



Stroud District Council

Town and Country Planning Act, 1990 (As amended)

Planning
Permission

Under the above Act the District Council as Local Planning Authority HEREBY GRANTS Planning Permission for the development described below in accordance with the submitted application and accompanying plan(s) but subject to the conditions stated:

Agent:

Ridge And Partners LLP
Thornbury House
18 High Street
Cheltenham
Gloucestershire
GL50 1DZ

Applicant:

Edgemoor Developments Ltd
C/O Ridge And Partners LLP
Thornbury House
18 High Street
Cheltenham
Gloucestershire
GL50 1DZ

Planning Ref:S.18/2698/FUL
Application Date: 14/12/2018
Dated: 26/02/2020

Description of Land

Land At, Middle Hill, Chalford Hill, Stroud

Description of Development

Residential development of 31 new homes (as a rural exception site), together with associated vehicular and pedestrian access, car parking, landscaping and associated works. (389507-203406).
Chalford Parish Council 389507 203406

Conditions attached to permission and reasons therefor:

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:

Section of 09/08/2019

Plan number = SS-01 Version number = A

Proposed Drawings of 09/08/2019

Plan number = LO-20 Version number = A

Proposed Elevations of 14/12/2018

Plan number = HT-2B3P

Proposed Elevations of 14/12/2018

Plan number = HT- APT

Proposed Elevations of 14/12/2018

Plan number = HT-2B4P

Proposed Elevations of 14/12/2018

IMPORTANT NOTES –SEE OVERLEAF

Proper Officer of the Council
Duly Authorised in that behalf

Plan number = HT-3B5P

Topographical Survey of 14/12/2018
Plan number = PL-02

Site Location Plan of 14/12/2018
Plan number = PL_01

Planning Layout of 08/10/2019
Plan number = 28104 PL-03 Version number = G

Visibility splays of 08/10/2019
Plan number = SK01 Version number = E

Vehicle Tracking Layout of 08/10/2019
Plan number = SP01 Version number = E

Vehicle Tracking Layout of 08/10/2019
Plan number = SP02 Version number = E

Vehicle Tracking Layout of 08/10/2019
Plan number = SP03 Version number = E

Other of 14/12/2018
Plan number = SC_01 Version number = Accommodation Schedule

Design & Access Statement of 14/12/2018

Other of 14/12/2018
Plan number = Tree Survey and Constraints

Reason:

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

3. No works shall take place on the external surfaces of the building(s) hereby permitted until samples of the materials to be used in the construction works have been submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area.

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

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason:

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

5. No construction site machinery or plant shall be operated, no process shall be carried out and no construction related deliveries taken except between the hours of 08:00hrs and 18:00hrs on Monday to Fridays, between 08:00hrs and 13:00hrs on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason:

To protect the amenity of the locality, especially for the people living/ or working nearby, in accordance with Stroud District Local Plan Policy ES3.

6. Construction/ demolition works shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the Local Planning Authority.

Reason:

To reduce the potential impacts on surrounding areas, and in the interests of the amenities of the surrounding area and local residents in accordance with policies ES3 and CP13 of the adopted Stroud District Local Plan November 2015.

7. Prior to the commencement of development a lighting design strategy for biodiversity shall be 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.

8. An ecological design strategy (EDS) shall be submitted to, and be approved in writing by, the local planning authority addressing mitigation and enhancement has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- a) Full details of hedgerows to be retained and protected during construction.
- b) Details of planting, such as hedgerows, wildflower planting and establishment.
- c) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- d) Time table for implementation demonstrating that works are aligned with the proposed phasing of development.
- e) Details for the erection of bird/bat boxes.
- f) Details of initial aftercare and long-term maintenance and persons responsible for the maintenance.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

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.

9. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation 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 five 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.

10. Prior to the occupation of the proposed development hereby permitted the first 20m of the proposed access road, including junction with the existing public road and associated visibility splays, shall be completed to at least binder course level.

Reason:

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

11. The development hereby permitted shall not be brought into use until the vehicle parking, turning and manoeuvring areas shown on the approved plans are made available for use. Each unit shall be provided with parking spaces in accordance with the Local Planning Authority's adopted vehicle parking standards. This provision shall be maintained as such, free of obstruction, thereafter.

Reason:

To ensure that sufficient parking and turning space is made available.

12. Notwithstanding the submitted details, the construction of the car parking associated with each building within the development (including garages and car ports where proposed) shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason:

To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

13. Notwithstanding the submitted details, the details of an off site traffic calming scheme (gateway feature) to be located on the Middle Hill shall be submitted and approved in writing by the Local Planning Authority, prior to the first occupation on the development. Development shall be carried out in strict accordance with the approved details and maintained as such thereafter.

Reason:

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people, that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

14. No building on the development shall be occupied until the carriageway(s)(including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason:

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrian in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

15. Prior to occupation of the proposed development hereby permitted, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason:

To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 of the National

Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as requires by paragraph 127 of the framework.

16. No above ground works shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the fire hydrant serving that property has been provided to the satisfaction of the Council.

Reason:

To ensure adequate water infrastructure provisions is made on site for the local fire service to access and tackle any property fire in accordance with paragraph 110 of the National Planning Policy Framework.

17. No site clearance works shall commence until details of a demolition and construction management plan has been submitted to and approved by the Local Planning Authority. The management plan shall include the following:
- 1) on-site construction worker parking.
 - 2) anticipated number, frequency and size of construction vehicles.
 - 3) delivery times.
 - 4) vehicle manoeuvring.
 - 5) details as to the locations for the storage of building materials and construction debris.
 - 6) procedures for on-site contractors to deal with complaints from local residents.

Prior to the commencement of any site work, all sensitive properties within or surrounding the site shall be notified in writing of the nature and duration of the works to be undertaken, and the name and address of a responsible person to whom enquiries/complaints should be directed. These details shall also be displayed at regular intervals around the site compound.

The development shall be carried out strictly in accordance with the approved details.

Reason:

To protect the living and working conditions of surrounding occupiers and maintain an attractive and safe environment in the locality. To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework

18. The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason:

To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

19. Prior to the first occupation of the development hereby permitted, a Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority, setting out;
- i. objectives and targets for promoting sustainable travel,
 - ii. appointment and funding of a travel plan coordinator,
 - iii. details of an annual monitoring and review process,
 - iv. means of funding of the travel plan, and;
 - v. an implementation timetable including the responsible body for each action.

The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter.

Reason:

The development will generate a significant amount of movement and to ensure that the appropriate opportunities to promote sustainable transport modes are taken up in accordance with paragraphs 108 and 111 of the National Planning Policy Framework.

20. Prior to any works taking place on site, a tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. All tree protective fencing must be erected prior to any site clearance work commencing. The fencing must be in full compliance with the Tree Protection plan. The fencing must remain in situ until all construction works are complete and all trades are off site.

Reason:

A pre-commencement planning condition is considered to be appropriate due to the trees being subject to a Tree Preservation Order. 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).

21. All service runs that are to be sited within the root protection areas of the retained trees (as shown on the Tree Survey and Constraints plan in the Pre-development Tree Survey and Constraints document) must be undertaken by a moling contractor and supervised by the project tree consultant.

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).

22. The development hereby permitted shall not be brought into use until details of a scheme of hard and soft landscaping for the site together with a maintenance schedule have been submitted to and approved by the Local Planning Authority. Development shall then be carried out in strict accordance with the approved details.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first complete planting and seeding seasons following the occupation of the buildings, or the completion of the development to which it relates, whichever is the sooner. Any trees or plants which, within a period of five years from the completion of the development, die, or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason:

To ensure that the landscaping is adequately maintained in the interests of the visual amenity and wildlife interest of the area in accordance with Stroud District Local Plan Policies CP14, CP15 and ES8 and with guidance in revised National Planning Policy Framework paragraphs 15, 170(b) & 175 (c) & (d).

23. Prior to any building works taking place on site, an Arboriculture Impact Assessment must be submitted to and approved in writing by the Local Planning Authority detailing how the direct or indirect effects of the development on the retained trees will be mitigated against. Development will be carried out in strict accordance with the approved details and maintained as such thereafter.

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).

Article 35 Statement

In dealing with the application we have worked with the applicant in a positive and pro-active manner and have implemented the requirement in the National Planning Policy Framework (2019) paragraph 38.

Informatives:

1. The proposed development will involve works on the highway and the developer is required to obtain the permission of Gloucestershire County Council's Divisional Surveyor for the Area: Southern 01453 822193 before commencing those works.
2. The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway. You are advised to contact Gloucestershire Highways 08000 514 514.
3. Noise and dust control informative:

The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact Mr. Dave Jackson, Environmental Protection Manager on 01453 754489.

NOTES

1. If the applicant is aggrieved by the decision of the District Council as Local Planning Authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act, 1990, within six months (or 28 days if an enforcement notice is in place) of receipt of this notice. (Appeals must be made on a Planning Appeal form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN. If requesting forms from the Planning Inspectorate, please state the appeal form you require. When lodging an appeal a copy must also be sent to the Head of Development Services, Council Offices, Ebley Mill, Ebley Wharf, Ebley, Stroud, GL5 4UB.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the District Council as Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least **10 days** before submitting the appeal. Further details are on Gov.UK.

The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see www.planninginspectorate.gov.uk or to the appeals casework portal <https://acp.planninginspectorate.gov.uk>. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

2. If the permission to develop land is granted subject to conditions, whether by the District Council as Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council a purchase notice requiring the District Council to purchase his interest in the land in accordance with the provisions of Sections 137-144 of the Town and Country Planning Act, 1990.
3. In certain circumstances, a claim may be made against the District Council as Local Planning Authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act, 1990.
4. This permission relates to planning control only. Any other statutory consent necessary must be obtained from the appropriate authority. Building Regulations consent for the development may be necessary and you should approach the Building Control Department at the District Council for information.
5. If the work authorised by this permission involves the alteration to an access or the crossing of the highway verge or kerb, you are requested to consult the County Divisional Surveyor before commencing such work. The address of the Divisional Surveyor may be obtained from the County Surveyor, Shire Hall, Gloucester, GL1 2TH.
6. If the work authorised by this permission requires the supply of utility or other public services, you are requested to contact the appropriate statutory or other undertaker as soon as possible following the receipt of this decision. Failure to do so may result in a delay in the provision of these services.
7. Attention is drawn to the fact that any failure to adhere to the details of approved plans or to comply with conditions attached to this permission constitutes a contravention of the provisions of the Town and Country Planning Act, 1990 in respect of which enforcement action may be taken. Development begun after three years from the date of this permission is unauthorised development in respect of which enforcement action may also be taken.
8. Any further information concerning this decision can be obtained from the Head of Development Services, Council Offices, Ebley Mill, Ebley Wharf, Ebley, Stroud, GL5 4UB. Please quote the Reference Number on this permission in any correspondence.

Please note: only the applicant possesses the right of appeal.

