

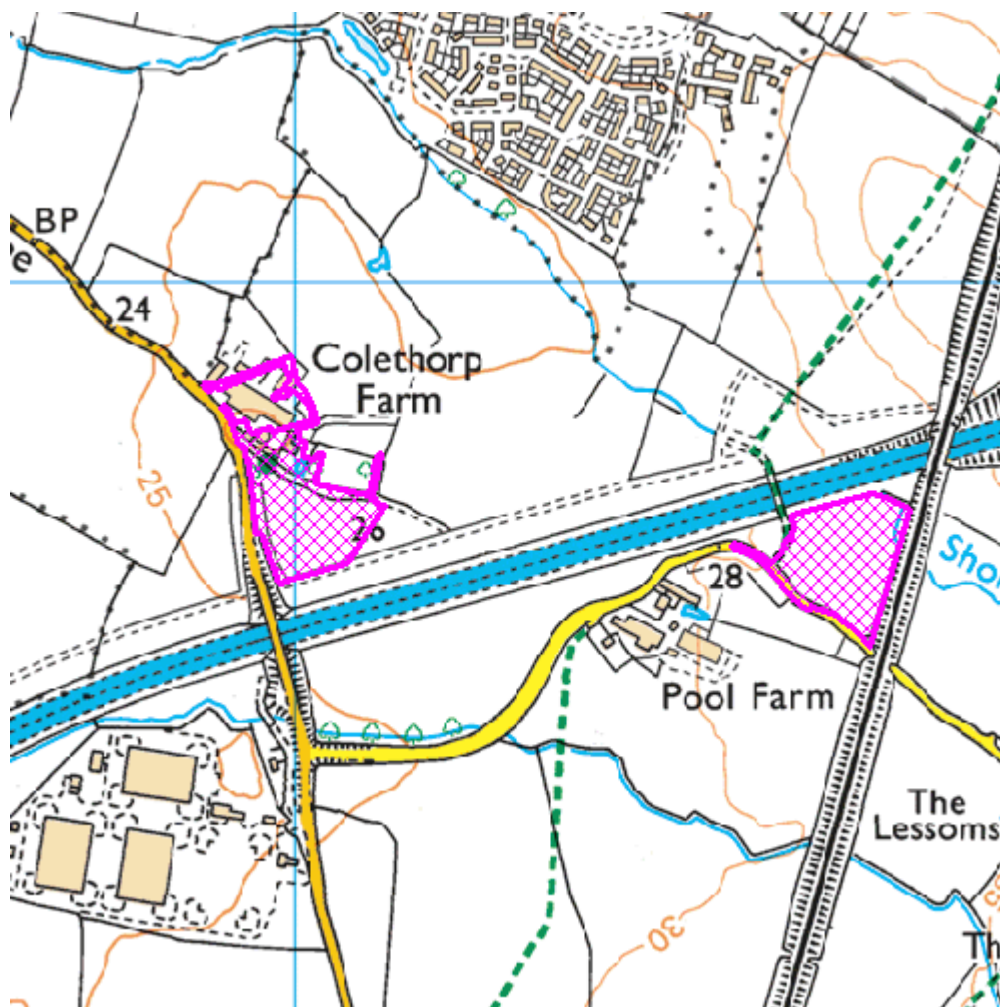


## Development Control Committee Schedule 17/01/2023

<b>Item No:</b>	<b>1</b>
<b>Application No.</b>	S.22/0460/FUL
<b>Site No.</b>	PP-10415715
<b>Site Address</b>	Parcel R17 EL, Hunts Grove Phase 4, Hunts Grove Drive, Hardwicke
<b>Town/Parish</b>	Hunts Grove Parish Council
<b>Grid Reference</b>	380958,211842
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Full planning permission for residential development (Use Class C3), community hub (Use Class E), local retail and commercial space (Use Class E), allotments, bio-diversity habitat and associated infrastructure and landscape works
<b>Recommendation</b>	Refusal
<b>Call in Request</b>	Requested by Head of Planning



## Development Control Committee Schedule 17/01/2023



<b>Applicant's Details</b>	Mr N Sheilds Colethorp Farms Limited, Mount Farm, Haresfield, Stonehouse, Gloucestershire GL10 3EQ
<b>Agent's Details</b>	C Danks Copperfield Land And Planning Ltd, Leigh Court, Pill Road, Bristol, BS8 3RA
<b>Case Officer</b>	Ranjit Sagoo
<b>Application Validated</b>	28.02.2022
<b>Comments Received</b>	<b>CONSULTEES</b> Housing Strategy And Community Infrastructure Hunts Grove Parish Council Haresfield Parish Council



## Development Control Committee Schedule 17/01/2023

	Contaminated Land Officer (E) National Highways (Previously Highways England) Mr M Coles - Gloucester Group Environmental Health (E) Biodiversity Team Network Rail(E)
<b>Constraints</b>	Consult area Within 200m of M5 Mixed use Allocation Haresfield Parish Council Hunts Grove Parish Council Affecting a Public Right of Way Railway land with 10m buffer SAC SPA 7700m buffer Surface flooding 1 in 100 years Surface flooding 1 in 30 years Special Landscape Area (LP)
	<b>OFFICER'S REPORT</b>

### **1 MAIN ISSUES**

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

### **2 DESCRIPTION OF THE SITE AND BACKGROUND**

- 2.1 The application is in two parts. The first area of land is within the Hunts Grove development located on the associated allotment land north of the M5 motorway. The second area of land is located to the south side of the M5 motorway, this area of land is not part of Hunts Grove development.
- 2.2 The outline planning permission (S.15/1498/VAR) that also subject to Environmental Impact Assessment (EIA), the results of which are set out in the Supplemental Environmental Statement. The EIA set out the form and maximum parameters of the development where future reserved matters would need to comply with the following guiding documents;



## Development Control Committee Schedule 17/01/2023

- i) Outline Masterplan (13143/3139H)
  - ii) Building Heights Plan (13143/3140G)
  - iii) Access and Circulation Plan (13143/3142H)
  - iv) Landscape Strategy Plan (13143/3144H)
  - v) The Parcel Plan (13143/3141G)
- 2.3 Planning permission was approved for a reserved matters application comprising 128 dwellings on Parcels R17, R18 and R19 of Hunts Grove (S.20/0087/REM and S.20/0088/REM). This located to the north of the allotments (this application site boundary).

### **3 PROPOSAL**

- 3.1 This application seeks planning permission for the erection of 76 residential units on land that is allocated as allotments and ecological mitigation as approved within the Hunts Grove outline consent (LPA ref: S.15/1498/VAR). The proposal also includes a local retail and commercial centre (Use Class E). This application overlaps a small part of the reserved matters approvals noted above and makes a slight change to the layout of 5 approved dwellings replacing them with 6 dwellings.
- 3.2 Part of the application site to the south will be retained as allotment space, albeit as a reduced area. It is proposed to compensate this by providing more allotment area to the south side of the M5 Motorway and outside the Hunts Grove development area.
- 3.3 Access into the proposed development utilises the existing points of access approved under the reserved matters applications noted above. The application site also includes a new pedestrian route from the main spine road approved under the outline permission.

### **4 REVISED DETAILS**

- 4.1 During the course of the assessment of this application revisions have been provided to address technical matters. There has been no material change to the layout and general appearance of the proposed development.

### **5 MATERIALS**

- 5.1 Mixture of red brick, buff brick and white render to external walls and a mix of red tiles and slate to roof areas. The farm house would be retained using existing materials (brick and stone). Boundaries are proposed to be enclosed with a mix of timber fencing, red or buff brick walls, decorative metal railings and managed hedging.



## **Development Control Committee Schedule 17/01/2023**

### **6 REPRESENTATIONS**

#### **6.1 - Parish/Town Councils:**

##### **6.1.1 - Hunts Grove Parish Council**

Hunts Grove PC Fully supports this application subject to the following observations.

The Council is concerned that the scheme may not be delivered in full. This unfortunately has been the experience of residents so far at Hunts Grove, a lot promised, however only houses delivered with no amenities. The council has taken a balanced approach in this response of overall approval, however, to be clear, there are pros and cons, and the scheme is only acceptable if delivered in full.

The council requests that any planning permission for the scheme includes conditions or legal agreements that bind the delivery of mixed-use and community amenities. Further, specifically for the allotments, these should be delivered as soon as possible following permission, and in advance of any other works.

#### **Engagement**

The council recognises and appreciates the engagement over the last two years by the architect and planning team representatives of the applicant. The scheme draws on sound planning and design principles that have been presented and discussed at several engagement meetings. Many ideas from those meetings have found their way into this application, therefore the council would like to express its gratitude for the involvement of councillors and the Hunts Grove community.

#### **Allotments**

This is the most controversial element of the application for our residents. Both implementation and location. Delivery of amenities at Hunts Grove is a critical issue. More than 10 years into the build-out of Hunts Grove and promised amenities have not been delivered by Crest Nicholson within the legal timescales. The village now has more than 1,000 completed dwellings, but no amenities, such as allotments, community building, sports pitches, and neighbourhood centre. Therefore, any further uncertainty in the delivery of the allotments is not welcome considering Crest Nicholson has planning approval for the original allotments scheme under S.19/2352/REM.

The approved permission is for 100% of Hunts Grove allotments provision to be provided in a single location adjacent to the motorway and Haresfield Lane. This application seeks to split allotment provision across two sites, with 60% of provision at the original site and 40% at a site on the opposite side of the motorway accessed by the existing agricultural foot bridge motorway crossing from the Phase 2 Major POS.



## Development Control Committee Schedule 17/01/2023

The council intends to further engage with residents to capture further views on these proposals and encourage residents to leave their own comments on the planning portal. At this point, consultation feedback in July 2021 and more recently has been mixed:

Concern at delay to delivery of allotments

Concern that allotments will partly be located outside of Hunts Grove Parish

Preferable to some as the second location will be nearer to some Phase 2 properties than the original location

Preferable to some as the second location includes more biodiversity space and space for expansion in the future

Concern about security and anti-social behaviour at a remote site with no overlooking by residential properties

Concern at no tool storage provision at the second location

Concern that the second location is more isolated and would benefit from WC facilities

Concern about the safety and condition of the motorway footbridge - should this not be included in the planning application and redline boundary?

Concern that there is a convoluted vehicle access route to the second location from Hunts Grove

The allotments site must be secured with a fence and lockable gate

The remote allotments do not appear to have any additional mitigation for traffic noise from the M5.

It is a very noisy location and not a peaceful place for allotments. Could additional mitigation be included, such as acoustic fencing and additional planting?

With regards to highway access to the second allotments location over the motorway, Highways would need to ensure that this is sufficient for the purpose and that the junction back onto the lane is safe. These proposals would also change the use of the existing path. Would it be possible to divert the path away from this new access through the adjacent wooded area to keep pedestrian access separate?

With regards to the lighting plan, the DPA Lighting Consultants plan of February 2022 does not address the remote allotments site. The council would like to see a lighting plan that addresses the night time safety and security concerns of the remote allotments location, the footbridge and access. We feel that some lighting will be necessary to mitigate these concerns.



## **Development Control Committee Schedule 17/01/2023**

In addition to tool storage solutions at the remote allotments site, Council would also like to ensure that there is power provided at the site and an option for the future management to install CCTV for security purposes if determined at a later date. This means preparing power and data at the site for that purpose.

With regards the issue of long-term management of the allotments and the second location being in Haresfield Parish rather than Hunts Grove Parish, we would like to ensure that Haresfield Parish have a secured role in the long-term management of the allotments. As stated above, we strongly request that the allotments are managed by the parish council rather than a management company. This also has the benefit of making it easier for Haresfield Parish to be involved if they choose to be. Under Parish responsibility, Hunts Grove Parish Council suggests a joint committee for allotments whereby Haresfield Parish is guaranteed membership if they choose, either now or in perpetuity.

In summary, regarding the allotments, the council considered there are potential negative aspects to the split location, however on balance with the other positive features of this application, it would be an acceptable compromise. Meanwhile the council would still seek further discussion with the applicant and planners to discuss and mitigate the concerns raised above.

### **Mixed-Use**

The council very much supports the notion of "walkable communities", and a mixed-use strategy is key to delivering on that. We like how the design creates a public gathering space, a meeting space at the farmhouse, and two retail units for local businesses.

This arrangement helps resolve the negative effects of the masterplan changes implemented by Crest Nicholson that have led to housing en-masse with no mixed-use, character or destinations. The relocation of the neighbourhood centre from the centre of the village to the outer edge beside the A38 is specifically problematic, and this scheme would help alleviate that damage.

The Parish Council is aware of at least two Hunts Grove food businesses that have had to leave Hunts Grove as there are no commercial spaces whatsoever. The fact that this scheme includes two small retail units and a café space at the farmhouse is welcomed and we hope that this encourages Hunts Grove business-owners to set up in Hunts Grove.

### **Saving the Farmhouse**

The farmhouse building is the only original building at Hunts Grove. The council very much supports the restoration and re-use of the farmhouse rather than demolition. The building is a link to the past, provides some character and is being promoted for community benefit for flexible office space, café etc.

### **Long-Term Maintenance & Management**

The council is concerned that the amenities in this scheme are set to be transferred to the Hunts Grove Management Company Limited (HGMCL). HGMCL paying members represent only residents on part of the development, and the council feels this is both unfair (that the financial burden is only on a portion of the residents), plus it raises many questions of access



## Development Control Committee Schedule 17/01/2023

to all the current and future residents of Hunts Grove to amenities that are supposed to serve the whole village. The council has expressly stated that it stands ready to adopt all open spaces and amenities, to manage and maintain them on behalf of all Hunts Grove residents, and fund through the parish council precept that means all residents contribute equally. This is our "one Hunts Grove" strategy.

### Affordable Housing Provision / Clustering

The council is pleased to see a significant percentage of affordable provision in the scheme, 23 units, 30%. The affordable units are concentrated in two areas of the layout. Policy suggests a preference to further distribution amongst the full-market dwellings, however noting that the provision is flats and the full-market dwellings are houses, it would seem acceptable for this arrangement on this small site.

Further, important to the council is the character of the primary flats building, it has a landmark value and density along the southern edge of the site bordering the community building / sports pitches site. Further, council understands that the applicant will be the long-term landlord of the affordable units which we consider a positive benefit for maintaining the long-term aims of the scheme.

### Mews Properties, 1 Bed, 2 Bed

With reference to the elevation plans below for the 1 Bed and 2 Bed Mews properties, we suggest that the properties would benefit from two skylights within the roofline on the rear of the properties. With the current design of dormer windows only on the front roofline, especially the properties that face north, will be dark and not benefit from solar gain, cross ventilation and light.

REF:

S.22\_0460\_FUL-PERIOD\_3\_MEWS\_2\_BED\_FLAT\_-\_PLANS\_\_\_ELEVATIONS-2814861.pdf

S.22\_0460\_FUL-PERIOD\_4\_MEWS\_1\_NO\_2\_BED\_FLAT\_-\_PLANS\_\_\_ELEVATIONS-2814868.pdf

### Overall Character & Design Code

The proposed building features and character are traditional and quite different to what has been built at Hunts Grove so far. The council considers this an attractive, high-quality architectural approach, by world-class architects at John Simpson Associates.

What has been built so far is modern and limited in architectural character and features - the exact same dwellings may be seen in hundreds of new developments across the country. Whilst this scheme is a departure from that, the council consider this a positive departure and hopefully will lead to further investment in design and character for the remaining parts of Hunts Grove when the 750-home extension comes to planning in the coming years.

### Construction Environmental Management Plan (CEMP)

The council asks that there is more focus on establishing a CEMP with consultation to the community and Parish Council. The Hunts Grove site now comprises more than 2,000 residents and large areas of completed residential development and unfortunately lack of





## Development Control Committee Schedule 17/01/2023

compliance with plans by other developers on site has compromised resident's amenity and safety.

The track record at Hunts Grove so far is very poor. There has been a huge investment in wonderful plans at the planning stage, however operationally they are ignored later. The Parish Council has instigated many enforcement reports regarding construction traffic, safety and working hours. Unfortunately, we have seen little response from SDC Planning Enforcement to address issues of compliance raised, despite the magnitude of some of the concerns, such as danger to children at Hunts Grove Primary due to uncontrolled HGVs and speeding vehicles in front of the school.

For this application, we ask that there be specific conditions regarding routing of construction traffic to (and from) the site. Specifically, construction traffic must not be allowed to use the Waterwells access that takes traffic through many completed residential areas and past the school. Construction traffic must use the A38 access (when it is delivered) or the dedicated construction traffic route that currently exists out to the B4008.

### 6.1.2 - Haresfield Parish Council

A meeting was held on 7th June 2022 between Parish consultees and representatives for the applicant and their architects. Our comments on the application are as follows;

The development proposal was explained (approx. 76 new dwellings and a community café/building within old farmhouse, allotments over two sites, ecological BNG requirements). We support the idea of retaining and converting the old farmhouse building into a small-scale community facility and the retention of the mature tree/s within open space. We support the idea of more housing to pick up the shortfall of the Hunts Grove development (approx. 45 dwellings) and additional housing provided it and all the facilities can be accommodated on a single well-designed site. We support an improved and higher quality architectural building design approach.

The style of architecture of the proposal is generally supported however we have concerns over the 'defensive' urban block of 3 storey terraces along the southern edges of the development - it is acknowledged that part of this is for noise attenuation however some variation and articulation of facades and rooflines would improve architectural quality, particularly as these are the outward facing buildings seen from Haresfield Lane and in some views from the AONB. A more stepped frontage and changes in roofline could easily be accommodated. Examples images from Poundbury are attached, the scale may differ but the principles of a varied facade and roofline could be adopted. This application provides a much need opportunity to improve the architectural quality of Hunts Grove on its southern edges.

We do not support additional housing, above the capacity of the site, that results in poor design and the inability to deliver the already consented Hunts Grove facilities on the site in a practical and aesthetic way (allotments in particular). The original allotment site was part of a holistic master planning exercise for Hunts Grove, where allotments, open space and sports facilities were located in one place creating a well-connected multifunctional area - this is being undermined and fragmented by piecemeal changes from this proposal. The master planning of the farmhouse triangle site accommodates more housing but results in a



## Development Control Committee Schedule 17/01/2023

compromised design by separating and isolating important community facilities for Hunts Grove across the motorway - visually and physically severing new facilities from the community its intended to serve. The motorway is a long established and planned boundary that Hunts Grove and Gloucester expansion plans worked to as a constraint. This may change in the future but for now this is still the case. Shoehorning facilities such as open space and allotments into inappropriate locations is contrary to all good current design and thinking on green infrastructure and health and wellbeing of 'green' community facilities and is contrary to policy for inclusive high-quality design. The encroachment of the allotments out of the allocated housing land has negative effects on any future land use planning in the area and establishes the principle of development in the open countryside (allotments may not need consent but the infrastructure in this case does) and would provide a precedent for other Gloucester facilities sprawling across the motorway towards the AONB and rural settlements.

In addition to a compromised whole site layout, the result of splitting the allotments over two sites where the second smaller site is dealt with as a left-over element has several negative design, connectivity, and practical operational issues. The leftover allotments have been put on land that is outside of the allocated housing area and isolated from the community it serves (visually and physically), it is also isolated from other community facilities and the ability to share resources (the main allotment site sports facilities and open space). The infrastructure required to ensure the smaller allotments area works in practice is disproportionate to the quantity and quality of community facilities it provides. Visual and physical connectivity between Hunts Grove and the second allotments site is very poor. The site has no natural surveillance from the houses, it relies on a single public right of way to provide access which is insufficient and unrealistic. The isolated nature of the second allotment sites results in encouraging more car use. The second allotment site has no services, fencing or hard surfaces that would normally be shared through association with a housing development, therefore separate infrastructure will have to be put in just to accommodate the left-over allotments. Tall security fences, lighting, parking, new vehicular access, drainage/power connections, WC and storage buildings will all need to be accommodated on the small second allotment site in order for it to work. The isolated nature of the site is likely to attract antisocial behaviour and safety concerns and as such creates a community facility that will be undesirable to most. The isolation from residential land uses and design of this leftover area of allotments has landscape and visual impacts on the rural open countryside of the site and its setting. The impacts of the isolated allotment site are not justified by trying to accommodate more housing on the farmhouse site than it has capacity for. The community facilities should be considered part of the whole site design, they should be considered a site constraint and the developable areas of the site adjusted accordingly.

Allotments in a village called Wickwar in Somerset were used in the meeting to justify the concept of the leftover allotment site and its only connection via one footpath, however Wickwar is very different - it has better footpath connectivity between the allotments and the village, it is linked by small local lanes that can be walked along, car use is more accepted in isolated rural villages than urban extensions it does not have a motorway separating the village from the allotments, which is a fundamental difference. The only examples we have found where allotments have been in an isolated setting is where the allotments have been a planned, well-designed cohesive single site designed to accommodate all the allotments in



## Development Control Committee Schedule 17/01/2023

one place and not fragmented over two sites. They are often associated with other community facilities such as sports fields, this is not the case here. The allotments were previously design and approved to be in one single location associated with other community facilities - the current proposal to split the allotments and locate those that cannot be squeezed onto the main site onto an isolated plot is nonsensical.

We did discuss possible ways in which to slightly improve the allotment situation if the council saw fit to support the scheme. This included a request that the second allotment site have planning conditions and Section 106 agreement or covenant preventing it from being developed in future as anything other than allotments or an ecological habitat site. The second site south of the motorway should ideally only be used for ecological uses so the allotments can be kept in their original location associated with the housing. Can the bat mitigation and other BNG requirements all be put in one area to allow the allotments to stay together on the main site?

In conclusion, we do not object to the farmhouse triangle housing and conversion of the farmhouse into a cafe, but we do have an objection in principle to any development for Hunts Grove, including community facilities such as allotments, being moved to the south of the motorway. Our reason for this objection is on the grounds of poor site layout design, poor consideration of the health and wellbeing of existing and future residents by undervaluing the importance of outdoor facilities and open space needing to visually and physically relate to the community, poor and overengineered design of part of the allotments that have been push south of the motorway, the fragmentation of the community facilities by separating the allotments over two sites with the second 'leftover' allotments being located away from the main community facilities are (sports pitches, other allotments etc). We do not feel that the benefits of the scheme (more housing and a café) outweigh the negatives (poor layout design, poor open space/allotment design and poor connectivity). We feel a scheme for slightly fewer houses could be developed without compromising the allotments or other facilities. Clearly, we realise that landowners want to maximise value and developable space but we feel that housing numbers should not result in poorly conceived and designed sites. Site and community facilities should be at the heart of new development.

Poundbury photographs showing stepped line of dwellings

### **6.2 - Stroud District Council Technical Officers**

#### **6.2.1 - Contaminated Land Officer**

The submitted Soil Sampling and Discussion of Analytical Results Report dated 2006. Unfortunately, the information submitted does not meet current best practice. There is no map included showing where the samples were taken, only 6 samples were analysed which is not sufficient for a development this size, assessment criteria has significantly changed since 2006 so the risk assessment is out of date.

As such, I recommend that the full contaminated land condition is attached to any permission granted.

#### **6.2.2 - Environmental Health Officer**



## Development Control Committee Schedule 17/01/2023

Recommends conditions as follows;

- i) The dwellings hereby permitted shall be constructed to provide the necessary noise mitigation to achieve internal noise levels within bedrooms and living rooms no greater than 35 dB (LAeq,T) during the daytime (07:00 - 23:00) and within bedrooms no greater than 30 dB (LAeq,T) during night-time (23:00 - 07:00) periods. An external noise level of 55 dB (LAeq,T) should not be exceeded in private garden areas and patios during the daytime period.
- ii) After completion of works, and prior to occupation or use, sound level measurements shall be carried out by a suitably qualified acoustic specialist to demonstrate that the above criteria have been met. All sound level measurements shall be submitted in the form of a report to the LPA for its written approval prior to occupation or use.
- iii) 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 07:00 and 18:00 on Mondays to Fridays, between 07:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.
- iv) No individual premises containing a food and drink related use shall be brought into use until a scheme for treating fumes and odours from the premises has been submitted to and approved in writing by the Local Planning Authority. Thereafter the use shall only operate in accordance with the approved details.
- v) No individual commercial premises containing a food and drink related use shall be brought into use until a scheme to attenuate the noise from any noise generating equipment such as extraction units, fans, air conditioning units, ventilation equipment or similar equipment has been submitted to and approved in writing by the Local Planning Authority. Thereafter the use shall only operate in accordance with the approved details.
- vi) Any hot food shop, drinking establishment or restaurant within the site shall open to customers only between the hours of 07:00 to 23:00 Mondays to Saturdays and 09:00 to 22.30: on Sundays, Bank or Public Holidays.
- vii) Prior to the commencement of development of each phase, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. All construction works shall thereafter be carried out in accordance with the approved plan. The plan shall cover the following matters:-
  - (a) Details of the earthworks for each phase, comprising the proposed excavation, grading and mounding of land areas including the levels and contours to be formed and details of the treatment, recycling and re-use of soils and demolitions arisings;
  - (b) Details of the nature, type and quantity of materials to be imported onto the site;
  - (c) Methods for the protection of drainage ditches and water bodies within the site (both existing and newly created) from pollution during construction works;
  - (d) Pollution prevention and control measures during the construction phase including:-



## Development Control Committee Schedule 17/01/2023

- (i) facilities for the storage of fuels, oils and chemicals;
- (ii) surface water drainage arrangements for interception, settlement and treatment of contaminated surface water run-off; and
- (iii) measures to ensure there is no polluting discharge from haul roads and disturbed areas;
- (e) Site access and haul routes including times of operation;
- (f) Site establishment and topsoil management;
- (g) Mitigation of construction noise;
- (h) Location of principal service route corridors;
- (i) The provisions to be made to control dust emanating from the site;
- (j) Measures to prevent mud, dirt and other deleterious materials from the site being deposited on the highway, with all vehicles using such facilities prior to leaving the site;
- (k) Details of temporary car parking and accommodation for site operatives; and
- (l) details of security fencing.

The following Informative is also suggested:-

The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of smoke/fumes and odour during the construction phases of the development by not burning materials on site. It should also be noted that the burning of materials that give rise to dark smoke or the burning of trade waste associated with the development, may constitute immediate offences, actionable by the Local Authority. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume or odour complaints be received.

### 6.2.3 - Water Resources Officer

No comment has been received

### 6.2.4 - Arboricultural Officer

The submitted tree constraint plan is incomplete. Tree protection plan must be superimposed on a layout plan, based in the topographical survey showing all hard surfacing and other existing structures within the Root Protection Area (RPA). The plan must clearly indicate the precise location of protective barriers to be erected to form a construction exclusion zone around retained trees. It must also show the extent and type of ground protection, and any additional physical measures. Such as tree protection boxes, that will be installed to safeguard venerable sections of trees and their RPAs where construction activity cannot be fully or permanently excluded.

These measures must be indicated on the plan, accompanied by descriptive text as required. Barrier and ground protection offsets must be dimensioned from existing fixed points on the site to enable accurate setting out

### 6.2.5 - Bio-Diversity Officer

Comments relate to the following documents;



## Development Control Committee Schedule 17/01/2023

- i) Ecological Assessment by BSG ecology, dated (February 2022)  
The submitted ecological assessment report is based on historical ecological information for the consented Farmhouse Triangle scheme which sits within the wider Hunts Grove development.
- ii) Extended Phase 1 Survey by BSG ecology (2021)
- iii) Bat Activity Surveys by Swift Ecology (2020)
- iv) Ecological Assessment Report by Santec (2020)

### Great Crested Newts

The pond within the garden of Colethrop Farmhouse contains an existing medium population of GCN's, which could be using terrestrial habitat up to 500m from their breeding ponds.

As part of mitigation measures for Hunts Grove development, the Hunts Grove Newt Master Plan (BSG Ecology, 2019) was prepared, in conjunction with Natural England to provide a strategic approach to mitigation and enhancement and issuing of licences to enable the lawful development of the site. Measures to mitigate for the biodiversity impacts from the Hunts Grove development have formed a key part of the masterplan and biodiversity strategy for the wider site.

The garden of Colethrop Farmhouse, the pond within it, the areas of land to the south of the pond and the other side of the farmhouse, which has had a hibernaculum constructed is the area that has been set aside as the receptor site/habitat for the Hunts Grove site. This mitigation site sits within an agreed strategic green corridor along the M5 corridor to ensure the GCN population does not become isolated, and the population can be enhanced through the provision of new breeding ponds and optimal terrestrial habitat.

The proposed proposal will see the loss of the existing breeding pond, the agreed mitigation site and fragmentation of the agreed Green Infrastructure Corridor. The suggested mitigation for this loss on the proposed new allotment site on the opposite side of the M5 and would not maintain the favourable conservation status of the species as previously agreed. This site is an isolated land parcel surrounded by barriers to GCN dispersal (M5, roads and railway line) and is fragmented from the existing meta population.

### Bats

The Farmhouse and Main Barn are known to be used by 6 species (day and night roosts) of bats. The existing mitigation proposals for the consented Farmhouse Triangle scheme which sits within the wider Hunts Grove development, include the creation of a bespoke bat house/barn to replace the loss of the Main Barn. This bat house is to be located within close proximity to the lost barn to ensure that the mitigation will work.

The proposal will see the loss and disturbance of bat roosts within Colethrop Farmhouse and the Main Barn. The suggested mitigation for the loss of the Main Barn will see the modification to the existing design (bespoke bat house) and its relocation further away from the existing Main Barn to the allotments site, so that it can also be used by allotment holders as a store and toilet.

### Cotswold Beechwood SAC



## Development Control Committee Schedule 17/01/2023

The proposed site falls within the 15.4 km core catchment zone of the Cotswold Beechwoods, identified via visitor surveys undertaken by Footprint Ecology and agreed with Natural England. The core catchment zone indicates that any new dwelling or holiday accommodation within the core catchment zone is highly likely to result in an increase in recreational pressure to the Cotswold Beechwoods; at a level considered detrimental to the sites qualifying features. After carrying out a preliminary screening regarding this application, SDC as the competent authority have determined, that there is potential that without appropriate mitigation the proposed development could result in negative effects to the site through increased recreational pressure. Therefore, SDC as the competent authority has undertaken an Appropriate Assessment and has identified mitigation measures considered necessary to address the uncertainty of the proposal. As a result, a homeowner information pack will need to be created for any new resident(s). This will need to be submitted to and agreed in writing by the Local Planning Authority, it will need to detail the ecological importance of the Cotswold Beechwoods, appropriate code of practice for using the woodlands and alternative local recreational sites.

### Recommendations

Refusal is recommended for the following reasons:

The proposal will have significant impact on biodiversity. Licences (under The Conservation of Habitats and Species Regulations 2017 (as amended)) have been issued by Natural England which secure the site as mitigation and an biodiversity enhancement area for the consented Farmhouse Triangle scheme which sits within the wider Hunts Grove develop. The proposed new mitigation would also be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 53(9)(b)).

### 6.2.6 - Affordable Housing Officer

Initial Comment - It is hard to tell from the information provided exactly what the affordable housing proposal is for this site. However, according to the 'Affordable Housing Distribution Plan' the affordable homes are apparently to be provided in one long continuous block with no private amenity space and no parking.

This proposal is entirely contrary to policy, which seeks to provide integrated and sustainable communities by providing affordable housing that is tenure-bind, of high quality, and fully integrated with the wider scheme. On the face of it, the current proposal meets none of these requirements.

Rather than repeat the policy wording here, I strongly suggest that the applicants should pay heed to the Council's adopted Planning Obligations Supplementary Planning Document.

In addition, a studio flat is unlikely to be acceptable as part of the affordable housing provision.

Further Comment - While we accept that the 30% affordable requirement has been met, the proposed layout is in breach of our adopted SPD as the affordable element is concentrated almost exclusively in flats. This creates an obvious segregation of the tenures and will not contribute towards creating mixed and sustainable communities.



## **Development Control Committee Schedule 17/01/2023**

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

#### 6.3.1 - Highway Authority

Concerns with the information within the TA there are tracking plans but no not show the access in/out or any reversing manoeuvres. Further note to follow concerning school transport contributions to be included as part of s106. The Travel Plan has no modal share targets but acknowledge they carry out a base survey once 80% of dwellings are occupied; this will be reviewed each year for 5 years. This would require a one-off payment of £5,000 included within the s106. To enhance the Travel Plan. Secure cycle storage required for the residential units or the Business uses as no details provided, and for EV charging.

#### 6.3.2 - County Archaeologist

No comment has been received

#### 6.3.3 - Lead Local Flood Authority LLFA

No Objection

#### 6.3.4 - Public Rights of Way

This development at Hunts Grove, Farm House Triangle does not appear to affect any public right of way, however if there is any suggestion that it will, whether through a need for a temporary closure or permanent diversion then contact should be made with the PROW team at the earliest opportunity.

#### 6.3.5 - Education Authority

The development generates a requirement for a total of £270,797.25 towards education contributions for the Gloucester Secondary Planning Area; and a total of £14,896 towards library contributions at Quedgeley Library.

### **6.4 - Other External Agencies**

#### 6.4.1 - National Highways

No Objection subject to the following conditions;

- i) Prior to the commencement of the development hereby permitted, a revised Landscaping Plan and associated Planting Schedule shall be submitted to and approved in writing by the local planning authority (in consultation with National Highways). Reason: To protect the integrity of the National Highways soft estate.
- ii) Prior to the commencement of the development hereby permitted, a detailed Boundary Treatment Plan for the site immediately south of the M5 boundary shall be submitted to and approved in writing by the local planning authority (in consultation with National Highways). Reason: To protect the integrity of the National Highways soft estate.
- iii) Prior to the commencement of the development hereby permitted, a Detailed Drainage Strategy for the site immediately south of the M5 boundary shall be submitted to and approved in writing by the local planning authority (in consultation with National Highways). This must include full details relating to the maintenance of the assets that





## Development Control Committee Schedule 17/01/2023

will control the flows of water on and around the site. Reason: To protect the integrity of the National Highways drainage asset.

### 6.4.2 - Network Rail

No objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission. The local authority should include these requirements as planning conditions if these matters have not been addressed in the supporting documentation submitted with this application.

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact [assetprotectionwestern@networkrail.co.uk](mailto:assetprotectionwestern@networkrail.co.uk).

### LANDSCAPING

There are a number of trees that are in close proximity to the railway that NR require to be 10m or more from the railway boundary. This includes the *Alnus glutinosa* which looks to be within close proximity of the railway.

Planting more than 10m away is required to control the following threats and risks:

- o Hazardous trees or trees within falling distance of the track or a rail non-rail target;
- o Vegetation affecting OLE, signal sighting, level crossing sighting, position of safety/refuge, obstructing railway infrastructure;
- o Leaf fall affecting railway;

Plans should therefore be adjusted and amended to reflect these requirements.

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fence. Lists of trees that are permitted and those that are not are provided below and these should be added to any tree planting conditions:

Permitted:

Birch (*Betula*), Crab Apple (*Malus Sylvestris*), Field Maple (*Acer Campestre*), Bird Cherry (*Prunus Padus*), Wild Pear (*Pyrus Communis*), Fir Trees - Pines (*Pinus*), Hawthorne (*Cretaegus*), Mountain Ash - Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (Shrubby *Salix*), Thuja Plicatata "Zebрина"

Not Permitted:



## Development Control Committee Schedule 17/01/2023

Alder (*Alnus Glutinosa*), Aspen - Poplar (*Populus*), Beech (*Fagus Sylvatica*), Wild Cherry (*Prunus Avium*), Hornbeam (*Carpinus Betulus*), Small-leaved Lime (*Tilia Cordata*), Oak (*Quercus*), Willows (*Salix Willow*), Sycamore - Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), London Plane (*Platanus Hispanica*).  
Any tree planting and works adjacent to the railway must be carried out in consultation with NR Asset Protection.

### DRAINAGE

Plans indicate a pond to be within close proximity of the railway. Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels - if altered, to be such that water flows away from the railway. Drainage is not to show up on Buried service checks.

### 6.4.3 - Natural England

Despite the proximity of the application site to a European Site - i.e. the Cotswold Beechwoods Special Area of Conservation (SAC) the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment. Natural England advises that a Habitat Regulations Assessment is required as the proposal lies within the identified 15.4km zone of influence around this SAC. Your website provides a link to the relevant visitor survey - [https://www.stroud.gov.uk/media/1120947/beechnwoods-visitor-survey-final\\_redacted.pdf](https://www.stroud.gov.uk/media/1120947/beechnwoods-visitor-survey-final_redacted.pdf) and your planning colleague Conrad Moore has a copy of the final Cotswold Beechwoods SAC Mitigation Strategy.

It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.

Natural England must be consulted on any appropriate assessment your authority may decide to make. Please note that the usual 21 day deadline will apply on receipt of the consultation.

### 6.4.4 - Gloucestershire Ramblers

No objection



## Development Control Committee Schedule 17/01/2023

### 6.5 – Public

6.5.1 - There has been approximately 9 responses received from the local community and other public contributors. The key issues of concern identified in the responses are as follows

- o Haresfield residents - supports the extension for Farmhouse Triangle reasons include: few amenities other than the school and pub and to have extensive amenities of HG within walking distance would be significant benefit to the village; and, like the architectural style it is attractive and authentic and function and strong community feel
- o HG resident - supports provision of retail space and over all quality of architectural design but have concerns: some 2-bed mews only have windows on front elevation and are north facing will suffer lack of light during window and hard to ventilate; Period 2 flats are 4-bed but have one bathroom and is inadequate because these flats can occupy up to 6 people; social housing confined to two blocks of flats none of which have balconies or any private amenity space (against policy); parking located away from properties and could cause disputes over electric charging (running cables across pavements); allotments to the east of M5 inaccessible by car (arduous to move tools and supplies over the M5 bridge on foot) and make the allotments less desirable than those originally planned; Highways England have not commented on the use of the footbridge (in terms of standard and maintenance); HG residents promises many community amenities (football pitches, building, local shops) none of which have been delivered; concern that within this application, the developer will fail to deliver on retail space and converted farmhouse; and, construction traffic should be routed away from school along Harrier Way for safety reasons and compound away from occupied homes to the north and east of the site.
- o HG resident - supports extension of Farmhouse Triangle. Amenities and a social hub needed for community of HG; takes account of amenities and wildlife; design would fit well with houses already in HG.
- o HG resident x2 - objection - M5 has always been the redline for development, The 176 units approved and this development would result in a cramped development. Gloucester City would be impacted in terms of strain on infrastructure. The additional 76 units would be allocated on allotment land and should be subject to consultation with the National Allotment Society. Relocation of the allotments further afield would make it difficult for residents of HG (especially older people) to access. The take up of the allotments would be unlikely. Produce from the allotments would be subject to pollution from the M5. The proposed location is not overlooked and is remote, there would be issues with anti-social behaviour.
- o HG resident x2 - Mixed comments - although vehicle access from the village to the alternative allotment site is poor and lengthy, foot access will be better for some residents. There is a concern about provision of utilities and security at this second site. We would encourage the applicant to consider options and the council to seek assurances or add conditions. Another commenter raised concern about spreading development across the motorway but we note the immediate proximity of farm buildings and a caravan storage site, and of the large Quedgeley Trading Estate East only one further field along the M5. Significant thought put into the application and a high quality of visual design is evident. This should provide a coherent core to the village adding value for all residents, and we welcome the statement building/spire.



## Development Control Committee Schedule 17/01/2023

(However, what is described as the signature view is along an access route (across the Haresfield Lane bridge) that the Hunts Grove community will rarely use.). The concerns we do have are: Details of the design highlighted by another commenter re EV charging and cross ventilation. The affordable housing provision being concentrated in blocks and separate from the remainder...which are both issues around sustainability, both of the community and environmentally. This means that whilst we are hugely supportive of the general principles and the visual design, we would welcome revisions to the plans. There is rightful concern amongst Hunts Grove residents about previous delivery failures but note that this is the original landowner adapting their own plans to make good Crest's failures. It does make delivery of a suitable community building on the adjacent site even more important.

- o HG resident - the M5 is a permanent defensible boundary, it provides an almost unique physical barrier between the approved residential development at Hunts Grove and the open countryside on the opposite side of the motorway. It should not be breached by any form of development. Allotments are an urban feature and entirely out of place, within the open countryside, there is absolutely no justification for breaching the M5 to provide allotments simply to allow additional residential development in a place where the allotments for Hunts Grove have been sanctioned. They are so remote and accessed via a narrow foot bridge and / or tortuous journey by car that residents, will find them so inconvenient that they will not be used. A breach of the M5 inevitably leads to fear that the allotments will ultimately be replaced by houses in exactly the same way as is currently proposed on the Hunts Grove side of the motorway.
- o HG resident - I object to the siting of allotments on the Haresfield side of the motorway:
  - it is ridiculous to pretend that the requirement to provide allotments can be fulfilled by locating them off-site.
  - the proposed siting is greenfield, this is a creeping step towards later development. There will be hardstanding, services, it is no more than a transparent Trojan horse.
  - Hunts Grove residents should not have to drive to their allotments. What happened to Net Zero?
  - allotments for Phase 1 must be on the Phase 1 site - it is plenty big enough and if the developer has overbuilt it, that is their problem. Similarly the allotments for R17 must be on the R17 site, not banished to a random field so the developer can jam more houses into what is already an overdeveloped townscape inappropriate to a countryside setting.
  - the cynical notion that the newts will just relocate to a new pond... transferring rare species to new sites has a very poor record of success. Still if they die, who cares? No one connected with this project. Anyone on the Committee care? We'll see.
  - the notion that R17 site biodiversity is increased by some token planting on a different site. If the site owner were interested in biodiversity he has hundreds of acres that could long ago have been planted, but curiously has never before shown the slightest interest in the topic.
  - the general point that if allowed, this opens the floodgates to all sorts of spurious applications whereby a requirement for site facilities can be met by siting them, well, anywhere really, just anywhere hundreds of yards away, why not miles away, anywhere so long as the developer can squeeze the last penny of profit from the site.



## Development Control Committee Schedule 17/01/2023

- o HG resident - I object to the off-siting of the allotments. The motorway is a long established and planned boundary that Hunts Grove and Gloucester expansion plans worked to as a constraint. Shoehorning facilities such as open space and allotments into inappropriate locations is contrary to all good current design and thinking on green infrastructure and health and wellbeing of 'green' community facilities and is contrary to policy for inclusive high-quality design. The encroachment of the allotments out of the allocated housing land has negative effects on any future land use planning in the area and establishes the principle of development in the open countryside and would provide a precedent for other Gloucester facilities sprawling across the motorway towards the AONB and rural settlements.  
In addition we believe that the lure of a cup of coffee and a small farm shop in no way outweighs the many disadvantages of the scheme namely:
  - potential for anti social behaviour on a site that is not overlooked.
  - Reference the Hunts Grove PC's comment in which they say that the expectation would be that Haresfield PC would take over maintenance in future. This would be unacceptable to an already overstretched PC or the residents of our parish
  - There are no benefits to Haresfield residents other than a potential coffee shop and farm shop which may never materialise if the budget runs out and it's not a legal requirement.
  - The isolated nature of the second allotment sites results in encouraging more car use on an already overstretched road network
  - The development of the existing farmhouse buildings should not depend on the re siting of part of the Hunts Grove allotments south of the M5.
  - The proposed site has no vehicle access and the future maintenance of the footbridge would fall to HPC.
- o HG resident - I object to the increase of houses on the parcel of land and the proposal to replace the previously agreed allotment space with houses and sitel the allotments on the other side of the motorway on land outside the overall hunts grove development. This is on the basis that;
  1. The allotment would be outside the HG development, this expands the HG and would require management by HG and Haresfield Parish councils
  2. Access to the allotments, requiring access via motorway bridge on foot or car. Car accessibility to the allotment. Lighting and security of the allotments.
  3. HG development has significantly increased in housing number since original initial approval already, this increases the numbers again at the expense of outside communal space within the development and the movement of the allotment increases the sprawl of the HG development Into rural areas.

## **7 NATIONAL AND DEVELOPMENT PLAN POLICIES**

### 7.1 - National Planning Policy Framework July 2021

Chapter 2 - Achieving Sustainable Development

Chapter 4 - Decision Making

Chapter 8 - Promoting Healthy and Safe Communities



## Development Control Committee Schedule 17/01/2023

Chapter 9 - Promoting Sustainable Transport

Chapter 12 - Achieving well-designed Places

Chapter 15 - Conserving and Enhancing the Natural Environment

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*

CP1 - Presumption in favour of Sustainable Development.

CP2 - Strategic Growth and Development Locations.

CP3 - Settlement Hierarchy.

CP4 - Place Making

CP5 - Principles for the Siting, Design and Construction of Strategic Development

### *Core Policies - Homes and Communities*

CP6 - Infrastructure and Developer Contributions

CP7 - Lifetime Communities

CP8 - New Housing Development

CP9 - Affordable Housing

CP14 - High Quality Sustainable Development

### *Delivery Policies - Homes and Communities*

HC1 - Residential Development in Urban Areas

### *Delivery Policies - Economy and Infrastructure*

EI11 - Promoting Sport, Leisure and Recreation

EI12 - Promoting Transport Choice and Accessibility.

EI13 - Protecting and Extending our cycle routes

### *Delivery Policies - Environment and Surroundings*

ES1 - Energy Efficiency and Sustainable Construction

ES3 - Maintaining Quality of Life Within Our Environmental Limits

ES4 - Water Resources, Quality and Flood Risk

ES6 - Biodiversity and Geodiversity

ES7 - Landscape Character

ES8 - Trees and Hedgerows and Woodlands

ES10 - Valuing Historic Environment and Assets

ES12 - Better Design of Places.

ES14 - Provision of Semi-Natural and Natural Green Space with New Residential Development



## Development Control Committee Schedule 17/01/2023

ES15 - Provision of Outdoor Play Space  
ES16 - Public Art Contributions

### **8 PRINCIPLE OF DEVELOPMENT**

- 8.1 The site is located within the Hunts Grove New Neighbourhood allocation (for 1750 dwellings and other uses including a new school), and where outline planning consent has been approved in line with that allocation. The outline consent includes a Master Plan that secures informal open space, allotments and functional ecological areas.
- 8.2 For the avoidance of doubt, the outline permission and wider Master Plan does not include any part of land allocated under policy SA4 (Hunts Grove Extension) of the Stroud District Local Plan 2015. The application is being considered as a stand-alone application and not as reserved matters under the extant outline permission.
- 8.3 The proposed development would introduce new residential development into the original Hunts Grove Allocation. However this would take place on land that is secured informal open space, allotments and functional ecological areas. As such, the development is in conflict with the approved master planning for the wider Hunts Grove development. The principle of the proposed development is not acceptable. Substantial weight against the development is attributed to this factor.

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

- 9.1 *Housing* - The development would provide 76 residential units. Allowing for the slight overlap of the proposal with previously approved reserved matters the net increase would be 71 units. The development would include 30% Affordable Housing provision (23 units) and the applicant indicates that 2% of the plots would be made available for self build options. In the context of the site and the district as a whole this amounts to a very modest proportion. Whilst there would be some public benefit, this would not be significant. Limited weight in favour of the development is attributed to this factor.
- 9.2 *Commercial and Community* - The proposal would also provide commercial/business and community uses as part of the adaption of the existing Colethrope Farm House and a new building centrally within the site. It is noted that the wider development includes a specific area for commercial/business and community uses to the extreme west of the allocation/development (at the junction of Haresfield Lane and the A38). Whilst this element conflicts with the Master plan the proposed uses would be located within the new urban area and would utilise existing buildings. The uses could provide some benefit in that they would offer alternative facilities/choice that are centrally located and given the relative scale would not act to undermine those uses elsewhere. It would also facilitate the re-use and retention of the Farm House as a community benefit. However, officers do not consider that this is a benefit that would otherwise make the proposed development acceptable and as such neutral weight is attributed to this factor in the consideration of this planning application.



## Development Control Committee Schedule 17/01/2023

- 9.3 There are no specific details of the proposed commercial building submitted other than the identification of its location in the development. Accordingly, in the event that this application is approved, a condition requiring specific detail prior to any commencement of that element of the development should be applied.
- 9.4 Community Allotments - The proposed development would reduce the area of the allotments to be provided for the Hunts Grove development by a significant amount. The applicant indicates that the development would retain 53% of the allotment area within the allocation.
- 9.5 In order to compensate this loss, the application includes the provision of additional allotment space to be located across the M5 motorway (which passes to the south of the Hunts Grove development). This would be provided on a small area of land bounded by the M5 motorway to the North and main line railway to the East. The applicant indicates that the proposed allotments would provide the equivalent of 63% of the Master Plan provision - and as such also argues that this would result in a net increase to 116% of the Master Plan provision.
- 9.6 Notwithstanding the net increase, the additional allotment provision would be poorly located in respect of the Hunts Grove development. In particular, the site can only be accessed via two bridges across the M5 either (from the West) via Haresfield Lane or via a footbridge link (from the North). The effect of the M5 motorway and is to separate the replacement of the allotments from the community they are intended to serve. They would also be within a neighbouring Parish adding further to this separation. The replacement allotments would be poorly connected to the new community requiring a convoluted route with limited facilities for transporting equipment and produce to and from the site. This is in contrast to the Master plan location which is directly accessible to the Hunts Grove Community.
- 9.7 The effect of this characteristic is that the proposed alternative allotment site would not adequately serve the community and as such would result in an actual loss in terms of the provision of allotments secured in the outline planning consent. This is a factor that would have a substantial negative impact for the future residents and public interest. Accordingly, substantial weight against the development is attributed to this factor.

### **10 DESIGN AND LAYOUT (BUILT DEVELOPMENT)**

- 10.1 The proposed style of architecture is similar to the approved scheme to Farmhouse Triangle to the north. However, it is a contrast to the rest of Hunts Grove development. On the whole, there are good examples of quality buildings and spaces that look and function well within the Hunts Grove development. More recent developments have a contemporary feel using a mix of external materials ranging from part render and brick with grey aluminium window frames.
- 10.2 This proposal would continue to follow the unique character to the north that would form part of the overall consistency of Farmhouse Development redesign which is a





## **Development Control Committee Schedule 17/01/2023**

step change from the standard housebuilder design. The overall identity and period style properties would be different to the established Hunts Grove development.

- 10.3 Officers are satisfied that the general layout of the development would allow acceptable levels of residential amenity for the occupants.
- 10.4 Officers are satisfied that the design and layout of the development is acceptable and consistent with the emerging development associated with the wider Hunts Grove area. However, this does not make the proposed development otherwise acceptable and as such neutral weight is attributed to this factor.

### **11 LANDSCAPE IMPACT**

- 11.1 The proposed development would take place on an area of land identified as allotments and therefore would be undeveloped in terms of built form. The allotments would make a positive contribution to the landscape buffer that sits between the M5 Motorway and the urban extent of the Hunts Grove development. The proposed development would erode the landscape buffer to an extent by allowing the urban area to extend into it. However, the planting shown on as part of the wider Master Plan would be retained so there would continue to be some visual mitigation retained helping to reduce the visual impact in the wider landscape. A planning condition is appropriate to secure mitigating planting improvements in the event that this application is approved. However, there would still be some harm. Whilst this would not necessarily constitute a refusal reason, moderate weight against the development is attributed to this factor.

### **12 HISTORIC ENVIRONMENT**

- 12.1 The proposed development would assist in the re-use/retention of the traditional farmhouse associated with the site which can be regarded as a non-designated heritage asset. However, this is a requirement of the development at Hunts Grove in any case and as such neutral weigh it attributed to this factor

### **13 ECOLOGY AND BIODIVERSITY**

- 13.1 The applicant argues that there would be a positive net gain in biodiversity terms as a result of the proposed development and this is in part the result of improved ecological habitat that could be introduced as part of the provision of additional allotments on the South of the M5 Motorway. However, officers are concerned that the proposed development would result in the significant loss of mitigating habitat that cannot be replaced as part of any ecological habitat that would be introduced as part of the additional allotment site.
- 13.2 The Hunts Grove Master Plan includes specific measures to mitigate the biodiversity impacts from the Hunts Grove development and these form a key part of the biodiversity strategy for the whole site.



## Development Control Committee Schedule 17/01/2023

- 13.3 The pond within the garden area of Colethrope Farmhouse is known to contain Great Crested Newts. The mitigation includes the pond with the area of land to the south of the pond and to the side of the farmhouse is a receptor site/habitat for the Hunts Grove site. This forms part of the Green Corridor along the M5.
- 13.4 The proposed development will result in the loss of the existing breeding pond as well as the GCN mitigation site and would fragment the Green Corridor. The applicant has indicated that the mitigation for this loss can be provided on the replacement allotment site would degrade the conservation status of the GCN as agreed. The new site would be surrounded by physical barriers (M5, roads and railway) so causing isolation and fragmentation from the existing GCN population.
- 13.5 This would effectively result in the loss of effective biodiversity mitigation and associated habitat. The proposal does not replace it effectively. The proposed development would result in substantial harm to a protected species. Accordingly, substantial weight against the proposed development is attributed to this factor.
- 13.6 The proposed development would also change the mitigation for the loss of roosting habitat that is present in the barn associated with Colethrope Farm. The agreed mitigation provides a bespoke bat roosting house. This would be located in close proximity to the barn to ensure that the alternative provision is used by the bats. The proposed development would modify this mitigation and move it further away from the barn and to within the remaining area of allotments on the Northside of the M5. However this would be combined with a store and toilet for the allotment users.
- 13.7 Whilst this would continue to provide some mitigation for the loss of the barn as a bat roost, it would be a retrograde step in terms of the quality of the mitigation. This is because it would potentially allow for disturbance by the allotment users and would be further still from the original bat roost in the barn. This would result in harm in respect of compromise to the mitigation secured as part of the Master Plan. Accordingly, moderate harm against the proposed development is attributed to this factor.
- 13.8 The development is within the catchment zone for the Cotswold Beechwoods SAC. This generates a requirement to provide mitigation in the form of a 'homeowner information pack' for new residents on the development. In the event that this application is approved, this is appropriately secured by way of planning condition.

### **14 HIGHWAY IMPACT AND ACCESSIBILITY**

- 14.1 *Highway Safety and Amenity/Public Highway Considerations* - National Highways has confirmed that it does not object to the proposed development in terms of the traffic generated by the development in the context of the M5 Motorway junction 12. However, conditions are requested that seek to control planting and drainage affecting the Motorway and to protect the Motorway asset. This would not impact on the scope of the development proposed and in the event that the application is approved, the requested conditions are appropriately applied.



## Development Control Committee Schedule 17/01/2023

- 14.2 Gloucestershire County Highway Authority does not object to the proposed development. However it has raised some technical concerns around the tracking information for some vehicles. These matters do not materially affect the scope of the development and further exacting information can be secured by appropriately worded condition in the event of approval. These matters are also covered under s.38 of the Highways Act (adoption process) and any adjustments under that regime are not likely to materially alter the layout of the proposed development.
- 14.3 The highway Authority has indicated that the Travel Plan should be revised in order to make improvements to modes of transport and EV charging; and that this would incur a one off payment for monitoring. However, officers consider that the evolution of the travel plan should be built into the document itself and as such more detail provided. Given that the officer recommendation is to refuse this application, this has not been pursued. It is appropriately the subject of a planning condition otherwise.
- 14.4 Officers are satisfied that the proposed development would not result in an unacceptable highway impact. Neutral weight is attributed to this factor.

### **15 PLANNING OBLIGATIONS**

- 15.1 Affordable Housing - the proposed development would provide 30% affordable housing (23 units) and this is policy compliant in principle. However, the layout of the affordable units is such that it is almost entirely made up of flats. This would create a segregation of tenures and would undermine the objective to create mixed and sustainable communities. This is contrary to the adopted Affordable Housing SPD and as such moderate weight against the proposal is attributed to this factor.
- 15.2 Given that there is a substantial objection to the proposed development, officers have not sought to secure the affordable housing in a more acceptable way in terms of tenure and layout. Should the application be refused, the decision should include a refusal reason to reflect the lack of affordable housing provision.
- 15.3 Community Infrastructure - Gloucestershire County Council have identified that the proposed development would generate the requirement to contribute the following;
- i) £270,797.25 towards secondary education (11-16) provision in the Gloucester (City) Planning Area, and;
  - ii) £14,896 towards library provision at Quedgeley Library.
- 15.4 Although a stand alone planning application, the site is closely related to the wider Hunts Grove allocation. As such officers are satisfied that the development would generate further impacts on this infrastructure already generated by the Hunts Grove development. Accordingly, it is considered that the request is consistent with the requirement of the CIL regulations.



## **Development Control Committee Schedule 17/01/2023**

- 15.5 The applicant has indicated that the obligation requested is acceptable in principle. However, given that there is a substantial objection to the proposed development the obligation has not been formally requested. Should the application be refused, the decision should include a refusal reason to reflect the lack of education/library provision.

### **16 THE PLANNING BALANCE**

- 16.1 The proposed development would take place within land set aside for allotments/open space and ecological benefit. This is secured in the approved Master Plan. The proposed development would undermine the objectives of the Master Plan and would be contrary to it.
- 16.2 The development would result in the substantial loss (almost 50%) of allotment infrastructure secured as part of the Hunts Grove development. This would result in substantial harm. Officer consider that the location and accessibility of the proposed replacement allotments is such that this does not offer adequate mitigation for that loss. Substantial weight against this proposal is attributed to this factor.
- 16.3 The development would also result in the significant loss of ecological habitat and mitigation on site as secured by the Master Plan. Again, the replacement allotments do not adequately mitigate against this loss. Substantial weigh against this proposal is attributed to this factor.
- 16.4 The development will also result in moderate harm in landscape terms and the layout of the development is such that the provision of affordable housing would not meet the objectives of the Stroud District Council Affordable Housing SPD. Moderate weight against the proposal is attributed to these factors.
- 16.5 The development would provide additional housing that would include affordable housing. This represents a positive benefit. However, given the scope of the development, limited weight in favour of the proposals is attributed to this factor.
- 16.6 Accordingly, it is clear that the identified benefits of the proposed development are substantially outweighed by the identified harm and as such the proposed development should be refused.

### **17 HUMAN RIGHTS**

- 17.1 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.



## Development Control Committee Schedule 17/01/2023

### 18 RECOMMENDATION

18.1 That Planning Application is **REFUSED** for the reasons set out in this report

**For the following reasons:**

1. Loss of Ecological Habitat and Mitigation

The proposed development is contrary to the Hunts Grove Development Master Plan and would result in the loss of ecological habitat and mitigation resulting in substantial harm to the biodiversity objectives of the wider Hunts Grove development. The proposed development does not provide adequate mitigation against this impact. The proposed development is therefore contrary to Policies CP8 and ES6 of the Stroud District Local Plan (Adopted) November 2015.

2. Loss of Community Facility

The proposed development is contrary to the Hunts Grove Development Master Plan and would result in the loss of community facilities (allotments) resulting in a substantial harm to the community to which they would serve. The proposed replacement facilities are not located appropriately and as such would not mitigate the impact of this loss. The proposed development is therefore contrary to policies S01, CP4, CP5, CP8 and HC1 of the Stroud District Local Plan (Adopted) November 2015.

3. Affordable housing (Lack of S.106)

In the absence of an appropriate section 106 legal agreement, the proposed development fails to secure sufficient affordable housing. As such the proposed development is contrary to Policies CP6 and CP9 of the Stroud District Local Plan (adopted) November 2015.

4. Community Infrastructure (Lack of S.106)

In the absence of an appropriate section 106 legal agreement, the proposed development fails to secure appropriate and proportionate financial obligations to offset the impact of the development upon education and library provision. As such the proposed development is contrary to Policy CP9 of the Stroud District Local Plan (adopted) November 2015.

Informatives:

1. **ARTICLE 35 (2) STATEMENT** - The application has been assessed having full regard to the individual planning merit of the case.