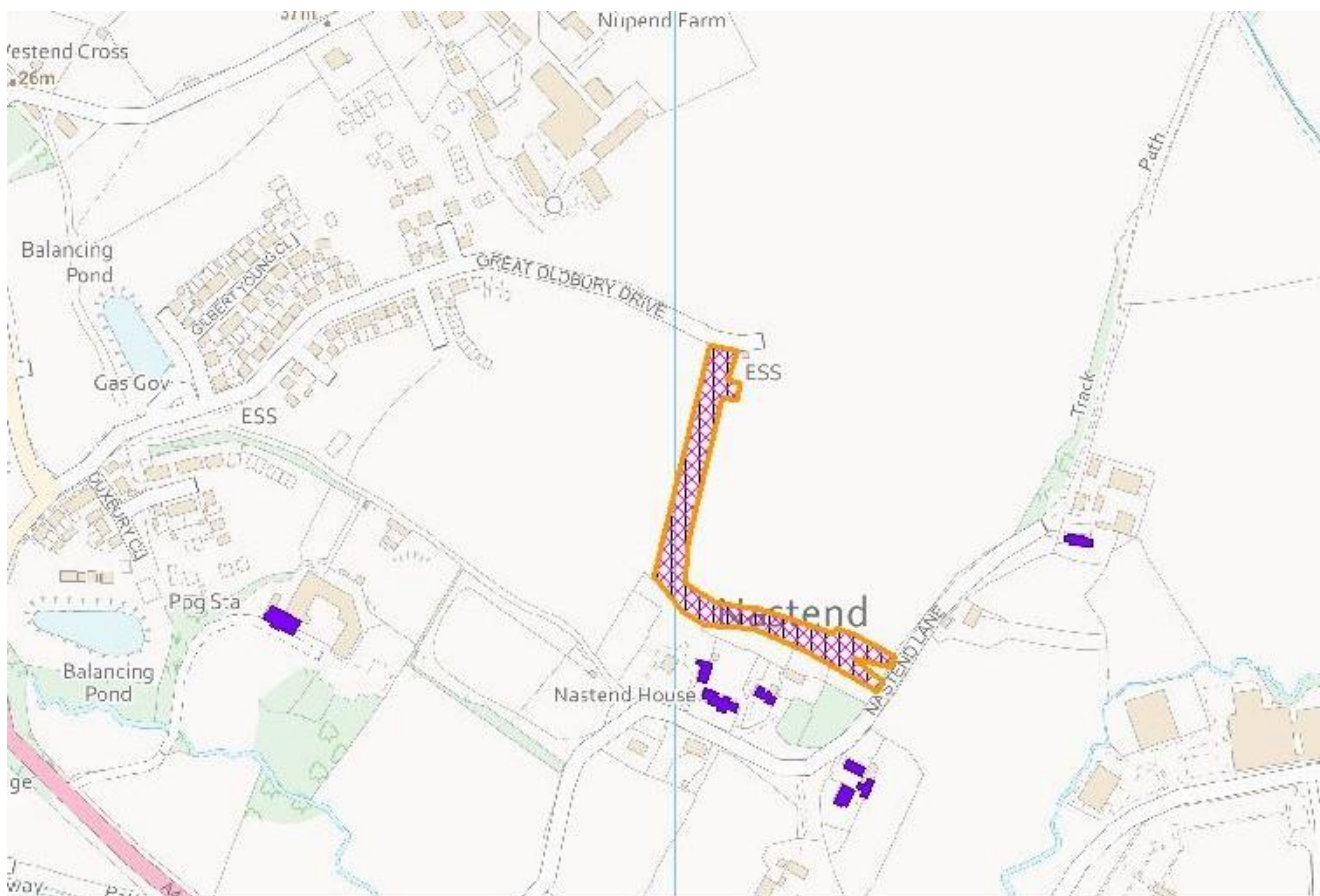




## Development Control Committee Schedule 13/10/2020

<b>Item No:</b>	<b>05</b>
<b>Application No.</b>	S.19/2614/REM
<b>Site Address</b>	Public Open Space Between Parcels H10 and H11, Land West Of Stonehouse, Grove Lane, Westend
<b>Town/Parish</b>	Eastington Parish Council
<b>Grid Reference</b>	378920,206403
<b>Application Type</b>	Reserved Matters Application
<b>Proposal</b>	Public open space and strategic cycle link
<b>Recommendation</b>	Approval
<b>Call in Request</b>	Requested by DCC for all LWoS applications





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<b>Applicant's Details</b>	Robert Hitchins Limited The Manor , Boddington , Cheltenham , Gloucestershire , GL51 0TJ
<b>Agent's Details</b>	None
<b>Case Officer</b>	Ranjit Sagoo
<b>Application Validated</b>	06.03.2020
	<b>CONSULTEES</b>
<b>Comments Received</b>	Eastington Parish Council Development Coordination (E) Biodiversity Officer Contaminated Land Officer (E)
<b>Constraints</b>	Consult area Within 50m of Listed Building Neighbourhood Plan Eastington Parish Council Affecting a Public Right of Way SAC SPA 7700m buffer
	<b>OFFICER'S REPORT</b>

### DESCRIPTION OF SITE

Land West Stonehouse (Now Great Oldbury) development is 5 miles (approx.) west of Stroud. The access for the site for this application is via the spine road (linking to Grove Lane) that connects onto the A419 (Bristol Road) through to the Nastend Lane at the other end.

This part of the Land West of Stonehouse site is located within the middle between housing parcels H9-10 and H11-12 on either side. The yet to be provided sport pitches with Nupend beyond are to the north of the site, railway line to the east, industrial estate to the southeast, the A419 and the Hamlet of Nastend are to the south.

The gradient of the application boundary is higher compared to the southern part of the development.

### PROPOSAL

This is a reserved matters application for some of the Public open space and strategic cycle link pursuant to outline planning permission S.14/0810/OUT.

The proposed cycle/pedestrian link is consistent with the approved outline masterplan (drawing: H.0324\_08-1F) where it connects from Nastend Lane (to the south) to the play pitches located off the main street/spine road (at the north).

As indicated on the approved outline masterplan and drawings provided for this reserved matters application, the route is part of the green linear corridor that provides a physical separation between Parcels H10 and H9 (to the west) and Parcels H11 and H12 (to the east).



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### **PLANNING HISTORY**

The mixed use development known as Land West of Stonehouse (Now Great Oldbury) received outline planning permission (S.14/0810/OUT) in 2016. The development comprised of up to 1,350 dwellings and 9.3 hectares of employment land for use classes B1, B2 and B8; a mixed use local centre comprising use classes A1, A2, A3, A4, A5, D1, D2 and B1; primary school, open space and landscaping, parking and supporting infrastructure and utilities; and the creation of new vehicular accesses from Grove Lane, Oldends Lane and Brunel Way.

### **RELEVANT PLANNING POLICIES**

#### **National Planning Policy Framework (NPPF) (revised February 2019)**

Relevant NPPF policies are set out below:

- Chapter 2 (achieving sustainable development) sets out the three overarching objectives of achieving sustainable development which are economic, social and environmental.
- Paragraph 11 - presumption in favour of sustainable development.
- Chapter 4 (Decision-making) relevance to paragraph 47 relates to planning applications determined in accordance with the development plan, unless material considerations indicate otherwise.
- Chapter 8 (Promoting healthy and safe communities) seeks to achieve healthy, inclusive and safe places. Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 92 aims to provide social, recreational and cultural facilities and services the community needs.
- Chapter 9 (Promoting sustainable transport) consideration for transport issues, including potential impact on transport network, transport infrastructure (existing and proposed), sustainable modes of travel; and patterns of movement and transport integration.
- Chapter 12 (Achieving well-designed places) creating better places to live and work with a clear design vision.
- Chapter 15 (Conserving and enhancing the natural environment) planning policies and decisions should contribute to and enhance the natural and local environment. Most relevant to this application, minimising impacts to biodiversity and a coherent approach for ecological networks.

#### **Stroud District Local Plan (adopted November 2015)**

Relevant Local Plan policies, both core policies and delivery policies are set out below:

- Core Policy CP1 - Presumption in favour of sustainable development. Follows on from the NPPF and that the Council will take a positive approach to reflect presumption in favour of sustainable development.
- Core Policy CP4 - Place Making. Relevant to this proposal, the proposals would be expected to show connectivity, reduce car dependency, improve transport choice. In addition, creating safe streets, well managed attractive public and private spaces.
- Core Policy CP14 - High Quality Sustainable Development. The District will support high quality development which protects, conserves and enhances the built and natural environment.
- Delivery Policy ES1 - Sustainable Construction and Design requires integration of sustainable design and construction to all new developments in Stroud.



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- Delivery Policy ES3 - Maintaining Quality of Life within our Environmental Limits protects against unacceptable impacts to life of residents, workers and visitors.
- Delivery Policy ES6 - Providing for Biodiversity and Geodiversity. All new developments will be required to conserve and enhance the natural environment, including all sites of biodiversity or geodiversity value.
- Delivery Policy ES7 - Landscape Character. Relevant to this application would be the to conserve or enhance the special features and diversity of the different landscape character types found within the District.
- Delivery Policy ES8 - Trees, Hedgerows and Woodlands. Development should seek where appropriate to enhance and expand the District's tree and woodland resource.
- Delivery Policy ES12 - Better Design of Places states that the District requires layout and design of new development to create well designed, socially integrated, high quality successful places.

### Consultations

Eastington Parish Council: comments received (13th April) - no objections

Highway Authority (Gloucestershire County Council): initial comments received (26th March 2020) relating to the path width of 3 metres being for shared surface foot / cycle. The slope for drainage into swale and away from path.

The crossing over the distributor road at the northern end of the site creates an informal tactile drop kerb crossing directly behind the bus stop which could result in pedestrians crossing being obstructed from oncoming westbound vehicles by an eastbound bus in the bus stop. Therefore, the path and or path crossing location should be relocated further from the bus stop, or the bus stop relocated, or build-out to provide crossing visibility.

Staggered crossing railings or vertical bollard features where the path meets the back edge of the carriageways or footways it crosses or terminates at crossing roads and footways are also required to ensure cyclists slow down to prevent conflicts between pedestrians, vehicles and cyclists.

Therefore, the Highway Authority currently consider the path northern end road crossing has insufficient regarding path crossing visibility and lack of crossing railings/bollards before meeting roads and footways contrary to paragraph 108 and 110 of the NPPF. However, subject to provision of revised plans/details for the above information the Highway Authority may provide a positive recommendation.

The agent has submitted revised drawings which are currently being reviewed by the Highway Authority to confirm the amendments are acceptable in highway terms. This will be reported to Members at committee.

SDC - Contaminated Land Officer: comments received (23rd March 2020) - no comments.

SDC - Biodiversity: original comments received (1st April 2020) - The submitted Landscaping scheme is considered acceptable and it is pleasing to see the incorporation of wild flora/meadow planting within the scheme which will offer enhanced habitat features for



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pollinating insects. A 5-year landscape management plan has been submitted to the LPA which details initial planting and establishment of the scheme and it is considered that the plan provides sufficient detail to enable to LPA to be able understand how the scheme will be established. However, further details are required which detail long term annual management and therefore it is recommended that the above LEMP condition be included in any granting of planning consent. This is in order to allow the LPA confidence that appropriate management of the site will continue for the next 25 years and that the LPA understands which body/organisation will be responsible for that on-going management.

Acceptable subject to the following condition:

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority within 3 months of the commencement of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of the features to be managed.
- b) Aims and objectives of management
- c) Appropriate management options for achieving aims and objectives
- d) Prescription for management actions
- e) Preparation of work schedule (including an annual work plan capable of being rolled forward over a 25-year period)
- f) Details of body or organisation responsible for implementation of the plan.
- g) Ongoing monitoring and remedial measures.

The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To protect and enhance the site for biodiversity in accordance with paragraph 175 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.

All works shall be carried out in full accordance with the recommendations contained in the 5-year landscape maintenance and management plan, by MHP, dated 26th February 2020, as already agreed in principle with the local planning authority prior to determination.

### **PLANNING CONSIDERATIONS**

#### **PRINCIPLE OF DEVELOPMENT**

This scheme accords with the general infrastructure requirements set out in the approved masterplan (outline planning permission) and consistent with approved reserved matter applications for infrastructure.

The proposal promotes a sustainable and safe mode of travel that will connect the immediate parcels to the rest of the estate.





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### **CONNECTIVITY**

This proposal, the cycle and pedestrian route, will link the adjoining parcels (east to west) to access the green linear space and provide a pleasant connection for pedestrians and cyclists to the south (Nastend Lane) and the north (play pitches).

### **DESIGN**

The proposed design and detailing of the route is consistent with the approved outline application. It would break up large areas of housing and introduce green open space.

Proposed surface materials are consistent with the general character of the rest of the estate.

### **BIODIVERSITY**

The submitted landscaping scheme is considered acceptable and it is pleasing to see the incorporation of wild flora/meadow planting within the scheme which will offer enhanced habitat features for pollinating insects.

A condition requesting and approving a Construction Ecological Management Plan (CEMP) will ensure protect of ecology during the construction.

### **CONCLUSION**

This application is consistent with the approved indicative masterplan and follows on from the subsequent reserve matter applications for infrastructure for estate development.

Subject to confirmation that the Highway Authority are satisfied with the revised drawings, the application is recommended for approval, subject to 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.



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### Subject to the following conditions:

1. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:
  - Adoptable Footpath General Engineering, drawing ref: 273-FW-101 Rev D
  - Green Infrastructure Plan Sheet 1 of 2, drawing ref: 20026.101 Rev B
  - Green Infrastructure Plan Sheet 2 of 2, drawing ref: 20026.101 Rev B
  - Adoptable Footpath, drawing ref: 273-FW-101 Rev B
  - Long Sections, drawing ref: 273-FW-200
  - Construction Details, drawing ref: 273-FW-300
  - POS Cycleway RMA Identification Plan, drawing ref: STH.POS.CW.1 Rev A
  - Report by MHP titled 5 Year Landscape Maintenance and Management Plan (dated 26.02.2020)

#### Reason:

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

2. A landscape and ecological management plan (LEMP) shall be submitted to and approved by the Local Planning Authority within 3 months of the commencement of the development. The content of the LEMP shall include the following:
  - a) Description and evaluation of the features to be managed.
  - b) Aims and objectives of management
  - c) Appropriate management options for achieving aims and objectives
  - d) Prescription for management actions
  - e) Preparation of work schedule (including an annual work plan capable of being rolled forward over a 25-year period)
  - f) Details of body or organisation responsible for implementation of the plan.
  - g) Ongoing monitoring and remedial measures.

The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.



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Reason:

To protect and enhance the site for biodiversity in accordance with paragraph 175 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.

3. All works shall be carried out in full accordance with the recommendations contained in the 5-year landscape maintenance and management plan, by MHP, dated 26th February 2020, as already agreed in principle with the local planning authority prior to determination.

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.

Informatives:

1. In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: The Local Planning Authority have worked with the Applicant.