

26 May 2016

## **DEVELOPMENT CONTROL COMMITTEE**

A meeting of the Development Control Committee will be held on **TUESDAY, 07 JUNE 2016** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **18:00**.



David Hagg  
Chief Executive

**Please Note:**

- i This meeting will be filmed for live or subsequent broadcast via the Council's internet site ([www.stroud.gov.uk](http://www.stroud.gov.uk)). By entering the Council Chamber you are consenting to being filmed. The whole of the meeting will be filmed except where there are confidential or exempt items, which may need to be considered in the absence of the press and public.
- ii The procedure for public speaking which applies to Development Control Committees is set out on the page immediately preceding the Planning Schedule.

### **AGENDA**

- 1 **APOLOGIES**  
To receive apologies of absence.
- 2 **DECLARATIONS OF INTEREST**  
To receive declarations of interest.
- 3 **MINUTES - 12 APRIL 2016**  
Approve and sign as a correct record the minutes of the Development Control meeting held on 12 April 2016.
- 4 **DEVELOPMENT CONTROL PLANNING SCHEDULE**  
(Note: For access to information purposes the background papers for the applications listed on the above schedule are the application itself and subsequent papers as listed in the relevant file).
- 4.1 **LAND NORTH OF FRAMPTON ON SEVERN INDUSTRIAL PARK, LAKE LANE (S.15.0707.OUT)**  
Erection of 21 dwellings.

- 4.2 **LAND ADJACENT TO EASTINGTON TRADING EST, CHURCHEND, EASTINGTON (S.15.2089.OUT)**  
Erection of 3 industrial employment buildings with associated access, car parking and service yards.
- 4.3 **THE OLD BAKEHOUSE, TOWNSEND, RANDWICK (S.15.2915.FUL)**  
Two dwellings within the existing residential curtilage of the Old Bakehouse.
- 4.4 **LAND AT BELMONT HOUSE, UPTON HILL, UPTON ST LEONARDS (S.16.0617.FUL)**  
Demolition of the existing converted garage and erection of a new replacement dwelling.
- 4.5 **HIGH HEDGES, STROUD ROAD, BROOKTHORPE (S.16.0296.HHOLD)**  
Two storey and single storey extensions with alterations to existing garage and window styles.
- 4.6 **MOUNT PLEASANT, FORTHAY, NORTH NIBLEY, DURSLEY (S.16.0557.HHOLD)**  
Two storey extension and external cladding to property. Demolition of existing garage and erection of replacement in south corner of garden.

#### **Members of Development Control Committee**

Councillor Tom Williams (Chair)  
Councillor John Marjoram (Vice-Chair)  
Councillor Dorcas Binns  
Councillor Chris Brine  
Councillor Miranda Clifton  
Councillor Nigel Cooper

Councillor Jim Dewey  
Councillor Haydn Jones  
Councillor Jenny Miles  
Councillor Dave Mossman  
Councillor Gary Powell  
Councillor Mark Reeves

## DEVELOPMENT CONTROL COMMITTEE

12 April 2016

6.00 pm – 8.50 pm  
 Council Chamber, Ebley Mill, Stroud

# 3

### Minutes

#### Membership:

Councillor Stephen Moore**	P	Councillor Paul Hemming	P
Councillor John Marjoram *	P	Councillor Haydn Jones	A
Councillor Liz Ashton	P	Councillor David Mossman	P
Councillor Dorcas Binns	P	Councillor Steve Robinson	P
Councillor Rowland Blackwell	P	Councillor Emma Sims	A
Councillor Nigel Cooper	P	Councillor Tom Williams	A
** = Chair * = Vice Chair	P = Present	A = Absent	

#### Officers in Attendance

Planning Manager	Solicitors
Principal Planning Officers	Democratic Services Officer
Planning Officer	

#### DC.096      APOLOGIES

Apologies for absence were received from Councillors Tom Williams, Emma Sims and Haydn Jones.

#### DC.097      DECLARATIONS OF INTEREST

Councillor Stephen Moore declared a non-pecuniary interest in Schedule Items 4.5 (a) and (b) Greystones Cottage, Butterow West, Stroud. He would leave the Council Chamber after item 4.4 and would return after a decision had been made on the Items.

#### DC.098      MINUTES – 8 AND 22 MARCH 2016

**RESOLVED** That the Minutes of the Development Control Committee held on 8 and 22 March 2016 are accepted as a correct record.

## **DEVELOPMENT CONTROL PLANNING SCHEDULE**

Representations were received and taken into account by the Committee in respect of applications:

1	S.16/0207/FUL	2	S.14/2816/FUL	3	S.15/0698/FUL
4	S.16/0167/HHOLD	5a	S.16/0317/HHOLD	5b	S.16/0318/LBC

### **DC.099      55 ETHELDENE ROAD, CASHES GREEN, STROUD (S.16/0207/FUL)**

The Principal Planning Officer introduced the above application.

Mr. David Dale spoke in objection to the application. It is overdevelopment of the site and already difficult for residents to access their homes as there is no turning space, parking is very difficult as the houses were not built with cars in mind. He commented that the plan shown in the meeting was not up-to-date.

The applicant, Mr. Chris Walkley spoke and confirmed that there is provision for 4 parking spaces.

A question was asked regarding the plan of the site, the officer confirmed that the application only requires a plan which identifies the site.

A motion to **ACCEPT** officer's recommendations was proposed by Councillor John Marjoram and seconded by Councillor Liz Ashton.

On being put to the vote there were, 8 votes in favour and 1 abstention.

**RESOLVED To GRANT PERMISSION for application S.16/0207/FUL in accordance with the officer's recommendations.**

### **DC.100      MONTSERRAT CARAVAN PARK, BUTTEROW LANE, STROUD (S.14/2816/FUL)**

The Principal Planning Officer introduced the above application, and showed photographs taken in 2012. The proposal is to cut further into the bank to stabilise it by installing a permacrib wall with planting.

A representative of Rodborough Parish Council spoke in opposition to the application, commenting; that the site is within the AONB, it adjoins a Special Area of Conservation of which there are only 230 in England, the National Trust object to the application, it is contrary to Local Plan policy, access to the site is along a single track road with few parking spaces, the works were carried out without planning permission, the applicant is now intending to put mobile homes on the site and this would create parking problems.

Mr Colin Begeman spoke on behalf of the applicant, he explained that the question of mobile homes is not part of this planning application as that had already been approved. He understood the concerns of the committee, and suggested that his client had carried out these works through his ignorance of the planning system. It had taken a considerable length of time to get the application to Committee and his client would complete these works within 1 year.

In replying to Members' questions the following points were clarified:

- Enforcement action against the unauthorised engineering works was authorised, and because of ongoing applications it wasn't expedient to take further action.
- Planning permission was granted in 1953 for the site as a caravan park.
- The applicant wants to remove the spoil from the site, details of which had been provided. This would take 2 lorries, 8 trips a day for 4 days removing 3.8 tonnes of materials.
- There is no restriction on the number or occupation of the caravans/mobile homes in relation to holiday or residential use.
- Construction details of the wall would be considered by Building Control.
- A planning condition could be attached to the permission to state that spoil must stay on site and details submitted to the planning authority on how the spoil will be dealt with on site.
- If the application was refused the applicant would have the right of appeal.
- Members could resolve not to take enforcement action if they felt it wasn't expedient to do so.
- The question of caravans is not the subject of this application, only the engineering works.
- The Building Control Manager has considered the National Trust objections and the long term stability of the wall. The landowner has a responsibility to ensure the works that are carried out are stable and secure.
- If a condition was attached to keep the spoil on site, but this led to a significant and harmful increase in levels, which would make the caravans more visually prominent, the LPA could refuse the application for approval of reserved matters.

A motion to **ACCEPT** officer's recommendations was proposed by Councillor Dave Mossman and seconded by Councillor Paul Hemming.

Members debated the question of the spoil being retained on site.

An **amendment** to the motion was proposed by Councillor John Marjoram and seconded by Councillor Dorcas Binns that

- (a) Condition 2 recommended in the officer's report relating to lorry movements be deleted.
- (b) A new condition 2 – be imposed requiring (i) that no spoil be removed from the site and (ii) that no development shall take place until details had been submitted in writing and approved by the local planning authority on the retention of the spoil on site and how the spoil would be redistributed on the site, quoting Local Plan policy ES7.

Members debated the amendment to the motion.

On the amendment being put to the vote there were 6 votes in favour, 2 votes against and 1 abstention. The amendment was carried.

Councillor Dave Mossman proposed a motion to **ACCEPT** officer's advice incorporating the amendment, this was seconded by Councillor Paul Hemming.

On being put to the vote there were 4 votes in favour, 4 against and 1 abstention. The Chairman used his casting vote against the motion. The result of this motion was 4 votes in favour and 5 against with 1 abstention. The motion failed.

Councillor John Marjoram proposed and Councillor Dorcas Binns seconded a motion to refuse the application on the grounds of Policy ES7 of the adopted Local Plan relating to Landscape Character and paragraph 121 of the NPPF relating to the site, ground conditions and land instability.

At this point Councillor Martin Whiteside the ward councillor entered the Council Chamber. Councillor John Marjoram proposed that Councillor Whiteside be allowed to speak as he had missed the opportunity at public speaking. This was seconded and voted on, with 3 votes in favour, 4 against and 2 abstentions. The motion was lost and Councillor Whiteside did not speak.

The motion to **REFUSE** the application was put to the vote and members voted 4 votes in favour, 3 against and 2 abstentions. The application was **REFUSED**.

**RESOLVED To REFUSE PERMISSION for application S.14/2816/FUL.**

**REASONS Stroud District Local Plan policy ES7 relating to Landscape Character and paragraph 121 of the NPPF relating to the site, ground conditions and land instability.**

**DC.101 LAND ADJACENT TO 18 CROW MEADOW, KINGSWOOD (S.15/0698/FUL)**

The Principal Planning Officer introduced the above application and explained that Members had late pages before them with letters of objection and the Highways response. The officer's report was also updated relating to paragraphs of the NPPF and deleted paragraph 32 referred to in the report. The proposals were contrary to paragraph 35 of the NPPF and HC1(9), CP13(iii) and CP14(13) of the Stroud District Local Plan.

Mr. David Rocket, Chair of Kingswood Parish Council spoke and explained that the road is very narrow with no footpath, parking is difficult and the junction is dangerous. There is no parking and turning around in the road is at the courtesy of the residents. It is not in keeping with policies T1B and TC6A of the Neighbourhood Plan, Village Design Statement, paragraph 32 of the NPPF, and local plan policies CP13, CP14 (7) and (13).

Mr. Andy Stephens spoke in opposition to the application. There is no continuous footpath, the lane is very narrow and any additional vehicles would compound the situation. The application is unacceptable on highway issues, road safety, access, parking and other applications in the same area have been refused 3 times on appeal. He quoted policy CP13 of the Stroud District Local Plan.

Mr. Mark Gani the applicant's agent spoke regarding highways safety, green belt, AONB, the junction and parking as set out in appendix 2 of the report.

In replying to Members questions the following points were clarified:

- There had been significant changes in both local and national planning policy since refusal of the previous application in 1997, in particular the NPPF has introduced a different test relating to highway safety.

- A question of adequate internal drainage from the property would be for Building Control to resolve and not a material planning consideration.

Councillor Paul Hemming proposed a motion to **ACCEPT** officer's advice this was seconded by Councillor Rowland Blackwell.

Members debated the application.

On being put to the vote there were 5 votes in favour, 3 against and 1 abstention.

**RESOLVED To REFUSE PERMISSION for application S.15/0698/FUL.**

**REASONS** The proposals are contrary to paragraph 35 of the NPPF - use of sustainable transport and Stroud District Local Plan policies - HC1(9) - layout, access and parking, CP13(iii) - road safety and CP14(13) - accesses on foot and cycle to footways, bridleways, cycleways, local facilities and public transport.

**DC.102      KEARNEY HOUSE, BALLS GREEN, MINCHINHAMPTON, STROUD  
(S.16/0167/HHOLD)**

The Principal Planning Officer introduced the application.

Mr. Robin Fuller spoke on behalf of himself and his wife. He clarified that the footpath MMH99 is predominately used as a vehicular access for 6 private dwellings. He confirmed that there would be no change of use of the Coach House. He supports the application which he considered would enhance the way Kearney House sits in its location and would improve its appearance.

A question was asked regarding the footpath, the Principal Planning Officer confirmed that she believed this was a designated footpath.

Councillor Nigel Cooper proposed a motion to **ACCEPT** officer's advice, this was seconded by Councillor Steve Robinson.

Members debated the application.

On being put to the vote there were 7 votes in favour with 2 abstentions.

**RESOLVED To GRANT PERMISSION for application S.16/0167/HHOLD in accordance with the officer's recommendations**

**DC.103      GREYSTONES COTTAGE, BUTTEROW WEST, STROUD,  
GLOUCESTERSHIRE (S.16/0317/HHOLD)**

Councillor Stephen Moore left the Council Chamber for this item. Councillor John Marjoram took the chair.

The meeting adjourned at 8.00 pm and reconvened at 8.10 pm.

The Vice-Chair explained that he would take the above application as 5(a) and the Listed Building Consent application, S.16/0318/LBC, as 5(b). The two applications would be joined for the purpose of public speaking and members' questions but would be the subject of separate motions, debate and voting thereon.

A representative spoke on behalf of the Parish Council and explained that the gazebo and decking was intrusive and would cause an unacceptable loss of privacy to the neighbours.

In replying to Members' questions the following points were clarified:

- The erection of a porch at the front of the property doesn't require planning permission.
- The garden has been terraced with the introduction of a retaining wall and gazebo.
- Photographs were shown to Members to clarify questions relating to the gazebo, fencing and decking area.
- Concern was expressed that the decking area overlooks the neighbour's garden and bathroom window, which is obscurely glazed.
- The fence at the front of the property, if physically attached to the building, does require Listed Building Consent.
- The neighbour could erect a 2 metre high fence for privacy.
- If Members were concerned by overlooking from the gazebo, they could impose a condition to require that element to be screened to the satisfaction of the planning authority.

A motion was proposed by Councillor Dave Mossman to **ACCEPT** officer's advice with a condition requiring provision of a solid fence up to the eave's height of the gazebo, blocking the view into the neighbour's garden to maintain the privacy, this was seconded by Councillor Dorcas Binns.

Members debated the application.

On being put to the vote there were 5 votes in favour, 2 against and 1 abstention.

**RESOLVED To GRANT PERMISSION for application S.16/0317/HHOLD with an additional condition to install a solid fence up to the eave's height of the gazebo and otherwise as set out in the recommendation in the officer's report.**

**REASONS To maintain the privacy into the neighbour's garden.**

**DC.103 GREYSTONES COTTAGE, BUTTEROW WEST, STROUD, GLOUCESTERSHIRE (S.16/0318/LBC)**

The Planning Officer introduced this application, which was a retrospective application for front and back door, front porch, front fencing, lean to shelter to rear and barge board/fascia board.

Concern was expressed in relation to the 'sleeper' fence at the front of the property.

A motion was proposed by Councillor Nigel Cooper to **REFUSE** the application, this was seconded by Councillor Liz Ashton.

Members debated the application.

On being put to the vote there were 7 votes in favour and 1 abstention.

**RESOLVED To REFUSE CONSENT for application S.16/0318/LBC.**

Councillor Stephen Moore returned to the Council Chamber and took the chair.

As this was his last meeting as Chair, he thanked Members and officers for the courtesousness and helpful support he had received during his time as Chair. He wished Councillors Paul Hemming and Rowland Blackwell a happy retirement and expressed that he had enjoyed working with everyone.

The meeting closed at 8.50 pm.

Chair

**AMENDMENTS FOR DEVELOPMENT CONTROL COMMITTEE**  
**12 APRIL 2016**

In addition to the amendments stated on the Late Pages.

ITEM No: 1	<b>Application: S.16/0207/FUL</b>
<b>Address:</b> 55 Ethledene Road, Cashes Green	

Officer recommendation **ACCEPTED**.

ITEM No: 02	<b>Application: S.14/2816/FUL</b>
<b>Address:</b> Montserrat Caravan Park, Butterow Lane	

Officer recommendation **OVERTURNED**.

Reason for refusal:

“The excavation works together with the construction of the proposed crib wall would result in an over engineered feature within the rural area. The height and length of the wall together with its regular gradient would appear as an engineered and alien feature which detracts from the landscape quality of the Area of Outstanding Natural Beauty. Furthermore the excavation works required will result in the loss of trees which form part of a woodland that contributes to the rural character of the area. The proposed development is therefore contrary to policy ES7 of the adopted Stroud District Local Plan.”

ITEM No: 03	<b>Application: S.15/0698/FUL</b>
<b>Address:</b> Land adjacent to 18 Crow Meadow, Kingswood	

Officer recommendation **ACCEPTED**.

Amended reason for refusal:

“The proposal is for two new houses on a narrow cul-de-sac which terminates into a public footpath. The two houses would attract visitors, including delivery and service vehicles, which cannot be adequately accommodated in the confined lane leading to impaired manoeuvring and conflict with pedestrians using the lane. The proposal is therefore contrary to NPPF paragraph 35 as well as adopted Stroud District Local Plan Policies HC1(9),CP13(iii) and CP14(13).”

ITEM No: 04	<b>Application: S.16/0167/HHOLD</b>
<b>Address:</b> Kearney House, Balls Green, Minchinhampton	

Officer recommendation **ACCEPTED**.

ITEM No: 05	<b>Application: S.16/0317/HHOLD</b>
<b>Address:</b> Greystones Cottage, Butterow West, Stroud	

Officer recommendation **ACCEPTED**.

Additional condition:

“Within 1 month of the date of this permission, details of a screen (to be positioned to the north of the handrail and steps to the gazebo) shall be submitted to and approved in writing by the Local Planning Authority. The proposed screen shall be equal to the height of the eaves of the gazebo building.

Within 3 months of the details being approved, the screen shall be erected (in strict accordance with the approved details) and maintained as such thereafter.

Reason:

In the interests of protecting neighbouring amenities, compliant with Policy ES3 of the Stroud District Local Plan, November 2015.”

ITEM No: 06	<b>Application: S.16/0318/LBC</b>
<b>Address:</b> Greystones Cottage, Butterow West, Stroud	

Officer recommendation **OVERTURNED**.

Reason for refusal:

“The timber fence (located to the front of the dwelling) by virtue of its design, height and construction is considered to have a negative and detrimental impact on the listed building known as Greystones Cottage, contrary to policies set out in Paragraphs 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 126-141 of the NPPF, the emerging Historic Environment Advice Note 2, and Delivery Policy ES10 of the Stroud District Council Local Plan.

No public benefit will be derived that would mitigate the harm done by the proposed fence. The proposal would therefore be contrary to paragraph 134 of the NPPF.”



# **Stroud District Council**

## **Planning Schedule**

### **7<sup>th</sup> June 2016**

In cases where a Site Inspection has taken place, this is because Members felt they would be better informed to make a decision on the application at the next Committee. Accordingly the view expressed by the Site Panel is a factor to be taken into consideration on the application and a final decision is only made after Members have fully debated the issues arising.

## **DEVELOPMENT CONTROL COMMITTEE**

### **Procedure for Public Speaking**

The Council have agreed to introduce public speaking at meetings of the Development Control Committee.

Public speaking is only permitted on those items contained within the schedule of applications. It is not permitted on any other items on the Agenda. The purpose of public speaking is to emphasise comments and evidence already submitted through the planning system. Speakers should refrain from bringing photographs or other documents as it is not an opportunity to introduce new evidence.

The Chair will ask for those wishing to speak to identify themselves by name at the beginning of proceedings. There are four available slots for each schedule item:-

Ward Councillor(s)  
Town or Parish representative  
Spokesperson against the scheme and  
Spokesperson for the scheme.

Each slot (with the exception of Ward Councillors who are covered by the Council's Constitution) will not exceed 3 minutes in duration. If there is more than one person who wishes to speak in the same slot, they will need either to appoint a spokesperson to speak for all, or share the slot equally. Speakers should restrict their statement to issues already in the public arena. Please note that statements will be recorded and broadcast over the internet as part of the Council's webcasting of its meetings; they may also be used for subsequent proceedings such as an appeal. Names may be recorded in the Committee Minutes.

The order for each item on the schedule is

1. Introduction of item by the Chair
2. Brief update by the planning officer.
3. Public Speaking
  - a. Ward Member(s)
  - b. Parish Council
  - c. Those who oppose
  - d. Those who support
4. Member questions of officers
5. Motion
6. Debate
7. Vote

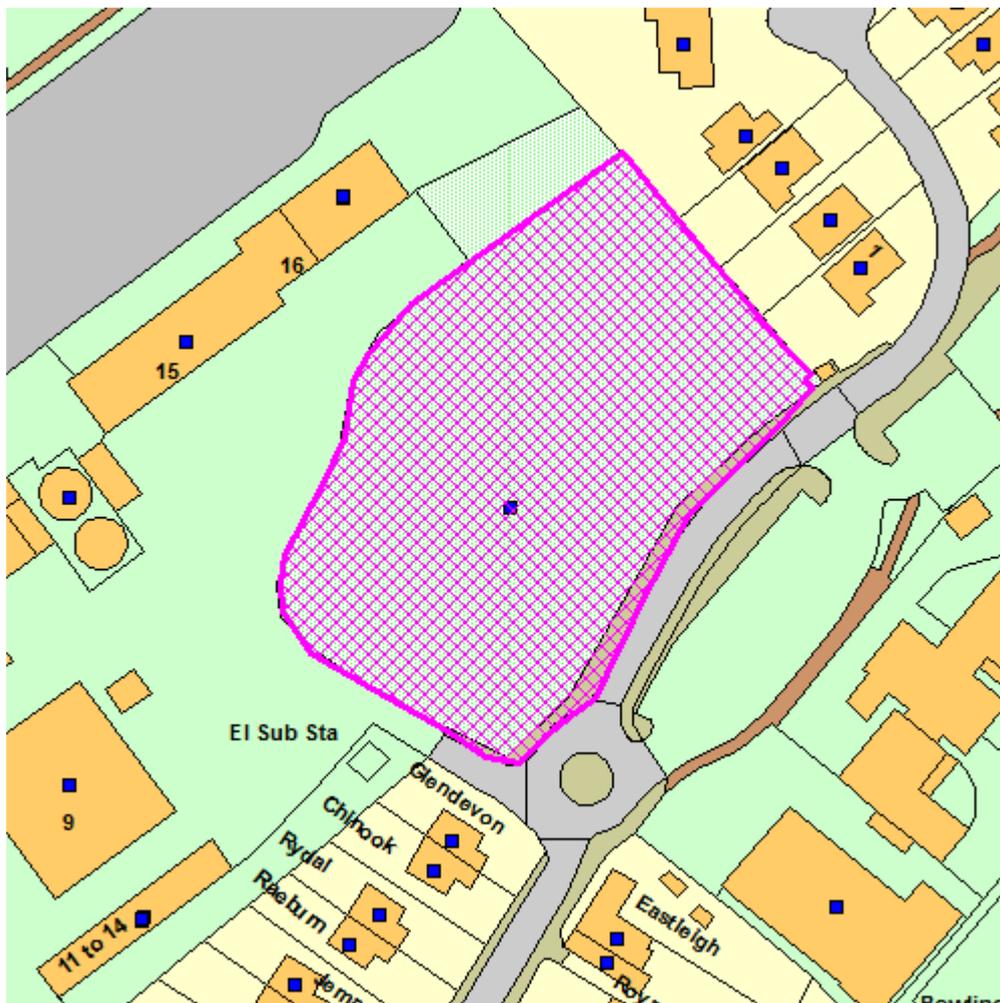
A copy of the Scheme for Public Speaking at Development Control Committee meetings is available at the meeting.

Parish	Application	Item	Page No.
Frampton On Severn Parish Council	Land North Of Frampton On Severn Industrial Park, Lake Lane, Frampton On Severn. S.15/0707/OUT - Erection of 21 dwellings.	01	15
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/0707/OUT">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/0707/OUT</a>		
Eastington Parish Council	Land Adjacent To Eastington Trading Estate, Churchend, Eastington. S.15/2089/OUT - Erection of three industrial employment buildings with associated access, car parking and service yards (Outline application - Access, Layout and Scale included).	02	24
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/2089/OUT">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/2089/OUT</a>		
Randwick Parish Council	The Old Bakehouse, Townsend, Randwick. S.15/2915/FUL - Two dwellings within the existing residential curtilage of The Old Bakehouse.	03	40
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/2915/FUL">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/2915/FUL</a>		
Upton St Leonards	Land At Belmont House, Upton Hill, Upton St Leonards. S.16/0617/FUL - Demolition of the existing converted garage and erection of a new replacement dwelling (Revised scheme)	04	49
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.16/0617/FUL">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.16/0617/FUL</a>		
Brookthorpe With Whaddon Parish Council	High Hedges, Stroud Road, Brookthorpe. S.16/0296/HHOLD - Two storey and single storey extensions with alterations to existing garage and window styles.	05	55
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.16/0296/HHOLD">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.16/0296/HHOLD</a>		
North Nibley Parish Council	Mount Pleasant, Forthay, North Nibley. S.16/0557/HHOLD - Two storey extension and external cladding to property. Demolition of existing garage and erection of replacement in south corner of garden.	06	63
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.16/0557/HHOLD">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.16/0557/HHOLD</a>		



## Development Control Committee Schedule 07/06/2016

<b>Item No:</b>	<b>01</b>
<b>Application No.</b>	S.15/0707/OUT
<b>Site No.</b>	PP-04035120
<b>Site Address</b>	Land North Of Frampton On Severn Industrial Park, Lake Lane, Frampton On Severn, Gloucestershire
<b>Town/Parish</b>	Frampton On Severn Parish Council
<b>Grid Reference</b>	374963,208587
<b>Application Type</b>	Outline Planning Permission
<b>Proposal</b>	Erection of 21 dwellings.



<b>Applicant's Details</b>	Mr G Barron Oak Lea, Burleigh Road, Ascot, Berkshire, SL5 7PA
<b>Agent's Details</b>	Mr N Griffin 54 Cranmore Road, Mytchett, Camberley, Surrey, GU16 6EW



## Development Control Committee Schedule 07/06/2016

<b>Case Officer</b>	Holly Simkiss
<b>Application Validated</b>	31.03.2015
<b>RECOMMENDATION</b>	
<b>Recommended Decision</b>	<b>Refusal</b>
<b>For the following reasons:</b>	<p>1. The proposal to erect up to 21 dwellings on the site does not provide benefits enough to outweigh the necessity of maintaining the provision of 'B' Class use employment on this site in Frampton on Severn. The site (EK11) is protected as a key employment site under Policy EI1 of the adopted Local Plan 2015 and its ongoing retention is essential for providing for economic competitiveness in the area. The proposal is therefore contrary to the requirements of Policy EI1 of the adopted Local Plan, 2015 and Paragraph 22 of the NPPF.</p>
<b>CONSULTEES</b>	
<b>Comments Received</b>	<p>Karen Colbourn Mr David Lesser Natural England (E) Development Coordination (E) Historic England SW Planning Strategy Manager (E) Environmental Health (E) Biodiversity Information Officer (E)</p>
<b>Not Yet Received</b>	<p>GCC Community Infrastructure Contributions Severn Trent Water Ltd (E) Arboricultural Officer (E) Gloucestershire Wildlife Trust (E) Councillor H Jones (E) Councillor J Jones (E) Contaminated Land Officer (E) Parish / Town</p>
<b>CONTRIBUTORS</b>	
<b>Letters of Objection</b>	<p>M Finan, Jasmine House, Lake Lane C Brown, Glendevon, Lake Lane, Frampton On Severn T Coughlin, Bookends, Lake Lane Mr &amp; Mrs R Gillard, Rioja, Lake Lane, Frampton On Severn H McCurrich, Cider Press House, The Green S Cross, Marietta, Lake Lane Mr and Mrs P Throup, Auburn House, Lake Lane, Frampton-on-Severn</p>



## Development Control Committee Schedule 07/06/2016

<b>Letters of Support</b>	J Sheppard, 10 Lime Tree Avenue, Hardwicke I Hutchinson, Royann, Lake Lane, Frampton-on-Severn
<b>Letters of Comment</b>	E And A Palmer, Eastleigh, Lake Lane, Frampton-on-Severn, Anne & Tom Palmer, Lake Lane, GL2 7HG J Powis, Harts At Ease, Fretherne Lane Mr & Mrs J D Wyatt, Whitby House, Lake Lane
<b>OFFICER'S REPORT</b>	

### SITE

The application site comprises 0.49ha of land immediately north and adjacent to Frampton on Severn Industrial Estate. The site is relatively flat covered by a small number of trees. The site is bordered by hedging and other vegetation.

The site is bordered to the north and south by existing residential development and opposite the Primary School. The site is accessed from Lake Lane and off an existing roundabout (current access blocked off).

The canal is located to the north of the site but separated from the site by the existing Industrial Estate.

The site is located inside the defined settlement boundary, is currently identified as key employment land (site EK11) and in the Conservation Area.

### PROPOSED DEVELOPMENT

The application is submitted in outline for the erection of up to 21 units; all matters reserved expect for access. An existing blocked off access from the Lake Lane roundabout is proposed to be reinstated.

30% affordable housing is proposed (7 houses in total), all affordable rent to reflect the current housing need in Frampton.

### REVISED INFORMATION

Great Crested Newt survey and Heritage Statement submitted 01.12.2015.  
Revised viability information submitted 4th March 2016.

### REVIEW OF CONSULTATION RESPONSES

**Frampton on Severn Parish Council:** No objection in principle but raises issues for consideration.

**SDC Water Resources Engineer:** No objection subject to condition.

**SDC Contaminated Land Officer:** No objection subject to condition.

**Severn Trent Water:** No objection subject to condition.



## Development Control Committee Schedule 07/06/2016

**Gloucestershire County Council as Local Highway Authority (LHA):** Objection, further information required.

**Natural England:** No objection in principle.

**Housing Policy Manager:** No objection to provision of 7 units - tenure needs to be confirmed.

**GCC Archaeologist:** No comments received.

**Lakefield School Governors:** Object.

**Historic England:** Makes comments on the application.

**SDC Conservation Officers:** Makes comments on the application.

**SDC Tree Officer:** Comments on the application.

**SDC Ecology Consultant:** Insufficient information - further survey works required.

### REASONS FOR DECISION

The following reasons for the Council's decision are summarised below together with a summary of the Policies and Proposals contained within the Development Plan, which are relevant to this decision:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Stroud District Local Plan, November 2015 is the development plan for Stroud District. Due weight should be given to policies in this plan in conjunction with the National Planning Policy Framework.

The National Planning Policy Framework is a material consideration in planning decisions. The NPPF was published on 27 March 2012. This is a key part of the reforms to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth.

The core planning principles of the NPPF (Paragraph 17) seek to enhance and improve the places in people live, support sustainable development, secure high quality design, protect important landscape features, encourage the use of renewable sources, conserve and enhance the natural environment, re-use previously developed land, promote mixed use developments, conserve heritage assets, encourage sustainable transport and improve health, social and cultural wellbeing for all. Local Plan Policy ES3 prevents an unacceptable level of noise, general disturbance, smell, fumes, loss of daylight or sunlight, loss of privacy or an overbearing effect.

Chapter 1 (Paragraphs 18-22) of the NPPF are committed to securing economic growth to create jobs and prosperity. Government is dedicated to ensuring that the planning system does everything possible to support sustainable economic growth. Policy E11 seeks to protect key employment sites.



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Chapter 3 (Paragraph 28) and Chapter 11 (Paragraphs 109-125) of the NPPF apply to development in rural areas. It highlights the need to protect landscape character, maintain rural housing and communities and minimise impacts on landscapes and biodiversity. Local Plan Policy ES6 is also of relevance.

Chapter 4 (Paragraphs 29-41) of the NPPF promote the need for sustainable transport. It outlines Governments objectives with regard to offering people access to a real choice about how they chose to travel. It requires access to sustainable transport modes and recognises that sustainable transport solutions will vary from urban to rural areas. Local Plan Policy CP1 is also of relevance.

Chapter 6 (Paragraphs 47-55) of the NPPF establishes Governments objectives for housing provision and allows for a rolling 5 year housing supply (plus 5% additional buffer). It also considers the location of new housing in sustainable locations with the requirement for affordable housing provision. Policy CP8 of the Stroud District Local Plan, November 2015 specifically provides guidance on new dwellings inside settlement boundaries. This requires consideration of the plot size, height, size and design of the proposed units as well as the possible impact on car parking provision. Local Plan Policy CP9 details the Councils requirements for affordable housing and their integration.

Chapter 7 (Paragraphs 56-68) of the National Planning Policy Framework (NPPF) stresses the importance of quality design in the provision of sustainable development. It stresses Governments objectives for inclusive design, innovation and raising design standards. Submission Draft Policies of relevance include CP8 and CP14

Chapter 11 (Paragraphs 109-125) of the NPPF details Governments objectives with regard to protecting and enhancing valued landscapes such as the AONB whilst minimising impacts of development on biodiversity. It requires assessment of noise generating developments or the location of development in noise sensitive environments. It also considers pollution and land contamination. Local Plan Policies CP14 and ES7 seek to conserve the distinct landscape types in the District.

The proposal should also be considered against the guidance laid out in SPG Residential Design Guide (2000), SPG Residential Development Outdoor Play Space Provision, SPG Stroud District Landscape Assessment, SPD Affordable Housing (Nov 2008) and SPD Housing Needs Survey (2008).

For the full content of the Stroud District Local Plan policies (adopted November 2015) above together with the preamble text and associated supplementary planning documents are available to view on the Councils website <http://www.stroud.gov.uk/iplanning>

Full details of the NPPF is available to view at <http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

The application gives rise to a number of considerations which both cover the principle of development and the details of the proposed scheme. These considerations can be summarised as the following;

- o Principle of development
- o Design



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- o Residential Amenity
- o Highway implications
- o Landscape impact
- o Affordable Housing
- o Ecology
- o Archaeology and historic environment
- o Obligations

### **PRINCIPLE OF DEVELOPMENT**

The site comprises part of an employment allocation EK11 (key employment land) and as such is protected under policy EI1 of the adopted Local Plan 2015.

The site is located inside the defined settlement boundary and Frampton is categorised as a second tier settlement where there is the opportunity of accessing most daily services and facilities. The village is therefore considered a sustainable location for new growth. The site therefore is considered to be a suitable location for residential development. However, due to the sites allocation as key employment land a balancing exercise weighing up all other material planning considerations must take place.

### **DESIGN**

The application is submitted in outline with all matters reserved except for access into the site. An indicative layout has been submitted which demonstrates how 21 dwellings could be accommodated on the site.

All matters regarding design, appearance and layout would be considered as part of any future reserved matters application, should permission be issued.

### **RESIDENTIAL AMENITY**

As noted above, the proposed layout is not proposed as being fixed at this outline stage. The indicative planning layout submitted with the application shows that residential development can be accommodated on site and sufficient distance can be achieved between any proposed units and any existing dwellings along Lake Lane.

### **HIGHWAY IMPLICATIONS**

Gloucestershire County Council has commented on the application as the Local Highway Authority (LHA). The LHA considers that the roundabout serving the site and the additional access would make it a 5-arm roundabout. They have concerns as to whether the roundabout could safely accommodate the additional arm.

As such a reason for refusal is warranted on the basis that there is insufficient information provided to demonstrate that a safe access could be provided.

### **LANDSCAPE IMPACT**

The site is contained within the centre of Frampton and is immediately adjacent to an industrial area, primary school and existing residential dwellings. The character and context of the area is therefore of built form. Dwellings in this location would have a negligible impact in landscape terms.



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### **AFFORDABLE HOUSING**

7 affordable housing units are proposed on the site and a S106 Legal Agreement would secure this in perpetuity.

The proposed units comprise two one-bed units, three two-bed units and two three-bed units, all affordable rented.

### **ECOLOGY**

Subsequent to an initial ecology assessment being submitted, a further detailed Great Crested Newt survey was required. This has been completed and further comments sought from the SDC consultant ecologist and Natural England. Further comments have been received and the SDC Consultant Ecologist considers that further information is required with regard to bat roosts. Additional information is also required due to the sites proximity with the River Severn SPA, SAC and RAMSAR site.

Mitigation would be required and would need to be fully secured from the outset with regard to the protection of reptiles.

### **HERITAGE IMPACT**

A detailed Heritage Statement has been submitted in support of the application. Historic England has been consulted on the application and has raised no specific objection. They have recommended that the application be assessed against relevant Local and National planning policies.

The application is submitted in outline and as such any assessment regarding detailed design and layout would be considered at the Reserved Matters Stage. Any impact would need to be fully considered on the Historic Environment

The SDC Conservation Team has been consulted on the application and considers that the suitability or otherwise of a scheme in this location would depend wholly on the finer design and material details.

### **OBLIGATIONS**

A Section 106 Legal Agreement would be required to secure:

1. 7 units of affordable rented accommodation.
2. A mechanism to ensure that any funds from the development are provided towards the upgrading of the existing industrial estate to ensure their retention.

### **PLANNING BALANCE**

There is some planning history to this site as an application for housing was refused in 2000 and an appeal dismissed in 2001. The reasons for refusal related to the site being allocated as a key employment site in the emerging Local Plan and that residents were likely to suffer from noise due to the close proximity of the site to the industrial premises nearby.

The site remains allocated as key employment land, protected under Policy EI1 of the newly adopted 2015 Local Plan.

The NPPF refers to development only being acceptable if it is sustainable. Similar considerations would still apply to those considered by the previous Planning Inspector in that it would have to be proven that the loss of this area of land from employment use would not result in further out-commuting from the village for people to find work within a short distance to where they live. The Employment Study made reference generally to the value of



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employment sites and the retention of these would add to the sustainability of towns and villages as it would reduce out-commuting. Paragraph 13.31 of the Stroud District Employment Land Study Final report (Feb 2013) states that:

"Existing sites and premises provide valuable opportunities for employment close to where people live. This is particularly so for the Stroud Valleys settlements. They benefit the local economy, and whilst it is noted there is increasing pressure for change of use to higher value or non-employment generating uses (including housing), the loss of employment uses can negatively impact on local access to jobs and the economic competitiveness of local areas within Stroud. Ultimately this pressure challenges the District's economic growth".

The 2015 Local Plan provides a sustainable solution to the growth needs of the District and to this extent Frampton on Severn is not an area of anticipated growth in terms of housing allocations but it is defined as a second tier settlement under Policy CP3 of the settlement hierarchy where modest levels of growth could take place which could enhance services and facilities. It is important to note that the text makes reference to sustainable patterns of living. The Councils preferred development strategy is one of more concentrated growth in sustainable locations, the nearest to Frampton being an allocation to the west of Stonehouse. The Plan has an aspiration that every new home should generate 1.2 new jobs. The loss of this piece of land from an employment use could reduce the opportunity to provide jobs for local people and would necessitate out-commuting for employment.

The applicant has provided evidence as to why the site is no longer suitable for employment purposes and evidence that the existing industrial site has been marketed for employment purposes for a sustained period and the reasons why the proposed residential site is not capable of providing employment opportunities in the future. The applicant has also indicated that any profit from the proposed development would allow for reinvestment across the wider site to upgrade existing facilities. If successful, then this would be required to be secured by way of a S106 Legal Agreement.

However, the Employment Land Study considers that the key employment sites contribute significantly to the Districts employment land supply for B Class uses. Any erosion of this could undermine the availability of such provision not only in the immediate locality but could also set a precedent for the District as a whole. The Employment Land Study discusses the possible alternative uses of other existing employment sites across the District (those not protected specifically by Policy) and these could provide for a wider range of employment generating uses.

With regard to this site, the 2013 Employment Land Study is still relevant and its content remains valid. Policy EI1 is rigid in its approach; the site is required to be maintained as an employment generating use and redevelopment for alternative uses or changes of use from employment use will not be permitted. It is acknowledged that some of the buildings are reaching the end of their economic life, however it is concluded that retention of these areas is important. This is because they have scope to continue providing sustainable local employment opportunities through the Local Plan period and beyond.

Paragraph 22 of the NPPF states that:

"Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for



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the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities."

As discussed above, the Employment Land Study was recently undertaken (2013) and the content contained therein considered applicable with the adoption of the Local Plan in November 2015. Accordingly therefore it is considered that there is still a demonstrable need for B Class Uses in the Frampton area and the information provided by virtue of this application does not overcome the need to maintain the provision of B Class Use on the site.

It is further considered that despite information being provided to indicate the current underuse of the buildings on the site, that their continued employment use is essential in maintaining an adequate supply of B Class uses within Frampton.

### **RECOMMENDATION**

The proposal to erect up to 21 dwellings on the site does not provide benefits enough to outweigh the necessity of maintaining the provision of 'B' Class use employment on this site in Frampton on Severn. The site (EK11) is protected as a key employment site under Policy E11 of the adopted Local Plan 2015 and its ongoing retention is essential for providing for economic competitiveness in the area. The proposal is therefore contrary to the requirements of Policy E11 of the adopted Local Plan, 2015 and Paragraph 22 of the NPPF.

Insufficient information has been provided to demonstrate that a safe and secure access can be provided to the site, contrary to the requirements of Policy ES3 of the adopted Local Plan November 2015 and Paragraph 32 of the NPPF.

Refusal is therefore recommended.

### **ARTICLE 35 (2) STATEMENT**

Ongoing discussions have taken place with the applicant with regard to the loss of the employment site. However, even taking this information into account it is not considered that the Policy requirements have been met. Copies of all email correspondence are available to view on the electronic planning file.

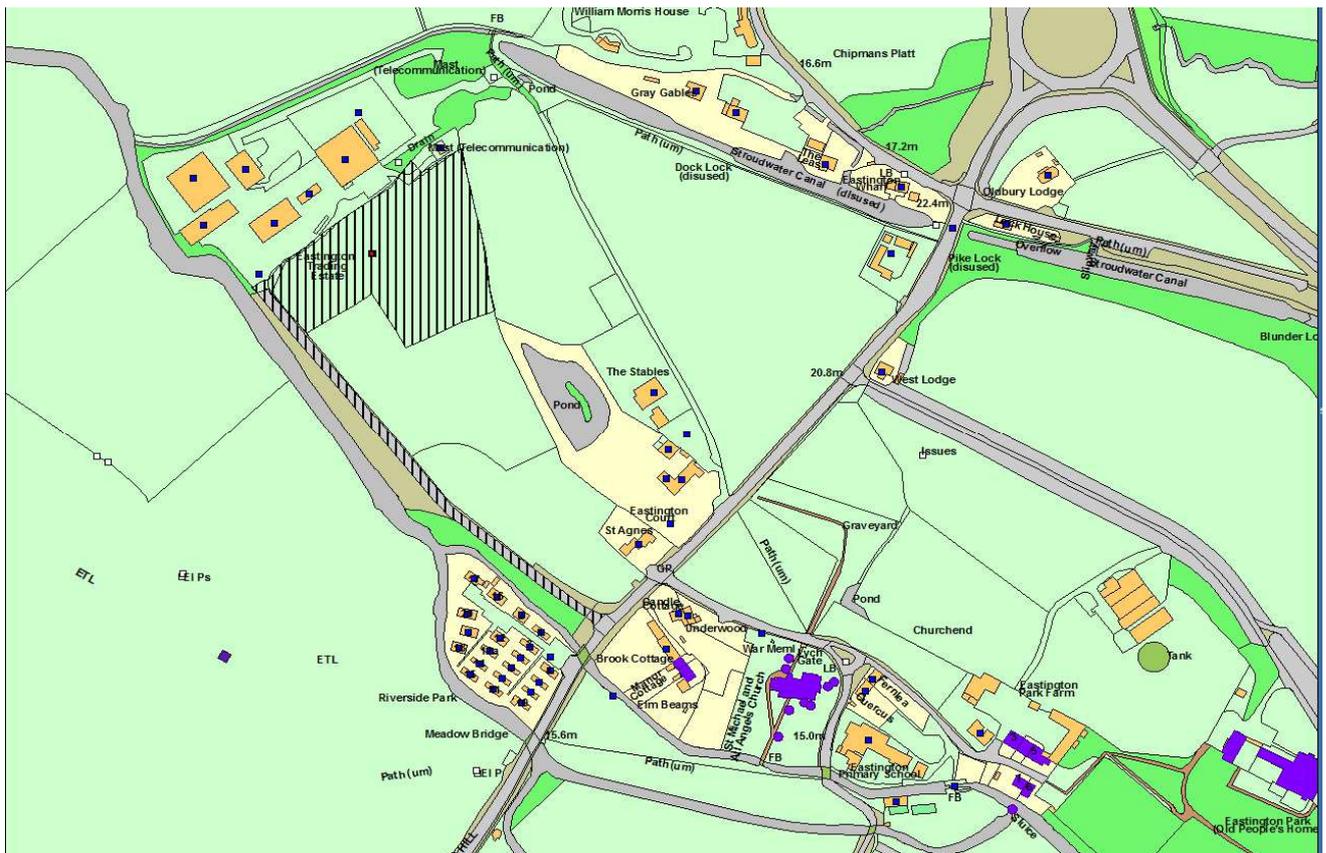
### **HUMAN RIGHTS**

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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<b>Item No:</b>	<b>02</b>
<b>Application No.</b>	S.15/2089/OUT
<b>Site No.</b>	PP-04437075
<b>Site Address</b>	Land Adjacent To Eastington Trading Estate, Churchend, Eastington, Gloucestershire
<b>Town/Parish</b>	Eastington Parish Council
<b>Grid Reference</b>	377997,206060
<b>Application Type</b>	Outline Planning Permission
<b>Proposal</b>	Erection of three industrial employment buildings with associated access, car parking and service yards (Outline application - Access, Layout and Scale included).



<b>Applicant's Details</b>	Industrial Sales Ltd c/o Agent, United Kingdom
<b>Agent's Details</b>	Mr Ben Read Hunter Page Planning Ltd, Thornbury House, 18 High Street, Cheltenham, GL50 1DZ



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<b>Case Officer</b>	John Chaplin
<b>Application Validated</b>	01.09.2015
	<b>RECOMMENDATION</b>
<b>Recommended Decision</b>	<b>Permission</b>
<b>Subject to the following conditions:</b>	<ol style="list-style-type: none"><li>1. Before any development is commenced, approval shall be obtained from the Local Planning Authority in writing of the details of the Appearance and Landscaping; (hereinafter called "the reserved matters").  Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.</li><li>2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.</li><li>3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.</li><li>4. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:  Site Location Plan of 28/08/2015 Plan number = 1193-PL01 REV A  Site Plan Proposed of 28/08/2015 Plan number = 1193-PL04 REV B  Proposed plans and elevations of 28/08/2015 Plan number = 1193-PL05 REV A, 06 REV A &amp; 07 REV A  Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.</li></ol>



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5. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved by the Local Planning Authority.

Reason:

To protect the health of future Occupiers of the site, from any possible effects of contaminated land in accordance with the guidance within the NPPF, in particular, paragraph 120.

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

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

7. No external lighting shall be erected unless full details of its design, location, orientation and level of illuminance (in Lux) provided have first been submitted to and approved with the Local Planning Authority. Such lighting shall be kept to the minimum necessary for the purposes of security and site safety and shall prevent upward and outward light radiation.

Reason:

In the interests of the amenities of local residents and to minimise light pollution in accordance with policies ES3, ES7 and ES10 of the adopted Stroud District Local Plan, November 2015.

8. 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 building/unit has 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 conflict between traffic and cyclists and pedestrians in accordance with Policy CP13 of the adopted Stroud District Local Plan, November 2015 and Paragraph 35 of the National Planning Policy Framework.



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9. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved 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 conflict between traffic and cyclists and pedestrians in accordance with Paragraph 35 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 required by paragraph 58 of the Framework.

10. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
- Specify the type and number of vehicles;
  - Provide for the parking of vehicles of site operatives and visitors;
  - Provide for the loading and unloading of plant and materials;
  - Provide for the storage of plant and materials used in constructing the development;
  - Provide for wheel washing facilities;
  - Specify the intended hours of construction operations;
  - Measures to control the emission of dust and dirt during construction.

Reason:

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with Policy CP13 of the adopted Stroud District Local Plan, November 2015 and Paragraph 35 of the National Planning Policy Framework.

11. The development hereby permitted shall not be brought into use until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. 1193-PL04 Rev B and those facilities shall be maintained available for those purposes thereafter.

Reason:

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with Policy CP13 of the



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adopted Stroud District Local Plan, November 2015 and Paragraph 35 of the National Planning Policy Framework.

12. The development hereby permitted shall not be brought into use until the cycle storage facilities have been made available for use in accordance with the submitted plan drawing no. 1193-PL04 Rev B and those facilities shall be maintained thereafter.

Reason:

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with Policy CP13 of the adopted Stroud District Local Plan, November 2015 and Paragraph 35 of the National Planning Policy Framework.

13. Prior to the start of work on site, the following documents shall be submitted to and approved by the Local Planning Authority:
- A Construction Environmental Management Plan, with particular reference to the protection of the River Frome, northern stream, Badgers, Otters, Water Voles and retained hedgerows and trees.
  - A lighting strategy to prevent long-term effects on foraging and commuting bats, Otter and Water Vole.
  - A landscape strategy detailing the planting specifications and timings.

Reason:

To conserve and enhance the natural environment and biodiversity of the area in accordance with Paragraph 118 of the National Planning Policy Framework and Policy ES6 of the adopted Stroud District Local Plan, November 2015.

14. The development hereby permitted shall be carried out in strict accordance with the mitigation recommendations outlined within Section 4 of the Ecological Appraisal report, by All Ecology, dated June 2015.

Reason:

To conserve and enhance the natural environment and biodiversity of the area in accordance with Paragraph 118 of the National Planning Policy Framework and Policy ES6 of the adopted Stroud District Local Plan, November 2015.

15. Prior to the first occupation of the site, written confirmation from the Project Ecologist that the works have proceeded as per the above agreed documents and following the mitigation recommendations outlined within Section 4 of the Ecological Appraisal report shall be submitted to and approved by the Local Planning Authority.



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Reason:

To conserve and enhance the natural environment and biodiversity of the area in accordance with Paragraph 118 of the National Planning Policy Framework and Policy ES6 of the adopted Stroud District Local Plan, November 2015.

16. No development approved by the permission shall be commenced until a detail drainage design has been submitted to and approved by the Local Planning Authority. The design must comply with the non-statutory technical standards for sustainable drainage, and be supported by evidence, including the parameters and calculations used to determine the pre and post development runoff rates and volumes. The design shall be carried out according to the approved details.

Reason:

To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding in accordance with Policy ES4 of the adopted Stroud District Local Plan, November 2015. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

17. Flood storage compensation, shall be carried out, in accordance with the details submitted, including the Flood Risk Assessment dated November 2015 (Issue 3, ref. 4824), including plan 4824/502, unless otherwise approved by the Local Planning Authority, in consultation with the Environment Agency.

Reason:

To minimise flood risk and enhance the flood regime of the local area in accordance with Policy ES4 of the adopted Stroud District Local Plan, November 2015.

18. Finished floor levels shall be set no lower than 14.57m AOD (600mm above the 1 in 100 year plus climate change flood level) unless otherwise approved by the Local Planning Authority.

Reason:

To protect the proposed development from flood risk for the lifetime of the development in accordance with Policy ES4 of the adopted Stroud District Local Plan, November 2015.

19. Prior to occupation of the development, a Flood Evacuation Management Plan shall be submitted to and approved by the Local Planning Authority. The Plan shall include full details of proposed awareness training and procedure for evacuation of persons and property (including vehicles); appropriate signage and method and procedures for timed evacuation. It shall also include a commitment to retain and update the Plan and include a timescale



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for revision of the Plan.

**Reason:**

To minimise the flood related danger to people in the flood risk area in accordance with Policy ES4 of the adopted Stroud District Local Plan, November 2015.

**Informatives:**

1. The applicant is advised that to discharge condition 9 that the Local Planning Authority requires a copy of a completed dedication agreement between the applicant and the Local Highway Authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
2. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise, dust, smoke/fumes and odour 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, not burning materials on site and advising neighbours in advance of any particularly noisy works. It should also be noted that the burning of materials that gives rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume, noise or dust complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.
3. Article 35 (2) Statement - Little if any pre-application discussions took place on this project, however, the case officer was in contact with the applicant/agent and the community, acting in a positive and proactive manner. Following discussions with statutory consultees, additional technical information has been submitted which has enhanced the overall scheme.

### CONSULTEES

**Comments Received**

Parish / Town  
 Environmental Health (E)  
 Contaminated Land Officer (E)  
 Development Coordination (E)  
 Archaeology Dept (E)  
 Karen Colbourn  
 Mr David Lesser [Page 30 of 68](#)  
 Flood Resilience Land Drainage



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	The Environment Agency (E)
<b>Not Yet Received</b>	
	<b>CONTRIBUTORS</b>
<b>Letters of Objection</b>	C.A. & N.A. Cook, Candle Cottage, Church End Occupier, 4 Riverside Park, Eastington B. Hall, 12 Riverside Park, Eastington Mrs. S. Mears, 17 Riverside Park, Churchend Mr D J Greenaway, 6 Churchend, Eastington Mr And Mrs Allen, Brook Cottage, Churchend E Pickernell, The Stables, Churchend
<b>Letters of Support</b>	
<b>Letters of Comment</b>	
	<b>OFFICER'S REPORT</b>

### SITE

The application site is an open field located between the Eastington Trading Estate and the road at Churchill, Eastington. The access road for the existing industrial units is located along the Southwest boundary. Vegetation and trees are located adjacent to the site on the Southwest and Northeast side with an open view partly from the road broken up by some small groups of vegetation.

The site is located adjacent to the Industrial Heritage Conservation Area and on the opposite side of the road, St Michaels and All Angels Church and the adjacent cottages Manor Cottage and Elm Beams are Listed buildings.

The River Frome, a main river is located along the South western boundary and the site is located within its Flood Zone 3. The disused section of the Stroudwater Canal is located near the Northeast boundary of the site.

The site was also an employment allocation in the 2005 Local Plan known as Meadow Mill, Eastington.

### PROPOSAL

Erection of three industrial employment buildings with associated access, car parking and service yards (Outline application - Access, Layout and Scale included).

### REVISED DETAILS

Additional supporting information received including hydrology and archaeology assessments and reports.

### RELEVANT PLANNING HISTORY

S.04/0062/OUT Erection of 4 industrial units. Withdrawn  
S.03/1353/OUT Erection of 4 industrial units. Withdrawn



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### **MATERIALS**

Indicative materials outlined on drawings  
Walls: Buff bricks with white composite cladding  
Roof: Grey profiled metal roof sheeting  
Fenestration: Grey powder coated aluminium

### **CONSULTATION RESPONSES**

Full details of all statutory consultations and public representations are available to view on the electronic planning file. A summary of the consultation responses and public representations also appears below.

Eastington Parish Council: Objection -

Objected to the original allocation in the 2005 Local Plan - the site is suitable to accommodate employment uses but the development should be limited in scale and preferably comprise relatively small units that would serve a local need and cause the minimum of nuisance.

Utilitarian appearance of the sketch designs totally inappropriate in such a sensitive location. New buildings should be designed in a way that would blend into the character of the area. Unremarkable sheds fails to meet the requirements of Paragraph 64 of NPPF and makes no attempt to reflect local character.

Increase the risk of flooding - mitigation is insufficient.

Possibility of nuisance arising from noise, dust and fumes because the specific end use of the buildings is not known as this seems an entirely speculative proposal.

Traffic and road safety - access road is substandard lacking pavement and cycleway. Junction with highways is busy and congested with nearby school and houses in addition to the West of Stonehouse development traffic.

Conservation Area and canal corridor. The proposal does not respect and harmonise with the surrounding architectural character. The Council does not oppose the principle of a commercial use but urges you to discourage speculative proposals such as this which pay no heed to the character of their surroundings.

Not sustainable development - fails to meet the environmental and social roles relating to aspects of design, conservation and traffic/safety and potentially other forms of nuisance.

GCC Highways: No highway objection

GCC Archaeology: No further archaeological investigation or recording required

GCC LLFA: Recommends condition

Environment Agency: Recommends condition

SDC Water Resource Engineer: Drainage will be dealt with by Gloucestershire County Council as LLFA.



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SDC Ecologist: No ecological reasons for refusal

SDC Environmental Health: Recommends condition and informative

SDC Senior Contaminated Land Officer: Recommends condition

Local Residents: 8 Objections received

- Design - Impact on setting of Conservation Area, nearby Listed buildings and industrial heritage of the area. Obscure the view of the Mill. Intrusive and out of scale with rural location, featureless industrial buildings. Intrusion into the open countryside, visual impact.
- Flood Risk - history of flooding and add to risk of surrounding area/neighbours.
- Highway safety concerns - Extra traffic and congestion. Numerous accidents and blocked with parking. No pedestrian access. Poor public transport connections. Restrictive visibility.
- Ecology
- Should be considered with knowledge of permission on the existing industrial estate.
- Unsustainable
- Noise from industry disturb. Mobile homes more sensitive to noise.
- Fumes from vehicles. Vibrations.
- Previous applications x2 and refusal
- Speculative nature conceals the potential traffic, noise, hours etc. Need clarification of the use.
- Not allocated for employment and there is a significant amount of land allocated within West of Stonehouse.

### REASONS FOR DECISION

The reasons for the Council's decision are summarised below together with a summary of the Policies and Proposals contained within the Development Plan which are relevant to this decision:

### PLANNING CONSIDERATIONS - NATIONAL AND LOCAL PLANNING POLICIES

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Stroud District Local Plan, November 2015 is the development plan for Stroud District. Due weight should be given to policies in this plan according to the degree of consistency with the National Planning Policy Framework (NPPF). The 2012 NPPF is a material consideration in planning decisions

Local Plan policies considered for this application include:

Local Plan policies considered for this application include:

CP1 - Presumption in favour of sustainable development.

CP3 - Settlement Hierarchy.

CP11 - New employment development.

CP13 - Demand management and sustainable travel measures.

CP14 - High quality sustainable development.



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EI1 - Key Employments Sites

EI12 - Promoting transport choice and accessibility

ES3 - Maintaining quality of life within our environmental limits.

ES4 - Water resources, quality and flood risk.

ES6 - Providing for biodiversity and geodiversity.

ES7 - Landscape character.

ES8 - Trees, hedgerows and woodlands.

ES10 - Valuing our historic environment and assets.

ES12 - Better design of places.

Eastington Parish Council have submitted their draft neighbourhood plan and related documents to Stroud District Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). The Council has publicised the details of the neighbourhood plan and appointed an examiner to carry out an independent examination. The extent to which there are any unresolved objections to relevant policies in this emerging neighbourhood plan and the degree of consistency of this plan's policies with the NPPF and strategic policies of the adopted Stroud District Local Plan are yet unknown. Therefore, the policies within the Eastington Neighbourhood Plan can only be given little weight at this stage.

### **PRINCIPLE OF DEVELOPMENT**

This is an outline application which includes details of the access, internal layout and parking of the three proposed industrial employment buildings.

Eastington Trading Estate also known as Meadow Mill is identified as a Key employment site (EK10) within Policy EI1 of the adopted Local Plan (2015). This policy seeks to retain B Class uses. This proposal seeks to extend the trading estate with B1(c) Light industrial and B2 General industrial.

The application site was allocated for employment development within the previous 2005 Local Plan but was excluded from the current Local Plan as it had no extant permission and the allocation had not been implemented. Whilst this site is no longer a specific allocation for employment land under the current Local Plan it is acknowledged that the site was supported by the previous Local Plan Inspector.

In addition, the 2013 Employment Land Study which was part of the evidence for the new Local Plan did identify Eastington Trading Estate as an existing employment site fronted by 2.2ha of greenfield expansion land. The site was identified as being accessible and deliverable without major infrastructure cost.

The Local Plan seeks to protect existing employment uses like the Eastington Trading Estate and also directs new employment use to these areas. Policy CP11 encourages industrial or business development and industrial symbiosis to be taken into account. Therefore, the provision of employment premises, next to existing protected employment can be supported in broad terms.



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### HIGHWAYS

The site is located approximately 600m north of Eastington and is accessed off of a class 3 highway known locally as Springhill. Springhill is subject to a 40mph speed limit in the proximity of the access junction and provides a connection to the A419 to the north with further accessibility to Stonehouse to the east and the Strategic Road Network to the west.

The access onto Springhill is via a bell mouth style access approximately 20m in width leading to a 6.5m wide industrial access road. The site has pedestrian access via the existing footways on Springhill allowing pedestrian access from Eastington and Stonehouse. Sustainable Transport is obtainable within walking distance of the site and provides opportunity for a modal shift away from the private motor car.

The County Highways Officer has confirmed that there have been no recorded personal injury collisions in the vicinity of the proposed development in the last 5 years.

The internal access road is approximately 7.3m in width with a 2.0m wide footway on the frontage sides of the carriageway which complies with the Gloucestershire Design guidance Table 5.10 MfGS. The proposed layout provides individual turning areas for each unit approximately 25m in diameter with vehicles tracking for a 15.4m articulated lorry. The tracking is sufficient and does not demonstrate any conflict with a vertical up right structure, tree or formal parking space. Although the largest articulated vehicle legally in operation is 16.5m and no tracking has been supplied, the 25m diameter turning area is the standard turning circle size to accommodate a vehicle up to 16.5m in length, therefore the County Highways Officer considers the turning areas proposed would be acceptable.

The adopted Local Plan provides parking provision standards and would requires 1 space per 50 square metres of floor space which would create a requirement of 54 spaces. The development has proposed 64 car parking spaces between the proposed units. Whilst this is slightly more than the Local Plan suggests the proposal has still met the policy test of CP13 in that it has regard to and slightly exceeds the adopted standards. The County Highways Officer has raised no objection to the parking provision and highlights the criteria set out by Paragraph 39 of the NPPF. The site is accessible to public transport within walking distance of residential areas and is served by peak hour services. Furthermore the site is accessible within comfortable cycling distances, and actively encourages the opportunity for a modal shift away from the private motorcar. The development would not create a displacement of vehicles upon the highway.

Disabled parking should be provided at 5% of the total car parking capacity. The development would therefore be required to provide a minimum of 3 disabled parking spaces. The proposed site layout drawing (Drg No. 1193-PL04 Rev B) makes provision of 6 disabled parking spaces. The car parking spaces comply with the Gloucestershire Design guidance 9.13 and 9.14 with standard spaces measuring 2.4m x 4.8m with 6.0m of drivable surface in front of them. The disabled parking spaces contain an adequate transfer zone. Cycle storage facilities have been provided for each unit and are located as such to allow for passive surveillance in order to reduce potential crime.

The current trip generation from the trading estate is 50 AM and 42 PM peak hour trips. A TRICS analysis has been undertaken on 2156sqm of B2 and 534sqm of B1 use. The B2 use would generate 11 AM and 8 PM peak hour trips with the B1 use generating 14 AM and 13 PM peak hour trips, equating to an additional 25 AM and 21 PM Peak hour trips. The



## Development Control Committee Schedule 07/06/2016

Eastington Trading Estate would therefore generate a total of 75 AM and 63 PM peak hour trips.

Traffic distribution and assignment would see 87% of the newly created trips travel towards the A419, equating to an additional 22 AM and 18 PM trips. The County Highways Officer considers that the increase in vehicle trips would be immaterial in comparison to the volume capacity of the A419 and will not create a detriment to highway safety.

The development would not generate a significant amount of traffic and therefore would not require a travel plan. The site is accessible to alternative modes of transport which genuinely encourages a modal shift away from the private motorcar.

The impacts of development would not be regarded as severe in accordance with Paragraph 32 of the NPPF and can be supplied a safe and suitable access for all users in accordance with Paragraph 35 of the NPPF.

### **FLOOD RISK AND DRAINAGE**

Local residents and the Parish Council have highlighted past flood events on the site and the surrounding area. The Environment Agency (EA) also initially highlighted that insufficient information had been submitted to demonstrate that the reduction in flood storage capacity (specifically in the 1 in 100 year plus climate change flood event) as a result of the proposed development, would not have an impact on flood risk elsewhere.

Whilst the access road embankment adjacent to the River Frome may afford the site some protection during a flood event, it is not classified as a formal flood defence structure. The construction design and structural integrity of the embankment is unknown and the EA have raised concerns over its long term maintenance. On this basis, the site is considered to be undefended and in the interests of ensuring that there are no flood risk impacts elsewhere post development, any loss of flood storage capacity has to be compensated for on a level for level, volume for volume basis.

The revised Flood Risk Assessment (FRA) proposes a flood storage compensation scheme which includes lowering land within the applicant's ownership (as shown on plan ref. 4824/502). It is noted that 1410m<sup>3</sup> of flood storage will be lost in a 300mm band between 13.68m AOD to 13.97m AOD and will be replaced by an additional 1630m<sup>3</sup> within the same band. This appears to demonstrate more than level for level, volume for volume flood storage compensation. Implementation of this flood storage compensation scheme can be required via condition.

The EA advises that Finished Floor Levels (FFLs) should be set no lower than 600mm above the 100 year river flood level plus climate change with flood proofing techniques considered (where appropriate). The proposed finished floor levels of the units will be set at a level of 14.65m AOD, which accords with the above and can be secured via a condition.

Generally for 'less vulnerable' development (especially those uses where there are people occupying the building and/or vehicles are present) consideration should be given to providing a safe access above the 100 year river flood level plus climate change. Section 3.11 of the FRA confirms that whilst floor levels on site will be set above the 100 year river flood level, this does not demonstrate a safe access route to land outside the floodplain, i.e.



## **Development Control Committee Schedule 07/06/2016**

Flood Zone 1, on the basis that the adjacent highway is noted as being located within the floodplain.

However, given the nature of this type of proposal The Environment Agency has advised that that the development should be considered as a less critical risk as future occupants may not be able to access the proposed development (building and/or any car park) during a flood events or will be directed not to do so by an appropriate flood evacuation management plan (including appropriate signage). Details of a Flood Evacuation Management Plan can be approved via condition.

GCC as Lead Local Flood Authority (LLFA) has also assessed the surface water flood risk and drainage of the proposed development. The LLFA has no opposition to the general method of managing the surface water on the site, however, have noted a discrepancy within the proposed discharge rates. The applicant has based the restricted discharge rate for the impermeable area (0.9ha) on the whole site's (1.5ha) greenfield runoff rate. This will significantly increase the runoff from the site, and increase flood risk elsewhere, hence the application does not comply with the National Planning Policy Framework. Therefore, the LLFA requires the calculations and proposed discharge rates to be reassessed for this application.

Nevertheless, taking into account the submission is an outline application and when the applicant considers and addresses the above, the LLFA are satisfied that it will be possible for the applicant to demonstrate that the development is feasible with respect to surface water management. Therefore, details of the drainage design including the revised calculations used to determine the pre and post development runoff rates can be approved via condition.

### **RESIDENTIAL AMENITY**

There are residential properties to the East and Southeast of the site located near the main road (Springhill), including the park homes at Riverside Park. A further group of dwellings are located on the opposite side of the road adjacent to the Church.

The existing site operation at Eastington Trading Estate and the background noise from the road will influence residential amenity.. The detailed nature of the use has not been identified by the submitted documents, however, these would fall within the B1(c) Light industrial and B2 General industrial use class categories which is similar to the existing site.

Whilst the proposal will bring development and the industrial employment buildings nearer to the neighbours than the existing buildings it is considered that the distance between is still sufficient to not result in a significant noise increase. The Council's Environmental Protection Manager has raised no objection or technical concern regarding noise or impact on local residents.

The introduction of an hours of operation restriction was considered but officers consider that this did not meet the tests for conditions as laid out in the NPPG. The existing trading estate has no such restrictions and it was felt unreasonable to apply it to these new buildings.

The landscaping details which are not part of this application can also be developed to help screen and further mitigate concerns about noise.



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Whilst the concerns highlighted by local residents about the possibility of noise and disturbance are acknowledged, it is considered that the proposed development would not give rise to such significant detrimental or unacceptable impacts on neighbouring properties to warrant a refusal.

To mitigate the concern during the construction phase a construction method statement and controlled construction hours has been proposed via conditions.

### **VISUAL AND HERITAGE IMPACT**

The site is located adjacent to but outside the Industrial Heritage Conservation Area (IHCA) and there are Listed building nearby, including on the opposite side of the road St Michaels and All Angels Church and the adjacent cottages Manor Cottage and Elm Beams. Therefore, the impact on the setting of these heritage assets needs to be given consideration.

Whilst the design and appearance have been reserved for future approval, a modern design could have regard for and acknowledge the historic origins of the industrial character of the existing site and nearby IHCA with a functional appearance but also evolve this character to meet a modern employment role. The proposal is not one large mass rather the floor space has been broken up to provide 3 separate buildings. This has reduced the appearance of scale and mass and is more compatible with the mix of existing buildings on the trading estate.

A programme of archaeological evaluation has been carried out on the site. These comprised a report on a geophysical survey (Archaeological Surveys, report dated January 2016) and a report on an archaeological field evaluation (Cotswold Archaeology, report dated March 2016). No evidence for significant archaeological deposits or finds was found, and the investigations indicate that the application site has low potential to contain any significant archaeological remains. Therefore, the County Archaeologist recommends that no further archaeological investigation or recording should be required in connection with the development proposal.

The gentle slope of the surrounding landscape and the nearby vegetation provides restrained views, with the site not being overly prominent in the wider setting. The development will be visible but would be viewed in the context of the wider employment/industrial site. The scale of development is not so great as to be overly prominent in wider views from the surrounding area including from the Escarpment. It is therefore considered that the scheme will not have a significant impact on the surrounding landscape.

The landscaping and planting can also be used to help soften the appearance and integrate the development.

### **ECOLOGY**

An Ecological Appraisal has been submitted as part of the application. This concludes that subject to the proposed ecological recommendations being implemented the development is not expected to have more than a negligible impact on the nearby designated sites. The habitats on site are common, of low ecological value and easy to replace.

The Councils retained ecologist has assessed the report and has recommended no ecological reasons for refusal. Details of a Construction Environmental Management Plan, with particular reference to the protection of the River Frome and protected species, a lighting



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strategy and the mitigation outlined in the Ecological Appraisal can be required via condition. The landscaping which is not part of this application can also provide ecological benefits. Therefore, subject to the recommended conditions there is no ecological reason for refusal.

### **RECOMMENDATION**

The promotion of economic and job growth is one of the key objectives of the adopted Local Plan as well as the National Planning Policy Framework.

Whilst the site is not a current allocation within the Local Plan, the proposed development extends existing protected employment land and was identified within the Employment Land Study. The symbiotic location make use of the existing good transport connections, the A419 and nearby M5 junction and existing bus and cycle provision as well as the opportunities to share other services, utilities and resources.

The application has demonstrated that it is acceptable in highways, flooding, ecology, archaeology, amenity and scale terms. Therefore, on balance, taking all material planning considerations into account, the proposed development is considered acceptable subject to conditions.

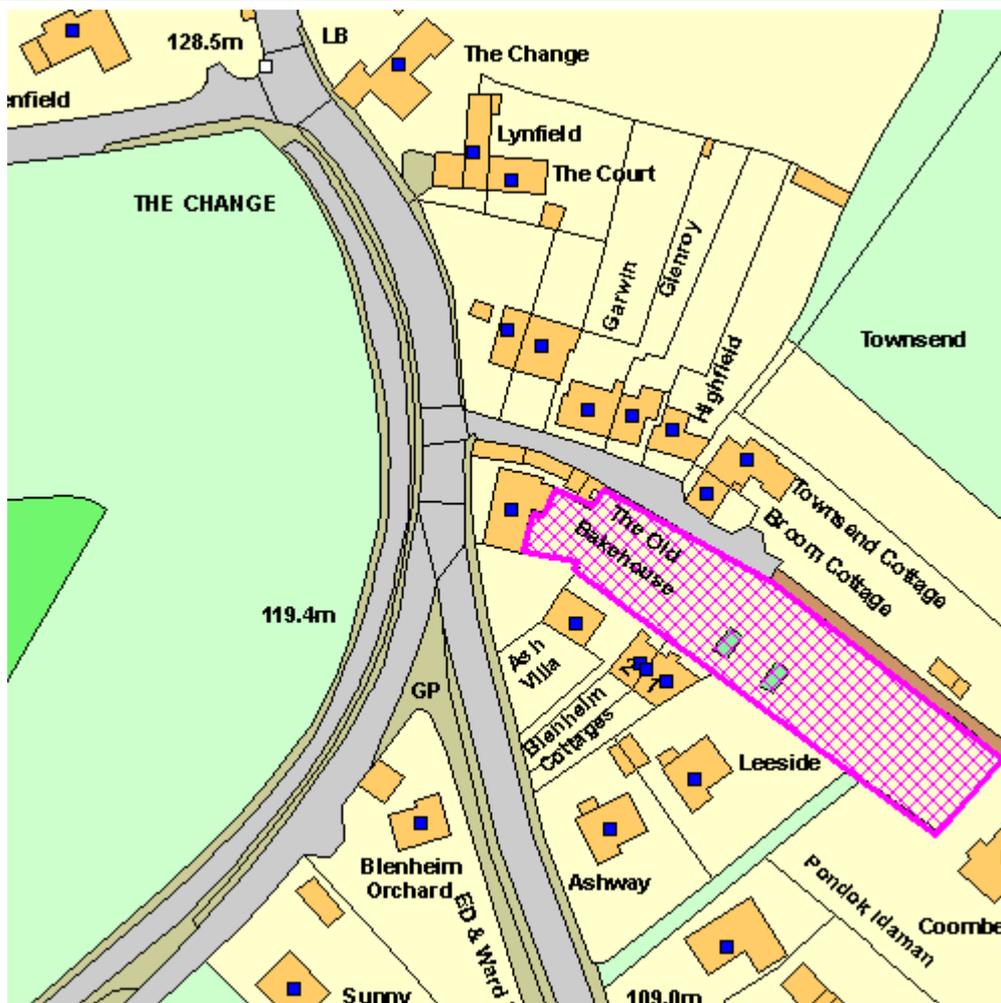
### **HUMAN RIGHTS**

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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<b>Item No:</b>	<b>03</b>
<b>Application No.</b>	S.15/2915/FUL
<b>Site No.</b>	PP-04404260
<b>Site Address</b>	The Old Bakehouse, Townsend, Randwick, Stroud
<b>Town/Parish</b>	Randwick Parish Council
<b>Grid Reference</b>	382777,206166
<b>Application Type</b>	Full Planning Permission
<b>Proposal</b>	Two dwellings within the existing residential curtilage of The Old Bakehouse.



<b>Applicant's Details</b>	Mr Charlie DeBono St Mary's Mill, Chalford , Stroud , Glos, GL6 8NX
<b>Agent's Details</b>	Millar Howard Workshop St Marys Mill, Chalford, Stroud, Glos., GL6 8NX



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<b>Case Officer</b>	Hannah Minett
<b>Application Validated</b>	23.12.2015
	<b>RECOMMENDATION</b>
<b>Recommended Decision</b>	<b>Permission</b>
<b>Subject to the following conditions:</b>	<ol style="list-style-type: none"><li>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.</li><li>The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:  Site Location Plan of 03/02/2016 Plan number = REV A  Materials of 03/02/2016 Plan number = DESIGN CODE  Plot B Proposed floor plan of 18/12/2015 Plan number = P/310  Plot B Proposed floor plan of 18/12/2015 Plan number = P/311  Plot B Proposed Elevations of 18/12/2015 Plan number = P/320  Plot B Proposed Elevations of 18/12/2015 Plan number = P/321  Site Plan Existing of 29/03/2016 Plan number = 100 REV D  Site Plan Proposed of 29/03/2016 Plan number = 110 REV D  Proposed Elevations of 29/03/2016 Plan number = 120 REV E  Proposed floor plan of 29/03/2016 Plan number = 210 REV B</li></ol>



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Proposed floor plan of 29/03/2016  
Plan number = 211 REV A

Plot A Proposed Elevations of 29/03/2016  
Plan number = 220 REV D

Plot A Proposed Elevations of 29/03/2016  
Plan number = 221 REV C

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 permitted shall not be commenced until details of a scheme of hard and soft landscaping for the site have been submitted to and approved by the Council.

Reason:

In the interests of the visual amenities of the area.

4. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason:

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

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



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	<p>Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Stroud District Council Local Plan Policy ES3.</p> <p>6. The green roofs above the single storey elements of the approved dwellings shall not be used as an amenity area at any time. Access is only required for maintenance.</p> <p>Reason: To protect the amenities of neighbouring dwellings.</p> <p>7. A solid boundary treatment measuring between 1.8 and 2 metres high must be installed along the south-west and south-east boundaries must prior to the occupation of the dwellings. The boundary treatment shall be maintained as such thereafter.</p> <p>Reason: To protect the amenities of neighbouring dwellings.</p> <p>8. The car and cycle parking spaces and driveway must be laid with a permeable surfacing in accordance with the approved site plan prior to occupation of the dwellings, and be maintained as such thereafter.</p> <p>Reason: In the interests of highway safety.</p> <p>Informatives:</p> <p style="padding-left: 40px;">In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant. The case officer contacted the applicant/agent and negotiated changes to the design which has enhanced the overall scheme; these have been detailed in the Officer Report.</p>
	<b>CONSULTEES</b>
<b>Comments Received</b>	Parish / Town Environmental Health (E) Development Coordination (E)
<b>Not Yet Received</b>	
	<b>CONTRIBUTORS</b>
<b>Letters of Objection</b>	Mr And Mrs G, Coombeside, Townsend R Smith, Leaside, Townsend Mr Osborn, Ash Villa, Townsend CM & J Free, Highfield, Townsend Mrs J Hutton, Ga Page 10 of 18 R White, Blenheim Orchard, Westrip



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	Mrs S Morgan, Townsend Cottage And Broom Cottage, Randwick Mrs L Davison, The Change, Townsend Mr N Butt Miss C Wood, Well Cottage, Townsend S Wasley, 1 Blenheim Cottages, Townsend R Badham, Trittons Cottage Townsend, Randwick, Mrs J A Hodge, Ashway, Townsend K Badham, Trittons Cottage, Townsend L Davison, The Change, Townsend Mr And Mrs Agent, Jasmine Cottage, Townsend, Randwick, C Free, Highfield, Townsend, Randwick
<b>Letters of Support</b>	
<b>Letters of Comment</b>	S. Hodge, Ashway, Townsend S Wasley, 1 Blenheim Cottages, R Badham, Trittons Cottage, Townsend Randwick D And G Solomon, Pretoria Villa, Wells Road Mrs R Smith, Leaside, Townsend
	<b>OFFICER'S REPORT</b>

### SITE

The site is to the rear of a detached, stone built cottage in Randwick. The land is part of the curtilage to the cottage and is largely grass with several small sheds along the southern boundary. The site is located near the edge of the settlement boundary in a built up location with neighbouring cottages on all sides. That said, the area has a rural character and the site slopes downwards from north-west to south-east. The surrounding dwellings are a mixture of Cotswold stone and red brick with more modern dwellings to the south as a result of previous infill development.

The dwelling has an access directly off the main highway to the front and also has an informal access via a gate to the top of the north-eastern boundary onto a narrow private road which turns into a bridleway.

### PROPOSAL

Two dwellings to the rear of the existing dwelling and create an associated access and parking areas.

Officers had concern that plot A on the originally submitted scheme was too close to Blenheim Cottages to the south and would have an unacceptably overbearing impact. As a result of negotiation, the scheme has been revised to reduce the size and ridge height of the dwelling and reconfigure the footprint to Plot A.

### CONSULTATION RESPONSES

Environmental Health: No objections subject to conditions.

Contaminated Land Officer: No objections, suggested informative relating to nearby landfill site.



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Highways: No objection.

### Randwick and Westrip Parish Council

Object to both original and revised scheme due to the following concerns:

- Vehicles will access the proposed development along a bridleway entering the new development at its narrowest point and exiting from the bridleway onto a narrow, busy hill. The congestion caused by parking at that point makes the road effectively a single lane and there is no consideration of the traffic and parking which will result from the developments at Blenheim Rise (S.11/0002/FUL, S.15/2300/FUL ) which open on to the same steep hill. This road is used as a 'rat-run' between Stroud and Gloucester;
- The design and materials are not in keeping with the area and would fail to maintain or enhance the character or appearance of Townsend; and
- The buildings would be overbearing and would constitute over-development.

### Public Representations

A large number of objections have been received which can be read in full on the website.

The objections in response to the revised plans raise the following concerns:

- The plans showing neighbouring dwellings are inaccurate and do not show the extensions to the dwellings to the south of the site;
- The Highways Report should consider more closely the safety of the road- cars losing control has been witnessed and skid marks are evident on the road;
- The revised scheme makes no difference to the effect on noise, air and light pollution and does not address the issues of the poor access, unsuitable design and over-crowding of houses at Townsend;
- The revised scheme shows a flue on plot A which will cause smoke and fumes entering the houses at first floor level- contrary to ES3-1;
- The barn like modern design is not in keeping with the area;
- The houses are very large and overbearing and very close to neighbouring dwellings;
- The site layout is unsatisfactory. The access to plot B will cause disturbance to plot A as well as all of the neighbouring dwellings on this south-western boundary. No details of the boundary treatment between the access and this boundary are shown;
- The front porch to Highfield has been omitted off the site plan which makes the entrance off the bridleway look viable. In reality, there is a front porch and the occupiers have parked to the front of their property for some 40 years. This will obstruct the proposed entrance and increase likelihood of cars being damaged;
- School children use the bridleway;
- Utilities such as sewage and gas mains run across this site however there is no mention on the plans;
- No details of how construction vehicles would access the site; and
- No consideration of how the additional traffic from the new houses at Blenheim Rise would affect this;

### **PLANNING CONSIDERATIONS - NATIONAL AND LOCAL PLANNING POLICIES**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Stroud District Local Plan, November 2015 is the development plan for Stroud District. Due weight should be given to policies in this plan according to the degree of consistency with the National Planning Policy Framework (NPPF). The 2012 NPPF is a material consideration in planning decisions.



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Local Plan policies considered for this application include:

CP1 - Presumption in favour of sustainable development.

CP3 - Settlement hierarchy.

CP9 - Affordable housing.

CP14 - High quality sustainable development.

HC1 - Meeting small-scale housing need within defined settlements.

ES3 - Maintaining quality of life within our environmental limits.

ES12 - Better design of places.

ES15 - Provision of outdoor play space.

The proposal should also be considered against the guidance laid out in SPG Residential Design Guide (2000), SPG Residential Development Outdoor Play Space Provision, SPG Stroud District Landscape Assessment, SPD Affordable Housing (Nov 2008) and SPD Housing Needs Survey (2008).

The application has a number of considerations which both cover the principle of development and the details of the proposed scheme. These considerations can be summarised as the following;

- Principle of development
- Design, character and appearance
- Residential amenity
- Highway safety
- Contributions

### Principle of Development

Two dwellings are proposed on an existing residential curtilage and as such, the site already benefits from a residential use. Furthermore, the application site is located within the development limits of Stroud, a first tier settlement as defined by Policy CP3, where further residential development is supported in principle due to its sustainable location and easy access to a wide range of services and facilities.

A large number of objections have been received against the proposal because it is 'infill development' and because following previous planning permissions granted in the area (including 13 dwellings at Blenheim Cottage), this would further urbanise the otherwise rural area. These are valid concerns as the site is close to the edge of the settlement where the transition from urban to rural should be maintained, however as previously noted, the site lies within the development limit.

The site is currently residential curtilage and bound by a stone wall, it is very open and positively contributes to the rural character of the area- particularly from the bridleway. That said, there are no landscape designations on the land and the rural character of the area is not considered to be dependant on the openness of this land. As such, the positive contribution to the rural character does not preclude further residential development on the site.

### Design, character and appearance

The proposed site is long and thin which is characteristic of the majority of the surrounding residential development. Unlike the surrounding properties however, the site is larger and can accommodate two detached dwellings without appearing cramped or overdeveloped.



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Furthermore, there is no uniform building pattern and with previous infill development to the south-east of the site. Consequently the pattern of development would not be harmed.

The contemporary design makes sensitive use of the plot incorporating split-level designs and green roof elements to better integrate into the site and correspond to the sloping ground levels. They vary from each other in size, form and configuration however shares the same design concept and materials. For instance, Plot A is L-shaped, partly single storey and sunken into the ground to reduce its impact on Blenheim Cottages immediately to the south. Plot B has a more linear form as the site is larger and less enclosed with neighbouring development. This provides variety in the proposed street scene which reduces the bulkiness of the development. Overall, the scale and form of the dwellings are considered acceptable.

Both the Parish Council and neighbours feel that the design and materials are not with the surrounding area. The contemporary design however provides interest. Furthermore, the dwellings would use a mixture of traditional and contemporary materials, with Cotswold stone to the ground floor and untreated timber cladding to the first floor levels and matt grey zinc roofing. The timber and zinc would provide a lightweight appearance that would blend into the existing street scene. As such, the contemporary design is supported.

### Residential Amenity

Many objectors have concern about noise and light pollution, from the proximity of the top dwelling and through the parking area and driveway towards the lower dwelling. While it is acknowledged that the dwelling on Plot A is in close proximity to the neighbouring dwellings to the south, the dwelling has been reduced in size and height and made single storey on this boundary, measuring no more than 1.5 metres in height. One window on this elevation is proposed as obscure glazed. Given the low profile of the nearest part of the dwelling, its proximity is not considered to cause any unacceptable noise disruption.

It is very common to have driveways in close proximity to the host dwelling and neighbouring dwellings and while the level of disruption caused by additional two dwellings will undoubtedly increase compared to the existing garden land, it is not considered to harm the living conditions of neighbouring occupiers to an unacceptable level. A condition can ensure the parking areas and driveway would be screened with a solid fence of 1.8 metres along the south-western boundary.

Concerns were also raised that the dwelling on plot A would be overbearing and would overshadow Broom and Townsend Cottage. While the dwelling would be sited directly south of Broom Cottage, it is an adequate distance away to eliminate any direct overshadowing that would affect the occupiers' living conditions.

Objectors have also raised concern that the siting and configuration of the two dwellings would be overbearing towards neighbouring properties to the south. As previously mentioned however, the dwelling on plot A has been reduced in size, and is low profile along this boundary. There would still be some overbearing from the two storey element towards the occupiers of Blenheim Cottages, however there is adequate separation to ensure this is not going to detrimentally affect their living conditions to a significant degree.

Objectors also raised concern that the proposed flue would cause fumes to enter first floor windows. However it is an adequate distance from any dwellings to ensure this would not happen. Furthermore, this is also governed by building regulations.



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### Access, Parking and Highway Safety

A large number of residents feel the scheme would harm highway safety, more specifically that the existing access from the private road to the highway already has poor visibility due to on-street parking and that the scheme would generate more traffic to a very restricted private road which cumulatively would increase congestion.

Outline planning permission was refused in 2004 for residential development of the site on highway grounds. The private road was considered sub-standard to serve the scheme by reason of its width, lack of footways, passing bays and junction with the main highway. It must however be recognised that the NPPF has since been adopted which states in paragraph 32 that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe".

While the concerns of residents in the area are noted and valid, the scheme would provide two off-street parking spaces and turning areas within the site for each dwelling which would accord with Stroud District Council's parking standards. Furthermore, the scheme proposes to widen the existing, informal access onto the private road to the north of the site to 4.5 metres. This meets the Highways Authority guidelines for shared accesses.

The Highways Authority do not consider the development to result in a significant increase in motor vehicle traffic onto the bridleway. The site access onto the bridleway is considered suitable and the Highways Authority do not consider the residual cumulative impact onto Cashes Green Road to be severe.

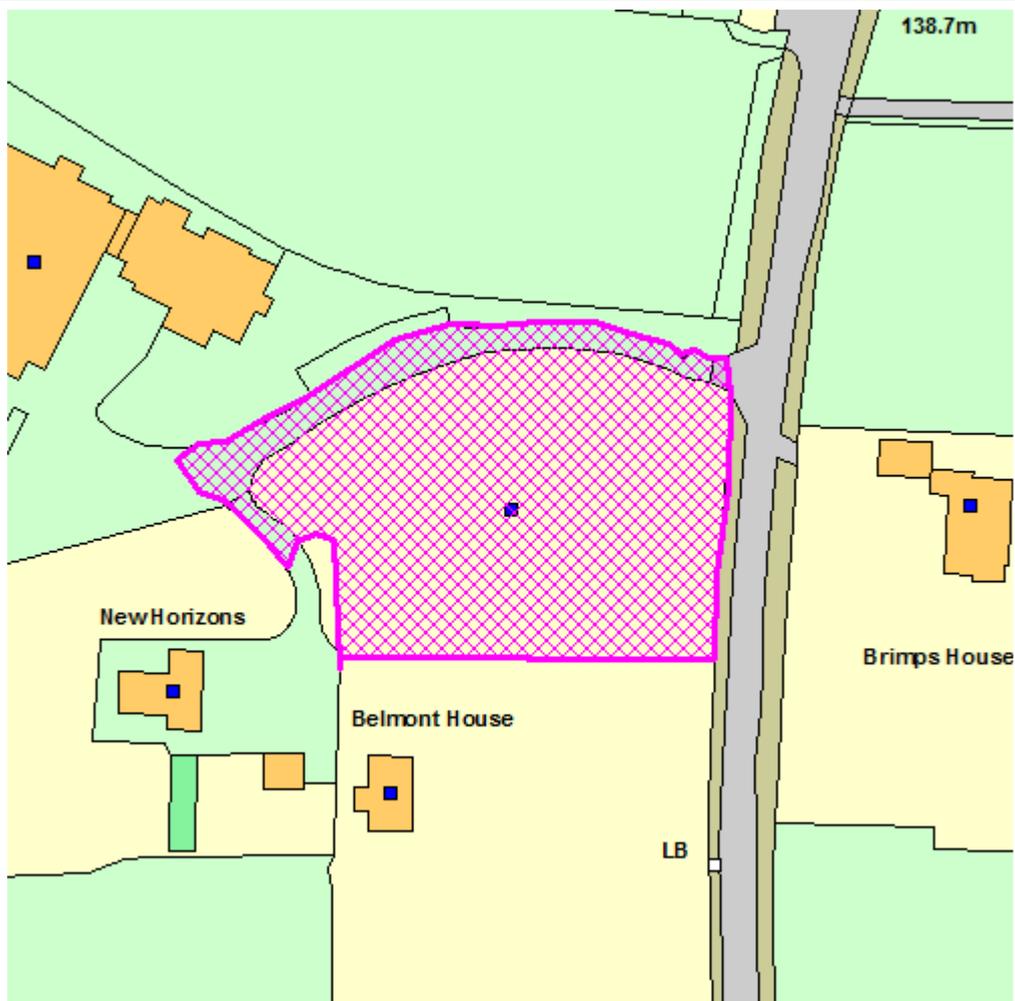
### Contributions

Under the adopted Local Plan (2015) developers are required to provide contributions towards the provision of affordable housing and outside play space in the local area. It was not deemed viable to seek a contribution towards off-site affordable housing however a legal agreement has been signed to assure a contribution towards off-site outdoor play spaces is received prior to the commencement of works.



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<b>Item No:</b>	<b>04</b>
<b>Application No.</b>	S.16/0617/FUL
<b>Site No.</b>	PP-04926881
<b>Site Address</b>	Land At Belmont House, Upton Hill, Upton St Leonards, Gloucestershire
<b>Town/Parish</b>	Upton St Leonards
<b>Grid Reference</b>	385680,213761
<b>Application Type</b>	Full Planning Permission
<b>Proposal</b>	Demolition of the existing converted garage and erection of a new replacement dwelling (Revised scheme)



<b>Applicant's Details</b>	Mr R Freeman C/o Agent,  Page 49 of 68
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<b>Agent's Details</b>	Hunter Page Planning Thornbury House, 18 High Street, Cheltenham, Gloucestershire, GL50 1DZ
<b>Case Officer</b>	Sarah Crawley
<b>Application Validated</b>	22.03.2016
	<b>RECOMMENDATION</b>
<b>Recommended Decision</b>	<b>Permission</b>
<b>Subject to the following conditions:</b>	<ol style="list-style-type: none"><li>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.</li><li>The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:  Site Location Plan of 22/03/2016 Plan number = A-P-100-01  Site Plan Proposed of 22/03/2016 Plan number = A-P-100-03B  Roof plan of 22/03/2016 Plan number = A-P-100-04C  Proposed Elevations of 22/03/2016 Plan number = A-P-100-6A, 08B, 09E, 10D and 11D  Section of 22/03/2016 Plan number = A-P-100-12B and 13B  Proposed floor plan of 22/03/2016 Plan number = A-P-100-05D  Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.</li><li>Prior to the commencement of construction full details of the proposed gas control measures shall be submitted to and approved by the Local Planning Authority. The development shall then be constructed in full accordance with the approved</li></ol>



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measures and shall be maintained as such thereafter.

Reason:

To safeguard the occupiers of the proposed dwellings from the presence and possible effects of contaminated land.

4. Development shall be carried out in accordance with the recommendations of section five of the "All Ecology" Ecological Appraisal dated July 2015.

Reason:

In the interests of ecology.

5. Development shall only be carried out in accordance with the tree protection measures detailed in the submitted Arboricultural Impact Assessment report reference number TEP-160317-3.0-BHUSL-AIA-CH dated March 2016.

Reason:

In the interest of tree protection

Informative

It is recommended that a pre-commencement site meeting should take place with main contractor and the Senior Arboricultural Officer of the Local Authority prior to the submission of the details for approval.

Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant.
2. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise, dust, smoke/fumes and odour 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, not burning materials on site and advising neighbours in advance of any particularly noisy works. It should also be noted that the burning of materials that gives rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume, noise or dust complaints be received. For further information please contact Mr D Jackson, Environmental Protection Manager on 01453 754489.



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<b>CONSULTEES</b>	
<b>Comments Received</b>	Environmental Health (E) Contaminated Land Officer (E) Arboricultural Officer (E) Parish / Town
<b>Not Yet Received</b>	Cotswolds Conservation Board (E)
<b>CONTRIBUTORS</b>	
<b>Letters of Objection</b>	
<b>Letters of Support</b>	
<b>Letters of Comment</b>	
<b>OFFICER'S REPORT</b>	

### DESCRIPTION OF SITE

The site is associated with Belmont House, a detached dwelling situated to the west of Upton Hill. The site has a vehicular access from both Upton Hill and also from the access to Hatton Court Hotel to the north-west of the site. The site lies within the Area of Outstanding Natural Beauty. The trees around the northern and eastern boundaries are part of a group of protected trees.

### PROPOSAL AND HISOTRY

The conversion of a detached garage to a dwelling was allowed on appeal. A subsequent application for a replacement dwelling rather than the garage conversion was subsequently permitted. This current scheme seeks permission for a similar single storey detached dwelling with a larger basement.

### MATERIALS

Walls: Zinc panels and glazing.

Roof: Sedum.

Doors/windows: Aluminium.

### REPRESENTATIONS

#### Statutory Consultees:

Upton St Leonards Parish Council commented "The Parish Council OBJECTS to this application as its is much larger than the current footprint, which contravenes Policy NH14 of the Local Plan, also the proposed material is not sympathetic to its surrounds which is contrary to Policy N8 of the Local Plan. Furthermore is SDC are minded to approve the application by delegated powers then the Parish Council would request that this application is considered by the DCC."

Environmental Protection Manager: Informatives on hours of construction and burning of waste on site.



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Contaminated Land Officer: Within 150 metres of a former landfill site. Condition required on gas protection measures prior to construction.

Arboricultural Officer: No objection subject to condition.

**Public:**  
None.

### **PLANNING CONSIDERATIONS - NATIONAL AND LOCAL PLANNING POLICIES**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Stroud District Local Plan, November 2015 is the development plan. Due weight should be given to policies in this plan according to the degree of consistency with the National Planning Policy Framework (NPPF). The 2012 NPPF is a material consideration in planning decisions.

Local Plan policies considered for this application include:

CP1 - Presumption in favour of sustainable development.

CP14 - High quality sustainable development.

ES3 - Maintaining quality of life within our environmental limits.

ES6 - Providing for biodiversity and geodiversity.

ES7 - Landscape character.

ES8 - Trees, hedgerows and woodlands.

ES12 - Better design of places.

The proposal should also be considered against the guidance laid out in SPG Residential Design Guide (2000) and SPG Stroud District Landscape Assessment.

### **PRINCIPLE OF DEVELOPMENT**

The principle of a dwelling here has already been established. Whilst the dwelling now proposed is larger than both earlier planning permissions, the additional volume is within the basement which would not be readily evident and could generally be constructed as permitted development once occupied.

The location was not originally considered a sustainable location but was allowed on appeal prior to the adoption of the Local Plan. The conversion permitted at appeal resulted in a two storey building of a rather poor design. Given that the principle of development was established by the appeal decision the proposed design is now considered to represent a better quality building that is less evident from the public domain and that is a more sustainable form of construction.

### **DESIGN AND LAYOUT**

The proposed dwelling is a contemporary design of a single ground floor storey that utilises a living green roof. The zinc cladding would be non reflective and a muted colour. Due to the height, design, materials and the position of the proposed dwelling within the plot and having regards to the surrounding tree cover the development would not be readily evident in the public domain and would not therefore impact unacceptably on the present character of the



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area. The scale of the proposal, whilst larger, is still proportionate with the overall plot size and provides adequate parking and amenity provision.

### **RESIDENTIAL AMENITY**

Due to the height, size and position of the proposed dwelling in relation to surrounding properties and buildings there would be no unacceptable impact upon amenity.

### **HIGHWAY SAFETY**

There are two existing access routes into the site; one is a shared access with Belmont House with another independent access to the north of the site. There is adequate space within the site to provide parking and turning to serve the proposed dwelling. There would be no unacceptable impact upon highway safety.

### **LANDSCAPE**

The site is within the Area of Outstanding Natural Beauty but for the reasons noted above the development would not be readily evident. The site is established domestic curtilage at present and the proposed dwelling would form part of this small group and would not impact unacceptably on the wider setting of the AONB.

### **ECOLOGY**

An ecology survey has been submitted as part of the application. This noted that the trees on site are of value but these are to be retained and should be protected during construction. The remaining habitats were considered to be of low ecological value and could be enhanced as part of the development scheme. A condition will be included requiring development to be carried out in accordance with the recommendations within section five of this report.

The existing protected trees around the site boundary are a distinctive feature and screen the development site. The proposed dwelling has been positioned within the plot to avoid future issues with the property that may compromise the long-term retention of these trees. As proposed the scheme does not result in the loss of any trees and so there should be no unacceptable impact upon these trees that would otherwise be detrimental to both the character of the area and to the AONB. Similarly the Arboricultural Officer has no objection subject to conditions.

### **RECOMMENDATION**

The application is considered to comply with the relevant policies and is therefore recommended for permission.

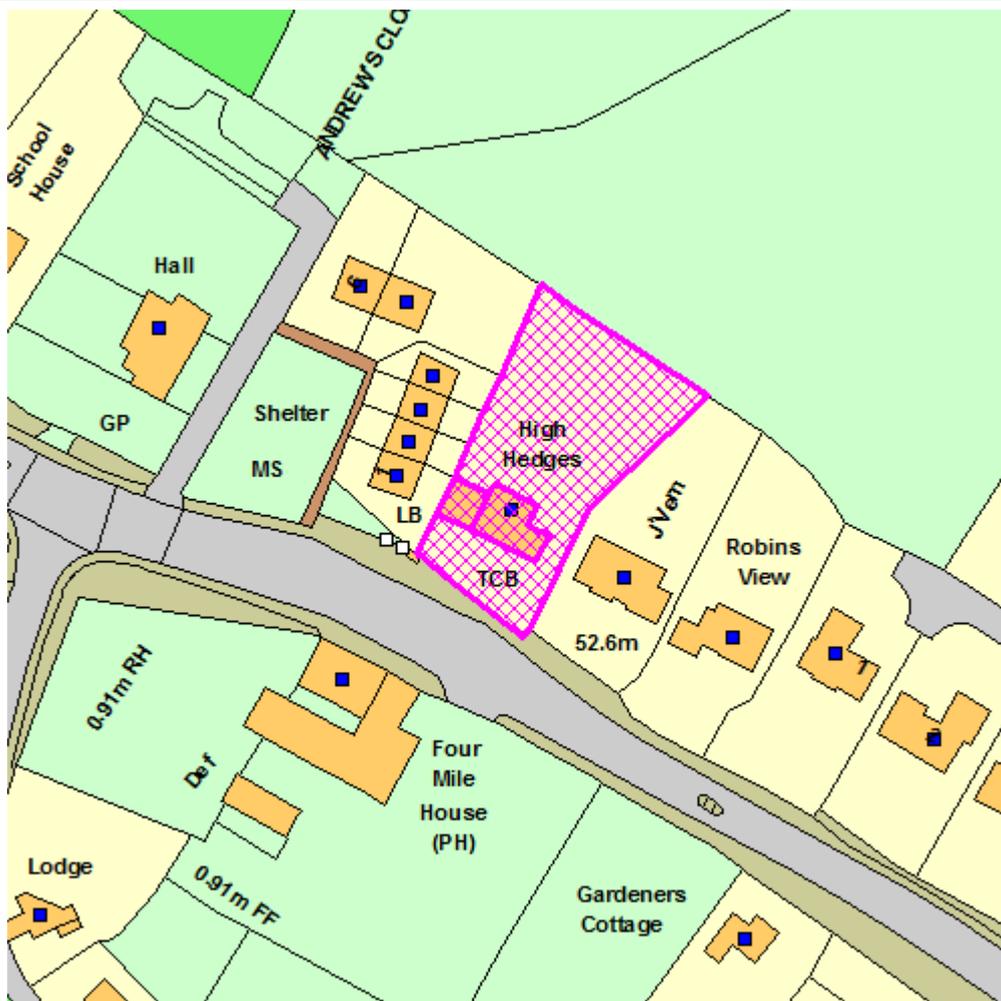
### **HUMAN RIGHTS**

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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<b>Item No:</b>	<b>05</b>
<b>Application No.</b>	S.16/0296/HHOLD
<b>Site No.</b>	
<b>Site Address</b>	High Hedges, Stroud Road, Brookthorpe, Gloucester
<b>Town/Parish</b>	Brookthorpe With Whaddon Parish Council
<b>Grid Reference</b>	383746,212194
<b>Application Type</b>	Householder Application
<b>Proposal</b>	Two storey and single storey extensions with alterations to existing garage and window styles.



<b>Applicant's Details</b>	Mr Rory Freeman Hillmead, Pinlocks, Upton St Leonards, Gloucester, GL4 8AR
<b>Agent's Details</b>	Keith Browning 19 Brooklands Park, Longlevens, Gloucester, GL2 0DN,



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<b>Case Officer</b>	Sarah Carruthers
<b>Application Validated</b>	11.02.2016
	<b>RECOMMENDATION</b>
<b>Recommended Decision</b>	<b>Permission</b>
<b>Subject to the following conditions:</b>	<ol style="list-style-type: none"><li>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.</li><li>The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:  Site Location Plan of 11/02/2016  Proposed Section and Plan of garage/utility of 11/02/2016 Plan number = 4373/5  Proposed Block Plan of 29/03/2016 Plan number = 4373/002/R1  Side Section of 30/03/2016 Plan number = 4374/4 Version number = A  Rear Section of 30/03/2016 Plan number = 4373/5 Version number = A  Proposed floor plan of 30/03/2016 Plan number = 4373S2 Version number = A  Proposed floor plan of 30/03/2016 Plan number = 4373S3 Version number = A  Proposed plans and elevations of 06/04/2016 Plan number = 4373/1 Version number = B (SHEET 1)  Proposed plans and elevations of 06/04/2016 Plan number = 4373/1 Version number = B (SHEET 2)  Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.</li></ol>



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3. Notwithstanding the roofing materials detailed on the approved plans, no finished roofing material shall be installed until a sample of the proposed roofing tile is submitted and agreed in writing by the Local Planning Authority.

Reason:

The proposed slate roofing is not considered appropriate for the area as it is not reflective of local materials and a more suitable tile should be sought.

4. No rendering or stone cladding works shall take place until samples of the walling materials to be used in the construction of the external surfaces of the building works hereby permitted have been submitted to and approved by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

Reason:

To ensure the materials are appropriate for the area.

5. Prior to the occupation of the development hereby permitted, the first floor window proposed in the northwest elevation shall be glazed in obscure glass, and maintained as such thereafter.

Reason:

In the interests of the amenities of the occupiers of adjoining residential properties.

Informatives:

1. This permission does not permit the overhanging roof of the single storey extension to be used as a roof terrace or extended balcony area. The applicant is advised that planning permission would be required to create a roof terrace and that this is unlikely to be forthcoming due to the potential privacy impact on neighbouring occupiers.
2. Bats and their roosts are protected under the Conservation of Habitats & Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Bats can occasionally be found during the course of a development on a site (e.g. buildings/structure and trees) that appear unlikely to support them or after an ecology survey has found no previous evidence of bats. In the event that this occurs it is advised that works stop immediately and a licensed bat ecologist and/or Natural England are contacted and the situation assessed before work can proceed. [Page 57 of 68](#)



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	<p>The developer should note that it is a criminal offence to deliberately kill, injure or capture a bat, or to deliberately disturb them or destroy a bat roost (whether a bat is present or not). A license may be required before further works can proceed and failure to stop may result in prosecution.</p> <p>If a protected species (such as any great crested newt, badger, reptile, or any nesting bird) is discovered using a feature on site all work at the locality should cease. A suitably qualified ecological consultant or Natural England should be contacted and the situation assessed before operations can proceed. This action is necessary to ensure compliance with the Wildlife &amp; Countryside Act 1981 (as amended), the Conservation (Natural Habitats &amp; c.) Regulations 1994 (as amended) and/or the Protection of Badgers Act 1992.</p> <p>This advice note must be passed on to any contractors carrying out the development.</p> <p>3. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant. The case officer contacted the applicant/agent and negotiated changes to the design which has resulted in a permissible scheme; these have been detailed in the Officer Report.</p>
	<b>CONSULTEES</b>
<b>Comments Received</b>	Parish / Town
<b>Not Yet Received</b>	
	<b>CONTRIBUTORS</b>
<b>Letters of Objection</b>	G Foote, 2 Andrews Close, Brookthorpe Mr & Mrs J. King, 3 Andrews Close, Brookthorpe Mr B Simmonds, 1 Andrews Close, Brookthorpe N & M Bone, J Vern, Stroud Road B and G Wiggall, Robins View , Stroud Rd
<b>Letters of Support</b>	
<b>Letters of Comment</b>	R.S. Evans, 5 Andrews Close, Brookthorpe
	<b>OFFICER'S REPORT</b>

### DESCRIPTION OF SITE

A detached two storey dwelling situated at the end of a row of similar properties in Brookthorpe. The dwelling is sited within a large plot and is set back from the main Stroud



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Road, with a good sized parking area to the front and a large rear garden. Directly to the northwest is a terrace of smaller properties, where the rear gardens back onto the northwest garden boundary. Open fields lie beyond the rear boundary. A single garage is attached to the northwest elevation. The dwelling is constructed from reconstituted stone and has a tiled roof.

### PROPOSAL

The proposal is for two storey and single storey extensions to side and rear elevations. The proposal also includes alterations to the garage, new fenestration and new materials to face the dwelling.

### MATERIALS

Walls: off white rendered walls with natural stone cladding

Roof: slate, although the agent has agreed for a condition to ensure a more suitable roof tile.

Windows: grey aluminium

### REVISED PLANS

Revised plans received 10/3/16, 29/3/16 and 30/3/16 that showed a reduction in size and revised materials.

Revised plans received 6/4/16 clarified the stone detailing

### REPRESENTATIONS

#### Statutory Consultees:

Parish - strong objection raised:

- Materials not in keeping
- Amenity impact of the extensions and balcony
- The enlarged dwelling would increase the need for parking provision, impacting on highway safety.

Following consultation of the revised plans, maintained their amenity and highway safety objections.

#### Public:

A number of objections have been received. Objections refer to the following: -

- excessively large
- inappropriate materials, render out of keeping with other Cotswold stone properties along this frontage and impacting on the street scene
- overbearing impact
- overshadowing
- privacy impact
- increase the need for parking, impact on existing parking bay on Stroud Road
- request for side windows to be frosted

### PLANNING CONSIDERATIONS - NATIONAL AND LOCAL PLANNING POLICIES

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Stroud District Local Plan, November 2015 is the development plan for Stroud



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District. Due weight should be given to policies in this plan according to the degree of consistency with the National Planning Policy Framework (NPPF). The 2012 NPPF is a material consideration in planning decisions.

Local Plan policies considered for this application include:

HC8 - Extensions to dwellings.

ES3 - Maintaining quality of life within our environmental limits.

ES7 - Landscape character.

### **DESIGN/APPEARANCE/IMPACT ON THE AREA**

The dwelling forms part of a fairly prominent street frontage and set amongst other similar properties. The local character is largely defined by fairly traditional properties, built in natural or reconstituted stone, with tiled roof.

Officers had initial concerns about the scale of the proposed extensions, the proposed materials and design and potential impact on the street scene. The proposal to extend right up to the east boundary and project further to the rear across the entire elevation was considered to be excessive and disproportionate in relation to the scale and layout of the existing properties. The strong contemporary design and materials were considered to be out of keeping with the character of the local area.

Following negotiations, revised plans were submitted that set the side extension in from the east boundary by 1m, which is comparable with the layout of other dwellings within the row. The two storey side extension was also reduced in depth, to reduce its impact on the neighbouring dwelling to the east, J'Vern and now drops down to single storey at the rear.

The render finish has been revised from white, to off white and with natural stone sections to break up the render, which is more reflective of the surrounding materials and character.

Whilst the plans detail a slate roof, this is considered unsuitable and has been discussed with the agent, who has agreed with a condition for a suitable roof tile to be submitted for approval. Slate is not a locally used material; a plain concrete or stone tile would be more suitable.

The scale of the proposed extensions are considered proportionate to the host dwelling and the large plot. The revised design, with reduced fenestration and simplified side extension is more in keeping with the character of the existing dwelling and would not have a significant or unacceptable impact on the appearance of the street scene.

### **LANDSCAPE CHARACTER**

Given the reduction in size and revised materials, the proposal would not have an unacceptable landscape impact on this edge of settlement location.

### **RESIDENTIAL AMENITY**

Concerns were raised by Officers regarding the two storey side extension and its potential impact on the neighbouring occupiers to the east, (J'Vern) in terms of overbearing impact and overshadowing. The two storey side extension has been reduced in depth and stepped in from the neighbouring boundary and is now considered acceptable. The scale and proximity to the boundary is similar to other properties within the row.



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Objections have been raised by neighbours regarding the potential for the overhanging roof of the single storey rear extension to be used as a balcony. This has not been detailed within the plans, which show two small Juliet type balconies outside each bedroom window. An informative has been added to advise the applicant that a further planning application would be required to create any roof terrace.

Concerns have been raised by neighbours at J'Vern regarding the corner windows on the front elevation and the roof lights and windows in the east side elevation. The corner windows in the side extension are set into a bay and would not result in unacceptable views across to J'Vern, due to the oblique angles involved and boundary screening. These windows are also to the front of the property and would not affect any private amenity space. With regard to the roof lights, these are positioned well above the first floor level and would not allow views into the neighbouring garden. The ground floor windows in the side elevation, one of which is high level, would be largely screened by the existing boundary hedge and wall and would not result in any unacceptable overlooking.

The rear windows and small balcony areas face onto the rear garden and towards the open countryside and would not result in an unacceptable level of overlooking.

In terms of the objections regarding amenity impact, raised by some of the residents in Andrews Close (which border the west boundary), the proposed two storey extension does not extend any further towards these properties but is to project a further 2.7m towards the rear of the site. Given the scale of this projection and the distances involved, the proposal is not considered to have a significant overbearing impact or cause significant overshadowing to these properties. The existing garage located alongside the west boundary is going to be reduced in size and set back from the boundary. The modest single storey extension to the rear of the garage would not have any unacceptable impact due to its height which does not exceed the height of the garage. A condition is recommended to ensure the small first floor en-suite window in the northwest elevation is obscurely glazed to prevent any unacceptable overlooking.

### **HIGHWAY SAFETY**

Whilst the garage will be reduced in size, adequate parking provision can be provided within the site to serve the dwelling, in accordance with the Council's parking standards. There is no change proposed to the existing access.

Objections regarding lack of parking for the site and that any overspill could impact on on-street parking have been noted however the parking area to the front could accommodate at least 2-3 vehicles which is considered adequate for the dwelling.

### **ECOLOGY**

The Gloucestershire Centre for Environmental Records has noted the presence of UK Biodiversity Action Plan Priority Species and other Nationally Important or Legally Protected Species however the closest record (Badger) was over 110m from the site. The development site is managed garden land at present and there is considered to be little potential for detrimental impact upon protected wildlife. The proposed site does not trigger a requirement for a bat survey but an informative in respect of wildlife protection will be included on the decision notice.



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### **REVIEW OF CONSULTATION RESPONSES**

The relevant objections raised by the Parish Council and neighbours have been addressed in the main body of the report.

Loss of view is not a planning consideration

### **RECOMMENDATION**

In light of the above, it is considered that the proposal complies with the policies outlined.

### **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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<b>Item No:</b>	<b>06</b>
<b>Application No.</b>	S.16/0557/HHOLD
<b>Site No.</b>	PP-04895600
<b>Site Address</b>	Mount Pleasant, Forthay, North Nibley, Dursley
<b>Town/Parish</b>	North Nibley Parish Council
<b>Grid Reference</b>	374412,196169
<b>Application Type</b>	Householder Application
<b>Proposal</b>	Two storey extension and external cladding to property. Demolition of existing garage and erection of replacement in south corner of garden.



<b>Applicant's Details</b>	Dr Wendy Daniell 25 St Bartholomews Close, Cam, Dursley, Gloucestershire, GL11 5US
<b>Agent's Details</b>	David Austin & Associates Ltd The Old Warehouse, Old Market, Nailsworth, GL6 0DU,



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<b>Case Officer</b>	Laurence Corbett
<b>Application Validated</b>	15.03.2016
	<b>RECOMMENDATION</b>
<b>Recommended Decision</b>	<b>Permission</b>
<b>Subject to the following conditions:</b>	<ol style="list-style-type: none"><li>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.</li><li>The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:  Proposed plans and elevations of 25/04/2016 Plan number = SD-203 K  Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.</li><li>No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building works hereby permitted have been submitted to and approved 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.</li></ol> <p>Informatives:</p> <ol style="list-style-type: none"><li>There was detailed pre-application discussion on this project, it is considered the applicants have taken on the advice given in the pre-application advice.</li><li>All species of bats and their roosts (whether the bats are present or not) are protected from reckless killing, disturbance or destruction under both national and European legislation. Cracks, cavities and holes in buildings can provide suitable places for bats to rest or hibernate; these should be carefully inspected prior to carrying out any works. If bats or any other protected species are suspected of being present, the relevant work should be halted and Natural England notified and further advice sought.</li></ol>



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	<b>CONSULTEES</b>
<b>Comments Received</b>	Parish / Town
<b>Not Yet Received</b>	Cotswolds Conservation Board (E)
	<b>CONTRIBUTORS</b>
<b>Letters of Objection</b>	Mr D Palmer, 2 Forthay, North Nibley T Jones, Happy Landings, Forthay J Palmer, 2, Forthay, North Nibley K Tucker, The Old Nursery, Gloucester Street Mr P Barrell, The Gables, Forthay Mr Gabb, Old Orchard, Forthay S Convery, 1 Forthay, North Nibley,
<b>Letters of Support</b>	
<b>Letters of Comment</b>	
	<b>OFFICER'S REPORT</b>

### DESCRIPTION OF SITE

This is a two storey detached dwelling, built from Bradstone with pebble dash render and a concrete tiled roof. The dwelling is set back from the public highway (a single track minor road to the south east of the site). The site is set below the road and the existing ground slopes from south to north. There are neighbouring properties to the north and west, the application site looks onto the rear garden of the neighbouring property (2 Forthay) to the north and is approximately 1m above the neighbour's rear garden. It is within the Area of Outstanding Natural Beauty.

### PROPOSAL

The removal of a double garage and greenhouse to the rear of the property. The erection of a two storey and single storey rear extension. The erection of a double garage to the front garden of the property, terracing to the rear and changes to the fenestrations and external appearance of the property.

### REVISED DETAILS

Revised drawing submitted showing fence to the rear of the property.

### MATERIALS

Walls: Part timber cladding to upper floor and render to rest of property.

Roof: Concrete tiles to match existing.

Windows: Aluminium framed.

Doors: Aluminium framed timber and glass.



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### REPRESENTATIONS

#### Statutory Consultees:

North Nibley Parish Council object to application.

#### Public:

Multiple letters of objection: Location and design of the garage, unsightly, spoil outlook, lack of consultation, development will be nearer neighbouring rear garden amenity space, removal of garage, site location plan is incorrect, and misleading plan, not in keeping with rural hamlet, due to elevated position extension will have a detrimental effect, impair privacy, lack of exact measurements have been supplied for the reduced garage wall, run off water needs to be addressed due to increase hard surfaces, conditions placed on Mount Pleasant when Happy Landings was given planning permission.

### PLANNING CONSIDERATIONS - NATIONAL AND LOCAL PLANNING POLICIES

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Stroud District Local Plan, November 2015 is the development plan for Stroud District. Due weight should be given to policies in this plan according to the degree of consistency with the National Planning Policy Framework (NPPF). The 2012 NPPF is a material consideration in planning decisions.

HC8 - Extensions to dwellings.

ES3 - Maintaining quality of life within our environmental limits.

ES6 - Providing for biodiversity and geodiversity.

ES7 - Landscape character.

ES12 - Better design of places.

### DESIGN/APPEARANCE/IMPACT ON THE AREA

The design and scale of the proposed extension is in keeping with the original dwelling house. It is considered that due to the size of the proposal the development will appear as subservient to the original dwelling house.

The proposal can easily be accommodated within the curtilage of the property and would not harm the character or appearance of the property, the wider area or appear as overdeveloped.

The development is a small extension mainly to the rear of the existing property. External insulation is proposed, covered in render with timber cladding to parts of the front, side and rear, which are considered appropriate.

The location and design of the proposed garage would not be a significant introduction to the street scene as there are already similar structures along the highway. The proposed garage will be set down and Officers consider that this building would not have a detrimental impact on the street scene or wider AONB. Policy HC8 is complied with.



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### **RESIDENTIAL AMENITY**

Due to the size and location of the extension in relation to the neighbouring properties and the separating boundary treatment, the proposals would not create any significant overbearing, overshadowing or privacy issues other than those currently experienced.

There have been several objections to the rear development due to its prominence and the potential privacy.

Currently first floor windows look out of the rear of the property resulting in views into the rear gardens.

The proposed two storey rear extension would extend approximately 4.2m from the rear of the existing building. There is an existing two storey rear extension projecting 1.2m from the rear. Although the two storey extension will be closer to the neighbouring rear gardens, there is not a significant change to the established overlooking. Officers also consider that due to the distance to the rear of the property (approximately 5.5m) the two storey rear extension would not have an overbearing effect upon the properties to the rear.

The two storey rear window, mentioned in objection letters, would serve a proposed stairwell. This is a transitory area and not a main habitable room. As the area would be used to "walk through" the impact of overlooking would not be considered a significant issue. Officers also consider that the location of the floor to eaves window would not introduce any significant change to the established overlooking currently experienced from fenestrations to the rear of the existing property.

Currently there is existing terracing to the rear of the garden that has extensive established views that overlook the rear of neighbouring properties.

The removal of the rear garage and its replacement with terracing has led to privacy objections from the neighbouring property. The gardens to 2 Forthay are extensive, with secluded areas. The terracing would be approximately 50m away.

Due to existing ground levels, outbuildings and fenestrations, Mount Pleasant already overlooks the rear of 2 Forthay gardens. This development will be set back from the boundary, with a fence will not exacerbate overlooking. The removal of the existing garage would be permitted development.

There is no balcony proposed to this development. A Juliet balcony is proposed to the east elevation, this will look out onto open countryside and would not overlook any other properties or private curtilage areas.

Mount Pleasant was given planning permission in 1959 with no restrictive conditions. Similarly Happy Landings was given planning permission in 1981 without any restrictive conditions.

Policy ES3 is complied with in terms of protecting neighbouring amenities.



## **Development Control Committee Schedule 07/06/2016**

### **HIGHWAY SAFETY**

The existing parking provision would be moved from its current position to another area within the existing curtilage. Officers consider the parking provision and vehicular access are acceptable.

Policy ES3 is complied with in terms of impact on highway safety.

### **ECOLOGY**

The extension is a minimal increase in footprint, which would be within the existing residential curtilage. As such, the ecological impact of the development would be minimal. As there are works to the existing roof structure a protective species informative is suggested.

The proposal is compliant with the requirements of Policy ES6.

### **HYDROLOGY**

The application site is within Flood Zone 1 and has a 1:1000 year occurrence of flooding. Furthermore the areas of hardstanding being created are similar to the roof space and hardstanding being removed.

### **OTHER MATTERS**

The plans supplied were taken from Ordnance Survey maps and are submitted to identify the location of the proposal site with regards to the surrounding properties/landscape, with this in mind the plans submitted are sufficient for the application. The issue of the boundaries for other properties is not considered to affect this decision in terms of planning matters for this application.

The scaled plans submitted have clearly identified AOD points for proposed and existing plans and elevations for the authority to assess the application in conjunction with a site visit.

### **RECOMMENDATION**

In light of the above, it is considered that the proposal complies with the policies outlined.

### **ARTICLE 35 (2) STATEMENT**

There was detailed pre-application discussion on this project; it is considered the applicants have taken on the advice given in the pre-application advice.

### **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.