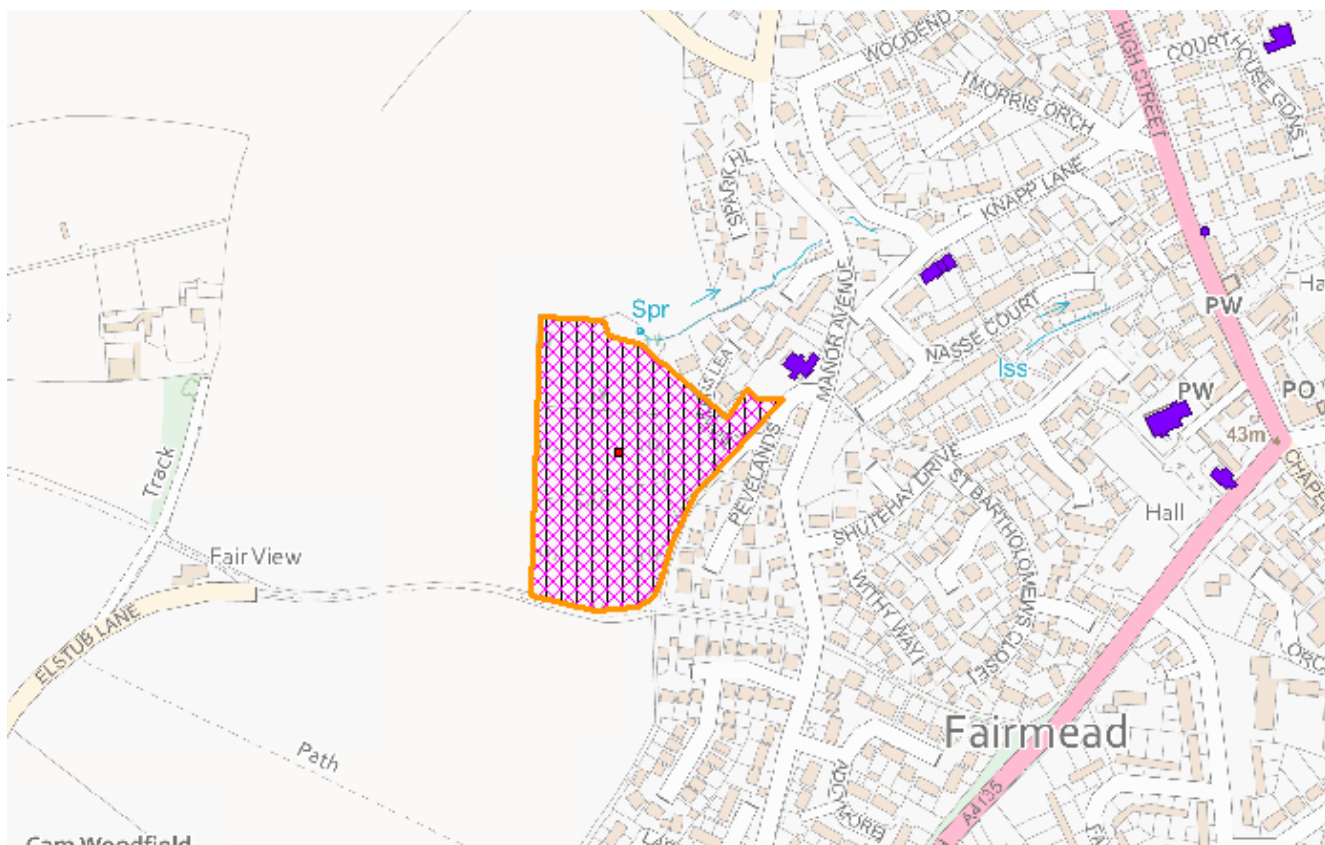




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Item No:	01
Application No.	S.22/2406/OUT
Site Address	Land At Bowers Lea, Dursley, GL11 5PR,
Town/Parish	Cam Parish Council
Grid Reference	374464,200341
Application Type	Outline Planning Application
Proposal	Outline application for the erection of up to 26 dwellings (all matters reserved except access) & associated infrastructure.
Recommendation	Refusal
Call in Request	Cllr Evans





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Applicant's Details	ESE Capital LTD C/O RCA Regeneration Ltd, Unit 6 De Salis Court, Hampton Lovett Industrial Estate, Droitwich Spa, WR9 0QE
Agent's Details	RCA Regeneration Ltd Unit 6 De Salis Court, Hampton Lovett Industrial Estate, Droitwich Spa, WR9 0QE,
Case Officer	Alena Dollimore
Application Validated	18.11.2022
	CONSULTEES
Comments Received	Cam Parish Council Contaminated Land Officer (E) SDC Water Resources Engineer GCC Community Infrastructure Contributions Archaeology Dept (E) Environmental Health (E) Public Rights of Way Officer Archaeology Dept (E) Development Coordination (E) Conservation South Team Flood Resilience Land Drainage Gloucestershire Wildlife Trust (E) Conservation South Team
Constraints	Berkeley Safeguard Area Consult area Within 50m of Listed Building Neighbourhood Plan Cam Parish Council SAC SPA 7700m buffer Settlement Boundaries (LP) Surface flooding 1 in 100 years Surface flooding 1 in 30 years
	OFFICER'S REPORT

1 MAIN ISSUES

- o Principle of development
- o Design & Layout
- o Landscape Impact
- o Archaeology & Historic Environment
- o Ecology
- o Drainage
- o Arboriculture
- o Highway Impact
- o Residential Amenity
- o Planning Obligations & Developer's Contributions
- o The Planning Balance



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2 DESCRIPTION OF THE SITE

- 2.1 The application site is located in Lower Cam which is part of the Cam and Dursley conurbation at the foot of the Cotswold hills.
- 2.2 The site sits above a modern estate development of Cam and has far-reaching views towards the Cotswolds AONB. The site is a vacant greenfield site with a steep slope rising from northeast to southwest.
- 2.3 There are several Public Rights of Ways ('PROW') and footpaths in the vicinity of the site. Most notable is a bridleway connecting Bowers Lea with Elstrub Lane which runs along the eastern and southern boundary of the site. The site can be seen from PROWs known as 'Cam Footpath 41 and 43'.
- 2.4 According to the Environment Agency mapping, the site is located in Flood Zone 1. A small area along the northern boundary of the application site falls into Flood Zone 2 and 3 due to the presence of a watercourse.
- 2.5 The site is not within a Conservation Area and the nearest heritage asset is the Upper Knapp Farmhouse (list entry number 1090913), a Grade II listed building. Part of the application site is located within the curtilage of this building.

3 PROPOSAL

- 3.1 The outline planning application is for up to 26 dwellings and infrastructure with all matters except access being reserved.
- 3.2 Although the application form states that the development would not result in *"the gain, loss or change of use of residential units"*, the Council understands that the application proposes 26no. affordable homes on site.
- 3.3 It is understood that the application is made on the basis of local housing needs as an 'exception site'.
- 3.4 Access to the site is located in the northeast corner and joins Bowers Lea. There is a significant gradient difference between the site and Bowers Lea.
- 3.5 The proposal includes access improvements, including the removal of a 'pinch point' between Bowers Lea and Povelands. The works in this area require the removal of a substantial section of a retaining wall that is attached to the Upper Knapp Farm Grade II* Listed Building.

4 REVISED DETAILS

- 4.1 During the course of the assessment of this application the following revisions have been provided:



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- o Revised planning application form with all interested parties duly notified the amendment also acknowledges the contamination issues on land
- o Additional information was received in respect of Landscape and Visual Appraisal and Ecological Appraisal
- o Minor amendments to red-line plans were agreed to include areas of access improvements between the site and Manor Road
- o Full details relating to the Upper Knapp Farmhouse retaining wall were requested as was the submission of a Listed Building Consent application to deal with the element of the development. Some information was provided within an updated Design and Access Statement, and Archaeological and Heritage Desk-based Assessment. Indicative drawings regarding the removal of the wall were also submitted.

5 MATERIALS

- 5.1 No materials were specified as this is an outline planning application and this detail would form part of the subsequent reserved matters application.
- 5.2 Details of materials were requested in respect of the works to the retaining wall associated with the Grade II* listed building. These details were not received during the course of the determination period.

6 REPRESENTATIONS

6.1 - Parish/Town Councils:

6.1.1 - Cam Parish Council

Cam Parish Council was consulted. Their comments were submitted following the developer's attendance at the Parish Council meeting on 8th February 2023. The Parish Council comments were:

*"Location not in conformity with Cam NDP Landscape sensitivity assessment (potterton report), area identified as sensitive views out and would be harmful if developed.
Flooding and Surface water concerns (CP14/ES1/ES4)
Negative Impact upon nursery car parking availability
Would generate significant traffic and transport movement not acceptable in this location (contrary to policy EI4)
Effect on local services
Outside Settlement Boundary
Support DCC Call in from Cllr Evans*

Cam Parish Council has highlighted their concerns over inadequate and stretched facilities within the SDC strategic allocations documentation. The delivery of further housing should not be considered."



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6.2 - External Agencies

6.2.1 - Gloucestershire Wildlife Trust

I am writing to provide Gloucestershire Wildlife Trust's (GWT) comments regarding the above application. Firstly, whilst the site is not within any medium, high or core areas for Gloucestershire's Nature Recovery Network(NRN [<https://naturalcapital.gcerdata.com/>]) , there are several areas of core high priority habitat within 600m of the site and the site as a whole offers opportunity for open and wooded habitat. The proposed development could provide an opportunity to enhance biodiversity and thus enable some nature connectivity between the priority habitats. This would demonstrate compliance with the NPPF requirement for planning decisions to consider "establishing coherent ecological networks that are more resilient to current and future pressures" (174d) and "safeguarding components of local wildlife-rich habitats and wider ecological networks" (179a).

We support the recommendation of the Preliminary Ecological Appraisal (PEA) that the applicant undertake a Biodiversity Impact Assessment utilising the Defra Biodiversity Metric 3.1 (to inform habitat mitigation, compensation, or enhancement strategies) and to show clearer evidence of the site achieving biodiversity net gain, in line with local and national policy, and what % of biodiversity net gain will be delivered.

In addition, a Landscape and Ecological Management Plan (LEMP) detailing a full list of habitats and hedgerows should be approved in writing by the Local Planning Authority prior to development. We would recommend a 30-year management plan is put in place to support long term net gains and ecological enhancement.

We would encourage as many of the mitigation and enhancement recommendations for wildlife set out in the PEA be implemented in the design, preferably as a condition of application approval.

We acknowledge that the design for housing is currently only in the outline stage. However, this presents an opportunity to design features which integrate the housing with the wildlife. Gloucestershire is the home to 'Building with Nature' (BwN) standards for design. It would be an ideal opportunity to make use of theBwN standards.

Finally, habitat creation protocols should follow current best practices, which avoid the use of chemicals.

6.3 - Stroud District Council Technical Officers

6.3.1 -Contaminated Land Officer

Thank you for consulting me on the above application. I have no comments.

6.3.2 - Environmental Health Officer

With Respect to the above application, I would recommend that any permission should have the following conditions and informative attached:



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Suggested Conditions:

- 1. No construction site machinery or plant shall be operated, no process shall be carried out and no construction-related deliveries taken at or dispatched from the site except between the hours 08:00 and 18:00 on Mondays to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.*
- 2. Construction/demolition works shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the Local Planning Authority.*

Suggested Informative

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.

6.3.3 - Conservation Officer

Where listed buildings or their settings are affected by development proposals, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act requires the decision-maker to have special regard to desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

The historic asset in this case is the grade II Upper Knapp Farmhouse. The historic rural setting of the building has already been largely eliminated due to the construction of houses to all sides. The only remaining open space is to the south west of the building. This is to be retained within the proposals. The proposal is outline application for the erection of up to 26 dwellings (all matters reserved except access) & associated infrastructure.*

With the retention of the trees within the eastern limb of the development site, it is considered that no harm will arise to the setting of the listed building. The application has been assessed in accordance with paragraphs 199 - 2008 of the NPPF and Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Following the submission of additional documents, further response was received.

Where Listed buildings or their settings, are affected by development proposals, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act requires the decision-maker to have special regard to desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

The historic asset in this case is the grade II Upper Knapp Farm.*



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The proposal is Outline application for the erection of up to 26 dwellings (all matters reserved except access) & associated infrastructure revised plans received.

The proposal includes the removal of some of the boundary wall to Upper Knapp Farm to enable access. The removal of the rebuilt part of the wall is acceptable, but I will need to assess the historic part of the wall and then make a judgement on whether or not it is important in relation to setting and special interest of the listed building. At this stage insufficient information has been provided in order to make that judgement. The wall needs to be uncovered from the vegetation and a structural and historic analysis made. The heritage statement should go into more depth on this issue, at present it only says:

'Proposed plans to not show any direct impacts to this building, though it is understood that a stone wall which adjoins the southern elevation of the farmhouse is proposed to be repositioned or removed in order to facilitate the development. This feature is not described within the description of this building in the NHLE, although given its connection to the main structure it could be considered to be listed by association. However, it is not expected that alterations to this wall will result in harm to the main building itself.'

I agree that the house will not be structurally harmed, but it's setting may be and this has not been addressed with the proposals.

The wall subject to this application is protected by its listed status. It is however considered that any impact to the heritage asset would be less than substantial, and any harm arising has been weighed against securing an optimum viable use for the building and the provision of any public benefit. The application has been assessed in accordance with paragraphs 199 - 208 of the NPPF and Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Paragraph 202 of the Framework states that any less than substantial harm should be weighed against the public benefits of the proposal. No public benefit has been identified by the proposals and they therefore fail to comply with paragraph 202 of the National Planning Policy Framework.

6.3.4 - Landscape Officer

Stroud District Council currently does not have a dedicated landscape officer. Officers commission a third party to assess the submitted LVA.

*The Technical Review was carried out by Davies Landscape Architects and was received on **5th May 2023**.*

The full report is available on SDC website and is appended in full to the DCC report.

The reviewer's opinion of the submitted LVA outcomes and methodology is:

"In terms of the landscape assessment, the magnitude of change and resulting effects identified for the character of the site and its immediate surroundings, the district/county's landscape character areas, and the Stroud District Landscape Sensitivity Assessment (July



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2013) area PL18 would seem appropriate to the proposed development. The LVA notes the effects on the setting of the AONB as moderate to minor adverse which is in line with the Zebra methodology.

In terms of the visual assessment, visual sensitivities would need to be re-visited to include value as well as susceptibility in line with GLVIA, and Table 7.1 would need to be adjusted according to the Zebra methodology and a description of the likely changes provided before any further review.

The reviewer's opinion would be that the site is visually highly sensitive given its landform and its role in views towards the AONB hills when viewed from the network of footpaths to the north and west, and proposed development on the site has the potential to detract from these views. The design and mitigation would need to be carefully considered in light of an amended visual assessment."

The overall conclusion states that:

"In consideration of the adequacy of assessment and whether it is sufficient to support making an informed planning decision. The conclusion would be that, at present, the LVA submission provides an overview of the project and states the assessment outcomes anticipated by the assessor. However, in order to ensure the assessment displays clarity and transparency in its reasoning, supporting the basis for its findings and conclusion, in line with Landscape Institute guidance, and in a way that can be understood by its readers, additional information as detailed above would be needed.

In overall conclusion, at this stage we would consider that further information is required within the LVA in order to make an informed planning decision."

6.3.5 - Bio-Diversity Officer

Comments relate to the following documents:

Preliminary Ecological Appraisal by Brindle and Green (August 2022)

Ecological Impact Assessment by Brindle and Green (August 2022)

Habitats Regulations Assessment

An Appropriate Assessment (AA) has been undertaken by the Competent Authority (LPA). The site falls within the 7.7 km core catchment zone of the Severn Estuary SPA/SAC site therefore, the applicant can either make a one-off S106 contribution per new dwelling to the Stroud District Council's avoidance mitigation strategy; the cost is £385 per new dwelling. Or the applicant can provide their own bespoke strategy to mitigate the identified impacts the proposed development will cause.

Appropriate Assessment

The project being assessed would result in a net increase of dwellings within 7.7km of the Severn estuary SAC/SPA/Ramsar. In line with Policy ES6 of the adopted Stroud District Council local Plan 2015-2031 and the Severn Estuary Avoidance Mitigation Strategy, a permanent significant effect on the Severn Estuary SPA due to increase in recreational disturbance as a result of the new development is likely. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.



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Stroud District Council formally adopted the Stroud District Council Severn Estuary Avoidance Mitigation Strategy in December 2017. The Avoidance Mitigation Strategy provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Severn Estuary SAC/SPA/Ramsar arising from new residential development. This has been endorsed by Natural England.

As set out in the Severn Estuary Avoidance Mitigation Strategy, an appropriate scale of mitigation for this scheme would be:

£385:00 per each new dwelling that will represent a net increase in dwellings within the 7.7km zone of influence.

Number of Units26..... X £385.00

TOTAL AVOIDANCE AND MITIGATION PACKAGE ...£10,010...

Policy ES6 of the Stroud District Council Local Plan 2015-2031 sets out SDC's approach to securing the appropriate mitigation measures to address the in-combination impact of increased recreational disturbance arising from increased housing development. It states:

Development will protect and safeguard all sites of European and Global importance, Designated as SACs, SPAs and Ramsar sites. Development must not result in significant adverse effects on these internationally important nature conservation sites, either alone or in combination with other projects or plans. The Council will expect development proposals to demonstrate and contribute to appropriate mitigation and management measures to maintain the ecological integrity of the relevant European site(s).

With specific regards to recreational impacts, the Council will use core catchment zones that identify potential impact areas which extend beyond the relevant European site itself. Development proposals within such areas will take account of any relevant published findings and recommendations. There will be further assessment work on the Severn Estuary SPA and SAC that shall include recreational pressures.

A legal agreement will be necessary to secure the mitigation package. Without the security of the mitigation being provided through a legal agreement, a significant effect would remain likely. As long as such a legal agreement is secured through the planning process, the proposed development will not affect the status and distribution of SPA qualifying bird species and therefore act against the stated conservation objectives of the European sites.

Invasive Species

Japanese Knotweed -*There is a large stand of Japanese Knotweed within the north-western corner of the woodland, which is spreading to the centre of the woodland. This species is listed on the Schedule 9 of the Wildlife and Countryside Act. There is now a requirement for the submission of a method statement, prepared by a competent person, which includes the following information:*

- A plan showing the extent of the knotweed,*
- The methods that will be used to prevent the plant spreading further, including demarcation and fencing,*
- The methods of control and how the plant will be treated/removed.*



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Protected Species

Great Crested Newts (GCN)

There are no waterbodies on site, but two waterbodies were identified within 500m of the site. The closest (800 m) is a dry spring the other is a pond 500m from the site. This pond is separated from the site by a road, and this would act as a barrier to GCN dispersal. In the absence of surveys, a Natural England Rapid Risk Assessment was undertaken and the risk of an offence occurring due to the proposal is "Highly Unlikely"

Bats

The trees on site have negligible potential for roosting bats.

Badgers

There is an active main badger set located within the woodland and appropriate mitigation requires the incorporation of a 30m buffer zone to protect the set from disturbance both during and after construction. However, the current plans show that there is a SUDS pond proposed within the vicinity of the sett, in addition, the method of Japanese Knotweed removal is currently unknown, and this in turn will have an effect on the badger mitigation requirements. The northern edge of the proposed housing also lies within 30m of the sett and the current proposed scheme layout does not provide adequate 30m buffer zone from the development. Therefore, further information is required on how the sett will be protected both during the construction phase and after completion.

Biodiversity Enhancements and Biodiversity Net Gain:

The applicant has undertaken a Biodiversity Impact Assessment, but only indicative net gains have been provided using the draft design plans. The applicant needs to submit the metric calculation (spreadsheet) along with an outline Biodiversity Net Gain Plan, which should include the following information as a minimum:

- How adverse impacts on habitats have been avoided and minimised (clearly demonstrate how the mitigation hierarchy has been adhered to);*
- The pre-development biodiversity value of the onsite habitat;*
- The post-development biodiversity value of the onsite habitat.*

In addition, the implications of any habitat loss due to the removal method for the Japanese Knotweed should be factored into the BNG calculation.

If the above information cannot be supplied, refusal will be recommended for the following reasons:

- Policy ES6 of the local plan makes it clear that planning applications must be accompanied by adequate information for the impacts on biodiversity to be assessed.*

6.4 - Gloucestershire County Council Technical Officers

6.4.1 – GCC as Local Highway Authority

*Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has **no objection subject to conditions.***



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Overall the proposal does not cause any significant highway safety or network assurance issues.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on highway safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

Highway Plan - Illustrative Only

For avoidance of doubt the submitted highway layout plan has been treated as being for illustrative purposes only.

Provision of Vehicular Visibility Splays

The development hereby approved shall not be occupied/brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason: In the interests of highway safety.

Highway Improvements / Offsite Works / Site Access (Details Provided)

The development hereby approved shall not be occupied until the highway improvements/offsite works comprising:

Carriageway and footway widening along Bowlers Lea and Pevelands have been constructed and completed in accordance with the approved plans.

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

Highway Improvements / Offsite Works / Site Access (Details Provided)

The development hereby approved shall not commence until drawings of the highway improvements/offsite works comprising:

1 x tactile crossing point at Bowlers Lea

1 x tactile crossing at Manor Avenue to the south of Pevelands to serve bus stop IDs gloapgap and gloapgap

3 x tactile crossing points along Knapp Lane to access the A4135

Have been submitted to and approved in writing by the Local Planning Authority; and the building shall not be occupied until those works have been constructed in accordance with the approved details.

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

Completion of Vehicular Access - Shown on the approved plans



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The development hereby approved shall not be occupied/be brought into use until the means of access for vehicles, pedestrians and cyclists have been constructed and completed in accordance with the approved plans.

Reason: In the interest of highway safety.

Combined Parking Details (For RM Applications)

Vehicle and cycle parking shall be provided prior to first occupation of each dwelling in accordance with details to be contained within the approval of any reserved matters permission. Such details shall include a scheme for enabling charging of electric plug-in and other ultra-low emission vehicles. Parking and charging points shall be maintained for this purpose thereafter.

Reason: To promote sustainable travel and healthy communities

Residential Welcome Pack

The development hereby approved shall not be occupied until the applicant has submitted to and had approval in writing from the Local Planning Authority a residential welcome pack promoting sustainable forms of access to the development. The pack shall be provided to each resident at the point of the first occupation of the dwelling.

Reason: To reduce vehicle movements and promote sustainable access.

Construction Management Plan

Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- o Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);*
- o Advisory routes for construction traffic;*
- o Any temporary access to the site;*
- o Locations for loading/unloading and storage of plant, waste and construction materials;*
- o Method of preventing mud and dust being carried onto the highway;*
- o Arrangements for turning vehicles;*
- o Arrangements to receive abnormal loads or unusually large vehicles;*
- o Highway Condition survey;*
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.*

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

Provision for Street Tree Planting

No works or development shall take place until full details of all proposed street tree planting, root protection systems, future management plan, and the proposed times of planting, have been approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.



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Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

Informatives

Informatives regarding work within the public highway and the need for highway legal agreements is highlighted. Adoption of highway including street trees would need further discussion with GCC regarding the details, ongoing maintenance and commuted sum.

Revised Plans - GCC as Local Highway Authority

Thank you for the revised consultation request; I have nothing further to add to my comments dated 1st December 2022

6.4.2 - County Archaeologist

Thank you for consulting the archaeology department on this application. The county Historic Environment Record shows that there are no recorded heritage assets within the proposed development site. A number of sites of archaeological interest lie within the wider area, notably a prehistoric ring ditch, Iron Age, Roman and medieval settlement. The Desk Based Assessment submitted with the application concludes that there is potential for low-value prehistoric and post-medieval, and medium value medieval sub-surface remains, with the proposed works having a moderate impact on all these features. I concur with this except that many previously unknown sites dating to the Iron Age and Roman period have been found recently in the Cam and Dursley area and remains of this period cannot be discounted to be present within the site.

The National Planning Policy Framework, polices 194 and 195 states that in determining applications the significance of heritage assets, including those with archaeological interest, are described and assessed to avoid any conflict with conservation of the heritage asset. I therefore consider field evaluation is necessary and the results are made available prior to determination of the application. Ideally this should consist of geophysical survey ground-truthed by trial trench evaluation.

I will be happy to advise further following receipt of this additional information.

Revised Plans - County Archaeologist

Thank you for notifying the archaeology department on this application. I note the revised Archaeological and Heritage Desk Based Assessment has been submitted with the application, as this is a redacted copy please can you send us a clean copy for our records. In regards to archaeological potential, the conclusions of the assessment remains the same and therefore our previous still stands (for a programme of archaeological evaluation to be carried out and the results made available prior to determination of the application). This advice is in line with the National Planning Policy Framework, in particular policies 194 and 195.

The removal of a historic wall has been brought to our attention and as this appears to relate to the setting of a Grade II Listed Building of Upper Knapp Farmhouse (NHLE no. 1090913) which dates to 16th century the views of the Conservation Officer should be sought. If it relates to the significance of a heritage asset then its retention and conservation should be sought where possible. If it is to removed or relocated then I advise that a condition for an appropriate*



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level of recording prior to its removal and the Conservation Officer should advise on the most appropriate level.

6.4.3 – GCC as Lead Local Flood Authority LLFA

An application for a development covering an area greater than 1 hectare is required to have a flood risk assessment. I cannot find an FRA in the information on the planning portal.

The indicative site plan shows a couple of proposed attenuation features so I am guessing some work has been carried out to assess flooding and drainage issues but there is not enough information included with this application to assess whether it is adequate. It is difficult to attenuate water on steep banks and it would be useful to see how it is intended to achieve this.

Revised Plans – GCC As LLFA

An FRA and Drainage Statement has been made available through the planning portal on 8th December 2022. It was published by PJA Civil Engineering Ltd, dated 19th August 2022 ref 05828-R-01 A.

The drainage strategy it presents shows surface water being discharged from the site at 2.1 litres/sec to either the unnamed watercourse that starts on the northern boundary of the site or to the surface water sewer in Manor Avenue. In order to control the discharge to this rate it identifies two above ground attenuation features with a total capacity of 470m³ which includes a 40% allowance for climate change.

These discharge rates and storage capacities should be used in the development of any detailed drainage plans used to support an application for a discharge of a drainage condition.

The LLFA has no objection to the proposal as the drainage strategy shows it is feasible to develop the site with this volume of housing without building properties at risk of flooding and without increasing flood risk elsewhere. Further detail is required to be able to see that what is built matches the requirements defined in this FRA and Drainage Strategy I would therefore recommend that the following condition be applied to any permission granted against this application:

Suggested Condition:

No building works hereby permitted shall be commenced until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The information submitted shall be in accordance with the principles set out in the approved drainage strategy. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The SuDS Manual, CIRIA C753 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;*
- ii. include a timetable for its implementation; and*



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- iii. Provide a full risk assessment for flooding during the groundworks and building phases with mitigation measures specified for identified flood risks; and*
- iv. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.*

Reason:

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution for the lifetime of the development.

Following the submission of additional information, further comments were received in March 2023.

6.4.4 – GCC Developer Contributions Investment Team

This application has been assessed for impact on various GCC community infrastructure in accordance with the "Local Development Guide" (LDG). The LDG was updated in March 2021 (following a targeted consultation which took place in Spring 2020). The LDG is considered a material consideration in the determination of the impact of proposed development on infrastructure.

<https://www.gloucestershire.gov.uk/planning-and-environment/planning-policy/gloucestershire-local-development-guide/>

The assessment also takes account of CIL Regulations 2010 (as amended)

In support of the data provided please note the following:

Education

Following a recent Planning Appeal Decision, Gloucestershire County Council (GCC) has undertaken to review its Pupil Product Ratios (PPRs) which are used to calculate the impact of new development on school capacity and in turn justify the developer contributions being sought towards the provision of additional education infrastructure.

GCC is committed to undertaking a full review of its Pupil Product Ratios (PPRs), which will subsequently be consulted upon. In the meantime, GCC has reviewed its PPRs, taking account of comments made by the Planning Inspector in the above appeal, and using information that is currently available adjusting its calculations per 100 dwellings. This information can be found in the Interim Position Statement on PPRs which was published by Gloucestershire County Council in June 2021. The Interim Position Statement (IPS) is available on Gloucestershire County Council's website which you can access on the below link:

<https://www.gloucestershire.gov.uk/education-and-learning/school-planning-and-projects/gloucestershireschool-places-strategy-and-projects/>

The latest School Places Strategy 2021 - 2026 is also available on the Gloucestershire County Council website (see the link above). The School Place Strategy (SPS) is a document that sets



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out the pupil place needs in mainstream schools in Gloucestershire between 2021-2026. The SPS examines the duties placed upon GCC by the Department for Education (DfE) and it explains how school places are planned and developed. The 2021-2026 update was approved by Cabinet on 24 March 2021 and came into effect on 1 April 2021.

Cost Multipliers - The DfE has not produced cost multipliers since 2008/09, so in the subsequent years GCC has applied the annual percentage increase or decrease in the BCIS Public Sector Tender Price Index (BCIS All-In TPI from 2019/20) during the previous 12 months to produce a revised annual cost multiplier in line with current building costs, as per the wording of the s106 legal agreements. GCC calculates the percentage increase using the BCIS indices published at the start of the financial year and uses this for all indexation calculations during the year for consistency and transparency.

This assessment is valid for 1 year, except in cases where a contribution was not previously sought because there were surplus school places and where subsequent additional development has affected schools in the same area, GCC will reassess the education requirement.

Any contributions agreed in a S106 Agreement will be subject to the appropriate indices.

Libraries:

Under the provisions of the Public Libraries and Museums Act 1964, Gloucestershire County Council is a Library Authority and has a statutory duty to provide a comprehensive and efficient library service for all persons desiring to make use of it. This duty applies not only to the existing population of the County, but also to new residents generated through new development which add to the demand on a specific library which those new residents can be expected to use.

New development will be assessed by the County Council to determine its likely impact on existing local library services and the scope of resultant mitigation works that are required.

Consideration will be given to the existing capacity of the library using the national recommended floorspace benchmark of 30 sq metres per 1,000 population (as set out in the Public Libraries, Archives and new development: A Standard Charge Approach, 2010).

Planning obligations required towards improving customer access to services within the footprint of an existing library will be in the form of a financial contribution and calculated using the County Council's established per dwelling charge of £196.00.

Planning obligations required towards new library floorspace and fit out (i.e. extension to an existing building or construction of a new library building) will be considered by the County Council on a case-by-case basis.

Clarification in relation to education summary on previous page regarding S.22/2406/OUT - Land at Bowlers Lea, Dursley, GL11 5PR



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The contributions stated above are the maximum number of contributions which could be requested based on the number of qualifying dwellings. Any discount for surplus places will be calculated when an application is received.

Primary Places Impact:

The proposal is for 26 dwellings all of which are qualifying dwellings. This number of dwellings would be expected to generate an additional demand for 10.01 primary places. There is significant permitted development impacting on the closest schools which will take current spare capacity in the area. Therefore, Gloucestershire County Council is seeking a contribution of £181,511.33 towards primary places arising from this development.

Secondary (age 11-16) Places Impact:

The proposal is for 26 dwellings all of which are qualifying dwellings. This number of dwellings would be expected to generate an additional demand for 4.42 secondary (age 11-16) places. The West Stroud Secondary Planning Area is forecast to be full. Therefore, Gloucestershire County Council is requesting a secondary (age 11-16) contribution of £105,085.50 towards the provision of these places.

Post 16 Places Impact:

The proposal is for 26 dwellings all of which are qualifying dwellings. This number of dwellings would be expected to generate an additional demand for 1.56 secondary (16-18) places, which cannot be accommodated in the secondary planning area. Therefore, Gloucestershire County Council is seeking a contribution of £37,089.00 towards the provision of places arising from this development.

Library Impact - Site Specific Assessment

The nearest library to the application site, and the library most likely to be used by residents of the new development, is Dursley Library.

The new development will generate a need for additional resources at this library, and this is costed on the basis of £196.00 per dwelling. A financial contribution of £5,096.00 is therefore required to make this application acceptable in planning terms.

The financial contribution will be used to improve customer access to services through refurbishment and upgrades to the existing building, improvements to stock, IT and digital technology, and increased services.

This is a summary of the full consultation response. The original response in full can be found on the SDC website.

6.4.5 - GCC Public Rights of Way

This development does not appear to physically affect the nearby public rights of way CCA 41 & 50, however the proposed development will certainly increase the footfall on both of these PRoWs, CCA 50 in particular is indicated in the proposal as the route to the local school.



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6.6 - Public

6.6.1 - There has been approximately 104 responses received from the local community and other public contributors. The key issues of concern identified in the responses are as follows

Support

No letters of support were received

Objection

Principle of development

- o Site not allocated for development in the Stroud District Local Plan 2015
- o Site not allocated in the emerging draft Stroud District Local Plan
- o Site not allocated in the Cam Neighbourhood Development Plan
- o More suitable brownfield sites still available in the District and these should be prioritised for development
- o This site is exempt under normal planning and can only be permitted for affordable homes, to attain this exemption, a very dubious housing survey was undertaken with a poor response, from which the developers have come to the conclusion Cam needs 26 affordable homes, whatever that actually means?
- o No details provided about how affordable these houses would be, and whether they would cater for those in local need.

Design and Access

- o The proposed access is inadequate and would have a harmful impact on the existing footway that is frequently used by children walking to a nearby school
- o The access from Manor Avenue is on a blind corner and on the brow of a hill which is barely wide enough for 2 cars to pass safely. It is a regular road used by parents and children who use the lane to get to Woodfields school as well as walkers and horse riders.
- o Lack of proposed visitor parking may increase the on-street parking elsewhere
- o There are a huge amount of houses being built; Box Rd and the huge development close to Shell Garage as an example
- o The development itself is out of character with the main estate, over bearing to those houses below them and will dominate the landscape and skyline for the area.

Highways and Parking

- o Future occupants will be reliant on private motor vehicles
- o Existing parking issues will be made worse
- o The area is very busy during the nursery pick-up/drop-off times
- o Existing traffic issues at Manor Avenue and A4135, further increase in the volume of traffic cannot be accommodated as the existing road infrastructure cannot cope



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- o The traffic report does not properly reflect the peak times of nursery drop off/pick up
- o The site is not within the walking distance of either the town centre or the Cam & Dursley train station
- o No visitors' parking is proposed and no provision for additional vehicles the future households are likely to have.
- o Local public transport provision is unreliable
- o Public transport provision has been diminishing rapidly with services being cut and being highly irregular which creates difficulties for those who cannot drive.
- o There is no improvement of visibility considered (either arriving or leaving Pevensley) or addressing parking issues.

Facilities and Services Capacity in the area

- o The provision of local services is not keeping up with the increasing development and growth in the local population
- o Recent development in Cam is not resulting in any improvements to the local infrastructure and/or general services and facilities provision, such as doctors, dentists and schools.
- o The Planning Statement incorrectly states that the site is in the proximity of a nursery and a dental practice, but both of these are oversubscribed
- o Impact on local services and facilities that are already operating at a capacity
- o Lack of good quality, affordable childcare in the area
- o The local dentist now refusing to register new patients

Ecology and Environment

- o The development would spoil the surrounding landscape and views
- o The scheme is in conflict with paragraphs 179 - 182 of the NPPF.
- o The field has not been farmed for years and has become a refuge for wildlife with regular sightings of deer, foxes and badgers.
- o Development harmful to local biodiversity and environment
- o Noise disturbance of wildlife on site resulting from the future occupants, builders' lorries and HGVs may result in permanent harm to wildlife

Landscape & Trees

- o The site was previously assessed as not suitable for development due to the landscape impact
- o There is no certainty that the trees earmarked to be 'saved' will remain safe.
- o The site is steeply sloped and the existing trees serve to retain both moisture and to stabilise the existing ground. The proposed removal of the existing trees as shown on the plans will mean additional retaining structures and drainage will be required, to the detriment of the site.



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Flooding

- o The development will increase flood risk at Bowers Lea as this already has a large amount of water running down it when it rains
- o The drains at the bottom of Elstub Lane flood yearly
- o Flooding is now an issue in the wider area as a result of the overdevelopment of land that would have absorbed the water naturally
- o A comprehensive objection by a contributor was submitted and raised issues with to the findings of the Applicant's Flood Risk Assessment. This objection highlights the shortcomings in the report, mainly the lack of physical evidence supporting the findings of the Assessment. The objector also highlights that the FRA makes conflicting statements that do not match the real experience of neighbours and local residents.

Heritage

- O Risks harming existing heritage assets (listed building nearby) as well as the medieval archaeological remains that the Planning Statement identified to as likely to exist on the site.

Other

- o The applicant is promoting the scheme as 100% affordable, but, according to their website, prides itself on the overall reduction of developer contributions (and affordable housing) in other schemes. There is no certainty that the resulting development would be affordable
- o High-value properties with a view likely to be sold off at market prices
- o Residents, including those living in the vicinity of the site, do not remember receiving any questionnaire about the housing need or being consulted prior to the application submission
- o The residents Survey that this development is based and factored on is somewhat misleading and the figures they take from that survey to base house numbers on are dubious at best. There are huge numbers of houses being built in Box Road and already they are being offered as low cost, part ownership and affordable, all without being ring fenced for local people. Why should these be any different once built. They have not justified the need for these houses when so many are already available.
- o The huge volume of large developments puts the image of the 'rural village of Cam' at real risk
- o The planning statement refers to the site as being a brownfield site - this is incorrect as it is a greenfield site with an established wildlife
- o Cam suffers from increased levels of pollution according to the WHO limits and removing open countryside would exacerbate current levels of pollution rather than reduce them. That is not sustainable.



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7 NATIONAL AND DEVELOPMENT PLAN POLICIES

7.1 - National Planning Policy Framework July 2021

7.2 - Stroud District Local Plan 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

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

HC4 - Rural Exception Sites

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

ES15 - Provision of Outdoor Play Space

ES16 - Public Art Contributions

7.3 - Cam Parish Neighbourhood Development Plan 2020



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The Cam Design Code

CAMES1 - Green Infrastructure and Biodiversity
CAMES2 - Parish Landscape Character
CAMES3 - Valued Views

CAMCD1 - Locally Distinctive Design
CAMCD2 - Cam's Trees, Woodlands and Hedgerows
CAMCD3 - sustainably Designed Homes and Places in Cam
CAMCD4 - Pre-application Community Engagement

CAMMC1 - Improving and Enhancing Connections for Cyclists and Pedestrians

CAMCF1 - Retention of Community Facilities

7.4 - County Level Development Plan

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

7.5 - Other relevant documents

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

8 PRINCIPLE OF DEVELOPMENT

- 8.1 The site is located on open agricultural land immediately to the West of the settlement development limit of Cam (Lower Cam). Policy CP3 of the Stroud District Local Plan (adopted November 2015) identifies Cam and the nearby settlement of Dursley as a First Tier which are considered as District's main towns that are the primary focus for growth and development.
- 8.2 Policy HC4 of the Stroud District Local Plan (adopted November 2015) sets out that planning permission may be granted for affordable housing on sites adjoining settlement limits subject to compliance with the criteria listed; and where the settlement is a third-tier or above.
- 8.3 Accordingly, Council's officers are satisfied that the proposed development meets the broad objectives of Policy HC4.
- 8.4 Policy HC4 sets out criteria under which the Council shall meet local affordable housing needs on sites outside of settlement development limits. Each is addressed individually below:



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Clearly Evidenced Housing Need

- 8.5 The first criterion of the policy HC4 requires the applicant to demonstrate that *"there is a clearly evidenced local need which cannot be readily met elsewhere in the locality, for the number and type of housing proposed."*
- 8.6 Core Policy CP9 states that *"there is an overall unadjusted need for affordable housing of 446 dwellings per annum"*. The Applicant's Housing Needs Assessment identifies the combined need across the next five years to be at least 89 new homes. Accordingly, officers are satisfied that the proposal would contribute to the identified District-wide need, and a moderate weight in favour of the proposed development.
- 8.7 However, the objective of Policy HC4 is to provide housing development that would meet identified *local* affordable housing needs, and the wording of the policy requires the applicant to provide information that the other alternative sites have been considered and ruled out sequentially.
- 8.8 Cam West ward, where the application site is located, is on the edge of Dursley and Cam East wards. Cam West is the closest ward to the major highway network connections, including the A38 and M5. The Cam and Dursley train station with regular services to Bristol and Gloucester is also located within Cam West. Importantly, Cam West is located outside of the Cotswolds AONB. These factors contributed to the Council's decision to allocate strategic housing and employment sites within this area.
- 8.9 The Stroud District Local Plan (2015) Policy SA3 allocates land known as 'Northeast of Cam' for the development of up to 450 dwellings and 11.4 ha of employment land. The Policy also specifies that 135 dwellings are to be affordable. It should be noted that additional 56 dwellings were approved on this site which brings the total gross capacity of this allocation to 510 dwellings with the corresponding increase in the number of affordable units.
- 8.10 Phases H1 and H2 of this development have been completed. Phases H3, H4, H5 and H6 benefit from an outline planning permission and the reserved matters application was recently discussed in a form of a pre-application discussion. Collectively, all phases of SA3 will deliver approximately 150 affordable units. There is a variety of sizes, types and tenures of affordable units delivered on this strategic allocation alone.
- 8.11 In addition, the permitted development on sites known as 'Land north-west of Box Road' and 'Land adjacent to Box Road' will deliver approximately 63 affordable units. Furthermore, a site known as 'Land south of railway line' is set to deliver 13 affordable units.
- 8.12 The emerging Stroud Local Plan (submission draft 2021) allocates further housing sites in Cam, including sites known as 'Land West of Draycott' (PS24) and 'Land East of River Cam' (PS25). These are greenfield sites estimated to deliver approximately 880 dwellings. The development will be subject to at least 30% policy-compliant provision of affordable housing which would represent approximately 264 affordable units. These



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sites are likely to further contribute to the future affordable housing delivery in this location, as well as the district-wide needs.

- 8.13 The applicant submitted a Housing Needs Assessment that is based on the analysis of a questionnaire distributed across Cam. While the Assessment contains a useful insight into the existing housing provision, it fails to provide any meaningful assessment of the existing provision of affordable housing in the 'local' area and any need that would be a result of 'under provision' in this locality.
- 8.14 The document does not explore whether the need identified could be **readily met elsewhere in the locality**. The Assessment does not offer any analysis of other available and deliverable sites in the locality and whether these could cater for the affordable housing need. In total, the Cam West ward area will see the total delivery of affordable housing that greatly exceeds the need identified by the applicant. While it is acknowledged that the strategic sites cater primarily for the wider needs of the district, it is likely that they will simultaneously cover the local affordable housing need in Cam West. In this context, the officers attribute moderate weight against the proposed development to this factor.
- 8.15 The first criterion of the policy HC4 also requires the application to demonstrate that there is **a clearly evidenced local need for the number and type of housing proposed**. Paragraph 4.4 of the Applicant's own Housing Needs Assessment identifies the combined need across the next five years to be at least 89 new homes of which 25no. are to be 1-bedroom units, 53no. are to be 2-bedroom units, and 11 are to be 3 bedrooms and more.
- 8.16 The application is in an outline form with detailed designs and layout reserved for later considerations, however, it is indicated that the proposed development consists of 13no. 2-bedroom and 13no. 3-bedroom houses only. It is therefore considered that the lack of provision of smaller 1-bedroom dwellings, and an over-provision of larger 3-bedroom dwellings on the application site does not deliver an appropriate number and type of housing identified as needed in this locality.
- 8.17 The Council is not satisfied that clear evidence exists that the proposal addresses local needs, particularly in respect of the dwelling types. Furthermore, insufficient information has been submitted to demonstrate that the proposed dwellings cannot be located elsewhere in the locality.
- 8.18 Overall, it is concluded that the applicant fails to demonstrate compliance with the first criterion of the Stroud District Local Plan Policy HC4. Accordingly, officers attribute an overall substantial weight against the proposed development to this factor.

Site's Accessibility to Local Services and Facilities

- 8.19 As a first-tier settlement, Cam benefits from supporting community facilities and infrastructure including major supermarkets, healthcare provision facilities and local services. The education provision includes both primary and secondary schools, both of which are within walking distance of the application site. Public transport provision in the locality includes regular bus services, although it is acknowledged that their



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frequency may have been reduced since the Covid-19 pandemic. The Cam & Dursley train station is approximately 1.2 miles away from the application site and can be reached on foot or by bicycle.

- 8.20 It is therefore concluded that the proposed development complies with the second criterion of the Stroud District Local Plan Policy HC4. The compliance with a criterion of the principal planning policy is accorded a neutral weight in the planning balance.

Subject to Over-riding Environmental or Material Planning Constraint

- 8.21 The application site has several environmental constraints that are discussed in further detail later in this report.
- 8.22 The Preliminary Ecological Appraisal identified active badger setts on site. The Appraisal further noted the presence of Japanese Knotweed. From the information submitted for Council's consideration, officers conclude that there is a high possibility that these species interact.
- 8.23 As a result of this interaction, it may be practically impossible to undertake an effective course of action to treat the invasive species while simultaneously preserving the protected species and their habitats. This issue has been raised with the agent/applicant, but no satisfactory evidence was submitted to the Council which would demonstrate that this issue could be effectively and satisfactorily resolved.
- 8.24 It is therefore concluded that the application site has significant environmental constraints that have not been appropriately addressed. Officers attribute significant weight against the proposed development to this factor.

Appropriate Legal Arrangements in Place

- 8.25 The Council requires that *"appropriate legal agreements are entered into to ensure that such dwellings will remain available as affordable housing for local need, in perpetuity with the necessary management of the scheme"*.
- 8.26 Although the policy would not preclude any developer from carrying out a suitable scheme with appropriate covenants on the land or legal agreements, the Council will require the properties to be managed by a Registered Provider. It is noted that no Registered Provider was identified at the application stage, or during the application determination period.
- 8.27 No draft of S106 was submitted to demonstrate that all units proposed would be affordable in perpetuity. This is one of the requirements of the policy, and such an agreement is necessary to make the development acceptable in planning terms. Furthermore, Planning Practice Guidance states that *"Ensuring that any planning obligation or other agreement is entered into prior to granting planning permission is the best way to deliver sufficient certainty for all parties about what is being agreed. It encourages the parties to finalise the planning obligation or other agreement in a timely"*



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manner and is important in the interests of maintaining transparency". (Paragraph: 010 Reference ID: 21a-010-20190723)

- 8.28 In the absence of an appropriately worded S106 agreement, the development fails to comply with this criterion of the policy. Officers attribute significant weight against the proposed development to this factor.

Compliance with Recommended Standards

- 8.29 The last criterion of Policy HC4 requires *"the gross internal floor area of these dwellings to comply with the latest recommended standards use by the Homes and Communities Agency"*.
- 8.30 The application is accompanied by an indicative site plan with house typology indicated. A drawing by Zebra Architects also indicates views into the site. These views show blank elevations of proposed houses, but all appear to be two-storey structures. As such, when assessing this criterion, the Council considered only two-storey unit sizes as a comparison with 'Technical Housing Standards - Nationally Described Space Standard'.
- 8.31 The indicative house types B and D - 2-bedroom, 4-person dwelling - do not comply with the minimum space standard for a two-storey dwelling that is occupied by four persons. Both house types proposed have a gross internal space of 74.2sqm, while the space standards require this type of property to be at least 79sqm. Similarly, the house type F - 3-bedroom, 5-person dwelling - is proposed to have a gross internal space of 87.5sqm while the standard requires at least 93sqm for this type of property.
- 8.32 It is acknowledged that the detailed design (and internal spaces standards) should be considered at the reserved matters stage, however, the indicative size is a material consideration in the determination of 'exception sites' and must therefore be discussed in respect of this application.
- 8.33 As noted above, there is no firm commitment from a Registered Provider. However, to secure an agreement with a Registered Provider, the applicant would be required to demonstrate that the scheme complies with the standards required by such organisations. In this context, the lack of compliance with the nationally described space standards could prejudice the applicant's ability to deliver a scheme that a Registered Provider could accept.
- 8.34 It is therefore appropriate for the Council to assess the internal gross areas specified, even if these are indicative/illustrative. In this instance, these are inadequate and could prejudice the delivery of the site as a rural exception site. Accordingly, the proposal fails to comply with criterion 4 of Policy HC4, and officers attribute a moderate weight against the proposed development to this factor.

Summary

- 8.35 Overall, the proposal fails to accord with the criteria of the Stroud District Local Plan Policy HC4. Accordingly, officers conclude that the application conflicts with an up-to-



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date development plan, and permission should not be granted, unless material considerations indicate otherwise.

9 DESIGN AND LAYOUT

- 9.1 The application is for outline planning permission with all matters reserved (scale, massing, design, layout, appearance and landscaping) except access. As such, the applicant provided only indicative site layouts and illustrative 3D views into the site. Furthermore, it is indicated that 13no. 2-bedroom 4-persons dwellings, and 13no. 3-bedroom 5-persons dwellings would be delivered on site.
- 9.2 The illustrative views into the site indicate that these units will be in the form of two-storey, predominantly detached dwellings.
- 9.3 The relatively challenging topography of the site is dealt with by 'cut and fill' and a series of retaining walls that are indicated on the illustrative drawings and within the Design and Access Statement.
- 9.4 The details of floor levels would be submitted at the reserved matters stage, alongside full design details including internal layouts and elevations.
- 9.5 The Design and Access Statement highlights the applicant's aim to provide sustainable development. The measures to reduce energy demand and carbon emissions include the site layout that takes advantage of passive solar gain and natural daylighting. Fabric-first approach to design and construction and the inclusion of onsite renewable energy generation in the form of air source heat pump systems is welcomed.
- 9.6 The Design and Access Statement states that *"the overall development seeks to deliver new buildings which would meet the 2018 Building Regulations"*. The Council notes that if permitted, the applicant would be required to comply with the 2022 Building Regulations that require higher levels of insulation and additional measures to reduce energy demand. Due to the timescales involved in the planning system, there is a potential that the applicant may be bound to adopt the 2025 Building regulations if the scheme is permitted.
- 9.7 It is noted that the residential gardens of units 1 - 10 extended in a tree belt along the eastern boundary of the site. These gardens include trees and hedges that form part of an important natural screen.
- 9.8 While the existing trees are marked to be 'retained', further infilling of this tree belt is proposed within the Landscape Strategy drawing no. L-200, the inclusion of these within private gardens does not guarantee that this screen could be retained and maintained.
- 9.9 To assure that this important screening and biodiversity element is retained and appropriately maintained, the Council would require this area to serve as a green buffer and thus be excluded from the private gardens. However, this application is being refused for other reasons, therefore, no amendment was sought from the applicant to rectify this matter.



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- 9.10 Details of design and layout are a matter reserved for later consideration and could be dealt with at a later stage of the planning process.

10 LANDSCAPE IMPACT

- 10.1 The site is located within an open landscape above Manor Road and its surrounding development. Paragraph 130 of the NPPF requires decisions to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

- 10.2 The site was assessed in the Stroud Landscape Sensitivity Assessment report (December 2016) under the reference 'C09'. The overall sensitivity to housing development is **high/medium** and sensitivity to employment development is **high**. The Assessment provides the following comments about the sensitivity to housing development:

"The sensitivity of the area lies in its open, rural farmed slopes rising above lower land and open to view from the M5 to the north as part of the escarpment foot slopes, and the settlement and other valley sides to the east; its role as an unspoilt backcloth to the settlement; its function in helping to separate the settlement from the M5, and its recreational role. Its value lies in its PROWs, and proximity to Field Lane Farm to the north which is listed. Housing would be either noticeable or prominent on the slopes and would impinge on their function as backcloth to the settlement as well as potentially being highly visible to the wider countryside and the M5 to the north. It is therefore considered inappropriate"

- 10.3 Furthermore, the Assessment comments on the functional and visual relationship between the assessed area and the settlement:

"The open, farmed slopes form part of the unspoilt hillsides separating Cam and Dursley from the motorway, provide a rural setting to the motorway as part of the Escarpment footslopes visually linked to the escarpment in views, and provide a positive backcloth to the settlement to the east. There is also access via PROWs from the settlement providing recreational benefits."

- 10.4 The application is in an outline with details of scale and massing to be determined at a later date. The development on this elevated site would have an urbanising effect on the site as it would introduce substantial built form that would be visible and prominent, particularly when seen from the surrounding open landscape and footpaths no. 43 and no. 41. This is in line with the findings of the submitted Landscape Addendum which identifies viewpoints on these footpaths as **Highly Sensitive**.

- 10.5 Policy HC4 allows for affordable housing to be located adjacent to (but outside of) settlement development limits. The policy, therefore, provides for an implicit level of landscape change at the edge of the host settlement, as long as the host settlement is classified as a third tier or above. The policy thus allows for a limited number of affordable homes to emerge at the edge of a settlement on the basis that the benefits



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would outweigh some limited changes and potential landscape harm. In this respect, a degree of tolerance for harm is built into the policy provision.

- 10.6 The Council currently lacks a dedicated landscape officer thus expert opinion was sought. The Technical Review of the submitted LVA concluded that the site is highly sensitive given its landform and its role in views towards the nearby Cotswold Area of Outstanding Natural Beauty. It is noted, that the proposed development on the site has the potential to detract from these views.
- 10.7 The Technical Review further highlights that the submitted LVA covers the main issues but lacks clarity and omissions are made. Overall, the submitted LVA does not provide clear, robust and consistent evidence that is required by the decision-makers, and that further information is needed to fully assess the impact of the proposed development.
- 10.8 The technical evidence submitted with the application is not considered to be robust enough for Officers to assess the level of harm to the surrounding landscape arising from the development. Accordingly, the proposal fails to demonstrate that the location, scale and use are sympathetic and complement the landscape character as required by Stroud District Local Plan Policy ES7. In this highly sensitive location, priority must be given to its protection. Accordingly, officers attribute significant weight against the proposed development to this factor.

11 ARCHAEOLOGY & HISTORIC ENVIRONMENT

- 11.1 The planning application is accompanied by an Archaeological and Heritage Desk-Based Assessment that identifies the potential for any archaeological remains on site, the significance of any potential archaeological remains, and assesses the impact on these remains by the proposed development.
- 11.2 The Assessment also deals with the Heritage Statement that assesses the impact of the development on the retaining wall that is attached to the Grade II* listed Upper Knapp Farm building.

Retaining wall

- 11.3 The Assessment notes that the works to the retaining wall are not expected to result in harm to the farmhouse itself, however, it is noted that a Listed Building Consent will be necessary to allow any of these works to proceed. The submission of the Listed Building Consent was requested, alongside all the details that would be necessary for the Consent to be granted.
- 11.4 While it was agreed with the agent that the Listed Building Consent application could be submitted prior to the operational development works, it was made clear to the applicant/agent that works to the retaining wall form part of the 'access improvements' and therefore full details, including detailed drawings and specification of works and materials must be submitted for Council's consideration. The access is not a reserved matter and must be therefore considered in full.



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- 11.5 The only information/details received from the applicant in respect of the works concerning the repositioning of this listed structure are drawings within the Transport Statement and an **illustrative** sketch section A-A drawings (Retaining Wall Illustrative Sketch Sections PL010, as received 02/02/2023). However, these are not consistent. The Transport Statement drawings indicate that, at the widest point, the wall will be moved back by approximately 3 - 3.5 metres, while the section drawing indicates that the wall will be moved back by at least 4.5m.
- 11.6 There is no indication of how the retaining wall will be constructed and/or whether the materials would be reused. The Design and Access Statement simply states that *"the proposal includes the removal and reconstruction of a retaining wall to a construction specification and appearance similar to the wall being removed"*. But no specification of which of the existing walls (the stone or brick) are being reconstructed.
- 11.7 The retaining wall is a Grade II* listed structure due to its association with a Grade II* listed building, but the documents within the application submission do not provide sufficient and clear information for the Council to assess what the impact of the development (including the removal of trees, and any potential harm to trees remaining on site) would cause any harm to the significance of Grade II* listed building and its setting.
- 11.8 Paragraph 205 of the NPPF states that *"local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact"*. Paragraph 200 of the NPPF states that *"any harm to, or loss of, the significance of designated heritage assets (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."*
- 11.9 Accordingly, the proposal did not provide sufficient, clear and convincing justification that the re-positioning of the retaining wall would not cause harm to the setting of a Grade II* listed building. Therefore, Officers accord moderate weight against the proposed development to this factor.

Archaeology

- 11.10 The Archaeological and Heritage Desk-Based Assessment concludes that there is potential for low-value pre-historic and post-medieval, and medium-value medieval sub-surface remains, with the proposed works having a moderate impact on all these features. The significance of the impact on archaeological remains on site ranges from slight to moderate. The Assessment further elaborates that in light of the potential for the identified remains throughout the remainder of the site, it is likely that the local authority would request a precautionary approach. In this respect, the Assessment notes that the most appropriate strategy should entail a suitable archaeological field evaluation. It further notes that such works would be set out within a Written Statement



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of Investigation and agreed upon with the planning archaeologist. However, the Assessment also states that *"a non-intrusive geophysical survey may be considered prior to these works"*.

- 11.11 Indeed, the Gloucestershire County Council Archaeologist provided their comments indicating that many previously unknown sites dating to the Iron Age and Roman period have recently been found in the Cam and Dursley area. The consultee further states that *"field evaluation is necessary, and the results are to be made available prior to determination of the application."* The recommended approach is a geophysical survey followed by a trial trench evaluation.
- 11.12 Stroud District Local Plan Delivery Policy ES10 requires any proposals involving a historic asset to be accompanied by a description of the heritage asset's significance, and an assessment of the potential impact of the proposal on that significance. The policy notes that this can be a desk-based assessment and a field evaluation prior to the determination where necessary.
- 11.13 The application was not supported by either a non-invasive or an invasive field evaluation requested by the statutory consultee. It is therefore the case, that, in its current form, the application provides insufficient evidence for the local planning authority to assess the particular significance of any heritage asset that may be affected by a proposal as required by Paragraph 195 of the NPPF. As such, Officers accord significant weight against the proposed development to this factor.

Summary

- 11.14 The proposal as a whole does not provide a satisfactory assessment of the potential impact of the proposal on historic assets in this locality in line with requirements of Stroud District Local Plan Delivery Policy ES10 and paragraphs 194, 195 and 205 of the NPPF.
- 11.15 The insufficient information in relation to the retaining wall is given a moderate weight against the development because there is no in-principle objection to its partial removal. However, the significant weight against the proposal is apportioned to the failure to undertake field evaluation surveys for the reasons stated above.

12 ENVIRONMENTAL ISSUES

Ecology

- 12.1 A Preliminary Ecological Appraisal dated August 2022 was submitted with the application. The walkover survey was carried out in May 2022. The Appraisal recommended follow-up surveys for roosting as well as foraging and commuting bats, for the hazel dormouse, for reptiles, and for badgers.
- 12.2 Suggested surveys were carried out and the results were presented in the Ecological Impact Assessment ('EIA') (January 2023). Officers concur that the proposal would not have a harmful impact on roosting, foraging and commuting bats, and would not have a



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harmful impact on reptiles or hazel dormice. However, it is noted that a small wooded area within the grounds of the listed building was not surveyed.

- 12.3 Overall, officers conclude that the impacts on bats, reptiles and dormice could be effectively mitigated subject to appropriately worded planning conditions.
- 12.4 A number of active badger setts are present, and there is a high possibility of direct harm to protected species should the occupied setts be destroyed. It is noted that the recommended 30m buffer zone in relation to active setts has not been incorporated into the scheme. The illustrative drawings indicate that there is a high potential for interference between elements of a drainage strategy and the setts. Officers accord significant weight against the proposed development to this factor.
- 12.5 Invasive species - Japanese Knotweed - were found on site. The EIA states that *"without adequate clearance, works could risk the spread of these invasive species to neighbouring habitats, resulting in a Negative (Significant) impact."* The Biodiversity Team requested the submission of a method statement to show the extent of the knotweed growth on site, the methods that will be used to prevent the plant from spreading further, as well as the methods of control and how the plant will be treated and removed from the site. This information was not received during the determination of the application.
- 12.6 The EIA includes a summary table of 'Initial biodiversity net gain calculations for the site' (Table 8). The Biodiversity officer requested, above others, the submission of the metric calculation spreadsheet to verify the pre-development biodiversity value of the on-site habitat. Furthermore, the implication of any habitat loss due to the removal method for the Japanese Knotweed should be indicated in the BNG calculation, particularly due to the potential for a significant negative impact should this be spread further. Details and clarifications requested in this respect remain unresolved.
- 12.7 Accordingly, the proposal is in conflict with the Stroud District Local Plan Policy ES6. Furthermore, the proposal fails to demonstrate that measurable net gain in biodiversity can be achieved in line with the requirements of paragraphs 174(d), 180 and 182 of the NPPF.

Drainage/Hydrology

- 12.8 GCC as the Lead Flooding Authority ('the LLFA') initially noted the lack of Flood Risk Assessment in the application submission pack. The document was subsequently received in December 2022.
- 12.9 The indicative site plan indicates attenuation features to be located within a steep bank at the northwestern area of the site. Further information was requested by the LLFA to demonstrate how this mechanism would work in practice. The applicant demonstrated that the surface water run-offs will be reduced, resulting in an overall betterment in respect of the greenfield runoff. This is achieved through the introduction of new attenuation features.



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12.10 The Local Lead Flooding Authority has no objection to the scheme as the drainage strategy shows a feasible solution without increasing flood risk elsewhere. This, however, is subject to adherence to the requirements defined in the Flood Risk Assessment and Drainage strategy which can be secured through appropriately worded conditions, including conditions suggested by the local lead flooding authority.

Arboriculture

12.11 The application is accompanied by an Arboricultural Impact Assessment that provides an assessment of trees which may be impacted by the development proposals. It is noted that the survey of the site took place in June 2022 and states that *"the level changes throughout the site significantly impeded the tree survey, with unmanaged areas of dense bramble and nettle/scrub also limiting access to certain sections."*

12.12 The Assessment concludes that an identified single tree and three smaller groups of trees will require removal in order to accommodate the development proposed. Such felling would take place outside of the breeding bird season to prevent disturbance. This could be assured by an appropriately worded condition.

12.13 The Assessment further concludes that the development is unlikely to cause any major impacts on trees with higher landscape and amenity values if construction exclusion zones ('CEZ') are established and adhered to. The Council agrees with this conclusion as far as the greenfield site is concerned as the Landscaping Strategy drawing L200 indicates that any loss of trees on the greenfield site will be offset by the new tree planting within the scheme.

12.14 However, the Assessment fails to assess trees that are located within the area formally associated with the Upper Knapp Farm, specifically the area which is required for access/highways improvement works. This area will be subject to substantial engineering and soil removal works to widen the existing 'pinch point'. The section drawings indicate that at least 4m of the retaining wall will be removed alongside the soil and greenery.

12.15 This area contains mature trees that can be seen in aerial images, yet it was not part of the Assessment. As such, it is concluded that in respect of this part of the application site, the applicant did not provide sufficient information for the Council to assess compliance with the Stroud District Local Plan Delivery Policy ES8. While it could be accepted that this issue may be resolved with an appropriately worded condition, in this instance the detailed information is needed because these trees contribute to the wider setting of a Grade II* listed building. Without a full understanding of individual trees in this location, it is not possible to understand how the proposed development, particularly the removal of the retaining wall and a large quantity of soil, would impact the remaining trees.

12.16 The mature tree canopy along the site's boundary provides an important screening feature as acknowledged in the Landscape and Visual Appraisal document. However, it is noted that the proposed residential gardens for plots 1 - 10 extend into this area, including the existing and the proposed enhanced tree planting. The trees are not



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subject to a Tree Preservation Order and their inclusion into the residential curtilage would result in the loss of control over the permanence and management of this important screening feature. Officers accord a moderate weight against the development of this factor.

- 12.17 Overall, the development proposal fails to demonstrate that the trees and hedgerows that contribute to the landscape character and setting of the development will be retained and appropriately managed in line with the requirements of the Stroud District Local Plan Policy ES7.

13 HIGHWAY IMPACT AND ACCESSIBILITY

Highway Safety Considerations

- 13.1 Access is not a matter reserved for later consideration and as such this element of the proposal requires full detail at the application stage. The Overview of Proposed Site Access Works drawing no. HAS/22-005/03 indicates where the full detail of access is provided and where only 'indicative layouts' apply.
- 13.2 The only vehicular access to the site is via Bowers Lea which connects to the wider highway network through a narrow pinch point. The proposal seeks to deliver a more standardised layout by removing a section of a retaining wall associated with the land at Upper Knapp Farm. Widening of a small section of Peveldands and the remarking of the Peveldands/Bowers Lea junction is also proposed.
- 13.3 GCC as the local highway authority has no objection to the highway improvement works and the widening of the removal of the pinch point, subject to conditions.
- 13.4 The application proposal has been heavily objected to by the local community on the highway grounds with a particular concern relating to the existing parking problems and safety concerns in respect of the traffic/parking during the nearby nursery's pick-up and drop-off times. These are existing issues and are therefore treated as a material consideration in the decision-making.
- 13.5 While the concerns of the residents (and their representatives) are duly noted, the National Planning Policy Framework (paragraph 111) states that "*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*".
- 13.6 The parking provision on site would be a matter for future determination, however, the proposal is capable of compliance with the adopted parking standards, including visitors' parking. As such, the proposal will not contribute to the on-street parking problem that already exists.
- 13.7 Objectors further noted that the development would compromise the safety of parents and children using public rights of way, particularly where the PROW meets Bowers Lea. Appropriate visibility splays can be achieved within the areas subject to this



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application. As such, officers conclude that while some cumulative impacts on the road network may be a direct result of the development proposal, the impact is not severe. As such, there are no grounds for refusal on highway safety grounds.

Public Rights of Way Considerations -

- 13.8 No works to the Public Rights of Way form part of the application proposal. However, the adjacent byway serves as a direct pedestrian link to a nearby primary school. It is therefore likely that the footfall on this path will increase as a direct result of this development. This is acceptable in principle.
- 13.9 The safety of the footpath users is not considered to be compromised by the proposed access arrangements for the new development. The details and designs of retaining walls between the footpath and the access point to the development site are a matter for later consideration. Furthermore, compliance with the proposed visibility splays can be secured by an appropriately worded condition(s).

Other

- 13.10 Speeding along the local highway network was raised by objectors as one of the major concerns, however, the data examined by the GCC highways indicate that no collisions have taken place on Manor Road. Manor Road is a spine road that connects the 1980's residential estate development in this area. It is predominantly used by the occupants of residential properties as there are no shopping or community facilities in this area that would require the use of a vehicle. The major traffic flow of visiting and commercial vehicles is confined to the A4135 which connects the wider area with the commercial, retail and town centre facilities. In this respect, the speeding of vehicles on Manor Road is a matter for the Traffic Act/Police enforcement and falls outside of the merits of the planning policy.

14 RESIDENTIAL AND GENERAL AMENITY

- 14.1 Concerns were raised by objectors about the potential for overlooking existing private gardens from the development on this elevated site. The site is considered to be sufficiently detached from the existing residential development. Furthermore, the existing mature trees and hedges would provide an appropriate screening between the existing and the proposed development.
- 14.2 While Officers note that the application proposal in its current form does not provide sufficient assurances that this screen will be retained and appropriately managed, this issue could be dealt with by the review of the scheme's internal layout, and by appropriately worded planning conditions. In this context, the application proposal would not compromise the amenity or the loss of privacy of existing residents by overlooking.



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15 DEVELOPER CONTRIBUTIONS

- 15.1 Developer contributions is a collective term mainly used to refer to the Community Infrastructure Levy (CIL) and Planning Obligations commonly referred to as Section 106 obligations.
- 15.2 Stroud District Council adopted its Community Infrastructure Levy in February 2017. The Stroud Infrastructure Funding Statement (IFS) is produced annually and prioritises future spending from CIL and S106 funding. The IFS outlines the projects that Stroud District Council intends to be wholly, or partially funded by Community Infrastructure Levy. The IFS replaces the CIL Regulation 123 List.
- 15.3 The application site does not fall within a strategic housing site allocation. It is a CIL-liable development. Appendix F of the IFS (December 2022) provides the identified areas for prioritisation of Infrastructure Funding. Specifically, the document sets out that Education (covering school places for ages 2 to 19) and Social Infrastructure (including community facilities such as library Services) is to be funded through CIL where the site is not within a strategic allocation. CIL receipts are or will be, available and there is no reason why, on receipt of an acceptable bid, they should not be paid out to fund priority infrastructure.
- 15.4 However, where '*revenue funding*' is required to make a proposed development acceptable in planning terms, for example by funding new school places within the existing provision, CIL funding cannot be used as it relates to capital projects only. Capital projects are those where a whole new facility, for example, a new school, is being provided.
- 15.5 Gloucestershire County Council Infrastructure Team (GCCIT) have requested S106 obligations to mitigate the impact of the development in respect of education and Library Services contributions.
- 15.6 Regulation 122 of the CIL regulations (as amended in 2019) is particularly relevant to the County Council obligation request. The regulation sets out that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is;
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 15.7 In this instance, officers consider that the required funding towards additional primary and secondary spaces, as well as the funding towards Dursley Library, are revenue funding. Furthermore, Officers are satisfied that the purpose of the requested funding is necessary, directly related, and fairly and reasonably related in scale and kind to the development. Accordingly, in respect of this development proposal, the requested obligations comply with CIL regulation 122 as they meet the above tests.



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- 15.8 The application scheme is CIL liable development, however, the development of affordable dwellings is exempt (subject to relevant application) from CIL payments. If permitted as a 100% affordable housing scheme, all of the dwellings could be exempt from the CIL charge.
- 15.9 Officers are satisfied that the effect of using an S.106 agreement to secure the funds would not amount to 'double counting' as it cannot be secured through CIL funding.

Education and Libraries

- 15.10 The application was assessed for impact on various Gloucestershire County Council community infrastructure in accordance with the 'Local Development Guide' ('LDG') that was updated in March 2021, and that is a material consideration in the determination of the impact of proposed development infrastructure
- 15.11 The School Place Strategy (SPS) is a document that sets out the pupil place needs in mainstream schools in Gloucestershire between 2021 - 2026. The assessment provided by the GCC is valid for 1 year and the educational need identified (at the time of writing in January 2023) in respect of this development of 26no. dwellings was as follows:
- 10.01 Primary school places;
 - 4.42 Secondary (age 11-16) places; and
 - 1.56 (Secondary (age 16 - 18) places.
- 15.12 The Assessment highlights that the proposal is for 26no. dwellings all of which are qualifying dwellings in respect of the primary school provision. It further states that "there is significant permitted development impacting on the closest schools which will take current spare capacity in the area. Therefore, Gloucestershire County Council is seeking a contribution of £181,511.33 towards primary places arising from this development. The secondary school contributions of £105,085.50 (age 11- 16) and £37,089.00 (age 16 - 18) are also sought from the development.
- 15.13 The development would be required to contribute £323,685.83 towards educational provision in the area. This contribution is required to make the scheme acceptable in planning terms. The Applicant did not provide a draft S106 agreement to indicate that financial contributions will be made, neither was a justification provided as to why such contributions should not be paid. Officers did not pursue this issue any further because there are fundamental objections in principle as explained elsewhere in the report.
- 15.14 The nearest library to the application site is Dursley Library. The new development will generate a need for additional resources at this library and this is costed on the basis of £196.00 per dwelling. A financial contribution will go towards improvements in customer access to services through refurbishment and upgrades to the existing building, improvements to stock, IT and digital technology, and increased services. The total contribution of £5,096.00 is required by the Gloucestershire County Council.



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15.15 Financial contributions towards education and libraries are required to make the scheme acceptable in planning terms. No agreement to pay such contributions was made, thus **significant weight** against the development is attributed to this factor.

16 CONCLUSION AND PLANNING BALANCE

16.1 The application proposal is brought forward as a 'rural exception' site and as such the application was assessed on its merit and its compliance with the adopted Stroud District Local Plan Delivery Policy HC4 that deals with rural exception sites. The Council is currently able to demonstrate a five-year supply of housing land. Accordingly, the officers assert that Policy HC4 is the principal policy for determining this application alongside other relevant policies contained in the Stroud District Local Plan 2015.

16.2 The proposal fails to demonstrate compliance with criteria (1), (3) and (4) of Policy HC4.

16.3 The proposal fails to demonstrate that the location, scale and use are sympathetic and complement the landscape character of the locality. Furthermore, the development proposal fails to demonstrate that the trees and hedgerows that contribute to the landscape character and setting of the development will be retained and appropriately managed as required by Stroud District Local Plan Policy ES7.

16.4 The proposal does not provide a satisfactory assessment of the potential impact of the proposal on historic assets and archaeology in this locality in line with requirements of Stroud District Local Plan Delivery Policy ES10 and paragraphs 194, 195 and 205 of the NPPF.

16.5 The application proposal fails to demonstrate that the European Protected Species present on site will be appropriately protected, thus the scheme is in conflict with the Stroud District Local Plan Policy ES6. Furthermore, the proposal fails to demonstrate that measurable net gain in biodiversity can be achieved in line with the requirements of paragraphs 174(d), 180 and 182 of the NPPF.

16.6 The provision of 26no affordable dwellings would be a considerable social planning benefit, however, as this proposal is submitted as an 'exception site', the provision of these units as affordable homes is a pre-requisite to make the application proposal acceptable in planning terms. As outlined elsewhere in the report, the applicant did not provide convincing evidence that the proposed scheme will be delivered as 'affordable housing only'. In this context, only a limited weight in favour of the development can be given to this factor.

16.7 It is acknowledged that the proposed development would have some economic benefits, particularly those related to construction jobs. However, these would arise from any other development sites, some of which are located within the settlement development limit of Cam. Such economic benefit is therefore given a limited weight in the decision-making.

16.8 The development would be liable to the relevant developer's contributions towards local libraries and the provision of new school places, which would be an economic benefit,



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however, in the absence of a relevant S106 agreement a significant weight against the development is given to this factor.

- 16.9 As outlined in the relevant sections of the report, the proposal fails to demonstrate that it will protect and enhance the natural environment in which it is located. The potential for significant negative impacts arising from the spread of the invasive species and the lack of clarity on whether the protected species present on site will be appropriately protected weigh heavily against the application proposal.
- 16.10 The application proposal is not accompanied by sufficient evidence to demonstrate that the development's impact on landscape, archaeology and a heritage asset is acceptable. On balance, the modest economic and social benefits of the scheme, even when taken together, would not outweigh the failure to comply with the development plan and other material considerations outlined in this report.
- 16.11 Having regards to the above assessment, the limited identified benefits of the proposed development are significantly outweighed by identified harm and 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.

18 RECOMMENDATION

- 18.1 It is recommended that the outline planning application is **REFUSED**.

For the following reasons:	<ol style="list-style-type: none">1. The application proposal is brought forward as a 'rural exception' site and as such the application was assessed against the compliance with the adopted Stroud District Local Plan Delivery Policy HC4 that deals with rural exception sites. The proposal fails to demonstrate compliance with criteria (1), (3) and (4) of Policy HC4.2. The provision of affordable housing does not bring about a public benefit that would otherwise outweigh the identified harms to the environment arising from the failure to appropriately address the spread of invasive species, and the failure to protect the protected species on site. The proposed development is therefore contrary to Policy HC4 and ES6 of the Stroud District Local Plan (Adopted) November 2015.3. In the absence of an appropriate Section 106 legal agreement, the proposed development fails to secure sufficient affordable housing. As such the proposed
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development is contrary to Policy CP9 of the Stroud District Local Plan (adopted) November 2015.

4. The proposal fails to demonstrate that measurable net gain in biodiversity can be achieved in line with the requirements of paragraphs 174(d), 180 and 182 of the NPPF.
5. The proposal is above the 50m contour and fails to demonstrate that the location, scale and use are sympathetic and complement the landscape character of the locality. Furthermore, the development proposal fails to demonstrate that the trees and hedgerows that contribute to the landscape character and setting of the development will be retained and appropriately managed as required by Stroud District Local Plan Policy ES7 and Cam Neighbourhood Plan Policy CAMES2.
6. The proposal does not provide a satisfactory assessment of the potential impact of the proposal on historic assets and archaeology in this locality in line with requirements of Stroud District Local Plan Delivery Policy ES10 and paragraphs 194, 195 and 205 of the NPPF.
7. The application proposal fails to demonstrate that the European Protected Species present on site will be appropriately protected. As such the proposed development is contrary to Policy ES6 of the Stroud District Local Plan (adopted) November 2015.
8. In the absence of an appropriate Section 106 legal agreement, the proposed development fails to secure appropriate mitigation to offset the impact of the development on Severn Estuary SAC/SPA. As such the proposed development is contrary to Policy ES6 of the Stroud District Local Plan (adopted) November 2015.
9. In the absence of an appropriate section 106 legal agreement, the proposed development fails to secure appropriate mitigation to offset the impact of the development on the local primary and secondary schools. As such the proposed development is contrary to Policy CP6 of the Stroud District Local Plan (adopted) November 2015.
- 10 In the absence of an appropriate section 106 legal agreement, the proposed development fails to secure appropriate mitigation to offset the impact of the development on the local library. As such the proposed development is contrary to Policy CP6 of the Stroud District Local Plan (adopted) November 2015.

Informatives:

1. **ARTICLE 35 (2) STATEMENT** - Unfortunately this application was submitted without any meaningful pre-application discussions. For the reasons given above the application is recommended for refusal. The applicant/agent has been contacted and the issues explained.



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2. For the avoidance of doubt, plans provided and reviewed as part of this application were:

Application form (amended), as received 02/02/2023;
Site Location Plan Rev. B, as received 18/11/2022;
Existing Site Plan, as received 02/11/2022;
Proposed Model Views A, B, C, as received 02/11/2022;
Topographical Surveys drawing no. 21834-21-01 Rev, as received 02/11/2022;
Landscape Strategy drawing no. L-200, as received 29/11/2022;
Indicative Site Plan PL004 Rev F, as received 02/02/2023;
Retaining Wall Illustrative sketch PL010, as received 02/02/2023;
Design and Access Statement (amended), as received 02/02/2023;
Archaeological and Heritage Desk-Based Assessment (amended), as received 02/02/2023
Ecological Impact Assessment (amended), as received 02/02/2023;
Landscape Addendum, as received 02/02/2023
Arboricultural Impact Assessment Survey, as received 02/11/2022;
Housing needs Assessment, as received 02/11/2022;
Preliminary Ecological Appraisal, as received 02/11/2022;
Transport Statement and Appendices, as received 02/11/2022;
Flood Risk Assessment, as received 08/12/2022; and
Planning Statement, as received 28/10/2022.