

25 August 2015

## **DEVELOPMENT CONTROL COMMITTEE**

A meeting of the Development Control Committee will be held on **TUESDAY, 08 SEPTEMBER 2015** 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 - 11 AUGUST 2015**  
To approve and sign as a correct record the Minutes of the Development Control meeting held on 11 August 2015.
- 4 **DEVELOPMENT CONTROL - PLANNING SCHEDULE**  
NOTE: For access to information purposes, the background papers for the applications listed in the schedule are the application itself and subsequent papers as listed in the relevant file.
- 4.1 **LAND AT LITTLECOMBE (LISTER PETTER SITE), DURSLEY, GLOS - S.15/0476/OUT**  
Outline and Full Planning permission for the remainder of the Littlecombe site as set out in the schedule.

- 4.2 **BARN AT WOOD FARM, NYMPSFIELD ROAD, FOREST GREEN, NAILSWORTH - S.15/1298/FUL**  
Conversion of existing barn to create 2 dwellings.
- 4.3 **BARN AT WOOD FARM, NYMPSFIELD ROAD, FOREST GREEN, NAILSWORTH - S.15/1299/LBC**  
Conversion of existing barn to create 2 dwellings.
- 4.4 **GREYCROFT, THE STREET, FRAMPTON ON SEVERN, GLOS - S.15/1624/HHOLD**  
General repairs, alterations and extensions. Vehicular access and associated works.
- 4.5 **GREYCROFT, THE STREET, FRAMPTON ON SEVERN, GLOS - S.15/1625/LBC**  
General repairs, alterations and extensions. Vehicular access and associated works.
- 4.6 **THE FULL MOON, MOUNT PLEASANT, WOTTON-UNDER-EDGE, GLOS - S.15/1586/NEWTPO**  
To inform Members of the objection raised by Mr Marlow to the serving of the Tree Preservation Order.

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

Councillor Stephen Moore (Chair)  
Councillor John Marjoram (Vice-Chair)  
Councillor Liz Ashton  
Councillor Dorcas Binns  
Councillor Rowland Blackwell  
Councillor Nigel Cooper

Councillor Paul Hemming  
Councillor Haydn Jones  
Councillor Dave Mossman  
Councillor Steve Robinson  
Councillor Emma Sims  
Councillor Tom Williams

## DEVELOPMENT CONTROL COMMITTEE

11 August 2015

6.00 pm – 7.35 pm  
Council Chamber, Ebley Mill, Stroud

3

### Minutes

#### Membership:

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

\*\* = Chair \* = Vice Chair

P = Present

A = Absent

#### Other Members In attendance

Councillor Ken Tucker, Councillor Penny Wride.

#### Officers in Attendance

Development Control Manager	Conservation Officer
Principal Planning Officer	Locum Solicitor
Planning Officer	Democratic Services Assistant

At the beginning of the meeting the Chair asked Members to stand and observe a minutes silence for John Balfe who had sadly died. John had been a long standing and valued member of the Council's Planning Team

#### DC.025      APOLOGIES

Apologies were received Councillors Liz Ashton, Haydn Jones and Dorcas Binns

#### DC.026      DECLARATIONS OF INTEREST

There were none.

**DC.027**      **MINUTES**

**RESOLVED** That the Minutes of the Development Control Committee meeting held on 14 July 2015 are accepted as a correct record.

**DC.028**      **DEVELOPMENT CONTROL PLANNING SCHEDULE**

The Development Control Manager informed the Committee that the application in respect of Land at Chestnut Park, Kingswood had been withdrawn on the morning of the meeting.

**DC.029**      **THE FULL MOON, MOUNT PLEASANT, WOTTON-UNDER-EDGE (S.14/2430/FUL)**

The Development Control Manager outlined the application.

He informed the Committee that comments had been received from the local Action Group. They had disputed the viability of the site and had identified that the Full Moon was a community asset. They emphasised the site's status in line with the NPPF. It was noted that an offer for the property had been rejected.

Councillor Mossman noted that one of the contributors who had been identified in the papers as a supporter should have been noted as an objector. This was amended by the Development Control Manager.

Councillor Ken Tucker, Ward Member, objected to the application and highlighted that the site had been a community venue for 50 years. It had been suggested that the existing owners had allowed the venue to 'run down' in order to enable its sale. He added that sufficient weight had not been given to the community's support for the purchase of the site.

He informed the Committee that the Town Council had rejected previous applications for the site and that the latest proposals did not address the issues of over-development. There were concerns that the proposed design was not in keeping with the area, the loss of car parking would add further congestion to the streets and that there would be a negative impact on the Green.

He added that the community did support development but not at any price and asked Members to refuse the application.

A member of the community spoke in opposition to the application. It was argued that the proposal was overcrowded and oppressive. It was an inner city development for a rural location. It was accepted that the building was no longer of any community use but the site was. There was no support for the application and Members were urged to defer the application until a further report could be presented on alternatives uses for the site.

In replying to Member's questions the following points were clarified;

- Had consideration been given to see if there would be a buyer for the existing building?
- The building had been registered as an asset of community value which would allow the local community a six month window of opportunity to bid to purchase the asset in the first instance. However, the owner would be under no obligation to sell to the community.
- As an asset of community value, the owner could not demolish the building without first obtaining planning permission.
- The application was for eleven dwellings and three would be identified as affordable homes.
- If the application were to be deferred the Development Control Manager would ask the applicant if they would be prepared to sell the building.
- The Action Group's viability report was available on the Council's website.
- Approximately £1,000 per dwelling would be provided under Section 106 for community/leisure facilities.
- There was a tight relationship with the neighbouring building but, in Officer's opinion, it was not sufficiently overbearing.
- The site was currently used as an overflow car park but there was no public right of way.
- There were three mature trees which were protected by a T.P.O. It was acknowledged that one tree; the Norway Maple would not survive.

A motion to DEFER the application contrary to the Officer's recommendation was proposed by Councillor David Mossman and seconded by Councillor John Marjoram. The deferral would be for the Officers to speak to the community regarding a bid that would be acceptable to the owner. If it was not possible for an acceptable bid to be put forward then Officers would be asked to seek a reduction in the number of dwellings on the site to address issues of over-bearing.

On being put to the vote the motion was carried unanimously.

**RESOLVED To DEFER the application for the reasons set out above.**

**DC.030            LAND ADJACENT TO STONE WITH WOODFORD CHURCH OF ENGLAND PRIMARY SCHOOL, STONE, BERKELEY**

The Principal Planning Officer updated the Committee and referred to the late papers and the recent High Court ruling in respect of affordable housing which had quashed previous Government guidance. In the light of this, the applicants had requested a deferral of the application.

The Chair noted that the procedure for the meeting would allow for public speaking at this point. However, if the application were to be deferred, the public would have the opportunity to speak at the future presentation of the application.

In response to Members questions it was confirmed that;

- If the application were to be deferred the Officers would review the number of houses proposed for the site.

A motion to DEFER the application was by Councillor Emma Simms and seconded by Councillor David Mossman. The Motion was carried unanimously.

### **RESOLVED To DEFER the application**

#### **DC.031 WINDRUSH, UPTON LANE, BROOKTHORPE (S.15/1302/HHOLD)**

The Principal Planning Officer outlined the application; the recommendation from the Officers was to agree to the application but with some amendments.

Ms Fiona Thomas, Parish Councillor with Brookthorpe and Whaddon spoke on behalf of the Parish Council and set out their objection to the proposed extension. The Council was concerned that the extension would have an adverse affect on the neighbouring cottage and would create loss of privacy and light, making some of the rooms dark.

She highlighted Policies GE1 and HN16 of the Local Plan and Policies CP14 and HC8 of the Draft Local Plan. She added that the revised proposals had not changed the Parish Council's opposition to the proposal.

The resident of the adjacent property, Mulberry Cottage spoke against the application. He said that the applicant was a local builder, who did not own the site was seeking to speculate on the site. He informed the Committee that the proposed extension would be 50mm from his boundary and if the application were to be approved, the developer would be unable to effectively build so close to the boundary. The proposal would make the kitchen, dining room and guest bedroom of his property dark. He stated that the development failed the 45 and 25 degree splay analysis.

In replying to Members questions the following points were clarified;

- The applicant had been asked to consider an alternative scheme; the application before Members was different to the original proposal.
- The Principal Planning Officer explained the impact on development of the angled splays. The study and guest bedroom of the neighbouring property would not be considered as the main habitable rooms.
- If there were to be a boundary dispute, it would be a civil matter and not a planning consideration.
- It was noted that planning permission could be granted even if permission could not be implemented.

A motion to REFUSE permission contrary to the Officer's recommendation was proposed by Councillor John Marjoram and seconded by Councillor Nigel Cooper on the reason that; the proposed extension and alterations by means of their height and proximity to the adjacent dwelling would have an unacceptable overbearing impact

on the residential amenities of occupiers of that property and would result in an unacceptable degree of overshadowing and loss of privacy. The proposed development would therefore be contrary to Policies GE1 and HN16 of the adopted Stroud District Local Plan and Policies HC8 and CP14 of the emerging Stroud District Local Plan (Submission Draft).

On being put to the vote there were 4 votes in favour of the motion, 2 against and 2 abstentions.

**RESOLVED To REFUSE permission for application S.15/1302/HHOLD as set out in these Minutes**

**DC.032      4 COLDSTREAM COTTAGES, SHEEPSCOMBE, STROUD  
(S.15/0764/LBC)**

The Conservation Officer introduced the application and outlined the Council's recommendations.

Mr. Robert Lewis, the Chairman of Painswick Parish Council's Planning Committee, spoke in support of the application.

He commented that the original cottage had much changed over time. He referred to the earlier removal of the partition wall and the retrospective planning application. He quoted from a report from a structural engineer at the time. He highlighted comments in that report about the safety of the wall unless significant strengthening had been undertaken.

He stated that the view from the Parish Council was that the partition wall was not of an architectural or historic significance and this was also supported by neighbours.

Mr James Edgar, Architectural Historian, spoke in support of the application. He stated that in his view the removed partition had not been part of the original fabric of the building. He also said that his interpretation of original drawings suggested that the partition was not intended as a feature. In summary, he did not support the Officer's view of the historic importance of the partition.

In response to Members questions the following points were clarified;

- The original partition had been removed in 2007.
- Advice from the Structural Engineer suggested that the wall needed strengthening but did not say that it needed to be removed.
- The application to regularise the removal of the wall was made in 2012.
- There was no evidence to confirm that the partition wall was there in the first instance.
- Later additions can be an inherent part of a listed building.
- The decision to refuse the previous application was taken under delegated powers.

A motion to GRANT CONSENT contrary to Officer's advice was proposed by Councillor Nigel Cooper on the basis that the partition wall is not an essential part of

the significance of the listed building and is not an important contributor to its character and special historic interest. The motion was seconded by Councillor Paul Hemming

The Chair reminded Members that the current application was effectively the same application that had been refused by the Council two years previously and referred to the potential inconsistency if the Committee approved the same.

On being put to the vote there were 6 votes for the motion and two against. The Motion was carried.

**RESOLVED To GRANT CONSENT for application S.15/0764/LBC without conditions (apart from statutory time limit)**

The meeting closed at 7.35 pm.

Chair

**AMENDMENTS FOR DEVELOPMENT CONTROL COMMITTEE**  
**11 AUGUST 2015**

In addition to the amendments stated on the Late Pages.

<b>ITEM No: 01</b>	<b>Application: S.15/0971/OUT</b>
<b>Address:</b> Land at Chestnut Park, Kingswood	

Withdrawn before the meeting

<b>ITEM No: 02</b>	<b>Application: S.14/2430/FUL</b>
<b>Address:</b> The Full Moon, Mount Pleasant, Wotton-under-Edge	

Deferred for negotiation

<b>ITEM No: 03</b>	<b>Application: S.15/0989/FUL</b>
<b>Address:</b> Land adjacent to Stone with Woodford Church of England Primary School	

Deferred at applicants request

<b>ITEM No: 04</b>	<b>Application: S.15/1302/HHOLD</b>
<b>Address:</b> Windrush, Upton Lane, Brookthorpe	

Refused for the following reason

The proposed extension and alterations by means of their height and proximity to the adjacent dwelling would have an unacceptable overbearing impact on the residential amenities of occupiers of that property and would result in an unacceptable degree of overshadowing and loss of privacy. The proposed development would therefore be contrary to policies GE1 and HN16 of the adopted Stroud District Local Plan and policies HC8 and CP14 of the emerging Stroud District Local Plan (Submission Draft)

<b>ITEM No: 05</b>	<b>Application: S.15/0764/LBC</b>
<b>Address:</b> 4 Coldstream Cottages, Sheepscombe	

No conditions (apart from statutory time limit)

The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason:

To comply with Section 18 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.



# **Stroud District Council**

## **Planning Schedule**

### **8<sup>th</sup> September 2015**

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 Councils webcasting of its meetings; they may also be used for subsequent proceedings such as an appeal. Names may be recorded in the Committee Minutes.

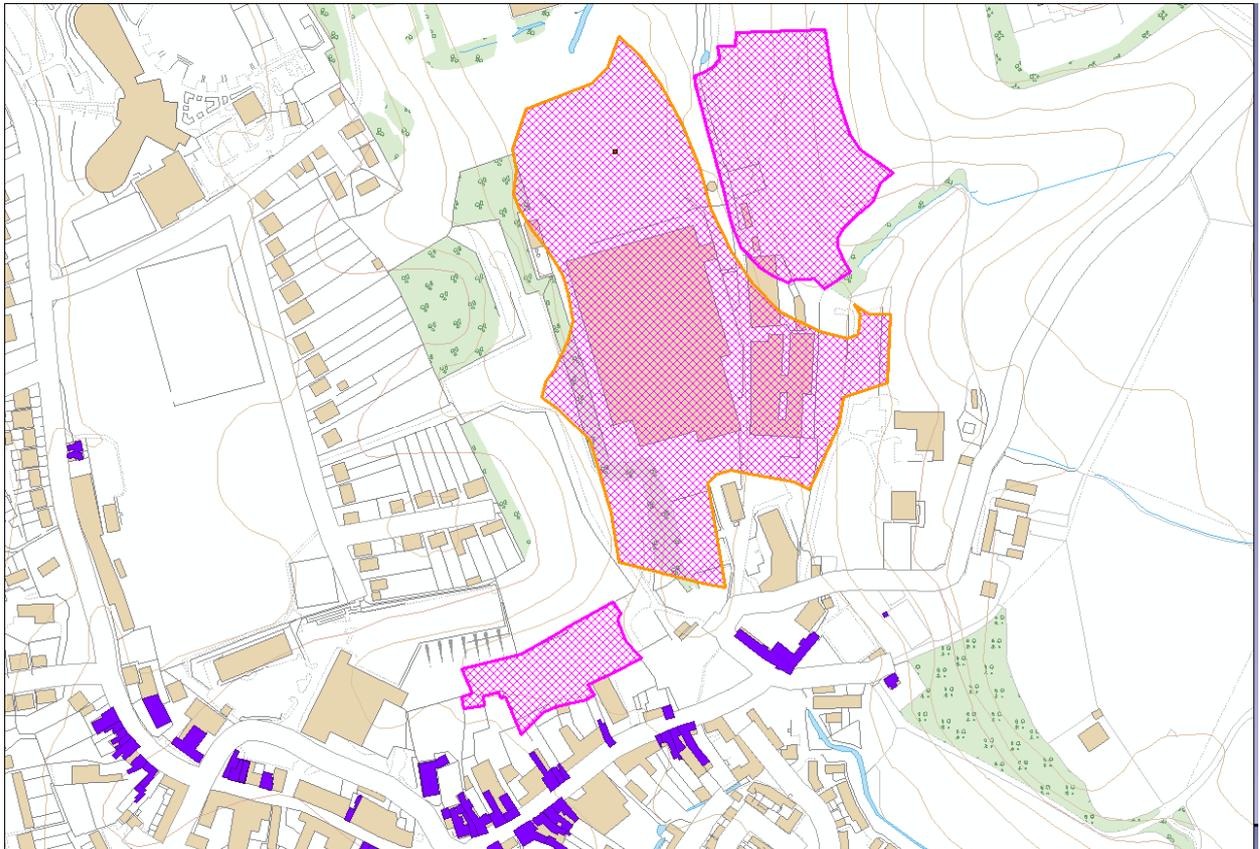
The order for each item on the schedule is

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
Dursley Town Council	Land At Littlecombe, (Lister Petter Site), Dursley. S.15/0476/OUT - Hybrid Application: Outline planning permission for the remainder of the Littlecombe site (Zones, K2, C and F) to comprise up to 282 dwellings (use class C3), 2 small retail units (use class A1/A2), public open space, opening up and diversion of the River Ewelme, and associated earthworks, remediation, access and landscaping. Full planning permission for Zone K2 comprising 59 dwellings (use class C3) and a Neighbourhood Equipped Area for Play (NEAP) with associated earthworks, remediation, landscaping and access.	01
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/0476/OUT">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/0476/OUT</a>	
Frampton On Severn Parish Council	Greycroft, The Street, Frampton On Severn. S.15/1624/HHOLD - General repairs, alterations and extensions. Vehicular access and associated works.	04
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/1624/HHOLD">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/1624/HHOLD</a>	
Frampton On Severn Parish Council	Greycroft, The Street, Frampton On Severn. S.15/1625/LBC - General repairs, alterations and extensions. Vehicular access and associated works.	05
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/1625/LBC">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/1625/LBC</a>	
Nailsworth Town Council	Barn At Wood Farm, Nymphsfield Road, Forest Green. S.15/1298/FUL - Conversion of existing barn to create 2 dwellings. Change of use of land from agricultural to residential. Installation of new access and driveway (revised drawings received 21/07/15).	02
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/1298/FUL">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/1298/FUL</a>	
Nailsworth Town Council	Barn At Wood Farm, Nymphsfield Road, Forest Green. S.15/1299/LBC - Conversion of existing barn to create 2 dwellings. Change of use of land from agricultural to residential. Installation of new access and driveway.	03
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/1299/LBC">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/1299/LBC</a>	
Wotton Under Edge Town Council	The Full Moon, Mount Pleasant, Wotton-Under-Edge. S.15/1586/NEWTPO - Full Moon Public House, Wotton-Under-Edge, GL12 7JS To consider information submitted regarding the serving of Tree Preservation Order No.554	06
Link to website	<a href="http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/1586/NEWTPO">http://www.stroud.gov.uk/docs/planning/planning_application_detail.asp?AppRef=S.15/1586/NEWTPO</a>	

<b>Item No:</b>	<b>01</b>
<b>Application No.</b>	S.15/0476/OUT
<b>Site No.</b>	PP-03965716
<b>Site Address</b>	Land At Littlecombe, (Lister Petter Site), Dursley, Gloucestershire
<b>Town/Parish</b>	Dursley Town Council
<b>Grid Reference</b>	375752,198673
<b>Application Type</b>	Outline Planning Permission
<b>Proposal</b>	<p>Hybrid Application:</p> <p>Outline planning permission for the remainder of the Littlecombe site (Zones, K2, C and F) to comprise up to 282 dwellings (use class C3), 2 small retail units (use class A1/A2), public open space, opening up and diversion of the River Ewelme, and associated earthworks, remediation, access and landscaping.</p> <p>Full planning permission for Zone K2 comprising 59 dwellings (use class C3) and a Neighbourhood Equipped Area for Play (NEAP) with associated earthworks, remediation, landscaping and access.</p>



<b>Applicant's Details</b>	c/o Agent
<b>Agent's Details</b>	Mr Conor Flanagan Tyndall House, 17 Whiteladies Road, Clifton, Bristol, BS81PB
<b>Case Officer</b>	John Longmuir
<b>Application Validated</b>	09.04.2015
<b>RECOMMENDATION</b>	
<b>Recommended Decision</b>	Resolve to Grant Permission
<b>CONSULTEES</b>	
<b>Comments Received</b>	Mr Malcolm Watt (E) Planning Strategy Manager (E) Flood Resilience Land Drainage Parish / Town Mr David Lesser Cam Parish Council Karen Colbourn Natural England (E) Historic England SW Public Rights Of Way Officer Archaeology Dept (E) Contaminated Land Officer (E) Environmental Health (E) Policy Implementation Officer (E) GCC Community Infrastructure Contributions
<b>Not Yet Received</b>	The Environment Agency (E)
<b>CONTRIBUTORS</b>	
<b>Letters of Objection</b>	D Davies, Long Street, Dursley Smith, Parsonage Street, Dursley Mrs D Lee, Midwood, The Broadway R Walker, 107 Woodmancote S Silverthorn, 18 Highfield Approach, Dursley M Balsdon, 25 Turner Road , Dursley H Patrick, 48 Long Street, Dursley A Stansfield, 90 Knapp Road T Florek, Long Street J Ward, Valley View, Weavers Close

	<p>S Jones, Knapp Lane, Coaley  C Ingram, 15 Everside Lane, Cam  B Frewin, 22 Westfield, Dursley  B Hilliard, 12 Whitehall, Stroud  Mr Brogden, 38A Everlands, Cam  J Manning, 18, SEcond Avenue  R Savage, 20 Ricardo Drive, Dursley  I Gregorig, Lakeview, Horsley Road  M Garner, Southcot, The Headlands, North Woodchester  V Matthews, 46, Long Street, Dursley  A Pope, 81 Shakespeare Road, Dursley  M Davies, Hillslie, Lower Littleworth, Amberley,  C Hooper, 24 Rosebery Road, Dursley  R Hellen, 2 Stanthill Drive  Z Nicol, 10 The Leys Berkeley, Berkeley  W Thomas, 4 Broadwell  L Walker, 107 Woodmancote  R Davis, 22 Glen Park Crescent, Kingscourt  S Southgate, Rockleaze, Burma Road  A Telford, Sundene, 4 Gloucester Street  S Priddey, 49 Read Way, Bishops Cleeve  M Cole, 2 Gathorne Crescent, Yate  J Moon, Brook House 51, Marksbury  R Woodruff, 28 Five Acres  S Tuckwell, 52 Frederick Thomas Rd, Cam  N Brogden, 38A Everlands, Cam  K.Bailey, Windrush, Bevington  K Ives, 52 Long Street, Dursley</p>
<b>Letters of Support</b>	
<b>Letters of Comment</b>	<p>S Davis, 23 Bownham Park, Rodborough Common, Stroud  Alex, 9 The Knapp, Dursley  S Robinson, Secretary Of The Dursley Rambling Club  H Whitehead, 64 School Road, Dursley  M Morgan, Leathern Bottle Cottage,, Bristol Road  B J Darlaston, Windrush, Field Lane</p>
<b>OFFICER'S REPORT</b>	

### The site and surroundings

Littlecombe occupies the valley linking Cam to the lower reaches of Dursley, connecting with Long St. and Chestal. The Knapp and recreation ground are above. The site is predominantly linear and stretches for well over a mile. The valley and the site broadly run north-south.

This is the former Lister Petter industrial area, which was covered with a multitude of buildings: 370,000sqm over 92 acres for the manufacture of diesel engines. At its

peak over 5,000 staff were employed on the site. Most of the buildings have now been demolished, hardstandings towards the Dursley area remain. The new access road from Upper Cam is appropriately named "Listers Road". A new access junction has also been formed with Kingshill Road at the foot of the hill.

There has been residential development at the Upper Cam end, approximately 168 houses. The new community hospital is a striking design featuring with blue tiles. There is also a well occupied business park of low height sedate buildings. The river Ewelme in this part of the site, has been opened up by removing its culvert. Several play areas and open spaces enrich the restored valley.

The valley sides are deep and steepen towards Dursley. Typically the western slopes are 1:4 and the eastern vary from 1:6 and 1:9. There are notable views along the valley itself especially of the Dursley Parish church tower and the lower end of Long Street. There are also glimpses of the wider landscapes beyond. The Cotswolds ANOB is close by, taking in the higher ground to the north and east. The Cotswold Way is just to the east, emerging from the saddle between Cam Peak and Cam Long stretching down to the foot of Long St.

The site is currently dominated by several mounds of earth which are the result of ongoing earthworks. This is a temporary situation and the soil will be reused later, subject to contamination.

The Dursley Conservation Area includes Chestal and Long St, which are close by and intervisible from the application site. There are also listed buildings in this vicinity.

This application site and almost all the Littlecombe site are in Dursley Parish, however the Cam Parish boundary does encroach into the northern fringe of the wider project area.

## **The proposal and planning history**

S.05/0498/OUT. Permitted: 25-7-08:

Outline application for mixed use development comprising up to 600 dwellings, a business park (B1,B2, B8 use), a local centre, offices (B1 use), conversion of The Towers with new development in the grounds for a care home (C2 Use). Construction of a link road between Kingshill Lane and Long Street, provision of public open space including opening up the River Cam, associated infrastructure, ground modelling and landscaping, including the demolition of existing buildings and hardstandings and remediation works.

Phase 1 has been completed which includes zone A1, A2 and K1. This amounts to 168 dwellings. The Towers care home is now well established.

Site conditions, technical constraints and deliverability have led to this proposal which seeks changes to the master plan. The biggest change is that fewer dwellings are now proposed. Consequently the development area has also been reduced. Most significantly, zone E which was on southern valley slope, has now been deleted.

The course of the re-opened up river Ewelme is different too. The original scheme showed a central position in the valley. Instead it would take a slightly more circuitous line more at the foot of the western slope. The Delkin stream which originates from the slopes of Cam Peak, down the east valley side, would be given more space.

The previously proposed LAPs have been reviewed. A LEAP/NEAP will form a central focus and another LAP is proposed at the eastern end of site.

This proposal is a hybrid application, seeking outline approval for 183 dwellings in zone C, 5.8ha, and 17 dwellings in zone F, 0.6ha, as well as full permission for 59 dwellings in zone K2 on 1.7ha. Zone C is central/Dursley section and zone F lies close to the rear of Long St. K2 is the continuation of the development on the east side of the valley in the middle of the site.

An Environmental Statement has been submitted.

Colour copies of the new Master Plan have been requested for DCC Members and it is hoped that they can be distributed at the Sites Inspection Panel visit.

### **Consultation responses**

Objections: Visual impact of area K, loss of green fields, impact from Cotswold Way, already harmful, no permanent jobs, loss of Long St car park, popular car park for walkers, car parking important for town and the businesses.

Comments: Loss of Long St car park, traffic, cycling opportunities.

SDC EHO: No objection. Conditions on noise mitigation required.

SDC Contaminated land officer: No objection subject to condition.

SDC Water Engineer: No objection subject to condition.

Cam Parish: Comment: Modifications essential to Kingshill Lane/Kingshill Road junction. Opportunity to divert motorists to Everlands. Footpath required to the Knapp. Need designated green spaces. Affordable housing should not be reduced.

Dursley Town Council: Neither support nor object: Footpath needed between K2 and top of zone C. Knapp footpath link essential. Landscaping critical. Long St car park should remain. Kingshill Road/ Kingshill Lane junction is essential. 30% affordable housing required.

County Highways: No objection subject to conditions and contributions

Public Rights of Way: No objection.

Environment Agency: Response expected soon.

GCC Lead Flood Authority: Object. Insufficient clarification on water run-off.

GCC Archaeology: No objection in principle. Some interest warrants standard condition.

Glos County: Contributions required. Libraries £55,272 and primary education £871,310.

Historic England: No objection

Natural England: No objection. Highlight standing advice on protected species and opportunity for biodiversity improvement.

Cotswold Conservation Board: No objection

## **Issues**

### Principle of the development

The site has an extant permission for residential development. It is also allocated in the 2005 Local Plan and the Emerging Plan. The Emerging Local Plan on page 57, under the title of shaping the future of Cam and Dursley: "The area will see continued growth over the plan period through the completion of development at Littlecombe".

The proposals would result in significantly less housing here: 168 have been built and this application seeks a further 282. The 2008 permission is for up to 600 dwellings. This shortfall is largely due to the economics of the development. Firstly some areas such as zone E are on steep ground which would be challenging to construct adoptable roads as well as houses, and this area has some contamination. Secondly a considerable number of flats were envisaged which have limited demand and return.

Whilst the loss of the houses is regrettable, the changes do ensure the deliverability of the remainder. This is a better choice than risking a development being mothballed and the inevitable problems of restarting again on site.

The Council has a land supply of 7.2 years using the Local Plan Inspector's target of 11,400. Thus the 5 year plus buffer requirement is met. The recent land availability has been made based on the reduced housing numbers from this latest proposal. This application does not undermine the Council's current 7.2 year land supply.

This is a very sustainable site. Cam and Dursley are both first tier settlements in the emerging plan. Primary facilities are easily accessible: primary and secondary schools, a hospital, sports/leisure, employment and retail, with good public transport opportunities. It is disappointing that housing cannot be maximised to take full advantage of these facilities. However the economic challenges of this brownfield site must be realised.

### **Affordable housing, viability and contributions**

Local Plan Policies HN4 and HN5 consider the provision of affordable housing and require developments to provide 30% affordable housing unless it is proven that the

development of the site achieves other planning objectives or that the development of the site is subject to abnormal associated costs. These policies also seek to ensure that provision is mixed within a proposed layout.

Core Policy CP9 Affordable Housing in the Emerging Local Plan seeks to secure 30% affordable housing, unless viability proves otherwise.

The delivery of affordable housing is a key part of the National Planning Policy Framework, with specific references in paragraph 50 which seeks to ensure that developments contribute to the objectives of creating mixed and balanced communities.

The applicants and the Planning Dept. have jointly commissioned The District Valuer to consider viability. Sales are well known from the first phase and standard construction costs have been applied. The figures between the parties have been agreed. Whilst the figures are confidential, Officers have asked for an agreed statement with the District Valuer to give some of the details. The results do show that development is challenging due to the vast costs of dealing with contamination and the infrastructure. The first phase has lead a deficit of £4,361,169.

Paragraph 122 of the 2010 Community /Infrastructure Levy has the following tests on obligations. It is must be necessary to make the development acceptable in planning terms, directly related to the development and reasonably related in scale and kind of the development.

The County Council has requested contributions for primary school provision and libraries as well as transport. Whilst it would be desirable to improve library facilities/content and transport it cannot be afforded here at the expense of other priorities. What is essential given the funding is very limited.

Primary Education contributions have been requested using the County Council's standard multiplier. This is based on the nearest school, but there are other schools and questions have been asked about their capacity. It is also important to question under paragraph 122 of the CIL Regs above, whether the schools are capable of being expanded, when and how. These discussions are ongoing and an update will be given on late pages.

Affordable housing is provided to help those in housing shortage: homeless, elderly, temporary digs, sharing cramped accommodation. Priority is given to those in most need. 492 dwellings are necessary each year to meet District wide need, on average 120 per year are provided.

Development here cannot provide 30% affordable housing. Whilst this is hugely regrettable given the need, it is not financially viable. Some affordable housing will be provided. Whilst the precise figure will be influenced by size of units, tenure and the phasing, the emphasis is likely to be heavily towards shared ownership. Discussions are ongoing and agreement is close on the details. An update will be given on late pages.

£350,000 has been allowed for the provision of community facilities in Dursley. This was agreed in the 2008 permission. Similarly money has been set aside for the highway works.

### **Long Street car park**

Both the 2008 permitted scheme and the current scheme show development, part of zone F, on the car park.

The construction of Sainsburys and the fire station redevelopment in 2010, necessitated the use of the former Rackfield site (to the rear) which was a car park. During construction Stroud District Council provided temporary alternative parking by agreeing with the Regional Development Agency and St Modwen to use this part of the Lister Petter site. The Council set out and arranged this as free, public parking. A temporary path was agreed, by the "Gazette Building" to connect Long Street to the car park. A short-life planning permission was granted to use the land as a car park. These arrangements were solely to run while the supermarket was built.

The former Rackfield car park now forms part of the much larger Sainsbury public car park which gives new extensive parking.

The short-term car park has always been an integral part of the overall Littlecombe site. It is not allocated for parking and forms part of the wider regeneration project. The temporary car park will shortly be closed off with the rest of the site when remediation construction works start.

The highly successful town centre redevelopment brought about the need for short-term parking off Long Street. Rather than this scheme causing any loss, it provided free parking which otherwise would not have been available. So it is important to dissociate Littlecombe from the town centre changes and to recognise that the car-park behind the "Gazette Building" has never been a public car park. In any event, the 2008 master plan showed development here and that permission remains extant.

Looking forward and as a quite separate project, Dursley Town Council and the District Council have recognised the increasing parking demand in Dursley and the need to develop solutions. Both Councils are working not only to identify issues but to implement changes to improve parking. The first joint working group meetings have been held and could lead to improvements in the short to medium term.

### **Hydrology**

The original Local Plan Policy GE4 which dealt with the flooding consideration was deleted by SD2008 and hence the adopted Local Plan has no relevant applicable flood policy. Matters of flooding must therefore be considered with regard to the contents of the NPPF and accompanying Technical Guide.

Delivery Policy ES4 of the ELP requires that future development locations within the District are informed by the Strategic Flood Risk Assessments (SFRA 1 and 2) and that site specific proposals must demonstrate that they are safe, do not increase flood risk elsewhere and maximise opportunities to reduce flood risk. The policy goes on to say that use should be made of sustainable urban drainage systems

(SuDs) wherever possible and that enhancement of watercourses and their associated wildlife corridors achieved.

Chapter 10 of the NPPF outlines the Government's position of the consideration of flood risk which is summarised primarily in paragraphs 100-104.

The river Ewelme becomes the river Cam to the north of the site, it is classed as "main river" and as such is the responsibility of the Environment Agency.

Both the river Ewelme and the Delkin are currently in culverts and take the existing surface water run-off. The proposal involves opening up both culverted water courses. This has already taken place in the first phase of the development. This is a major improvement for water management.

New houses can be sited above flood plain level zones.

Much of the site is covered by hardstanding. K2 is the only Greenfield part of the scheme.

The 2007 agreed scheme was designed to accommodate greenfield -20% run off. This allows betterment from the existing situation on the site. The original site was highly impermeable due to the number of buildings and hardstandings. The run off was calculated from this state which gave a peak flow. This was reduced by 20% to get to the agreed rate.

Whilst this is significantly above the Greenfield rate, it is an improvement on the existing situation. As an additional measure the reduced flow has been inputted into the river model to ensure that this does not cause flooding downstream.

The river channel would allow for a 1:100 year flow, with 1:3 sloping banks. A flat 8m easement along the top would be created for maintenance. The finished floor levels would be 600mm above the 1:100 mark.

Foul water would go to trunk mains sewer.

## **Ecology.**

Within the adopted plan there are a suite of ecology based policies which seek to protect Key Wildlife Sites (KWS), protected species and identified wildlife corridors. These saved policies look to safeguard and promote habitats and bio-diversity and are contained within Policies NE3, NE4 and NE5.

Again the ELP continues the ecological safeguarding approach via Delivery Policy ES6 which is an all encompassing policy catering for designated habitat areas and protected species in one policy.

Within chapter 11 of the NPPF, paragraph 118 states that in determining applications local planning authorities should seek to conserve and enhance biodiversity. It further states that where proposals are being considered which require appropriate

assessment under the HRA regulations then the presumption in favour of development outline in paragraph 14 does not apply.

Survey work has been ongoing here since 2003. On site surveys were undertaken in March 2014 looking at the potential for specific habitat and species. No protected species/habitat was found.

The redevelopment of the site has considerable potential to improve biodiversity. The re-opening of the River Ewelme and the Delkin Brook will provide new habitat, foraging and movement opportunities across the site. Indeed this opportunity is further increased by the latest Master Plan which shows considerable open spaces along the watercourses. Conditions are recommended on dealing with removal of vegetation and building debris.

### **Heritage**

In terms of the proposal affecting heritage assets (listed buildings, conservation areas and archaeology); the relevant saved policies are BE5, BE12 and BE14. These policies relate to proposals affecting the character and appearance of conservation areas, the setting of listed buildings and the potential archaeological remains.

This degree of heritage protection is continued in Delivery Policy ES10 of the ELP which again is an all encompassing heritage policy.

Chapter 12, paragraphs 128 and 132-134 of the NPPF outline 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.

The Planning (Listed Building and Conservation Areas) Act 1990 is an important consideration, highlighted by the recent high court case at Barnwell Manor. Special regard must be given to the desirability of preserving and enhancing the setting of the Conservation Area and Listed Building.

Historic England's Good Practice Note 3 highlights the importance of setting to the asset.

The Conservation Area takes in Long St and part of Chestal, widening its expanse further into town to include the swimming pool and Sainsburys. Consequently the southern part of Littlecombe (rear of Long St) is inside the Conservation Area.

Long St and Chestal have a good range of listed buildings reflecting the area's medieval heritage. The most prominent is grade 2 listed "The Priory", with a distinctive set of approach stone steps. The grade 2\* formal "Raglan Hall" is also visible, which features a distinctive porch. Whilst there is some intervisibility between the Littlecombe site and these assets, new development would be a considerable distance away in the current proposal. There does not appear to any historic connection. Consequently there is not felt to be any significant impact on setting.

The area also has some significant below ground archaeology. The County Archaeologist is satisfied that this can be covered by the standard condition.

Works are needed to the edge of the open space at the foot of Long St. This is to provide a footpath and create an embankment allowing a wider road. These works relate to the existing road and therefore only impinge slightly on the setting of The Priory.

The western side of Long St has several listed buildings and their curtilages back on to the Littlecombe site. The previous masterplan and the current masterplan place development, (zone F), to the rear of Long St. These curtilages are long and lacking the interest and appeal of the frontages. The outward views do not appear to have been an important historic feature. Consequently the scheme is not felt to be harmful and indeed was approved in the original, extant masterplan.

## **Highways**

Saved Policy GE5 of the adopted Local Plan is a key policy and seeks to ensure that development proposals are safe for all highway users and are not detrimental to highway safety.

In addition saved policies TR1 and TR2 seek to ensure that proposals are well integrated to potential catchment areas and are accessible by wide and sustainable ranges of transport modes with relevant parking standards.

Delivery Policy ES3 of the Emerging Local Plan seeks to protect highway safety whilst Delivery Policy EI12 looks to enhance the accessibility of sites and promotes the use of travel plans and relevant parking standards.

In promoting sustainable transport modes and safeguard highway safety, Chapter 4 of the NPPF sets out the Government approach with paragraph 32 stating:

'All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'

Para 35 is also important. "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore development should be located and designed where practical to accommodate the efficient delivery of goods and services: give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; create safe and secure layouts, which minimise conflicts between traffic and cyclists or pedestrians avoiding street clutter and where appropriate establishing home zones: consider the needs of people with disabilities by all modes of transport".

As a brownfield site this had considerable potential to generate traffic. The previous master plan allowed for up to 600 houses. This is effectively extant, and consequently this lesser proposal should mean less traffic generation and resulting highway implications.

Junction capacity has also been considered. The previous scheme showed a traffic signal at the Kingshill Road/Kingshill junction including the provision of a secondary stop line on Kingshill Lane and the stopping up of the service road which runs parallel to Kingshill road. This has been reviewed. Instead Kingshill Lane will be widened and a pelican crossing provided. This will absorb traffic from Littlecombe and help school children walking. Other junctions and roads have capacity. The applicants have agreed that construction will be carried out before the last occupation of phase K2.

There has been mention of the desirability of creating a new footpath link from the development into The Knapp which connects into the town centre. However this route would not be very practical due to the very steep slope, and would require harsh engineering to ease the gradient by contouring. It would also be onerous now. The original master plan showed development on this eastern side of the valley zone E. This has now been deleted, so a footpath would be longer. If it ran direct from the centre of the development, it would require a bridge/culvert over the river. If it doesn't run from the centre of the development, but further north, it would have very limited benefit as there other footpath links.

The applicants have indicated that they are willing to allow the rights for "a permissible path" and investigate its feasibility.

A new walking route will be provided using Long St., which topographically is the easier way out of the valley. It will cut across the open space, thereby eliminating the corner, following the natural desire line.

The revised Master Plan shows a footpath/cycleway along the following the new course of the river and/or the Spine Road.

### **Amenity**

The 2005 adopted Local Plan Policy GE1 seeks to ensure that development does not have an adverse impact on neighbouring properties in terms of a loss of light, privacy or an overbearing effect. Policy GE2 seeks to minimise environmental pollution following development. Policy GE7 considers existing levels of infrastructure, services and amenities.

ELP Delivery Policy ES3 seeks to ensure that development maintains quality of life in terms of noise, disturbance, light as well as being acceptable in terms of risk of flooding, pollution, highway safety and contamination. This is alongside Delivery Policy ES5 which seeks to control that developments consider the impact on air quality.

Chapter 11 of the NPPF addresses the impact from development on land contamination, pollution and impact on amenity within Paragraphs 121 - 125.

The site has contamination problems including heavy metals and hydrocarbons, particularly from sand used in the foundry process. Some of the contamination has been treated already, particularly as phase one had the worst contamination. The Council's Contaminated Land Officer has been assessing the issue since the start of development. She recommends a condition on remediation and monitoring.

The newly created business park should not create noise/disturbance issues. However the Council's Environmental Health Officer recommends conditions on noise mitigation to protect the nearby dwellings.

The Master Plan shows the potential for reasonable living space as well as separation to eliminate privacy, shadowing or overbearing problems.

## **Landscape**

The adopted plan seeks to protect and safeguard the rural character of the Cotswold Area of Outstanding Natural Beauty (AONB) via saved Policy NE8. This policy requires the decision maker to ensure that proposals are sympathetic in scale, siting and nature to the AONB and that important landscape features are retained. The policy also looks to safeguard the setting of the AONB.

In addition to the protection of the statutory designated landscape, Local Plan Policies NE10, NE11 and NE12 highlight the need to protect landscape character, maintain rural housing and communities. Local Plan Policies NE4, NE5, NE6 and NE7 seek to preserve the habitat and natural features, and seek to protect and enhance the habitats of protected species and provide a framework for considering the impact on protected species.

The Emerging Local Plan continues the safeguarding approach to the AONB via Delivery Policy ES7 which combines a requirement to consider the impact of proposals on the AONB as well as the various landscape characters identified across the District. Delivery Policy ES8 requires the consideration of the impact on the trees, hedgerows and woodlands.

The core principles of the NPPF in paragraph 17 recognise the intrinsic value and beauty of the countryside, whilst offering dedicated protection for the AONB at paragraph 115 within Chapter 11.

The AONB is close to the site particularly the Dursley end. There is intervisibility between the site and the AONB. There are surrounding footpaths which offer views into the site as well as footpaths adjacent and along the existing site. The Cotswold Way traverses Dursley close to the site.

Some of the surrounding footpaths lack clear views due to partial screening by vegetation. The new development will be read as a logical extension of the town being contained in the valley. From some viewpoints the new buildings will be seen as an extension of the first phase, and therefore seen in conjunction with other buildings.

The sensitivity of the site to change does vary from one part to another. However the biggest impact will be from short range views but these do not have a context of remote countryside.

The site was dominated by large industrial buildings, which were bulky, in unsympathetic materials and design. Hardstandings and car/vehicle parking too had/has an impact. The 2008 Master Plan also has an extant permission, and a pattern/extent of development has therefore been established. This proposal has less development, over less area and thus more open space. In particular zone E encroaching onto the western slopes has been deleted.

The original approved scheme showed a number of LAPs scattered through the development. In this revised master plan the play facilities have been concentrated. As with the earlier phase the play areas have been designed to create major focal points giving the area identity and landmarks. A co-joined NEAP and LEAP would be formed in the centre of the site. Being on elevated ground it will be very prominent. The exposed Delkin stream will run through the area and will be an interesting feature, emphasised by a timber footbridge. Several tall trees to the south side will be retained and displayed, together with additional new planting. An extensive range of equipment and a kickabout area are proposed.

A LAP is still proposed at the eastern end of the site, again occupying a prominent, overlooked position.

The management of the open spaces and play areas will use the same management company and resident involvement as the first phase, which has worked well. A condition is proposed.

### **Trees**

Policy ES8 of the emerging Local Plan protects trees and seeks replacement where warranted.

A detailed survey has been completed. There are few trees on the site itself and slightly more on the margins. Development should not result in any particularly significant specimens. Tree protection measures will be needed around retained trees.

### **Design and appearance**

There are no saved policies on design in the Adopted Local Plan.

The Delivery Policies of the Emerging Local Plan seek to ensure that development is sustainable and promotes good design, reference Policy ES1 Sustainable Construction and Energy Efficiency, ES12 Design of Place and Policy ES15 Outdoor Play Space. These Policies follow the lead given by the Core Policies.

Chapter 7 of the NPPF contains the guidance of the promotion of good design within the planning system as a key part of sustainable development. The guidance seeks to ensure innovation and reduce design restrictions but also to ensure that development is high quality and locally reflective. The guidance also states that

design principles are wider than the aesthetic of a proposal but include considerations of the space and the integration with the existing environment as well as balancing design against other planning considerations. Paragraphs 56, 57-65 provide the specific guidance.

Outline application:

The form of the development broadly follows the valley thereby respecting its character. Potentially too the roads can follow buildings lines to avoid a road dominated layout. Similarly the spine road is fragmented to avoid its dominance. The edges of the development are unlinear/regimented and punctuated by open spaces. This will give an informal soft appearance. The perception of a “mass” of development has been avoided.

The scheme makes good use of the river as a feature, to help create identity and distinctiveness.

The scheme promotes views along the valley and outward towards the hills, which is particularly important bearing in mind the character of Dursley.

Zone K2 detailed (full) scheme:

The layout shows a curving form which seeks to contour around the slope. This will look logical and avoids some of the harsh engineering associated with cross contour schemes. The general alignment of the houses is along the line of the valley which again appears logical.

The elevations have respect for the St. Modwen element of phase 1. They are contemporary. Using typical modern rooflines and gables the detailing is arranged to create symmetry or more often asymmetry. This creates a harmony. Glazing is far more extensive than the vernacular, but the use of contemporary materials conveys a message that this is not pretending to be a vernacular interpretation. Grey windows, off white render with blue/black brick or grey render and/or buff bricks mixed with grey cladding, all create a striking appearance.

Officers have negotiated some elevational changes, essentially to reinforce the balance, coherency and proportions of this detailing. Amended elevations have just been received and are being issued for revised consultation.

There is an unusually wide range of house types/designs for 59 houses. The elevations collectively work well together giving “variations on a theme”.

The dwellings are two storey houses except for 7 units which are 3 storey at the lower Cam end of the development. Slab and ridge heights have been provided and the houses will be seen as a continuation of the earlier phase, whilst respecting the upper valley slopes and wider landscape setting.

### **Retail/service units**

Two small A1/A2 units are proposed, which would provide for everyday community needs which helps sustainability of the scheme without competing with the town centre.

## Conditions

1. List of Approved plans  
To follow.

Full (K2).

2. 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.

Outline (zone C and F)

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

4. Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters" shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

5. No development shall take place until samples of the walling, roofing, doors and windows in the construction of the dwellings hereby permitted have been submitted to and approved by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area

6. Prior to the commencement of any walling, sample panels of one square metre of the proposed renders and bricks shall be constructed on site and shall be approved in writing by the Head of Development Services. The panels shall be constructed and protected from the weather at least 14 days prior to inspection by the Local Planning Authority and the approved panel shall be maintained in situ for the duration of the works. The works shall then be carried out to match the approved panels.

Reason:

To a satisfactory appearance.

7. Archaeology

No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason:

To ensure that any remains are properly investigated.

8. Landscaping

The development hereby permitted shall not be commenced until details of a scheme of hard and soft landscaping for the site have been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of the visual amenities of the area.

9. 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, unless the Head of Development Services gives written consent to any variation.

Reason:

In the interests of the visual amenities of the area.

10. Prior to occupation of the 27<sup>th</sup> dwelling, the LEAP/NEAP on phase K2 shall be laid out in accordance with the submitted details and made available for recreation. It shall remain as a play area thereafter. Details of its maintenance and management shall be submitted and approved by the Local Planning Authority beforehand and maintained as such thereafter.

Reason: To ensure satisfactory recreation provision

11. Prior to the commencement of development details of the management and maintenance of the undeveloped valley sides, open spaces and LAP shown on the submitted master plan shall be submitted to the Local Planning Authority for approval. The details shall include timescale for implementation. The above areas shall be maintained thereafter in accordance with the approved details.

Reason:

To a satisfactory appearance is maintained.

Note: This is likely to be by the same arrangement, regime and body as phase 1. It does not include the LEAP/NEAP specified under condition 11.

12. The reserved matters application for zone C shall include details for the LAP shown on the master plan.

Reason:

To ensure satisfactory recreation provision.

13. Tree protection measures shall be implemented in accordance with the submitted details prior to any works within that particular phase. The protection measures shall be maintained throughout works in that phase.

Reason:

To protect the trees.

Amenity/ Noise (as recommended by EHOs)

14. The development hereby permitted shall not begin until a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to and approved in writing 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 report 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 10175:2001 Investigation of Potentially Contaminated Sites - Code of Practice.

2. 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 10175:2001 Investigation of Potentially Contaminated Sites - Code of Practice. The report should include a detailed quantitative human health and environmental risk assessment.

3. 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, and how this will be validated. Any on going monitoring should also be outlined. No deviation shall be made from this scheme without prior written approval from the Local Planning Authority.

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

5. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. 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.

Reason:

To comply with the provisions of Policies GE2 and GE6 of adopted Stroud District Local Plan, November 2005 and to ensure the site is free from the effects of any contamination from previous uses of the site and does not pose a threat to human health.

15. All habitable rooms in zones C and K2 overlooking the Littlecombe Business Park should be provided with sound insulation treatment comprising a sealed facade (with openable windows for maintenance and means of escape) and an attenuated ventilation supply in order to achieve a sound reduction of 30 dB. This is as proposed in the Acoustic Consultants Ltd Environmental Noise Report reference 5878/DO/pw dated 13<sup>th</sup> March 2015.

Reason:

In the interests of residential amenity.

16. Prior to the occupation of each retail unit a noise mitigation report should be submitted to and approved in writing by the Local Planning Authority to demonstrate that the Rating Level (L<sub>Ar</sub> as derived as per British Standard 4142: 2014) from fixed plant at the unit does not exceed the following limits as measured or determined at the boundary of any residential property:-

Time Period Limit

Daytime (07:00 – 18:00) 32 dB L<sub>Ar</sub>(1 hr)

Evening (18:00 – 23:00) 30 dB L<sub>Ar</sub>(1 hr)

Night (23:00 – 07:00) 29 dB L<sub>Ar</sub>(15 min)

Reason:

In the interest of residential amenity

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

Reason:

In the interest of residential amenity

18. The development shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the Local Planning authority

Reason:

In the interest of residential amenity

The following informative:-

*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.*

Hydrology

19. To be confirmed following Environment Agency response.

Ecology

20. The development shall be carried out in accordance with the precautionary and mitigation measures set out in the Ecology chapter in the submitted Environmental Statement.

Reason:

In the interest of ecology and biodiversity

Highways

21. Prior to the occupation of the 294th dwelling details of the improvements to the junction of Kingshill Road/Kingshill Lane broadly in accordance with Appendix Q of the submitted Transport Assessment including a formal crossing to the south of the junction shall be submitted and agreed in writing by the Local Planning Authority and completed in accordance with the approved details in all respects.

Reason:

To provide improvements to the transport network that cost effectively limit the significant impacts of the development on the transport network in accordance with Paragraph 32 of the NPPF.

22. Prior to the occupation of the 406th dwelling details of the junction of the spine road with Long Street linking to Victoria Close to allow a continuous route through the development site from Long Street to Lister Road at its junction with Kingshill Lane shall be submitted to and agreed in writing by the Local Planning Authority and those details once approved shall be completed in all respects.

Reason:

To ensure safe and suitable access to service the proposed development in accordance with Paragraph 32 of the NPPF.

23. Prior to commencement of the development hereby permitted a scheme of traffic mitigation measures for Hopton Road and Everlands shall be submitted and approved in writing by the Local Planning Authority. These details shall consist of measures to reduce traffic speeds and measures to for traffic priority alterations to Everlands/Church Road junction and Kingshill Lane/Site access junction. The approved scheme shall then be implemented in full prior to the opening of the spine road linking Long Street to Lister Road at its junction with Kingshill Lane.

Reason:

To mitigate the highway implications of the development in the interests of highway safety in accordance with Paragraph 32 of the NPPF.

24. Prior to the development spine road linking Long Street to Lister Road at its junction with Kingshill Lane being completed and open to all traffic details of the amended signage to the junction of Woodmancote (A4135)/Silver Street/B4066 and Lister Street and Uley Road (B4066) shall be submitted and agreed in writing by the Local Planning Authority and completed in accordance with the approved details in all respects.

Reason:

To mitigate the highway implications of the development in accordance with paragraph 32 of the NPPF.

25. Prior to occupation of the proposed development details of footway including street lighting from the west of the site to the existing public right of way that terminates at Rednock Drive as shown on the indicative masterplan 7101-007 P004 Rev G shall be submitted and approved in writing by the Local Planning Authority and completed in accordance with the approve details in all respects.

Reason:

To ensure that the opportunities for sustainable modes of travel are taken up in accordance with Paragraph 32 of the NPPF.

26. Prior to commencement of Zone K2 details of a forward visibility splay fronting plot 17 shall be submitted to and agreed in writing by the Local Planning Authority. Those details once approved shall be implemented prior to occupation of plots 17-32.

Reason:

To ensure safe and suitable access and to minimise conflict between traffic, cyclists and pedestrians in accordance with paragraphs 32 and 35 of the NPPF.

27. No building on the development shall be occupied on Zone K2 until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason:

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

28. Details of the layout and access, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins on Zones C and F and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason:

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

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

- 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
- viii. construction traffic routing strategy

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.

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

Reason:

To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

31. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved 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 Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

32. Prior to the commencement of development, details (including timescale and maintenance) of a cycle path across the application site shall be submitted to the Local Planning Authority for approval. The cycle path shall be implemented in accordance with the approved details.

Reason.

In the interests of sustainability.

Note: The applicant is advised that to discharge condition [user defined no.], that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

Note: The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

Note: 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 an appropriate bond) with the County Council before commencing those works.

## **Conclusion**

Planning permission is recommended, subject to confirmation on contributions.

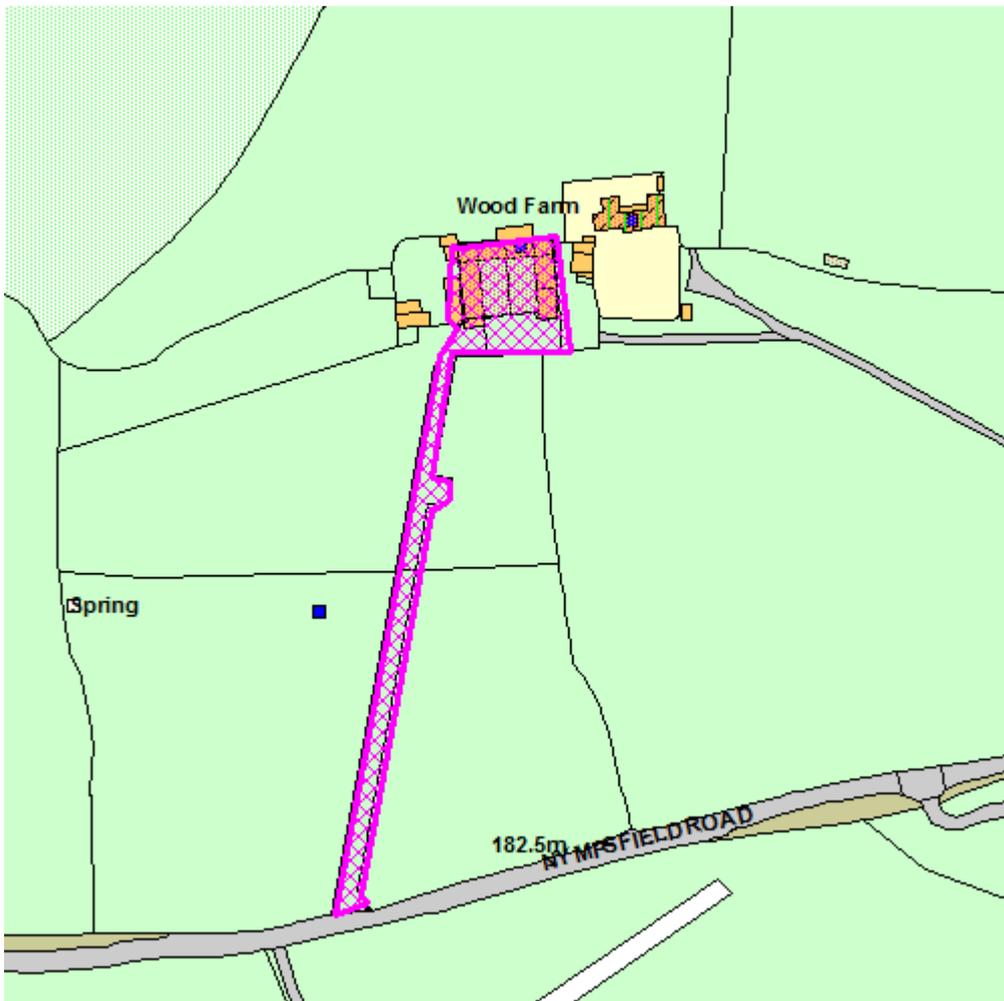
## ARTICLE 35 (2) STATEMENT

There has been on going discussions with the applicants and their agents leading to various changes.

## 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.

<b>Item No:</b>	<b>02</b>
<b>Application No.</b>	S.15/1298/FUL
<b>Site No.</b>	PP-04240756
<b>Site Address</b>	Barn At Wood Farm, Nympsfield Road, Forest Green, Nailsworth
<b>Town/Parish</b>	Nailsworth Town Council
<b>Grid Reference</b>	383426,200307
<b>Application Type</b>	Full Planning Permission
<b>Proposal</b>	Conversion of existing barn to create 2 dwellings. Change of use of land from agricultural to residential. Installation of new access and driveway (revised drawings received 21/07/15).



<b>Applicant's Details</b>	Mr Alan Smith C/O Total Design Ltd
<b>Agent's Details</b>	Mrs Angela Wadley

	1 Court Lane, Newent, Gloucestershire, GL18 1AR,
<b>Case Officer</b>	Rachel Brown
<b>Application Validated</b>	02.06.2015
	<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>1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</li> <li>2. The building(s) hereby permitted shall not be occupied until the vehicular parking [and turning] facilities have been provided in accordance with the submitted plan T1091.04E, 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.</li> <li>3. Prior to occupation of the proposed development the existing access shall be improved in accordance with the Gloucestershire manual for Streets Appendix C Figure 3.5 and any gates situated at least 4.5 metres back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and the area within at least 4.5 metres of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.  Reason: To reduce potential highway impact by ensuring the access is suitably laid out and constructed in accordance with Paragraph 35 of the NPPF.</li> <li>4. Prior to the access being brought into use the existing vegetation either side of the access shall be removed at a distance of 2.4m set back from the edge of carriageway for 64m to the east and 57m to the west to provide clear visibility between those points at a height of between 1m and 2.1m above the adjacent highway and shall be maintained thereafter.</li> </ol>

Reason:

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained in accordance with Paragraph 35 of the NPPF.

5. All planting, seeding or turfing comprised in the details of landscaping as detailed on submitted drawing No. T1091.05 Revision B, 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, unless the Local Planning Authority gives written consent to any variation.

Reason:

In the interests of the visual amenities of the area, to comply with Policy NE8 of the adopted Stroud District Local Plan.

6. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:

Proposed Drawings of 11/08/2015

Plan number = T1091.03 Version number = E

Proposed Drawings of 11/08/2015

Plan number = T1091.04 Version number = E

Proposed Drawings of 11/08/2015

Plan number = T1091.05 Version number = B

Reason:

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

Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant. The case officer contacted the applicant/agent and negotiated changes to the design which has enhanced the overall scheme; these have been detailed in the Officer Report.
2. The application site is within 250 metres of a suspected landfill site, the applicant/developers attention is drawn to the fact that there is the potential for production and migration of landfill gas. You are reminded that the responsibility for safe development

	<p>rests with the owner and/or developer. Accordingly, the applicant/developer is advised to seek independent expert advice, regarding the possibility of the presence, or future presence, of gas and whether any precautionary measures are necessary. The Council's Environmental Health Section will make available to you, free of charge, any information or data which it has in relation to the land to which the application applies.</p> <p>3. 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>	Parish / Town Karen Colbourn Development Coordination (E) Contaminated Land Officer (E)
<b>Not Yet Received</b>	Cotswolds Conservation Board (E) Environmental Health (E)
	<b>CONTRIBUTORS</b>
<b>Letters of Objection</b>	
<b>Letters of Support</b>	
<b>Letters of Comment</b>	Nailsworth Town Council, Town Hall, Old Bristol Road
	<b>OFFICER'S REPORT</b>

## **DESCRIPTION OF SITE**

The site comprises a single storey redundant farm building located to the west of the main farm house at Wood Farm, off Nympsfield Road between Nympsfield and Nailsworth.

The site lies within the Cotswold Area of Outstanding Natural Beauty (AONB) and the barn is grade II listed.

## **PROPOSAL**

The application seeks permission for the conversion of the existing barn to create 2 dwellings; the change of use of land from agricultural to residential; and the installation of new access and driveway.

## **REVISED DETAILS**

Revised drawings submitted make revisions to the internal layout, fenestration and access arrangements. Latest set of revised plans received on 11th August 2015.

## **MATERIALS**

Walls: Cotswold natural stone to remain

Roof: Small plain clay tiles to remain

Windows: Black powder coated aluminium

Doors: Treated oak timber to solid doors and black powder coated aluminium

## **RELEVANT PLANNING HISTORY**

None

## **CONSULTATION RESPONSES**

### Public

None received

### Parish

Nailsworth Town Council do not object to the change of use; but have serious concerns about the access road. They consider the access road should be relocated to adjoin the existing hedgerow and be of appropriate surface and the stone wall retained and repaired. Applicant should ensure no bat-unfriendly chemicals are used. Request application be called in to DCC.

### Consultations

SDC's Consultant Ecologist recommends additional bat surveys be carried out given the proximity of the site to Woodchester Mansion SSSI. Additional surveys have been carried out and a further response is awaited from the ecologist.

SDC's Environmental Protection Manager recommends standard conditions and an informative.

SDC's Senior Land Contaminated Land Officer advises the barn falls within 200 metres of a former landfill site and as such recommends a landfill informative.

GCC as the local highway authority (LHA) have commented that the submitted details fail to provide evidence of safe and suitable access; a more favourable consideration may be given if a traffic speed survey was undertaken to support a reduction in the required visibility. A speed survey was subsequently carried out and the results showed that the 85% wet weather speed is 37mph. The LHA provided further comment to these results advising that the new access will require a visibility splay of 64m to the east, and 57m to the west. Revised drawings submitted on the 11th August detail visibility splays to meet the requirements.

## **REASONS FOR DECISION**

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

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

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Stroud District Local Plan, November 2005 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. This is a key part of the reforms to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth.

In December 2013 SDC submitted its draft Local Plan to the Secretary of State. The policies contained within the Submission Draft are of relevance and are a material consideration in planning decisions.

In considering this application, the provisions of the National Planning Policy Framework (NPPF) have been considered as well as Policies BE16, BE17, NE4, GE1, GE5, BE10, BE11 and TR1 of the adopted Stroud District Local Plan, November 2005, together with Policies ES3, SE10 and CP15 of the emerging Stroud District Local Plan: Submission Draft December 2013.

Relevant to this particular application is the need for high quality design, retain the character and amenity of the site, protect the amenity of existing and future occupants, conserve and enhance the natural and historic environment and legally protected species, and maintain highway safety.

## **PRINCIPLE**

The application is for the conversion of a former agricultural barn into two dwellings with associated works. The barn forms part of a complex of former agricultural stone buildings and is set around a courtyard.

The barn is grade II listed. It is a traditional stone building in generally sound condition and capable of conversion to residential use without the need for any substantial structural alterations or re-building. The footprint of the barn will remain

largely unchanged. It is proposed to create two dwellings within this barn. Due to its internal layout, the proposal will utilise the available floor space well.

Revisions were sought to the submitted drawings to reduce the number of roof lights, revise the fenestration detailing, together with alterations to the internal layout. These revisions have enhanced the overall scheme in terms of preserving the historic fabric of the barn. The corresponding listed building application considers the internal alterations to the barn. The Cotswold natural stone and small plain clay tiles are to remain. These materials are considered appropriate to the existing buildings and wider setting. The proposed conversion respects the materials and style of the existing building. In this respect, the proposal satisfies Policies BE10, BE11 and BE16.

Policy BE17 requires every reasonable attempt to secure a suitable employment or community reuse for the building. It is acknowledged that in some cases former rural buildings may not be suitable for employment or community re-use. The building is not in a suitable location for any community or employment use. Such uses would be better located within the settlement of Nailsworth. Furthermore, due to the close inter-relationship between the barn and the dwelling on the adjoining site the introduction of a commercial use would be likely to result in unacceptable levels of noise and disturbance. A commercial use could also result in higher levels of vehicular use of the site which may be detrimental to highway safety.

It should also be noted that Core Policy CP15 of the emerging Local Plan places more emphasis on the preservation of buildings worthy of retention rather limiting the re-use of the building for commercial purposes. The building is grade II listed and not suitable for modern farming methods. The proposed residential conversion requires very modest changes to the barn and it is therefore considered to be the most appropriate use to preserve the historic asset.

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

A new access has been formed off the Nympsfield Road and a hard-core track laid to serve the barn. This track has irregular width, with no edging and an uneven surface.

Following concerns about the appearance of the track, Officers have negotiated revised plans showing the width reduced to 3m together with a tree and hedge planting scheme. The track is surfaced with the Cotswold stone brush/chippings which will readily weather and fade. The track also serves the barn and consequently its appearance is logical.

The Town Council have requested that the access track is re-located to adjoin the existing hedgerow along the edge of the field. However an access onto Nympsfield Road at this point would not be able to achieve the required visibility splays as the applicant does not own the adjacent land. In addition the Town Council have requested a stone wall is retained and repaired. However, this appears to be unrelated to this proposal.

## **RESIDENTIAL AMENITY**

In relation to Policy GE1, the nearest neighbouring property is the farm house on the adjoining land. The site is otherwise surrounded by agricultural land. The footprint of the barn remains unchanged and the proposal has been designed to minimise overlooking therefore would not have a detrimental impact on the neighbouring occupier's amenities in accordance with Policy GE1.

## **HIGHWAY SAFETY**

The new access has been formed onto the Nymphsfield Road, a Class 3 highway which is narrow and bounded by mature hedgerows. The road is subject to a 60mph speed limit; however a speed survey commissioned by the applicant, showed that the 85% wet weather speed is 37mph. The new access will provide the required visibility splays.

The proposal provides 2 parking spaces which is considered adequate and satisfies the Council's adopted parking standards; and an appropriate area for manoeuvring within the can be made available.

The additional traffic movements generated by this proposal would not impact on the surrounding highway network. The proposal would not be detrimental to highway safety, and would accord with Policies GE5 and TR1.

## **ECOLOGICAL IMPLICATIONS**

In April 2015 an ecological survey of the site was carried out. This survey was subsequently supported by further daytime checks and watches for bats. The survey confirmed the presence of a single bat roost. Under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010, it is an offence to damage, destroy or block access to a place used by bats. As such a European Protected Species (EPS) licence will be required from Natural England prior to carrying out any roof works. The survey recommends a mitigation strategy to retain the roost and minimise any disturbance.

A revised response from the Council's Ecologist is awaited.

## **CONTRIBUTIONS**

As the proposal is for the creation of 1 x 3-bedroom houses, in line with Policy RL5 of the Local Plan, a contribution of £3372 is sought towards off-site recreation facilities. The agent has responded to this request advising of the financial constraints associated with the conversion of the listed barn and asks for a concession with regard to the financial contributions. Officers have requested a more detailed comprehensive breakdown of the additional expenses that will be incurred by this proposal due to the listed status of the building, above and beyond that which would normally be expected for this type of development. This information is awaited.

The site falls within the 3km catchment zone for the Rodborough Common SAC and as such a detailed mitigation strategy to avoid recreational impact from the development on Rodborough Common SAC would normally be requested by way of a condition. However the site is at the far edge of the catchment zone, being approximately 2.7km from the edge of the Rodborough Common SAC; furthermore

the site lies within a rural setting with many footpaths in close proximity. It is therefore considered that the recreational impact of the development on the Rodborough Common SAC would be minimal and the condition is not necessary.

### **REVIEW OF CONSULTATION RESPONSES**

Nailsworth Town Council do not object to the change of use; but have serious concerns about the access road. Their concerns have been addressed in the report above.

A full copy of their response can be viewed on the electronic planning file.

No other public consultation responses have been received.

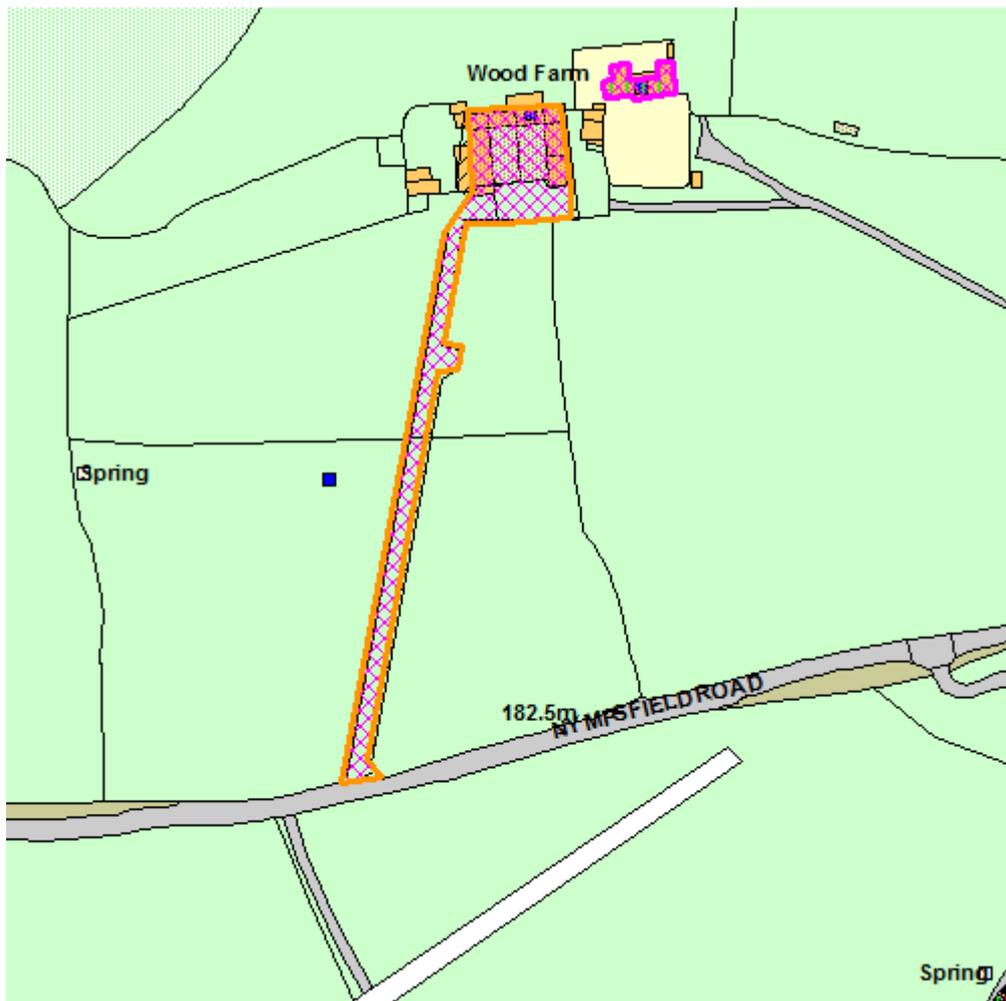
### **CONCLUSION**

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

### **HUMAN RIGHTS**

In compiling this recommendation we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any neighbouring or affected properties. In particular regard has been had to Article 8 of the ECHR (Right to Respect for private and family life) and the requirement to ensure that any interference with the right in this Article is both permissible and proportionate. On analysing the issues raised by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.

<b>Item No:</b>	<b>03</b>
<b>Application No.</b>	S.15/1299/LBC
<b>Site No.</b>	PP-04240756
<b>Site Address</b>	Barn At Wood Farm, Nympsfield Road, Forest Green, Nailsworth
<b>Town/Parish</b>	Nailsworth Town Council
<b>Grid Reference</b>	383426,200307
<b>Application Type</b>	Listed Building Consent
<b>Proposal</b>	Conversion of existing barn to create 2 dwellings. Change of use of land from agricultural to residential. Installation of new access and driveway.



<b>Applicant's Details</b>	Mr Alan Smith C/O Total Design Ltd
<b>Agent's Details</b>	Mrs Angela Wadley 1 Court Lane, Newent, Gloucestershire, GL18 1AR

<b>Case Officer</b>	Miss Rebecca Russell
<b>Application Validated</b>	01.06.2015
	<b>RECOMMENDATION</b>
<b>Recommended Decision</b>	<b>Consent</b>
	<p>1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent.</p> <p>Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> <p>2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:</p> <p>Proposed Drawings of 11/08/2015 Plan number = T1091.03 Version number = E</p> <p>Proposed Drawings of 11/08/2015 Plan number = T1091.04 Version number = E</p> <p>Proposed Drawings of 11/08/2015 Plan number = T1091.05 Version number = B</p> <p>Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.</p> <p>3. A report detailing the existing structural integrity of the buildings, together with a schedule of all the necessary repairs and alterations necessary to implement the proposals shall be submitted to and approved in writing by the Local Planning Authority before works commence on site. The work shall then only be carried out strictly in accordance with those details.</p> <p>Reason To ensure the preservation of the character and special interest of the listed building these matters require further consideration.</p> <p>Informatives:</p> <p>1. The case officer contacted the applicant/agent and negotiated changes to the design which has enhanced the overall scheme; these have been detailed above.</p>

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

#### **DESCRIPTION OF BUILDING**

The site comprises a single storey redundant farm building located to the west of the main farm house at Wood Farm, off Nymphsfield Road between Nymphsfield and Nailsworth.

The site lies within the Cotswold Area of Outstanding Natural Beauty (AONB) and the barn is grade II listed.

#### **PROPOSAL**

Conversion of existing barn to create 2 dwellings.

#### **REVISED DETAILS**

Revised drawings submitted make revisions to the internal layout, fenestration and number of roof lights. Latest set of revised plans received on 11th August 2015.

#### **MATERIALS**

Walls: Cotswold natural stone to remain.  
Roof: Small plain clay tiles to remain.  
Doors/windows: Black powder coated aluminium.  
Doors: Treated oak timber to solid doors.

#### **RELEVANT HISTORY**

None.

#### **CONSULTATION RESPONSES**

Public No Comments.

Parish Nailsworth Town Council do not object to the change of use application but have concerns over the access road. They request that the existing temporary access is removed and relocated to adjoin the existing hedgerow and be of an appropriate surface

### Consultations

Environmental Health were consulted and request that conditions and an informative be added to any application that is granted consent.

The Contaminated Land Officer was consulted and suggests that an informative is added to any application that is granted Consent.

GCC as the local highway authority (LHA) have commented that the submitted details fail to provide evidence of safe and suitable access; a more favourable consideration may be given if a traffic speed survey was undertaken to support a reduction in the required visibility. A speed survey was subsequently carried out and the results showed that the 85% wet weather speed is 37mph. The LHA provided further comment to these results advising that the new access will require a visibility splay of 64m to the east, and 57m to the west. Revised drawings submitted on the 11th August detail visibility splays to meet the requirements.

## **REASONS FOR DECISION**

For the purposes of Regulation 2 of the Planning (Listed Buildings and Conservation Areas) (England) (Amendment) Regulations 2003, the reasons for the Council's decision is summarised below. In considering the Application, the Council has given special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest that it possesses. Where relevant, reference is made to Government policy set out in the National Planning Policy Framework.

## **PLANNING POLICY AND GUIDANCE**

### **Planning (Listed Buildings and Conservation Areas) Act 1990**

Paragraph 16(2) - In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 66(1) - In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest, and in particular, listed buildings.

### **National Planning Policy Framework**

Paragraphs 126-141 of the NPPF is of relevance when assessing proposals on sites designated as Conservation Areas, or listed buildings and their setting.

Paragraph 132, 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting...'

### **Historic Environment Good Practice Advice in Planning, Note 2 - Managing Significance in Decision-Taking in the Historic Environment**

Paragraph 28 'The cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as larger scale change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with the NPPF policies.'

### **Stroud District Council Local Plan, Adopted November 2005**

Policy BE5 - Development within, or affecting the setting of a Conservation Area, will only be permitted if all the following criteria are met:

1. the siting of the development respects existing open spaces, patterns of building layout, trees, and boundary treatment and does not harm any positive contribution made to the character or appearance of the Conservation Area by any of these;
2. the scale, design, proportions, detailing and materials used in the proposed development are sympathetic to the characteristic form in the area, and compatible with adjacent buildings and spaces;
3. it does not cause the loss of features of historic or characteristic value; and
4. important views within, into and out of the area are protected.

POLICY BE6 - Proposals to alter or extend an unlisted building in a Conservation Area will only be permitted if the proposal is sympathetic in design, scale, materials, detailing, colour and landscaping to the rest of the building and to the Conservation Area.

POLICY BE7 - A change of use of a building in a Conservation Area will be permitted if both the following criteria are met:

1. the new use will not require any changes in the appearance or setting of the building, other than those which will preserve or enhance its contribution to the character or appearance of the area; and
2. any traffic generation, vehicle parking or noise can be catered for in a way that preserves or enhances the character or appearance of the area.

POLICY BE8 - Development involving the total demolition of a listed building will not be permitted unless there are very exceptional circumstances where all the following criteria are met:

1. the listed building concerned is a Grade II Listed Building;
2. the condition of the building is such that the cost of repairing and maintaining the building outweigh its importance, and the value derived from its continued use;

3. there is no other viable use for the building; and the demolition of the building will not cause harm to the setting of any other listed building, the character of a Conservation Area, or the character of a street scene.

POLICY BE9 - Development involving the partial demolition of a listed building, or the demolition of a curtilage listed building, will only be permitted where the demolition will achieve the preservation of the listed building and its setting.

POLICY BE10 - Development involving proposals to extend or alter a listed building, or any feature of special architectural or historic interest that contributes to the reasons for its listing, will not be permitted unless it would preserve the building, its setting, and any features of special architectural or historic interest the building possesses.

POLICY BE11 - A change of use of all or part of a listed building will be permitted if it would preserve the building, its setting, and any features of special architectural or historic interest the building possesses.

POLICY BE12 - A proposal for development that affects the setting of a listed building will only be permitted where it preserves the setting of the affected listed building.

### **Stroud District Council Local Plan, Submission Draft, 2013**

Delivery Policy ES10

Valuing our historic environment and assets

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

This proposal seeks to convert a Listed barn into two residential dwellings. The barn forms part of a complex of former agricultural stone buildings and is set around a courtyard.

The barn is grade II listed. It is a traditional stone building in generally sound condition and capable of conversion to residential use without the need for any substantial structural alterations or re-building. In places, the roof is in need of repair. Internally the majority of the walls remain intact. A few historic beams remain in the main open plan section of the barn. The footprint of the barn will remain largely unchanged.

It is proposed to create two dwellings within this barn. Due to its internal layout, the proposal will utilise the available floor space well.

Revised plans were submitted that showed a revised internal layout in dwelling two. The original plans proposed to remove too many internal walls and this would have greatly altered the historic plan form of the building. This was considered unacceptable. Due to the latest revisions, the internal walls in dwelling two will remain to create separate bedrooms and bathrooms. There will therefore be limited loss of historic fabric as a result of this proposal.

In the first dwelling, it is proposed to keep all the existing internal walls. These will create natural subdivision within the dwelling and will create separate bedrooms and bathrooms. It is also proposed to create a kitchen with an open plan living room. Due to the revisions, the second dwelling will mirror this layout. This proposal will allow the remaining historic fabric of the building to remain and there will be a clear visual link between the original use and the current use of the barn. Due to the existing internal layout of the barn, it is considered that the barn lends itself to this proposed subdivision and alternative use.

Similarly, the latest set of revised plans submitted show a reduce number of roof lights. Following conversations with the Agent, these were reduced in quantity and this now results in a proposal that will cause less visual harm to the character and appearance of the listed barn. The detailing of the proposed doors were also altered to reflect the agricultural nature of the barn and so as not to be residential in appearance.

The proposed works have been carefully designed and detailed to minimise the harm to the historic character and appearance of the Listed Building. Although it is proposed to change the use from agricultural to residential, the historic plan form will remain and the previous use of the building will still be clearly legible. There will also be limited loss of historic fabric as a result of this proposal.

The comments over access raised by the Parish Council and Consultees are noted and will be dealt with under the corresponding planning application.

It is considered that the proposed works as acceptable and should be granted Consent. The proposals accord with the policies set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF and the Stroud District Local Plan.

## **HISTORIC ENVIRONMENT**

The proposed works have been carefully designed and detailed to cause the least amount of harm to the historic character and appearance of the Listed Building. Although it is proposed to change the use from agricultural to residential, the historic plan form will remain and the previous use of the building will still be clearly legible. There will also be limited loss of historic fabric as a result of this proposal.

## **REVIEW OF CONSULTATION RESPONSES**

All comments are noted.

## **CONCLUSION**

The proposal is considered to comply with the provisions of policies contained in the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and the adopted Stroud District Local Plan, November 2005, Submission Draft Local Plan, December 2013.

## **RECOMMENDATION**

You are recommended to grant Listed Building Consent for these works.

## **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.



**following reasons:**

1. The proposed extensions by virtue of their scale, design and detailing would result in modern additions that would be overly large and visually dominant thereby competing with the scale and detailing of the small vernacular cottage causing it harm. This would be contrary to the requirements of paragraph 132 of the NPPF and policy BE10 of the Stroud District Local Plan. The public benefit of bringing the vehicles off the road would be very minimal and would not outweigh the harm done to the character or significance of the asset. No other public benefits have been identified. The proposal therefore fails to comply with paragraph 133 of the NPPF.
2. The proposed demolition and realignment of part of the boundary wall would lead to a significant and detrimental change to the character of the street scene with its hard edge frontage to the highway. It would also be detrimental to the setting of the cottage which is currently that of a traditional cottage garden. These works would be harmful to the character and setting of both the listed building and the conservation area. The works would be contrary to Paragraphs 132 and 133 of the NPPF, Policy P.10 of the Conservation Area Statement and Policies BE9, BE10 and BE12 of the Stroud District Local Plan.
3. The proposed vehicular access is sub-standard in layout and located at a point on the classified 'The Street' where visibility is severely restricted and the construction and use an access would increase highway dangers and create more hazardous conditions than exist at the present time, to the detriment of highway safety. This would be contrary to policy GE5 of the Stroud District Local Plan.
4. The proposed garage, by virtue of its scale, design, detailing, materials and siting, would be overly large and visually dominant and overbearing on the listed building thereby competing with the small vernacular cottage causing harm to the character and setting of the listed building together with the conservation area as a whole. This would be contrary to the requirements of paragraph 132 of the NPPF and policies BE5 and BE12 of the Stroud District Local Plan.

**Informatives:**

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant. Unfortunately, this application was submitted without any meaningful pre-application discussions. For the reasons given above the application is recommended for refusal. The applicant/agent has been contacted and the issues explained. Furthermore the case officer has suggested that the application be withdrawn so that the project can be fully discussed.

	<b>CONSULTEES</b>
<b>Comments Received</b>	
<b>Not Yet Received</b>	Mr David Lesser Parish / Town
	<b>CONTRIBUTORS</b>
<b>Letters of Objection</b>	Roman Cooper, Walford House, The Street, Frampton On Severn
<b>Letters of Support</b>	Frampton On Severn Parish Council, Summer Cottage, Whitminster Lane K Hilder, Highbury House, Frampton On Severn
<b>Letters of Comment</b>	G And J Kirk, Woodbine Cottage, The Street
	<b>OFFICER'S REPORT</b>

#### **DESCRIPTION OF SITE**

The application site is located within the settlement of Frampton on Severn and comprises a small detached cottage. The property is grade II listed and the site falls within the Frampton on Severn Conservation Area. The cottage sits within a large plot that extends from the rear (north west) for approximately 55 metres. There is a low brick wall fronting the highway.

#### **PROPOSAL**

General repairs, alterations and extensions. Vehicular access and associated works. The proposal also includes a detached double garage.

#### **REVISED DETAILS**

None

#### **MATERIALS**

Walls: Brick  
Cladding

Roof: As existing/to LPA approval

Windows: Timber

#### **RELEVANT PLANNING HISTORY**

S.14/2288/HHOLD - General repairs, alterations and extensions. Vehicular access and associated works - Refused

S.14/2349/LBC - General repairs, alterations and extensions. Vehicular access and associated works - Refused

S.14/2349/LBC - General repairs, alterations and extensions. Vehicular access and associated works - Refused 27.11.2014

S.11/0480/LBC - Erection of two and single storey extension and repairs and refurbishment of cottage to include demolition of attached buildings to rear. Demolition of part of garden wall - Refused 14.06.2011

S.11/0479/HHOLD - Erection of two and single storey extension and repairs and refurbishment of cottage to include demolition of attached buildings to rear. Demolition of part of garden wall to create a vehicular access - Refused 14.06.2011

## **CONSULTATION RESPONSES**

### Public

A letter of support has been received

A letter of comment has been received: Surprised this application is similar to that previously refused; draw attention to the size of the garage, disproportionate to the cottage, and intrusive location.

A letter of objection has been received: Nothing has changed from last year; contrary to policy; should be refused

### Parish

Frampton on Severn Parish Council: Support; with a condition for on-site contractor parking.

### Consultations

SDC's Water Resource Engineer has no comments or objections

## **REASONS FOR DECISION**

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

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

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Stroud District Local Plan, November 2005 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. This is a key part of the reforms to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth.

In December 2013 SDC submitted its draft Local Plan to the Secretary of State. The policies contained within the Submission Draft are of relevance and are a material consideration in planning decisions.

Policy HN16 of the Stroud District Local Plan, November 2005 and Submission Draft Policy HC8 specifically provides guidance on extensions and outbuildings. This requires consideration of the plot size, height, size and design of the extension as well as the possible impact on car parking provision. Policy GE1 (Submission Draft Policy ES3) prevents an unacceptable level of noise, general disturbance, smell, fumes, loss of daylight or sunlight, loss of privacy or an overbearing effect. Paragraphs 56-68 of the National Planning Policy Framework (NPPF) stress the importance of quality design. Policy GE5 maintains highway safety including public rights of way. The National Planning Practice Guidance (NPPG) has also been considered.

Paragraphs 126-141 of the NPPF is of relevance when assessing proposals on sites designated as Conservation Areas, or listed buildings and their setting. Local Plan Policy BE5 (Submission Draft Policy ES10) is also relevant. It requires the siting of development to respect existing open spaces, pattern of building layout, trees and boundary treatment, and ensure it does not harm any positive contribution made to the character and appearance of the Conservation Area. The scale, design, proportions, detailing and materials used in the proposed development must be sympathetic to the characteristic form of area, the adjacent buildings and spaces. It should not cause loss of features of historic or characteristic value, and maintains important views in/out. Policy BE6 requires that the design, scale, materials, detailing, colour and landscaping be sympathetic to the building and the Conservation Area. Local Plan Policy BE12 relates to development affecting the setting of a listed building. Local Plan Policy BE10 (Submission Draft Policy ES10) is concerned with alterations and extensions to listed buildings.

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

This application is a resubmission following an application for a similar scheme, refused last year.

The refusal in 2011 was the result of significant change to planning policy including the adoption of the Local Plan, the adoption of the Conservation Area Statement for Frampton on Severn and publication of PPS5 - Planning for the Historic Environment. These significant changes in policy lead to the re-evaluation of the proposed scheme and its subsequent refusal. The refusal was not on the grounds of the repair and moderate extension of the cottage, but was solely based on the intended partial demolition of the listed boundary wall to provide vehicular access.

Following the 2011 refusal, The National Planning Policy Framework was adopted in March 2012 which gives protection of the historic environment. Furthermore, the Stroud District Council Local Plan, Submission Draft, 2013 is now under formal consultation and should be given some weight.

Greycroft is currently recorded on this Council's Building at Risk register in the highest risk category. At its meeting on 8th March 2011, this Council's Development Control Committee resolved to authorise officers to serve a Section 48 (Repairs) Notice and, if necessary, to make a Compulsory Purchase Order. Following the submission of the 2011 application, officers delayed the service of the Notice in order to give the applicant an opportunity to obtain consent and carry out the works himself.

The current planning application has three distinct parts:

1. The repair and extension of the cottage.

This building is significant as a relatively unaltered example of a small, cruck timber-framed cottage dating from the C15 with later C17 alterations. Whilst it has some later, C19 and C20 additions to the rear these are small and have a very limited impact on the character and integrity of the historic building.

The previous permitted scheme followed extensive negotiations with the owner and architect to arrive at a suitable scheme for the repair and moderate extension of the cottage. This included the rebuilding of the small lean-to additions to the rear of the cottage in order to provide new kitchen and bathrooms and a simple glazed conservatory. The new extensions were small in scale, single storey (though the kitchen extension provided a small attic en-suite), and would have a very minimal impact on the integrity of the cottage. Internally the works were also minimal but adequate to provide a family sized residence three bedrooms, kitchen/diner and living room.

The current scheme incorporates much more extensive extensions to the rear, almost doubling the footprint of the main part of the cottage. This would be substantially harmful to the significance of the building. The proposed extensions incorporate a one and a half storey element with bathroom, kitchen and dining room on the ground floor with a bedroom and bathroom above. These extensions are considered to be wholly unacceptable by virtue of their scale and detailing. They would result in modern additions that would be overly large and thereby competitive with the small scale vernacular size and detailing of the original building causing it harm. This would be contrary to the requirements of paragraph 132 of the NPPF and policy BE10 of the Stroud District Local Plan.

2. Demolition of part of the boundary wall to facilitate vehicular access to the site.

The boundary wall is curtilage listed and is a significant contributor to the setting of the cottage. It is also a contributor to the character of the conservation area.

The street scene in this part of the conservation area is characterised by the existence of hard edges with garden boundaries of low walls and hedges or decorative wrought iron fences. The road is hemmed in by these walls, together with gable ends of the buildings, giving the impression of a very hard edge to the highway. The garden to Greycroft brings a green break to this streetscape but this green space is still set behind the hard edge of the wall. Many of the houses and cottages are characterised in this way being slightly set back from the road, behind these enclosed private areas. This is an important feature of the conservation area, bridging the division between public and private space. The enclosed cottage garden is also an important contributor to the setting of Greycroft itself.

Unfortunately, some of the historic boundaries within the village have been removed and front gardens turned into parking spaces. The creation of this private parking has led to the erosion of front enclosed areas and yards and the loss of gardens and

their railings or walls. This has resulted in an erosion of the characterful delineation between public and private space to the detriment of the character of the private gardens and the character of the conservation area as a whole.

The proposed creation of a new opening in the wall would exacerbate this harm and whilst it may be desirable to have a private parking space for the cottage, it is by no means a necessity. On-street parking is widely provided within the village and indeed the cottage is currently served by this provision. Therefore, while the creation of on-site vehicle parking would benefit the occupier of the cottage, the harm done to the character and setting of the cottage and the wider conservation area would have a more negative and detrimental impact and cannot be justified.

The public benefit of bringing the vehicles off the road would be very minimal and would not outweigh the harm done to the significance of the asset.

The proposals would therefore be contrary to paragraphs 132 and 133 of the NPPF, and Policy BE5, 9, 10 and 12 of the Stroud District Local Plan.

### 3. Erection of a detached garage

The plans submitted show a proposal for the erection of a garage on the site. The garage would be sited to the side and set back from the rear of the cottage and therefore visible from the street scene. The footprint of the garage would be approximately 8.1 metres x 4.8 metres (this includes an area for storage). The ridge height of the garage would be approximately 4.1 metres. The design of the garage is somewhat confused, being neither fully hipped or with full gable. It is felt that the proposed garage would, by virtue of its siting, scale, design and detailing and materials would be wholly inappropriate and would be overbearing on and cause harm to the setting of the listed building.

#### **RESIDENTIAL AMENITY**

The proposed development has been designed so that it would not impact on the neighbouring occupier's privacy levels. There is sufficient distance between properties to ensure no significant loss of light or overbearing impact. The proposal would not be harmful to the residential amenity of neighbouring occupiers.

#### **HIGHWAY SAFETY**

Parking would be provided on site as a new vehicular access would be created. However, the proposed vehicular access is sub-standard in layout and located at a point on the classified 'The Street' where visibility is severely restricted and the construction and use of an access would increase highway dangers and create more hazardous conditions than exist at the present time, to the detriment of highway safety.

#### **REVIEW OF CONSULTATION RESPONSES**

A number of responses have been received and these are available to view on the electronic file. The comments and objections raised have been noted and addressed in the report above.

## **CONCLUSION**

The proposal is NOT considered to comply with the provisions of policies listed in the reasons for refusal and contained in the adopted Stroud District Local Plan, November 2005 and the core planning principles set out in the NPPF.

## **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.



<b>Case Officer</b>	Della Gould
<b>Application Validated</b>	07.07.2015
	<b>RECOMMENDATION</b>
<b>Recommended Decision</b>	Refusal
<b>For the following reasons:</b>	<ol style="list-style-type: none"> <li>1. The proposed extensions by virtue of their scale, design and detailing would result in modern additions that would be overly large and visually dominant thereby competing with the scale and detailing of the small vernacular cottage causing it harm. This would be contrary to the requirements of paragraph 132 of the NPPF and policy BE10 of the Stroud District Local Plan. Inadequate justification has been provided to show why the extent of the proposed extensions are deemed necessary. The proposal is therefore considered to be unjustified and would be harmful to the character and significance of the listed building contrary to the requirements of paragraph 132 of the NPPF.</li> <li>2. The proposed demolition and realignment of part of the boundary wall would lead to a significant and detrimental change to the character of the street scene with its hard edge frontage to the highway. It would also be detrimental to the setting of the cottage which is currently that of a traditional cottage garden. These works would be harmful to the character and setting of both the listed building and the conservation area. The works would be contrary to Paragraphs 132 and 133 of the NPPF, Policy P.10 of the Conservation Area Statement and Policies BE9, 10 and BE12 of the Stroud District Local Plan.</li> <li>3. The public benefit of bringing the vehicles off the road would not outweigh the harm done to the character or significance of the asset. No other public benefits have been identified. The proposal therefore fails to comply with paragraph 133 of the NPPF.</li> </ol>
	<b>CONSULTEES</b>
<b>Comments Received</b>	
<b>Not Yet Received</b>	Parish / Town
	<b>CONTRIBUTORS</b>
<b>Letters of Objection</b>	Roman Cooper, Walford House, The Street, Frampton On Severn
<b>Letters of Support</b>	
<b>Letters of</b>	

<b>Comment</b>	
	<b>OFFICER'S REPORT</b>

**DESCRIPTION OF BUILDING**

Small detached cottage. Partly possibly C15, extended or refaced to left probably in C17. Right hand side is timber-framed on plinth with brick infill with true cruck on right hand gable return, left hand side is brick painted to resemble timber-framing. Concrete tile roof with rebuilt brick end stacks. Single small range of single storey and attic. Two gabled dormers on eaves with 2-light casement, and two C20 two-light to ground floor flanking C19 half-glazed door and porch. Interior contains further crucks.

The cottage is set within a garden plot bounded by a low brick wall adjacent to the highway.

The cottage is recorded on this Council's Building At Risk Register in the highest category of risk.

**PROPOSAL**

General repairs, alterations and extensions. Vehicular access and associated works.

**REVISED DETAILS**

None.

**MATERIALS**

Walls: Brick

Roof: To be determined

Doors/windows: Timber

**RELEVANT HISTORY**

S.11/0480/LBC - Refusal - Erection of two and single storey extension and repairs and refurbishment of cottage to include demolition of attached buildings to rear. Demolition of part of garden wall.

00/1225 - Consent - Erection of two storey extension (existing lean-to to be demolished); insertion of dormer and replacement windows; internal alterations and new vehicular access. Revised/additional drawing recd. 10/11/2000.

S.14/2349/LBC - Refusal - General repairs, alterations and extensions. Vehicular access and associated works.

S.14/2288/HHOLD - Refusal - General repairs, alterations and extensions. Vehicular access and associated works.

## **CONSULTATION RESPONSES**

Public Objection on grounds of scale of the extension which is considered to be too large, the demolition of the boundary wall which would be harmful to the setting of the building and the conservation area and the erection of a garage which would be too large and harmful to the conservation area. Proposals are contrary to the requirements of the NPPF and the Local Plan.

Parish No response received.

## **ARTICLE 31 STATEMENT – REASONS FOR RECOMMENDATION**

### **REASONS FOR DECISION**

For the purposes of Regulation 2 of the Planning (Listed Buildings and Conservation Areas) (England) (Amendment) Regulations 2003, the reasons for the Council's decision is summarised below. In considering the Application, the Council has given special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest that it possesses. Where relevant, reference is made to Government policy set out in the National Planning Policy Framework.

### **PLANNING POLICY AND GUIDANCE**

#### **Planning (Listed Buildings and Conservation Areas) Act 1990**

Paragraph 16(2) - In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 66(1) - In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest, and in particular, listed buildings.

### **PLANNING POLICY AND GUIDANCE**

#### **National Planning Policy Framework**

Paragraphs 56-68 of the National Planning Policy Framework (NPPF) stress the importance of quality design.

Paragraphs 126-141 of the NPPF is of relevance when assessing proposals on sites designated as Conservation Areas, or listed buildings and their setting.

## **Historic Environment Good Practice Advice in Planning, Note 2 - Managing Significance in Decision-Taking in the Historic Environment**

Paragraph 28 'The cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as larger scale change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with the NPPF policies.'

### **Stroud District Council Local Plan, Adopted November 2005**

#### Policy BE9

Development involving the partial demolition of a listed building, will only be permitted where the demolition will achieve the preservation of the listed building and its setting.

#### Policy BE10

Development involving proposals to extend or alter a listed building, or any feature of special architectural or historic interest that contributes to the reasons for its listing, will not be permitted unless it would preserve the building, its setting, and any features of special architectural or historic interest the building possesses.

#### Policy BE12

The proposal for development that affects the setting of the listed building will only be permitted where it preserves the setting of the affected listed building.

#### Policy BE5

Development within, or affecting the setting of a conservation area will only be permitted if all of the following criteria are met:

1. the siting of the development respects existing open spaces, patterns of building layout, trees, hedges, walls and fences, and does not harm any positive contribution made to the character or appearance of the Conservation Area by any of these;
2. the scale, design, proportions, detailing and materials used in the proposed development are sympathetic to the characteristic form in the area, and compatible with adjacent buildings and spaces;
3. it does not cause harm to the loss of features of historic or characteristic value; and
4. important views within, into and out of the area are protected.

### **Stroud District Council Local Plan, Submission Draft, 2013**

#### Delivery Policy ES10

Valuing our historic environment and assets

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

In 2001 Consent was given for a scheme of restoration and extension. This was actually similar to the scheme subsequently refused in 2011. However planning policy had changed: the local plan, the adoption of the Conservation Area Statement for Frampton on Severn and publication of PPS5 - Planning for the Historic Environment. These significant changes in policy lead to the re-evaluation of the proposed scheme and its subsequent refusal. The refusal was not on the grounds of the repair and moderate extension of the cottage, but was solely based on the intended partial demolition of the listed boundary wall to provide vehicular access.

Following the 2011 refusal, the National Planning Policy Framework was adopted in March 2012 covers the protection of the historic environment. Furthermore, the Stroud District Council Local Plan, Submission Draft, 2013 is now under formal consultation and should be given some weight. A scheme for general repairs, alterations and extensions was refused in 2014 following these changes to the legislation.

Greycroft is currently recorded on this Council's Building at Risk register in the highest risk category. At its meeting on 8th March 2011, this Council's Development Control Committee resolved to authorise officers to serve a Section 48 (Repairs) Notice.

The current proposal is for an almost identical scheme to the one refused in 2014. The current proposal has two distinct parts:

1. The repair and extension of the cottage.

This building is significant as a relatively unaltered example of a small, cruck timber-framed cottage dating from the C15 with later C17 alterations. Whilst it has some later, C19 and C20 additions to the rear these are small and have a very limited impact on the character and integrity of the historic building.

The scheme, refused in 2011, included the rebuilding of the small lean-to additions to the rear of the cottage in order to provide new kitchen and bathrooms and a simple glazed conservatory. The new extensions were small in scale, single storey (though the kitchen extension provided a small attic en-suite), and would have very minimal impact on the integrity of the cottage. Internally the works were also minimal but provided three bedrooms, kitchen/diner and living room. This scheme was considered to be wholly acceptable and would have been granted consent. However the application at this time also included the partial demolition of the boundary wall which was considered unacceptable and, due to this aspect, the application was refused.

The subsequent scheme (2014) incorporated much more extensive extensions to the rear, almost doubling the footprint of the main part of the cottage. This would have been substantially harmful to the significance of the building. The proposed extensions in a one and a half storey element incorporating a very large utility room of some 3.7m x 3.2m (max) and bathroom on ground floor and a double bedroom and bathroom on first floor. The single storey extension would incorporate a flat

roofed kitchen and a lean-to dining room. These extensions were considered to be wholly unacceptable by virtue of their scale and detailing. They would result in modern additions that would be overly large and thereby competitive with the small scale vernacular size and detailing of the original building causing it harm. This would be contrary to the requirements of paragraph 132 of the NPPF and policy BE10 of the Stroud District Local Plan.

The current application is a resubmission of this scheme with a slight variation in that the kitchen is now in place of the utility room. However, the scheme has not been modified in scale or detail to take into account any of the previous concerns or reasons for refusal. Indeed the agent argues that as the extension would protrude only 1800mm to the rear of the existing extensions then the plan of the new building would be modest. He also argues that the proposal would not constitute 'substantial harm' under the provisions of paragraph 132 of the NPPF.

The definition 'substantial harm' is a judgement for the decision taker. There is no specific definition in the NPPF only guidance which states that for works to constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of a buildings special architectural or historic interest. It is the degree of harm done to the assets significance rather than the scale of the development that is the issue. In this case, the asset is a small vernacular cottage. Part of its significance is derived from its small scale and this can only be seen as a key characteristic. The proposed extension is large, almost doubling the historic footprint both at ground and first floor levels and it is for this reason that the proposed extension is considered to be unacceptable as it would detract from the small vernacular nature of the listed building. This would be substantially harmful as it would detract from one of the key characteristics of the cottage, i.e. its size.

Paragraph 133 of the NPPF requires that where a proposal will lead to substantial harm to the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. No such public benefit has been identified by the applicant and the proposal therefore fails to comply with the requirements of paragraph 133 of the NPPF.

2. Demolition of part of the boundary wall to facilitate vehicular access to the site.

The boundary wall is curtilage listed and is a significant contributor to the setting of the cottage. It is also a contributor to the character of the conservation area.

The street scene in this part of the conservation area is characterised by the existence of hard edges with garden boundaries of low walls and hedges or decorative wrought iron fences. The road is hemmed in by these walls, together with gable ends of the buildings, giving the impression of a very hard edge to the highway. The garden to Greycroft brings a green break to this streetscape but this green is still set behind the hard edge of the wall. Many of the houses and cottages are characterised in this way being slightly set back from the road, behind these enclosed private areas. This is an important feature of the conservation area,

bridging the division between public and private space. The enclosed cottage garden is also an important contributor to the setting of Greycroft itself.

The proposal is for a new opening in the wall to allow for vehicular access but the agent is now proposing a gate as this would continue the hard edge. However, as this will be the main access to the cottage, it is likely that this gate will remain open for considerable periods. Furthermore, a gate will not have the same characteristics as the wall, and that combined with the new driveway will be harmful to the character of the existing garden area.

Unfortunately, some of the historic boundaries within the village have been removed and front gardens turned into parking spaces. The creation of this private parking has led to the erosion of front enclosed areas and yards and the loss of gardens and their railings or walls. This has resulted in an erosion of the characterful delineation between public and private space to the detriment of the character of the private gardens and the character of the conservation area as a whole.

The proposed creation of a new opening in the wall would exacerbate this harm and whilst it may be desirable to have a private parking space for the cottage, it is by no means a necessity. On-street parking is widely provided within the village and indeed the cottage is currently served by this provision. Therefore, while the creation of on-site vehicle parking would benefit the occupier of the cottage, the harm done to the character and setting of the cottage and the wider conservation area would have a more negative and detrimental impact and cannot be justified.

The public benefit of bringing the vehicles off the road would not outweigh the harm done to the significance of the asset. Indeed, some on street parking would be lost where the new opening is to be created.

The proposals would therefore be contrary to paragraphs 132 and 133 of the NPPF and Policy BE5, 9, 10 and 12 of the Stroud District Local Plan.

The plans submitted show a proposal for the erection of a garage on the site though this is not subject to listed building consent. Whilst this has not therefore been considered in detail, it is felt that the proposed garage would, by virtue of its scale, design and detailing and materials would be wholly inappropriate and would cause harm to the setting of the listed building.

## **REVIEW OF CONSULTATION RESPONSES**

Objection on grounds of scale of the extension which is considered to be too large; the demolition of the boundary wall which would be harmful to the setting of the building and the conservation area and the erection of a garage which would be too large and harmful to the conservation area. Proposals are contrary to the requirements of the NPPF and the Local Plan.

All of these issues are addressed in the above report.

## **CONCLUSION**

The proposal is NOT considered to comply with the provisions of policies listed in the reasons for refusal and contained in the adopted Stroud District Local Plan, November 2005, Submission Draft Local Plan, December 2013 and the core planning principles set out in the NPPF.

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

Following the previous refusal, no amendments have been made in order to address the concerns. For the reasons given above, the application is recommended for refusal.

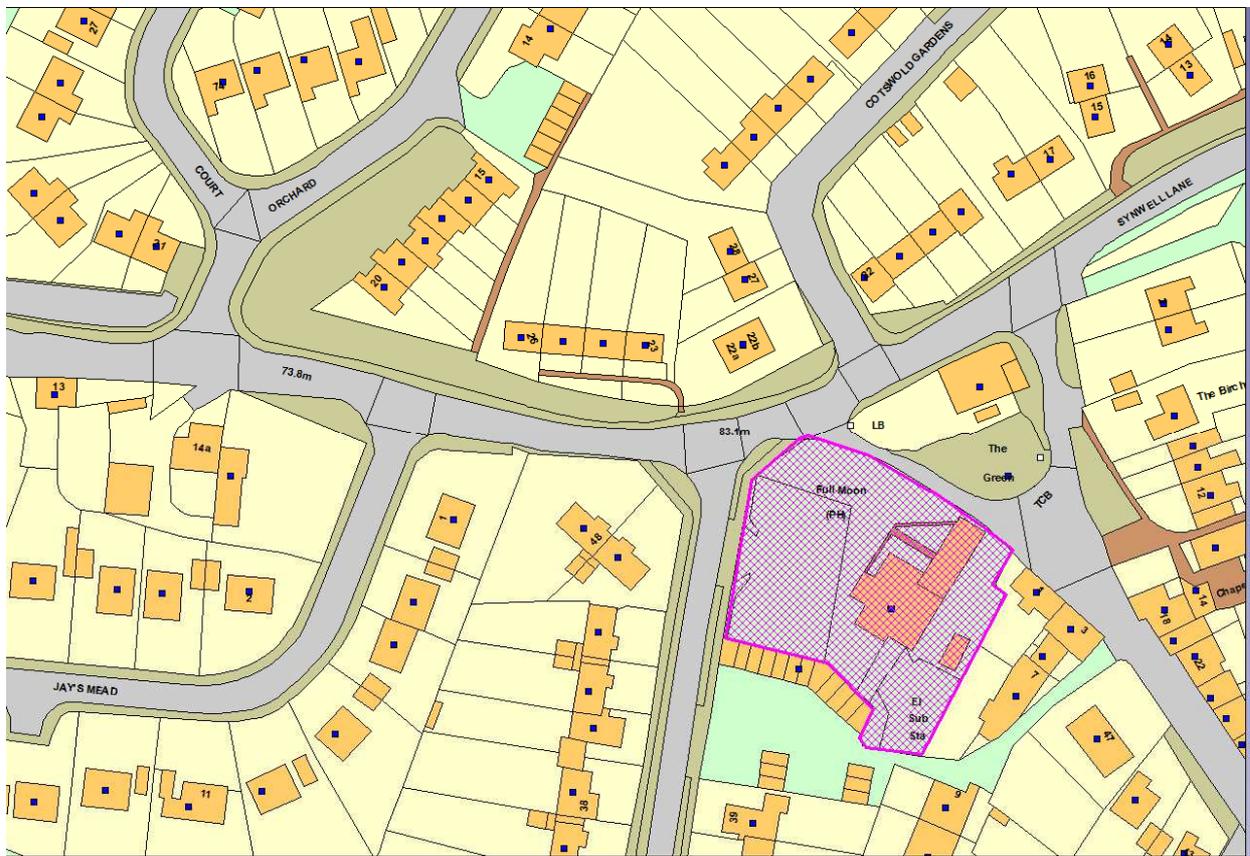
## **RECOMMENDATION**

You are therefore recommended to refuse Listed Building Consent for these works.

## **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.

<b>Item No:</b>	<b>06</b>
<b>Application No.</b>	S.15/1586/NEWTPO
<b>Site No.</b>	TPO No 554
<b>Site Address</b>	The Full Moon, Mount Pleasant, Wotton-Under-Edge, Gloucestershire
<b>Town/Parish</b>	Wotton Under Edge Town Council
<b>Grid Reference</b>	376285,193211
<b>Application Type</b>	New Tree Preservation Order 554
<b>Proposal</b>	To inform Members of the objection raised by Mr Marlow to the serving of the Tree Preservation Order.



<b>Applicant's Details</b>	Planning Service Stroud District Council, Ebley Mill, Ebley Wharf, Stroud, Gloucestershire GL5 4UB
<b>Agent's Details</b>	None
<b>Case Officer</b>	Mark Hemming
<b>Application Validated</b>	02.07.2015
<b>RECOMMENDATION</b>	

<b>Recommended Decision</b>	To consider the information submitted regarding the objection raised and to make a decision regarding the confirming of the order.
	<b>CONSULTEES</b>
<b>Comments Received</b>	
	<b>CONTRIBUTORS</b>
<b>Letters of Objection</b>	Mr Marlow
<b>Letters of Support</b>	
<b>Letters of Comment</b>	
	<b>OFFICER'S REPORT</b>

The purpose of this report is to inform members of the objection received to the serving of Tree Preservation Order 554 The Full Moon, Mount Pleasant, Wotton-Under-Edge. The report considers the points raised by Mr Marlow. The salient points of the objection are summarised below.

1. The amenity value of the trees hasn't been fully considered.
2. No attempt has been made by the local authority to explain to Full Moon Ltd why the trees have been protected or how the public benefit has been assessed.
3. Why has a second tree preservation order been served on the land?
4. Has the damage on the Copper Beech been fully assessed?

In response to the points raised, I shall counter these as follows.

1. The trees amenity value has been assessed using the TEMPO evaluation system. TEMPO is designed as a field guide for decision making, and is presented on a single side of A4 as an easily completed pro-forma. As such, it stands as a record that a systematic assessment has been undertaken. TEMPO considers all relevant factors in the tree preservation order decision making chain. The results of the assessment recommended that the trees were worthy of a tree preservation order.
2. The key issues raised have been discussed with the landowner's agent. This has influenced the layout and subsequent reports have been submitted to try and counter these points. The public benefit has been considered and explained within the TEMPO methodology.
3. A second tree preservation order was served as the land owner claimed they weren't aware of the existing tree preservation order. They argued that the order hadn't been served correctly. This new order confirms the situation beyond any doubt.
4. The Copper Beech tree is on land controlled by the Town Council. A visual tree assessment has been carried out from ground level by the author of this

report. A sounding mallet was used to identify the area of decay in the lower stem. The sound waves that resonated from the tapping suggested that the tree didn't contain any significant decay. It should also be noted that Mr Marlow's tree report states that the tree makes a significant contribution to the landscape with a life expectancy of 20 years.

#### Summary.

It is your officer's opinion that the points raised by Mr Marlow have been covered through the planning process. The trees amenity value has been assessed, and Mr Marlow agrees that the Birch tree on his clients land can be retained for a further 20 years. As such, it is your Officer's opinion that the order should be confirmed without modification.

It is your officer's opinion that the trees positively contribute to the local landscape as they can be clearly seen by the public at large. As such it is your officer's opinion that the order should be confirmed.