

07 September 2016

## **DEVELOPMENT CONTROL COMMITTEE**

A meeting of the Development Control Committee will be held on **TUESDAY, 20 SEPTEMBER 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 - 16 AUGUST 2016**  
To approve and sign as a correct record the minutes of the Development Control Committee meeting held on 16 August 2016.
- 4 **DEVELOPMENT CONTROL PLANNING SCHEDULE**  
(Note: For access to information purposes, the background papers for the applications listed in the above schedule are the application itself and subsequent papers as listed in the relevant file.)
- 4.1 **BATH ROAD TRADING ESTATE, BATH ROAD, STROUD, GLOS. - S.16/1023/FUL**  
The demolition of existing buildings and the erection of a Class A1 foodstore with associated access, car parking and landscaping.

**4.2**      **18 WOODMANCOTE, DURSLEY, GLOS. - S.16/1232/OUT**  
Demolition of existing buildings and erection of ten dwellings.

**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**

16 August 2016

 6.00 pm – 8.15 pm  
 Council Chamber, Ebley Mill, Stroud
**3****Minutes****Membership**

Councillor Tom Williams **	P	Councillor Jim Dewey	P
Councillor John Marjoram *	P	Councillor Haydn Jones	P
Councillor Dorcas Binns	A	Councillor Jenny Miles	P
Councillor Chris Brine	P	Councillor David Mossman	P
Councillor Miranda Clifton	P	Councillor Gary Powell	A
Councillor Nigel Cooper	A	Councillor Mark Reeves	P

\*\* = Chair \* = Vice Chair

P = Present A = Absent

**Officers in Attendance**
 Planning Manager  
 Planning Team Manager  
 Principal Planning Officer

 Solicitor  
 Democratic Services Officer
**DC.015 APOLOGIES**

Apologies for absence were received from Councillors Dorcas Binns and Nigel Cooper.

**DC.0016 DECLARATIONS OF INTEREST**

There were none.

**DC.017 MINUTES – 12 JULY 2016**

**RESOLVED** That the Minutes of the Development Control Committee held on 12 July 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.14/2430/FUL	2	S.16/1081/FUL	3	S.16/1032/FUL
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**DC.018**      **THE FULL MOON, MOUNT PLEASANT, WOTTON-UNDER-EDGE, GLOS**  
**(S.14/2430/FUL)**

Late pages had been circulated prior to the meeting to members in respect of this item which outlined additional officer comments following receipt of the community's business plan. An addendum regarding the business plan had also been reproduced setting out policy EI6. Further communications had been received from the Town Council setting out further reasons for objecting to the application and a letter of support had been received from Janet Morton.

Councillor Ken Tucker, Ward Member confirmed that he was not in favour of the application in August 2015 and his opinion had not changed.

Mr Terry Luker spoke on behalf of the Parish Council who objected to the application on the grounds of it being overbearing, overdevelopment of the site, paragraph 70 of the NPPF, the lack of communal space, the impact on the protected trees and the lack of affordable housing.

Mr Paul Barton representing SCAG outlined the reasons why the community wished to retain what they considered to be a valuable facility.

The Agent outlined his reasons why the pub had failed 3 years ago and stated that the proposed business plan was not viable. The owner of the pub is not interested in selling the property only in leasing it.

The Team Manager gave a synopsis of the business plan and confirmed the following:-

- The business plan formed the basis of a solid bid for a community run facility.
- Pledges had been received for £240,000, which would be made up of shares of £500 each.
- A lot of the labour to bring the building up to standard would be carried out free of charge.
- A report from Bruton Knowles in August 2015 had concluded that the pub was not viable as a business venture.
- The original application was for 12 dwellings which had been reduced to 10.
- Policy EI6 of the Local Plan made reference to the strong community and their aspirations.
- If the venture failed then the matter could be reconsidered.
- Following discussions with the Council's Arboriculturist the trees required more protection which warranted a new design and layout for the application.
- The building will have to come with some curtilage around it.
- Each dwelling would have 2 car parking spaces.
- No recently amended plans had been forthcoming despite a request.

Members agreed that the community should be given the opportunity to prove that they are financially viable and have the funding to take over the pub. A motion to DEFER the application for a further two months was proposed by Councillor Dave Mossman and seconded by Councillor Mark Reeves.

The matter was debated and it was agreed that the period should be extended to 3 months to enable the community to prove it was financially viable. A decision would be made by Committee at their meeting on 29 November 2016.

On being put to the vote there were, 7 votes in favour, 0 votes against and 1 abstention.

**RESOLVED To DEFER application S.14/2430/FUL and to discuss the matter again on 29 November 2016.**

**REASONS**

1. To support the aspirations of the local community as referred to in the Council's Local Plan under policy EI6.
2. To give the community a period of 3 months to provide evidence that they have the funds in place to purchase the property.

**DC.019      MILL COTTAGE, MILLEND MILL, MILLEND LANE, EASTINGTON, GLOS (S.16/1081/FUL)**

The Principal Planning Officer confirmed that the Parish Council had removed their objection to the application.

Councillor John Jones, a Ward Member concurred with the officer's report.

Councillor Stephen Davies, a Ward Member had called the application in and confirmed that there had been a misunderstanding with the parish council and he also concurred with the officer's report.

Mrs Jo Williams the owner of the property confirmed that the changes had been unavoidable and there had been no objections.

A motion to **ACCEPT** the officer's recommendation was proposed by Councillor Chris Brine and seconded by Councillor Dave Mossman.

On being put to the vote members voted unanimously in favour of the motion.

**RESOLVED To GRANT PERMISSION for application S.16/1081/FUL, as set out in these Minutes.**

**DC.020      LAND TO THE REAR OF 38/40 GLOUCESTER ROAD, STONEHOUSE, GLOS (S.16/1032/FUL)**

The Planning Team Manager introduced the above application and provided an update on 3 responses which had raised objections to the application on the grounds of the size of the site, overdevelopment, parking problems, the safety of children playing and the impact on the character of the area.

Councillor Mattie Ross, a Ward Member spoke against this application because the development was in the wrong place and not compatible with Melbourne Close, citing Local Plan policy HC1.

Councillor Gwen Atkinson represented Stonehouse Town Council who also objected to the application because of insufficient amenity, the terraced housing was not in keeping with other dwellings in the area and quoted criteria 1, 7 and 9 of the Local Plan policy HC1.

Opposers Messrs Harris, Dore and Martin all objected to the application on the grounds of overdevelopment, out of keeping with the street scene, insufficient parking and the social impact.

In response to questions the officer confirmed that there would be 1 parking space for each plot. Members were of the opinion that a terrace of 3 properties was considered to be overdevelopment of the site and that parking was already a problem on that street. The officer confirmed that the case officer had actively engaged with the architect with a variety of suggestions regarding the site, but to no avail.

A motion to **REFUSE** the application contrary to the officer's recommendation, was proposed by Councillor Chris Brine and seconded by Councillor Dave Mossman. Members voted unanimously in favour of the motion.

During debate members agreed that the proposed development was not in keeping with the street scene and there were already parking issues.

**RESOLVED To REFUSE PERMISSION for application S.16/1032/FUL.**

**REASONS Local Plan Policy HC1, lack of car parking, the impact on the street scene and the proposed dwellings would be out of character in the area.**

The Chair advised Members that due to the Christmas break the date for the January's meeting would be moved from Tuesday, 3 January to Tuesday, 10 January and it was agreed to hold sites panel on Thursday, 5 January 2017.

The meeting closed at 8.15 pm.

Chair



# **Stroud District Council**

## **Planning Schedule**

### **20<sup>th</sup> September 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

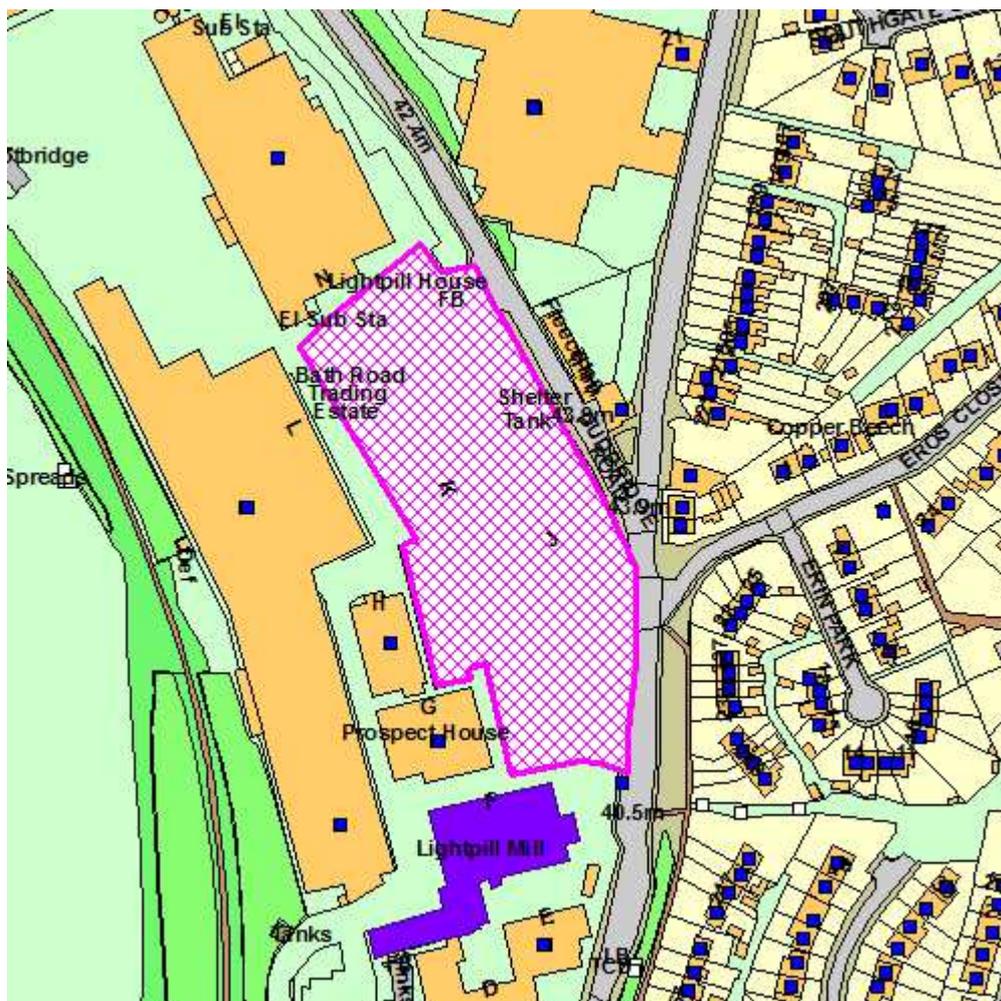
A copy of the Scheme for Public Speaking at Development Control Committee meetings is available at the meeting.

Parish	Application	Item
Rodborough Parish Council	Bath Road Trading Estate, Bath Road, Stroud. S.16/1023/FUL - The demolition of existing buildings and the erection of a Class A1 foodstore (1,918 sq m gross floor area) with associated access, car parking and landscaping.	01
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.16/1023/FUL">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.16/1023/FUL</a>	
Dursley Town Council	18 Woodmancote, Dursley, Gloucestershire. S.16/1232/OUT - Demolition of existing buildings and erection of ten dwellings	02
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.16/1232/OUT">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.16/1232/OUT</a>	



## Development Control Committee Schedule 20/09/2016

<b>Item No:</b>	<b>01</b>
<b>Application No.</b>	S.16/1023/FUL
<b>Site No.</b>	PP-04911807
<b>Site Address</b>	Bath Road Trading Estate, Bath Road, Stroud, Gloucestershire
<b>Town/Parish</b>	Rodborough Parish Council
<b>Grid Reference</b>	383956,203940
<b>Application Type</b>	Full Planning Permission
<b>Proposal</b>	The demolition of existing buildings and the erection of a Class A1 foodstore (1,918 sq m gross floor area) with associated access, car parking and landscaping.





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<b>Applicant's Details</b>	ALDI Stores Limited C/O Agent
<b>Agent's Details</b>	Planning Potential 13-14 Orchard Street, Bristol, BS1 5EH
<b>Case Officer</b>	John Chaplin
<b>Application Validated</b>	12.05.2016
	<b>RECOMMENDATION</b>
<b>Recommended Decision</b>	<b>Resolve to Grant 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 06/05/2016 Plan number = 130085 P(1)01  Site Plan Proposed of 06/05/2016 Plan number = 130085 P(1)03  Proposed floor plan of 06/05/2016 Plan number = 130085 P(1)04  Roof plan of 06/05/2016 Plan number = 130085 P(1)05  Proposed Elevations of 06/05/2016 Plan number = 130085 P(1)06  Section of 06/05/2016 Plan number = 130085 P(1)07 Plan number = 130085 P(1)08 Plan number = 130085 P(1)09</li></ol>



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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 comprising the erection of the building hereby permitted shall take place until samples of all materials (includes walling, roofing and joinery details) to be used in the construction of the external surfaces of the buildings have been submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved samples.

Reason:

In order to ensure a sympathetic form of development within the conservation area in accordance with Policy ES10 of the adopted Stroud District Local Plan, November 2015.

4. The development comprising the erection of the building hereby permitted shall take place until details of a scheme of soft landscaping for the site have been submitted to and approved by the Local Planning Authority.

Reason:

In the interests of the visual amenities of the area in accordance with Policies CP14 and ES10 of the adopted Stroud District Local Plan, November 2015.

5. The approved landscaping scheme shall be implemented so that planting can be carried out during the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planting shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless otherwise approved by the Local Planning Authority.

Reason:

In the interests of the visual amenities of the area in accordance with Policies CP14 and ES10 of the adopted Stroud District Local Plan, November 2015.

6. No more than 1,254sq m total net retail sales area shall be provided on site.



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Reason:

To limit the retail impact on the health of, vitality and viability and investment within nearby town and district centres in accordance with Policies CP12 and EI9 of the adopted Stroud District Local Plan, November 2015.

7. No development shall be carried out in accordance with the approved plans and at no time shall there be sub-division of approved building into individual units.

Reason:

To limit the retail impact on the health of, vitality and viability and investment within nearby town and district centres in accordance with Policies CP12 and EI9 of the adopted Stroud District Local Plan, November 2015.

8. No more than 20% of the net tradable floorspace (251sq m) shall be used for the sale of comparison goods.

Reason:

To limit the retail impact on the health of, vitality and viability and investment within nearby town and district centres in accordance with Policies CP12 and EI9 of the adopted Stroud District Local Plan, November 2015.

9. The premises shall not be open for customer business between the hours of 2200 and 0800 hours on Monday to Saturday and 1700 and 1000 on Sundays.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, and to limit the retail impact of the scheme in accordance with Policies ES3 and EI9 of the adopted Stroud District Local Plan, November 2015.

10. No development shall take place, including any works of demolition, until a Construction Method Statement for all phases of the development has been submitted to, and approved by the Local Planning Authority. The approved Statement shall be adhered to throughout the phases and construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;



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- v. provide for wheel washing facilities, which shall be used by every lorry and van prior to leaving the site on every occasion;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction and demolition works;
- viii. provide details of the site access during the construction period.

**Reason:**

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

11. No development shall take place until a scheme of external lighting has been submitted to and approved by the Local Planning Authority. The submitted scheme shall include full details as to the location, design, hours of illumination and lux of all external lighting including security lighting. No other external lighting of any description shall be erected on the site unless in accordance with the approved lighting scheme.

**Reason:**

In order to safeguard the amenities of the occupiers of the surrounding properties and to ensure a sympathetic form of development in accordance with Policies ES3 and ES10 of the adopted Stroud District Local Plan, November 2015.

12. The level of noise from fixed plant at the site shall not exceed 43 dB LAr, 1 hr as measured or determined at the external boundary of any residential property between the hours of 07:00 to 23:00. The LAr (Rating Level) shall be calculated in accordance with British Standard 4142:2014.

**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.

13. The level of noise from fixed plant at the site shall not exceed 37 dB LAr, 15 min as measured or determined at the external boundary of any residential property between the hours of 23:00 to 07:00. The LAr (Rating Level) shall be calculated in accordance with British Standard 4142:2014.



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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.

14. The development hereby permitted shall not begin until a scheme to deal with ground contamination, controlled waters and/or ground gas has been submitted to and approved by the Local Planning Authority.

The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:-

1. A Phase I site investigation carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice.

2. If identified as required by the above approved Phase 1 site investigation report, a Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. Where required, the report shall include a detailed quantitative human health and environmental risk assessment.

3. If identified as required by the above approved Phase II intrusive investigation report, a remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end-point of the remediation should be stated, such as site contaminant levels or a risk management action, as well as how this will be validated. Any ongoing monitoring should also be outlined. No deviation shall be made from this scheme without prior written approval from the Local Planning Authority.

No part of the development hereby permitted shall be occupied until:-

4. Any previously unidentified contamination encountered during the works has been fully assessed and an appropriate remediation scheme submitted to and approved the Local Planning Authority.



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5. A verification report detailing the remediation works undertaken and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology has been submitted to, and approved by, the Local Planning Authority. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

For further details as to how to comply with this condition, please contact Katie Larner, Senior Contaminated Land Officer – tel: (01453) 754469.

**Reason:**

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

15. The Floor levels should be set no lower than 38.80 metres Above Ordnance Datum (600mm above the predicted 1 in 100 year flood level including an allowance for climate change) unless otherwise approved by the local Planning Authority.

**Reason:**

To protect the development from flood risk for the lifetime of the development.

16. There shall be no raising of ground levels within that part of the site liable to flood as defined by the level of 38.00m AOD(N) as shown on the topographic survey drawing 130085 P(1)02 submitted on 6 May 2016.

**Reason:**

To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

17. Prior to commencement of development, evidence of Severn Trent water company consent, sufficient to accommodate the maximum permitted discharge rate, shall be submitted to and approved by the Local Planning Authority. If the proposed rate of discharge is not accepted by the water company, an alternative drainage strategy shall be submitted to and approved by the Local Planning Authority prior to commencement of the development.



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Reason:

To prevent an increased 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.

18. Prior to the commencement of development details of surface water attenuation/storage works shall be submitted to and approved by the Local Planning Authority. The volume balance requirements should be reviewed to reflect actual development proposal, agreed discharge rate and the extent of impermeable areas and runoff to be generated. It is important to confirm dimensions and depth of proposed tank to the Local Planning Authority once discharge rate is agreed by Severn Trent. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason:

To prevent an increased 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.

19. No development shall take place until a SUDS maintenance plan for all SUDS/attenuation features and associated pipework, in accordance with The SuDS manual (CIRIA, C753), has been submitted to and approved by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the approved terms and conditions.

Reason:

To ensure the continued operation and maintenance of drainage features serving the site and avoid 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.

Informatives:

1. Article 35 (2) Statement - Pre-application discussions took place on this project, and the case officer has during the application been in regular contact with the agent and the community, acting in a positive and proactive manner. Dialogue and negotiations have



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	<p>included the design, ecological, retail and highways issues and result in the improvements in the scheme.</p> <p>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.</p>
	<b>CONSULTEES</b>
<b>Comments Received</b>	<p>Archaeology Dept (E) Mr David Lesser Flood Resilience Land Drainage Natural England (E) Historic England SW Environmental Health (E) Contaminated Land Officer (E) Arboricultural Officer (E) Stroud Town Council Stonehouse Town Council Nailsworth Town Council Cainscross Parish Council Planning Strategy Manager (E) Parish / Town The Environment Agency (E) Karen Colbourn</p>
<b>Not Yet Received</b>	Development Coordination (E)
	<b>CONTRIBUTORS</b>
<b>Letters of Objection</b>	<p>B V Howells, 23 Greenaways Ebley, Mr. King, 231 Bath Road, Stroud Zapkam Limited, Unit H2B Bath Road Trading Estate,</p>



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	<p>Naomi, Church Field Road, Jamie, Dr Crouches Road, Eastcombe, P Corkhill, 35 Reservoir Close, Marie, Parliament Close, Jason, Stonehouse, S Cannon, 241 Bath Road, Stroud S Hanks, Stroud, GL51nh J Ferry, Beech Grove, J Ferry, Beech Grove, M Wilkins, SMP Sheet Metal, Rogers, Summer Street, Camilla, 9 Beech Grove, North Woodchester R Russell, Town Hall, High Street, Truturn Precision Engineering (Charfield) Limited, Units L2 &amp; L3, Bath Road Trading Estate Richard, Briar Close, Della, Southgate Crescent,</p>
<b>Letters of Support</b>	<p>C Brookes, 118 Kings Court Lane Stroud, B Sears, The Orchard, L Hendrie, 131 The Bassetts, Cashes Green D Targett, 45 Dozule Close, Leonard Stanley L Lardner, Cromarty, S Taylor, 1 Eros Close Stroud, R Gillott, 27 Glen Park Crescent Kingscourt, Trudi, 1 Birch Road, Kingscourt, Stroud, D Balster, 3The Rosaries, Claire, Sumner, A Powell, 45 The Stirrup, Stroud., M Balster, 3 The Rosaries Paganhill Lane, Mrs L Hanks, 56 Dudbridge Hill, Tony, Parker, S Gardham, 32 Fishers Way, Kingscourt, Stroud, C Shaw, 45 Dudbridge Hill , Stroud Barbara, 6 Kingsley Road, M Smith, Redlers Waterside, C Young, 31 Frome Gardens Cainscross Stroud, S.DiGirolamo, West Pavilion, Dudbridge House, Selsley Hill, Stroud, K Turfrey, Riverside, Meadow Lane, Dudbridge R A Bainbridge, 10 Glen Park Crescent, Kingscourt A Payne, 6 Tabernacle Walk, Williams, 1 Spillmans Road Rodborough Stroud, P Telford, Clarose House, Tim, Bisley Road, A Myrie, Meadow Lodge, Ebley Wharf, Ebley, Stroud,</p>



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	Fred, Bridge Mead, Ebley, Geoff Wakefield, Sherwood House, P Smith, 84 Westward Road, Stroud, C M Harrison, 16 Hill Close Estate, Lightpill, Stroud Anne, 30 Kingscourt Lane, G Fox, 123 Bath Road, C Glover, Morton House, R Holder, 221 Bath Road,
<b>Letters of Comment</b>	S. Allan, Gordon Villa, Churchfield Road, Stroud, Glos R Cook, Unit F2b Bath Road Trading Est., C Hendrie, BraeHame Walkley Hill, S Allan, Gordon Villa Churchfield Rd, Stroud Glos Rodborough Parish Council, Rodborough Community Hall, Butterrow West D Finch, 31 Dudbridge Hill, Stroud, J Gale, 9 Woodhouse Drive, S Allan, Gordon Villa, Churchfield Rd., Stroud, Glos. D Winder, BPI Recycled Products, Unit N, Bath Road Trading E Mrs S Mack, 31B Cashes Green Road, M Davies, Autodeals
<b>OFFICER'S REPORT</b>	

### **SITE**

The application site is 1.03ha located within Bath Road Trading Estate adjacent to the junction between the Dudbridge Road and Bath Road (A46). The site includes the current auction house building, the row of industrial buildings to the rear and the vacant 1960's office tower.

The remainder of Bath Road Trading Estate is made up of a mix of light industrial, office and warehouse space. With the site being approximately 1.5km from the defined town centre boundary, and within the Stroud Urban Area.

The site is within the Industrial Heritage Conservation Area and the grade II Listed Lightpill Mill which is part of the Trading Estate is located to the South of the site.

The site is located just outside the Cotswolds Area of Outstanding Natural Beauty but with the intervisibility of the steep Stroud Valleys the site is visible especially from Selsley and Rodborough Commons.

### **PROPOSAL**

The proposal is for a Class A1 foodstore (1,918 sq m gross floor area). ALDI are the applicant and the store has been designed to meet the particular needs of a deep discounter, which has a different business model compared, with mainstream larger supermarkets. The



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proposed building has a mono pitched overhanging roof which drops away from Dudbridge Road. The main customer facing elevation (South) has a large amount of glazing and a canopy with the other elevations mainly broken up by different colour cladding.

The scheme includes a car park and landscaping. Alterations to the access shared with the Bath Road Industrial Estate are also part of the proposal. Demolition of the existing buildings on the site is also included.

### REVISED DETAILS

Additional ecology, noise and air quality information/assessments submitted.  
The retail sequential test as updated.

Further revised highway and layout details are anticipated to be submitted shortly which will take account of the GCC Highway comments and consolidate other minor alterations.

### MATERIALS

Walls: Grey and silver cladding, Terracotta rainscreen cladding, Dark grey brick plinth.  
Roof: Grey composite panels  
Fenestration: Grey powder coated aluminium

### RELEVANT PLANNING HISTORY

There is an extensive planning history that relates to the wider industrial site but has limited relevance to this proposal.

Other supermarket site/scheme update.  
Brunsdons Yard S.15/2590/FUL Pending  
Brunsdons Yard S.13/1498/FUL Appeal withdrawn

Daniels 3. S.15/1517/FUL Pending  
Daniels 2. S.14/1905/FUL Refused  
Daniels 1. S.13/2284/FUL Appeal withdrawn

Avocet S.14/0677/FUL Approved

### 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.

Rodborough Parish Council: Nether support or object -  
While appreciating ALDI's own pre-application consultation showed most respondents to be in favour of this proposal, Rodborough Parish Council would wish to express the following concerns:

- Displacement and disruption of long established businesses and the ability of any that will have to move to re-locate their heavy plant



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- The effects on a highly skilled workforce with the potential loss of said skilled jobs caused by the displacement of businesses
- Traffic congestion and safe access from the estate onto the A46
- The Parish Council believes that if this development is granted, it is essential that the highly dangerous A46 Dudbridge Road/A46 Bath Road junction is re-prioritised and safety concerns addressed

Stroud Town Council: No observations

Cainscross Parish Council: Would prefer to see any supermarket development at the Stroud Metals site at Dudbridge.

Stonehouse Town Council: Object - concern about the predicted impact of this development on the retail economy of Stonehouse. The cumulative impact of 14.21% for Stonehouse given in para. 6.44 in the Planning and Retail Statement submitted with the application is greater than the impact on other nearby towns or on other supermarkets within Stroud. If Stroud District Council consider a robust methodology has been used for the retail impact assessment, the negative impact on Stonehouse's economy should be an important consideration when determining the application.

Nailsworth Town Council: Object - Concerned about the traffic on the A46 and effect on road network. Believe the development would lead to a net loss of employment on this employment site. Concerned about loss of trade and therefore employment in Nailsworth.

A survey of local retailers and caterers carried out in the town in 2014 indicated that a 5% drop in local trade would lead to a loss of some 42 jobs, whilst a 10% drop would lead to a loss of 125 jobs. It is estimated that 40% of the jobs lost would be full-time posts.

Historic England: Recognise historic setting within IHCA and historic mill setting. Urge an attempt at a more bespoke design in appropriate materials with sensitive signage.

GCC Archaeology: I advise that I have checked the proposed development area against the County Historic Environment Record and there is no archaeology known at this location. In my view this development proposal has low potential to have an adverse impact on any significant archaeological remains. Therefore, I recommend that no archaeological investigation or recording should be required in connection with this development proposal.

Natural England: No objection

SDC consultant Ecologist: No objection

Environment Agency: No objection - Recommends conditions

GCC LLFA: No objection to the surface water management proposals recommends conditions



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SDC Water Resource Engineer: Major application dealt with by GCC LLFA

GCC Highways: Not yet received

SDC Environmental Health: Recommends conditions and informatives

SDC Senior Contaminated Land Officer: Recommends full contaminated land condition.

Local Residents:

35 Support comments received

Reduce travelling to Gloucester, need for discounter, lower prices and great quality, create competition and choice, difference shopping experience, create jobs and employment.

Good reputation as an employer and pay good rate to their staff. Will not compete with Town Centre but other supermarkets.

Bring back into use a disused building. Removal of old and disused building will help the appearance. Investment in a brown field site. Stroud falling behind in its regeneration.

Traffic improvements to the A46 are a bonus.

20 Objection comments received

Force existing small businesses to relocate or close. Change the nature of the industrial estate to a retail park. Not compatible uses.

Access needed to other areas of the estate.

No need for another supermarket in Stroud. Retail impact on existing shops. Not in public interest.

Highway safety concerns, existing accident black spot with difficult junction/traffic problems from surrounding roads onto A46. Generate significant additional traffic. Overspill parking on local streets. Dangerous pedestrian access.

Noise and pollution from deliveries and traffic.

Ruin historic site

10 Comments received

Concern regarding highway safety and the access. Address existing companies parking and access.

Problems of increased public access to the estate.

Impact on demolition work.

Reduce travelling to Gloucester

Should consider empty brownfield site eg Automolds

Impact on heritage

### **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.



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The adopted Stroud District Local Plan, November 2015 is the development plan for Stroud District. The Local Plan has very recently been adopted and full weight should be given to its contents, in accordance with paragraphs 12 and 15 of the NPPF. There is a presumption in favour of sustainable development as applied locally through the policies contained within the Local Plan. Consequently, decision makers should approve proposals that accord with the Local Plan without delay, but should refuse proposed development that conflicts with the Local Plan, unless material considerations indicate otherwise.

Local Plan policies considered for this application include:

- CP2 - Strategic growth and development locations
- CP11 - New employment development
- CP12 - Town centres and retails
- CP14 - High quality sustainable development
- EI1 - Key employment sites
- EI9 - Floorspace thresholds for impact assessments
- EI12 - Promoting transport choice and accessibility
- ES3 - Maintaining quality of life within environmental limits
- ES4 - Water resources, quality and flood risk
- ES10 - Valuing our historic environment and assets

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

The NPPF is a material consideration in planning decisions and was published on 27 March 2012. Due weight should be given to Local Plan policies according to the degree of consistency with the National Planning Policy Framework (NPPF). Paragraph 24, 26 and 27 are particularly relevant to the retail sequential and impact tests. Full details of the NPPF is available to view at <http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Paragraphs 131, 132, and 137 highlight the historic environment and paragraph 134 protects historic assets from harm unless outweighed by other considerations. However this need to be considered alongside sections 66 and 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act, which requires “special” consideration is given to the setting of listed buildings and conservation areas.

A Referendum relating to the adoption of the Stroud Town Centre Neighbourhood Development Plan was held on Thursday 18 August 2016. The result of this referendum shows the community endorsed the use of the NDP for determining planning applications as part of the development plan. Therefore, the NDP should now be given significant weight. Full Council will consider adoption of the NDP on 27th October 2016.

### **INTRODUCTION**

Assessment of the application gives rise to a number of areas for consideration:

- o The Retail Sequential and Impact Tests.



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- o Employment Protection and Opportunities
- o Highway implications
- o Design and Heritage Impact
- o Landscape Impact
- o Environmental Health
- o Ecological Impact
- o Hydrology and Flooding
- o Amenity.

### **RETAIL SEQUENTIAL ASSESSMENT**

It would be difficult, unreasonable and unenforceable to condition the permission to Aldi stores however conditions are recommended on the type of retail operation. The size and nature of the store do suggest a “deep discounter, particularly as the applicant is Aldi themselves and not a third party.

It is agreed that the application site is located in an out of a town centre location and given this location retail planning policy requires a retail sequential test. This should consider whether there are any suitable and available in-centre, edge-of-centre or more accessible and better connected out-of-centre sites within the catchment area of the proposed store that would be sequential preferable.

The agent has prepared a Planning & Retail Statement and following Officers request additional information and analysis has been submitted in the form of a Sequential Site Update. Officers have considered these with the specialist assistance of the Council's retail consultant.

In terms of alternative sites the applicant has put forward and considered a range of sites both within centres and edge of centres including:

1. Cheapside Wharf;
2. Merrywalks;
3. Parliament Street/Church Street;
4. London Road;
5. The Market Tavern site;
6. Dudbridge Industrial Estate (Avocet);
7. Daniel's Industrial Estate; and
8. Brunsdon's Yard (Ryeford).

In looking at these sites, the agent is requested to demonstrate a flexible approach to their requirements including the dissemination of floor space and parking requirements, in order to ensure that a robust investigation of these sites has taken place.

These sites have been considered by the LPA in the past during previous retail/supermarket applications and apart from the Market Tavern, which will be address later, Officers do not consider there are any additional sites. The implications arising out of recent Mansfield High Court judgement have also been highlighted and considered by the agent and the Council's



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retail consultant. In brief, this is a need to assess the proposed use and not the specifics of the identity of the intended retail occupier when applying the retail sequential assessment.

In relation to the Cheapside, Merrywalks and London Road sites, there have not been any material changes in circumstances from the previous assessments and, in any event, with the support of our retail consultant, Officers remain of the opinion that they are unsuitable for a foodstore development of the size proposed in this application even taking into account the NPPF requirement for flexibility in scale and format. Parts of these sites are identified in the Neighbourhood Plan for mixed use development, although none are identified for foodstore and are not either large enough or suitable for such a use.

The assessment of the Parliament Street/Church Street site has been re-visited given that it is now known that the Court element of the site is likely to become available in the short term (following the closure of the Court use). The Police Station and Court element of the Parliament Street/Church Street site is also identified for redevelopment in the Neighbourhood Plan and which includes retail uses. However, whilst part of this site is now available, and even assuming that the remainder could be made available, the format of the site and particularly its distinct change in levels makes it unsuitable for a large size foodstore.

As noted above the other alternative site within Stroud town centre is the Market Tavern site. This site was promoted as a retail-led redevelopment, and was considered as part of the retail sequential assessment during the previous supermarket proposals in the April 2015. Part of the site has now been identified in the Neighbourhood Plan for mixed use development, although the amount of land allocated does not make it large enough to accommodate this proposed development. Such a sized site lends itself to an immediate needs "corner shop" rather than more of a bulkier weekly shop.

Moreover, since the approval of the Dudbridge Road scheme and refusal of the other two proposals, the Market Tavern redevelopment proposals have not come forward. In any event, whilst the current proposal is smaller than the previously assessed supermarket schemes, Officers and our retail consultant still do not consider that it represents a suitable site for the proposed development even when flexibility in scale and format in taken into account. In particular, the shape, orientation and topography of the site do not lend themselves to a significant foodstore development which needs to be supported by some accessible customer parking provision.

The other sites included in the sequential site assessment exercise are all out-of-centre and comprise the other sites recently/currently promoted for retail development. At the time of considering the recent supermarket proposals, the LPA undertook an exercise to understand whether any of the three sites could be considered more accessible and better connected to nearby town centres. This was a requirement based upon the contents of paragraph 24 of the NPPF and that assessment considered accessibility between the sites and nearby town centres based upon different modes of transport.

This application does introduce a fourth out-of-centre site and whilst a detailed re-visit of this assessment has not been undertaken, Officers consider that a reasonable conclusion to draw is that the application site is not better connected or more accessible in relation to nearby



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town centres than the other three sites. Equally, it does not perform more poorly in relation to accessibility factors than the other sites. This is supported by our retail consultant on the basis of the site is located in close proximity to the Daniel's Industrial Estate site which would have characteristics that are likely to be equally applicable to this application site.

It is therefore considered that this proposal is considered to meet the provisions of the retail sequential test, as outlined in Policy CP12 of the Stroud Local Plan and paragraph 24 of the National Planning Policy Framework.

### **RETAIL IMPACT ASSESSMENT**

Local Plan Policy EI9 sets a local retail impact assessment threshold to ensure that full consideration is given to the scale of development and whether this would have any significant adverse impacts on an existing centre.

This is consistent with and supported by paragraph 26 of the NPPF and whilst the Local Plan sets an appropriate local threshold the NPPF notes that impact assessments should include an assessment of:

- o the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- o the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

This planning policy basis and the out-of-town location means that the impact on the proposal on the health of, and investment within, town and local centres have to be assessed. Concerns have also been raised including from Stonehouse and Nailsworth Town Councils on the potential retail impact of the proposal on existing town centres.

The agent has submitted an assessment of these issues and in line with Officers instruction this has been independently reviewed by our retail consultant.

Our retail consultant has used the latest retail expenditure forecasts in their assessment and whilst they consider the agent's predicted trading performance for the proposal would result in an under-estimate of the trading impact of the store, this is only to a marginal extent.

Our retail consultant is also satisfied with the forecast trade diversion to the proposed store and whilst this does offer a robust assessment they have included within their assessment an individual impact of assessment (this store only and Dudbridge site not coming forward).

Our retail consultant assessment (table 1) indicates that around £0.16m of convenience goods expenditure could be diverted from stores in Stroud town centre, which will be spread across the different stores in the centre (although the highest amount of diversion will be from the Iceland). This will equate to a total impact of around 3% on the town centre's convenience goods sector. There will be similarly small levels of impact on the convenience



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goods sectors in Nailsworth (-1%) and Stonehouse (-4%) town centres. In Nailsworth, the large amount of diversion will come from the Morrisons store, whilst the Co-op on High Street will be the focus for the impact in Stonehouse town centre.

Outside of these nearby town centres, the assessment indicates that the diversion of convenience goods trade from other settlements in Stroud District will be comparatively low and with some diversion (£0.56m) from stores outside of the District. This level of diversion is, however, lower than assumed in the applicant's cumulative impact analysis but as they cannot be directly compared they are generally in line with each other.

Our retail consultant assessment (table 2) has also undertaken financial impact analysis for the comparison goods floorspace. Whilst this is only a small element of the proposed foodstore it still has a predicted turnover of £2.15m so requires analysis. Table 2 indicates that £0.8m of the £2.15m total turnover will be diverted from comparison goods stores across Stroud, with £0.6m (of the £0.8m) coming from town centre stores. Table 2 indicates that this will have a 1% impact 2020 trading levels in the town centre's comparison goods sector as a whole.

Of the remaining comparison goods turnover of the store, our retail consultant forecast that there will be small levels of diversion from other centres across Stroud District (e.g. Nailsworth at £0.1m), although a large part of this remaining turnover is likely to be drawn from centres further afield such as Cheltenham, Gloucester, Cirencester and stores across Bristol.

The impact on both convenience and comparison goods, i.e. the total retail impact is brought together in table 3 which is provided as **Appendix 1** to this report. This indicates the following total negative financial impacts for these three centres, Stroud 1%, Stonehouse 2% and Nailsworth 1%.

This overall impact levels are relatively small and, importantly, are below the levels of negative financial impact observed in relation to the Dudbridge/Avocet scheme, which pass the impact test (in relation to town centre vitality and viability) and was granted planning permission.

Therefore, with appropriate controls on the balance between convenience and comparison goods floorspace, individually our retail consultant has offered no clear reason in terms of financial impact why the LPA should reach a conclusion which is different to the Dudbridge Road proposal and refuse this application.

### Cumulative impact

There is also a need to consider the cumulative impact upon Stroud, Nailsworth and Stonehouse on the assumption that the Dudbridge Road/Avocet approval does go ahead either as a mainstream grocery retailer or by a discount grocery retailer (such as Lidl).

Bearing in mind this situation, we have considered whether this proposal would increase these levels of convenience and comparison goods impact upon Stroud, Stonehouse and Nailsworth town centres.



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Bearing in mind the individual impacts associated with the proposal and the additional cross-competition which would be created between the possible new Bath Road and Dudbridge Road/Avocet stores, our retail consultant concludes that the impact levels on Stroud, Nailsworth and Stonehouse town centres of the approved scheme would not be increased by a Bath Road store. Therefore, whilst there may well be an adverse impact upon the health of nearby town centres, the scale of cumulative impact is not so great or severe as to classify it as having a significant adverse impact, which is the key test in paragraph 27 of the NPPF and Policy E19 of the Local Plan.

The other impact test is the need to assess the impact of the proposal on existing, committed and planned public and private sector investment in nearby town centres. In relation to planned and committed investment, we are not aware of any projects in Stonehouse and Nailsworth which would be materially affected by the Bath Road proposal. The only project in Stroud town centre (Market Tavern) which was actively considered during the recent assessment of the supermarket proposals but has not been progressed over the past two years.

In relation to the impact of the proposal on existing investment in these three centres, it is noted the recent Dudbridge Road and nearby Daniel's Industrial Estate supermarket proposals did not raise any particular concerns over the impact of these proposals on existing investment in Stroud, Stonehouse and Nailsworth town centres. Bearing in mind the current proposal at Bath Road is smaller in scale, product range and financial impact than these proposals, it would appear an alternative conclusion in relation to the current proposal would be difficult to sustain.

Therefore, with suitable and robust controls via conditions the proposal, whilst there may be an adverse financial impact upon the convenience and comparison goods sectors in the nearby town centres of Stroud, Nailsworth and Stonehouse, the overall impact on town centre health and investment will not be significantly adverse when either this proposal is considered on an individual basis or cumulatively with the approved Dudbridge Road/Avocet supermarket. The scheme therefore does not conflict with the salient retail planning policies in the Local Plan or material policy considerations in the NPPF.

At time of writing the applicant for the Brundons Yard site is reconsidering the retail element of their proposal which is currently not in a position to be progressed. Whilst this is noted should this proposal get permission a further wider cumulative retail impact assessment would be required.

### **EMPLOYMENT PROTECTION & OPPORTUNITIES**

The application site forms part of the Bath Road Industrial Estate which is identified as a key employment site (EK25) which is afforded protection for traditional employment uses (B Class uses) under Policy E11. Therefore redevelopment for alternative uses or changes of use from employment use should not be permitted unless material considerations indicate otherwise.



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The estate was surveyed as part of the Employment Land Study (2013) which recommended to "retain the bulk of the land as a local employment area for B1/B2/B8 uses. Any vacant/poorly used land should be considered for retail uses, reflecting the identified demand."

The proposal would involve the redevelopment of 1.03 ha of the estate, which totals 3.34 ha in area. The existing site is partly vacant and the proposal envisages relocation the existing businesses elsewhere within the estate. Whilst retail uses would be strictly contrary to Policy EI1, the development would bring approximately 50 new local jobs, thereby intensifying employment uses on the site. The proposal would also appear to be broadly in accordance with the recommendations set out in the Employment Land Study.

The concerns regarding the displacement of the existing businesses are appreciated and have been raised with the agent. Following our discussions they have carried out further meetings and discussions with the existing businesses to address their concerns. They have also been working with representatives from the Bath Road Trading Estate to relocate any existing businesses, preferably within the estate, and are not aware of any businesses that would be forced to close.

Concerns about the relationship and compatibility of a foodstore within a trading estate have also been raised. The proposed foodstore is located to the front of the trading estate and subject to GCC Highways outstanding comments, it is considered there is adequate separation from the business and industrial uses within the rest of the trading estate. Access is maintained and the scheme would not require shoppers to proceed through the other parts of the estate.

The proposal therefore requires a balancing exercise to consider the proposed job creation and regeneration against the employment land status of the site. Given the above, Officers consider the overall employment land allocation would not be undermined by the scheme which would intensify the employment on this part of the estate.

### **HIGHWAY IMPLICATIONS**

A significant number of the representatives received have raised highway safety concerns with regard to the existing highway conditions and the additional traffic implications. There have been discussions with the agent, their highways consultant and GCC Highways. Whilst progress has been made a final recommendation from GCC Highways has not yet been received.

Particular areas of discussion relate to the capacity of the junction and A46 and the difference in traffic movements from the existing employment use and proposed foodstore, particularly on Saturday where the difference is greatest.

GCC Highways final comments and any subsequent amendments to the scheme will be reported and committee will be updated prior to the committee meeting.



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### **DESIGN/IMPACT ON HERITAGE ASSETS**

The application site sits within the Industrial Heritage Conservation Area, significant due to the appreciation of the milling industry, the resulting transport infrastructure and the juxtaposition of industry against the natural environment.

The submitted Heritage Settings Assessment concludes that the character area of Lightpill Trading Estate represents a modern industrial context which will be unchanged by this development, and will therefore have a neutral impact on the Conservation Area. The existing character of the Conservation Area is mixed. The proposal does represent an opportunity to provide improvements and enhancements which has to be given special regard when considering the merits of the application.

Within the aforementioned heritage statement, it advises that the design of the new supermarket draws on the conventions of the modern architecture within the Conservation Area. Historic England do not feel that drawing on modern architecture is the correct approach for new development in a designated historic environment and consider this modern design pays no regard to the surrounding industrial mill vernacular, and therefore fails to make a positive contribution. Attempts have been made during the application and at pre-application stage for a more bespoke design that would integrate further into the historic mill context for example a saw-tooth roof form. It is acknowledged that the agent/applicant has entered into this dialogue and sought to address this within their design. Whilst this has not gone as far as would be desirable, consideration has to be given to the submitted scheme and the impact weighted against the benefits.

The current scheme has a mono-pitched design and is functional in its appearance with the use of sheet cladding which is not uncommon in the IHCA and indeed is promoted in the design guide. It is also positioned below the road level and other modern industrial buildings are located nearby. The removal of the modern unsightly office building onsite is also noted and has little merit in Conservation Area terms. The scheme does not result in the loss of a Listed building and the proposed building has been positioned away from the listed Lightpill Mill which opens up part of the site with the car park area.

Consequently the design is not felt to be inappropriate bearing the industrial nature of the IHCA especially in terms of the size of the buildings, its materials and its design.

### **LANDSCAPE**

Given the intervisibility of the Stroud Valleys the site is unsurprisingly visible from various elevated viewpoints on the hillside above the site, including Selsley and others which are within the Cotswold AONB. However, the site is seen in conjunction with the existing trading estate and the wider extensive urban area which runs along the valley bottom and towards Stroud.

The proposal will reduce the number and amount of built form on the site, positioning the store to the north of the site and the car park and landscaping will create some openness. Therefore, it is considered the scheme will not significant harm the wider character and setting of the surrounding landscape or this part of the AONB.



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The signage details will need careful consideration, particularly the position and any illumination to assess the impact on the historic setting and wider landscape including viewed from Rodborough and Selsley Commons. These details have not been submitted as part of this application and would require separate consent where the appropriateness can be considered.

### **ENVIRONMENTAL HEALTH**

Environmental Health initially raised concern about the impact of the development on local air quality and noise from the fixed plant and further details and assessments have been provided by the agent. With the appropriate mitigation including during the construction phase, the proposed development is unlikely to be adversely affected by, or have a significant impact on local air quality. The submitted assessment of noise from the proposed fixed plant equipment demonstrates that the highest predicted plant (rating) noise levels will be 18 dB daytime and 19 dB at night. These levels which can be controlled via condition are significantly below the existing background noise climate and are likely to avoid a significant adverse noise impact on local residents. The Environmental Protection Manager is satisfied with these conclusions.

The submitted Desk Study Assessment Report highlights the long term industrial use of the site and the risks of contamination recommending further investigation and development of a remedial strategy which our Senior Contaminated Land Officer agrees is required. A full contaminated land condition is therefore proposed.

The Environmental Protection Manager has highlighted the potential for anti-social behaviour issues in the car park area, particularly in the late evening and overnight. This has been discussed with the agent and whilst it is noted it is not considered a specific issue at this site. If this does become an issue appropriate mitigation i.e closing the car park area off outside the opening hours of the supermarket could be addressed by the management of the site.

### **ECOLOGY**

The site is largely covered by buildings and tarmac hardstanding and offers limited scope for natural habitats. However, the Stroud Valleys, including the Nailsworth Valley, support an assemblage of bats of national importance. The submitted Ecological Assessment sets out appropriate measures to protect the bats roosting on the proposed development site and compensate for the loss of the roost. Whilst the lighting could have an effect, the agent has confirmed that the applicant's proposed lighting strategy is to turn off external lighting outside opening hours when staff have left the site and use appropriate mitigation in sensitive areas. With the reduction in the build form and potentially longer existing lighting hours which could operate 24hrs this is considered an improvement on the current situation.

Natural England is satisfied that the proposed development will not damage or destroy the interest features for which the Rodborough Common, Selsley Common and Minchinhampton Common SSSIs have been designated and is not likely to have a significant effect on the interest features for which Rodborough Common SAC has been classified.

More details are required on the proposed landscaping and the biodiversity enhancements this can be provided via detailed landscaping plan. This along with the implementation and



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management of the other ecological mitigation and enhancements outlined in the submitted Ecological Assessment can be controlled via condition.

The Nailsworth Stream is an important habitat for wildlife in the Stroud Valleys, including European Protected Species such as bats and otters. It has been compromised by culverting in the past and it would be a really significant ecological benefit to open it up. Whilst this is noted only a small part of the culvert crosses the corner of the site. The scheme does not preclude a wider future scheme it has not been required from this proposal.

### **HYDROLOGY AND FLOODING**

The Environment Agency are satisfied with the submitted Flood Risk Assessment (FRA) confirming there is no change in the current vulnerability classification 'less vulnerable' and that it is reasonable to assume that a level of 38.00m AOD (N) could be used to define the extent of Flood Zone 3 which results in the proposed development being in Flood Zone 1.

The Environment Agency highlight the latest guidance does require greater climate change resilience to be built into major projects, however, they recognise that the proposed store is substantially higher than the watercourse as shown on the ground level survey and that the site rises steeply towards Bath Road. Therefore, they are satisfied that there are no perceived issues with regards flooding affecting access to and from the new building, though some areas of car parking adjacent to the western boundary could be affected by shallow inundation in an extreme event should the culvert become surcharged.

The watercourse is also within a culvert and the reduction in the footprint of the built form also provides some accommodation. Therefore, it is reasonable to assume the additional climate change resilience would not materially impact the development and sufficient information has been provided to inform the consideration of flood risk impacts. To built-in this resilience and mitigation the minimum level of the building and any changes to the rest of the site can be controlled via condition.

Following discussions and the submission of updated drainage details, GCC as Local Lead Flood Authority (LLFA) are also satisfied with the surface water management proposals for the site. However, detailed surface water attenuation/storage works, SUDS maintenance plan along with confirmation from Severn Trent that they can accommodate the maximum permitted discharge rate are still required via condition.

### **RESIDENTIAL AMENITY**

The proposed store is set within an industrial estate and with this surrounding existing use, the busy local road network and noise issues addressed above it is considered that the distance and local topography mean the proposal would not result in a material adverse effect on the residential amenities currently enjoyed by local residents.



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### **PLANNING BALANCE & RECOMMENDATIONS**

As discussed above it is considered that the proposed scheme is acceptable in retail impact, hydrology, environmental and amenity terms. The balance is required with regard to the impact on the traditional B class employment land status of the site.

The proposed scheme could have provided a greater positive contribution to the character of the area but does not significantly harm the wider Conservation Area or setting of Listed Buildings.

Existing employment will be displaced from the site but can be generally safeguarded by being accommodated in other areas of the trading estate and being assisted in relocation. The scheme will provide approximately 50 new local jobs and is a significant investment and regeneration of this part of the estate. Whilst not a B class employment as required by the Local Plan Policy the overall employment land allocation is not undermined.

Therefore, whilst the highway implications of the scheme will be update to Members it is recommended to **'RESOLVE TO GRANT PERMISSION'** subject to GCC Highways 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.

**TABLE 3: TOTAL IMPACT OF BATH ROAD PROPOSAL, 2020**

	TURNOVER		DIVERSION	RESIDUAL TURNOVER	IMPACT
	2015	2020			
<b>STROUD</b>					
<b>GVA Turnover Levels</b>					
Convenience		£4.8	£0.2	£4.7	-3.3%
Comparison		£97.1	£0.6	£96.5	-0.7%
Total		£101.9	£0.8	£101.1	-0.8%
<b>HOW Turnover Levels</b>					
Convenience		£4.8	£0.2	£4.7	-3.3%
Comparison		£73.4	£0.6	£72.8	-0.9%
Total		£78.2	£0.8	£77.4	-1.0%
<b>STONEHOUSE</b>					
<b>GVA Turnover Levels</b>					
Convenience		£8.0	£0.3	£7.7	-4.2%
Comparison		£8.8	£0.0	£8.7	-0.2%
Total		£16.8	£0.4	£16.4	-2.1%
<b>HOW Turnover Levels</b>					
Convenience		£8.0	£0.3	£7.7	-4.2%
Comparison		£8.0	£0.0	£8.0	-0.2%
Total		£16.0	£0.4	£15.7	-2.2%
<b>Nailsworth</b>					
Convenience		£21.4	£0.3	£21.1	-1.3%
Comparison		£17.1	£0.1	£17.1	-0.4%
Total		£38.5	£0.3	£38.2	-0.9%

**Notes:**

Bilfinger GVA pre-impact turnover levels taken from Tables 1 and 2.

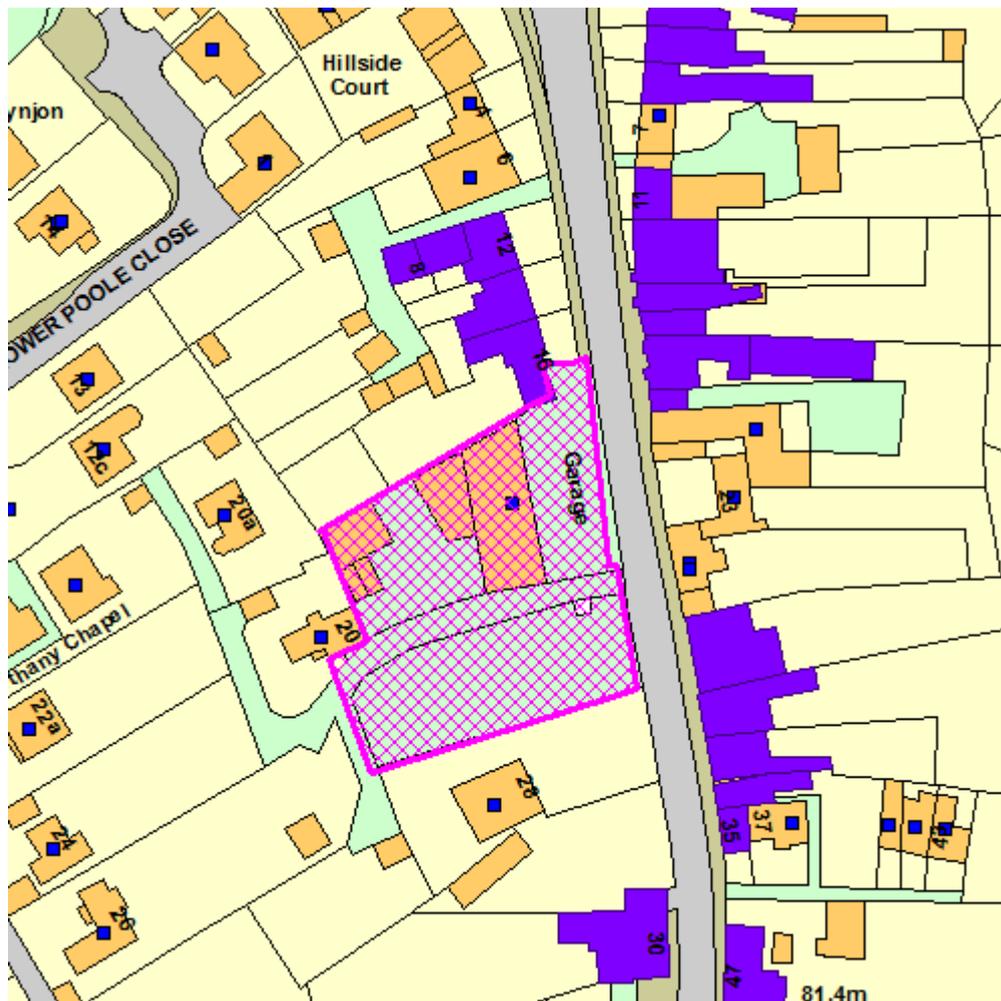
HOW pre-impact turnover levels for comparison goods in Stroud and Stonehouse taken from HOW financial impact assessment.

Trade diversion levels taken from Tables 1 and 2.



## Development Control Committee Schedule 20/09/2016

<b>Item No:</b>	<b>02</b>
<b>Application No.</b>	S.16/1232/OUT
<b>Site No.</b>	PP-05185373
<b>Site Address</b>	18 Woodmancote, Dursley, Gloucestershire, GL11 4AF
<b>Town/Parish</b>	Dursley Town Council
<b>Grid Reference</b>	375856,197860
<b>Application Type</b>	Outline Planning Permission
<b>Proposal</b>	Demolition of existing buildings and erection of ten dwellings.



<b>Applicant's Details</b>	D Starkey Peppercorn Cottage, Woodland Head, Yeoford, Crediton, EX17 5HF
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## Development Control Committee Schedule 20/09/2016

<b>Agent's Details</b>	Mr Nigel Cant Peppercorn Cottage, Woodland Head, Yeoford, Crediton, EX17 5HF
<b>Case Officer</b>	Ceri Porter
<b>Application Validated</b>	31.05.2016
	<b>RECOMMENDATION</b>
<b>Recommended Decision</b>	<b>Permission</b>
<b>Subject to the following conditions:</b>	<ol style="list-style-type: none"><li>1. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.  The development hereby permitted shall begin not later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.  Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</li><li>2. Before any development is commenced, approval shall be obtained from the Local Planning Authority in writing of the details of the Landscaping of the site (hereinafter called "the reserved matters").  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 carried out in all respects in strict accordance with the approved plans listed below:<ul style="list-style-type: none"><li>o Proposed Site Plan (Drawing: STA/941/PL/08/16/001/N) of 04/08/2016</li><li>o Proposed Elevations (Drawing: STA/941/PL/08/16/002/N) of 04/08/2016</li><li>o Proposed Site Plan - with topographical survey (Drawing: STA/941/PL/08/16/003/N) of 04/08/2016</li><li>o Proposed Elevations - Plots 1, 2 &amp; 3 (Drawing: STA/941/PL/08/16/004/N) of 04/08/2016</li><li>o Proposed Elevations - Plots 4, 5, 6, 7, 8, 9 &amp; 10 (Drawing: STA/941/PL/08/16/005/N) of 04/08/2016</li></ul></li></ol>



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o Site Location Plan of 31/05/2016

Reason:

To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

4. Samples of the roofing slate and tiles shall be provided to the Local Planning Authority for approval and one metre square panels of the stone, brick and render demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. Development shall then only be carried out in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area.

5. Prior to installation, details and samples of the proposed treatment of all external joinery (including doors and window frames) have been submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

Reason:

In the interests of the appearance of the buildings.

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

Reason:

In the interests of the visual amenities of the area.

7. No development approved by the permission shall be commenced until a Detail Drainage Design including a scheme of surface water treatment has been submitted to and approved in writing by the Local Planning Authority. The Strategy should be supported by modelling of the scheme to demonstrate it is technically feasible and where applicable adheres to the NPPF, PPG, Non-Statutory Technical Standards for Sustainable Drainage, Building Regulation H and local policy. The drainage scheme shall be carried out in accordance with the approved details. Where surface water requires



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disposal off site (i.e. not infiltrated) the applicant must provide evidence of consent to discharge/connect through third party land or to their network, system or watercourse.

Reason:

To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage and water quality in the locality.

8. No development shall be put in to use/occupied until a sustainable drainage (SuDS) maintenance plan for all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The approved SuDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason:

To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding in accordance with paragraph 99 of the NPPF and Policy ES4 of the adopted Stroud District Local Plan, November 2015.

9. No development hereby permitted shall not begin until a scheme to deal with ground contamination, controlled waters and/or ground gas has been submitted to and approved by the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:-
- i. A Phase I site investigation carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites - Code of Practice.
  - ii. If identified as required by the above approved Phase 1 site investigation report, a Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites - Code of Practice. Where required, the report shall include a detailed quantitative human health and environmental risk assessment.



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iii. If identified as required by the above approved Phase II intrusive investigation report, a remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end-point of the remediation should be stated, such as site contaminant levels or a risk management action, as well as how this will be validated. Any ongoing monitoring should also be outlined. No deviation shall be made from this scheme without prior written approval from the Local Planning Authority.

No part of the development hereby permitted shall be occupied until:-

iv. Any previously unidentified contamination encountered during the works has been fully assessed and an appropriate remediation scheme submitted to and approved the Local Planning Authority.

v. A verification report detailing the remediation works undertaken and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology has been submitted to, and approved by, the Local Planning Authority. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

For further details as to how to comply with this condition, please contact Katie Lerner, Senior Contaminated Land Officer - tel: (01453) 754469.

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

10. The building hereby permitted shall be occupied until arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the agreed drainage scheme throughout its lifetime have been submitted to and approved in writing by the local planning authority.



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Reason:

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

11. The 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.

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 GE1 and in accordance with the provisions of Circular 11/95.

12. The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan STA/941/PL/10/15/001/N and those facilities shall be maintained for the duration of the development.

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 paragraph 32 of the National Planning Policy Framework.

13. The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan STA/941/PL/10/15/001/N 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 the National Planning Policy Framework.

14. The building on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footways to surface course level.



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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 the National Planning Policy Framework.

15. The 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 in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason:

To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with 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 National Planning Policy Framework.

16. The works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 25m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

Reason:

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

17. The development shall take place, including any works of demolition, until a Construction Method Statement (CMS) 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:



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- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction.

The CMS should take a serious consideration into the location and use of heavy machinery, plant or material in areas where infiltration drainage has been proposed, and avoid soil compaction of such locations.

**Reason:**

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework. Also, to ensure that during the construction phase heavy machinery, plant or material is not stored/used inappropriately in the areas where infiltration SuDS are proposed, to avoid soil compaction and severely impacting infiltration rates.

**Informatives:**

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant. The case officer was in regular contact with the applicant/agent and the community, acting in a positive and proactive manner, seeking dialogue and solutions. Copies of this correspondence is on the electronic planning file.
2. The applicant is advised that to discharge condition 16 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, 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.

The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding Highway Works Agreement (Including appropriate bond) with the county council before commencing works.



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	<p>The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the Amey Gloucestershire (08000 514 514) before commencing any works on the highway.</p> <p>3. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of smoke/fumes and odour during the construction phases of the development by not burning materials on site. It should also be noted that the burning of materials that give 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 or fume complaints be received.</p> <p>4. Wales &amp; West Utilities advise that it has pipes in the area that may be affected and at risk during construction works. The developer is advised to contact them directly prior to the commencement of development to discuss their requirements.</p>
	<b>CONSULTEES</b>
<b>Comments Received</b>	<p>Environmental Health (E) Mr David Lesser Development Coordination (E) Contaminated Land Officer (E) Conservation South Team Planning Strategy Manager (E) Flood Resilience Land Drainage Parish / Town</p>
	<b>CONTRIBUTORS</b>
<b>Letters of Objection</b>	<p>C Whatley, 30 Woodmancote, Dursley Miss Milne &amp; Mr Clark, 21 Woodmancote , Dursley J Bohm, 23 Woodmancote, Dursley</p>
<b>Letters of Support</b>	<p>Dursley Town Council, Jacobs House, Castle Street</p>
<b>Letters of Comment</b>	<p>Hussain Mashta, 27, Woodmancote, Dursley, GL11</p>



## Development Control Committee Schedule 20/09/2016

### OFFICER'S REPORT

#### DESCRIPTION OF SITE

The application site is a commercial garage and vehicle hire premises located to the west of Woodmancote, the A4135, within the settlement boundary of Dursley.

The site immediately adjoins the Dursley Conservation Area that runs the north, south and east. The Grade II listed terrace 8-16 Woodmancote sits directly to the north with no.27 (part of a further terrace of Grade II listed properties) directly opposite. The land rises away from Woodmancote with a private access road serving residential properties to the rear bisecting the site.

The existing buildings are single storey and utilitarian in character comprising a workshop and ancillary office accommodation with open areas of vehicle storage on higher ground to the southern side and rear. The entire site is hardsurfaced.

#### PROPOSAL

Planning permission is sought to demolish the existing buildings and construct 10 dwellings with associated parking.

#### REVISED DETAILS

Additional marketing information received 25th July 2016  
Corrected/Amended Plans - received 2nd August 2016

#### MATERIALS

Walls: Render, Stone and Brick  
Roof: Tiles and Slate

#### REPRESENTATIONS

##### Statutory Consultees:

Contaminated Land Officer - Full land contamination condition recommended  
SDC Water Resource Engineer - Management of SuDS features condition recommended  
Conservation Officer - Support  
GCC Lead Local Flood Authority - Acceptance subject to conditions regarding the submission of a detailed drainage design, Construction Management Plan and SuDS maintenance plan.  
GCER - advised that protected species have been recorded within 140m of the application site and that the Hermitage Woods Key Wildlife site is within 295m.  
Dursley Town Council - Support  
LPA Planning Strategy - In light of additional information consider proposal is exceptionally proven to lose employment land in accordance with Policy EI3, impact on Conservation Area.



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Wales & West Utilities - Has pipes in the area and as such their apparatus may be affected.  
Glos Constabulary Crime Prevention - various design points raised.  
GCC Highway Authority - No objection subject to conditions

### Public:

Four letters of objection have been received. Their concerns are summarised as follows:

- o Houses are too close to those opposite
- o Loss of light
- o Loss of privacy
- o Layout out-of-keeping with surrounding area & inconsistent with historic layout
- o Loss of employment land
- o Lack of parking on site
- o Access onto highway is dangerous

### 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 NPPF is a material consideration in planning decisions. The NPPF was published on 27 March 2012.

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

For the full content of the Stroud District Local Plan policies above together with the preamble text and associated supplementary planning documents are available to view on the Councils website

[http://www.stroud.gov.uk/info/plan\\_strat/newlocalplan/PLAIN\\_TEXT\\_Local%20Plan\\_Adopted\\_November\\_2015.pdf](http://www.stroud.gov.uk/info/plan_strat/newlocalplan/PLAIN_TEXT_Local%20Plan_Adopted_November_2015.pdf)

Local Plan policies considered for this application include:

- CP1 - Presumption in favour of sustainable development.
- CP2 - Strategic growth and development locations.
- CP3 - Settlement Hierarchy.
- CP4 - Place Making.
- CP5 - Environmental development principles for strategic growth.
- CP6 - Infrastructure and developer contributions.
- CP8 - New housing development.
- CP9 - Affordable housing.
- CP13 - Demand management and sustainable travel measures.
- CP14 - High quality sustainable development.
- HC1 - Meeting small-scale housing need within defined settlements.
- EI3 - Small employment sites (outside identified employment areas).
- ES3 - Maintaining quality of life within our environmental limits.



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ES4 - Water resources, quality and flood risk.  
ES10 – Valuing our historic environment and assets  
ES12 - Better design of places.  
ES15 - Provision of outdoor play space

With regard to neighbourhood planning, the neighbourhood area for Dursley has been designated therefore the process is in its infancy and no weight can be afforded at this time.

Although non-statutory, the Stroud District Residential Guide SPG, provides details on the character of Stroud District and guidance on design.  
[https://www.stroud.gov.uk/media/2595/design\\_guide.pdf](https://www.stroud.gov.uk/media/2595/design_guide.pdf)

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;

- o Principle of development & Loss of Employment Land
- o Affordable Housing & Public open space
- o Design/Appearance and Impact on the Historic Environment
- o Residential Amenity
- o Highway Safety
- o Flood Risk & Drainage

### **PRINCIPLE OF DEVELOPMENT/LOSS OF EMPLOYMENT LAND**

The application site is located within the settlement of Dursley, identified as a First Tier settlement within the adopted Stroud Local Plan where the District's main towns are the primary focus for growth and development.

The site is an existing employment site, albeit not designated within the Local Plan. Delivery Policy EI3 seeks to protect small employment sites from non-employment uses such as housing unless wholly exceptional circumstances can be demonstrated by the applicant.

At initial submission, the application was only supported by a limited demonstration of marketing with no adverts or sales boards and a suggestion that the owners wish to retire and that the current use has amenity conflicts with the residential neighbours.

Following discussions with the agent additional information and clarification has been received and there has also been an update to the annual Stroud District Employment Land Availability (ELA) monitoring. The ELA report involved researching all planning permissions for employment use gained between 1st April 2015 and 31st March 2016. This work identifies that Stroud District has a net provision of employment land of about 106.52ha and a net provision of land for B Class uses of approximately 72.69 ha. This compares with an emerging requirement for B Class uses of 58 ha, indicating a current surplus of 14.69 ha. This is a material consideration at this point in time.



## **Development Control Committee Schedule 20/09/2016**

The agent has now provided further marketing information and evidence efforts using a known local firm of chartered surveyors. There have been no more viewings since 6th June 2016 and that the property has been available for 16 months. It has also been demonstrated that the site has not been solely marketed on the internet with local press adverts supplied. The marketing guide price has now been confirmed as reasonable from the additional evidence provided and Starkey Hire Ltd have clarified that they are to continue in business and are looking to relocate the business closer to the principal highway network (A38/M5).

It is worth noting a similar loss of employment land that was allowed nearby at Manor View, formerly known as land at Whiteway Hill Garage, Woodmancote where the garage (with business units to the rear) was redeveloped for housing. This decision was based on a range of factors that included longer term viability of garage uses, size of retail unit, complaints from neighbouring properties re: the use and an adequate supply of industrial land available to meet employment needs. Such a precedent in the immediate locality with comparable circumstances must be borne in mind in this consideration.

The key question for consideration is therefore has the developer demonstrated sufficient exceptional circumstances for the loss of this employment site on balance in accordance with policy E13?

Taking account of the information provided by the agent and the new information available in the ELA it is considered that the proposal demonstrates:

- o a wish to continue the existing business in the locality;
- o marketing attempts for continued business use at a reasonable price over the last 16 months;
- o a specific precedent of a site with similar issues within 200m where employment use was replaced by residential use;
- o an adequate employment supply through the ELA; and,
- o benefits to the setting of historic buildings.

The site is well located for housing within an existing residential area and future business use may introduce potential amenity concerns. As such, and on balance, the proposal in this instance is considered able to represent the special exceptional circumstances required by Delivery Policy E13.

### **AFFORDABLE HOUSING & PUBLIC OPEN SPACE**

Following the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 contributions for affordable housing and tariff style planning obligations (Section 106 planning obligations) should now not be sought from developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal has a footprint of 417sqm.



## **Development Control Committee Schedule 20/09/2016**

Notwithstanding the above, Policy CP9 of the Local Plan refers to affordable housing and requires that all residential proposals of at least 4 dwellings will provide at least 30% of the net units proposed where viable. Given the historic delivery of affordable housing in Dursley the Policy Implementation Manager considers that it is unlikely that a case for exceptional unmet housing need in this location could be successfully made. As such in this case the Written Ministerial Statement takes precedence over Local Plan policy CP9 and affordable housing is not sought on this site.

### **DESIGN/APPEARANCE AND IMPACT ON THE HISTORIC ENVIRONMENT**

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that, 'special attention shall be paid to the desirability of preserving the character or appearance of Conservation Areas.' Chapter 12 of the NPPF (paragraphs 128 and 132-134) outlines the requirement to safeguard designated heritage assets whilst at the same time promoting a balancing approach between the degree of harm caused to an asset, the heritage significance of that asset and the benefits arising from the overall scheme.

At the local level in respect of listed buildings, Conservation Areas, archaeology etc the relevant SDLP policy is Delivery Policy ES10 with general design matters considered under Policy CP14, a checklist for quality.

The site has an extensive history and in previous schemes, including an appeal, the proposal was dismissed on the grounds that it had an adverse impact upon heritage assets. It should however be noted that under the last planning application (S.15/1310/OUT) the layout and elevations were revised to provide a scheme that was considered acceptable in terms of design and its impact on the historic environment. S.15/1310/OUT was then ultimately refused on the grounds of loss of employment land and lack of affordable housing provision. It is therefore clear that the design submitted for this current application is as that agreed and negotiated.

The frontage onto Woodmancote is most important as it is seen in the context of the neighbouring historic buildings and the adjacent Conservation Area. The scheme provides a varied frontage that is considered in-keeping with the surroundings using a layout that reflects the historic street arrangement and preserves the streetscene. Examination of historic maps for the area clearly show buildings located directly on the edge of the highway for at least two thirds of the site and it is of further note that the Stroud District Residential Design Guide Supplementary Planning Guidance identifies Dursley as an 'urban compact settlement' where houses are typically positioned to the edge of pavement with narrow streets.

The design has been revised slightly to add stone/brick detailing above windows and vary the pediment types above doorways to reflect that of the existing streetscene. There has also been the introduction of a bricked up window feature at first floor level within the front elevations of proposed plots 5 and 6 to balance the dormer windows above. One frontage (plot 4) has been changed to stone rather than brick. To ensure suitable treatment, samples and panels of all materials would be required prior to commencement of that relevant part of the development.



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Residents have commented that the layout is out of keeping with that historic of Woodmancote however, as set out above; historic mapping for the street clearly shows a row of buildings directly fronting the road at this point.

### **RESIDENTIAL AMENITY**

Delivery Policy ES3 seeks to ensure that development maintains quality of life in terms of noise, disturbance, privacy, small and light in addition to flooding, pollution, highway safety and contamination. Delivery Policy ES5 also seeks to control the impact upon air quality.

The site is enclosed by residential properties and the evolving site layout minimises impact upon neighbouring residents amenities by maintaining appropriate levels of privacy and light levels. Representations and objections received refer to the narrow distance between the proposed dwellings fronting Woodmancote and those opposite. This distance however exceeds the 10m minimum that is required between buildings facing one another as set out in the adopted Residential Design Guide SPG and the buildings are separated by a main road thus maintaining appropriate levels of privacy and light.

### **HIGHWAY SAFETY**

Paragraph 32 of the NPPF places the test of ensuring that a development does not have a severe impact on highway safety. This is an important point as it infers that a level of impact is acceptable providing that the result is not severe. It must also be noted that the impact on the highway is directly related to the proposed development and not pre-existing concerns or issues.

Criterion 3 of Delivery Policy ES3 of the SDLP seeks to ensure there is no detrimental impact upon highway safety whilst EI12 looks to enhance the accessibility of sites and promotes the use of travel plans and relevant parking standards.

The Highway Authority have reviewed the submission and raise no objection to the scheme subject to conditions in respect of parking and turning facilities within the site, secure cycle parking, a detailed Construction Method Statement and a Street Management Plan.

The proposed development site plan STA/941/PL/10/15/001/N shows 22 parking spaces with each plot having 2 spaces each and 2 spaces for visitors. This provision can adequately accommodate the expected vehicles on site. The access and turning areas are also considered acceptable.

### **FLOOD RISK & DRAINAGE**

Policy ES4 of the SDLP refers to flood risk including a requirement for the incorporation of Sustainable Drainage Measures (SuDS) within development.

The application site is located entirely within Flood Zone 1 and the Lead Local Flood Authority has raised no objection to the proposal subject to conditions regarding the design of



## **Development Control Committee Schedule 20/09/2016**

the surface water drainage system to be agreed, the use of sustainable drainage where possible and a Construction Management Plan to protect areas that are to be used for infiltration.

### **REVIEW OF CONSULTATION RESPONSES**

It is considered that the issues raised within the letters of objection have been addressed within the relevant subject areas above.

### **RECOMMENDATION**

In light of the above, it is considered that the proposal complies with the policies outlined and Officers recommend that Members resolve to grant permission for the proposed development.

### **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