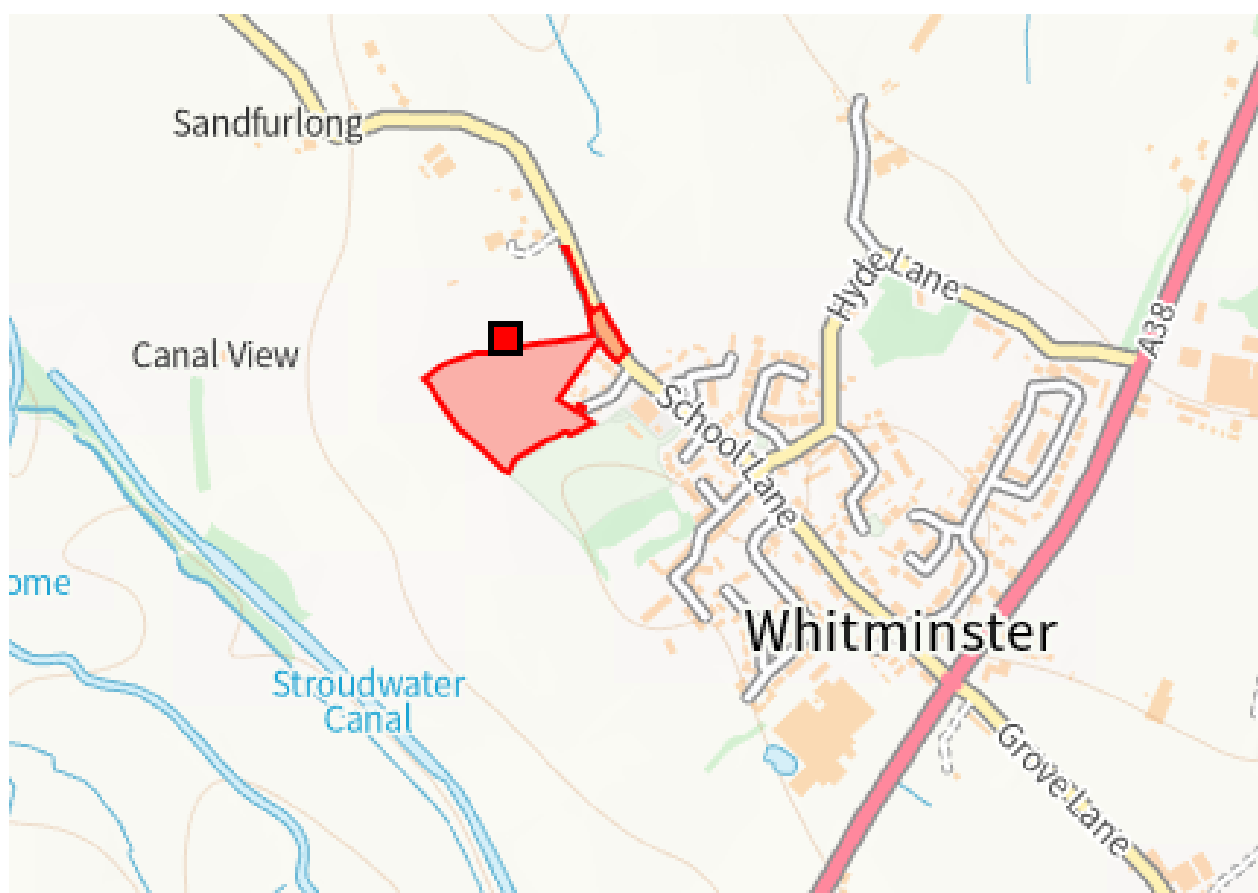




## Development Control Committee Schedule 09/04/2024

<b>Item No:</b>	<b>04</b>
<b>Application No.</b>	S.22/0423/OUT
<b>Site Address</b>	Land Off, School Lane, Whitminster, Gloucestershire
<b>Town/Parish</b>	Whitminster Parish Council
<b>Grid Reference</b>	377102,208407
<b>Application Type</b>	Outline Planning Application
<b>Proposal</b>	Residential development (up to 45 dwellings), associated infrastructure, ancillary facilities, open space and landscaping. Construction of a new vehicular access off School Lane.
<b>Recommendation</b>	Resolve to Grant Permission
<b>Call in Request</b>	Requested by Head of Planning





## Development Control Committee Schedule 09/04/2024

<b>Applicant's Details</b>	Mrs K Maguire Robert Hitchins Limited, The Manor, Boddington, Cheltenham, GL51 0TJ
<b>Agent's Details</b>	None
<b>Case Officer</b>	Simon Penketh
<b>Application Validated</b>	23.02.2022
	<b>CONSULTEES</b>
<b>Comments Received</b>	Development Coordination (E) National Highways (Previously Highways England) Conservation North Team Development Coordination (E) Arboricultural Officer Biodiversity Team Development Coordination (E) Archaeology Dept (E) Flood Resilience Land Drainage SDC Water Resources Engineer Cllr John Jones Environmental Health (E) Contaminated Land Officer (E) Housing Strategy And Community Infrastructure Severn Trent Water Ltd (E) Whitminster Parish Council Historic England SW Public Rights Of Way Officer Natural England (E)
<b>Constraints</b>	Glos Centre Env Records - Species Whitminster Parish Council Affecting a Public Right of Way SAC SPA 7700m buffer Surface flooding 1 in 100 years Village Design Statement
	<b>OFFICER'S REPORT</b>

### **1 MAIN ISSUES**

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

### **2 DESCRIPTION OF SITE**

2.1 The site made up of approximately 2.3 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



## Development Control Committee Schedule 09/04/2024

Lane and existing development associated with Schoolfield Close. Whitminster playing fields are located due South. A public right of way (PROW Whitminster Footpath 21) is located on the Northern boundary of the site 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 45 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).

3.3 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**

Oppose the application.

##### **6.1. - Cllr John Jones (District Cllr for Severn Ward)**

Application is premature and over development.



## **Development Control Committee Schedule 09/04/2024**

### **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

#### 6.2.6 - Stroud Water Resources Engineer

No objection subject to conditions.

### **6.3 - Gloucestershire County Council Technical Officers**

#### 6.3.1 - Highway Authority

No objection subject to conditions/obligations.

#### 6.3.2 - Public Right of Way Officer

No objection. Advice given in respect of works to the PROW.

#### 6.3.3 - County Archaeologist

No objection subject to conditions

#### 6.3.4 - Lead Local Flood Authority (LLFA)

No objection

#### 6.3.5 - Community Infrastructure Team

Requests financial contribution of £314,154.23 (17.33 primary school places) and £8,820.00 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

### **6.5 - Public**

10 responses have been received from the local community. 9 comments raise objection to the proposed development and 1 is made in support.

## **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
- ES10 Valuing Historic Environment and Assets



## Development Control Committee Schedule 09/04/2024

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)*

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

#### *Core Policies - Environment and Surroundings*



## Development Control Committee Schedule 09/04/2024

### 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 Notwithstanding the above, the application site is on 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). Whilst officers acknowledge that the EIP is currently paused to allow further evidence to be provided, this is to address issues relating to other issues and it does not affect this draft allocation (PS46). The site has been discussed at the EIP. There are no amendments proposed to the allocation and the Planning Inspector has not raised concerns with to the draft allocation. Whitminster is identified as a Third Tier 'Accessible settlement with limited facilities' (policy CP3 of the adopted Stroud District Local Plan) and as a Tier 3a 'Accessible settlement with local facilities' in the emerging development plan. 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 that position and provides the opportunity for development that is consistent with the scale and function of Whitminster.

8.3 At this stage, some weight is afforded 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). The proposed development is broadly aligned with the draft allocation in terms of its location, site area/boundary and access. Whilst the maximum number of dwellings proposed (45) is more than that which is set out in the draft allocation (PS46) officers are satisfied that this is can be considered without undermining the objectives of the draft allocation.





## Development Control Committee Schedule 09/04/2024

8.4 Procedural matter - Given the status of the emerging local plan, the proposed development would be a departure from the adopted development plan. The application has been advertised as such in accordance with planning legislation. Accordingly, the proposed development would result in harm (in principle terms) as it is currently contrary to the adopted development plan.

8.5 Notwithstanding the above, and for the reasons set out in this report, officers are satisfied that the development now proposed is acceptable in principle. Given that the proposal is broadly aligned to the draft allocation (PS46) *moderate* weight against the development is attributed to this factor. Subject to the considerations set out in this report, this level of harm would be neutralised by other factors when considered in the '*planning balance*'.

### **9 SOCIO-ECONOMIC CONSIDERATIONS**

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 45 new dwellings so making a positive contribution to maintaining a healthy supply of housing for the district of Stroud. Subject to detailed considerations at the *reserved matters* stage, the development can provide the appropriate mix of house types in order to respond to the strategic needs of the district. Accordingly, *moderate to significant* weight in favour of the development is attributed to this factor.

### **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 45 units would require the delivery of 13.5 affordable housing units. Where there are part units, this residual would be secured as a proportionate financial sum (to ensure that the full 30% target is effectively met).

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 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 afforded to this factor.





## Development Control Committee Schedule 09/04/2024

### **11 DESIGN, CHARACTER 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 on land to the South of the public right of way (PROW) crossing the site. The shape and location of the site is aligned to the emerging allocation PS46. This is narrower on its Eastern side where it fronts onto School Lane and widens out to the West.

11.2 The shape of the site means that there is very limited 'frontage' with School Lane. As such the illustrative master plan shows dwelling positioned in the Western part of the site roughly between the Western extent of development associated with Schoolfield Close and the West boundary of the site. The Eastern part of the site is shown as containing a 'balancing pond' (SuDS) and the main access road. A 'local area for play' (LAP) is shown located in the Southern corner of the site.

11.3 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 Northern Western edge of the site within the landscaped area, and these would also link into the existing PROW along the North boundary of the site.

11.4 It is important to note that the proposal site (its shape and area) is aligned closely to the draft site allocation detailed in PS46 of the emerging development plan. The proposal outlines the provision of up to 45 dwellings. This is 5 more than the draft allocation provision. However, as set out below, officers consider that (subject to detailed assessment at the reserved matter stage) the level of development as proposed would not necessarily undermine the objectives of draft allocation.

11.5 *Landscape Impact* - The application is supported by a Landscape and Visual Impact Assessment. The document is noted and has been considered as part of the assessment of this outline planning application. The application site is in the Southern part (South of the existing PROW) of land (WHI005) that was assessed as part of the Strategic Land Availability (SALA) 2017. The application covers the roughly half the area of the SALA site. 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.

11.6 The SALA has identified the area of land to the South of the PROW as having future potential for housing subject to the provision of strategic landscaping. This has informed the draft allocation detailed in policy PS46 of the emerging development plan. Whilst it is noted that the proposal potentially exceeds the number of dwellings detailed in the draft allocation, officers are satisfied that and appropriate design, layout and landscaping would allow adequate mitigation in



## Development Control Committee Schedule 09/04/2024

landscape impact terms. Nonetheless detailed design consideration is a reserved matter at this stage. Accordingly *neutral* weight is attributed to this factor.

11.7 *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.

11.8 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 be confined to the Southern part of the land that forms the existing open area to the North of Schoolfield Close (approximately half of the existing gap). As such, an open element would be retained so preserving an open character. However, this would be reduced. It is inevitable that the development would remove some of 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 into the Southern half of the ridge when seen from these directions. This would somewhat undermine the historic relationship of the heritage assets with the agricultural landscape that forms the setting of them and as such would result in harm. Officers consider that the level of identified harm is 'less than substantial'.

11.9 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.

11.10 Again, in considering this outline planning application, it should be noted that the proposal site is aligned to the draft allocation (PS46), albeit with a small excess of housing numbers. As noted in above, the setting of the heritage assets is derived from the character of the surrounding landscape. Whilst the design, layout and landscaping of the development proposal are reserved at this stage, officers are satisfied that that and appropriate design, layout and landscaping would allow adequate mitigation in landscape impact terms which would also provide mitigation in terms of the impact on the heritage assets. 'Great weight' in terms of the conservation of the designated heritage asset must be factored in to the consideration of this outline planning application. Officers are satisfied that the identified impact and harm to the heritage assets can be mitigated with careful design, layout, and landscaping (which would be assessed in detail at the reserved matters stage). Accordingly *neutral* weight 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



## **Development Control Committee Schedule 09/04/2024**

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.

12.4 The application was submitted prior to recent legislation requiring measures for mandatory 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.

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. Accordingly, in the event that it is resolved to grant permission, the officer recommendation reflects this requirement (as set out in section 18 of this report).



## Development Control Committee Schedule 09/04/2024

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 *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 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.

12.9 *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 and specifically under the Building Regulations. Officers are satisfied that efficient and appropriate design is entirely possible. *Neutral* weight is attributed to this factor.

12.10 *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. The Stroud District Water Resources Engineer concurs with this view and suggests that a condition that secures a detailed drainage design. A planning condition can be imposed to require a detailed design to be provided at the reserved matters stage.

12.11 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.

12.12 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



## Development Control Committee Schedule 09/04/2024

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.

13.2 The Highway Authority has considered additional comprehensive information submitted by the applicant in respect of the access to the site and its highway impact. This includes detailed 'Road Safety Audit information, trip rates and pedestrian movement information. The Highway Authority notes that there is an existing Public Right of Way off site but adjacent to the Northern Boundary of the site. The development proposal would not necessarily require any works or permanent diversion to it. However, in the event that any work is required in that context this is appropriately a matter for consideration under highway legislation and as part of any reserved matters application that follows. The highway authority has confirmed that the development is acceptable and can be made safe and accessible through the imposition of specific planning conditions and financial obligations. These are set out below;

13.3 *Requested Conditions* - Conditions are requested to secure appropriate visibility splays; specific works within the highway (School Lane); secure the provision of onsite parking (including cycle parking)/turning/loading facilities. It is also requested that a 'Construction Management Plan' or 'Construction Method Statement' is provided.

13.4 Officers are satisfied that the requested measures are appropriate for the subject of planning conditions and meet the 'tests' for applying such conditions. However, these are matters of detail and should come forward with the reserved matters application in due course. Accordingly, it is appropriate, in the event that this reserved matters application is approved, to attach conditions securing the relevant detail for consideration at that stage. It is noted that the Highway Authority have requested that some detail is provided prior to the commencement of works on the site. However, it is appropriate to set the trigger so that dwellings are not permitted to be occupied until the details have been provided and agreed in writing by the LPA. The recommended conditions are set out later in this report having regards to this position.

13.5 *Travel Plan* - The application is supported by a Residential Travel Plan. The document has been revised following direct discussion with the Highway Authority and now provides a focussed action plan and targets that would promote sustainable travel behaviour. The Highway Authority advises that the Travel Plan is acceptable. Accordingly, officers consider that any approval of this outline planning application should include a planning condition so as to ensure that the Travel Plan is implemented as part of the development.

13.6 *Requested Obligations (Highway Matters)* - The Highway Authority have made requests for financial contributions as follows;

13.6 *Bus Stop Infrastructure* - the Highway Authority has requested £16000 per bus stop shelters to serve the route on School Lane. The applicant has indicated that it will meet this obligation. However, it is necessary to consider the request in the context of the planning tests for securing such a contribution.

13.7 The number of shelters has not been specified, but mapping suggests that two stops are located on School Lane between the site and the A38 (to the South) note that there are existing bus stops located to the South of the application site along School Lane (between the site and the A38). Limited services are provided along this route. It is understood that bus number 346





## Development Control Committee Schedule 09/04/2024

follows this route and would potentially connect to services from the A38 to the wider area. This service runs twice daily during weekdays only. It is noted that in the event that this application is approved, planning conditions would be used to secure improved pedestrian access along the School Lane towards the A38. The walking distance from the application site to the existing bus stops on A38 is approximately 10 minutes. This is at the upper limit of acceptable walking times. Access to the South bound stop is provided by a PeLICAN crossing.

13.8 It is acknowledged that the provision of bus shelters could act to encourage the use of a bus service along School Lane and this could have the effect of increasing demand. However, at this stage the service is limited and the wider selection of services available from the A38 accessible on foot. The physical provision of bus stop shelters is not essential to the designation of the bus route itself. However, such provision is appropriately funded by the Community Infrastructure Levy (CIL). In the event that there is increased demand that would justify the provision of bus stop shelters this would be the appropriate route for funding. Officers are not satisfied that, given the above, the provision of new bus stop shelters would not meet the tests for securing this obligation.

13.9 *School Transport Services* - the Highway Authority has requested a total of £32,600 towards transport for school based upon 8 students over a period of 5 years (£815 per student per year). This would directly mitigate and is proportionate to the impact of transport to school for projected children of secondary school age as a result of the development. It is also a 'revenue' cost that cannot be secured under CIL. Accordingly, officers are satisfied that this obligation would meet the 'tests' for securing the financial contribution as set out in the National Planning Policy Framework and is appropriately secured under a s106 legal agreement. The applicant has agreed to meet this obligation.

### **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 PLANNING OBLIGATIONS (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 - £314,154.23 (17.33 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* - £8,820.00 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.





## Development Control Committee Schedule 09/04/2024

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 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) through s.106. The developer has agreed to meet this obligation accordingly. *Neutral* weight is attributed to this factor.

### **16 OTHER PLANNING OBLIGATIONS (Affordable Housing, Highway Impact and Ecology)**

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 Section 13 of this report sets out the requested financial contributions in respect of Highway Impact and Access. For the reasons set out in paragraphs 13.6 to 13.8, officers do not consider that the request for the financial contributions towards the provision of bus stop shelters would not meet the tests set out in Regulation 122 of the CIL regulations (as amended in 2019). The tests are set out in paragraph 15.6 of this report.

16.3 In respect of financial contributions towards transport to school (in this instance of Secondary School age) officers are satisfied that this would meet the tests set out in regulation 122. The assessment of this factor is provided at paragraph 13.9 of this report. The applicant has agreed to meet this obligation and this can be secured through an appropriate legal agreement.

16.4 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. Officer are satisfied that this obligation meets the tests set out in Regulation 122 of the CIL regulations.



## 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 and proportionate contribution to the strategic supply of housing for the district of Stroud. This amounts to a public benefit and one that would support the delivery of housing identified (through draft allocations) in the emerging development plan.

17.2 The potential factors that weigh against the proposed development can, through detailed considerations at the reserved matters stage be mitigated and neutralised. Whilst it is considered that there would be harm to the setting and significance of designated and non-designated heritage assets, officers are satisfied that this impact can be mitigated. There is an identifiable public benefit in respect of the delivery of a proportionate housing development contributing to projected housing need. This benefit (when considered in combination with the potential mitigation) would outweigh the identified harm to the heritage assets.

17.3 There are no identified factors that would otherwise outweigh this position. On this basis officers consider that the planning application should be approved subject to appropriate conditions, developer commitments and planning obligations.

### **18 RECOMMENDATION**

18.1 That Members resolve to **GRANT** Planning Permission subject to the planning conditions as set out in this report, and

- a) the applicant first voluntarily entering into appropriate legal agreements to secure the following Heads of Terms;
  - i) Affordable Housing -
    - a) 30% Affordable Units (with any residual part unit contribution as a financial sum)
    - b) This quantum to be secured as minimum 50% Rented and maximum of 50% Shared Ownership tenure type
  - ii) Library Services
    - a) Financial contribution (commuted sum) of £8,820.00
  - iii) Transport to School
    - a) Financial contribution (commuted sum) of £32,600.
    - b) the applicant first demonstrating that the appropriate District Level Licencing Scheme (for Great Crested Newt Mitigation) has been entered into (through Nature Space) and delegated authority for officers to attach any relevant conditions of that license to the decision notice.

18.2 Authority is delegated to officers to prepare and seal the legal agreements referred to above and issue the decision to approve the planning application subject to identified conditions.

18.3 In the event that the a) or b) above is not secured within six months from the date of this planning committee, authority is delegated to officers to refuse to grant planning permission on that basis.



## Development Control Committee Schedule 09/04/2024

<b>Subject to the following conditions:</b>	<ol style="list-style-type: none"><li data-bbox="379 271 1495 593">1. <u>Reserved Matters (1)</u> <p>Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.</p><p>Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.</p></li><li data-bbox="379 604 1495 1019">2. <u>Reserved Matters (2)</u> <p>Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters" shall be obtained from the Local Planning Authority in writing before any development is commenced.</p><p>Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.</p></li><li data-bbox="379 1030 1495 1377">3. <u>Reserved Matters (3)</u> <p>The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.</p><p>Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.</p></li><li data-bbox="379 1388 1495 1780">4. <u>Plans List</u> <p>The reserved matters application shall be strictly in accordance with the following drawing;</p><p>P3.3.1 Revision E as received by the Local Planning Authority on 23rd February 2022</p><p>Reason: For the avoidance of doubt</p></li><li data-bbox="379 1792 1495 2036">5. <u>Housing Mix</u> <p>The reserved matters application shall include a schedule of the mix of type and size of market dwellings proposed within the development that aligns with and reflects the relevant figures and requirements of the most up to date Strategic Housing Market Assessment for the area at the time of the submission.</p></li></ol>
---	---



## Development Control Committee Schedule 09/04/2024

Reason: To ensure that the housing mix of the proposed scheme has taken into account the identified District's housing needs in accordance with Policies CP7 and CP8 of the Stroud District Local Plan, adopted 2015.

### 6. Environment 1 (Landscape Scheme)

The reserved matters application shall include a comprehensive and fully specified landscaping and maintenance scheme for consideration by the Local Planning Authority. For the avoidance of doubt this shall include a high quality strategic landscape buffer in the Southwestern area of the site. The agreed landscaping shall be provided no later than the first planting season following the first occupation of the development hereby approved. Thereafter the development shall be retained as such. Any plants that die, become diseased or are otherwise removed for any other reason (either accidentally or deliberately) within the first 5 years of the first implementation of the planting shall be replaced on a like for like basis within the next available planting season.

Reason: In the interest of landscape and visual amenity and to ensure that the agreed landscaping is adequately maintained and to accord with policy ES7, ES8 and CP14 of the Stroud District Local Plan (adopted) November 2015.

### 7. Environment 2 (Building Height Limits and FFL)

The reserved matters application shall include full details demonstrating the finished ground floor levels of each dwelling. For the avoidance of doubt, no building within the development shall exceed 8 metres above the finished ground floor level.

Reason: In order to preserve the character and setting of the surrounding landscape and nearby designated and non-designated heritage assets and to accord with policy ES7, ES8, ES10, ES11 and CP14 of the Stroud District Local Plan (adopted) November 2015.

### 8. Environment 3 (Drainage Details)

The reserved matters application shall include details of the design and construction of surface water drainage measures for consideration by the Local Planning Authority. The development shall be implemented strictly in accordance with agreed details and thereafter retained as such.

Reason: To ensure that the development is provided with a satisfactory means of sustainable surface water drainage and to mitigate the risk of flooding and pollution in accordance with Policies ES3 and ES4 of the adopted Stroud District Local Plan, November 2015.

### 9. Environment 4 Ecology (Beechwoods SAC)



## Development Control Committee Schedule 09/04/2024

Prior to first occupation of the development a Cotswolds Beechwood's Special Area of Conservation Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include the following details:

A homeowner information pack (HIPs) that includes information on recreational opportunities in the local area and describes sensitivities of locally designated sites such as Cotswold Beechwood's Special Area of Conservation.

Reason: In order to ensure that the development does not significantly affect the Cotswold Beechwood's Special Area of Conservation and to comply with Policy ES6 of the Stroud District Local Plan (Adopted) November 2015; and, in order to allow Stroud District Council as the competent authority to discharge its Statutory duty in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).

### 10. Environment 5 (Ecological Design Strategy)

The reserved matters application shall include an ecological design strategy (EDS) for consideration by, the local planning authority.

For the avoidance of doubt, the EDS shall include (but not necessarily limited to) the following information;

- 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 and location of bird/bat boxes.
- F. Details of enhanced reptile refugia and hedgehog friendly fencing
- G. Details of initial aftercare and long-term maintenance and persons responsible for the maintenance.

The development shall be implemented in accordance with the approved details and thereafter retained as such.

Reason: In order to protect and enhance the site for biodiversity in accordance with Policy ES6 of the Stroud District Local Plan 2015. This is a pre-commencement condition to prevent unnecessary remediation or abortive works.



## Development Control Committee Schedule 09/04/2024

### 11. Environment 6 (Landscape Ecological Management Plan)

The reserved matters application shall include a Landscape and Ecological Management Plan (LEMP) for consideration by the Local Planning Authority. For the avoidance of doubt 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. e) Preparation of work schedule (including an annual work plan capable of being rolled forward over a 20-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 regime 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.

The development shall be implemented in accordance with the approved details and thereafter retained as such.

Reason: In order to protect and enhance the site for biodiversity in accordance with Policy ES6 and ES7 of the Stroud District Local Plan 2015.

### 12. Highway 1 (Turning and Parking)

The reserved matters application shall include details of the measures for turning, and vehicle parking (including a minimum of two bicycles per dwelling) within the development/curtilages of residential dwellings for consideration by the Local Planning Authority. The development shall be implemented strictly in accordance with the agreed details and thereafter retained as such.

Reason: In the interest of highway safety and amenity and to accord with Policy ES3 of the Stroud District Local Plan (Adopted) November 2015.

### 13. Highway 2 (Pedestrian Improvements School Lane)





## Development Control Committee Schedule 09/04/2024

The reserved matters application shall include details of the pedestrian improvements to School Lane (between the site access and the A38) for consideration by the Local Planning Authority. For the avoidance of doubt the details shall include the following;

- i. Tactile paving at the School Lane/Rickyard Way junction
- ii. Dropped kerbs and tactile paving at the School Lane/The Close junction
- iii. Dropped kerbs and tactile paving on School Lane arm at A38 crossroads

The agreed improvements shall be provided prior to the first occupation of the 15th dwelling constructed on the site and thereafter shall be retained as such.

Reason: In the interest of highway safety and amenity and to accord with Policy ES3 of the Stroud District Local Plan (Adopted) November 2015.

#### 14. Highway 3 - (Access/Visibility Splays)

The reserved matters application shall include details of the access of the site onto School Lane for assessment by the Local Planning Authority. For the avoidance of doubt the submission shall demonstrate that the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 62m to the north and 43m to the south (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.6m and 2.0m at the Y point above the adjacent carriageway level. The access shall broadly comply with drawing number H666-04 Rev D (as received by the LPA on 29th January 2024)

Reason: In the interest of highway safety and amenity and to accord with Policy ES3 of the Stroud District Local Plan (Adopted) November 2015.

#### 15. Highway 4 - (Travel Plan)

The development hereby permitted shall be implemented and monitored in accordance with the Residential Travel Plan (H666-DOC06TP Issue 2) as received by the Local Planning Authority on 29th January 2024.

Reason: In the interest of highway safety and amenity and to accord with Policy ES3 of the Stroud District Local Plan (Adopted) November 2015.





## Development Control Committee Schedule 09/04/2024

### 16. Highway 5 (Construction Management Plan)

The reserved matters application shall include a Construction Environmental Management Plan (CEMP) of consideration by the Local Planning Authority. For the avoidance of doubt the CEMP shall include the following measures;

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

The development shall proceed in accordance with the agreed details.

Reason: In the interest of highway safety and amenity and residential amenity and to accord with Policy ES3 of the Stroud District Local Plan (Adopted) November 2015.

Informatives:

1. ARTICLE 35 (2) STATEMENT - The application has been submitted without pre-application discussion. The Local Planning Authority engaged with the applicant to agree obligations to ensure an acceptable decision.



## 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 OPPOSE the application for the following reasons.

The proposed development would be outside of the existing defined settlement boundary for the Parish of Whitminster and is not identified for development within the current Local Plan. Whilst the ongoing Local Plan review proposes development within the Parish and a resultant adjustment to the settlement boundary this is still under review and subject to consideration by the appointed Inspector. As things stand, development of a site such as this should only be considered in exceptional circumstances and those circumstances do not currently apply. Further, is it not proposed that the site should be used as a Rural Needs Exception site.

Council may consider supporting development on this land in the future if it is included in the Local Plan that is currently under review. This would facilitate consideration of its impact alongside other proposed sites within the village and the wider locality. In fact, Council has proposed the site for inclusion in the revised plan but for a smaller number of houses that it feels could be absorbed by the community without undue pressure on local amenities. As things stand the proposed number of units is too high and would adversely impact on the community and highways safety without a more comprehensive approach being adopted.

Council would wish for this application to be refused but will look forward to discussing the site in more detail in due course at the conclusion of the Local Plan process if it is included for development in that way.

Finally, Council would wish to add that it has not been approached by the developer for any meaningful pre application dialogue.

##### **A.1. – Cllr John Jones (District Cllr for Severn Ward)**

Makes the following comment;

This application is premature, although the parcel of land is referenced to be included for development in the Draft Local Plan; this Plan is still several months away from being adopted, therefore, the application should not be considered until adoption of the Local Plan has been completed.

Under present Local Plan policies, the site is outside of the Village Development Boundary, so should be turned down for that reason, as have other applications of this nature during the life of the current Local Plan.

The parcel of land is identified in the Draft Local Plan as suitable for 40 dwellings, 10 more than recommended by Whitminster Parish Council. This application, although in Outline, is for up to 45 dwellings, therefore constitutes overdevelopment.

The applicant has stated that a public consultation was carried out. This was done by leaflet-drop via Royal Mail, not by an in-person consultation, perhaps due to Covid-19 restrictions; however, an in person consultation would probably achieve better results than leaflet-drop. The leaflet drop



## Development Control Committee Schedule 09/04/2024

consultation resulted in a less than 5% response, hardly indicative of a reliable residents' response. Certainly, there was no pre-application consultation with Whitminster Parish Council, contrary to Stroud District Council's Statement of Community Involvement.

I request that this application is referred to Stroud District Council's Development Control Committee, rather than be determined under Delegation. I would also expect it to be deferred until the Draft Local Plan has been adopted.

### **A.2 - Stroud District Council Technical Officers**

#### **A.2.1 – Affordable Housing Officer**

The Affordable Housing Statement proposes 30% affordable housing in line with policy, which is welcomed.

The affordable housing should comprise a tenure mix of 50% rent and 50% intermediate, in line with policy, and the affordable housing should be seamlessly integrated with the market housing in order to create a mixed and sustainable community. To this end, the mix of affordable housing should also broadly reflect the mix of market housing on the site.

The submitted draft Heads of Terms proposes some terminology which is unacceptable as it would introduce a significant risk of non-delivery of affordable housing. 'Reasonable endeavours' are not acceptable in this context.

#### **A.2.2 - Bio-Diversity Officer**

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.



## Development Control Committee Schedule 09/04/2024

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.

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 west 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.



## **Development Control Committee Schedule 09/04/2024**

### **A.2.6 – Stroud Water Resources Engineer**

The submitted outline designs and calculations show a clearly well thought and considered approach to flood risk. The development will provide a measure of betterment for the local surface water system as it will not discharge beyond Qbar. The online nature of the SuDS will also provide a cleansing process to the water before it is discharged. I therefore recommend the following condition for detailed design:

Detail design Condition: No development shall commence on site until a detailed design, maintenance & management strategy and timetable of implementation for the foul and surface water drainage strategy (e.g. Sustainable Drainage System SuDS) presented in the Flood Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The detail must demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development. The scheme for the foul and surface water drainage shall be carried out in accordance with the approved details before the development is first put in to use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

### **A.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 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 has no objection subject to conditions and financial obligations.

The justification for this decision is provided below.

I refer to the above planning application for a residential development of up to 45 dwellings with associated infrastructure and a new vehicular access off School Lane in Whitminster.

A previous deferral response was presented to Stroud District Council in May 2022 outlining a number of issues that needed addressing. These were mainly with regards to details around the site access picked up through the Stage 1 Road Safety Audit (RSA), details within the Travel Plan and pedestrian improvements suggested along School Lane.

A further response was provided by the Highway Authority on 10th January 2024 following a review of the status of the application, which again outlined the issues to be addressed above as well as clarifications on the proposed trip rates and any impact upon the Public Right of Way to the north of the site.

Consultation has been undertaken with the applicant on the areas above, and our revised comments are below.



## Development Control Committee Schedule 09/04/2024

### Site Access Plan

Based on a further review of the site access and recommendations suggested in the RSA Stage 1, the applicant was requested to provide;

- i) A 'Side Road Ahead' sign on the southbound approach along School Lane to the proposed access;
- ii) A dropped kerb on the footpath exiting the site heading northbound;
- iii) It was also suggested that the proposed street lighting column to the north of the site access is located outside of the site access visibility splay.

### Trip Rates/Transport Assessment

It was suggested that for completeness and to understand the robustness of the impact assessment provided, a comparison between the trip rates adopted within the Transport Assessment and those adopted within the emerging Stroud Local Plan analysis for the Stonehouse Cluster should be undertaken.

The applicant has provided a comparison, which highlights very little difference in the expected trip generation for the proposed site, and therefore the analysis contained within the Transport Assessment is accepted.

### Travel Plan

Items of additional were requested to be added to the residential travel plan including more focused action plan targets.

This additional information has been reviewed with a revised Travel Plan document is the Highway Authority is satisfied with the content.

The level of dwellings proposed falls below the threshold for contributions towards a Travel Plan bond deposit and monitoring fee and therefore these are not sought in this application.

### School Lane pedestrian improvements

The Travel Plan indicated a number of pedestrian improvements to be delivered along School Lane which included;

Tactile paving at the School Lane/Rickyard Way junction

Dropped kerbs and tactile paving at the School Lane/The Close junction

Dropped kerbs and tactile paving on School Lane arm at A38 crossroads

These will be secured via a Grampian condition to be delivered prior to occupation of the development.

### Impact upon Public Right of Way (PROW)

Whitminster Footpath 21 routes to the north of the development site outside of the red line boundary along the agricultural track and exits onto School Lane.





## Development Control Committee Schedule 09/04/2024

It is assumed that although the agricultural access is to be stopped up and re-routed through the development, this will not affect the current alignment of this footpath and this will still exit onto School Lane at the existing location. This has been confirmed by the applicant.

If this is not the case however, and when dealing with reserved matters this is required to be diverted in any way, this would need confirmation and approval by the GCC PROW team and would require a separate process and order before this occurs. It should be noted that it would be unacceptable to divert this along a new footpath as per guidance.

### Recommendation

Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

### Conditions

- i) The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 62m to the north and 43m to the south (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.6m and 2.0m at the Y point above the adjacent carriageway level.

Reason:- To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 114 and 116 of the National Planning Policy Framework.

- ii) No works shall commence on site on the development hereby permitted until details of the pedestrian improvements along School Lane including;
  - a) Tactile paving at the School Lane/Rickyard Way junction
  - b) Dropped kerbs and tactile paving at the School Lane/The Close junction
  - c) Dropped kerbs and tactile paving on School Lane arm at A38 crossroads

have been submitted to and approved in writing by the Local Planning Authority and no dwellings shall be occupied until the approved works have been completed and are open to the public.

Reason: - To ensure that appropriate opportunities to promote sustainable transport modes can be taken up in accordance with paragraph 114 of the National Planning Policy Framework





## Development Control Committee Schedule 09/04/2024

- iii) Details of the layout and parking/turning/loading within the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 114 and 116 of the National Planning Policy Framework.

- iv) The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of two bicycles per dwelling has been made available in accordance with details to be submitted to and approved in writing by the LPA.

Reason: - To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 114 of the National Planning Policy Framework.

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

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

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



## Development Control Committee Schedule 09/04/2024

### Informatives

- a) Works on the Public Highway - The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk) allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

Drafting the Agreement  
A Monitoring Fee  
Approving the highway details  
Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

- b) Traffic Regulation Order (TRO) - You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving advertisement and consultation of the proposals.

You should expect a minimum of six months to elapse between the Highway Authority's TRO team confirming that it has all information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk)

The costs of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

Public Rights of Way (PROW) - There are public rights of way running through the site, the applicant will be required to contact the PROW team to arrange for an official diversion, if the applicant cannot guarantee the safety of the path users during the construction phase then they must apply to the PROW department on 08000-514514 or [gcchighway@amey.co.uk](mailto:gcchighway@amey.co.uk) to arrange a temporary closure of the right of way for the duration of any works.



## Development Control Committee Schedule 09/04/2024

### Planning Obligations

- i) **Bus Stop Infrastructure**  
Access to public transport is provided by a bus service with bus stops being located to the south of the site on School Lane. Bus stops should be enhanced to provide shelters as required to encourage use of sustainable forms of transport as an alternative to the private motor car. A contribution of £16 000 per shelter to comply with GCC Bus Stop Specifications and Infrastructure Advice for Development Control will be required and should be secured by a S106 agreement.
- ii) **School transport services**  
The proposed development of 45 dwellings will generate the need for transport services for an additional 8 students. A bus currently runs from Frampton to Severn Vale, however, depending on when the new students come through and the capacity of the vehicle it is likely that a larger vehicle will be required. The school transport costs would therefore be £815 per year for 8 students for 5 years = £32,600 which should be secured by a S106 agreement.

### A.3.2 – Public Right of Way Officer

No objection has been made. The advise is as follows;

- i) No change to the surface of the public right of way can be approved without consultation with the County Council and there must be no interference with the public right of way, either during development or once it has been completed, unless:-
  - a) The development will temporarily affect the public right of way; then the developer must apply and pay for a temporary closure of the route to us in Public Rights of Way (preferably providing a suitable alternative route); if any utilities are going to cross or run along a PROW then a section 50 license needs be sought and granted - via GCC Streetworks department.
  - b) If the development will permanently affect the public right of way, then the developer must apply for a diversion of the route by the Planning Authority under the Town and Country Planning Act 1990 as part of the planning application process. No development should take place affecting the route of the path prior to the confirmation of a TCPA path diversion order.
- ii) Additionally: -
  - a) There must be no encroachment on the width of the public right of way.
  - b) No building materials may be stored on the public right of way.
  - c) Vehicle movements during construction should not unreasonably interfere with the use of the public right of way by walkers, etc., and the developer or applicant is responsible for safeguarding the public use of the way at all times.



## Development Control Committee Schedule 09/04/2024

- d) No additional temporary or permanent barriers (e.g. gates, stiles, wildlife fencing) may be placed across the public right of way and no additional gradients or structures (e.g. steps or bridges) are to be introduced on any existing or proposed public rights of way without the consent of the county council.

It is important to note the Definitive Map is a minimum record of public rights of way and does not preclude the possibility that public rights exist which have not been recorded or that higher rights exist on routes shown as public footpaths and bridleways.

### 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. Due to the presence of archaeological remains at the site, I recommend that a programme of archaeological investigation (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 205 of the National Planning Policy Framework

### A.3.4 - Lead Local Flood Authority (LLFA)

The Flood Risk Assessment submitted with this application includes a surface water drainage strategy that will ensure the properties within the development are safe from flooding and that properties outside the development will not be at increased flood risk, the LLFA therefore have no objection to this application.

Detail included within the FRA is suitable that there would be no benefit in applying drainage conditions to any consent granted against this proposal.

### A.3.5 – Community Infrastructure Team

Makes the following request (summary)

#### *Education Contribution (School Places)*

- i) Primary School Places – £314,154.23 (17.33 places) at Whitminster CofE Primary and/or the Frampton Saul Primary Planning Area and/or the Stonehouse Primary Planning Area.



## Development Control Committee Schedule 09/04/2024

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*

£8,820 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:

- 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,



## Development Control Committee Schedule 09/04/2024

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](mailto: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](mailto: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.22/0423/OUT.

### Statement of Reasons

The application by Robert Hitchins Ltd seeks outline planning permission for the construction of No. 45 dwellings (Class C3). The access is proposed from School Lane (local road network).





## Development Control Committee Schedule 09/04/2024

The application site is identified as an emerging allocation for the development of 40 dwellings (PS46) in the Stroud District Local Plan Review. We note that the planning application proposes 45 dwellings (an additional five dwellings compared with the site allocation). We are also aware that a separate application has been submitted on the same site which also additionally includes the parcel of land directly to the north of the site for a development comprising up to 100 dwellings (reference: S.21/0236/OUT).

A Transport Statement (dated November 2021) and Planning Statement (dated February 2022) have 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.

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.

### Trip Generation and Distribution

The proposed residential development is for 45 dwellings. The site is allocated for 40 dwellings. We do not consider that in this instance the additional five dwellings proposed would have a significant impact on the SRN.

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 24 AM peak hour trips and 23 PM peak hour trips associated with the proposals. In terms of SRN impact, the TA indicates that 10 AM peak hour trip and 9 PM peak hour trips 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.

The number of forecast trips is considered to be low during peak hours, and the disbursement of vehicles between the site and the M5 J13 would lead to the development to not have a material impact on the SRN.

### Recommendation

National Highways has no objections to the application reference S.22/0423/FUL

### 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 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.





## Development Control Committee Schedule 09/04/2024

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.5 - Public

A.5.1 - There have been 10 responses received from the local community. 9 comments raise objection to the proposed development and 1 is made in support. The issues raised are summarised below;

#### Strategic Issues

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

#### 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.

#### Design, and Local Character issues

The site forms a natural break between the village and isolated buildings on School Lane.  
Loss of rural character.  
Loss of log distance views from the existing public right of way.  
Major encroachment into the countryside.  
Overdevelopment.

#### Residential Amenity

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

#### Drainage

The area is prone to flooding.



## **Development Control Committee Schedule 09/04/2024**

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.