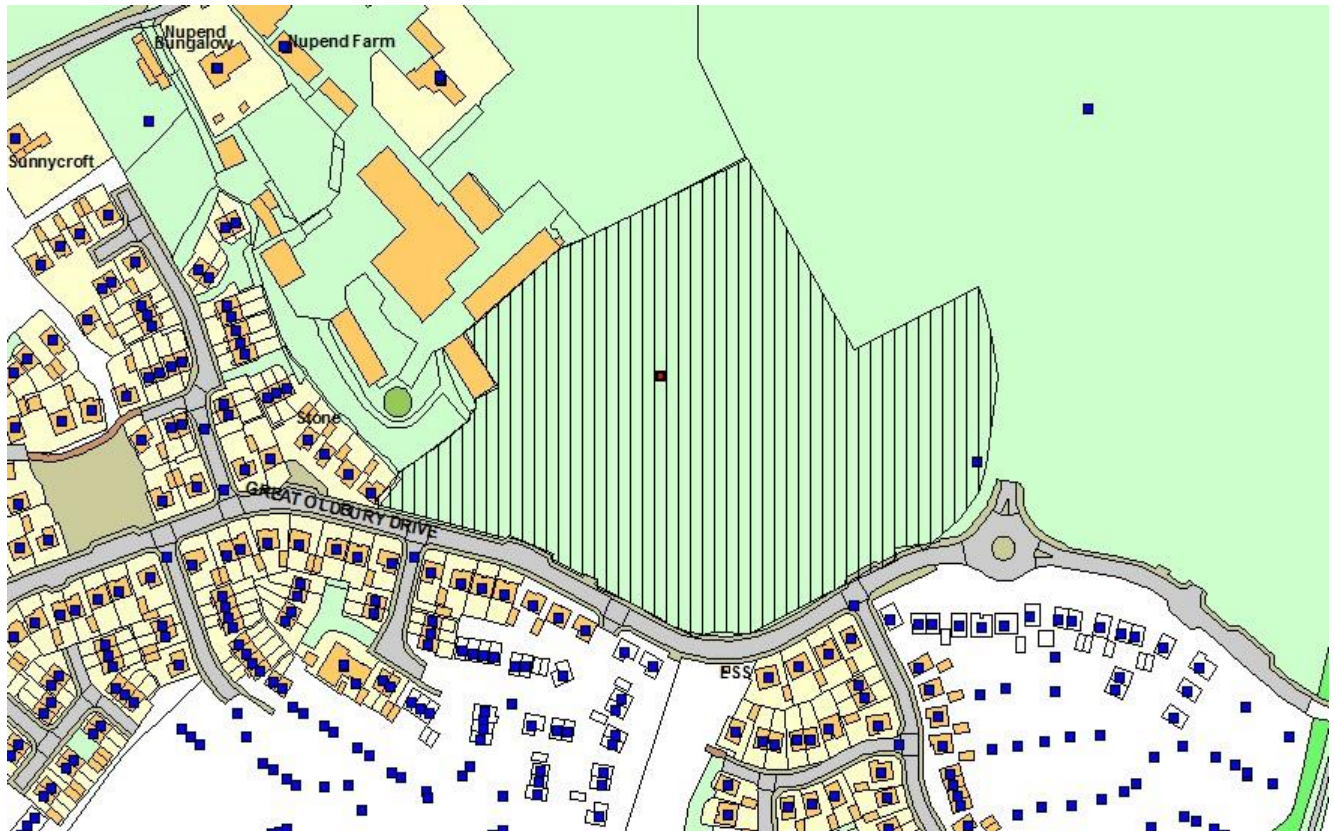




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Item No:	1
Application No.	S.21/1050/REM
Site Address	Site for Sports Pitches North of Parcels H10 and H11, Great Oldbury Drive, Great Oldbury, Gloucestershire
Town/Parish	Eastington Parish Council
Grid Reference	379024,206579
Application Type	Reserved Matters Application
Proposal	Engineering works to facilitate the creation of phase 1 sports pitches and associated landscaping (approval of reserved matters under Outline permission S.14/0810/OUT)
Recommendation	Approval
Call in Request	As previously agreed by DCC





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Applicant's Details	Mr E Argent Robert Hitchins Limited, The Manor, Boddington, Cheltenham, GL51 0TJ
Agent's Details	None
Case Officer	Simon Penketh
Application Validated	10.05.2021
CONSULTEES	
Comments Received	Biodiversity Officer SDC Water Resources Engineer Environmental Health (E) Contaminated Land Officer (E) Archaeology Dept (E) Development Coordination (E) Flood Resilience Land Drainage Sport England Eastington Parish Council Mr M Taylor - South Cotswold Group Arboricultural Officer (E)
Constraints	Neighbourhood Plan Eastington Parish Council Affecting a Public Right of Way Affecting a Public Right of Way SAC SPA 7700m buffer
OFFICER'S REPORT	

1. **MAIN ISSUES**

- Principle of development
- Design and appearance
- Residential Amenity
- Parking
- Landscaping
- Green Infrastructure
Drainage

2. **DESCRIPTION OF THE SITE**

2.1. The site is made up of part of the land parcels reserved for formal recreation and provision of children's play areas. The site is located immediately to the North of housing land parcel H11. The site is part of Outline Planning Permission S.14/0810/OUT which includes consent for up to 1350 dwellings, 9.3 hectares of employment land and a mixed use local centre and new primary school.

2.2. The development approved under the outline planning permission is well underway with a number of residential parcels and community infrastructure consented, nearing



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completion or complete and occupied. Significant infrastructure is already in place including water management, primary routes, public transport facilities, cycle and walking routes and open space facilities.

3. **PROPOSAL**

3.1. Approval of reserved matters layout, scale, appearance and landscaping under outline permission S.14/0810/OUT - relating specifically to land the provision of formal sports pitches. The development consists of the provision of 3 grass pitches (the first measuring approximately 60 metres by 100 metres and the remaining two pitches measuring 40 metres by 70 metres respectively), and associated landscaping. It should be noted that this stage of the proposal does not include buildings, parking or access and the application affects approximately half of the sports pitch allocation area. It is anticipated that a further application for the remaining 'sports pitches' will be submitted in due course.

4. **REVISED DETAILS**

4.1. Revised boundary treatments to address ecological constraints and potential for activities to result in footballs entering the public highway. Improvement to tree planting, introduction of Hornbeam Tree species and Beach Tree copse.

4.2. Access to PROW network addressed and slight realignment of pitches to allow sufficient room for the bridleway routing.

5. **MATERIALS**

5.1. Timber fencing and landscaping to site perimeter. Grass football/sports pitches.

6. **REPRESENTATIONS**

6.1. **Parish/Town Councils:**

6.1.1. **Eastington Parish Council**

6.1.1.1. Support the provision of the facilities at Great Oldbury but concern is raised about the layout and landscaping due to the following matters;

6.1.1.2. Highway safety - balls leaving the pitches by air or rolling down the sloping site, given the distance of around twelve metres from pitch edge to highway in some cases. This is exacerbated by the slope of the smaller pitch being 1:35 and rising to 1:15 at the carriageway edge. This is considered to cause danger on Great Oldbury Drive. There is no evidence submitted that the impacts of the layout are mitigated by ball stop fencing or the landscaping proposed. Mitigation is required to stop players running into the thoroughfare to collect stray balls.

6.1.1.3. Highway safety - parking is not provided so vehicles are likely be parked along the road during use by clubs etc.

6.1.1.4. Opportunity is missed to see the avenue of trees continue all along Great Oldbury Drive which will in turn obscure future ball stop netting and be a ball defence itself in due course. Desire also to see hedge planting between the trees to catch balls rolling off the slope.



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- 6.1.1.5. The footpath at the south of the site should be adopted as PROW given that it replaces EEA24 and links to the promoted walking routes. As such this should be surfaced in hoggins rather than tarmac. Further increased tree and hedge planting will improve the rural feel of the diverted PROW EEA24 in accordance with EP9.
- 6.1.1.6. Footpath EEA24 remains blocked at present but as the houses around James Sleeman Close are now complete this temporary closure should be reopened soon by removal of fencing within the footpath.

6.2. External Agencies

6.2.1. Sport England

- 6.2.1.1. With regard to the submitted reserved matters, Sport England would like to make the following representations: While the proposals seem in line with standard playing pitch drainage, there is no justification for it. The proposed drainage could be unnecessary, or not adequate. We would suggest an agronomist carries out a site survey and then evaluates on the drainage scheme to see if it is correct or not for the proposed use and the existing ground conditions.
- 6.2.1.2. Recommendation: Sport England wishes to object to the details submitted, for the reasons stated above.
- 6.2.1.3. Notwithstanding the above, officers have discussed the application with Sport England representatives who have confirmed that the objection does not require referral to the Secretary of State under the terms of The Town and Country Planning (Consultation) (England) Direction 2021.

6.3. Stroud District Council Technical Officers

6.3.1. Bio-Diversity Officer

- 6.3.1.1. *Initial Comment* - The agreed outline master plan shows hedgerow planting along the Eastern boundary of the sport pitches dividing the pitches from the adjacent LEAP, however the submitted Reserved Matters plan does not show this hedge planting.
- 6.3.1.2. In order to maintain ecological connectivity within the site, SDC would recommend that the originally agreed Green Infrastructure be included in the REM plans for this phase of development, ideally the hedgerow should consist of a mixed species native hedgerow.
- 6.3.1.3. If the above revisions cannot be made Refusal should be recommended for the following reasons;

The application does not demonstrate ecological connectivity in accordance with Local Plan ES6 and the revised NPPF. Developments should seek to enhance biodiversity by improving ecological connectivity within development sites and be designed to allow species to move unhindered throughout urban and rural landscapes.

- 6.3.1.4 **Revised Comment** - The revised landscape plan has been amended to the suggested specification and as such the scheme is considered to be acceptable; subject to the following condition;



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A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of the development. The content of the LEMP shall include the following:

- a) *Description and evaluation of the features to be managed.*
- b) *Aims and objectives of management.*
- c) *Appropriate management options for achieving aims and objectives.*
- d) *Prescription for management actions.*
- e) *Preparation of work schedule (including an annual work plan capable of being rolled forward over a 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 body(ies) responsible for its delivery. The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: To protect and enhance the site for biodiversity in accordance with paragraph 180 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

6.3.1 Arboricultural Officer

- 6.3.2.1 The proposed species *Pyrus calleryana* (Pear) *Prunus Avium* (Wild cherry) *Acer campestre* (Field Maple) will do little to enhance the immediate landscape or improve biodiversity. There is an opportunity to create an oak avenue adjacent to the footpath (*Quercus robur*). The proposed planting in the western corner needs to be changed to *Fagus sylvatica*. The beech trees will create a small copse at the end of the avenue.

6.3.2 Water Resources Engineer

- 6.3.2.1 Confirms that the pitches have the appropriate drainage. Furthermore, the scheme is part of a much larger drainage system for the entire development, the details for which were agreed under those earlier proposals.

6.3.3 Contaminated Land Officer

- 6.3.3.1 Wishes to offer 'no comment'.

6.3.4 Environmental Health Officer

- 6.3.4.1 Works should be undertaken within our standard construction hours and with due regard to the potential for dust generation.



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6.4 Gloucestershire County Council Technical Officers

6.4.1 Highway Authority

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

6.4.1.2 The justification for this decision is provided below.

6.4.1.3 The application is seeking approval of Landscaping and Layout as Reserved Matters. A Location Plan has been submitted which shows a red line site boundary which is in compliance with the approved Indicative Masterplan.

6.4.1.4 The layout of the three pitches is shown on the submitted Information Plan - Sports Pitches & POS drawing no STH.POS. FP.01 Rev A (referred to herein as the Proposed Layout) and also conforms to the Masterplan.

6.4.1.5 While, therefore, the highway authority does not seek at this stage to object to the proposals there are some important aspects which are considered not to be sufficiently demonstrated and more detailed information should be provided.

6.4.1.6 The Masterplan indicates that tree planting is to be carried out predominantly along the perimeter boundaries of the site and a building, presumably intended to provide changing facilities, is located within the southern part of the site.

6.4.1.7 While Landscaping is generally not a materially important matter in highway terms it is observed that the tree planting proposals shown on the submitted Proposed Layout are not in conformity. Given the proximity of the pitch in the southwest part of the site to Great Oldbury Drive, planting along that part of the site boundary to the south of the pitch would be very beneficial in segregating the pitch and its users from the road.

6.4.1.8 No details of boundary types have been given and it is unclear whether the site is intended to be fenced or enclosed. There would be a significant risk of errant balls reaching the road and this would be detrimental to the safety of players should they seek to retrieve the balls and of road users. Details of ball stop fencing to be erected along an appropriate length of the southern boundary of the site should be provided.

6.4.1.9 The pitches and their surrounding areas will require regular maintenance and probably less frequent future repair. The building located within the southern part of the site will also require maintenance. Such activities are likely to require some form of vehicle access but no access points have been included as part of the proposals. Details of the proposals for maintenance access should be provided.

6.4.1.10 The Highway Authority therefore submits a response of deferral until the required information has been provided and considered.



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6.4.1.11 **Revised Comment** - 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.

6.4.1.12 The justification for this decision is provided below.

6.4.1.13 The highway authority commented on this application in its consultation response dated 6 July 2021. At that time, it recommended that a decision on the application should be deferred pending the clarification of certain matters of detail. Additional information has now been submitted in support of the application.

6.4.1.14 It was previously noted that tree and landscape planting did not seem to have been included as indicated at Outline stage and that a lack of screening along the southern boundary of the site could result in errant sports balls reaching the road, which could lead to a safety risk to users of the playing pitches as well as to road users.

6.4.1.15 The additional information confirms that landscaping would be provided along the southern boundary of the site to adequately screen the pitch from the road. The details have been shown on a submitted drawing no STH.POS.FP.01 Rev C (Information Plan).

6.4.1.16 It was further noted that the changing rooms building, the pitches and their surrounding areas would require future maintenance which would require vehicle access to the site.

Additional information has been provided on a Temporary Access Mark Up plan, using the same drawing as referenced above.

6.4.1.17 It has been confirmed that the Phase 1 works would be accessed from the northern arm of the roundabout which is also currently used for the agricultural access. Permanent access, to be dealt with under future reserved matters, would be achieved via the second phase of the sports pitches utilising the same access arrangements as the car park for the changing rooms. It is considered that these proposed access arrangements are acceptable.

6.4.1.18 Conditions;

The proposed fencing to the southern boundary of the site shall be erected prior to the first operational use of the sports pitches.

Reason: To prevent any incursion into the adjacent road and in the interests of safety

The temporary vehicle access arrangements shall be made available prior to the first operational use of the sports pitches.

Reason: To ensure that a suitable means of access to the development would be available and in the interests of safety



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6.4.2 County Archaeologist

6.4.2.1 Archaeological evaluation has been carried on two occasions, in 2013 and 2020. The reports on both archaeological evaluations carried out in the area of the proposed sport pitches (this application) recorded no significant archaeological remains.

6.4.2.2 On the basis of the results of archaeological evaluation I recommend that no archaeological investigation is required in the area covered by this revised matters application.

6.4.3 Lead Local Flood Authority LLFA

6.4.3.1 The LLFA recommend that this information is suitable to satisfy the reserved matters for this development from the perspective of flood risk management.

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

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

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

6.5 Other Interest Groups

6.5.1 The Ramblers Association

6.5.1.1 No objection. Recommend that the new footpaths proposed be added to the PROW network

6.6 Public

6.6.1 Three sets of comments have been received. Two of the comments are made in support and one makes a neutral stance. The comments raise the following points for consideration;

6.6.2 The proposed footpaths should be finished in a suitable surface to provide access to wheelchair users, push chairs and children's scooters

6.6.3 Consideration should be given to the use of the pitches for a wider range of sports other than for just football.

6.6.4 A skate park should be considered

6.6.5 Parking should be provided



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- 6.6.6 Introduction of wild flower meadows and improved ecology
- 6.6.7 Lighting should be considered to extend the playing time without compromising residential amenity.
- 6.6.8 Lighting should not occur at night/dusk in the interest of wildlife habitat and grazing livestock.
- 6.6.9 Litter bins should be provided
- 6.6.10 The opportunity to provide safe horse riding and multi user routes should be taken on the associated PROW network

7 NATIONAL AND DEVELOPMENT PLAN POLICIES

7.1 National Planning Policy Framework July 2021

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

Strategic Objectives and Allocations

- SA2 Site Allocation Land West of Stonehouse
- SO1 Accessible Communities
- SO4 Transport and Travel
- SO5 Climate Change and Environmental Limits

Core Policies

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

Core Policies - Homes and Communities

- CP6 Infrastructure and Developer Contributions
- CP7 Lifetime Communities
- CP8 New Housing Development
- CP14 High Quality Sustainable Development

Delivery Policies - Homes and Communities

- HC1 - Residential Development in Urban Areas

Delivery Policies - Economy and Infrastructure

- EI11 Promoting Sport, Leisure and Recreation
- EI12 Promoting Transport Choice and Accessibility.
- EI13 Protecting and Extending our cycle routes

Delivery Policies - Environment and Surroundings

- ES3 Maintaining Quality of Life Within Our Environmental Limits
- ES4 Water Resources, Quality and Flood Risk



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ES6 Biodiversity and Geodiversity
ES7 Landscape Character
ES8 Trees and Hedgerows and Woodlands ES10 Valuing Historic Environment and Assets ES12 Better Design of Places.
ES14 Provision of Semi-Natural and Natural Green Space with New Residential Development
ES15 Provision of Outdoor Play Space

7.3 Eastington Neighbourhood Development Plan (2019)

EP1 Sustainable Development
EP2 Protect and Enhance Biodiversity and the Natural Environment.
EP4 Siting and Design of New Development and Conservation.
EP8 Traffic and Transport
EP9 Public Rights of Way and Wildlife Corridors

7.4 County Level Development Plan

Gloucestershire Local Transport Plan (2020 to 2041)
Minerals Local Plan (2018 to 2032)

7.5 Other relevant documents

Stroud District Open Space and Green Space Infrastructure Study (June 2019)
Stroud District Playing Pitch Strategy (June 2019)
Planning Obligations Supplementary Planning Document (July 2017)
Stroud District Landscape Assessment Supplementary Planning Guidance (November 2000).
Stroud District Residential Design Guide Supplementary Planning Guidance (November 2000).
Stroud District Residential Development Outdoor Play Space Provision Supplementary Planning Guidance (November 2000).

8 PRINCIPLE OF DEVELOPMENT

- 8.1 Approval of reserved matters layout, scale, appearance and landscaping under outline permission S.14/0810/OUT - relating specifically to land the provision of formal sports pitches. The development consists of the provision of 3 grass pitches (the first measuring approximately 60 metres by 100 metres and the remaining two pitches measuring 40 metres by 70 metres respectively), and associated landscaping. It should be noted that this stage of the proposal does not include buildings, parking or access and the application affects approximately half of the sports pitch allocation area. It is anticipated that a further application for the remaining 'sports facilities' will be submitted in due course.
- 8.2 The application site is part of land identified for strategic growth under policy SA2 (Land West of Stonehouse) of the Stroud District Local Plan (November 2015). Subsequently, outline planning permission was granted under application S.14/0810/OUT (14th April 2016)



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comprising up to 1350 dwellings, employment development and a mixed use local centre and new primary school. Development of the site as a whole is well under way.

- 8.3 The Master Plan for this area of the development was approved against condition 46 of the outline planning permission - and this includes the site subject of this application and is part of the broad layout of the main recreational facilities to support the new neighbourhood. This is to be located to the immediate north of the main spine road and land parcels H10 and H11 and to the West of parcel H13. These facilities will provide five formally laid out sports pitches, associated buildings as well as a Local Equipped Area for Play (LEAP) and a Neighbourhood Equipped Area for Play (NEAP).
- 8.4 The application details a proposal for the provision of 3 grass pitches (the first measuring approximately 60 metres by 100 metres and the remaining two pitches measuring 40 metres by 70 metres respectively), and associated landscaping. This proposal covers approximately half of the main recreational facilities set out in the approved master plan. It represents the initial phase of the sports pitch provision and does not include buildings, LEAP/NEAP or permanent vehicular access/parking at this stage.
- 8.5 The application under consideration is consistent with the development parameters set out in the approved master plan and as such the principle of the proposed development is established. This application seeks approval for layout, scale, appearance and landscaping (reserved matters) for the first phase of the recreational facilities. The development would provide appropriate means for recreation associated with the wider development as well as the wider district area. Accordingly, officer attribute insignificant weight in favour of this proposal is attributed to this factor. The assessment of this application should only consider those matters and issues pertinent to them. The assessment is set out in detail below.

9 PROCEDURAL MATTERS

- 9.1 As part of the assessment of the application, the Local Planning Authority has consulted Sport England given the nature of the proposal. Sport England have raised specific points about the drainage of the site which will be addressed further in this report.
- 9.2 The Town and Country Planning (Consultation) (England) Direction 2021; Part 7 (b) and Part 10 sets out the specific occasion where, in the event that the Local Planning Authority is minded to approve development affecting existing playing field it should first consult the Secretary of State (for Housing, Communities and Local Government).
- 9.3 Specifically, this requirement is triggered in the event that Sport England (as the statutory consultee) objects to proposed development on the grounds that it would result in the loss of and/or deficiency in playing field provision and the loss is not adequately mitigated.
- 9.4 Whilst the comment from Sport England have indicated an 'objection' to the proposed development on the grounds raised, officers are satisfied that this response does not trigger a referral to the Secretary of State. This is because the proposed development details the construction of new playing field facilities and does not result in any loss on site or elsewhere.



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9.5 Accordingly, officers are satisfied that it is not necessary to refer the application to the Secretary of State in the event that the Local Planning Authority is minded to approve it. It is of note that Sport England has confirmed that it agrees with this position.

10 LOCAL CHARACTER, DESIGN AND APPEARANCE

- 10.1 The existing site consists of an area of land that rises to the North of the existing spine road. The site is former agricultural land set aside for the construction of the pitches. Development is well underway across the site and there is a substantial amount of new urban development in place to the immediate south. Whilst the site currently appears as an open field (being former agricultural land) the character of the site is now generally urban. For the purpose of the assessment of this application, the proposal should be considered in the context of the edge of the emerging new neighbourhood; rather than a purely rural context.
- 10.2 The proposed development would result in the regrading of the topography of the site in order to provide flat playing surfaces. In general terms the existing levels would be raised in varying amounts across the site. The highest raising would be up to approximately 0.7 metres. The West, East and North edges of the regrading being formed by 1 in 3 (gradient) batters (or banking). The highest batter is approximately 0.7 metres high.
- 10.3 Whilst the development would increase the height of the land viewed from the south (from the spine road), the new contours would be very similar and the over increase in height relatively modest (up to 0.5 metres). There would be a batter of approximately 0.2 metres along the southern edge of the southwest corner of the pitches. Officers are satisfied that the appearance of the land raising from key views (along the spine road) would be modest. As part of the development, landscaping and tree planting (Hornbeam) would be introduced along the spine road elevation running east to west along the southern boundary of the site. This is made up of a mix of native mix hedging and native tree planting. Further tree planting (Beech Copse) and wildflower meadow is proposed to be introduced into the western area of the site (between the pitches and the spine road) as well as the northern part of the site adjacent to the edge of the new neighbourhood. This arrangement is considered to adequately address the issues raised by the Arboricultural Officer.
- 10.4 Having regards to the above, officers are satisfied that the proposed sports pitches can be provided in a manner that is consistent with the sub-urban character of the emerging new neighbourhood. iModerate weight in favour of this proposal is attributed to this factor.

11 ARCHAEOLOGY & HISTORIC ENVIRONMENT

- 11.1 The Gloucestershire County Archaeologist has confirmed that there is no archaeological interest affected by the proposed development. Accordingly, officers are satisfied that the development is acceptable in that regard.



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12 ENVIRONMENTAL ISSUES

- 12.1 *Ecology* - The Stroud District Council Biodiversity Officer has considered the proposed development in the context of ecological constraints associated with the application site. In this instance, officers are satisfied that the development is acceptable in ecological terms, subject to appropriate planning conditions. The Biodiversity Officer has suggested specific conditions/planning obligations are attached in the event of the approval of this application that secure an appropriate Landscape and Ecological Management Plan (LEMP). The development would provide appropriate hedgerow planting and ecological areas so as to maintain a high standard of ecological connectivity through the site and so linking with other ecological mitigation associated with the wider development. This is in compliance with the wider development master plan and as such imoderate weight in favour of this proposal is attributed to this factor. For the avoidance of doubt, it is not proposed to install flood lighting at the development. However, in order to ensure that the impact of flood lighting can be properly assessed and controlled by the Local Planning Authority, an appropriately worded condition can be applied in the event of the approval of this application.
- 12.2 *Drainage/Hydrology* - The site is within Flood Zone 1 and as such is not itself at risk from flooding. The Lead Local Flood Authority has confirmed that the proposed drainage engineering is acceptable. These measures can be secured via an appropriately worded planning condition in the event that this application is approved. Accordingly, officers are satisfied that the development would provide acceptable surface water drainage. iNeutral weight is attributed to this factor.
- 12.3 *Arboriculture* - The application site does not contain any individual or grouped Tree Preservation Orders. Whilst the land is criss-crossed by hedging including hedgerow trees, the site subject of this application is devoid of existing trees. The proposed development includes landscaping that would introduce new hedging and trees. New trees (Hornbeam) would be provided along the spine road elevation of the site - so as to provide and tree lined route. Trees would also be provided within the site in the form of a Beech copse so enhancing the arboricultural benefit of the site and the surrounding locality. i weight in favour of this proposal is attributed to this factor.
- 12.4 *Ground Conditions* - The Contaminated Land Officer has confirmed that there are no specific contamination issues associated with the site or the development of the football pitches generally. *Neutral* weight is attributed to this factor.
- 12.5 *Waste Management* A relatively large volume of earth (inert waste) would be required to construct the pitches and make the ground flat for that use. Waste from the wider development has been retained for use within the site for this purpose, effectively recycling inherit waste within the development itself. This is considered to be an appropriate method for the construction of the pitches and sustainably sourced. *Neutral* weight is attributed to this factor.

13 HIGHWAY IMPACT AND ACCESSIBILITY

- 13.1 At this stage the development would not provide permanent vehicular access/parking. Access to the site would be from the spine road via the existing roundabout junction and associated spur. Temporary access arrangements would be installed as part of the



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proposal. Specific and permanent access and parking provision will form part of further recreational development on the adjacent land to the East and is anticipated to be subject to a further planning application in due course. This would utilise the same roundabout. The Highway Authority has acknowledged this phasing and have confirmed that this is acceptable in this instance.

- 13.2 The Highway Authority is also satisfied that the development is such that it would prevent intrusion of footballs onto the highway; and, that the development would not result in a negative highway safety impact. Accordingly, officers are satisfied that the proposed development is acceptable in highway safety terms. *Neutral* weight is attributed to this factor.
- 13.3 The proposed development includes provision for footpaths through the site (along the perimeter of the site) that is consistent with the routing of the public rights of way shown on the masterplan associated with the outline planning permission. These are to be made available for adoption as Public Rights of Way by Gloucestershire County Council (Highway Authority). The existing Public Right of Way running to the immediate East of the application site is to be retained (and will continue to be so as part of any further application for the next phase of the formal recreation areas).
- 13.4 Local residents have suggested that the footpaths and PROW's are provided on a 'multi-user basis; including horse riding uses. It should be noted that the application site does not include a bridle way route. However, the proposals shows that the new foot paths would be provided as a 'grass walkway' along the South and West boundary and as a 'hogging' surface along the North boundary of the site. The exact method for surfacing is a matter for Gloucestershire County as part of any adoption process. The nearest official bridleway is situated due East of the formal recreation parcel and is adjacent to residential parcel H14. This is not affected by this proposal. Accordingly, officers are satisfied that the proposed development would provide adequate access to the PROW network in accordance with the outline planning permission. *Moderate* weight in favour of the proposal is attributed to this factor.

14 **RESIDENTIAL AND GENERAL AMENITY**

- 14.1 As noted earlier in this report, the original outline planning permission allocates the subject parcel of land to the provision of sports pitches/facilities. Its location and use is therefore established in principle. Notwithstanding this, the wider development includes substantial areas of new residential development and in particular residential land parcels H10, H11, H13 and H14 are adjacent to the South and East of the recreational area associated with this application.
- 14.2 In respect of this phase of the recreational development, the residential parcels at H10 and H11 are most affected. These are separated from the development by the spine road running West to East. Whilst there would be noise associated with the sports activities on the development, the use of this land is considered to be compatible with the wider residential nature of the new neighbourhood allocation. This application does not include flood lighting, and a suitably worded condition on any approval of this application will ensure that any future proposals to consider such installations can be



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properly considered by the Local Planning Authority (in conjunction with the Environmental Health Officer). It is not anticipated that the use of the sports pitches would introduce significant levels of noise resulting in an unacceptable impact upon the amenity of nearby dwellings; and any activity is likely to be confined to daytime hours. Accordingly, it is considered that the development would not result in an unacceptable impact upon the amenity of the locality; and, that appropriate control and legislation is available to enforce against unlikely occasions where noise (or light) nuisance may occur.

- 14.3 Accordingly, officers are satisfied that the proposed development is acceptable in this regard. *Neutral* weight is attributed to this factor.

15 **OTHER MATTERS**

- 15.1 Local residents have suggested that the area includes a skate park. In this instance the land parcel is designated for formal recreation and is to be laid out as sports pitches. A similar arrangement is approved in principle for the adjacent land (phase 2) of the formal recreation area. However, the second phase would also provide Neighbourhood and Local Equipped Area for Plan (NEAP and LEAP). These do not generally include the provision of a skate park and as such officers do not consider that this is achievable as part of this planning application.

16 **CONCLUSION AND THE PLANNING BALANCE**

- 16.1 The proposed development is consistent with the wider masterplan for the new neighbourhood; and that approved under the outline planning permission. The proposed development would provide the first phase of formal recreational infrastructure to meet the needs of the new neighbourhood and wider district. Officers attribute significant weight in favour to this factor.
- 16.2 Officers are satisfied that the proposed development would not lead to an unacceptable impact in highway safety terms of in terms of the amenity of the surrounding residential areas. Officers are also satisfied that the development can provide appropriate landscaping and ecological mitigation consistent with the masterplan for the development.
- 16.3 Accordingly, officers consider that the benefits of the proposed development are not outweighed by any negative impact and as such the proposed development should be approved.

17 **HUMAN RIGHTS**

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



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other than those referred to in this report, warranted any different action to that recommended.

18 **RECOMMENDATION**

- 18.1 That reserved matters consent is approved subject to the conditions set out in this report.

**Subject to
the
following
conditions:**

1. **Plans**

The development shall proceed strictly in accordance with the details shown on the following drawings;

273-SP PH1-300 Construction Details

As received by the Local Planning Authority on 26th April 2021

STH.POS.AP.1 (Rev A) Site Location Plan

as received by the Local Planning Authority on 10th May 2021

STH.POS.FP.01 (Rev D) Proposed Site Layout

273-SP PH1-100 (Rev A) General Engineering

273-SP PH1-210 (Rev A) Cross Sections

as received by the Local Planning Authority on 23rd November 2021

Reason: For the avoidance of doubt

2. **LEMP**

Prior to the first use of the development hereby permitted, a landscape and ecological management plan (LEMP) shall be submitted to approved by the Local Planning Authority. The content of the LEMP shall include the following:

- a) Description and evaluation of the features to be managed.
- b) Aims and objectives of management
- c) Appropriate management options for achieving aims and objectives
- d) Prescription for management actions
- e) Preparation of work schedule (including an annual work plan capable of being rolled forward over a 20-year period)



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- f) Details of body or organisation responsible for implementation of the plan.
- g) Ongoing monitoring and remedial measures.

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

Reason: To protect and enhance the site for biodiversity in accordance with paragraph 180 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

3. Provide Landscaping

The landscaping detailed in drawing number STH.POS. FP.01 REV D (as received by the Local Planning Authority on 23rd November 2021) shall be implemented no later than the first planting season following the first occupation of the development hereby approved. Thereafter the development shall be retained as such and the landscaping shall be maintained in accordance with the details set out on the drawing and the Landscape Environmental Management Plan as referred to in condition 2 of this planning permission.

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.

4. No Flood Lighting

No flood lighting shall be installed on the sports pitches hereby approved until details of such lighting (including times of operation) has been submitted to and approved by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed details and retained as such.



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Reason 1: In order to ensure that there is no exceedance of the vertical illuminance levels at neighbouring residential properties that are recommended for Environmental Zone 3 by the Institution of Lighting Professionals in its "Guidance Note 01/21 - The Reduction of Obtrusive Light"; and, in the interest of residential amenity and to comply with policy ES3 of the Stroud District Local Plan (adopted) November 2015

Reason 2: In order to maintain dark corridors for nocturnal wildlife in accordance with Policy ES6 and CP8 of the Stroud District Local Plan (adopted) 2015.

5. No fencing other than shown on plans

No fencing other than that show on drawing numbered STH.POS.FP.01 REV D (as received by the Local Planning Authority on 23rd November 2021) shall be installed at any time.

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.

6. Temporary Access provided

Prior to the first use of the development hereby permitted, temporary vehicular, pedestrian and cycling access shall be provided in accordance with the details shown upon the drawing entitled 'Temporary Access Plan' as received by the Local Planning Authority on 1st October 2021.

Reason: To ensure that appropriate temporary access measures are installed for the first phase of the formal public open space provision, and; in the interest of highway safety and amenity and to accord with Policy CP8 of the Stroud District Local Plan (adopted) November 2015.

Informatives:

1. ARTICLE 35 (2) STATEMENT - The case officer contacted the applicant/agent and negotiated changes to the design that have enhanced the overall scheme.
2. Please note that if consent is granted, the applicants are informed that this does not absolve them from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licenses required. All bat species are



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protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Legal protection covers bats and elements of their habitats. A European Protected Species licence is required in order to allow prohibited activities, such as disturbing bats or damaging their breeding sites or resting places, for the purposes of this development