal recommendations with regards to planning application reference S.21/0236/OUT.



Development Control Committee Schedule 09/04/2024

Statement of Reasons

The application by Robert Hitchens Ltd seeks outline planning permission for the construction of No. 100 dwellings (Class C3). The access is proposed from School Lane (local road network). The site boundary comprises two sections. The southern section of the application site is identified as an emerging allocation for the development of 40 dwellings (PS46) in the Stroud District Local Plan Review. The northern section is not allocated in the adopted or emerging local plan.

We are aware that a separate application has been submitted on the same site comprising only the southern parcel (emerging allocation site PS46) for a development comprising up to 45 dwellings (reference: S.21/0432/OUT).

The planning application was submitted in 2021, however this is the first consultation request received by National Highways on S.21/0236/OUT.

National Highways is a government owned company responsible for operating, maintaining and improving the SRN which in this area includes the M5 J13, and we are therefore concerned about any impacts that this development may have on its safe operation.

A Transport Statement (dated October 2020) has been submitted with the planning application to assess the development's impact on the surrounding area. The proposed development site is located approximately 2km to the northwest of M5 junction 13 (M5 J13). An assessment of the traffic impact on the M5 J13, has not been included in the planning application documents submitted.

Trip Generation and Distribution

The proposed residential development is for 100 dwellings. The southern parcel of the site is identified as an emerging allocation for 40 dwellings (site PS46).

We are pleased to see a Travel Plan has been proposed to be provided for the site. Travel which is undertaken by sustainable modes rather than single occupancy private car has the potential to reduce the traffic impact on the SRN and thereby potentially improving safety and capacity issues on the road network.

The Transport Assessment sets out the trip generation assessment for this site based on TRICS. National Highways considers that the trip rates are acceptable. The TRICS assessment forecasts 52 AM peak hour trips and 50 PM peak hour trips associated with the proposals.

In terms of SRN impact, the TA indicates that 100 dwellings would have 18 AM peak hour trips and 24 PM peak hour trips that would be distributed on the network southbound on the A38 (towards M5 J13). Although the traffic flow diagrams do not extend to the M5 J13, this level of trips is not considered to provide a severe impact at M5 J13.

Recommendation

National Highways has no objections to the application reference S.21/0236/OUT

Standing advice to the local planning authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 73 and 105 prescribing that significant development



Development Control Committee Schedule 09/04/2024

should offer a genuine choice of transport modes, while paragraphs 104 and 110 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of PAS2080 promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

A.4.5 – Severn Trent Water

Development on this site should not exceed the level of the allocation under PS46 (emerging planning policy allocation) and as such object to this development proposal.

A.4.6 – Ramblers Association

Offer no comment.

A.5 - Public

A.4.1 - There have been 14 responses received from the local community. These are made in objection to the proposed development. The issues raised are summarised below;

Strategic Issues

Proposal is contrary to the Stroud District Local Plan

The site is outside the development boundary.

Disproportionate large-scale development already affecting the local area.

The development would not be affordable to the local community.

Insufficient capacity in local schools.

Lack of community infrastructure.

Brown Land should be utilised first.

Existing housing development should be completed before more is considered.

Policy allows for infilling and not new development on greenfield land.

Principle of Development is acceptable subject to infrastructure improvements.

Density is low.

Site should include 'First Homes' as part of Affordable Housing provision.

Smaller Market Housing should be in higher proportion than Large Market Housing.

The local area is already subject of significant levels of development.

Highway and Access Issues

Increased traffic.

Negative impact on junction of School Road and A38.

Negative impact on Junction 13 M5.

Negative impact on highway safety on School Lane in vicinity of the village school.

Lack of public transport

Design, and Local Character issues

The site forms a natural break between the village and isolated buildings on School Lane.

Loss of rural character and open space.

Amenity value of the existing public right of way.

Major encroachment into the countryside.

Overdevelopment/out of scale with the existing village.



Development Control Committee Schedule 09/04/2024

Residential Amenity

Loss of light to nearby dwellings and associated garden areas
Loss of privacy.

Drainage

The area is prone to flooding.
The site retains water during the winter months.
The development would have a negative impact upon the drainage of surrounding residential properties.
Insufficient/failing foul sewerage system.

Other Matters

Lack of Public Consultation (by applicant) with the local community
Failing water supply in the local area.
Loss of recreational/well-being amenity
Negative impact on ecology on the site/in the locality
Lack of employment opportunity.