



APPENDIX 1: Planning fact check sheet (Planning Balance)

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This note provides a more detailed commentary on aspects of the Committee Report to amplify and explain some of Copperfield covering letter conclusions.

It is a technical exercise to support Members in their decision-making capacity. It is structured to focus on the planning balance and reasons for refusal set out in the Committee Report and comments on the following:

- Principle of development
- Socio-economic considerations
- Housing
- Community Facilities
- Design and Layout
- Landscape
- Historic
- Ecology (see separate Appendix 2)
- Highways and Accessibility
- Planning Obligation
- Planning Balance

Principle of Development

- Hunts Grove as a whole is an allocated housing (Policy SA4) site and therefore the principle of housing and affordable housing should not be in question. The local plan proposals map provides a blanket allocation and does not distinguish the use of this location from any other part of Hunts Grove.
- Policy SA4 seeks the approval of a masterplan for land south of Haresfield Lane not the site subject of this application. The proposals cannot be contrary the requirement for alignment with a future masterplan for the adjacent site.

- We acknowledge the proposals are different to the two adopted masterplans accompanying planning permissions S.06/1429/OUT and S.15/1498/VAR. These masterplans may be material considerations but are not development plan policy. There are also many instances across Hunts Grove where approved development is materially different to the Masterplans of 17 and 8 years old respectively. Members could therefore decide to exercise some flexibility as they have in other areas of Hunts Grove.

Socio-economic considerations

Housing

The officer assessment of weight to be attached to the delivery of housing on an allocated site is inconsistent with numerous appeal decisions across the UK and the emphasis the Government continues to place on housing and affordable housing delivery.

- The rest of Hunts Grove was subject to 0% affordable housing within its planning permission. Therefore, both the 30% affordable and the 2% self-build proposed in our scheme must be given Development Plan policy compliance weight (ie. 'very substantial') and not limited weight as suggested by the officer. It is not contrary to Policy CP9 in this regard.
- Paragraph 1.37 of the Council's adopted Planning Obligations SPD states, "*In order to create balanced communities, the mix of affordable housing should broadly reflect the mix of market housing on the site. However, in some circumstances this may not meet housing need and a different mix may be required in order to balance provision. Early discussion with the Council is encouraged in order to agree the most appropriate mix for a site.*" The Applicant followed advice given during a Teams meeting on 12 September 2022 with the Affordable Housing Officer to provide additional smaller dwellings including 1 bed apartments for affordability reasons as well as providing larger dwellings as houses rather than flats. The late consultation response (received 6th January 2023) suggests that the revised affordable housing mix is not compliant but gives no details or evidence why?
- The applicant would support an opportunity for a second discussion with the affordable housing officer as part of concluding a S106 Agreement to make reasonable adjustments to the mix. The tenure split of a 50 affordable rent/ 50 intermediate is aligned with policy.

Community facilities

- The officer's consideration of commercial and community facilities is demonstrably biased and unreasonable. Paragraph 9.2 of the report acknowledges the benefits of community and commercial proposals, but then attributes neutral weight 'because it would not make the proposed development acceptable'. This is a biased rebalance of the specific benefits to the community of this element. As with affordable housing delivery, there are

numerous appeal decisions that give significant weight to this type of community benefit which can then be considered with the rest of the balancing exercise to reach an overall conclusion.

- The applicant is concerned by statements such as that at 9.3 of the Committee Report which claims there is a lack of detail in respect of the commercial floorspace. This application is a full application with all details, floor plans etc provided to the same detail as the housing and other elements.
- The statement at 9.4 *“The proposed development would reduce the area of the allotments to be provided for the Hunts Grove development by a significant amount”* is incorrect. Paragraph 9.5 confirms 116% (ie over provision) is provided across two sites, both serving Hunts Grove. The significant decrease is in fact a significant increase.
- There is not a 50% loss of allotments as suggested, but a 116% gain overall. Noting 47% are proposed to be relocated (access is discussed below). In quantum terms this must be a benefit in the planning balance.
- The quality of allotment provision is improved including raised planters for less able people and dedicated storage via a groundsman’s building. In quality terms this must be a benefit in the planning balance.
- 9.6 of the Committee Report claims the second allotment site would be poorly located and separate from the Hunts Grove community by the M5 motorway further separated by being in an adjacent parish. The Committee Report fails to acknowledge by walking and cycling (ie the most sustainable transport means), they are closer to residents in the northern part of Hunts Grove when the route is measured. Moreover, the administrative boundary does not deter Hunts Gove residents regularly using this walking and cycling route for leisure already. It was clear from speaking to residents at our public consultation that some preferred the second allotment site due to its convenience and it helps achieve the concept of an 800m walkable neighbourhood which a single allotment site would prevent. This is a significant sustainable benefit.
- It is acknowledged travel by private car would be less convenient to the second allotment site, being more circuitous. However, it is not the policy of the Council or the development plan to encourage car use, especially when a walking or cycling alternative is convenient and available. For those needing convenient access by car (ie those with mobility difficulties) there are still many allotments (ie 53%) to the north of the M5 at the Farmhouse Triangle in the first allotment site. At worst the effect is a minor negative one for a small number of car users and may reduce the significant allotment benefit to moderate. This does not take away from the separate significant affordable housing and

community facility benefits of the commercial/ shop units and commercially operated community hub as suggested.

Design and Layout

- Paragraph 124 of the NPPF explains that significant weight (rather than neutral weight in the Officer Report) should be given to development that reflects local design policies or is outstanding or innovative or helps raise the standard of design generally (paraphrased). The proposals not only reflect local design policy but also National Design Guidance.
- As with paragraph 9.2, paragraph 9.4 (design) of the officer's report demonstrates clear bias, by stating "*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.*" Two errors emerge, the first is not applying paragraph 124 of the NPPF (and applying significant weight); the second is then applying neutral weight because it would not make the development acceptable. The former is a failure to apply national policy, the second is demonstrable bias in the weighting exercise.
- The masterplan for the approved Farmhouse Triangle (FHT) and the Farm House Triangle Extension (FHTE- subject of this application) sites embodies the principles of beauty, character and sense of place that underpins the National Design Guidance. Together these sites form a neighbourhood designed to be the centre that Hunts Grove, which the development, currently lacks. To do this, this neighbourhood is planned around a tight structure of interconnected streets, lanes and squares, the sort that you would expect at the heart of a traditional settlement. In addition to this the FHTE introduces a new mixed use community element around several of the green squares giving the centre a sense of purpose and links it directly to the community centre and playing fields next door. The old farmhouse on the FHTE site is retained and restored providing a natural connection with the locality and its past. The surrounding houses in the neighbourhood are also designed to ensure a diversity of architecture drawn from the local vernacular of the surrounding area so that the result is familiar and once complete should appear as if it had always existed there.

Landscape

- The planning officer concludes at 10.1 there would be harm caused to landscape impact of a moderate weight yet there is no professional landscape officer response to the application to support this. Moreover, the judgement has been made without following any of the Landscape Institutes Guidance on LIVA which is normally applied when reaching an informed and balanced conclusion. It would be unreasonable to give any weight to the assessment

Historic

- The officer's assessment of the traditional farmhouse is factually incorrect. The extant outline planning permission included the demolition of the farmhouse except for one small barn. This application therefore saves a building which officers state at 11.1 to be non-designated heritage asset. The NPPF tells councils to give great weight to an asset's conservation this is substantially different to the neutral weight attributed by the case officer.

Ecology

- Please Appendix 2 for full details of this matter provided by Dr Peter Shepherd of BSG Ecology.

Highways and Accessibility

- It is important that both National Highways and Gloucestershire County Council support the proposals from a sustainable travel and highway perspective. The applicant would be pleased to work with GCC via a planning condition to provide a bespoke travel plan for this application and clarify any further tracking queries. However, compliance with the Stroud Local Plan must be given its proper weight. It must be given development plan weight and not neutral weight as suggested in the officer's report. Again, the report puts Members at risk of making an unreasonable decision based on unreasonable and incorrect information.
- Whilst there is no planning policy to require convenient access to allotments by car there are however policies that support greater ease of walking and cycling which these proposals achieve. They ensure allotment provision is more accessible by these means by bringing them closer to the northern part of Hunts Grove which would otherwise be well outside the 800m walkable neighbourhood distance.
- Due to the retention of 53% of the allotments at the Farmhouse Triangle, those that need convenient vehicular access due to mobility problems still benefit from easy access. This is supported by raised allotment planters not currently provided under the extant planning permission for the site.

Planning Obligation

- The applicant has always maintained a willingness to enter into a S106 agreement that meets the requirements of CIL Regulation 122(2).
- 30% of the qualifying dwellings are affordable and as agreed by the housing officer this meets the development plan requirement. As with so many appeal decisions,



development plan weight should be applied, not 'moderate weight against' as suggested in paragraph 14.2 of the officer report.

- The applicant is willing to engage in an adjustment of affordable housing provision through the S106 process if this is deemed necessary in light of the late housing officer response.

Planning Balance

The purpose of this planning application is to complete the Farmhouse Triangle Reserved Matters scheme and to deliver a comprehensively planned walkable neighbourhood.

The proposals deliver the following benefits:

- A mix of family and smaller homes for those entering the housing market as requested by the Housing Officer.
- 30% affordable homes.
- The re-use of Haresfield Farmhouse as a commercial community hub enterprise rather than demolition as currently approved.
- Small-scale local retail and commercial space for local businesses.
- The provision of two allotment sites more evenly spread walking and cycle access to all of Hunts Grove and improved facilities including new raised beds for less able people a groundsman's store plus a net increase in overall provision of 116%.
- Additional 57% net bio-diversity gain through the provision of a new wildlife area in an appropriate location (which is beyond the emerging national requirement for 10%).
- Relocation of newts from Haresfield Farm pond away from housing to a better connected set of ponds and a dedicated new managed habitat area is a robust long-term solution.
- 2% self-build dwellings.
- A detailed design that actively responds to the Build Better Commission values and re-provides the lost 2008 Masterplan gateway to Hunts Grove.

These benefits above are substantial. The cost of delivering them is however less convenient private car access one of the two allotment sites (south of the M5 footbridge), but again this has to be weighed against the improved pedestrian and cycle accessibility for Hunts Grove residents living in the northern part of the site. In circumstances where national policy and local policy place a high regard on reducing private car dependence and increased walkability the overall balance is substantially favourable to the list of benefits above.