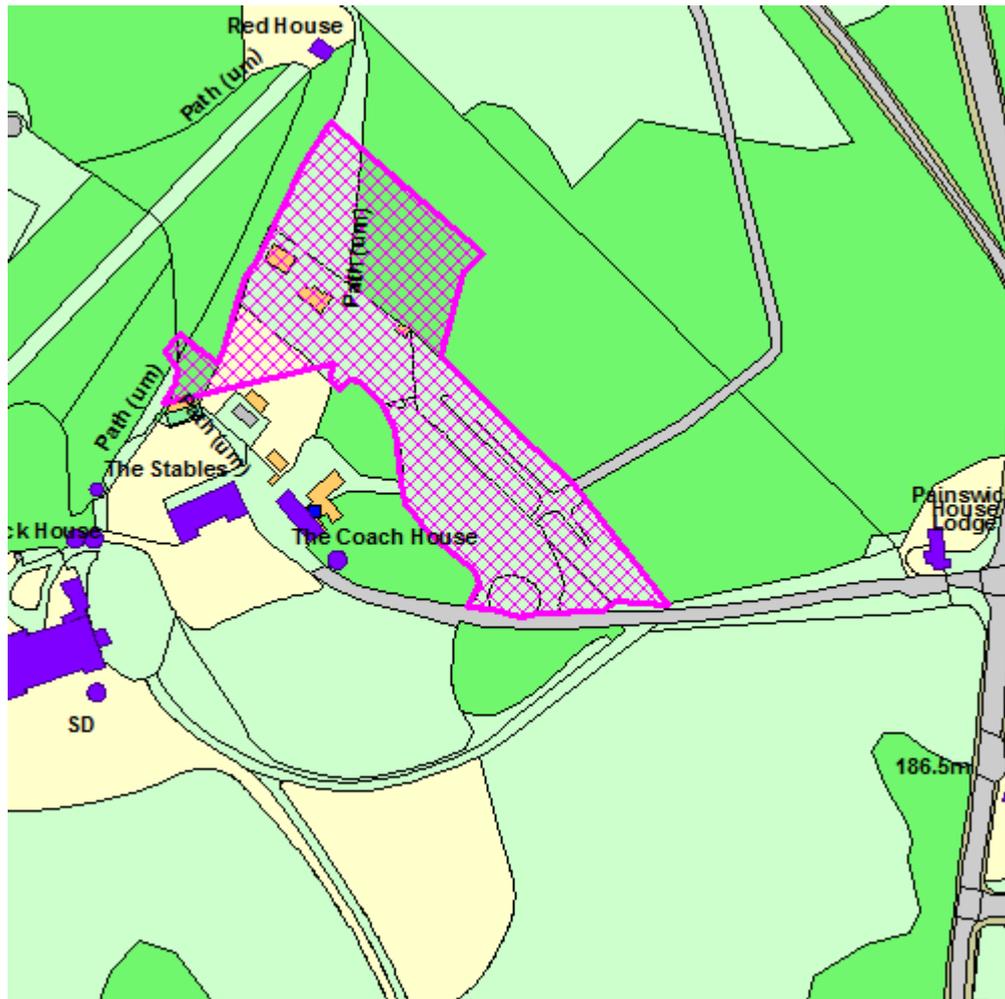




## Development Control Committee Schedule 26/11/2019

<b>Item No:</b>	<b>02</b>
<b>Application No.</b>	S.19/0570/FUL
<b>Site No.</b>	PP-07683467
<b>Site Address</b>	Painswick Rococo Garden, Gloucester Road, Painswick, Stroud
<b>Town/Parish</b>	Painswick Parish Council
<b>Grid Reference</b>	386327,210466
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Construction of a new visitor centre, community and education room, function room, secured compound with associated hard and soft landscaping (386327 - 210466)
<b>Recommendation</b>	Permission
<b>Call in Request</b>	Parish Council and Head of Development Management





## Development Control Committee Schedule 26/11/2019

<b>Applicant's Details</b>	Mr D Hamilton Painswick Rococo Garden, Gloucester Road, Painswick, Stroud, Gloucestershire GL6 6TH
<b>Agent's Details</b>	Quattro Design Architects Ltd Matthews Warehouse, High Orchard Street, Gloucester Quays, Glos, GL2 5QY,
<b>Case Officer</b>	John Chaplin
<b>Application Validated</b>	28.03.2019
<b>CONSULTEES</b>	
<b>Comments Received</b>	Archaeology Dept. (E) Arboricultural Officer (E) Biodiversity Officer Flood Resilience Land Drainage SDC Water Resources Engineer Environmental Health (E) The Gardens Trust Historic England SW Painswick Parish Council SDC Water Resources Engineer Environmental Health (E) Archaeology Dept. (E) Flood Resilience Land Drainage Environmental Health (E) Historic England SW Painswick Parish Council Arboricultural Officer (E)
<b>Constraints</b>	Area of Outstanding Natural Beauty Parks & Gardens of Special Interest Painswick Parish Council
<b>OFFICER'S REPORT</b>	

### MAIN ISSUES

- Principle of development
- Archaeology and Heritage Assets
- Design and appearance
- Noise & Residential Amenity
- Highways
- Landscape impact
- Ecology
- Drainage & Flood risk



## **Development Control Committee Schedule 26/11/2019**

### **DESCRIPTION OF SITE**

The site is located to the North of Painswick and is located in the coach field within the Grade II\* Registered Painswick House Park and Garden. The Rococo Garden to located to the rear with the site also in the wider setting of the Grade I listed Painswick House. The garden also includes a further number of important listed buildings and structures including, most significantly, the Grade II\* Listed Red House which is sited in the valley below.

Painswick House and The Stables, which are also Listed are residential properties located to the south of the site. The Grade II Listed Lodge house is located adjacent to the access drive and has a close visual relationship with the site.

The site is also within the Cotswolds Area of Outstanding Natural Beauty but is outside the settlement limits of Painswick.

The site slopes up from Painswick House across the open parkland setting with mature trees within the parkland and along the boundary with the existing garden valley. A car park for use by the public visiting the Rococo Garden is already on site and makes use of an existing hardstanding area but also extends into a grassed area above. A maintenance and plant growing area is located adjacent to the West end of the car park.

The Rococo Garden is open to the public and makes use of the Coach house and other ancillary buildings with access through the garden of the Stables to the garden.

### **PROPOSAL**

This proposal is for the construction of a new visitor centre, community and education/function room and secured compound with associated hard and soft landscaping.

The proposal is set in 2 phases to help with financing with the 1st phase being the main visitor and garden facilities e.g. entrance, café, toilets and staff/volunteers space. The 2nd phase will be the function room for weddings and community uses.

The scheme also includes a reconfiguration and expansion of the existing car park with more formalised space allocation within it.

### **REVISED DETAILS**

Revised tree survey and updated tree protection plan received on 02 April and 04 September, Additional ecological information 03 April.

Additional supporting statement 29 March, 19 June and 02 October.

Revised plans and transport statement 29 July.

Update noise information/plan 08 August.

Revised plans removing green house and alteration to car park/building entrance 14 October.

### **MATERIALS**

Roof: Standing seamed zinc and grass roof

Walls: Black and natural timber with some red brick and natural stone

Windows and Doors: Aluminium/uPVC/Comosite (Anthracite / Dark Grey)



## Development Control Committee Schedule 26/11/2019

### REPRESENTATIONS

#### Statutory Consultees:

##### **Painswick Parish Council:**

Painswick Parish Council considered this application in their meeting held on Wednesday 17th April 2019. The Council decided to strongly support this application. The Council would also like this application referred to the Development Control Committee if the Officer is minded to refuse the application.

##### **Revised Plan comment:**

Painswick Parish Council considered the revised plans in their meeting held on Wednesday 30th October 2019 and agreed to support the proposals.

##### **GCC Highways:**

"I am satisfied with the transport consultants submission and agree in principle that the additional floor space is not going to result in an increase in trip generation. I am satisfied of this as the café (A3) use will no longer be present. I would note that the highway authority would want assurance this is conditioned or part of the permission that A3 is restricted.

I will require a parking management plan with wording as:

Prior to the first occupation of the development, a Parking Management Plan shall be submitted to the Local Planning Authority for approval in writing. The plan should describe how parking will be provided and restricted for coaches including consideration of disabled parking for all modes of travel and managed on the site and the location.

Reason: To ensure suitable arrangements for parking as part of the development"

Further representation:

"Apologies I meant the food retail. So in terms of the restriction I was wondering if it can be limited to just the café. Sorry I didn't explain that very well. My concern would be if the offer is extended again there may be more trips. But overall I very much doubt it would change the current recommendation."

##### **The Garden Trust (Gloucestershire Gardens and Landscape Trust):**

"Thank you for alerting The Garden Trust as Statutory Consultee, and The Gloucestershire Gardens and Landscape Trust (GGLT) as their County representative responding on their behalf.

Having looked at the revised submission that has clarified some of the outstanding issues, I would draw your attention to GGLT's consultee response dated 11th May 2019. In this letter GGLT drew the Planning Committees attention to the balance that needed to be struck between "change" and the implications of turning the clock back on the achievement in rescuing the Rococo Garden in the first place. On that basis, GGLT supported upholding a future for this unique garden, and accepting well considered and relatively limited changes within the context of this wider historic landscape. This position remains unchanged.

However, it is considered that more work is still needed to resolve the landscape and planting possibilities, to avoid the character of small scale gardening becoming apparent."



## Development Control Committee Schedule 26/11/2019

### **Historic England:**

Request consideration of the alternatives options

Additional comments from Historic England:

“ I have had a look at the revised drawings and welcome the changes made by the applicant to address the concerns outlined in our letter of 23/09/19 (ref. P01059013). These being:

- The omission of the glazed, double height atrium, which has helped to reduce the visual impact of the new facility on the surrounding RPG.

- The re-location of the coach drop-off, which has enabled a more generous visitor arrival space to be introduced between the car park and the visitor centre, thus improving the arrival experience. We note that the requirement for a cellular confinement system in the root protection areas (RPAs) where the bin store and coach drop off now extend will need to be reviewed as a result of this change. This is to help protect the existing belt of trees south/ south west of the car park.”

### **GCC Archaeology:**

“I advise that I have checked the application site against the County Historic Environment Record: no archaeology is known at this location.

In my view there is a low risk that this revised development proposal will have any adverse impacts on archaeological remains. For that reason, I recommend that no archaeological investigation or recording need be undertaken in connection with this revised scheme.

I have no further observations.”

### **Society for the Protection of Ancient Buildings:**

“Thank you for consulting the SPAB regarding the proposed construction of a new visitors centre within the Grade II\* 18th century gardens.

Unfortunately, the date of the gardens falls outside our period of interest and therefore we will defer to The Georgian Group in this instance.”

### **The Georgian Group:**

No comment received

### **GCC as Lead Local Flood Authority (LLFA):**

“Information supplied in the document Civil and Structural Engineering Strategies published by Davidson Walsh adequately demonstrates that the drainage strategy proposed will be effective the LLFA therefore has no objection to this proposal.

NOTE 1: The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2: Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.”

### **SDC Water Resources Engineer:**

Supports LLFA no comment



## Development Control Committee Schedule 26/11/2019

### Environmental Health:

“Following receipt of additional noise information, I would recommend the following conditions: -  
The cumulative noise from any new building services plant shall be designed to limit the noise level at the façade of any residential property to the values shown below. The noise levels should be calculated in accordance with the methodology set out in BS4142:2014 + A1:2019 (or subsequently amended): -

Operating Hours	Maximum Acceptable Rating Level
07:00 - 23:00	20 dB(A) LAeq,1 hour
23:00 - 07:00	15 dB(A) LAeq,15 minutes

Prior to use of the development, a validation noise survey shall be conducted by a competent acoustic assessor and a consequent report shall be submitted to the Local Planning Authority for approval to demonstrate that the standards required have been achieved.

Prior to use of the development, the applicant shall submit to the LPA for approval a Noise Management Plan which shall take account of the following matters.

Restriction of noise from the Function Room and Terrace to assure compliance with the standards set out in Tables 10 and 11 of the submitted Noise Impact Assessment (Report ref: M4474 - v.1 Draft for Discussion); and

Management of vehicles leaving evening events in order to minimise the impact of traffic noise on occupiers of Painswick Lodge.

It is acknowledged that a draft Noise Management Plan has been submitted in respect of this application. However, sections 6, 7 and 9 of that Plan have not been confirmed. With respect to sections 6 and 7, I can confirm that I am satisfied with the drafted hours. However, section 9 provides no suggested number or frequency of events and thus it is not yet possible to confirm suitability.”

### Senior Arboriculture Officer:

“I have no objection to the application subject to the following conditions.

1) A landscape scheme for the site must be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant size and proposed numbers/ densities and an implementation programme. Species must reflect the historic parkland setting.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraphs 15, 170(b) & 175 (c) & (d).

2) All hard and soft landscape works shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved, or in accordance with a programme agreed with the local planning authority.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraphs 15, 170(b) & 175 (c) & (d).

3) All works must be fully compliant with drawing No. 5698-P-10 Rev C produced by Quattro design architects.



## Development Control Committee Schedule 26/11/2019

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraphs 15, 170(b) & 175 (c) & (d).

4) Prior to work commencing on the land a pre-start meeting must take place with the main contractor and the local planning authority tree officer.

Reason. To preserve trees and hedges on the site in the interest of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraph 15, 170 (b) & (c) & (d).

5) Root protective fencing / ground protection must be installed / erected prior to the ground works starting on the land.

Reason. To preserve trees and hedges on the site in the interest of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraph 15, 170 (b) & (c) & (d)."

### **SDC Biodiversity Team:**

Acceptable subject to the following conditions:

All works shall be carried out in full accordance with the recommendations contained in the Ecological Appraisal, Tyler Grange, June 2012 and the Bird and Bat Locations, Focus Ecology Ltd, April 2019 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Prior to occupation of the development written confirmation by a suitably qualified/experienced ecologist shall be submitted to and approved in writing by the local planning authority confirming that the recommendations made within the submitted report have been implemented in accordance with the report.

Reason: To protect and enhance the site for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

No lighting shall be erected unless a lighting design strategy for biodiversity has been submitted to and approved in writing by the local planning authority

a) the strategy will identify the areas/features on site that are particularly sensitive for foraging bats;

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To maintain dark corridors for nocturnal wildlife in accordance with Local Plan Policy ES6."

### **Comments:**

The bird and bat box plans are suitable for the development however, we still require a lighting contour plan which needs to include lighting usage during and post development to ensure that dark corridors are maintained for nocturnal wildlife, including bats. If lighting is erected near bat boxes,



## Development Control Committee Schedule 26/11/2019

eliminating important dark corridors, then ultimately these boxes will not be utilised, and opportunities for biodiversity enhancements will be missed.

### **Senior Conservation Officer:**

Historic England's Note 3 (the Setting of Heritage Assets) states that, 'settings of heritage assets which closely resemble the setting in which the asset was constructed are likely to contribute to significance.'

The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset; may affect the ability to appreciate that significance; or, may be neutral.

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 site is within the Grade II\* Registered Painswick House Park and Garden; it is also in the wider setting of the Grade I listed Painswick House and has a close visual relationship with the Grade II listed lodge house. The site is also close to a number of listed buildings, including, most significantly, the Grade II\* Listed Red House which is sited in the valley below.

The experience of arrival is often an important component when considering the impact on the setting of a listed building. In this instance, the proposed development would fall within the wider setting of Painswick House and its associated lodge. The camber of the land is such that on arrival the eye is drawn from down from the lodge to the main house rather than to the corner of parkland in which the building would sit. Following the revisions to remove the more strident glazed element, its mix of materials and broken form should allow the building to sit as a stand alone feature that would not overpower its surroundings, therefore I am confident that the visitors' centre itself would not harm the sense of arrival to the main house or the setting of the lodge.

The Grade II \* Red House in the valley below is situated in a place of solitude, and important component of its setting. The proposed development has the potential to diminish the tranquillity of the place, however, the building is to be set away from the valley's edge, therefore there should be no intrusion into the solitude of the setting of the Red House. There would be no impact on any of the other nearby listed structures.

The associated parking would be still be a visual intrusion with the potential to cause most harm to the setting of Painswick House and the lodge, as well as having a detrimental impact on the Registered Park and Garden. Because the harm would not entail the physical destruction of the identified heritage assets, it would be considered to be less than substantial in terms of the Framework. In cases such as this, the harm has to be balanced against any public benefits that the development would bring. I consider that the provision of the visitor centre and facilities would contribute to the future viability and sustainability of the highly significant Rococo Garden, therefore, on very fine balance, the scheme is deemed to be acceptable in spite of the identified harm.



## Development Control Committee Schedule 26/11/2019

### Public:

16 Objection comments received:

- Cause harm to G2\* Listed parkland and setting of G1 Listed house. Within AONB.
- Too big, excessive and out of proportion. Will spoil Painswick and make it more like Bourton on the water.
- Increase traffic and associated noise & fumes. Impact on Holcombe Lane. High speeds on B4073. No traffic monitoring. No pedestrian crossing. Dangerous junction between Gloucester Road B4073 and Holcombe Lane. Overflow car park into field. Spread of parking (glinting sea of car roofs).
- Routing of visitors should be controlled.
- Impact on local residents with increased noise from wedding and events
- Risk of further mission creep
- Character and materials out of keeping and would ruin an important group of buildings and their setting.
- Impact on ecology and local wildlife.
- No need for increased facilities. Transform the character of the garden. Painswick already has various venues.
- Alternative site/scheme not justification for this proposed scheme.
- No disable access.
- Not charity but to make profit.
- Should charity fail proposed building could be used for less sympathetic purposes and set a dangerous precedent.
- Loss of grazing use and nature of parkland.
- Does not relate to the previous supported plans/cheap alternative.

11 Support comments received

- Positive image and contribution Rococo makes to Painswick, Stroud and indeed England. Vital tourism and supports local economy.
- The Charity is doing a brilliant job in conserving this unique garden and restoring it to its eighteenth century design. Wider appeal and community benefit.
- As a Charity all funds gained are returned in kind to the garden. Not a business expansion.
- Need modern facilities.
- Necessary to secure the long term survival of the Rococo Garden
- Current lease will run out
- Supports the Garden which is significant, historic and unique.
- Linked financial benefit to the wider area.
- Will look not dissimilar to various barns with large part underground and will not impinge on the landscape.
- Considered the trees.



## Development Control Committee Schedule 26/11/2019

### **Painswick Valleys Conservation Society:**

Should fully explore the alternative outside the parkland. Future viability is essential. Recommend a number of improvements/additional information requested.

#### Revised plan comment:

Painswick Valleys Conservation Society have commented earlier on the original application. We have also discussed the most recent revisions made to the application with Dominic Hamilton, the manager at the Gardens and would like to make the following comments on the revised plans.

1. We support the recent reduction in the scale of the proposals, which has been made in response to comments by Historic England.
2. Our concerns about the appearance and impact of the car park on the rural aspect of Holcombe Lane should, we hope, be addressed in the detailed landscape plan, as required by your Senior Arboriculture Officer.
3. A platform lift is now proposed to take visitors down to the lower ground floor, but this is not labelled on the plans.
4. We still have one major concern relating to accessibility. The current site plan shows a pathway leading from the lower ground floor of the visitor centre down to the garden's entrance; this path has a number of flights of steps. There is ample room for an alternative design to facilitate a sloping pathway, thereby facilitating access for wheelchairs/prams and buggies. Access for people with disabilities, as you will know, is required under the Equalities Act 2010. Dominic Hamilton has agreed to refer this matter to their architects. We hope that this will be rectified before planning permission is given.

Committee of the Friends of the Painswick Rococo Garden:  
Strongly support

### **NATIONAL AND LOCAL PLANNING POLICIES**

National Planning Policy Framework 2.2.

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

### **Planning (Listed Buildings and Conservation Areas) Act 1990**

Section 66(1).

Stroud District Local Plan.

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

[https://www.stroud.gov.uk/media/1455/stroud-district-local-plan\\_november-2015\\_low-res\\_for-web.pdf](https://www.stroud.gov.uk/media/1455/stroud-district-local-plan_november-2015_low-res_for-web.pdf)

Local Plan policies considered for this application include:

- CP1 - Presumption in favour of sustainable development.
- CP2 - Strategic growth and development locations.
- CP3 - Settlement Hierarchy.
- CP4 - Place Making.
- CP5 - Environmental development principles for strategic growth.
- CP6 - Infrastructure and developer contributions.
- CP7 - Lifetime communities.

CP11 - New employment development.

CP13 - Demand management and sustainable travel measures.

CP14 - High quality sustainable development.



## Development Control Committee Schedule 26/11/2019

CP15 - A quality living and working countryside.

EI10 - Provision of new tourism opportunities.

EI11 - Promoting sport, leisure and recreation.

EI12 - Promoting transport choice and accessibility.

ES1 - Sustainable construction and design.

ES2 - Renewable or low carbon energy generation.

ES3 - Maintaining quality of life within our environmental limits.

ES4 - Water resources, quality and flood risk.

ES5 - Air quality.

ES6 - Providing for biodiversity and geodiversity.

ES7 - Landscape character.

ES8 - Trees, hedgerows and woodlands.

ES10 - Valuing our historic environment and assets.

The proposal should also be considered against the guidance laid out in:  
Stroud District Landscape Assessment SPG (2000)  
Planning Obligations SPD (2017)

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

### **PRINCIPLE OF DEVELOPMENT**

The Rococo Garden currently operates from the leased Coach house and other various outbuildings and sheds. The lease for these facilities and the current access to the garden ends in February 2022 and for the Trust to continue to operate they need to find an alternative. The existing facilities are also small and restricted and are split between various buildings, with the Coach house being the café and shop and a separate modern unsightly orangery acting as a function space.

The Garden therefore needs an appropriate new facility to accommodate a sufficient number of visitors to sustain the garden and the other activities the garden provides. To stay in the existing facilities is no longer an available long term option.

### Consideration of alternative options

There is no policy requirement to sequentially test alternative sites and it is not for the local planning authority to negotiate with landowners to sale or lift covenants. We have looked to limit the harm of the proposal and discussed if there are any other options currently available and viable. Alternative options which are not located within or limit the impact on the historic parkland have been addressed by the applicant (Garden Trust) along with why they are not viable options. This is attached as Appendix1. A determination has to be made on the proposal submitted on the current available information.

Continuing the use of the existing Coach house is not an option with the restricted nature and the lease ending. Whilst rolling short term extensions to the lease maybe granted this is not a long term solution which would help guarantee the survival of the garden. It is understood that the owners are looking to maximise the financial potential of their assist and whilst they may be willing to discuss various options no formal offer to sell the land at this stage to the Garden or others have been evidenced.



## Development Control Committee Schedule 26/11/2019

Building in the maintenance/plant sales area would appear to be a preferable location and it would be less harmful to the parkland having existing structures and being located in a less prominent position. However, as outlined by the applicant this land is restricted by covenants which restrict how they would build, use and finance a new centre. It is also located closer to the adjacent neighbours. Various verbal offers to fund a reduced project have been outlined. This has not progressed to a formal written offer and Officers understand that this included various conditions against the rest of the garden that the Trust is not happy/able to progress. The covenants would also still restrict a proposal in this area and it is not evident that these would be lifted.

Other areas around the site are also located within the parkland and are in more prominent or harmful positions. They are therefore not preferable.

Historic England and the Garden Trust (GCCLT) have also recognised the various legal and civil issues which have restricted development and lead the proposal to this location.

The proposal is located within the historic parkland and will cause a degree of harm which is address below; however, this is the only viable alternative currently available. The ending of the lease and a potential grant opportunity require the Garden to act now.

Whilst the site is located in a countryside location, the proposal seeks to improve the facilities and ongoing financial viability of the Rococo gardens, an existing countryside attraction. There are no other suitable alternative existing locations or buildings.

The site and Garden has a previous planning approval for a new visitor centre back in 2012. This was for a modern circular building also set into the ground and was not progressed due to the high cost of its construction. This permission has now lapsed and is not considered to be a fall-back position. However, the previous acceptance of a building is noted but cannot be given significant weight.

### **ARCHAEOLOGY & HERITAGE ASSETS**

Painswick House is a Grade I listed building. This stands within its own parkland with a landscaped garden behind. The parkland and garden are a Grade II\* Registered Park and Garden. Within this area are also a number of other Grade II\* and II listed structures and statutes including the Stables, the Coach House, and the Red House etc. The Listed Park forms a large sweep to the south of Painswick House and extends to the North West including the Coach field where the proposal is located. Apart from the restoration of the garden the parkland setting has largely remains unaltered since it was first laid out in the mid-18th century with later additions in the mid-19th century.

The Rococo garden itself is located within a small subsidiary valley creating a unique playful sense of charm, mystery and surprise when entering and enjoying the various areas and structures within the garden. It was established between 1738 and 1748. The Rococo style was only popular for a short period making this one of the only few surviving examples and being the only one open to the public to enjoy. The Rococo Garden, ancillary buildings and the Grade II\* parkland are a very significant heritage asset.

In accordance with the statutory duty set out in Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 special attention has to be paid when considering the impact of the proposal on the special architectural and historic interest of the Listed park and setting of nearby Listed buildings and garden.



## **Development Control Committee Schedule 26/11/2019**

In considering development proposals in heritage settings like this, National Planning Policy Guidance (NPPG) concentrates on securing appropriate and proportionate protection and conservation of those heritage assets.

The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset; may affect the ability to appreciate that significance; or, may be neutral.

Historic England's Note 3 (the Setting of Heritage Assets) is also useful in addressing the setting and states that, 'settings of heritage assets which closely resemble the setting in which the asset was constructed are likely to contribute to significance.'

Being located within the parkland the proposal would have a visual impact on the setting of the registered park and garden as it is located in an area that is currently undisturbed and would be visible from across the park, the west drive, the adjacent road and footpath. In this instance, the proposed development would also fall within the wider setting of Painswick House and its associated lodge.

The experience of arrival is often an important component when considering the impact on the setting of a listed building. The camber of the land is such that on arrival the eye is drawn down from the lodge to the main house rather than to the corner of parkland in which the building would sit. Following the revisions to remove the more strident glazed element, its mix of materials and broken form should allow the building to sit as a standalone feature that would not overpower its surroundings. It is therefore considered that the visitors' centre itself would not harm the sense of arrival to the main house or the setting of the lodge.

Similar to the previous application Historic England have outlined that in addition to the obvious benefit of the visitor centre and facilities to paying visitors to the Rococo Garden, the decision maker should consider the public benefit inherent in the contribution the visitor centre could make to the viability and sustainability of the garden.

As address above, the siting of the proposed replacement visitor centre is restricted by ownership and legal constraints. It is therefore not possible to avoid extending into the parkland and as the applicant and the Garden Trust (GCCLT) have outlined this creates a dilemma and a balance has to be struck. If no incursion into the listed parkland, however minor or mitigated can be contemplated, the outcome would be the refusal of this development proposal. With the constraints there is currently no other viable option and this would leave the Garden with an uncertain future and increase the risk of closure.

Planning policy and guidance sets out the desirability of preserving and enhancing the character and setting of Heritage assets. Building on the parkland would cause a degree of harm, but with the expert input from Historic England, the Garden Trust and our in-house Conservation specialist it is considered that this harm is less than substantial harm. The design and materials of the building has been chosen to reduce its prominence and it is located in a small corner area of the park. Whilst the building and the parked cars will be visible, the design, location and landscaping help reduce and mitigate the impact. This would remain localised and not result in the loss of the wider parkland setting and as the Garden Trust have outlined 'relatively minimal when set against the entirety of the overall parkland'.



## Development Control Committee Schedule 26/11/2019

Key views from within the garden valley below and the impact on the setting of the other Listed buildings like the Red House (Grade II \*) also have to be considered. The Grade II\* Red House in the valley below is situated in a place of solitude, an important component of its setting. The proposed development has the potential to diminish the tranquillity of the place, however, the building is to be set away from the valley's edge, and therefore there should be no intrusion into the solitude of the setting of the Red House.

Being moved away from the boundary of the garden, set into the ground and with the boundary trees and vegetation providing some screening it is considered that the proposed building will not be overly visible from within the garden. It is therefore considered there would be no harm on any of the other nearby listed structures. This also retains the special atmosphere, the character and sense of arrival to the wider Rococo garden itself which is key to protecting this heritage asset.

The proposal is also set away from the principle Listed building of Painswick House and the adjacent stables and coach house. The distance and intervening trees and vegetation are also of help in providing separation.

The associated parking has the potential to be visual intrusion and cause the most harm to the setting of Painswick House and the lodge, as well as having a detrimental impact on the Registered Park and Garden. As the harm would not entail the physical destruction of the identified heritage assets, it would be considered to be less than substantial in terms of the NPPF.

The county archaeologist has checked the application site against the County Historic Environment Record and as there is no archaeology known at this location. He considers there is a low risk that this proposal will have any adverse impacts on archaeological remains. Therefore, no archaeological investigation or recording is required to be undertaken in connection with this scheme.

With the harm identified as being less than substantial, paragraph 196 of the NPPF states that this harm should be weighed against the public benefits of the scheme. The wider public benefits are addressed in the planning balance the specific heritage balance is required here.

The support and continued operation of the Rococo Garden Trust would allow the continued restoration and management of this unique garden and other listed structures onsite. The provision of the proposed visitor centre and facilities would contribute towards this and help facilitate the future viability and sustainability of this highly significant Rococo Garden. It also allows the continued greater public access and enjoyment. Whilst the proposal will cause harm this has been mitigated as far as possible with the design and positioning. It is therefore considered that the benefits of the current proposal outweigh the heritage harm. This conclusion is supported by the Council's specialist Conservation Officer.

### **DESIGN AND APPEARANCE**

The design has set the proposed building into the ground. The 1st floor greenhouse has been removed to maintain a low profile to the building and allows it to follow the slope of the ground. This retains the design principal of working with the existing sloping topography. A farmstead form and vernacular character has been used to have regard to the rural setting of the site.

Historic England is satisfied with the approach to the materials of the revised scheme. These are in keeping and take their lead from the vernacular of other nearby farm buildings. The natural materials, timber and grass roof also help reduce the prominence of the built form with the adjacent field and parkland setting. The glazing and details provide a modern finish to this approach with a nod to the playful character of the Rococo style.



## **Development Control Committee Schedule 26/11/2019**

Historic England had raised concern about the scale of the building. The revised drawings have removed the prominent glazed greenhouse from on top of the proposal which had significantly reduced the prominence and appearance of bulk of the building. The size of the café and terrace has not been reduced but given that this is only slightly larger than the existing provision it is considered acceptable to support the viability of the garden.

The orientation of the building and the large amount of glazing seeks to maximise natural daylight and solar gain as well as connecting visitors with the outside. The temperature is controlled with the use of solar control glazing and the pergola along the outside terrace which seeks to prevent overheating by providing shade. The agent has outlined that the building will have a high level of insulation with the rooflights and glazing also providing natural ventilation. With the sensitive nature of the site and the other benefits of the design no solar panels have been proposed. The scheme outlines that air source heat pumps are also proposed. This is considered appropriate and acceptable.

Concern about the accessibility of the proposed building and the entrance into the garden has been raised in particular by the Painswick Valley Conservation Society. The building and its entrance has been designed to be level and wheelchair suitable to create an inclusive space that is accessible to all. There is a lift within the building which has been designed in accordance with the appropriate standards (Part M etc.).

The pathway down to the garden is however currently shown to include steps. The agent has confirmed that this as currently shown is building regulations Part M compliant, however, they are aware this still creates an issue and there is an opportunity to provide improvements to this access. It is therefore proposed that the detailed design of the access path should be addressed further with details submitted for approval as part of the landscape conditions. This would allow more time and detailed design consideration to make the necessary improvements.

### **NOISE AND RESIDENTIAL AMENITY**

The proposed building is located outside of the residential area of Painswick. This both reduces the number of adjacent neighbours but also provides a quieter setting.

The nearest residential properties are located to the south, being Painswick House and The Stables. These are located closer to the existing operations of the Garden at the Coach house where visitors to the garden are immediately adjacent to The Stables and walk through part of the garden to access the public garden space. The increased distance and space will improve this relationship and reduce the potential for disturbance.

There are other nearby properties at the Lodge and the Hill Farm group as well as properties in the village and further along Holcombe Lane are noted but set further away.

The proposed visitor centre includes a shop and enlarged café with an outside terrace for guests to use. Phase 2 also includes a function room. These facilities are to a degree already available and used on site if in a more rustic fashion making use of existing buildings, the coach house and an unsightly modern conservatory on site. The proposal will however allow greater use including the function area to better cater for groups, activities and also events like weddings.

A noise assessment of the proposed visitor centre has been submitted. This includes an assessment of the noise from the café, shop, equipment and increased traffic noise including at the end of evening functions. The function space and control of the use of the terrace after 21.00, with closure of the doors when amplified music is played have all been proposed and our Environmental Protection



## Development Control Committee Schedule 26/11/2019

Manager is satisfied that noise levels can be appropriately controlled. It is considered that during the day the café terrace will not generate such levels of noise to significantly adversely affect the residential amenity of the neighbours. The building plant and services can also be controlled via condition.

The noise assessment recommends appropriate noise levels to be no greater than the minimum typical background level. Conversational noise on the terrace is also at or lower than the background level, however, 5dB above would also only have a limited adverse impact. Environmental Health have recommended conditions on the noise levels and for these to be validated with noise reports being submitted to make sure noise from the scheme is restricted and managed in accordance with the outlines levels. A draft noise management plan has been submitted but further details are required and can be agreed via condition. As mentioned above this would retain control over the number of events and include for example the management of cars leaving the car park, closing the doors when amplified music is being played and use of the café terrace during the day time only. The building itself is set into the bank providing screening effect to the North. The function room terrace will also be enclosed with the insulation standard of the building limiting noise from within.

Traffic noise does have the potential to affect local residents with Painswick Lodge, located on the access drive, potentially being the greatest affected. After evening events the background noise levels will also be lower. However, any disturbance will be for short periods and on limited occasions. This can also be mitigated by staff supervision as part of the Noise Management Plan. Therefore, whilst there will be an affect this is not considered to be unacceptable.

As with all development some noise and disturbance will occur during the construction phases. With the nature of the use of the garden, the quality of the space and an understanding of the setting, the applicant will also be sensitive to construction noise. It is therefore considered this will add greater consideration and pressure on the contractors during the building phases, to the benefit of all. Appropriate controls will however still be required via condition including a construction method statement.

The garden already operates as a public garden with visitors and events and this existing disturbance has to be appreciated.

With the expert input of the Environmental Protection Manager, Officers are satisfied that the scheme with the mitigation outlined and controlled, will not cause such significant increase in noise or disturbance to warrant a refusal.

### **HIGHWAYS**

The site is located to the North of Painswick taking its access from the B4073 Gloucester Road. This section of road is straight with a 50mph speed limit at the access point. The 30 mph limit is located a short distance towards the village.

The site access uses the existing access junction and internal drive which are currently used by the existing garden traffic and the adjacent residential properties. The reconfiguration of the car park will provide a single point of access from the drive and define the private residential driveways.

The county highway officer has not raised any specific highway safety concerns regarding the nearby network. However, local residents have highlighted the restricted visibility and high vehicle speeds along the main road and Holecombe Lane.



## Development Control Committee Schedule 26/11/2019

The proposal involves a new visitor centre building with a gross floor area of 1,100 sqm. The main attraction of the Rococo Garden remains unaltered and the applicant's highway consultant has considered the existing use to provide a baseline for calculating the required parking provision. The snowdrops in February provide an abnormally high level of visitors with the overflow provision being provided. The normal peaks in demand have therefore been used to calculate the parking provision required.

The Garden as a charity is looking to generate income from visitors to support the ongoing work that they do. The proposed visitor centre has been designed to accommodate 50,000 visitors per year. This is only a slight increase on current numbers (approx. 47,000 in 2018) which the applicant is struggling to support with the restricted amenities and limitation of the existing Coach House and orangery. The proposal will replace the existing facilities and whilst an improved facility, the additional floor space is not going to result in a significant increase in trip generation. GCC Highways are satisfied with the trip generation, access and parking provision.

119 car parking spaces have been provided along with 8 disable spaces and coach provision. The reconfiguration seeks to make better use of the current car park and limit the extent to which the car park needs to extend into the parkland. The scheme also regularises the use of some of this area as car parking. The provision of some electric vehicle charging including an implementation timetable can also be required and agreed via condition.

There is no specific standard for cycle parking for this type of use. Therefore, the 6 proposed cycle spaces located near to the entrance is based on the operation experience of the Garden. This is considered acceptable and could easily be increased in the future if demand increases.

As buses may also bring organised trips and visitors to the garden, tracking has been submitted to demonstrate an appropriate and useable layout for this sized vehicle has been proposed. These similarly allows refuse and recycling vehicles to also access and navigate around the site.

To mitigate any conflict between different types of users and make best use of the space to avoid impacting on local residents and the surrounding network a parking management plan can also be required via condition.

It is therefore considered that the proposal will not cause a significant or severe impact on highway safety and makes available alternative modes of transport.

### **LANDSCAPE IMPACT**

The impact on the parkland setting is addressed above as part of the heritage assessment. The site is however also located within the wider landscape and within the Cotswold Area of Outstanding Natural Beauty where great weight should be given to conserving and enhancing landscape and scenic beauty.

The design and finished materials of the building along with it being set into the ground help limit the impact on the wider setting. The topography and the adjacent trees and woodland also limit views of the site from the wider countryside.

The car park surface will not be overly intrusive and will be similar to the existing car park. However, the vehicles glinting in the sunshine does have a greater potential to cause harm. These vehicles are temporary and transient and are a consequence rather than controllable development themselves. However, the scheme does seek to mitigate the impact by keeping as much as possible of the parking within the existing car park area and in the least prominent position within the parkland. Given the



## Development Control Committee Schedule 26/11/2019

parkland setting, a heavy planting belt would also not be appropriate to the open character, however, a hedge line to help screen and soften the majority of the vehicles is proposed.

The Cotswold Conservation Board have not raised objection.

The positive impacts, tourism, social and economic to the surrounding area and the wider Cotswolds AONB also have to be appreciated and are noted elsewhere in the report.

The need onsite to support the Rococo Garden demonstrates that there is a clear public interest and that this could not be achieved on alternative sites outside the AONB.

Given the above it is therefore considered that the proposed scheme with the mitigation and landscaping will not cause significant adverse effects on the quality and character of the surrounding landscape.

### **ECOLOGY**

The application has been supported by a Preliminary Ecological Appraisal from June 2012 when the previous visitor centre was approved. An addendum and update has also been submitted with a re-survey in November 2018. The habitat and conditions on site have not significantly changed since the previous survey.

The habitat on the site of the development is generally of a low ecological value being mainly made up of poor semi-improved grassland. The trees and hedging are the greatest features of value. Similarly, the area of the development site is of low to moderate value for foraging of bats however the wider area including the woodland areas have greater potential. Appropriate mitigation including designing the lighting so that it does not adversely affect bats within the site and adjacent areas is required.

Appropriate methods have also been proposed within the ecological report to avoid and mitigate harm on reptiles, amphibians and birds. The scheme also includes wildlife enhancements, native planting within the landscaping and bird and bat boxes. These can be required to be implemented during the work via condition.

As outlined elsewhere the site is located within the parkland which includes important trees (some with TPOs). An Arboricultural Assessment & Method Statement has been submitted to assess the impact on the trees. Whilst some of the minor trees including the self-seeded sapling will be removed, the scheme does not result in the loss of any of the significant protected or higher quality trees. These will be retained and protected as part of the scheme with particular focus on the large London Plane which is a key feature of this part of the parkland.

The method statement includes tree protection measures and protective fencing. The Council's Senior Arboriculture Officer is satisfied with the submitted scheme and that the tree protection measures can be controlled and implemented via appropriate conditions.

### **DRAINAGE & FLOOD RISK**

The site is not located within an area identified as being considered to be affected by flooding from the seas or rivers (Flood Zone 1). It is an area of free drainage soils so is also not overly at risk of flooding from surface water runoff.

The proposed drainage scheme seeks to use soakaways within the car park area to deal with the water from the development. To avoid the introduction of high flows of surface water, the proposed soakaway system includes a reduced permeability membrane to reduce the outflow of the water with the strategy designed to deal with a 1 in 100 year plus 40% for climate change, with a 6-hour event.



## Development Control Committee Schedule 26/11/2019

GCC as the Local Lead Flood Authority are satisfied that the technical information supplied in the submitted drainage strategy will be effective.

A new package treatment plant is proposed for the foul drainage.

The submitted drainage details are considered to be acceptable with implementation of these being controlled via condition. The applicant will be responsible for the on-going maintenance.

### **PLANNING BALANCE & CONCLUSION**

As addressed above the proposed site is the only viable option currently available. It is not for the planning authority to get involved in civil matters between landowners regarding the sale or lifting of covenants. A determination has to be made on the proposal submitted on the current available information.

The proposals do cause harm to the registered parkland but this has been mitigated and reduced by the design and landscaping. The position is in the least intrusive available. This less than substantial harm has been weighted against the public benefits of the scheme with both the benefits to visitors and the continuation, protection and sustainable management of the Rococo Garden outweighing the harm to this small part of the parkland. The proposed development has the potential to diminish the tranquillity and affect the setting of the Grade II\* Red House in the valley below, however, the proposed building is to be set away from the valley's edge, therefore there should be no intrusion into the solitude of the setting of the Red House. There would be no harm on any of the other nearby listed structures.

The associated parking would still be a visual intrusion with the potential to cause most harm to the setting of Painswick House and the lodge, as well as having a detrimental impact on the Registered Park and Garden. Because the harm would not entail the physical destruction of the identified heritage assets, it would be considered to be less than substantial. Again this harm has to be balanced against any public benefits that the development would bring. It is considered that the provision of the visitor centre and facilities would contribute to the future viability and sustainability of the highly significant Rococo Garden, therefore, on balance, the scheme is deemed to be acceptable in spite of the identified harm.

The scheme also seeks to mitigate the impact of noise and disturbance to local residents. The wider landscape impact is also mitigated.

The wider benefits of the garden are also relevant to the planning balance as the improved facilities will protect and allow public access to continue. The scheme will enhance and allow better public access to experience and better reveal the significance of the Rococo Garden. The garden provides employment and economic benefit to the wider tourism industry being an important attraction in the wider area. Whilst it is hard to quantify the garden also has a positive effect on the identity of Painswick, the district and the wider Cotswolds.

The garden also has significant well-being and social benefits to the community. The applicant has outlined the large number of volunteers, training and apprenticeships and well as community groups that use the garden. The new facility will allow these educational and social uses to continue and develop.

Whilst the proposal will cause some harm this has been mitigated and controlled as much as possible. It is therefore considered that the overall benefits of the scheme including the sustainable future of the garden are such that they outweigh the harm.



## Development Control Committee Schedule 26/11/2019

### RECOMMENDATION

Given the above, it is recommended that the permission should be granted subject to the outlined conditions.

### HUMAN RIGHTS

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

#### Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

#### Site Location Plan of 14/03/2019

Plan number = 5698-P-01

#### Site Plan Proposed of 14/10/2019

Plan number = 5698-P-10    Version number = Rev E

Plan number = 5698-P-11    Version number = Rev B

Plan number = 5698-P-12    Version number = Rev B

#### Proposed floor plan of 14/10/2019

Plan number = 5698-P-20    Version number = Rev A

Plan number = 5698-P-21    Version number = Rev A

Plan number = 5698-P-22    Version number = Rev A

Plan number = 5698-P-23    Version number = Rev B

Plan number = 5698-P-24    Version number = Rev B

Plan number = 5698-P-25    Version number = Rev A

Plan number = 5698-P-27    Version number = Rev A

#### Section of 14/10/2019

Plan number = 5698-P-600    Version number = Rev A

#### Proposed Elevations of 14/10/2019

Plan number = 5698-P-700    Version number = Rev A

Plan number = 5698-P-701    Version number = Rev B

Plan number = 5698-P-702    Version number = Rev B

Plan number = 5698-P-703    Version number = Rev A

Plan number = 5698-P-704    Version number = Rev B



## Development Control Committee Schedule 26/11/2019

Reason:

To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.

3. The development hereby approved shall only be used in connection with the Painswick Rococo Garden Trust (the applicant) and associated uses like events, weddings and groups run or facilitated by the Painswick Rococo Garden Trust.

Reason:

To retain control of the use of the development which has been considered and approved to meet a specifically need and benefit which other unconnected use may not have, in accordance with Policies CP15 and ES10 of the adopted Stroud District Local Plan, November 2015 and paragraphs 196 & 200 of the National Planning Policy Framework, Feb 2019.

4. Within 3 months of the first use of the proposed replacement visitor centre by paying members of the public or an alternative timetable first submitted to and approved by the Local Planning Authority, the applicant shall cease using the existing shop and cafe at the Coach House for paying visitors and members of the public.

Reason:

To retain control over the size and scale of the development to mitigate the impact on the local residents, the character of the area and provide sufficient access and parking in accordance with Policies CP15, ES10 and ES12 of the adopted Stroud District Local Plan, November 2015 and paragraphs 109, 196 & 200 of the National Planning Policy Framework, Feb 2019.

5. The proposed permanent retail element of the development hereby approved shall not exceed 100 sq m of total net retail sales area.

Reason:

To retain control over the retail element of the scheme so that it remains an ancillary element and does not generate additional visitor numbers and traffic movements to the detriment of highway safety in accordance with Policies CP12, CP13, and ES3 of the adopted Stroud District Local Plan, November 2015.

6. Prior to the commencement of any above ground works hereby approved, details including samples of the precise materials used in the construction of the external surfaces of the development including the finishes and colours shall be submitted to and approved by the Local Planning Authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details and retained in perpetuity.



## Development Control Committee Schedule 26/11/2019

Reason:

To enable the Local Planning Authority to ensure the satisfactory appearance of the development in accordance with Policies CP14, ES3, ES7 and ES10 of the adopted Stroud District Local Plan, November 2015.

7. No development shall take place until details of the existing ground levels, proposed finished floor levels of the building (all phases), and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development have been submitted to and approved by the Local Planning Authority. Such details shall also provide comparative levels of any adjacent relevant features to demonstrate the comparable heights. The development shall be carried out in accordance with the details as approved.

Reason:

In the interests of the amenities and setting of the surrounding area and heritage assets and to ensure the satisfactory appearance of the development, in accordance with Policies CP14, ES3, ES7 and ES10 of the adopted Stroud District Local Plan, November 2015 and the provisions of the National Planning Policy Framework.

8. Prior to commencement of development hereby approved, a landscape scheme for the site shall be submitted to and approved by the Local Planning Authority. The landscaping scheme shall address the 2 proposed phases and include details of hard landscaping plans, revised and improved accessibility details of the access path between the visitor centre and the garden entrance, boundary treatment, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant size and proposed numbers/densities. The submitted details include species must reflect the historic parkland setting.

Reason:

To preserve trees and hedges on the site and provide appropriate landscaping in the interests of visual amenity, biodiversity and the character of the area and the setting of the nearby heritage assets in accordance with Policies CP14, CP15, ES6, ES7, ES8 and ES10 of the adopted Stroud District Local Plan, November 2015 and with guidance in revised National Planning Policy Framework paragraphs 15, 170 (b) & (d) & 175 (c) & (d) 192 and 200.

9. All hard and soft landscape and boundary works shall be completed in full accordance with the approved scheme, within the first planting season following completion of that phase of the development hereby approved, or in accordance with an alternative implementation programme which has been submitted to and approved by the Local Planning Authority.



## Development Control Committee Schedule 26/11/2019

Reason:

To preserve trees and hedges on the site and provide appropriate landscaping in the interests of visual amenity, biodiversity and the character of the area and the setting of the nearby heritage assets in accordance with Policies CP14, CP15, ES6, ES7, ES8 and ES10 of the adopted Stroud District Local Plan, November 2015 and with guidance in revised National Planning Policy Framework paragraphs 15, 170 (b) & (d) & 175 (c) & (d) 192 and 200.

10. The development hereby permitted shall be carried out in accordance with the recommendations of the submitted Arboricultural Survey & Impact Assessment (Focus ecology Ltd Ref: 1483 Rev 2), the tree protection plan (Drg No. 1483 Rev B) and the Site Plan 5698-P-10 Rev E or an alternative tree protection scheme which has first been submitted to and approved by the Local Planning Authority. The approved root protective fencing/ground protection must be installed/ erected prior to the ground works starting on the land and retained during the construction phase.

Reason:

To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Policy ES8 of the adopted Stroud District Local Plan, 2015 and with guidance in revised National Planning Policy Framework paragraphs 15, 170( b) & 175 (c) & (d).

11. The development hereby permitted shall be carried out in accordance with the recommendations contained in the submitted Ecological Appraisal, Tyler Grange, June 2012, the Updated Ecological Appraisal Focus Ecology Ltd, November 2018 and the Bird and Bat Locations, Focus Ecology Ltd, April 2019 or an alternative Ecological mitigation and enhancement strategy which has first been submitted to and approved by the Local Planning Authority.  
Prior to first occupation of the development written confirmation by a suitably qualified/experienced ecologist shall be submitted to and approved by the Local Planning Authority confirming that the recommendations made have been implemented in accordance with the above approved reports/strategy.

Reason:

To protect and enhance the site for biodiversity in accordance with Policy ES6 of the adopted Stroud District Local Plan 2015, paragraph 174 of the National Planning Policy Framework and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

12. No lighting shall be erected on site until a lighting design strategy has been submitted to and approved by the Local Planning Authority. The strategy shall:
- identify the areas/features on site that are particularly sensitive for foraging bats;
  - show how and where external lighting will be installed (through the



## Development Control Committee Schedule 26/11/2019

provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.  
c) limit the wider light pollution by keeping lighting to a minimum and consider timers and other mitigation methods.  
All external lighting shall be installed and maintained in accordance with the specifications and locations set out in the approved strategy.

**Reason:**

To protect the local amenity, the surrounding dark landscape character and nature conservation including to maintain dark corridors for nocturnal wildlife in accordance with Policies ES6 and ES7 of the adopted Stroud District Local Plan, 2015, paragraph 180 of the National Planning Policy Framework and the Cotswolds Conservation Board Dark Skies & Artificial Light Position Statement (Adopted March 2019).

13. Prior to the first occupation of the building hereby approved, the vehicle and cycle parking and turning facilities shall be provided in accordance with the approved details and shall be maintained available thereafter.

**Reason:**

To ensure adequate parking is available to reduce impact on the local highway network and encourage more sustainable modes of transport in accordance with Policies CP13, CP14, CP15, EI12 and ES3 of the adopted Stroud District Local Plan, 2015 and paragraphs 108 and 110 of the National Planning Policy Framework, Feb 2019.

14. Prior to the first occupation of the building hereby approved, a Parking Management Plan shall be submitted to and approved by the Local Planning Authority. The Parking Management Plan shall describe how car parking will be provided and managed including use by coaches, cycles and disable parking and during day time and evening events. It shall also outline the proposed method/details of the promotion of more sustainable modes eg car sharing, public transport, cycling and walking. The Parking Management Plan shall thereafter be implemented as approved.

**Reason:**

To ensure suitable arrangements for parking are managed and retained as part of the development to reduce impact on the local highway network and encourage more sustainable modes of transport in accordance with Policies CP13, CP14, CP15, EI12 and ES3 of the adopted Stroud District Local Plan, 2015 and paragraphs 108 and 110 of the National Planning Policy Framework, Feb 2019.

15. Prior to the first occupation of the building hereby approved, a scheme for electric/low emission vehicle charging shall be submitted to and approved by the Local Planning Authority. The charging scheme shall provide a minimum of 2 vehicle charging points and include a timetable for implementation. The charging scheme shall then be implemented in accordance with the approved details.



## Development Control Committee Schedule 26/11/2019

Reason:

To ensure the development incorporates facilities for charging plug-in vehicles and so more sustainable forms of transport can be taken up in accordance with Policies CP13, CP14, CP15, EI12 and ES1 of the adopted Stroud District Local Plan, 2015 and paragraphs 108 and 110 of the National Planning Policy Framework, Feb 2019.

16. No development shall take place until a Construction Method Statement has been submitted to and approved by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
- i. specify the type and number of vehicles;
  - ii. provide for the parking of vehicles of site operatives and visitors;
  - iii. provide for the loading and unloading of plant and materials;
  - iv. provide for the storage of plant and materials used in constructing the development;
  - v. provide for wheel washing facilities;
  - vi. specify the intended hours of construction operations;
  - vii. measures to control the emission of dust and dirt during construction;

Reason:

To reduce the potential impact on the public highway, accommodate the efficient delivery of goods and supplies and to protect the residential amenity of the residents of surrounding residential properties in accordance with Policies CP13, CP14, ES2 and ES3 of the adopted Stroud District Local Plan, November 2015 and paragraphs 108-111 of the Revised National Planning Policy Framework.

17. The cumulative noise from any new building services plant shall be designed to limit the noise level at the façade of any residential property to the values shown below. The noise levels should be calculated in accordance with the methodology set out in BS4142:2014 + A1:2019 (or subsequently amended): -

Operating Hours	Maximum Acceptable Rating Level
-----------------	---------------------------------

07:00 – 23:00	20 dB(A) LAeq,1 hour
---------------	----------------------

23:00 – 07:00	15 dB(A) LAeq,15 mins
---------------	-----------------------

Prior to the first use of each phase of the development, a validation noise survey shall be conducted by a competent acoustic assessor and a consequent report shall be submitted to the Local Planning Authority for approval to demonstrate that the standards required have been achieved. The plant shall then have been maintained thereafter to not exceed the above values.

Reason:

To protect the amenity of the surrounding area and that of nearby residents in accordance with Policies CP14 and ES3 of the adopted Stroud District Local Plan, 2015.



## Development Control Committee Schedule 26/11/2019

18. Prior to first use of each phase of the development, a Noise Management Plan shall be submitted to and approved by the Local Planning Authority. The Noise Management Plans shall outline the methods to restrict noise from events including within the Function Room and Terrace to assure compliance with the standards set out in Tables 10 and 11 of the submitted Noise Impact Assessment (Report ref: M4474 – v.1 Draft for Discussion); and management of vehicles leaving evening events in order to minimise the impact of traffic noise on local residents including occupiers of Painswick Lodge. The Noise Management Plan shall then be implemented in accordance with the approved details.

Reason:

To protect the amenity of the surrounding area and that of nearby residents in accordance with Policies CP14 and ES3 of the adopted Stroud District Local Plan, 2015.

19. Prior to first use of the development, the surface water and foul drainage strategy outlined in the submitted report (Davison Walsh Ref: 18051 including Appendix B Drg No. 03 Rev B and 4 Rev B received on 14th March 2019) or an alternative scheme which has first been submitted to and approved by the Local Planning Authority, shall be implemented in accordance with the approved details and appropriately maintained thereafter.

Reason:

To ensure the implementation and continued operation and maintenance of drainage features serving the site and to avoid flooding in accordance with Policy ES4 of the adopted Stroud District Local Plan, November 2015.

Informatives:

1. With the important trees on site it is recommended that prior to work commencing on the land a pre-start meeting should take place with the main contractor and the local planning authority tree officer.