



# STROUD DISTRICT COUNCIL

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## DEVELOPMENT CONTROL COMMITTEE

18 December 2019

6.00 pm – 9.50 pm

Council Chamber, Ebley Mill, Stroud

# 3

### Minutes

#### Membership

Councillor Martin Baxendale (Chair)	P	Councillor John Marjoram	P
Councillor Miranda Clifton (Vice-Chair)	P	Councillor Jenny Miles	P
Councillor Dorcas Binns	P	Councillor Sue Reed	P
Councillor Nigel Cooper	P	Councillor Mark Reeves	A
Councillor Haydn Jones	P	Councillor Jessica Tomblin	P
Councillor Steve Lydon	P	Councillor Tom Williams	P

P = Present    A = Absent

#### Other Member(s) in Attendance

Councillors Cornell, Davies, Jones and Kay.

#### Officers in Attendance

Head of Development Management  
 Development Team Manager  
 Majors and Environment Team Manager  
 Chief Executive

Solicitor & Deputy Monitoring Officer  
 Democratic Services & Elections Officer  
 Interim Head of Legal Services &  
 Monitoring Officer

#### Others in Attendance

Chris Mead, Gloucestershire County Council Highways Representative  
 Nigel Mann, WYG (Noise Consultant)

The Chair and Committee Members paid tribute to Holly Simkiss, the Council's Development Team Manager who was leaving after 12 years.

#### DC.038      APOLOGIES

An apology for absence was received from Councillor Reeves. Councillor Marjoram arrived late due to unforeseen circumstances. Agenda Item DC.040 was already part way through; he therefore did not take part in the meeting because this was the only application on the agenda.

#### DC.039      DECLARATIONS OF INTEREST

There were none.

The Chair stated that in accordance with the resolution passed at the last Committee meeting the time slots for public speaking had changed and he confirmed the procedure (speakers had been advised of the procedure prior to the meeting).

**DC.040**      **LAND AT M5 JUNCTION 13 WEST OF STONEHOUSE, EASTINGTON, GLOS (S.19/1418/OUT)**

The Majors and Environment Team Manager confirmed that the outline application was a resubmission from the one considered by Committee in June. It sought to address various issues that had been raised, namely:-

- A change of one grass pitch to an all-weather pitch with access to local clubs and a community use agreement was offered.
- Revised and enhanced indicative landscaping strategy and landscape master plan with more details regarding the approach to the landscaping including car parking areas and how the scheme related to Grove Lane.
- An impact study had been carried out and submitted of Nailsworth Town.
- Match day transport provision had been increased.
- The Stadium design would now be included in a Section 106 Agreement.
- There had been additional noise clarification.

Photographs showing the design of the Stadium and site were displayed. A Section 106 Agreement would tie in the design. The sustainability of the building was an important element. Conditions had been attached to the outline application to add reassurances.

The outlined application was a departure from the Council's Local Plan because it was outside of the settlement boundary. The landscape strategy included zoning of the car park and landscaping which softened its appearance. A photograph was displayed showing the land as it is now and also once the Stadium had been built.

Noise was a consideration from the Stadium to the residents of William Morris House and other nearby residential properties. A Noise Consultant had been engaged and conditions recommended for construction and on-going operation.

The main access to the site remained along the A419, with secondary access onto Grove Lane. There was a Travel Plan which would encourage pedestrians and the use of bicycles. The pedestrian access had been improved and there would be 100 spaces provided for bicycles. On match days buses would be provided in Nailsworth, Stroud and Stonehouse. For a trial period transportation would also be provided from Cam/Dursley station. Electric charging points would also be installed. The Car Parking Strategy had been enhanced giving greater flexibility. If there were parking in nearby streets action could be taken through the strategy which could adapt and change with time if needed.

There would be an impact on Nailsworth, but this is limited and there is a net gain overall to the District.

A plan showing the heights of the incinerator and Stadium was displayed for comparison.

The ecology of the site had remained unchanged.

The Secretary of State has been asked to consider a call-in request after tonight's meeting.

The Stadium was of a high quality design, it would provide the football club with training facilities. There would be economic growth and it would create jobs.

The following updates were provided to:-

Condition 13 - The applicant had requested that the opening time was amended. The Environmental Health Officer and County Highways were happy to amend the start time from 8.00 am to 7.00 am.

Condition 48 - A change to the wording on the noise condition by deleting the words "sensitive internal spaces" to "within internal teaching and living spaces of William Morris House".

The Chair confirmed that Ward Members for Severn and Nailsworth had been invited to speak. Councillor Reed confirmed that she would speak in debate rather than in the ward member slot (as Ward Member for Nailsworth).

### Ward Members

Councillor John Jones had represented the Severn Ward since 2002 and outlined the following points for Committee to consider before making their decision:-

- There were few differences from this outline application and the previous one.
- An offer had been made for the community to use an all weather pitch.
- There was insufficient benefit to the surrounding communities.
- The outline application was contrary to the Council's adopted Local Plan 2015 and the Eastington Development Plan 2016 and outside of the defined settlement boundary. Other applications have been refused on these grounds.
- The Stadium, if allowed would be detrimental to the landscape of the Severn Vale and a massive intrusion into the countryside.
- The draft Local Plan is currently out for consultation and this site may not end up being an allocated site.
- The outline application was contrary to Local Plan policies CP.14, CP.15, EI.11, ES.7, ES.10 and EP.1 and EP.4 of the Eastington Neighbourhood Development Plan.

Councillor Davies stated that nothing much had changed and that he supported Councillor John Jones' comments. He had concerns regarding how the applicant would work with William Morris House. The seating capacity at the Stadium could expand to 10,000 or 20,000. Improvements to the A419 had been carried out for the Great Oldbury development. He questioned why should Committee allow this outline application. If Committee decide to approve the outline application, he asked if there would be adequate conditions attached to the application for noise and parking.

Councillor Kay drew Committee's attention to pages 262-267 of the Officer's report. He was extremely concerned about the loss of income for the traders in Nailsworth during the football season. He also cautioned Committee of the promises that had been made in the application, and suggested that these be tied down. He also questioned the economic benefits, drawing attention to the harm it will cause to Nailsworth.

## Parish Council Representatives

Karen Hayes, spoke on behalf of Eastington Parish Council who objected to the outline application for a Stadium because it is in the wrong place for Stroud as a whole to benefit. The location was unsustainable and would actively encourage private car usage due to the proximity of the M5 motorway. She questioned whether the football club had looked hard enough for another site. Weight needed to be given to the level of harm. If given permission this would only benefit the football club. She urged Committee to refuse the application and await the Inspector's decision on appeal.

David Paynter represented Whitminster Parish Council who endorsed the comments that had been already been made. He stated that there were more negative points than positive. The current football Stadium had a capacity to hold 5,000 fans, with an average gate of 1,700. If built, supporters would spill out into local streets and into local villages, not large towns. There would be more traffic from both home and away supporters. We have global warming and destruction of the world's rain forests. He stated that he had spoken to William Morris House and they have not been offered any help from the applicant. Reference was made to the sound map and the increase of noise on match days and the distress this may cause to people who are noise sensitive. The architectural design was eye catching but if granted would be a loss of a site and bring problems to the local community. In 45 years time the Stadium could only be a quarter full and the green landscape would have gone.

At 6.55 pm the meeting adjourned and reconvened at 7.05 pm.

Jonathan Duckworth, Mayor of Nailsworth Town Council stated that he had been a Forest Green Rovers supporter for 19 years. The club had been established for 130 years and had helped put Nailsworth on the map and was hugely proud of what the club had achieved. There are predictions and assumptions regarding data within the Officer's report. By moving the club it will cause loss of business within the Town. On match days there was parking congestion. Why not create an exemplar existing Sports Stadium instead of taking the easy way out by building a new Stadium.

## Opposing

Edwin Davies represented 'Keep Eastington Rural' highlighted the close proximity of the proposed Stadium to William Morris House which was the home for people with learning difficulties, autism and other disabilities. The residents are very sensitive to sudden noises eg when a goal is scored. William Morris House is over 200 years old. The current Stadium could still be used and the site at Junction 13 could be used as a training facility and for parking.

David Croft from the Campaign to Protect Rural England (CPRE) stated that the outline application was in too much conflict with the Local Plan, therefore, the previous decision should be upheld and the outline application refused.

Graham Barton a Trustee of William Morris College acknowledged that there had been a few changes to the original outline application, e.g. a change to the surface of the car park and the addition of an artificial pitch for community use. There was no change to the affects on private businesses. The health and wellbeing of the students was of great importance and had been played down. If the outline application was granted then noise must be dealt with.

Support

Dale Vince, on behalf of the Applicant, confirmed that there was a need for Forest Green Rovers to move. Their current site was not capable of supporting the needs of the club; they do not have enough electrical power and have had to bring in a water tanker on large match days. The club had been looking for a new site for over 3 years. The design of the Stadium was from a world class Architect. The site would have 500 trees and hedgerows planted and there would be a wetland area by the canal.

The following changes to the application had been made:-

- The design of the Stadium would be included in a Section 106 Agreement.
- One all weather football pitch would be available for the sole use of the community.
- There would be an academy for youths between the ages of 8-16.
- Buses would leave from Stroud, Stonehouse and Nailsworth to the Stadium. A trial service would also run from Cam/Dursley station.
- By the time the Stadium was built there would be more electric buses.
- There would not be a sea of concrete.
- Gloucestershire County Council had changed their view on the number of car parking spaces.
- A survey had been commissioned on the economic development of Nailsworth.

Residents at William Morris House had in the past done work experience with the club. He disputed the suggestion that Forest Green Rovers reneged on previous Section 106 Agreement requirements regarding the Multi-Use Games Area (MUGA). They had provided the land but the Town Council had not progressed it.

Jim Heverin, Architect understood the concerns that had been raised. He stated that this would be a sustainable development on a greenfield site. Consideration needed to be given to the wider public benefits. The proposal was the most sustainable Stadium being built by a private individual and was a landmark development using low carbon timber from renewable sources. The Stadium would be used for matches 30 days a year, set in parkland, with increased public access.

The Chair suggested that it may help the flow of the meeting if Members dealt with questions to Officers by the topics, the replies are below:-

Policy - Local Plan/NDP

Eastington Parish Council had asked the Secretary of State to consider calling in the application if Committee make a resolution to approve the outline application.

The Local Plan Review Draft Plan was currently out for consultation and did not carry any significant weight. The basis of the Officer's recommendation was on a balanced view on each of the issues.

Nailsworth Economic Impact

Approximately 80 houses could be built on the current Forest Green Rovers site although that did not form part of this application. The Economic Study was made up of data from the Fan Survey, business register, employment study, Stroud District Council, Nailsworth Town Centre and retail studies. There were a range of sources to assess the impact. The scheme does provide a transport shuttle link bus from Nailsworth to the new site.

## Noise/Neighbour Amenities

The Noise Consultant confirmed that a variety of measures could be put in place to deal with noise but these were for the applicant to submit for approval rather than detail now. There would be a 10-15db reduction on match days. Members asked about options, and the Noise Consultant suggested that barriers could be put on the site. The applicant could enter into negotiations with William Morris House; it would be up to the applicant to find a solution to contain the noise in accordance with the condition.

The BS823 standard is 45db which is appropriate for a special needs school, for day and night. It was conditioned to 40db, 5db lower than the standard. The guidance, relates to the designing of schools and the Noise Consultant was confident the condition was set at the right level. This was the only guidance available.

Noise levels emanating into the surrounding area had been assessed. Reasonable steps had been taken to meet the required noise levels. Cheering noises would be limited to key moments eg when scoring a goal.

The level of noise expected would be 60db; the same as a HGV lorry passing on the road.

The mitigation method had not been submitted but there was the possibility of a barrier being erected close to the Stadium parking or close to the school. The bund would need to be 3-4m in height. A map showing the anticipated noise levels was displayed. There would be ancillary noise from vehicles and a control on the hours of use of the Stadium to avoid sleep disturbance.

Clarification was given that in accordance with the Council's Constitution, an application to discharge a condition may not be referred back to the Committee if it concerned a matter of technical appraisal. It was likely the discharge of the noise related conditions would be brought back to Committee.

The Head of Development Management stated possible physical options e.g. design of the building or other physical development in grounds are reserved matters and could come back to Committee.

The times on Condition 13 were queried; it was confirmed these should be from 7.00 am - 1.00 am and 9.00 am – 11.00 pm. There are the hours that the Stadium would be open to the public. The hours of 7.00 am – 1.00 pm, Monday – Saturday would be for ancillary use within the Stadium. It was pointed out that in certain competitions a match may go into extra time, e.g. the Champions League and it was confirmed Condition 13 did allow for some discretion.

Regarding the teaching spaces and living spaces (including bedrooms), of William Morris House, the noise levels should be no more than 35db between 7.00 am – 11.00 pm. The teaching space is located on the south/west side of the school. External areas from the north-east side had also been looked at.

Noise levels that would affect the residents in Great Oldbury would be a similar level to the noise from a HGV moving along Westend, but a different type of noise. A map was displayed onto the screen showing the anticipated noise levels. The 50-55db band in blue would be the anticipated noise level for the back gardens at Great Oldbury.

### Community Use/Access

The football club have an ambassadors scheme, promoted healthy eating, gave eco tours of the existing Stadium and were also involved in other community based activities other than football. There was a condition, and the Legal Agreement would control community access to the all-weather pitch.

### Highways

The management of parking spaces has been revised with a more reactive flexible approach to encourage the use of buses. The car parking would be broken up into zones with more trees to give a softer appearance.

The GCC Highways consultant explained the assumptions that had been made. If a lot of car parking space was provided this would not encourage other modes of transport, e.g. walking, bicycles, use of buses. The number of car parking spaces would be set within the Car Parking Strategy when submitted and reviewed at the end of each season.

Two different assessments had been carried out for home and away fans. Both home and away travel was accounted for within the travel plan. The football club would encourage alternative modes of travel, as contained within the Car Parking Strategy and Travel Plan.

The GCC Highways Consultant did not want cars parked on local roads and local residents to suffer and the Car Parking Strategy would be flexible in conjunction with other travel strategies to help achieve this.

### Landscaping

There was a bund proposed at Grove Lane, this would blend into the landscape, with careful planting of trees on top with a double hedge line. The Landscape Strategy gave an indication of what was expected. The details would be contained within the reserved matters at a later stage.

It was appreciated that the residents at Grove Lane currently enjoyed looking out into an open space/fields. Condition 20 related to the bund and its planting of the trees. There were also various ecology conditions. As much planting would be undertaken as soon as possible.

Two photographs were displayed and taken from Eastington where the top of the motorway was shown, and also the A419.

### Heritage

The improvements to the setting of Grove Farm were explained giving a positive balance in that area.

### Design

The design would be very sustainable but there must be energy used to mould the wood and steel cables, concrete footings and non-renewables going into it. The embodied carbon per seat would be 150 with SUDS, energy biomass boiler and solar panels outlined. This would be less than other football stadiums e.g. Wembley – 600

per seat; Aviva - 290 per seat. The solar panels would be integrated into street lamps and placed in less prominent locations on the site and fully integrated into the design.

### Ecology

The species of trees had not been decided but there was a management plan in place to replace any dieback. It was expected to be managed and appropriately looked after in the future.

The meeting adjourned at 8.53 pm and reconvened at 9.12 pm.

### Any Other Topic(s)

In reply to a question - did the applicant look at alternative sites, it was confirmed that there was no policy requirement for a sequential test, however, finding an alternative site within the District was a challenge when looking at what was available and restrictions on developing in certain areas e.g. AONB. There are large fan bases in Stonehouse, Ebley and Cainscross. Placing the Stadium in different locations upon the site had been looked at to limit the harm. There are no other sites available for this sort of development.

Councillor Lydon proposed a Motion to accept the Officer's advice to grant permission subject to a suitable Section 106 Agreement and the revised conditions outlined by the Majors and Environment Team Manager, this was seconded by Councillor Clifton.

The proposer put the outline application into context and the benefits for the whole of the District for social cohesion, leisure and sport. The site was located next to the motorway. He gave an example of Exeter Rugby Team who had been in a similar situation. They do not have parking and fans use the park and ride. The outlined application needed to be judged on its merits, he was happy to accept the conditions and the outline application.

Councillor Clifton reserved the right to speak later.

Debate then ensued. Councillor Cooper reminded Committee that the previous application had been refused because it was contrary to the Council's Local Plan and the Council's policies. He was not convinced of the economic benefit to the District. He was concerned about the loss of Forest Green Rovers to Nailsworth Town, as it was an integral part of the Town. We must try to protect our countryside.

Councillor Reed confirmed that she had lived in Nailsworth for 40 years. Forest Green Rovers had been in Nailsworth for 130 years, she was open minded about them moving to another location. She was also open to the possibility for more conversations with Nailsworth Town Council in a transitional process.

Councillor Haydn Jones had concerns on the affect to the District and took a wider view. Forest Green Rovers played a very important part to our District. The design was subjective but he personally thought it was superb. He welcomed the Section 106 Agreement but the outline application was outside of the Local Plan and NPPF. He recognised the benefits for the Stadium but there would be harm. He referred to the history with Nailsworth, the impact on Grove Lane and Greater Oldbury. Work still needed to be done with William Morris House. The balance of harm versus benefits, he was not sure.

Councillor Williams supported the outlined application which in his view was finely balanced. He felt assured with the further information that had been provided regarding the effect that the noise would have on William Morris House. He did not think that the Stadium would bring much money into the District. He also stated that there were other large buildings nearby, e.g. the Muller site and also the incinerator. He did not think the Stadium would be a blot on the landscape and would bring a degree of business into Stonehouse.

Councillor Miles concurred with Councillor Williams.

Councillor Binns agreed that Forest Green Rovers were a great organisation and did a lot of work within the community but was not happy about the impact on Whitminster and Nailsworth. The club already had a Stadium. The picture of the design was beautiful, but there would be an impact on the landscape forever. The current Stadium could be redesigned, it should stay where it belongs in Nailsworth and would have an impact on businesses in Nailsworth.

Councillor Clifton had used Tinkley Lane on match days and commented on the traffic. She also stated that the club did not have enough utilities, e.g. water. They could relocate out of the District, resulting in an economic loss to the District. There were conflicting figures regarding the average spend in Nailsworth. The benefits to the District included the Stadium becoming a tourist attraction eg the new service station on the M5. The development was sustainable. She was reassured on noise regarding William Morris House which would be alleviated by conditions, the landscaping and bunds. Finally, this would be a good thing for the District.

Councillor Lydon gave examples of several rugby clubs that had outgrown their original grounds and had moved. Revised Conditions 13 and 48 had been outlined by the case officer. It was very important that there was a pitch for community use and also that this was maintained. Noise had been an issue and Conditions were now in the outline planning application. He encouraged the applicant to speak with William Morris House. He thought that the outlined application was balanced.

Both Councillor Lydon and Councillor Clifton accepted the revised wording and opening hours of the stadium 7.00 am – 11.00 pm on Condition 13, and the revised wording to Condition 48, by the deletion of the words “sensitive internal spaces” and adding the words “within internal teaching and living spaces of William Morris House”.

On being put to the vote there were 6 votes for the Motion and 4 votes against with 0 abstentions.

**RESOLVED To grant outline planning permission for application S.19/1418/OUT, subject to the updated recommended planning conditions and delegated authority to the Head of Development Management to complete a satisfactory legal agreement.**

The meeting closed at 9.50 pm.

Chair