

## **5.10. Phasing**

**5.10.1.** The allocations set out above include a large number of sites on previously used ('brownfield') land. It is acknowledged that most of these sites will be more costly and difficult to develop than most of the greenfield sites. However, it is important that the greenfield sites do not all come forward for development before the brownfield sites. This is the case for two reasons. Firstly, Central Government advice urges that Local Plans should seek to encourage as high a proportion of new housing on brownfield sites as possible. Secondly, all the brownfield sites allocated in the Plan are in positions with good accessibility to town centres, employment and other facilities, by means of transport other than the private car.

**5.10.2.** The Public Consultation Draft of the revised PPG3: Housing, issued in March 1999, suggests that Local Plans should contain policies to achieve a sequential approach to the release of housing land. Whilst this does not yet constitute formal Central Government advice, the Draft PPG3 is a logical way in which the development of brownfield sites can be encouraged. Without some form of phasing policies, all the greenfield allocations above could be developed, and none of the brownfield allocations.

**5.10.3.** The two largest greenfield allocations in the District, at Hardwicke and Brockworth, are not in close proximity to the identified brownfield sites within Stroud and Dursley. They do, however, directly adjoin the urban area of Gloucester. As Gloucester City Council is also proposing the identification of a considerable amount of brownfield land close to the city centre of Gloucester, it is important that the development of those sites is not prejudiced by too early a release of the sites at Hardwicke and Brockworth.

**5.10.4.** In addition, both sites adjoin large scale development proposals within another Council's boundaries. In each case the site within Stroud District is slightly further from the existing centre than the site within the adjoining Council's boundaries. It is therefore important that the adjoining development is underway before development starts on the sites within Stroud District.

**5.10.5.** In the case of Hardwicke, the adjoining site is at RAF Quedgeley, within Gloucester City. The Brockworth site adjoins a site allocated for housing in Tewkesbury Borough Council's Draft for Deposit Local Plan. It is anticipated that Gloucester City Council and Tewkesbury Borough Council will ensure that these developments do not prejudice the development of city centre brownfield sites within Gloucester. It is for this Plan therefore to phase the

release of land within Stroud District to tie in with the development of these adjoining sites.

**5.10.6.** This approach is entirely in line with the sequential approach to the provision of housing land set out in the Public Consultation Draft of the Revision to PPG3.

**5.10.7.** The two sites within Stroud District are relatively large (Hunt's Grove - 1,500 and Brockworth - 500 dwellings). Whilst these developments need to accord with the sequential approach to development within and around Gloucester, Stroud District Council also needs to ensure that all the allocated dwellings in its District can be constructed during the Plan period and that commencement is not unnecessarily delayed. An appropriate phasing in each case is considered as 400 dwellings to be constructed on the adjoining site outside Stroud District before any units are constructed on the related site within Stroud District. The Council considers however that physical infrastructure provision can be put in place before the construction of residential units commences. The Hardwicke site will also be phased to ensure that its development occurs at the same pace as the development at RAF Quedgeley. These phasing requirements will be the subject of Planning Obligations and are highlighted as such in Proposal H1.

### **POLICY H3**

**The construction of residential units at Hunt's Grove will not be commenced until either (a) at least 400 dwellings have been completed and are ready for occupation on the adjoining RAF Quedgeley site within the Gloucester City Council administrative area, or (b) 31 December 2004**

### **POLICY H4**

**The construction of residential units at Brockworth will not be commenced until at least 400 dwellings have been completed and are ready for occupation on the adjoining Brockworth site**

**5.10.8.** The remaining greenfield allocations are of smaller sizes (the largest is 300), and are better related to the brownfield allocations and commitments within Stroud and Dursley. It is therefore proposed that these should not come forward for development until a significant proportion of housing on the brownfield sites has been completed. The allocations are related to either the northern or southern parts of the District. Policy H5 therefore states that permission will not be granted for the northern greenfield allocations until set percentages of the proposed housing on the Stroud

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brownfield land listed have been completed. Permission will not be granted for the southern greenfield allocations until set percentages of the proposed housing on the Dursley brownfield land listed have been completed as contained in H6.

### POLICY H5

Permission will not be granted for residential development on the following sites allocated in Proposal H2, until the stated percentage of the total number of dwellings included on the list of sites set out below them have been completed, and are ready for occupation:-

#### Sites subject to phasing:-

Land at Horsemarling Farm, Stonehouse - 75%  
Land at Toadsmoor Road, Thrupp - 75%  
Land north-west of Spring Hill, Eastington- 80%  
Land north of Bath Road and east of Grange Farm, Leonard Stanley - 80%  
Land at the Piggeries, Kings Stanley - 85%  
Land north of Kidnams Farm, Whitminster - 85%

#### Sites which should be developed first:-

Land at Ebley Wharf - 75 - allocation  
Land north of Dudbridge Hill - 55 - allocation  
Cashes Green Hospital - 40 - allocation  
Uplands House - 30 - allocation  
Lewis', High Street, Stroud - 10 - allocation  
Former TA Centre, Bowbridge Lane - 15 - allocation  
Land at former Lansdown Kennels and Dairycrest factory - 80 - allocation  
Former Stroud Valley school, Ryeleaze Road - 15 - allocation  
Land at Bowbridge Wharf - 30 - allocation  
Land between Hope Mill Lane and London Road, Thrupp - 30 - allocation  
Forest Green Rovers' Ground - 50 - allocation  
Conversion of Hill Paul building, Cheapside - 36 - commitment  
Land at Cheapside - 36 - commitment  
TOTAL - 502

### POLICY H6

Permission will not be granted for residential development on the following sites allocated in Proposals H1 and H2, until the stated percentage of the total of the dwellings included on the list of sites set out below them have been completed, and are ready for occupation:-

#### Sites subject to phasing:-

Land north-west of Draycott Crescent, Cam - 75%  
Land south of Charfield Road and north-west of Chestnut Park, Kingswood - 80%

#### Sites which should be developed first:-

Land at Bymacks, Long St, Dursley - 60 - allocation  
Land at Lister Petter, Long St, Dursley - 110 - brownfield element of the allocation  
Former Infants School, Union St, Dursley - 30 - allocation  
TOTAL - 200

**5.10.9.** The greenfield allocation on 'Land between A38 and Bristol Old Road, Hardwicke' relates more to the urban area of Gloucester than either of the areas within Stroud District where brownfield land is allocated. Unlike the Colethrop Farm site, this site is of a small enough size to allow it to be built within the Plan period if it is phased for construction after the development of the RAF Quedgeley site within Gloucester City is substantially complete.

### POLICY H7

Permission will not be granted for residential development on the site allocated in Proposal H2, and described as 'Land between A38 and Bristol Old Road, Hardwicke', until at least 1,000 dwellings on the RAF Quedgeley site, within Gloucester City, have been completed, and are ready for occupation.

## 5.11. Affordable Housing

**5.11.1.** The need to provide adequate affordable housing is a very important issue in Stroud District. A number of factors, including relatively high house prices (very high in some rural parts of the District), the decline of the private rented housing sector, the sale of Council owned housing, the decline in Local Authority house building, and the loss of smaller housing as a result of extension and amalgamation, have contributed to a high level of unmet demand for affordable housing. The provision of affordable housing is an important aim of the District Council as Housing Authority and Planning Authority, and the Council has engaged in considerable joint working at officer, Member and Committee level in pursuance of this aim.

**5.11.2.** In order to understand more fully the nature, extent and location of the demand for affordable housing, Stroud District Council commissioned the production of a District-wide Housing Needs Survey in 1996. The survey was designed to cover a three year period, and involved a postal survey of 20,000 households, and a random sample of 1,000 face-to-face interviews. The overall response to the postal survey was over 50%. The results of the survey therefore provide an accurate picture of the demand for affordable housing in Stroud District between 1996 and 1999.

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**5.11.3.** The results of the survey took into account the existing and likely future supply of affordable housing, as well as the demand. As a result, the survey was able to assess realistically the overall level of affordable housing shortfall, as well as give a good indication of those areas where the shortfall was felt most keenly. The survey looked not only at households seeking housing to rent, but also at those proposing to move into owner occupation for the first time.

**5.11.4.** The number of households that would be seeking to purchase a property within three years was further analysed to determine how many of those households would be unable to afford to purchase a property even though they aspired to do so. This assessment was made on the basis of the amount of mortgage which a household could afford. This was compared with data on house prices.

**5.11.5.** The survey added together those seeking rented housing and those aspiring to, but unable to afford, owner occupation, to form a total of the affordable housing need over the period 1996 to 1999. These gross figures were then reduced by the forecast of the supply of affordable housing in all parishes over the same period. This includes supply from casual vacancies in Council and Registered Social Landlords' (RSLs) dwellings.

**5.11.6.** Using these calculations, the Housing Needs Survey gives figures for the affordable housing needs of each parish. There is also a significant need from households which did not identify a specific parish in which they wished to be housed. This requirement needs to be added to the individual parish needs and spread proportionately across the District. The survey enables those parishes where shortages of affordable housing exist to be identified, as well as identifying those parishes where the provision of affordable housing is less of a priority.

**5.11.7.** The survey concluded that, over the three year period 1996-1999, there would be a shortage of 462 affordable houses throughout the District. It showed that considerable shortages were likely to arise in many of the District's urban areas, (in particular Stroud and Cam). In the rural areas, small shortages were shown in most parishes, with larger shortages in some of the larger settlements within the Cotswolds AONB, (in particular Minchinhampton and Painswick), as a result of the high price of most housing in those areas.

**5.11.8.** In terms of open market housing, the survey identifies those parishes where there is an existing stock of low cost open market housing. These include the Chalford to Stonehouse corridor, Dursley, Cam and Hardwicke. In these parts of the District, 1998 prices for a semi-detached or terraced house started at between £45,000 and £50,000.

Consequently, in these parts of the District, new affordable housing should be predominantly for rent or shared ownership, in order to meet needs.

**5.11.9.** In many rural villages, the reverse is true. Even the lowest priced properties can be beyond the reach of local people, including many who are in employment, and very few of these lower priced properties exist. This is particularly true of settlements within the AONB. Many households in search of affordable housing in these areas gravitate towards the more urban areas in search of low cost home ownership. As many of these people have close links with, and sometimes work within, the rural area they are leaving, this leads to a form of social exclusion, and damages the sustainability of those rural areas.

**5.11.10.** The Council's Housing Needs Survey has identified a considerable demand for affordable housing within Stroud District, and Stroud District Council is committed to enabling that demand to be satisfied as far as possible. Circular 6/98 suggests thresholds for sizes of site below which it will be inappropriate to seek the provision of a proportion of affordable housing. In urban areas, with a population of over 3,000, provision of affordable housing should only be sought on sites of one hectare or more, or on a site for housing development of 25 or more dwellings. The settlements with a population of 3,000 or more are those set out in criterion 1 of Policy H8.

**5.11.11.** In settlements in rural areas, Circular 6/98 suggests that local planning authorities should adopt appropriate thresholds. In Stroud District, the vast majority of sites which come forward in villages are small-scale. Most recent development of such sites in these settlements has been of large detached 'executive' type housing. A threshold considerably lower than the one appropriate for urban areas will need to be adopted. It is therefore proposed in this plan that, in settlements with a population of 3,000 or less, affordable housing will be sought on any site of 0.2 hectare or more. On the comparatively larger sites, it is likely that a mix of dwelling types and sizes will be appropriate, but also that some of the affordable housing provided should be social housing for rent. This is dealt with in Policy H10. In order to secure more affordable housing within the smaller settlements, small scale developments that come forward on sites of 0.2 hectares or less should be composed entirely of affordable housing, although it is accepted that this will probably be entirely of the low-cost home ownership type. This matter is covered in Policy H16 and its supporting text.

**POLICY H8**

**An element of affordable housing should be provided on any site within a parish where a demonstrable need for affordable housing**

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exists, where the site is within a settlement boundary and is larger than the following:

1. In or adjacent to the Stroud Urban Area, and the defined settlements of Cam and Dursley, Hardwicke and Wotton-under-Edge, a site of one hectare, or for the development of 25 or more dwellings.
2. Elsewhere in the District, a site of 0.2 hectare.

**5.11.12.** For the purposes of Policy H8, the following clarifications are important:-

- Affordable housing includes social housing for rent, shared ownership and low cost home ownership.
- The provision of affordable housing, particularly in areas where a need can be demonstrated, is an important aim of this plan. However, the costs associated with any particular development, and the need not to prejudice the realisation of other planning objectives that need to be given priority in the development of the site, will be balanced against the extent of local need, and the availability of other sites to accommodate affordable housing, when assessing the amount of affordable housing which should be provided on any particular site.
- Need for affordable housing in a parish can be established from the Housing Needs Survey 1996-1999. When a Revised Housing Needs Survey, or a parish appraisal properly conducted within the previous three years, becomes available, these will be used to assess the need for affordable housing, and will supersede the 1996-1999 survey.

### **POLICY H9**

The affordable housing provided by the operation of Policy H8 should be provided in the following approximate proportions:

1. In the parishes of Stroud, Chalford, Cainscross, Rodborough, Thrupp, Stonehouse, Cam, Dursley and Hardwicke:- 75% social housing for rent, 25% low cost home ownership/shared ownership.
2. Elsewhere in the District:- 50% social housing for rent, 50% low cost home ownership/shared ownership.

Affordable housing provided by the operation of this policy is expected to be provided as affordable housing in perpetuity, and proposals for social housing for rent or shared ownership will usually be the subject of a Section 106 Legal Agreement to ensure that this is the case.

**5.11.13.** For the purposes of Policy H9, the following clarifications are important:-

- The approximate proportions set out in the policy are derived from the Housing Needs Survey 1996-1999. Should a revised Housing Needs Survey, or a parish appraisal properly conducted within the previous three years, suggest that different proportions are appropriate in a particular case, these will be used to assess the need for affordable housing, and will supersede the proportions set out.
- Social housing for rent means housing provided for rent by a Registered Social Landlord.
- Low cost home ownership means housing for sale which, by reason of its size, type and/or location, will be available for sale at a price well below the average cost of a home of similar size and type in the area where it is to be constructed.
- Where complementary social housing grant funding to secure the provision of social housing for rent and shared ownership cannot be identified within 12 months of the issuing of the planning permission, a revision may be accepted to maximise the provision of affordable housing within the subsidy available.

**5.11.14.** Other than where the affordable housing being provided is low cost housing for home ownership, it will usually be necessary for the developer and/or landowner to enter into a Section 106 or similar Legal Agreement, to ensure their long-term provision as affordable housing units. Such schemes will need to be managed by a responsible body, usually a Registered Social Landlord, and the occupancy will be controlled so that they are occupied only by persons who are considered by that body to be in need of such housing.

**5.11.15.** If vacancies in a scheme cannot be filled under the above criteria, then persons may be nominated by the District Council. If the District Council cannot nominate a person or persons, then the managing authority will be permitted to do so from persons in an area specified in the Section 106 or other agreement relating to the particular scheme. This area will normally be comprised of towns or parishes adjoining. If this procedure fails to fill a vacancy, then the managing authority may nominate any person it considers to be in need of such accommodation.

**5.11.16.** In parts of the District where significant housing development takes place very rarely, a particular housing scheme large enough to incorporate affordable housing may only occur very infrequently. It is therefore important to seek to provide affordable housing for as many local households as possible each time such a scheme is constructed. Whenever a scheme allows, a mix of affordable housing should be provided. For example,

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it should often be possible to provide family social housing for rent within the same development as low cost affordable housing for smaller households.

**5.11.17.** The importance of new housing developments providing a mix of different properties in terms of size and tenure is recognised and promoted through this Plan's allocations. In order to promote a sense of community, and to avoid any stigmatisation of the occupiers of affordable housing, it is also desirable to integrate the affordable housing element of any scheme within the development as a whole.

**POLICY H10**

**The affordable housing provided through the operation of Policy H8 should provide for a mix of affordable housing, and should be integrated into the development of which it forms a part.**

**5.11.18.** As advised in PPG3: Housing 1992 and as set out in paragraph 25 of Circular 6/98, '*rural exception sites can provide a small but important additional source of affordable housing within or adjoining existing villages*'. These sites will not be allocated within this Local Plan and, when they come forward, will be viewed as an exception to normal plan policies, on land which would not otherwise be considered suitable for housing.

**5.11.19.** Such releases of land will only take place in exceptional circumstances. Such sites will normally be related to those rural settlements which have a primary level of local community facilities and services, to avoid undue development in unsustainable locations. Such schemes should be small in scale, and provide for a particular local need at a given time, should be located within or adjacent to settlement boundaries, and should be sympathetic to the form and character of the village. Policy H11 is designed to ensure the provision of affordable housing for local people in genuine need, and to ensure that this provision continues in perpetuity. Section 106 Legal Agreements entered into in respect of schemes covered by Policy H11 will be expected to ensure that the proposed occupiers:-

- are resident in the same town or parish as the scheme; or
- are employed in the same town or parish as the scheme; or
- have a strong local connection with that town or parish, such as family association with the town or parish, or have previously resided in the town or parish.

**POLICY H11**

**In rural areas, permission may be granted for affordable housing schemes outside the settlement boundaries to meet local needs, as an exception to the Local Plan's Housing Policies, provided the following criteria are met:**

1. **a local need is established, which cannot be met in any other way; and**
2. **arrangements are made through a Section 106 Legal Agreement or similar, for the benefit of the affordable housing to be retained for future occupiers through the involvement of a Registered Social Landlord, or similar body.**

**5.12. Extensions to Existing Dwellings**

**5.12.1.** All of the above policies are designed to increase the stock of affordable housing within Stroud District. As set out above, this includes low cost housing for ownership. However, that stock is constantly being eroded by the erection of extensions to lower cost properties, which add to their value, making them more expensive when sold, and in some cases turning affordable housing into housing out of the reach of local people. There are wide discrepancies in the cost of the lowest priced properties in different parts of the District, and in some parts of the Cotswolds AONB, few properties for sale are genuinely 'affordable'. However, the significant extension of any property which is comparatively affordable in any given place will simply increase its value, and, by reducing the supply of comparatively affordable properties in that settlement, assist in driving up the value of those that remain.

**5.12.2.** Much of the owner-occupied housing which is affordable within Stroud District, particularly that built since the war, is affordable because of its relatively small size. Very few one-bedroomed houses have been built in the District, and flats have not been constructed in any significant numbers. A large amount of this affordable stock is made up of two-bedroomed and smaller three-bedroomed houses. A small to medium sized three-bedroomed terraced house is typically approximately 300 cubic metres, measured externally. The following policy therefore seeks to discourage significant increases in size to properties of less than 300 cubic metres.

**5.12.3.** Most of the properties covered by this policy would be eligible for an extension of 50 cubic metres under permitted development rights. It is not proposed to seek any form of Article 4 Direction restricting such rights on small properties, and it is

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therefore important to recognise that these small extensions can take place without requiring planning permission. The following policy thus seeks to control larger extensions which increase the volume of the property by more than 25%. On a 200 cubic metre property this would amount to the 50 cubic metres available under permitted development. On a 300 cubic metre property this would increase to 75 cubic metres.

**5.12.4.** It is not the intention of this plan to prevent or discourage the renovation of properties without basic amenities. However, if households which require a larger home fulfil that need by extending their existing property, then over time more and more properties are larger and more expensive to purchase when they come on the market. If those households instead moved into a larger property, this would leave their existing smaller home to another household seeking affordable, or relatively affordable, housing. This in turn would maintain the supply of smaller properties in any given area, and over time the cost of such properties may gradually reduce. The local housing market would then not operate to the disadvantage of new entrants to the same extent as it does now. Reference should also be made to Section 5.19 and Policy H23 which relates to the impact of extensions on amenity.

**POLICY H12**

**Permission will not be granted for the extension of a property, the original size of which is of 300 cubic metres or less, if it would increase the size of the original property by more than 25%, unless the extension is to enable the provision of basic amenities previously absent from the**

**5.12.5.** For the purposes of the operation of Policy H12, the following definitions are important:-

- 'Original size' and 'original property' refer to the property and its size when built, or, if built before 1 April 1999, the property and its size on that date. Neither 'original size' nor 'original property' includes detached garages or outbuildings.

**5.13. Loss of Housing**

**5.13.1.** Policy H12 above sets out the need to protect this District's supply of smaller, more affordable housing. In addition to this it is necessary to consider the question of whether the District's housing stock as a whole should be protected. The requirement to allocate sites for new dwellings to provide for additional households within the District comes about because the number of households is expected to grow faster than the supply of housing unless such allocations are made. The major part of this equation relates to the rate at which new housing

units are being provided. The other side, however, which tends to receive less attention, is the rate at which existing housing units are being lost. In an area where the provision of new housing causes difficulties, it is essential to keep these losses to a minimum.

**5.13.2.** Some losses of dwellings occur without needing planning permission, such as when two houses are converted into one larger one. Others, however, occur with the benefit of planning permission, such as when a redevelopment for a commercial use results in the loss of housing units on the site. It is not intended that such redevelopments should be prevented, but it is considered important that, when they do take place, attention should be given to replacing the lost dwellings on site. These replacement dwellings may be smaller than those previously on site, but will contribute to the overall housing stock of the District, and promote mixed uses upon a site.

**5.13.3.** The exception to this presumption towards retaining residential accommodation on a site is where that accommodation is not desirable. Examples of this are where the occupiers of a dwelling would suffer from unacceptable noise, smell or disturbance, or where they would suffer from unacceptable highway danger in accessing the site on foot.

**POLICY H13**

**Permission will not be granted for a proposal which involves the net loss of one or more units of residential accommodation, unless the unit to be lost is on a site where residential accommodation is not desirable, or where such loss would facilitate the achievement of other Local Plan aims.**

**5.14. Residential Development Within Urban Areas and Main Settlements**

**5.14.1.** Strategic policy stresses that the majority of land for new housing will be found within the District's urban areas and principal settlements. These comprise the Stroud Urban Area, the Hardwicke Urban Area, the Principal Settlements of Cam and Dursley, and the settlements of Berkeley, Nailsworth, Stonehouse and Wotton-under-Edge. These are the parts of the District where most facilities and services of more than a local nature are located, and where the majority of the District's employment is to be found. It is in these areas that the most scope exists for building new housing on previously used land.

**5.14.2.** It is important that the best use is made of sites which become available for development within these areas. In many cases this may mean building at higher densities than has occurred in the recent past. Stroud District Council is committed to encouraging high standards of urban design, as set out in Policy B1, and believes that it is possible to achieve high standards whilst also building at relatively high densities.

**5.14.3.** All development covered by Policy H14 should be compatible with its surroundings, and will need to provide appropriate amounts of car and cycle parking, appropriate amounts of private amenity space, and a reasonable amount of privacy for the occupiers of the dwellings. However, where the new housing will be located within walking distance of Stroud or Dursley town centres, (within 800 metres of either town centre boundaries, as defined on the Proposals Map) and can contribute to both a more sustainable pattern of development, and to the regeneration of those town centres, high density development will be encouraged, with reduced car parking, amounts of private amenity space, and levels of privacy. The reduced car parking requirement is set out in the Council's adopted Parking Guidelines. Advice on privacy levels and appropriate private amenity space is to be found in the Council's adopted Residential Design Guide.

#### **POLICY H14**

**Within the Urban Areas of Stroud and Hardwicke, the Principal Settlements of Cam and Dursley, and the settlements of Berkeley, Nailsworth, Stonehouse and Wotton-under-Edge, permission will be granted for residential development or redevelopment, provided all the following criteria are met:-**

- 1. the proposed development is of a scale, layout and design compatible with that part of the settlement in which it would be located, and would not cause harm to the character and appearance of that part of the settlement;**
- 2. the density proposed is at as high a level as is acceptable in townscape and amenity terms;**
- 3. any large scale development includes dwellings of various sizes, both in respect of physical size and affordability;**
- 4. it would not cause the loss of, or damage to, any open space which is important to the character of the settlement;**
- 5. any natural or built features on the site and worthy of retention have been incorporated into the scheme; and where dwellinghouses are proposed, an appropriate area of private amenity space is provided for the occupiers**

**of each dwellinghouse. Where other types of residential accommodation are proposed, an appropriate level of amenity space to serve the scheme as a whole is provided.**

**5.14.4.** In addition to development close to Stroud or Dursley town centres, opportunities also exist in most of the District's town centres, and some local centres, to make better use of the upper floors of retail and commercial premises. Encouragement will be given to the active use of such floorspace, particularly for residential use, providing it does not unacceptably prejudice the function of the ground floor shop. In some circumstances, it may only be possible to gain access to considerable areas of unused upper level floorspace by rearranging a shopfront to allow a separate access. Where this is the case, some loss of retail frontage may be acceptable.

**5.14.5.** The use of floors above shops for residential use is, in many circumstances, permitted development. Where permission is required, and the proposal is for a change of use of existing floorspace, rather than new build, the normal requirements for parking spaces and amenity space will be waived.

#### **POLICY H15**

**Proposals to use the upper floors above shops and offices in town and local centres for residential use will be permitted where this does not threaten the viability of the ground floor commercial use.**

### **5.15. Residential Development Within Rural Settlements**

**5.15.1.** Strategic policies indicate that the majority of development will be concentrated in the locations covered by Policy H14. However, strategic policy also makes provision for some housing land to come from the extensive rural parts of the District.

**5.15.2.** In considering the contribution which the District's rural areas can make to the provision of housing, over and above the specific allocations set out in Proposals H1 and H2 above, a number of factors have been taken into account:-

- Sustainability - The location of a settlement and the existence or otherwise of facilities, services, public transport and employment.
- Affordable Housing - The shortage of affordable housing in our rural areas, as set out in Section 5.11 above.
- Character and Appearance - Many of our rural settlements are in areas of high quality

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landscape, such as the Cotswold Area of Outstanding Natural Beauty, or contain a Conservation Area.

**5.15.3.** In order to promote sustainable development, it is not appropriate for new residential development to be promoted in all the small settlements in the District. Some settlements are therefore not listed in Policy H16, and do not have defined settlement boundaries. This is because of a combination of lack of access to facilities, public transport, and employment. Applications for new housing in these settlements will be considered against Policy H17.

**5.15.4.** Many of those settlements listed under Policy H16 have sites allocated under Proposal H2 above. The size of these sites are such that it is appropriate to identify and allocate. In many cases, an element of affordable housing is identified under Proposal H2 as being an integral part of an allocation. In addition, Policies H8 and H9 set out the criteria whereby a larger site will expect to provide affordable housing, including some social housing for rent. However, in many of the settlements listed under Policy H16, other, mostly smaller sites will come forward for development during the Plan period. In the past, most such sites have been developed for larger, 'executive' style housing, which has tended to attract incomers, and left local demand largely unsatisfied. The occupiers of such houses are usually highly mobile, in possession of one or more cars, and consequently make little use of local facilities, and are often employed some distance away.

**5.15.5.** As two of the objectives of this Plan are to promote sustainable development, and to enable the provision of affordable housing, it is important that better use is made of those sites which do come forward in those rural settlements with access to facilities, public transport and/or employment opportunities. Small-scale developments or redevelopments will therefore be permitted in principle in these settlements. Where these sites are larger than 0.2 hectare, these need also to comply with Policies H8 and H9. On development or redevelopment sites of less than 0.2 hectare, these should be exclusively for the provision of affordable housing, where a local need for affordable housing exists, unless this would be detrimental to the character and appearance of the area. Affordable housing can include social housing for rent or shared ownership, but, in the context of sites of 0.2 hectares or less, will probably more often consist of low cost home ownership. The meaning of small scale will depend on the particular circumstances of each case, and will vary depending on the size of the settlement involved.

**5.15.6.** The settlement boundaries which have been drawn around the settlements listed in Policy H16

have usually been drawn around the edge of the curtilage of a property which is considered as being within the settlement. It does not mean, however, that where a piece of land is included within the settlement boundary, it is automatically acceptable for development to take place there. New development located between the settlement boundary and the existing built form of the settlement can often create a hard edge where the settlement joins the countryside, and appear as an intrusion into the countryside.

**5.15.7.** Policies B1 and B2 stress the importance of urban design and the design of buildings, and any housing constructed as a result of the operation of Policy H16 should comply with these policies, and have regard to the setting within which it is to be located.

### **POLICY H16**

**In the rural settlements listed below, permission will be granted for small scale residential development or redevelopment provided all the following criteria are met:-**

- 1. the proposed housing is of a scale, layout and design compatible with that part of the settlement in which it would be located, and would not cause harm to the character and appearance of that part of the settlement;**
- 2. the density proposed is at as high a level as is acceptable in townscape and amenity terms;**
- 3. where the site is 0.2 hectares or less, but is not infilling by one dwelling, and where a local need for affordable housing exists, the proposal is exclusively for affordable housing, unless that would conflict with criterion (1);**
- 4. any development of 10 or more dwellings, includes dwellings of various sizes, both in respect of physical size and affordability;**
- 5. it would not result in development between the settlement boundary and the existing built form of the settlement, where this would appear as an intrusion into the countryside;**
- 6. it would not cause the loss of, or damage to, any open space which is important to the character of the settlement;**
- 7. any natural or built features on the site and worthy of retention have been incorporated into the scheme; and**
- 8. where dwellinghouses are proposed an appropriate area of private amenity space is provided for the occupiers of each dwellinghouse. Where other types of residential accommodation are proposed, an appropriate level of amenity space to serve**

the scheme as a whole is provided.

The rural settlements to which this Policy applies are:-

Amberley, Arlingham, Bisley, Box, Brookthorpe, Brownhill, Bussage, Cambridge, Chalford, Coaley, Cranham, Eastington, Eastcombe, Frampton on Severn, France Lynch, Haresfield, Hillesley, Horsley, Kings Stanley, Kingswood, Leonard Stanley, Longney, Middleyard, Minchinhampton, Newport, Newtown/Sharpness, North Nibley, Oakridge, Nymphsfield, Painswick, Randwick, Saul, Selsley, Slimbridge, Sheepscombe, Stinchcombe, Stone, Uley, Upton St Leonards, Whiteshill, Whitminster, Woodchester (North and South).

### **5.16. Residential Development Outside Defined Settlement Boundaries**

**5.16.1.** Stroud District contains a large amount of open countryside, groups of houses, hamlets and small villages which are not within the defined urban areas, principal settlements, or any defined settlement boundary. Both Central Government Guidance and the Structure Plan make it clear that residential development should not normally take place in these areas. This is on the grounds that such development would not be in a sustainable location, and would be likely to detract from the character and appearance of the countryside, which PPG7: Countryside 1997 emphasises should be protected for its own sake.

**5.16.2.** In Stroud District, there are a large number of named groups of buildings, hamlets, small villages and residential areas which do not have settlement boundaries. These groups of houses and small settlements are usually poorly related to essential facilities and services, and require residents to rely entirely on private transport, contrary to the principles of sustainability which underlie this Plan. In many cases, any further expansion of any of these groups and small settlements would also be detrimental to the character and appearance of the rural areas of the District.

**5.16.3.** Exceptions to this policy of restraint fall into three categories. These are the conversion of existing buildings (dealt with by Policy B16), exceptions sites to provide social housing (dealt with by Policy H11), and where the siting of a dwelling in the countryside would be essential to the efficient operation of agriculture or forestry. Where the needs of agriculture or forestry require the provision of a house on site, a strong justification would have to be provided to demonstrate that such provision is

essential, and that the occupation of existing housing stock was not an alternative. As stated in PPG7, it will normally be as convenient for agricultural workers to live in nearby towns and villages as it will be for them to live where they work.

#### **Policy H17**

Outside the defined settlement boundaries, residential development will not be permitted unless it is essential to the efficient operation of agriculture or forestry

#### **POLICY H18**

Permission will not be granted for the erection of a permanent dwelling for an agricultural or forestry worker, outside a defined settlement boundary, unless all the following criteria are met:-

1. the dwelling, and its proposed siting on an agricultural or forestry holding, is essential for the efficient running of the enterprise;
2. the need is for accommodation for a full-time worker;
3. the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
4. the functional need can not be fulfilled by another existing dwelling on the holding, or any existing accommodation in the area;
5. the necessary accommodation cannot be provided by the conversion of a building on the holding;
6. the dwelling is to be sited satisfactorily within the holding, preferably within an existing group of buildings;
7. and the new dwelling should be of an appropriate size for the needs of the enterprise

**5.16.4.** In relation to Policies H17 and H18, the following important points should be noted:-

- If planning permission is granted for a dwelling for an agricultural or forestry worker on a holding in the countryside, the Local Planning Authority will limit the occupation of the dwelling to a person solely or mainly working, or last working, if currently unemployed, in the locality in agriculture or forestry, or a widow or widower of such a person, and to any resident dependants.

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- In criterion (1) of Policy H18, 'essential' refers to the needs of the farming or forestry enterprise at the holding and not to the personal preferences or circumstances of the applicant, the owner or manager of the enterprise, or the worker for whom the house is intended.
- Applicants should submit an independent agricultural appraisal to demonstrate how their application accords with the criteria set out in Policy H18.

**5.16.5.** There may be cases where all of the criteria attached to Policy H18 can be satisfied with the exception of (3), relating to the time the unit and agricultural activity have been established. In these circumstances, it may be appropriate to grant temporary permission for a caravan, or other temporary accommodation, so as to allow the enterprise time to demonstrate whether or not it is viable, and whether or not there is an essential need for permanent accommodation.

**5.16.6.** The provision of temporary accommodation should not be seen as a means of avoiding the requirement to prove a functional need for a dwelling, or avoid any of the other strict controls on residential development in the countryside. In addition there may be occasions where the provision of temporary accommodation would not be acceptable because of the effect on the character and appearance of the landscape.

Whether or not a building is appropriate for conversion as set out in criterion (5) of Policy H19 should be determined by reference to Policy B16 of this Plan.

**POLICY H19**

**Temporary permission will not be granted for the siting of a caravan or other form of temporary accommodation for an agricultural or forestry worker, outside a defined settlement boundary, unless all the following criteria are met:-**

1. such a dwelling, and its proposed siting on an agricultural or forestry holding, are essential for the efficient running of the enterprise;
2. the need is for accommodation for a full-time worker;
3. there is clear evidence that the enterprise has been planned on a sound financial basis, and that there is a firm intention and ability to develop it;
4. the functional need could not be fulfilled by another existing dwelling on the holding, or any existing accommodation in the area;
5. the necessary accommodation cannot be provided by the conversion of an appropriate building on the holding; and

**6. the dwelling is to be sited satisfactorily within the holding, preferably within an existing group of buildings.**

**5.16.8.** Over time, the situation that made it essential to provide a new dwelling for someone employed in agriculture or forestry can change. When this happens a planning application might be made to remove the occupancy condition so that the property can be sold on the open market.

**5.16.9.** The criteria for assessing proposals for new dwellings in the countryside are rigorous. Similar care should be taken in dealing with applications for the removal of occupancy conditions on such dwellings. Once an occupancy condition has been imposed, permission will not be given for its removal, unless it can be shown that there is no long term need for the dwelling to serve the agricultural accommodation needs of the area. It is important to note that it is the need for dwellings for agricultural or forestry workers in the area which is the important factor, and not simply whether or not a need continues to exist on any particular holding.

**5.16.10.** This is particularly important in view of changes already occurring, and likely to continue to occur, in agriculture. The decline in employment on the land may mean that existing agricultural dwellings are no longer needed. On the other hand, the restructuring of holdings may lead to a demand for new dwellings in some places, and the availability of existing properties should be taken into account.

**POLICY H20**

**Permission will not be granted for the removal of an agricultural or forestry occupancy condition on a dwelling outside a defined settlement boundary, unless all the following criteria are met:-**

1. an appraisal is submitted which shows that there is no longer any functional need for the dwelling on the holding, nor is there likely to be in the foreseeable future;
2. there is no foreseeable need for such dwellings elsewhere in the area; and
3. a reasonable and sustained attempt has been made to market the property with its occupancy condition, at a realistic value, and no qualifying purchaser has come forward.

**5.17. Replacement Dwellings**

**5.17.1.** The replacement of existing permanent dwellings by new dwellings is one means by which neglected, unused or derelict sites in urban areas

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might be brought into use for housing. Where the replacement of a dwelling is proposed within defined settlement boundaries, it will be judged against Policies H14 and H16, as appropriate.

**5.17.2.** However, a much more restrictive approach operates where the replacement of a dwelling outside a settlement boundary is proposed, to avoid the character of the countryside being harmed by larger dwellings, and in some cases to prevent the stock of affordable housing being further diminished.

**POLICY H21**

**The replacement of dwellings outside defined settlement boundaries will only be permitted where all the following criteria are met:-**

1. the residential use has not been abandoned;
2. the replacement dwelling is smaller than, or of a similar size to the existing dwelling, and does not detract from the character or appearance of its surroundings; and
3. the existing dwelling is not a caravan, mobile home, or other form of temporary dwelling.

**5.18. Residential Sub-Division**

**5.18.1.** Much of the requirement for additional housing in this District, as in many others, comes from the gradual reduction in the average size of households. There is therefore a continuing need to provide smaller housing units. Whilst a small household cannot be forced to live in a small dwelling, there should be sufficient small units available for them to make that choice should they so wish. In addition, Stroud District Council is committed to the provision of affordable housing, and permitting the sub-division of existing properties is one way to increase gradually the stock of smaller, and relatively more affordable housing.

**5.18.2.** Residential sub-divisions have been a common form of development in urban areas and defined settlement boundaries in Stroud District for some time. Concern has always existed, however, at extending this policy to properties in the countryside. This was largely due to the prospect of such a policy being abused by some property owners, who might first gain permission for a significant extension to their property, then permission to sub-divide it, and then permission for extensions to the sub-divided parts. The net result would, over time, be that two dwellings would exist on the site, each one potentially as large as the original house.

**5.18.3.** However, this Plan includes policies aimed at controlling the size of extensions, both in terms of

their appearance (Policy H23), and in terms of smaller units remaining affordable (Policy H12). As a result, this Plan no longer differentiates between housing inside and outside settlement boundaries in respect of the sub-division of properties, where no significant extension is involved. This should allow best use to be made of existing housing stock, and should encourage the provision of more smaller, and fewer larger, units of accommodation. These benefits outweigh the slight increase that will occur in the number of households who will be living in areas away from major settlements, and as a result potentially more dependent on the private car.

**POLICY H22**

**Permission will be granted for the sub-division of existing residential properties provided all the following criteria are met:-**

1. no significant new extension is proposed;
2. a satisfactory amount of private amenity space is provided for each resulting dwellinghouse. If other types of accommodation are proposed, onsite amenity space should be provided, if possible; and
3. a reasonable level of privacy is provided

**5.18.4.** Where proposals for sub-divisions involve extensions which increase the size of any of the resulting units of accommodation by more than 10% (measured as external volume), these will be treated as involving a significant extension to a dwelling, and will be assessed against the relevant policies for the erection of a new dwelling.

**5.18.5.** Where the unit to be sub-divided is located within walking distance (approximately 800 metres) of any town centre defined on the Proposals Map, and can contribute to both a more sustainable pattern of development, and to the regeneration of the town centre, sub-divisions will be accepted with reduced car parking, amounts of private amenity space and levels of privacy. The reduced car parking requirement is set out in the Council's adopted Parking Guidelines. Advice on appropriate private amenity space and levels of privacy is to be found in the Council's adopted Residential Design Guide.

**5.19. Extensions to Residential Properties**

**5.19.1.** Although they are normally relatively small in scale, extensions to existing residential properties can cause various problems. They may be unneighbourly, and be detrimental to the amenities of occupiers of nearby properties, by reason of loss of light, overlooking, or overbearing effect. They may result in the site appearing cramped or

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overdeveloped. They may, by reason of height, size, and/or design, be out of keeping in scale or character with the property to which they are attached, or with the surrounding area. They may be sited on land required for parking, or as private amenity space.

**5.19.2.** Many extensions, including some which may cause some of the above problems, are permitted development, by virtue of the Town and Country Planning (General Permitted Development) Order 1987. In such cases, a planning application is not required, and the Local Planning Authority can not control them. However, where an application is required, extensions to residential properties should avoid the types of problem listed above, and Policy H23 is framed to ensure this. It is important to note that proposals for extensions will also have to comply with Policy H12, which limits extensions to smaller dwellings.

**POLICY H23**

**Permission will be granted for the extension of residential properties, provided all the following criteria are met:-**

- 1. the plot size of the existing property is large enough to accommodate the extension without resulting in a cramped or overdeveloped site;**
- 2. the height, size and design of the extension is in keeping with the scale and character of the dwelling to be extended, and its wider setting;**
- 3. following construction of the extension, sufficient space is available for the parking of cars, in line with the Council's Adopted Parking Guidelines, in a way that does not detract from the character and appearance of the area; and**
- 4. following construction of the extension, sufficient private amenity space exists for use by occupants of the enlarged dwelling.**

**5.20. Annexes to Residential Properties**

**5.20.1.** An increasing trend in Stroud District, as in many others, is the desire amongst householders to create annexes, usually for dependent relatives. The provision of such annexes can reduce the number of households looking for separate accommodation, as well as providing a caring environment for the dependent relative. However, if the dependent relatives are living active lives, with a degree of independence, then the annexe can appear as a separate dwelling. It will, for example, usually

generate as many traffic movements as a separate dwelling.

**5.20.2.** The major problem with such annexes in planning terms is the question of to what use should they be put once the reason for their provision no longer applies. Frequently, particular solutions are driven by particular personal circumstances, but once these are no longer relevant, the annexe remains and a new use needs to be found for it.

**5.20.3.** If the annexe is designed as an integral part of a dwelling, shares some of its rooms with that dwelling, and is not capable of independent use, the annexe can be adapted to become an extension to the main living accommodation of the dwelling when the annexe is no longer needed. If, however, the annexe is designed as a physically separate unit of accommodation, there is frequently no other use to which it could be put other than as a separate independent unit of accommodation. Permitting such annexes can therefore make it very difficult subsequently to resist the formation of a new dwelling. Within settlements, this may not cause a problem in principle, but where the site is in an area where new dwellings would not normally be allowed, this is a matter of some concern.

**5.20.4.** Policy H24 therefore supports the creation of annexes where they can readily be used as an extension to the dwelling when no longer needed as an annexe. Where annexes are proposed which do not comply with this policy, they are treated as separate dwellings, and the policies on new dwellings would apply - Policies H14, H16 and H17 where the annexe is new build, Policy H21 where the annexe is a result of a sub-division, and Policy B16 where the annexe is proposed as a new use for a building in the countryside. An annexe which is incapable of independent use is treated as an extension. These, and other annexes which comply with Policy H24, would also need to comply with Policies H12 and H23.

**Policy H24**

**Permission will be granted for the creation of an annexe for a dependent, provided both the following criteria are met:-**

- 1. the annexe is linked to the main dwelling by an internal door or doors; and**
- 2. the accommodation provided in the annexe is readily convertible into accommodation for use as an extension to the main dwelling**

**5.20.5.** Permissions granted as a result of the operation of this policy will usually be subject to conditions limiting the use of the annexe to a use in

conjunction with the residential use of the main dwelling, and requiring the accommodation provided in the annexe to be used as an extension to the main dwelling, in the event that any need for that accommodation to be used as an annexe ceases.

### **5.21. Mobile and Temporary Homes**

**5.21.1.** The possibility of siting a caravan or mobile home on an agricultural or forestry holding has been set out in Policy H18 above. There are, however, other circumstances in which mobile homes may be proposed. They may be proposed as gypsy accommodation. Gypsies are defined in the Caravan Sites and Control of Development Act 1960, and in the Criminal Justice and Public Order Act 1994 (CJPOA) as *'persons of nomadic habit of life whatever their race or origin, but does not include members of an organised group of travelling showmen or of persons engaged in travelling circuses travelling together as such.'*

**5.21.2.** Local Authorities no longer have a statutory duty to provide gypsy sites, such provision now being discretionary. The CJPOA gives greater powers to Local Authorities to remove persons residing unlawfully in vehicles on highway land or on other land without the owner's consent. As a result the Government now expects more gypsies to find and buy their own sites to develop and manage. Gypsies make up a tiny proportion of the population, but their requirements need to be met. Central Government has stated that the planning/development plan system should be the instrument by which this is achieved.

**5.21.3.** Provision should be limited to gypsies who regularly reside in or resort to this area. To provide otherwise could encourage an influx of gypsies, with possible tensions resulting. Government policies suggest that sites outside settlement boundaries may be acceptable, providing encroachment into the open countryside is avoided. It will not, however, be appropriate to make provision for gypsy sites in the AONB, or other protected areas. Any sites should also be fairly close to local facilities, such as schools. Should a proven need arise to accommodate gypsies within the District, then this should be done in a way that takes account of landscape protection, sustainability and the amenity of nearby residents.

#### **POLICY H25**

**Permission will only be granted for the establishment of gypsy sites where all the following criteria are met:-**

- 1. a proven need for the site exists which cannot be met by existing sites;**
- 2. no harm is caused to the landscape, particularly in areas designated for the importance of their landscape, or to nature conservation interests;**
- 3. the site will not appear as an encroachment into open countryside;**
- 4. available and adequate infrastructure exists to serve the site; and**
- 5. the site is within or adjacent to a settlement boundary and well located in relation to local services and facilities.**

**5.21.4.** Caravans, mobile homes and other forms of temporary dwellings are sometimes proposed instead of a permanent dwelling in cases where no special justification is put forward. Such solutions to low-cost housing provision may be appropriate in some circumstances, but careful control needs to be exercised over the impact of any such siting on the character and appearance of the area in which it is to be situated. It is also recognised that the services and facilities required by this form of housing are similar to that required by permanent housing provision. Therefore, when considering whether or not the siting of a caravan, mobile or other temporary home is acceptable, Policies H16, H17 or H19, as appropriate, will be applied.