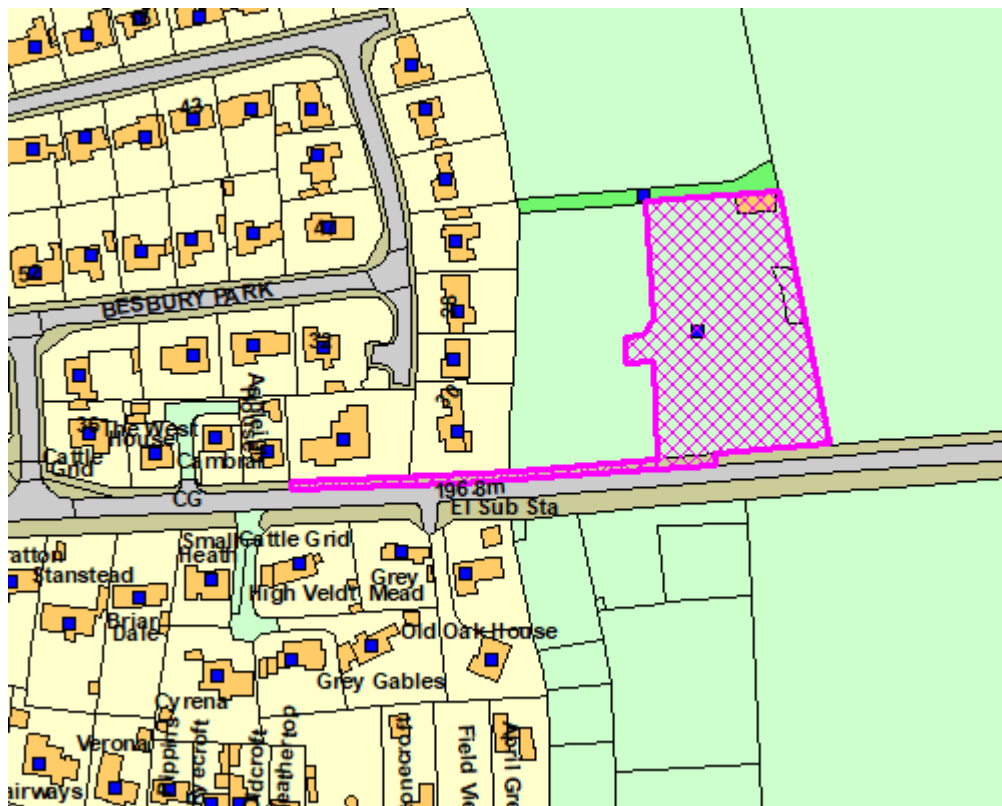




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Item No:	05
Application No.	S.21/0484/FUL
Site Address	Land North Of, Cirencester Road, Minchinhampton, Gloucestershire
Town/Parish	Minchinhampton Parish Council
Grid Reference	388051,201213
Application Type	Full Planning Application
Proposal	Proposed Medical Centre and Dentist, associated access, car parking and landscaping
Recommendation	Resolve to Grant Permission
Call in Request	Requested by Head of Planning





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Applicant's Details	Minchinhampton Surgery C/O West Hart Partnership, 5 Aldergate, Tamworth, B79 7DJ,
Agent's Details	Mr C Cheal West Hart Partnership, 5 Aldergate, Tamworth, B79 7DJ,
Case Officer	Simon Penketh
Application Validated	24.02.2021
	CONSULTEES
Comments Received	Development Coordination (E) Environmental Health (E) Biodiversity Officer Conservation North Team Archaeology Dept (E) Flood Resilience Land Drainage Development Coordination (E) SDC Water Resources Engineer Arboricultural Officer (E) Contaminated Land Officer (E) Cotswolds Conservation Board
Constraints	Aston Down Airfield Consultation Zones Area of Outstanding Natural Beauty Consult area Kemble Airfield Hazard Neighbourhood Plan Minchinhampton Parish Council Rodborough 3km core catchment zone Settlement Boundaries (LP) TPO Areas (Woodland/ Groups)
	OFFICER'S REPORT

1 MAIN ISSUES

- o Principle of development
- o Open Space and Sports Facilities
- o Design, appearance and landscape impact
- o Archaeology & Historic Environment
- o Ecology
- o Drainage
- o Residential Amenity
- o Highway Impact
- o Planning Obligations
- o The Planning Balance



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2 DESCRIPTION OF THE SITE

2.1 The site is part (approximately half) an open agricultural field (albeit containing some agricultural sheds) with a field gate access onto Cirencester Road close to the eastern boundary of the site. The site is located in the Eastern half of the field and approximately 45 to 50 metres beyond the settlement development limits associated with Minchinhampton.

2.2 The site is not located in any specific wildlife designations. The site is 340 metres West from the Cirencester Milestone (listed building) and 540 metres East from the Blueboy Corner group of listed buildings. It is not in the Minchinhampton Conservation Area and is located some 600 metres due Northeast. However, the site is located within the wider Cotswold Area of Outstanding Natural Beauty.

2.3 The site does not contain any trees protected by a Tree Preservation Order, however the bank of Beech Trees located immediately to the North of the site are contained within a group Tree Preservation Order (Beech TPO/0469). There are no Public Rights of Way passing through the site. Public Right of Way (MINCHINHAMPTON FOOTPATH 146) is located approximately 275 metres to the North of the site, whilst Public Right of Way (MINCHINHAMPTON FOOTPATH 142) is located approximately 180 metres to the Southeast of the site.

3 PROPOSAL

3.1 The proposed development consists of the provision of a Primary Healthcare Surgery and associated parking, access and landscaping. The accommodation is provided over two floors with a total floor area of 986 sqm whilst the overall site area is approximately 0.5 hectares (just over 5000 metres square). The development is designed to cater for a patient list of circa 8225 over the same catchment area as the existing surgery currently located in Minchinhampton Town Centre. The ground floor accommodation will include 18 consulting/treatment rooms and associated facilities (such as a reception/waiting area and administrative accommodation and store rooms) as well as dentist accommodation. For the avoidance of doubt, the proposal no longer includes a pharmacy. The first floor would provide staff, administrative and associated plant/equipment facilities.

3.2 The development is proposed to be accessed from Cirencester Road, approximately half way along the Southern boundary of the existing field. This would provide access to a total of 71 parking spaces and a dedicated drop off area/ambulance facility. Parking facilities include 5 spaces for disable users and 7 spaces with electric vehicle charging points. 24 of the spaces would be dedicated to staff whilst the remaining 47 spaces are for patients and visitors. 28 cycle parking spaces are also proposed and the development includes a new footway along the Northside of Cirencester Road (joining the existing footway to the west).

3.3 The Local Planning Authority has screened the application under the Environmental Impact Assessment (EIA) Regulations 2017. The proposed development is Schedule 2 development but does not trigger the requirement for an Environmental Impact Assessment.



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4 REVISED DETAILS

No revisions have been submitted. However, further information has been submitted in relation to off-site highway works addressing the concerns raised by the Highway Authority. The applicant has also confirmed that the pharmacy is no longer part of the proposal.

5 MATERIALS

5.1 Walls Natural Cotswold Stone
Off White/Buff Render
Larch Cladding

5.2 Roof Slate Effect Tiles

5.3 Windows, Doors and Rainwater Goods Dark Grey Aluminium

6 REPRESENTATIONS

6.1 – Parish/Town Councils:

6.1.1 – Minchinhampton Parish Council

6.1.1.1 The Parish Council indicates that it neither objects or supports the proposed development. Minchinhampton Parish Council wishes the public to understand why it is unable to express a formal opinion about the planning application for a new doctors' surgery on the Vosper Field off Cirencester Road.

6.1.1.2 As the Council owns the land on which the application has been lodged it has, in legal terms what is formally known as an "interest" in the outcome of the potential development and is therefore prohibited from expressing any view supporting or otherwise commenting in response to the application MPC was bequeathed the field in 2008 in the will of the late Johnny Vosper, a well-known local resident. There was nothing specific in the gift as to how the land should be used, but it was felt amongst those councillors who knew him that Johnny would have wanted his land to be used for community benefit. The land is currently in agricultural use but does NOT enjoy Commons grazing rights.

6.1.1.3 The council was approached by the Minchinhampton Surgery which sought use of the Vosper Field for its proposed replacement facility, their existing site being woefully inadequate to modern expectation and delivery.

6.1.1.4 Well attended public meetings in March 2016 at the Annual Assembly and again in September 2017, saw the Doctors share their proposal in more detail. Following that MPC entered into a legal agreement with the GP practice to enable the surgery project to proceed, subject to various conditions and considerations.



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6.1.1.5 This information was shared with the public in the adopted Neighbourhood Development Plan in April 2019. On all occasions members of the Council have recognised the importance of maintaining a fit for purpose medical facility in the Parish.

6.3 - Stroud District Council Technical Officers

6.3.1 - Bio-Diversity Officer

6.3.1.1 The Biodiversity Officer advises that the habitats on site are considered to be that of common and widespread habitat types. In addition, it is unlikely that the site is utilised by protected or notable species however, the submitted report has included appropriate mitigation that should be adhered to. The mitigation will ensure that in the unlikely event protected or notable species enter the site, they are safeguarded from the site clearance/construction phase. Furthermore, the report has included appropriate mitigation and enhancement features including, a SUDs pond, native hedgerow and shrub planting, bird and bat boxes and log and brash piles. The Biodiversity Team encourage the applicant to implement these features alongside the development, these features will enhance the site and provide stepping stones to the wider ecological network.

6.3.1.2 The Biodiversity Officer considers that the proposal is acceptable subject to the following condition;

i) All works shall be carried out in full accordance with the recommendations contained in the Ecological Impact Assessment, Swift Ecology, dated January 2021 already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

6.3.2 - Arboriculture Officer

6.3.2.1 The constraints posed by the trees, both above and below ground inform the site layout design. The Arboriculture consultant has produced a constraints plan showing the extent of the root protection areas. Please note. The figures given are the minimum required. The constraints plan has been ignored by the design team and the parking bays are shown within the root protection areas. The default position is that all structures must be located outside the root protection areas. Clarity is sought in respect of the overriding justification for building in the root protection areas.

6.3.2.2 The engineering document referenced in the report (NJUG) relates to the installation of utilities within the root protection area, not the construction of parking bays. The impact hasn't been fully assessed. An arboriculture impact assessment and method statement needs to be submitted to justify the layout.



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6.3.2.3 The soil type hasn't been considered within the report. If an alternative solution to the standard construction of the parking bays is going to be recommended (cellweb), or a similar three dimensional load spreading product, the arboriculture consultant would need to work with an engineer to ensure that this type of product is suited to the ground conditions.

6.3.2.4 The author of the report makes reference to the construction / impact of the parking bays being treated as reserved matters after construction. This is a full application, not an outline application. The impact of any development that would result in the loss or damage of trees within or adjacent to the development needs to be included within the submitted application. The submitted report and layout need to be reviewed to deal with the issues mentioned above.

6.3.3 - Senior Conservation Officer

6.3.3.1 The Senior Conservation Officer advises that The site is a significant distance away from the listed group at Blueboys Corner, and would not be seen in conjunction with any views of the Minchinhampton Conservation Area. As such the Senior Conservation Officer raises no concerns on heritage grounds.

6.3.4 – Water Resources Engineer

6.3.4.1 No objection. Confirms agreement with the position of the Lead Local Flood Authority; and recommends a compliance condition to secure the drainage design/maintenance.

6.356 - Environmental Health Officer

6.3.5.1 No objection. The following conditions are suggested;

- i) No construction site machinery or plant shall be operated, no process shall be carried out and no construction-related deliveries taken at or dispatched from the site except between the hours 08:00 and 18:00 on Mondays to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays
- ii) Construction/demolition works shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the Local Planning Authority.
- iii) The Western boundary fencing to the parking area should be solid rather than post and rail to provide screening of properties to the West from car headlights utilising the car park and the one way system.
- iv) Before the development commences a scheme shall be submitted to, and agreed in writing by, the Local Planning Authority which specifies the provisions to be made for the level of illumination of the site and to control light pollution. The scheme shall be maintained and shall not be altered without the prior written approval of the Local Planning Authority, in accordance with Stroud District Council Local Plan Policy GE1



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6.3.6 - Contaminated Land Officer

6.3.6.1 The proposed site is on the list of potentially contaminated sites due to asbestos. As such the full contaminated land condition should be applied to any permission granted.

6.4 - Gloucestershire County Council Technical Officers

6.4.1 - Highway Authority

6.4.1.1 No Objection subject to conditions and financial obligations.

6.4.1.2 Additional information has been submitted in support of this application, in the form of a Technical Note (TN) – ref. Final (01) dated 19 January 2022. The TN seeks to address the highway authority's previous comment in its consultation response dated 9 April 2021 in which it recommended that planning permission should be refused.

6.4.1.3 The reasons for the recommendation in that [earlier] response were as set out below;

- i) *The site access as proposed would be unacceptable given the immediate vicinity of the speed limit change, and the application does not include suitable proposals for necessary off-site works.*
- ii) *The site is in a poor location in terms of sustainability and enhanced access to the local bus service would be required.*

6.4.1.4 The highway authority noted that the site frontage straddles the existing 30/40 mph speed limit change and the proposed site access would be within a few metres of the change point. Submitted speed survey data provided clear evidence that traffic speeds in both directions along Cirencester Road are high despite there being a traffic calming build-out situated around 60 metres to the west.

6.4.1.5 The proposed development would extend the built-up development boundary of the town and, accordingly, the highway authority would require the 30mph speed limit to be extended eastwards to a new point at the end of the east facing visibility splay.

6.4.1.6 The traffic calming feature would similarly need to be relocated and consideration must be given to a scheme, rather than an isolated measure, that would connect with the existing speed reduction measure at the junction with Besbury Park.

6.4.1.7 The highway authority further commented that the proposed development site is not in a highly sustainable location and would be beyond a comfortable walking distance from the nearest existing bus stops for many users of the proposed medical centre. Consequently, an additional pair of bus stops would be required in the vicinity of the site, comprising poles, flags, information cases, shelters and hard standing areas for waiting passengers.



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6.4.1.8 The TN proposes an offsite highway works scheme which would provide for the existing speed limit change on Cirencester Road to be re-located to accord with the extension of the built-up limit of the town boundary. The existing 'build-out' would be removed and a similar feature would be constructed further to the east so as to remove the conflict with the proposed site access. A pair of bus stops is also proposed to be provided. The scheme is shown on an indicative highway improvement works plan in Appendix A to the TN.

6.4.1.9 The highway authority notes that the scheme shown is indicative. As such it is considered that the scheme indicates the carriageway works that would be satisfactory to make the proposed access proposals acceptable. However, matters of layout and detail design would need to be addressed. Notably, the separation distance shown on the plan may result in there being a conflict of movements between a vehicle travelling westwards past the build-out, therefore being on the 'wrong' side of the road, and a vehicle turning left out of the site access. This could result in an increased risk of collisions.

6.4.1.10 A drawing no TK03 has been submitted to show the proposed 'build-out' feature and the tracking for a refuse vehicle. This indicates that a westbound vehicle travelling through the build-out could be driven to return to the left hand side of the carriageway before a conflict would be caused between it and a second vehicle turning left onto the road from the site access. However, the exit path from the build-out that any vehicle might take would be dependent upon driver behavior and it might be that a conflict would arise if the driver did not return to the left as quickly as indicated on the drawing.

6.4.1.11 A Road Safety Audit Stage 1/2 must be undertaken to provide assurance that the highway improvement works scheme would be satisfactory. Any problems raised by the audit would be required to be addressed and closed out through design improvement.

6.4.1.12 It would be necessary for the location of the speed limit (30/40) to be changed and this would require a Traffic Regulation Order. The County Council would require a financial contribution of £10,000 to cover the costs of preparing, publishing and making an Order for the re-located speed limit.

6.4.1.13 A Travel Plan (TP) has been prepared to accompany the application and it would be necessary as the development proceeded to monitor and review the TP to ensure that measures and targets remained appropriate and were being achieved. The County Council would require a financial contribution of £10,000 to cover the costs of monitoring the Travel Plan for a period of 10 years (£1,000 per year).

6.4.1.14 It is anticipated that these contributions could be satisfactorily secured by a commitment from the Applicant within a Unilateral Agreement with the County Council, to be in place prior to the granting of a planning permission.

6.4.1.15 The highway authority has commented previously regarding the details for car and cycle parking, and servicing.



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6.4.1.16 The construction of the proposed development would inevitably result in significant impacts and proposals must be developed to address and mitigate these in the form of a Construction Management Plan.

6.4.1.17 Suggested Conditions

i) Prior to the commencement of the development hereby permitted details of a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall include but not be restricted to:

- 1 - Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- 2 - Advisory routes for construction traffic;
- 3 - Any temporary access to the site;
- 4 - Locations for loading/unloading and storage of plant, waste and construction materials;
- 5 - Method of preventing mud and dust being carried onto the highway;
- 6 - Arrangements for turning vehicles;

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

ii) No gate shall be erected or installed across the site access within 5 metres from the adjoining carriageway edge. Any gate shall be made to open inwards only.

Reason: In the interest of Highway Safety

iii) Prior to first occupational use of the development hereby permitted a 2.0 metres wide footway shall be constructed and completed from the site access road to extend westwards along the north side of Cirencester Road for around 125 metres to link with the existing infrastructure.

Reason: In the interest of Highway Safety

iv) Prior to the first operational use of the development hereby permitted a scheme of off-site improvement works substantially as indicated in principle on drawing no B/WHPMINCHINHAMPION2.1/03 shall have been constructed and completed.

Reason: To ensure the safe and free flow of traffic onto the highway.

v) Prior to the first occupational use of the development hereby permitted car parking and turning areas within the site shall be provided in accordance with the submitted drawings.

Reason: To ensure conformity with submitted details.



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- vi) Prior to the first occupational use of the development hereby permitted an electric vehicle infrastructure strategy and implementation plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall contain details of the number and location of all electric vehicle charging points and shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851, and Manual for Gloucestershire Streets. Buildings and parking spaces that are to be provided with charging points shall not be brought into use until associated charging points are installed in strict accordance with approved details and are operational. The charging points installed shall be retained thereafter unless replaced or upgraded to an equal or higher specification.

Reason: To promote sustainable travel and healthy communities.

- vii) Prior to the first occupational use of the development hereby permitted secure and covered cycle parking shall be provided in accordance with the submitted drawings.

Reason: To ensure conformity with submitted details.

- viii) Prior to the first occupational use of the development hereby permitted a Full Travel Plan shall be submitted to the County Council for approval.

Reason: In the interests of promoting sustainable travel

- ix) Prior to the commencement of any development hereby permitted a traffic regulation order (TRO) relating to the speed limit on Cirencester Road shall have been implemented.

Reason: To restrict the impact and harm of the development and in the interests of public safety.

6.4.1.18 Suggested Informatives

- i) Highway works and permissions required s278 (Highways Act) agreements
- ii) Requirements for Highway Authority to agree Traffic Regulation Orders (TRO)

6.4.2 - County Archaeologist

6.4.2.1 The County Archaeologist advises that there are no known heritage assets within the area of the proposed development. It is however situated within an area with a high potential for prehistoric remains, in particular, the site of a possible Bronze Age round barrow lies approximately 60m to the east. For that reason it is advised to make provision for archaeological monitoring of the ground works required for the construction of this scheme, so that any significant archaeological remains revealed during the development can be recorded.



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6.4.2.2 It is recommended that a condition based on model condition 55 from Appendix A of Circular 11/95 is attached to any planning permission which may be given for this development, as follows;

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

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

6.4.3 - Lead Local Flood Authority (LLFA)

6.4.3.1 No Objection. The LLFA notes that there is no drainage information provided with this application to comment but advises that given the location, in flood zone 1 an area with geology suitable for surface water management by soakaway; and that The drainage solution should be managed through building control and use of standard building regulations so there will be no requirement for additional drainage conditions.

6.5 – Other External Organisations

6.5.2 – Cotswold Conservation Board (CCB)

6.5.2.1 The CCB has confirmed that its comments do not imply either support for, or an objection to, the proposed development.

6.5.2.2 The CCB sets out that, in reaching its planning decision, the local planning authority (LPA) has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape. The Board recommends that, in fulfilling this 'duty of regard', the LPA should:

(i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and

(ii) take into account the following Board publications;

1 - Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023

2 - Cotswolds AONB Landscape Character Assessment particularly, in this instance, with regards to Landscape Character Type (LCT) 9 (High Wold Dip Slope);



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3 - Cotswolds AONB Landscape Strategy and Guidelines particularly, in this instance, with regards to LCT 9, including Section 9.1;

4 - Cotswolds AONB Local Distinctiveness and Landscape Change

5 - Cotswolds Conservation Board Position Statements particularly, in this instance, with regards to the Dark Skies and Artificial Light Position Statement and its appendices

6.5.2 – The National Trust

6.5.2.1 The National Trust is a conservation charity that looks after nature, beauty and history for the nation – for everyone, for ever.

6.5.2.2 The Trust is the custodian of over 200 hectares of land at Minchinhampton Common, including The Park, Old Common and Besbury Common. The Common is designated as a biological and geological SSSI, and a large part is a scheduled monument. It lies within the Cotswolds National Landscape (the AONB), where great weight should be given to conserving and enhancing landscape and scenic beauty.

6.5.2.3 In response to planning applications and Local Plan consultations, the Trust has previously raised concerns about additional development at Minchinhampton. This can lead to increased vehicular traffic and recreational impacts, which can adversely affect the Common land (which is maintained by grazing animals). New development can also reduce nature connectivity, urbanise the setting of the Commons, and impact on the landscape and rural character of the wider AONB.

6.5.2.4 With the current application, the proposed development is for a community facility rather than new housing, yet it would extend the built envelope of the settlement eastwards along Cirencester Road. This could in itself increase the likelihood of new housing development on adjacent fields. More broadly, our concern is that it forms part and parcel of the incremental building up of the area around the Commons, and the expansion of Minchinhampton, along with other current proposals [the writer refers to land at The Knapp and East of Tobacconist Road].

6.5.2.5 In light of our [the National Trust's] concerns, we would ask that – should the District Council support a new community facility for Minchinhampton in principle – alternative locations are explored that avoid contributing to the further build-up of development around the Commons.

6.6 - Public

6.6.1 - There has been 117 responses received from the local community. The comments raise both support and objection to the proposed development. The key issues identified in the responses are summarised below



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Support

Strategic Issues

The proposed medical centre is much needed in Minchinhampton.

Responding to growing population.

The existing premises are inadequate and not up to standard (not fit for purpose, cramped waiting room, lack of consulting space).

Services are being relocated to Nailsworth.

Provision of an up to date and sustainable facilities (fit for future).

Improved medical provision for Minchinhampton and surrounding communities.

Good use of community land.

Best option available.

Practice looking for new accommodation for 12 years.

Improve many lives.

Support medical needs of expanding aging population.

The alternative is to lose the service all together.

No impact on pharmacy services in the town centre.

Dentist provision supported.

Will help to avoid need to go to other locations such as Stroud Hospital to access more up to date facilities.

Support but no justification for dentist accommodation.

Design, Landscape Local Character issues

Limited landscape impact addressed by landscaping.

Good quality design.

Better design for practicing staff.

Will not affect the surrounding Common areas.

Improved building efficiency and carbon footprint over existing facilities.

Highway and Access Issues

The existing site is difficult to access by car and on foot.

Development will help to ease current traffic congestion.

Existing site suffers/causes conflict with school and library access/traffic.

Lack of parking at the existing site.

New site will provide adequate parking so relieving congestion (free up parking in town).

Easy access to all.

Community Transport/PPG can still be provided to those who need it.

Support but additional pedestrian crossing needed.

Ecology/Biodiversity Issues

Limited environmental impact.

Residential Amenity

Sited sufficiently distanced from residential dwellings.

Other Issues

Bequeath would have wanted the use of the land for the benefit of the community.



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Object

Strategic Issues

Development is contrary to the Minchinhampton Neighbourhood Development Plan (NDP), Stroud District Local Plan and National Planning Policy Framework.

NDP suggests that the surgery should be kept in the Town Centre.

The proposed location of the development is unacceptable and is outside the development boundary.

The development should make use of alternative previously sites in Minchinhampton or the surrounding are prior to the use of green field sites.

Development will attract patients from outside Minchinhampton rather than supporting the local community.

The development is commercial.

Dental Practice is not needed.

The site is green belt marking the extent of the built area.

Development would result in urban sprawl.

Loss of agricultural land.

The existing surgery has sufficient capacity.

Existing site should be re-used or retained.

The site is not in a sustainable location.

Town Centre Feasibility study is yet to be carried out and should be completed and considered before choosing a site for the surgery

Design, Landscape Local Character issues

The development would have a detrimental impact on the AONB.

The development will spoil the character of the common.

The proposed development is out of character with a village setting.

Scale of development is too large for the local area.

Development is similar to a small hospital.

Loss of important green space.

Potential negative impact on the Beech Trees adjacent to the site and loss of TPO

Lack of 'wellbeing space'.

Highway and Access Issues

The development is not in a convenient location and is not accessible on foot for older people or disable people.

It is too far from the centre of Minchinhampton.

Poor pedestrian access available.

Poor Cycling safety and access.

Lack of Public/Community transport.

Other potential sites are closer to the Town Centre.

Increased traffic movements.

Cirencester Road is already busy with no safe crossings.

Vehicles speed along Cirencester Road.

Insufficient parking.

Increased catchment would result in more traffic.

The area of highway close to the site is prone to traffic accidents.



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The proposed off site highway works would result in potential increased speeds after the traffic calming and within Minchinhampton, a detrimental impact on highway safety and vehicular conflict for traffic using the access onto Cirencester Road from the proposed site.

Ecology/Biodiversity Issues

Long term impact upon wildlife.

Protected species are present on the site.

Potential loss/decline of cattle associated with The Common.

Residential Amenity

Negative impact on the amenity of nearby residents due to noise and light pollution

Negative impact as a result of the proximity of car parking to the neighbouring properties

Overlooking from the proposed building to existing residential properties.

Other Environmental Issues

The development would result in air borne pollution.

Increased surface water run off and flood risk.

The site is polluted with asbestos.

The proposed foul water package treatment is not practical and potentially polluting.

Other Matters

Lack of information about the development due to the Pandemic.

Potential impact on tourism in the town and local area.

Consulting can be carried out on line reducing the need for face to face consultation

Community views have not been accounted for in the choice of the site.

The development would result in the closure of the existing pharmacy.

A local satellite surgery is suggested if the Vosper Field is to be used.

Other sites have been suggested by commentators.

Sets precedent for residential development.

Loss of Town Centre business.

Impact upon the existing dental practice.

Dental Practice is private and not community based.

Dental practice removed could reduce the impact of the building.

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

SO1 – Accessible Communities

S04 – Transport and Travel

S05 – Climate Change and Environmental Limits

Core Policies – Making Places

CP1 – Presumption in favour of Sustainable Development.



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CP3 – Settlement Hierarchy.
CP4 - Place Making

Core Policies - Homes and Communities
CP7 - Lifetime Communities

Core Policies – Economy and Infrastructure
CP12 Retail and Town Centres
CP13 – Travel and Transport

Core Policies – Environment and Surroundings
CP14 – High Quality Sustainable Development
CP15 – Quality Living and Working Countryside

Delivery Policies - Economy and Infrastructure
EI12 - Promoting Transport Choice and Accessibility.
EI13 – Protecting and Extending our cycle routes

Delivery Policies - Environment and Surroundings
ES1 - Energy Efficiency and Sustainable Construction
ES2 – Renewable or Low Carbon Energy Generation
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
ES12 - Better Design of Places.

7.3 – Minchinhampton Neighbourhood Development Plan 2018 to 2036 (Adopted July 2019)

MP Env 1 Landscape Conservation
MP Env 2 Geological Conservation
MP Env 3 Nature Conservation
MP Dev 1 New Development
MP Emp 1 Business and Employment
MP Traffic 1 Transport Statements
MP Traffic 2 Traffic Movement Improvement
MP Transport 2 Safe and Convenient Walking/Cycling Routes
MP Parking 1 Parking Facilities
MP Parking 2 Off Street Parking

7.5 – County Level Development Plan
Gloucestershire Local Transport Plan (2020 to 2041)

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



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Local Plan Review; Infrastructure Delivery Plan (May 2021)

7.6 – Other relevant documents

Stroud District Landscape Assessment Supplementary Planning Guidance (November 2000).
Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023
Cotswolds AONB Landscape Character Assessment (Landscape Character Type (LCT) 9 (High Wold Dip Slope)
Cotswolds AONB Landscape Strategy and Guidelines
Cotswolds AONB Local Distinctiveness and Landscape Change
Cotswolds Conservation Board Position Statements (Dark Skies and Artificial Light Position Statement)

8 PRINCIPLE OF DEVELOPMENT

8.1 The starting point for the consideration of this application is its' location in the context of Minchinhampton and the settlement hierarchy identified under Policy CP3 of the Stroud District Local Plan (Adopted November 2015). Policy CP3 identifies the Town of Minchinhampton as a Second Tier where it is considered that the settlement has the ability to support sustainable patterns of development.

8.2 Notwithstanding this, the site is located beyond the settlement limits associated with Minchinhampton (approximately 50 metres to the East). Whilst there is a close relationship to Minchinhampton, the site is not within its settlement limits and as such Policy CP15 of the Stroud District Local Plan (Adopted November 2015) is the principle policy for consideration.

8.3 Policy CP15 makes a presumption against new development subject to limited exceptions. The exceptions include development that would provide 'essential community facilities', provided that (in the case of new buildings) they cannot be accommodated within the settlement limits or through the re-use or replacement of an existing building. The supporting text identifies development for health as being community facilities.

8.4 Accordingly, it is necessary to consider whether or not the proposed development would amount to the provision of a new building for 'essential community facilities' that cannot be otherwise provided by re-use or replacement of existing buildings; thereby meeting this policy objective.

8.5 The back drop to this assessment is the current Minchinhampton Surgery. It is widely acknowledged that the existing facilities are no longer fit for purpose. The applicant has identified significant constraints to the operation of the existing surgery and argues that the practice is unable to provide adequate medical services in accordance with modern requirements; and is unable to accommodate the existing and projected population associated with the catchment area of the surgery. This is a factor acknowledged in the Minchinhampton Neighbourhood Development Plan (MNDP) acknowledges that the existing Minchinhampton Surgery is inadequate.

8.6 The Stroud District Council Infrastructure Delivery Plan (May 2021) (SDC IDP) recognises that the Primary Care Infrastructure Plan (NHS Gloucestershire) identifies the



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replacement of the Minchinhampton Surgery as being a project to address capacity issues associated with projected growth in the catchment – and that the business case for this project has been approved. It is of note that the proposed development would also provide dental facilities. The SDC IDP identifies that there is a demand for further dental facilities in the Stroud Valleys generally that would likely be provided as a private business decision to expand – and as such the proposed development would contribute to this demand.

8.7 Accordingly, officers are satisfied that there is an identifiable need to replace the existing Surgery facilities and that this would be in the wider public interest. Officers are also satisfied that the proposed development would contribute towards identified need for dental services in the wider Stroud Valleys.

8.6 The MNDP acknowledges that there is a strong desire to retain the surgery in Minchinhampton – and in particular draws attention to the need to consider the centrality of the existing facilities in the context of the sustainability of the town centre.

8.7 The applicant has acknowledged this preference in considering the potential sites for the development of a new surgery. The applicant argues that the option to redevelop the area around the existing surgery and land between the School, Library and Social Services building has been carefully considered (referred to as site 2 in the submitted sequential analysis of potential sites) but was ruled out due to physical and financial constraints being in conflict with the timeframe for NHS funding (Gloucestershire Clinical Commissioning Group(CCG)).

8.8 A total of 17 sites (including the application site). The applicants sets out that the basic criteria for site selection is that it is able to provide for medical centre facilities that will meet the needs for the Minchinhampton Community and surrounding catchment and which meets the clinical requirements with scope for future enhancement. The applicant sets out that the minimum site area is 0.43 hectares and a floor space area of 966 square metres. The assessment has also included other factors and constraints such as accessibility and landscape sensitivity.

8.9 The key factors identified in the case of the application (the selected site) is that it meets the 'site size' objectives. The site is accessible from the town centre and the surrounding locality; and the site is available and the development achievable.

8.10 The remaining (non-selected sites) are as follows. The list includes the basic reason for being discounted by the applicant.

- i) Site 2 (within settlement boundary) – Minchinhampton Medical Centre, Minchinhampton Library, School Lane, Minchinhampton (Part Existing Site). As referenced above this site is discounted as there is a complex ownership and no benefit or enhancement of access arrangements.
- ii) Site 3 (within settlement boundary) School Playing Field, Minchinhampton School, School Road, Minchinhampton. The school academy does not wish to sell the land and there would be a need to offset existing school facilities elsewhere. The land



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- value is too high. The site is not available and would not meet the time frames required.
- iii) Site 4 (within settlement boundary) Stewart Court, Minchinhampton. The site is in residential use and private ownership. Land value too high.
 - iv) Site 5 (within settlement boundary) Minchinhampton Cricket Club and Sports Pitches, Minchinhampton. The site is designated open space with no opportunity to provide sports facilities elsewhere in Minchinhampton.
 - v) Site 6 (within settlement boundary) Youth Centre, Tobacconist Road, Minchinhampton. The owner not in position to sell and the site is too small.
 - vi) Site 7 (within settlement boundary) Allotment Site, Tobacconist Road. Poor vehicular access and Community Asset. Not available in required time scales.
 - vii) Site 8 (within settlement boundary) Lemon Field Friday Street, Minchinhampton. Poor vehicular access and too small. Site constraints make site unviable.
 - viii) Site 9 Land at Blueboys Corner, Cirencester Road, Minchinhampton. Landscape impact and the site is not available.
 - ix) Site 10 Land South of Cirencester Road, Minchinhampton. Residential value makes the site unviable.
 - x) Site 11 Glebe Farm, North of Woefulane Bottom. Noted proposed site allocation in the Local Plan Review and that the site cannot cater for timescales required.
 - xi) Site 12 Land north of Woefulane Bottom, Minchinhampton. Identify the linear nature of the site as being unsuitable for the requirements of the surgery.
 - xii) Site 13 Land at Chapel Farm, off Tetbury Street, Minchinhampton. The access is constrained and sensitive location. The site is not available within the time frames required.
 - xiii) Site 14 Land South of West End, Minchinhampton. No direct access means harm to Conservation area wall features. The site is not available within the time frames required.
 - xiv) Site 15 Land off Box Lane, Minchinhampton. New access required - the site is not available within the time frames required.
 - xv) Site 16 Longfield Hospice, Minchinhampton – The site is available but it is isolated from Minchinhampton and had poor access.
 - xvi) Site 17 Land South of Old Commons Road, Minchinhampton – residential value of site makes development unviable.



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8.11 The applicant has carried out a comprehensive assessment of potential sites located within or on the edge of Minchinhampton. The assessment has provided a broad view to the constraints affecting each site such as size, access and availability. The financial and timeframe constraints are also an important factor in terms of NHS funding (Gloucestershire Clinical Commissioning Group) that would fund the proposed facilities. Officers are satisfied that the sequential approach to site selection is robust. Notwithstanding this, officers note that three sites that were not selected are also outside the settlement boundary (sites 10, 11 17) and where the only constraint is the apparent residential value. These sites lie to the East of Minchinhampton and are located in the AONB with medium sensitivity to development. Of these, site 11 identified as Glebe Farm by the applicant is a proposed allocation in the Local Plan Review (Land East of Tobacconist Road (PS05)). This would bring about considerable time scale implications and potential to interfere with future site delivery. Site 10 and 17 are not future housing allocations and as such it is not clear why there would be a financial constraint due to residential land value. However, these sites have very similar constraints to the selected site (site 10 being immediately to the south of the selected site off Cirencester Road). The key difference with the selected site is that it can be made available quickly and within the cost parameters of the NHS funding.

8.12 Having regards to the submitted assessment of potential sites, officers are satisfied that the selected site responds to the need for 'new community facilities' and that there is no other viable option that would meet the needs of the community in respect of primary medical care. Accordingly, the proposed development is in accordance the principles set out in Policy CP15 (6 and vi). The proposal also responds to the recognition in the Minchinhampton NDP that the existing Surgery facilities are inadequate. However, it is necessary to consider the impacts of the development in respect of the following matters.

8.13 Substantial weight in favour of the proposed development is attributed to this factor.

9 IMPACT ON MINCHINHAMPTON TOWN CENTRE

9.1 The application site is located beyond the Settlement Limits associated with Minchinhampton and is located outside of the identified Town Centre (which in this instance is identified as a 'district centre'). However, the proposed Medical Centre (including Dentist Accommodation) is not defined as a 'Main Town Centre Use' within annex 2 (glossary) of the National Planning Policy Framework and as such is are not uses that require a sequential assessment in respect of the relationship with an existing town centre. It is of note that the proposed development does not include a pharmacy; which has been removed from the proposal.

9.2 Concerns raised that the location of the proposed development would undermine the existing Minchinhampton Dental Practice and Pharmacy are noted (a pharmacy is no longer part of the proposed facilities in the development). However, it is considered that the proposed dentist accommodation would offer an alternative facility and (as set out earlier in this report) would address an identified need for dentist accommodation over and above the existing. Furthermore, the dentist accommodation would be ancillary to the main use as a primary care facility and would not stand alone in that respect. Officers are satisfied that the proposed development would not undermine the purpose of Minchinhampton Town Centre or



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conflict with the scope of Policy CP12 of the Stroud District Local Plan (adopted) November 2015. Furthermore, the development would continue to provide a viable benefit that would support the local rural economy associated with Minchinhampton; and in the public interest.

9.3 Significant weight in favour of the proposed development is attributed to this factor.

10 LANDSCAPE and AONB CONSIDERATIONS

10.1 *Location of the Site* – The site is located in the Cotswold Area of Outstanding Beauty (AONB)/The Cotswolds National Landscape. The National Planning Policy Framework (NPPF) (para 176) sets out that ‘great weight’ should be given to conserving and enhancing landscape and scenic beauty in the AONB.

10.2 Paragraph 177 of the NPPF sets out that when considering planning applications for development within the AONB, permission should be refused for ‘major development’ other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest. The NPPF goes on to set out three criteria of consideration that should be included in the assessment of a proposal that is regarded as major for the purposes of paragraph 177. Namely, that it can be demonstrated that the development is in the public interest, and;

- i) The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- ii) The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- iii) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

10.3 These criteria are reflected in the Stroud District Local Plan (Policies CP15 and ES7). Accordingly, the basis of this assessment should be considered in the context of whether or not the development is major in the context of paragraph 177 of the NPPF. For the avoidance of doubt, the definition of major development in this context is not the same as that provided by the Town and Country Planning (Development Procedure) (England) Order (GPDO) which provides a specific size/amount criteria. In this instance the proposed development is not defined as major development in the context of the GPDO – it is just below the floor area threshold of 1000 square metres. This would imply, to a certain extent, that the impacts of the scale and size of the development would be reduced.

10.4 Notwithstanding this, it is considered that in the context of paragraph 177 of the NPPF, ‘major development’ should not be considered by scale alone and should include an assessment that accounts for the local and immediate context. Footnote 60 of the NPPF sets out that for the purposes of Paragraph and 177, whether a proposal ‘major development’ is a matter for the decision maker (in this instance the LPA), taking into account its nature, scale and setting and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. These are factors considered further in this report.



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10.5 *Local Character* – The site is made up of part of an existing agricultural field situated immediately East of the Minchinhampton Settlement Boundary. The development site itself is on the Eastern half of the site approximately 50 metres from the settlement boundary.

10.6 The field is relatively flat and made up of high plateau. It is located within the 'Wold Tops' as identified in the Stroud District Character Assessment (Supplementary Planning Guidance). The site is characterised by stone wall field boundaries and hedging as well as the belt of beech trees enclosing the North elevation of the site. In terms of the contribution to the wider landscape, the applicant argues that this is limited. Whilst officers do not disagree with this argument and note that the site itself is not in a particularly good condition (containing a small amount of disused or derelict agricultural paraphernalia), the existing field does allow views to continue beyond the site and as such remains an important part of the wider AONB. In the very local context, it is considered to be less valuable. Views towards the site from the East are such that the proposed development would sit against the backdrop of existing dwellings at the edge of the settlement, with the beech trees to the North, Cirencester Road immediately to the south with open fields beyond.

10.7 Existing views from the site towards the East are characterised by the flat open fields, dry stone walls, hedges, trees and sparsely populated countryside. Views towards the East from the extent of the settlement limits are enclosed by existing dwellings, walls and trees with Cirencester Road clearly defining the Southern Boundary of the site.

10.8 The applicant has carried out a Landscape and Visual Impact Assessment (LVIA) and this includes a series of seven landscape photographs of the site from a range of locations close to and further away from the site including publically accessible routes (PROW's and roads). It is considered that the photographs demonstrate that the site has a close relationship with Minchinhampton and its associated built up areas. The applicant argues that the greatest degree of impact of the proposed development is in close proximity to the site (including existing residential dwellings due west of the site). The applicant argues that, in longer views, the development will be observed against the backdrop of development associated with Minchinhampton. In views further out still the site becomes less visible due to topographical characteristics and landscape features; where views of the building would be limited to its roof slope and its stepped eastern elevation. Officers are comfortable with this assessment and that careful design can reduce the impact of the development in the landscape. For the reasons set out later in this report, it is considered that the proposed development would not have a harmful impact upon night time light levels and the landscape character objectives of 'dark skies' policy on the AONB.

10.9 *The Landscape, Scale and Visual relationship of the Proposed Development* – The detailed design of the development is considered later in this report. However, in order to assess the impact of the development in the context of paragraph 177 of the NPPF it is necessary to address the broad characteristics of the development against the landscape character of the AONB in which it sits.

10.10 The LVIA submitted by the applicant draws the conclusion that the landscape and visual effects are not significant and, on balance, the proposed development is considered acceptable in landscape and visual terms.



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10.11 The applicant argues that it is based around a 'barn type massing' to address the rural location and reduce the overall impact of the first floor element. Nonetheless, officers consider that the building is modern in its appearance. However, it is considered that the careful use of materials that reflect the locality and the simple design detailing results in a building of a scale consistent with the rural character of the area. Similarly, the use of dry stone walling, country sawn post and rail fencing and careful planting provides a strong rural characteristic. The proposed building is relatively modest and designed so that its scale appears reduced.

10.12 Whilst officers acknowledge that the proposed development will result in some adverse impact in landscape terms, it is considered that this impact will not be significantly adverse such that it would otherwise undermine the purposes for which the area has been designated or defined; which is a very large and diverse landscape.

10.13 This is because it is considered that the close relationship of the site with the built area of Minchinhampton, the scale of the development and the relatively low value of the development site would not act to undermine the wider landscape value of the AONB. Indeed, the development would not result in the loss of the bank of Beech trees on the Northern boundary – which are an important feature in the landscape. The design of the building and the general layout (utilising local materials, rural detailing and indigenous plant species) is such that over time the site will mature and assimilate with the wider rural character. Furthermore, given the nature of the existing site officers are satisfied that there would be no material impact upon the recreational activities in the AONB. Landscaping, ecological improvements and other environmental mitigation (as noted later in this report) are such that these impacts can be moderated.

10.14 *Landscape Conclusions* – As set out above, it is necessary to first establish whether or not the proposed development is 'major development' for the purpose of paragraph 177 of the NPPF. The trigger for this is that the proposed development would have a significant adverse impact on the character of the AONB and the purpose of including the land within it. Whilst this is somewhat subjective (and a matter of judgement for the decision maker), officers consider that the existing character of the site, the scale of the development and its relationship with the wider AONB is such that the development would not result in a significant adverse impact. For the purpose of paragraph 177 of the NPPF, officers are satisfied that the proposal does not constitute 'major development' and as such there is not a presumption against approving the development.

10.15 In this instance, it is not necessary to consider the special criteria for otherwise permitting 'major development' in the context of paragraph 177 of the NPPF, the assessment of the principle of the proposed development has established that (due to the lack of available sites within Minchinhampton) the scope of the proposal does respond well to those tests. In particular, the development, whilst being outside the settlement limits of Minchinhampton must still serve the catchment area associated with the Minchinhampton Surgery. It would not serve its purpose if the surgery was located in an area that is outside the designated area (AONB) and as such there is no scope meeting the need for the development in some other way. Similarly, it is considered that the continued provision of a



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viable primary care facility would be in the interest of the local economy and the public interest.

10.16 Notwithstanding the above, officers acknowledge that there would be some adverse impact in landscape terms resulting from the proposed development. For the reasons set out in this report, it is considered that the impact can be moderated/mitigated through careful design and landscaping. On this basis moderate weight against the proposed development is attributed to this factor.

11 BUILDING DESIGN, LAYOUT/LANDSCAPING AND APPEARANCE

11.1 The proposed building is bespoke in its design and modern in style. It provides simple detailing combined with materials that are contemporary with the local area – including natural Cotswold Stone and slate effect roofing materials. Contemporary detailing includes large areas glass to the principal elevation in high quality aluminium window frames with wood architectural features that highlight architectural features of the building.

11.2 The building is arranged on a 'T' shape with a strong principal elevation facing onto Cirencester Road. Whilst the main public entrance to the building is to the back of the front wing of the building this relates to the car parking and access well – and would be legible from those areas. The overall height of the proposed building is approximately 10.5 metres. The first floor covers approximately 30% to 40% of the overall footprint. This allows the building to remain relatively low height in its setting and maintain a more 'domestic' scale against the back drop of existing dwellings to the West.

11.3 The position of the proposed building is such that it is located towards the Southern elevation of the site so presenting the principal elevation close to Cirencester Road set in simple landscaping (lawn sown with flowering mix and 4 lime trees) with the existing stone wall retained. Whilst it is acknowledged that the stone wall would need to be altered to provide the access, officers are satisfied that this can be done in a sympathetic way. Positioning the building in this way allows for it to maintain strong presence on the site and a strong sense of arrival. The provision of parking predominantly to the rear of the site; screened by the building and associated landscaping ensures that the development does not appear dominated or surrounded by parking facilities and as such is a well thought out design solution.

11.4 The proposed landscaping of the development is well considered and would retain the dry stone wall features present on the application site. The area to the West of the application site (not subject to this application) would be retained as paddock (with a separate access gate). The West boundary of the site would be enclosed by a 1.2 metre high timber post and rail fence with a beech hedge enclosing the car parking spaces adjacent to this boundary. Grass planting is proposed adjacent to the access drive which would be a 'wetland meadow mix' to account for the presence of a linear drainage basin in this position. A number of drainage basins are proposed to be installed within the site as part of the landscaping which would provide a good quality landscape solution as well as biodiversity and drainage benefits. The same approach to the grass planting around those features is proposed. On the East side of the site it is proposed to introduce a native hedge planting mix immediately



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inside the existing stone wall on the East boundary of the site. The area to the side of the building would also include flowering lawn mix, bulb planting, tree planting (birch trees) as well as wetland grass to be associated with the main drainage basin on the development. Low level shrub (including climbing species) and grass planting is proposed to be used in the areas immediately adjacent to the surgery building whilst it is proposed to introduce further hedging and trees (including hornbeam) into the parking areas to punctuate the parking areas.

11.5 Officers consider that the proposed development is of a high quality design that responds well to its rural and edge of settlement setting. Officers have carefully considered the broad impact of this development in terms of its scale in the context of the wider Cotswold AONB; and considers that the development does not represent 'major development' for the purpose of paragraph 177 of the NPPF. Whilst it is fully acknowledged that the presence of the new building, associated car parking and access would negatively alter the character immediate locality, officers consider that the detailed design and layout of the development would preserve the wider character of the AONB. The proposed development would respond well to its immediate context and provide some residual environmental benefit (as discussed further in this report). These factors ensure that the negative impact of the development is appropriately moderated. On this basis moderate weight against the proposed development is attributed to this factor.

12 ARCHAEOLOGY & HISTORIC ENVIRONMENT

12.1 The site is located some 600 metres due Northeast from the Minchinhampton Conservation area and is separated from it by existing development, topographical and landscape features. Similarly, the listed buildings associated with the group on Blueboys Corner (Blueboys Cottage, House and Barn) are approximately 540 metres due West and separated by existing development, topographical and landscape features. Accordingly, it is considered that the proposed development would not be seen in conjunction with the Listed Buildings and Conservation Area.

12.2 The Cirencester Milestone (Grade II listed) is located on Cirencester Road approximately 340 metres to the East. Given the small scale of the structure, the setting of it is confined to the stone wall and the main highway. Whilst views of the development site are available from it, the distance and the fact that it is set against the back drop of existing buildings (to the West of the site) and a number of buildings in the closer foreground, it is considered that the proposed development would not materially affect the setting of the Milestone.

12.3 Accordingly, officers are satisfied that the development would not materially impact upon the setting of listed building heritage assets and is consistent with the scope of Policy ES10 of the Stroud District Local Plan (adopted November 2015)

12.4 The County Archaeologist has been consulted in respect of this proposal. The Local Planning Authority is advised that the site does not contain any known heritage assets. However, the site is situated in an area with high potential for prehistoric archaeological remains. The County Archaeologist sites the presence of a possible Bronze Age round



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barrow approximately 60 metres due east. Accordingly, the County Archaeologist suggests that an appropriately worded condition is imposed in the event that the application is approved. This would secure the provision of archaeological monitoring during the early construction phase, the method for which set out in a Written Scheme of investigation for agreement by the LPA and County Archaeologist.

12.5 Officers are satisfied that such a condition is reasonable and will ensure that the development can proceed whilst recording any archaeological remains discovered during construction. Subject to this condition, officers consider that the archaeological potential for the site is adequately addressed and is consistent with the scope of Policy ES10 of the Stroud District Local Plan (adopted November 2015). Neutral weight is attributed to this factor.

13 ENVIRONMENTAL ISSUES

13.1 *Ecology* – The existing site is made up of agricultural land. The District Ecologist advises that the site contains common and widespread habitat types and that the site is unlikely to be used by protected or notable species. The applicant has set out appropriate mitigation to ensure that in the unlikely event that protected or notable species are or become present on the site this can be safeguarded at the clearance/construction phase of the proposed development.

13.2 The site does not contain any priority habitats and is of a low ecological value. The development would introduce ecological mitigation and enhancement. This includes the creation of ponds and wet areas as part of the sustainable drainage system, and the introduction of native hedgerow, shrub planting, log piles and brash piles and bird and bat boxes. These measures can be secured by appropriate planning condition in the event that the planning application is approved. Whilst officer acknowledge that the development would reduce the amount of undeveloped land associated with the site, the introduction of ecological features and enhancements would allow the site to connect better to the wider ecological network. As such, officers consider that the development would bring a net gain in terms of biodiversity.

13.3 As such, it is considered that the proposed development is acceptable in this regard and that there would be a positive ecological outcome. Moderate weight in favour is attributed to this factor.

13.4 *Water Environment* – The site is not within a flood risk area. The proposed development includes a comprehensive Sustainable Drainage Scheme to handle surface water which include features such as attenuation ponds. The Lead Local Flood Authority and the District Water Resources Engineer have both confirmed that the proposed scheme is acceptable – and that this would be a matter for building regulation approval ultimately. Waste water is to be dealt with via the existing foul drainage system and this is acceptable in planning terms. It is a matter for the agreement with Severn Trent Water and the developer. However, the proposed sustainable drainage measures can also be secured by appropriately worded planning condition should the application be approved.



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13.5 Accordingly, officers consider that the proposed development is acceptable in this regard. Neutral weight is attributed to this factor.

13.6 *Arboriculture* – There are no trees located within the boundary of the application site. However, a bank of protected (Group TPO) Beech trees are located adjacent to the Northern boundary of the site. The proposed development would introduce car parking/vehicular circulation space into the Root Protection Areas (RPA) of the trees.

13.7 The District Arboriculturalist has raised some concern about the provision of the parking area and works within the Beech Trees RPA and indicates that a solution would be to utilise specialist construction techniques (such as Cellweb) that can support the development without encroaching into the RPA. However, this information should be provided as part of an Arboricultural Method Statement. Notwithstanding this, the Arboricultural Officer is confident that Cellweb or similar construction can be used and would address those concerns. On this basis, an appropriately worded planning condition can be used to secure further details of construction around the trees, and subject to that condition, the proposed development is acceptable in that regard. Neutral weight is attributed to this factor.

13.8 *Carbon Reduction* – The proposed building would utilise the ‘fabric first’ construction method design to improve the physical performance of the building such as insulation, ventilation and sustainably sourced materials. The applicant has set out that the building is designed to achieve a BREEAM ‘excellent’ rating. This rating will account for the construction methods, materials, orientation and use of natural light and ventilation as well as measures such as providing positive ecological features. The building also utilises an array of solar panels that would offset energy consumption and carbon footprint. In this regard, the building makes a positive contribution in respect of the sustainable construction and renewable energy generation objectives of Policies ES1 and ES2 of the Stroud District Local Plan. The development will also include provision for cycle parking and facilities for electric vehicle charging on site.

13.9 It is also noted that as part of this development proposal, the applicant has committed to the provision of an extension to the existing footway along Cirencester Road and new bus stop location. These are positive measures that will improve the accessibility and choice of transport modes to the Medical Centre.

13.10 Whilst officers acknowledge that the location of the proposed is away from the Centre of Minchinhampton, the proposed development would introduce a new building with vastly improved performance when compared to the existing surgery building. As such, it is considered that the comparative location is outweighed by the building performance and other mitigations such as transport improvements noted above.

13.11 Accordingly, officers consider that the proposed development would provide a positive contribution to carbon reduction and the climate change agenda. Moderate weight in favour of the proposal is attributed to this factor.

13.12 *Ground Contamination* – The site is known to potentially contain asbestos contaminates. As such measures for the investigation of the site and appropriate remediation



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are required. The applicant has indicated that the area in the Northeast corner of the site is affected. Officers are satisfied that this work can be done and remediation carried out. This can be secured by appropriately worded planning condition should the application be approved. Subject to the use of this condition the proposed development is acceptable. Neutral weight is attributed to this factor.

13.13 *Dark Skies* – The Cotswold Conservation Board (CCB) have highlighted the need to ensure that the proposed development does not undermine the objective of preserving and improving access to dark skies within the AONB. The CCB recognises the requirement to provide artificial lighting and advises that artificial lighting should be directed to where it is needed – and so avoiding unnecessary light spill outwards and upwards.

13.14 The site is located beyond the settlement boundary where there is very limited external lighting. However, the site is not located in an area of lowest levels of light pollution (CPRE Dark Skies mapping) and this reflects its position close to the settlement of Minchinhampton. However, light levels are just under the midpoint radiance level. Street lighting is present up to the settlement boundary and the site itself is not lit under its current use. The proposed development includes external lighting. The majority of this is located in the car parking and access areas and consist of 21 bollards, whilst there are 6 bulk head units placed on the building itself. The equipment utilises modern LED low energy bulbs that are designed to distribute light precisely. The lighting drawings show that the light is confined very closely to the area of the development site, car park and circulation around the building. The nature of the lighting equipment is such that light is directed downwards and would result in very limited impact beyond the site.

13.15 Accordingly, officers are satisfied that the development would not undermine the objectives of the CCB dark skies policy and as such is compliant with the Cotswolds AONB Management Plan 2018-23 in that regard. Neutral weight is attributed to this factor.

14 HIGHWAY IMPACT AND ACCESSIBILITY

14.1 Following initial concerns about the accessibility of the site, the Highway Authority confirms that it does not raise objection to the proposed development subject to conditions and the provision of 'off site' highway works. The Highway Authority also confirms that the proposed travel plan accompanying the application provides appropriate measures for encouraging sustainable travel and that these will need to be monitored by the Highway Authority. The Highway Authority also confirms that offsite works can be secured by 'Grampian Style' condition and that the application under s278 and s38 of the highways act will require a safety audit to confirm technical safety matters.

14.2 The access to the site is from Cirencester Road, approximately half way along the Southern boundary of the existing field. It is also proposed to extend the existing footway along the Northern side of the footway. The Highway Authority initially raised issues about the accessibility of the site by means other than a private car and the potential conflict with the proposed access and the existing traffic calming build out.



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14.3 Subsequent discussion with the applicant has allowed the submission of details that show the provision of bus stop facilities (with an uncontrolled crossing) that would provide the opportunity for the Medical Centre to be served by public transport. This is considered to address issues raised about accessibility to the site and would make a positive contribution. In order to address the potential conflict of the vehicular access and the existing traffic calming build out, the applicant has provided details for the relocation of the traffic calming build out so that it is positioned approximately 50 metres East from its current position. This would be accompanied by corresponding extension of the 30 mph speed limit on Cirencester Road (under a revised Traffic Regulation Order). The Highway Authority has confirmed that this is acceptable in principle. However, noting comments made by members of the local community in respect of the safety of those measures, the Highway Authority has also confirmed that the final design/position of the new traffic calming build out would be subject to s278 approval and the findings of an accompanying safety audit that would support that process. This is a matter for the Highway Authority. In planning (land use) terms it is necessary for the Local Planning Authority to be satisfied that an appropriate solution can be found to make the development safe in respect of highway safety. In this instance, officers (in conjunction with the Highway Authority) are satisfied that an appropriate solution can be secure and would be consistent with the submission made by the applicant under this planning application. In order to secure off site works, it is appropriate to apply an appropriately worded condition that would ensure that the works are agreed and implemented prior to the first use/occupation of the development. Subject to this condition, officers are satisfied that the proposed development is acceptable in highway safety terms.

14.4 Notwithstanding the above, it is considered that the nature of the proposed off site works would not materially alter the character of the AONB or the relationship of Minchinhampton with the wider area.

14.5 The development would also provide a total of 71 parking spaces. These include 5 spaces for disable drivers and 4 spaces with charging facilities for electric vehicles. There is also 26 cycle parking spaces and two spaces for motor cycle. Facilities also include drop off and ambulance access. It is considered that this level of parking is satisfactory.

14.6 The Highway Authority has requested that appropriate funding for the monitoring and review of the supporting Travel Plan to ensure that the measures and targets therein remain appropriate and achievable. This is subject to a monitoring fee which is requested by the Highway Authority. This can be secured by appropriate legal agreement in the form of a Unilateral Undertaking (to benefit the Highway Authority as monitoring organisation). However, the cost of required changes to the existing speed limits (traffic regulation order) would not be necessary as the physical works required to do this can be secured by way of Grampian style condition.

14.7 Accordingly, officers are satisfied that the proposed development can be made safe in highway terms and as such is acceptable in that regard. Neutral weight is attached to this factor.



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15 RESIDENTIAL AND GENERAL AMENITY

15.1 Comments have been received raising concern about the impact of the development as a result of potential overlooking, airborne noise/particles and light pollution.

15.2 *Overlooking Considerations* The site is located in an open field due East of existing dwellings associated with Besbury Park. Numbers 27 to 30 abut the West field boundary. The West boundary development site is located approximately 45 to 50 metres from the boundaries of those residential properties whilst the building itself is some 80 metres distant. The West facing elevation of the proposed building contains windows that face the rear elevations of the dwellings referred to above. The majority of those windows relate to the ground floor accommodation and include internal circulation space. First floor fenestration relates to a 'void' floor area above the main reception area and the practice managers office. The first floor windows noted are approximately 90 metres distant from the rear elevation of the existing dwellings and approximately 75 metres from the property boundaries. Officers acknowledge that the presence of the new building will introduce a view towards the existing dwellings that was not previously available. It would also introduce human activity within the car parking area and the building itself that would have access to that view. However, given the distances involved and the nature of the activities within the building and outside areas, officers are satisfied that users of the building would not linger in such a way as to obtain deliberate views into nearby dwellings or gardens. Accordingly, it is considered that, whilst the proposed development would result in some impact, this would be minimal. The proposed development is considered acceptable in that regard.

15.3 *Noise/Particle and Light Pollution* – The proposed development is expected to generate around 50 to 60 vehicular movements during peak hours. Whilst this would substantially increase activity when compared to the existing field this should be read in the backdrop of movements and noise levels already associated with Cirencester Road. As previously set out, the distance of existing dwellings to the proposed development site is approximately 50 metres and as such noise levels at the nearest receptors (dwellings) are not likely to be significantly greater than the existing levels. The building includes a 'plant room' which would house equipment associated with air conditioning and other mechanical infrastructure. This is positioned on the East side of the building and unlikely to generate unacceptable noise levels at the nearest dwellings.

15.4 Vehicular movements are likely to introduce some additional lighting during the winter months where vehicles are manoeuvring in the car parking areas. However, the landscaping and distance to the nearest dwellings is considered to provide adequate mitigation so reducing the potential impact. The car park and outside circulation areas include specific lighting which are to be housed on low level bollards and at key points on the building itself. The lighting equipment would utilise modern LED type bulbs that have highly controlled light pools. It is unlikely that the equipment would generate direct light towards existing dwellings and given the distance between the proposed building and existing dwellings it is considered that the development would not result in an unacceptable impact in this regard.

15.5 It should also be noted that noise and/or light nuisance issues are a matter for specific Environmental Health Legislation and any complaint made in that respect is a matter for investigation under that legislation. In planning (land use) terms, the LPA need only be satisfied that the development is compatible with residential uses. In this respect, officers are



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satisfied that the proposed primary care medical centre is compatible with existing residential uses. Furthermore, the proposed opening hours (08:00 until 20:00 daily) is acceptable and would not take place in anti-social periods.

15.6 Having regards to the above, officers are satisfied that the proposed development is acceptable in residential amenity terms. Neutral weight is attributed to this factor.

16 CONCLUSION AND THE PLANNING BALANCE

16.1 The proposed development is located at the edge of Minchinhampton in the open countryside. The site is located within the AONB where the NPPF requires that 'great weight' should be attributed to its enhancement and conservation. This implies the highest level of protection and there is a presumption against 'major development' (in the context of the AONB definition) subject to meeting certain criteria.

16.2 In this instance, given the local characteristics of the site in relation to Minchinhampton and the wider AONB, officers consider that the proposal does not represent 'major development' in the AONB. Nonetheless, officers have recognised that the development would result in a negative impact. However, given the relationship of the site, its characteristics and the high quality design of the proposed development it is considered that the impact can be moderated to the extent that the wider character of the AONB and the purpose of including the land within it would be conserved. As such moderate weight against has been attributed to this factor.

16.3 It is important to balance this issue against the identified essential need for improved primary care in the Minchinhampton catchment area. The existing facilities are inadequate and officers consider that the applicant has demonstrated that the selected site is the only viable option. On this basis, the principle of development (notwithstanding the AONB considerations) is acceptable in terms of delivering the development beyond the settlement boundary. Officers consider that Substantial weight can be attributed to the fact that there is a demonstrable need to deliver improved primary care facilities. It is also important to recognise that the viability of the settlements within the AONB are an important part of the function of the landscape designation. Officers consider that the facilities would enhance and complement (rather than detract from) the function of Minchinhampton and significant weight is attributed to this factor.

16.4 In respect of the accessibility and highway impact, officers are satisfied that measures can be introduced that will ensure that a choice of transport modes (such as additional bus stops) can be provided. Officers are also satisfied that the access can be made safe. Accordingly, potential impact in this regard can be adequately mitigated.

16.5 Other environmental impacts can also be mitigated appropriately. Indeed, officers consider that there is some benefit from the proposal in respect of the biodiversity impact of the development.

16.6 Officers consider that the positive benefit to Minchinhampton community (and Primary Care catchment) as well as the positive contribution that the development would bring to the



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function and viability of the settlement as part of the AONB and as a Second Tier settlement carries substantial weight. Collectively the benefits together with the moderating characteristics of the development and site are sufficient to outweigh the identified harm to the character of the AONB. On this basis, officers recommend approval as set out below.

17 HUMAN RIGHTS

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

18 RECOMMENDATION

22.1 That Planning Permission is **GRANTED** subject to the planning conditions as set out in this report and the applicant first entering into an appropriate legal agreement (with the Highway Authority) to secure the following;

- i) Travel Plan monitoring and fee of £10,000 (10 years at £1000 per year).



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Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Plans

The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:

572-90 Rev A	(Site Location Plan)
572-90	(Block Plan)
572-100 Rev R	(Proposed Site Plan)
572-101	(Proposed Footpath Plan)
572-200 Rev T	(Proposed Floor Plans)
572-205	(Proposed Roof Plan)
572-300 Rev B	(Proposed Elevations)
20009-DR-E901	External Lighting Layout
LA-19-D61-001	(Soft Landscape Proposals)

As received by the Local Planning Authority on 24th February 2021.

Reason: For the avoidance of doubt

3. Drainage

The surface water drainage shall be implemented in accordance with the details as shown upon drawing number 20-3937-100 Rev P1 (Outline Drainage Scheme) as contained within the Sustainable Drainage Assessment, Operation and Maintenance Plan (by GHW Consulting) as received by the Local Planning Authority on 24th February 2021.

Reason: In order to achieve sustainable measures for surface water drainage in the interests of the water environment and in accordance with Policy ES3 and ES4 of the Stroud District Local Plan (adopted) November 2015.

4. Archaeology

No development shall take place within the application site until 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. Thereafter the development shall proceed in accordance with the agreed details.



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Reason: To protect and allow the recording of the potential presence of archaeological remains in accordance with Policy ES10 of the Stroud District Local Plan (adopted) November 2015. This is a pre-commencement condition to avoid unauthorised/accidental removal of archaeological remains without recording.

5. Ecology

All works shall be carried out in full accordance with the recommendations contained in the Ecological Impact Assessment, Swift Ecology, as received by the Local Planning Authority on 24th February 2021. Thereafter the development shall be retained as such.

Reason: To protect and enhance the site for biodiversity and to comply with Policy ES6 of the Stroud District Local Plan 2015

6. Arboricultural Method Statement

The development shall not commence until a detailed Arboricultural Method Statement (AMS) (in compliance with BS 5837) for the construction of the development in respect of the protected trees (Group TPO) located adjacent to the North Boundary of the site has been submitted and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed AMS.

For the avoidance of doubt the AMS shall include (but not exhaustively) details for the protection of the trees during the construction phase and the methods for the construction of car parking and other hard surfaces within the root protection areas of the trees.

Reason: In the interest of protected trees associated with the site and to comply with Policy ES8 of the Stroud District Local Plan 2015. This is a pre-commencement condition to avoid the requirement for unnecessary remediation works and damage to protected trees.

7. The development hereby permitted shall not begin until a scheme to deal with ground contamination, controlled waters and/or ground gas has been submitted to and approved by the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:

i). A Phase I site investigation carried out by a competent person to include a desk study, site walkover, the production of a site



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conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175:2011 + A2:2017 Investigation of Potentially Contaminated Sites - Code of Practice.

ii). If identified as required by the above approved Phase 1 site investigation report, a Phase 2 intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 + A2:2017 Investigation of Potentially Contaminated Sites - Code of Practice. Where required, the report shall include a detailed quantitative human health and environmental risk assessment.

iii). If identified as required by the above approved Phase 2 intrusive investigation report, a remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end-point of the remediation should be stated, such as site contaminant levels or a risk management action, as well as how this will be validated. Any ongoing monitoring should also be outlined. No deviation shall be made from this scheme without prior written approval from the Local Planning Authority.

No part of the development hereby permitted shall be occupied until:

iv). Any previously unidentified contamination encountered during the works has been fully assessed and an appropriate remediation scheme submitted to and approved the Local Planning Authority.

v). A verification report detailing the remediation works undertaken and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology has been submitted to, and approved by, the Local Planning Authority. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

For further details, as to how to comply with this condition, please contact Katie Larner, Senior Contaminated Land Officer - tel: (01453) 754469.

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and



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ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. Provide Landscaping

All soft landscaping as detailed upon drawing number LA-19-D61-001 (Soft Landscape Proposals) shall be provided within the first planting season following the first occupation of the development hereby approved and shall be maintained in accordance with the maintenance guidelines contained therein. Thereafter the development shall be retained as set out on this drawing. Any planting which becomes diseased, dies or is removed within the first 5 years of planting shall be replaced with like for like species.

Reason: In order to ensure that the appropriate landscaping is provided and maintained in the interest of the landscape character of the site and the landscape and to accord with Policy ES7 of the Stroud District Local Plan 2015.

9. Prior to the commencement of the development hereby permitted details of a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall include but not be restricted to:

- 1 - Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- 2 - Advisory routes for construction traffic;
- 3 - Any temporary access to the site;
- 4 - Locations for loading/unloading and storage of plant, waste and construction materials;
- 5 - Method of preventing mud and dust being carried onto the highway;
- 6 - Arrangements for turning vehicles;
- 7 - Dust Management

Reason: In the interests of safe operation of the adopted highway in the lead into development during the construction phase of the development; and in the interest of Highway Safety and to accord with policy ES3 of the Stroud District Local Plan (adopted) 2015. This is a pre-commencement condition to avoid the requirement for unnecessary remediation works.

10. No gate shall be erected or installed across the site access within 5 metres from the adjoining carriageway edge. Any gate shall be made to open inwards only.



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Reason: In the interest of Highway Safety and to accord with policy ES3 of the Stroud District Local Plan (adopted) 2015.

11. Prior to first occupational use of the development hereby permitted a 2.0 metres wide footway shall be constructed and completed from the site access road to extend westwards along the north side of Cirencester Road for around 125 metres to link with the existing infrastructure.

Reason: In the interest of Highway Safety and to accord with policy ES3 of the Stroud District Local Plan (adopted) 2015.

12. Prior to the first operational use of the development hereby permitted a scheme of off-site improvement works substantially as indicated in principle on drawing no B/WHPMINCHINHAMPTON2.1/03 (as received by the Local Planning Authority on 19th January 2022) shall be constructed and completed. For the avoidance of doubt the works shall be completed in accordance with the agreement of Gloucestershire Highway Authority and shall be subject of an appropriate highway safety audit. Thereafter the development shall be retained as such.

Reason: In the interest of Highway Safety and to accord with policy ES3 of the Stroud District Local Plan (adopted) 2015.

13. Prior to the first occupational use of the development hereby permitted car parking and turning areas within the site shall be provided in accordance with the details shown upon 572-100 Rev R (Proposed Site Plan) as received by the Local Planning Authority on 24th February 2021.

Reason: In the interest of Highway Safety and to accord with policy ES3 of the Stroud District Local Plan (adopted) 2015.

14. Prior to the first occupational use of the development hereby permitted the electric vehicle charging facilities shall be installed in accordance with the details shown upon 572-100 Rev R (Proposed Site Plan) as received by the Local Planning Authority on 24th February 2021; and, shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851, and Manual for Gloucestershire Streets. The charging points installed shall be retained thereafter unless replaced or upgraded to an equal or higher specification.

Reason: To promote sustainable travel and healthy communities in accordance with Policy CP13 of the Stroud District Local Plan (adopted) November 2015.



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15. Prior to the first occupational use of the development hereby permitted secure and covered cycle parking shall be provided in accordance with the details shown upon 572-100 Rev R (Proposed Site Plan) as received by the Local Planning Authority on 24th February 2021.

Reason: To promote sustainable travel and healthy communities in accordance with Policy CP13 of the Stroud District Local Plan (adopted) November 2015.

16. Prior to the first occupational use of the development hereby permitted a Full Travel Plan shall be submitted to the Local Planning Authority for approval.

Reason: To promote sustainable travel and healthy communities in accordance with Policy CP13 of the Stroud District Local Plan (adopted) November 2015.

17. Prior to the commencement of any development hereby permitted a traffic regulation order (TRO) relating to the speed limit on Cirencester Road shall have been implemented.

Reason: In the interest of Highway Safety and to accord with policy ES3 of the Stroud District Local Plan (adopted) 2015.

18. Working Hours

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

Reason: To protect the landscape from unnecessary light pollution and in the interest of residential amenity and to accord with Policies ES3 of the Stroud District Local Plan 2015.

19. No Additional Lighting

There shall be no additional external lighting installed at the site other than that shown on drawing number 20009-DR-E901 (External Lighting Layout) as received by the Local Planning Authority on 24th February 2021.

Reason: To protect the landscape from unnecessary light pollution and in the interest of residential amenity and to accord with Policies ES3 and ES7 of the Stroud District Local Plan 2015.



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Informatives:

1. ARTICLE 35 (2) STATEMENT - Whilst there was little, if any, pre-application discussion on this project it was found to be acceptable and required no further dialogue with the applicant.
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 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.
3. 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 should be made with the Highway Authority's Legal Agreements Development Management Team at 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
4. 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.
5. 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 proposal(s).



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You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the 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.

The Highway Authority 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.

The cost 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.