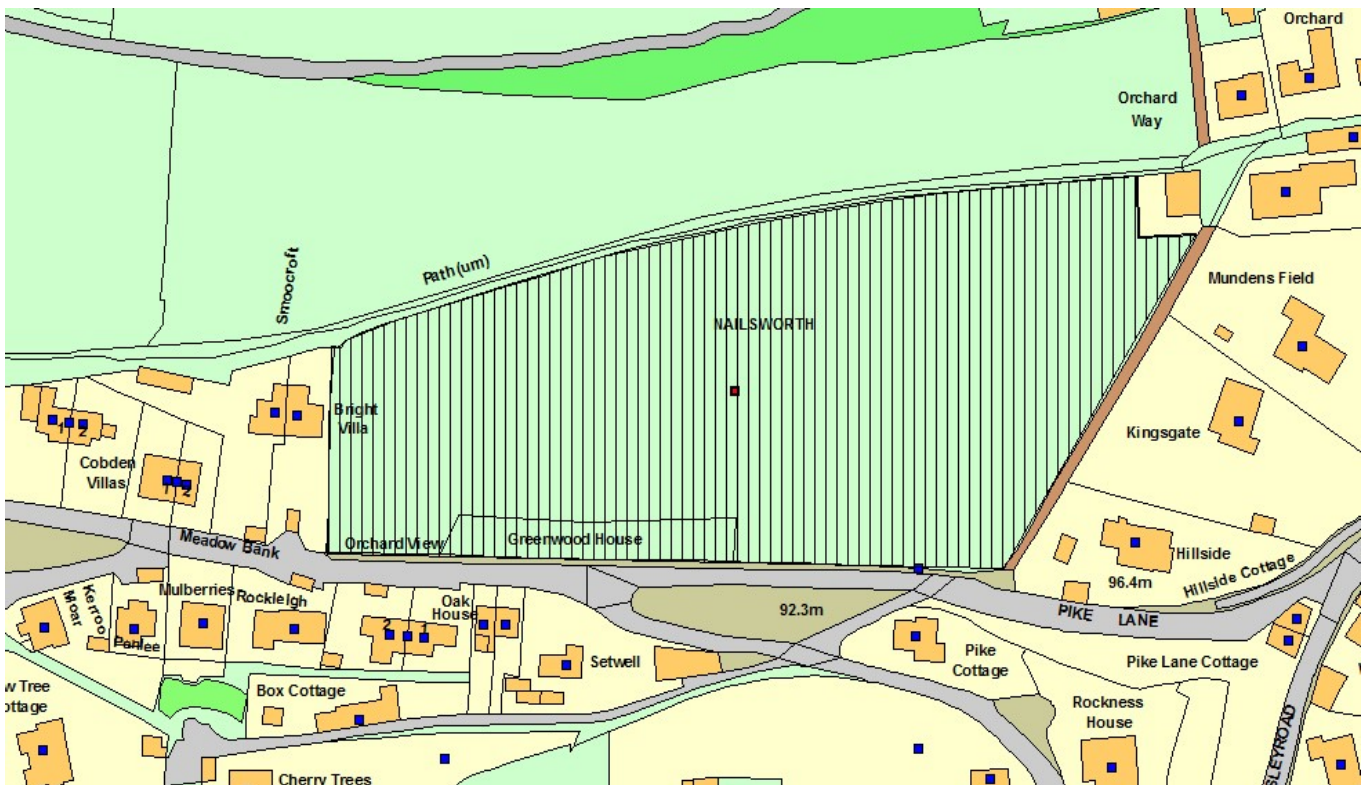




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Item No:	03
Application No.	S.21/1523/VAR
Site Address	Land At, Pike Lane, Nailsworth, Gloucestershire
Town/Parish	Nailsworth Town Council
Grid Reference	384553,199348
Application Type	Variation of Condition
Proposal	Variation of condition 1 of S.17/0883/REM - Changes to detailed house designs of plots 1 & 8.
Recommendation	Permission
Call in Request	Nailsworth Town Council





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Applicant's Details	Mr T Sheppard Newland Homes Ltd, Brighthouse Court, Barnett Way, Barnwood, Gloucester GL4 3RT
Agent's Details	None
Case Officer	John Chaplin
Application Validated	17.06.2021
	CONSULTEES
Comments Received	Nailsworth Town Council
Constraints	Affecting the Setting of a Cons Area Consult area Glos Centre Env Records - Species Kemble Airfield Hazard Neighbourhood Plan Nymphsfield Airfield Zone Nailsworth Town Council Rodborough 3km core catchment zone Settlement Boundaries (LP) Single Tree Preservation Order Points Village Design Statement
	OFFICER'S REPORT

MAIN ISSUES

- o Principle of development
- o Design and appearance
- o Residential Amenity

DESCRIPTION OF SITE

The application site is a sloping field located to the West of Nailsworth town centre. The field has access from Pike Lane which continues into Shortwood Road. A large Oak tree is present to the bottom with a small group of trees along the Pike Lane boundary. The site is outside the Cotswolds AONB (National Landscape) but the boundary line located nearby. Work has started on the access for the approved 17 dwelling scheme on the site but not progressed further at this time.

PROPOSAL

This application seeks to vary the approved plans for the dwellings in plots 1 and 8. Elevational details have been amended, internal layout changes and increase in height and additional floor space has been proposed.

REVISED DETAILS

Revised elevation plans for Plot 8 - Drawing no 210-30 REV A received on 6th April 2022



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MATERIALS

Roof: Plain tiles and sedum

Walls: Render, Stone and timber cladding

REPRESENTATIONS

Statutory Consultees:

Nailsworth Town Council:

Nailsworth Council object most strongly. It is very disappointing to see that the developer has submitted changes that degrade the design and increase the size and massing of the proposed buildings. NTC would like to remind the planning authority that the original planning application for this development was controversial and there were almost 1000 individual written objections from Nailsworth people. It was turned down by the LPA but was eventually given permission on appeal. One of the reasons for allowing the appeal was the claimed quality of the design. The developer is now seeking to degrade the design by changes to fenestration and building size and mass. This would have the effect of making this intrusion into the valley still more prominent. NTC oppose the changes very strongly. The original application went to DCC for determination. Is the case officer is minded to grant permission, we request that the application is referred to DCC.

Revised Plan consultation

Nailsworth Town Council:

Object. This application was opposed by over 1,000 people and was won on appeal. Development was given permission on the design quality and cohesion, and these variations degrade the design quality. The developers reasoning is that the changes are to make the engineering easier, however the original consultation drew attention to the need for heavy engineering work. Increasing the height of these buildings will make the development even more inappropriate in this setting. There continues to be much concern on how the developer will meet the access restrictions of the site during the construction phase. NTC request this application is called in for DCC decision should it be approved by the planning officer.

Public:

Approximately 29 objections received highlight the following issues:

Highlight the large number of objections to original application and noting appeal decision.

Downgrades the design, out of keeping, makes the intrusion into the valley still more prominent. Glazed gable has no local precedent.

No need for larger houses, unaffordable for local residents,

Causes overshadowing, overlooking and a loss of privacy.

Detrimental effect on outlook

Increased Noise and disturbance

Highway Issues: increase traffic generation, narrow nature of Pike Lane, highway safety and parking concerns.

Impact on ground stability.

Set a precedent for future changes.

Impact on oak tree and climate change.

Topography and slope know at outset. Changes to increase profits shouldn't be allowed.



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NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework 2.2.

Available to view at
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Stroud District Local Plan.

Policies together with the preamble text and associated supplementary planning documents are available to view on the Councils website:

https://www.stroud.gov.uk/media/1455/stroud-district-local-plan_november-2015_low-res_for-web.pdf

Local Plan policies considered for this application include:

- CP4 - Place Making.
- CP5 - Environmental development principles for strategic growth.
- CP6 - Infrastructure and developer contributions.
- CP7 - Lifetime communities.
- CP8 - New housing development.
- CP9 - Affordable housing.
- CP13 - Demand management and sustainable travel measures.
- CP14 - High quality sustainable development.
- CP15 - A quality living and working countryside.

- ES1 - Sustainable construction and design.
- ES2 - Renewable or low carbon energy generation.
- ES3 - Maintaining quality of life within our environmental limits.
- ES4 - Water resources, quality and flood risk.
- ES5 - Air quality.
- ES6 - Providing for biodiversity and geodiversity.
- ES7 - Landscape character.
- ES8 - Trees, hedgerows and woodlands.

The proposal should also be considered against the guidance laid out in:

Residential Design Guide SPG (2000)

Stroud District Landscape Assessment SPG (2000)

The Nailsworth Design Statement was adopted by the Council in 2009 and should be regarded as a material consideration in making any development control recommendations or decisions.

Nailsworth has been designated a neighbourhood area. Any NDP is at an early phase of development and can be given very limited weight at this stage.

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



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PRINCIPLE OF DEVELOPMENT

Outline planning permission was granted for 17 dwellings with access from Pike Lane by the appeal decision in 2015 (APP/C1625/W/3053120). Following the appeal being allowed, the reserved matters with the remaining detailed of the appearance, landscaping, scale and layout were submitted and approved (S.17/0883/REM).

A large number of objections were received during the outline application and again this application has generated public interest and comments. The concern and level of feeling towards the scheme from local residents is appreciated, however, the principle of development on the site has already been established by the appeal decision which approved the 17 dwellings and open space on the site. The applicant has also obtained a Certificate of Lawfulness that established that work has started on the development within the required time limit.

This application therefore cannot seek to question the principle of whether permission for the whole development should have been granted. Consideration of this application should seek to address the merits of the alterations proposed to unit 1 and 8 only. These have to be considered in the context of the approved scheme but not look to assess the merits of the wider approved scheme.

DESIGN AND APPEARANCE

Plot 1

Plot 1 is located into the site at the western end of the development. The proposal seeks to alter the elevation treatment. Whilst the oak frame detailing is retained a curtain walling system is used on the East elevation instead of more structural framing. Whilst the general design with large gable glazing is maintained it does alter the appearance slightly allows narrower and lighter weight frames. The approved profile louvers have also been removed from this elevation.

Internal alterations have resulted in additional windows in the South elevation facing towards Pike Lane. More useable space has been created within the lower ground floor/basement and the proposed building is also now slightly taller than previously approved.

The pallet of materials remains a mix of timber cladding and render under a clay plain tile roof with an area of sedum roofing.

It is also proposed to reorientate plot 1's garage. The garage door now faces directly towards to the road instead of having access from the side. The addition of the garage door to the East is does alter and add detail to the appearance of the plot as you approach from along the road within the site compared to the approved blank rendered wall, however the size and scale remains the same. Given the domestic appearance it is considered that this does not alter the character or significant harm the appearance.

When viewed from the valley side the amended plot 1 does appear taller than the adjacent house but this is seen with the built form behind and the other houses in the development. The agent has also highlighted other examples of in the nearby area with a mixture of height



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buildings set at different heights into the local topography. It is therefore considered that this would not appear overly different to the wider area or be significantly prominent or harmful.

The loss of the chimney is a shame but does not significantly adversely affect the character or appearance.

Plot 8

The alterations to Plot 8 are greater. This house is located just into the site down from the main site access. The proposal seeks the addition of an additional floor and whilst the revised plans have reduced the height this is still an increase compared to the approved building. Internal layout alterations have also proposed.

The rubble limestone walls, cedar cladding under a plain tile roof remain.

With the use of dormers and lower eaves, the revised drawings have reduced the maximum height proposed compared to the first set of plans submitted on this application. However, the proposal does still change the appearance making the building taller. This again creates a greater difference to the adjacent property in the scheme.

The streetscene drawings look to demonstrate the difference between the approved scheme and this proposal. Again, when viewed from across the view this will be evident but is seen in the context of the other buildings that are part of the development.

When entering the development this altered dwelling will also appear taller and more prominent but due to the gradient will only appear a single storey.

The alterations do increase the size of the affected dwellings. These are already large 4 and 5 bedroom dwellings and therefore does not significantly affect the mix of sizes across the scheme.

Whilst the changes to both plots do affect the appearance of each plot it is considered that when viewed in the wider context of the scheme and taking into consideration the mixed height and level of the wider housing stock the alterations proposed do not have such a significant adverse impact of the design or appearance to warrant refusal.

RESIDENTIAL AMENITY

Plot 1 is located towards the western boundary of the site. Whilst the dwelling will be taller the position and gap between the building and the neighbouring property is maintained. No additional upper floor windows are proposed in the elevation facing the neighbour. It is therefore considered the scheme will not have a significant additional impact on the neighbouring property.

The more central location of plot 8 positions it away from the site boundaries. The alterations to this plot therefore do not result in a material change to the impact on the scheme on local residents.



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OTHER ISSUES

The other planning obligations to provide onsite affordable housing and the open space and orchard are not altered by this request.

Concerns about the increase size and alterations to the retaining walls will have a determinantal impact on land stability have been raised. As outlined in the NPPF (184) responsibility for a safe development and sites with land stability issues rests with the developer.

Although not a required of current planning policy or the planning permission already granted, the applicant has confirmed that they intend to construct these homes to be zero carbon energy, so utilising air source and solar, eliminating any fossil fuel use.

PLANNING BALANCE and RECOMMENDATION

The proposed amendments to plot 1 and 8 do increase the size and height of these two houses and does alter how they site within the proposed streetscene. They will be taller than the adjacent neighbour properties and this will be evident from within the new road in the scheme. However, given the setting and backdrop of the wider scheme any wider landscape impact will be limited.

The alterations do increase the height and alter the appearance, but it is considered there will not be a significant adverse impact on neighbouring properties.

Given the above, it is therefore considered that permission should be granted for the proposed variation.

HUMAN RIGHTS

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



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Subject to the following conditions:

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

Site Location Plan of 18/04/2017 (under S.17/0883/REM)
Plan number = 669-101 REV A

Site Plan Proposed of 07/11/2017 (under S.17/0883/REM)
Plan number = SD200 REV F

Hard Surfaces of 07/11/2017 (under S.17/0883/REM)
Plan number = 00202 REV C

Soft Landscaping Detail of 07/11/2017 (under S.17/0883/REM)
Plan number = 00201 REV C

Proposed plans and elevations of 18/04/2017 (under S.17/0883/REM)
Plan number = SD-202 REV D = Unit 2
Plan number = SD-203 REV D = Units 3 & 5
Plan number = SD-204 REV D = Units 4 & 9
Plan number = SD-205 REV D = Unit 6
Plan number = SD-206 REV D = Unit 7
Plan number = SD-210 REV C = Unit 15
Plan number = SD-211 REV C = Unit 16
Plan number = SD-212 REV C = Unit 17

Proposed plans, sections and elevations of 13/06/2017 (under S.17/0883/REM)
Plan number = SD-208 REV E = Units 10 & 11
Plan number = SD-209 REV E = Units 12, 13 & 14

Proposed plans and elevations of 17 Jun 2021
Plan number = 210-31 = Plot 1

Proposed plans and elevations of 06 Apr 2021
Plan number = 210-30 REV A = Plot 8

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development permitted under Article 3, and described within Classes E; of Part 1 of Schedule 2 (includes Sheds and outbuildings), shall take place on plots 1, 3, 5-8, 16 & 17.



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Reason: In the interests of the amenities of the area and in accordance with Policies CP8, CP14 and ES7 of the adopted Stroud District Local Plan, November 2015.

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first complete planting and seeding seasons following the occupation of the buildings, or the completion of the development to which it relates, whichever is the sooner. Any trees or plants which, within a period of five years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the visual amenities of the area in accordance with Policies ES7, HC1 and CP14 of the adopted Stroud District Local Plan, November 2015.