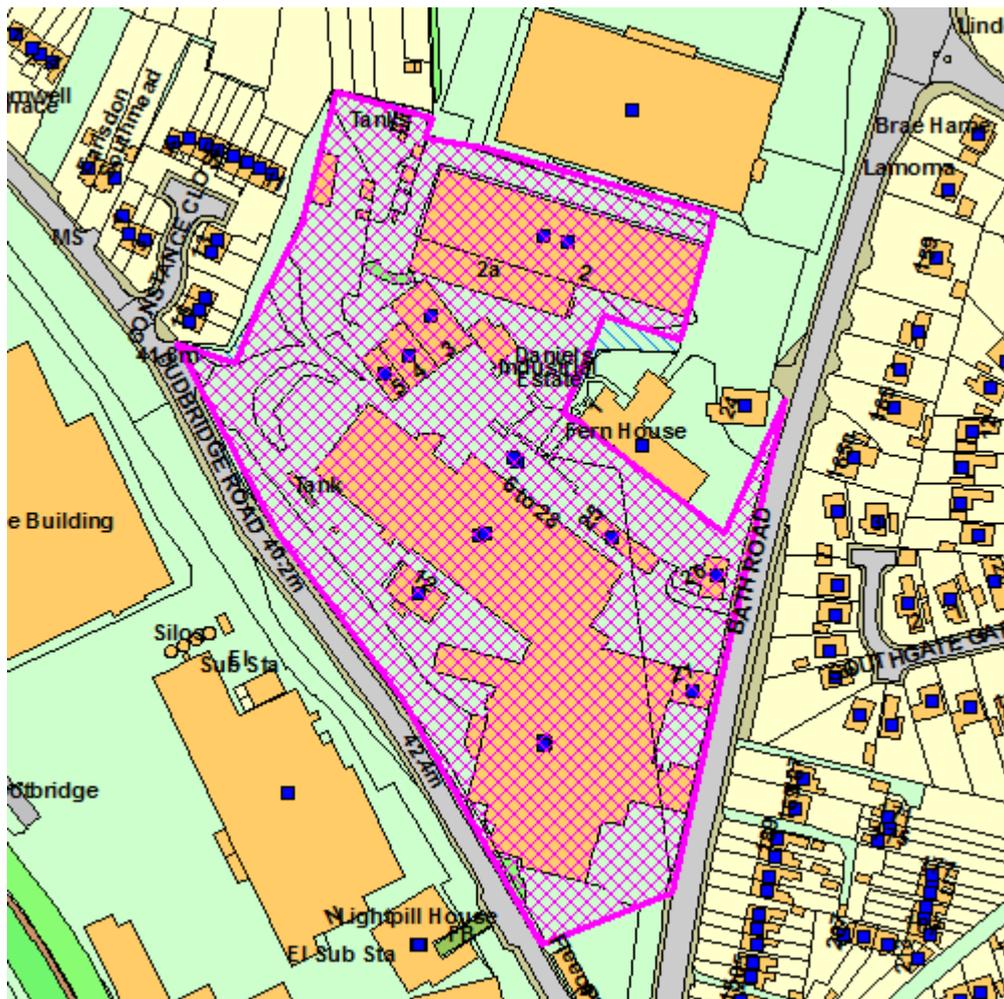




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Item No:	02
Application No.	S.16/2152/OUT
Site No.	PP-05522002
Site Address	Daniels Industrial Estate, 104 Bath Road, Stroud, Gloucestershire
Town/Parish	Rodborough Parish Council
Grid Reference	383971,204305
Application Type	Outline Planning Permission
Proposal	Outline application for mixed use redevelopment comprising new foodstore, retail unit, up to 50 residential dwellings, vehicular access and parking.
RECOMMENDATION	REFUSAL
Call in Request	Councillor Tom Williams





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Applicant's Details	Industrial Sales Ltd C/o Agent, Hunter Page Planning, 18 High Street, Cheltenham, GL50 1DZ
Agent's Details	Hunter Page Planning Thornbury House, 18 High Street , Cheltenham, GL50 1DZ,
Case Officer	John Chaplin
Application Validated	04.10.2016
CONSULTEES	
Comments Received	Biodiversity Officer Flood Resilience Land Drainage Archaeology Dept (E) Flood Resilience Land Drainage Development Coordination (E) Gloucestershire Education Dept (E) Environmental Health (E) Contaminated Land Officer (E) Highways England Historic England SW Natural England (E) Mr David Lesser Cainscross Parish Council Stroud Town Council Biodiversity Officer Wales And West Utilities Limited (E) Nailsworth Town Council Parish / Town
Not Yet Received	Conservation North Team Planning Strategy Manager (E)
Constraints	Affecting the Setting of a Cons Area Conservation Area Key Employment Land (LP) Rodborough 3km core catchment zone Settlement Boundaries (LP)
OFFICER'S REPORT	

MAIN ISSUES

- o Employment Protection & Opportunities
- o Retail Impact



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- o Design and appearance
- o Residential Amenity
- o Highways
- o Landscape impact
- o Drainage And Flood Risk
- o Archaeology and Heritage Assets
- o Contaminated land
- o Affordable Housing
- o Ecology
- o Obligations

DESCRIPTION OF SITE

This site is part of the Daniels Industrial Estate. It is bordered by the A46 to the East, the B&Q store to the North and is adjacent to Dudbridge Road and the group of houses on Constance Close to the South and West. The vacant Kites Nest public house is just to the south at the end of the corner at the junction with Bath Road (A46) and Dudbridge Road. The site is 2.9ha and approximately 1.2km from the defined town centre boundary, and within the Stroud Urban Area.

The site consists of several groups of varying twentieth century industrial and office buildings amongst hardstandings, with little vegetation. The buildings have a functional appearance in a wide variety of materials and a mix of heights. They are occupied by a range of users.

In a difference to the previous scheme, the Office block known as Fern House, currently occupied by Meningitis Now, is excluded from the red line application site and is not proposed to be altered by this redevelopment scheme.

The site is just outside the Industrial Heritage Conservation Area which lies to the south, west and north. Similarly it is outside the AONB, but there is inter-visibility, especially with Selsley, Doverow and Rodborough Hills and to some degree from Ruscombe/Whiteshill. There are no Listed buildings on the site, but there are in the vicinity. It occupies an elevated position and therefore is unsurprisingly in flood zone 1.

The site is significantly sloping from east to west. There are several access points from the A46 and Dudbridge Hill.

The site is in Rodborough Parish, with Cainscross and Stroud Parishes approximately 1km to the west and north respectively.

PROPOSAL

This is an outline proposal for the demolition of all of the existing buildings on site (excluding Fern House) to provide a new retail store, a smaller retail unit and up to 50 residential dwellings with associated car parking and new access.

The proposed Class A1 retail store has a 2,120 sq m gross floor area and on the indicative layout is positioned towards the centre of the site adjacent to Fern House. Whilst no named



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operator has been put forward, the size and supporting documents outline this as a discounter. The indicative layout shows an associated car park outlined with 104 spaces.

The smaller retail unit is anticipated to be a coffee shop type use with drive through. This has a floorspace of 191 sqm gross floor area and a car parking with 22 spaces.

A new ghost island access junction is proposed from Bath Road (A46) for the retail store and drive through coffee shop.

Up to 50 residential dwellings are also proposed as part of the scheme. These are located to the West side of the site towards to the existing dwellings on Constance Close. A separate residential highway access from Dudbridge Road is outlined for this dwellings. The agent has confirmed that they are offering 30% of the residential dwellings as affordable housing.

Off-site highway improvements to the Golden Cross junction including improved pedestrian crossing and other tactile access crossing points have also been proposed.

This proposal is in outline with only approval for the access being sought.

REVISED DETAILS

Revised and additional highways details, an Air Quality Assessment and further ecological and updated drainage information received

MATERIALS

n/a - Outline application these details have been reserved for future consideration.

RELEVANT PLANNING HISTORY

S.15/1517/FUL Provision of new foodstore, petrol filling station, vehicular access, parking and landscaping. WDN

S.14/1905/FUL Provision of new foodstore, petrol filling station, vehicular access, parking and landscaping. REF

S.13/2284/FUL Provision of new retail foodstore, petrol filling station, vehicular access, parking and associated landscaping. Appeal WDN

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

Other supermarket site/scheme update.

Brunsdons Yard S.15/2590/FUL Pending

Brunsdons Yard S.13/1498/FUL Appeal withdrawn

Bath Road 2 S.17/0557/FUL Pending

Bath Road 1 S.16/1023/FUL Refused

Avocet S.14/0677/FUL Approved



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REPRESENTATIONS

Statutory Consultees:

Rodborough Parish Council: Support but would like the following addressed:

- Appreciate the improvements to the Golden Cross junction but do not want to see any residents parking loss from the area north of the junction.
- Highways should look at the whole Dudbridge Road/Dudbridge Hill/Bath Road area which already suffers from both speeding vehicles and traffic congestion.
- Signalled pedestrian crossing should be included on the Bath Road (above the entrance to the site) This will not only aid pedestrians trying to cross the busy road but also have the benefit of slowing traffic and helping with exit from Dudbridge Road on the Bath Road.
- Signalled pedestrian crossing on Dudbridge Road close to the entrance to the proposed homes. This would aid new residents and those living on Constance Close who already experience difficulties crossing. It would also help slow traffic down on this surprisingly fast road.
- Housing - this is an eminently suitable location for affordable housing and there must be guarantees in place that a minimum of 30% of the houses are affordable.
- There was concern that those exiting the housing and wanting to go north towards Stroud are quite restricted (either turn right from the entrance and down to the Sainsbury's roundabout and back up Dudbridge Hill or turn left from the entrance and right on to the Bath Road before finding somewhere to turn round). This could lead to an increase in vehicles illegally turning left at the junction of Dudbridge Road and the Bath Road. Similarly residents returning home on the Bath Road from the north may be tempted to illegally turn right into Dudbridge Road.
- Drive-through café. A café as a social hub/community facility would be welcomed but the Committee would prefer it if the drive-through element was removed (increases in pollution/noise). They would not want to see it open all hours and would be very much against a fast food type of outlet.

Stroud Town Council: Comment -

- Agree in principle one Limited Assortment Discounter (LAD) retail development on Bath Road.
- Support the concept of housing on a Brown Field site in this location.

Nailsworth Town Council: Objection -

- Concerns regarding the extra traffic this development would create particularly in relation to Bath Rd/Dudbridge Rd junction, and the impact this will have on Nailsworth residents using the A46.



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- The impact of the retail aspect of the development will result in a drop in footfall in Nailsworth - with a 5% drop Nailsworth would expect a loss of some 42 jobs, 40% of which would be full time. The combined impact of this with the Dudbridge supermarket proposals could lead to a 15% diversion of turnover from Nailsworth causing up to 194 job losses (2014 Nailsworth Chamber of Trade Jobs survey).
- Seriously concerned about the effect of this development on the main Nailsworth supermarket which is of the utmost importance for the vitality of the town.

Cainscross Parish Council: Application noted - no further comment.

Stonehouse Town Council: To be reported

Highways England: No objection

GCC Highways: No highway objections subject to conditions

Historic England: Do not wish to offer any comments. The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

GCC Archaeology: Recommends no archaeological investigation or recording should be required but a record of programme of building record should be carried out.

GCC as Local Lead Flood Authority (LLFA): No Objection subject to condition

SDC Water Resource Engineer: Satisfied that GCC LLFA take the lead but recommends details of the future management of the SuDS scheme agreed.

GCC Community Infrastructure Team: Request Libraries contribution.

SDC CIL Officer: CIL Liable but will should be addressed at Reserved Matters stage. Rodborough Common SAC mitigation not covered by CIL.

Natural England: No Objection - Subject to appropriate mitigation being secured for Rodborough Common SAC.

SDC Biodiversity Officer: Recommends conditions and securing Rodborough Common SAC contribution.

Environmental Health: Recommends conditions and informative

Contaminated Land Officer: Recommends condition

Public Representations:

2 Objection received

Highway safety concerns -

The proposed traffic light controlled access off the Bath Road would cause havoc with commuters. Existing traffic and congestion cannot take additional traffic from superstore. Additional traffic from Dudbridge Rd supermarket permission. Road not designed for HGVs.



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Retail impact concerns -

Stroud has enough supermarkets, the town centre businesses are consistently closing - the most recent being the butchers.

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view at:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72(1).

The adopted Stroud District Local Plan, November 2015.

Policies together with the preamble text and associated supplementary planning documents are available to view on the Council's website:

www.stroud.gov.uk/localplan

Local Plan policies considered for this application include:

CP1 - Presumption in favour of sustainable development.

CP2 - Strategic growth and development locations.

CP7 - Lifetime communities.

CP8 - New housing development.

CP9 - Affordable housing.

CP11 - New employment development.

CP12 - Town centres and retailing.

CP13 - Demand management and sustainable travel measures.

CP14 - High quality sustainable development.

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

EI2 - Regenerating existing employment sites.

EI9 - Floorspace thresholds for Impact Assessments

EI12 - Promoting transport choice and accessibility.

ES3 - Maintaining quality of life within our environmental limits.

ES4 - Water resources, quality and flood risk.

ES5 - Air quality.

ES6 - Providing for biodiversity and geodiversity.

ES7 - Landscape character.

ES10 - Valuing our historic environment and assets.

The proposal should also be considered against the guidance laid out in SPG Residential Design Guide (2000), SPG Residential Development Outdoor Play Space Provision, SPG Stroud District Landscape Assessment and Planning Obligation SPD 2017.

Stroud Town Centre Neighbourhood Development Plan was endorsed by the community at referendum and was adopted by Full Council on 27th October 2016. The NDP should be given full weight as part of the development plan.



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EMPLOYMENT PROTECTION & OPPORTUNITIES

The application site is identified within the Local Plan under Policy EI2 as an employment regeneration site (ER7) where a mixed-use regeneration including employment generating uses is permitted provided there are demonstrate environmental and/or conservation benefits.

The supporting text goes on to outline that a more intensive mixed use development could provide a greater benefit to the local community than if the site as retained solely in employment use. Its aims to provide sustainable development with the aim of providing both jobs and homes. The principle of a residential element is therefore considered acceptable provided the employment element is still provided.

The policy and supporting text goes onto require a mixed-use redevelopment to provide important regeneration benefits and should aim to provide at least the same employment opportunities as existed when the employment space was previously used.

The October 2007 Grimley Employment Land Review concluded that the site was well used but the relatively poor access and slope constrain the size and shape of any new buildings. It would be unviable for employment redevelopment and challenging even for mixed use due to the high construction costs. These conclusions were confirmed in the subsequent and latest Employment Land Study 2013. It found that the site was still well used and "moderate quality" but redevelopment prospects unlikely as there are better sites elsewhere.

Whilst in outline with no details of any final operator identified, the agent has estimated that 40-50 jobs would be anticipated in the A1 foodstore as a discount retailer. Similarly no details of the final operator of the A3/A5 coffee shop have been submitted but the agent estimates 8-10 FTE jobs with possibility of up to 20 jobs (this is likely to include full and part time positions). The agent has also outlined the employment and economic benefits of the construction phases and the home-based employment and investment. The agent anticipates between 60-80 jobs created by the scheme.

The latest tenant listed submitted by the agent shows a range of existing businesses on site. This includes engineering, storage, office and recruitment firms with a total employment of 69 employees. The larger units including the large iconic red/brown striped building unit 2 are vacant. Dibone Engineering has a floor space of 371 sq m, P3 (People Potential Possibilities) floor space of 216 sq m. some of the other firms affected include AEM Steel Profiles Ltd, Mark Pollard Heating Services Ltd and Blandon systems Ltd. Of the total 13,066 sq m of existing floor space 8,057 sq m (62%) is vacant.

The site has previously been a key employment site protected under the previous local plan. However, the current Local Plan has acknowledged the difficulties of the site and the lack of interest in bring the site forward for a solely B class employment redevelopment scheme and has sort to encourage a mixed-use development to facilitate a redevelopment and promote and improve the employment opportunities. This reflects the guidance within paragraph 22 of the NPPF which seeks to avoid long term protection of sites for employment where there is no reasonable prospect of this being brought forward.



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Whilst no traditional B class employment is retained or proposed, the proposed food store and coffee shop do provide employment opportunities. The assistance of the existing businesses is noted and helps mitigate the loss but it is considered that the scheme would not undermine the overall employment strategy of the Local Plan. Therefore, Officers consider, that an appropriate level of flexibility has been provided within the Local Plan to support the proposal.

RETAIL IMPACT

When considering the cumulative impact of retail development within the Stroud area and the schemes that are currently being considered, we have to take into account the permitted Avocet/Dudbridge scheme. The Avocet/Dudbridge scheme (S.14/0677/FUL) was granted permission on the 27/8/2015 for a mainstream retailer. This permission required the commencement with 3 years which runs until 27/8/2018. As a mainstream large supermarket, the Avocet commitment accounts for the largest significant share of the predicted impact which members were concerned about during the last supermarket application.

The submitted details, including the Retail Impact Statement indicates, on a number of occasions, that the proposed Class A1 retail store will be occupied by a limited assortment discount retailer. No operator has been named. It would be difficult, unreasonable and unenforceable to condition the precise type of retail operation. However, our retail consultant also considers that this is the most likely scenario.

RETAIL SEQUENTIAL ASSESSMENT

The applicant's sequential site assessment exercise is contained within the Planning Statement prepared by the agent Hunter Page. The agent infers that because the application site is allocated for mixed use development in the Local Plan the proposed retail floorspace will generate employment opportunities and therefore there is no need to apply the sequential test.

Officers agree with the advice of our retail consultant that the application site would need to be specifically allocated for retail development (and having gone through the sequential site assessment exercise at the development plan stage) to avoid the need to consider the sequential test for this application. Therefore, there is a need to consider whether the proposed development complies with the retail sequential test. With the specialist assistance of the Council's retail consultant, Officers have considered this.

The application site lies in an out of centre location and therefore there is a need to consider whether there are any suitable and available in-centre, edge-of-centre or more accessible and better connected out-of-centre sites to accommodate the proposed development (taking in account the need for flexibility in scale and format).

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

1. Cheapside Wharf;
2. Merrywalks;
3. Parliament Street/Church Street;
4. London Road;



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5. The Market Tavern site;
6. Dudbridge Industrial Estate (Avocet);
7. Bath Road Trading Estate; and
8. Brunsdon's Yard (Ryeford).

Looking at these sites the Planning Statement notes that 'a flexible approach to alternative sites has been adopted' but a detailed assessment is not provided. The proposal contains both Class A1 foodstore and a Class A3/5 restaurant unit with no apparent formal link between the two. Alternative sites should therefore be assessed on their ability to accommodate both town centre uses. In relation to the restaurant use, we consider that a demonstration of flexibility will be to remove the drive through element and, in relation to the Class A1 foodstore, it will be noted that the Bath Road Trading Estate application proposed a slightly smaller store (1,918sq m) than this application.

These sites have been considered by the LPA in the past during previous retail/supermarket applications and apart from the Market Tavern, which will be address later, Officers do not consider there are any additional sites.

In relation to the Cheapside, Merrywalks and London Road sites, there have not been any material changes in circumstances from the previous assessments and, in any event, with the support of our retail consultant, Officers remain of the opinion that they are unsuitable for a foodstore development of the size proposed in this application even taking into account the NPPF requirement for flexibility in scale and format. Some of these may be able to accommodate the proposed restaurant, but current national planning policy does not promote the use of disaggregation in the operation of the sequential test.

The Police Station and Court element of the Parliament Street/Church Street site is identified for redevelopment in the Neighbourhood Plan and includes retail uses. However, whilst part of this site is now available, and even assuming that the remainder could be made available, the format of the site and particularly its distinct change in levels makes it unsuitable for the proposed foodstore.

The other alternative site within Stroud town centre which has attracted detailed consideration in relation to the recent foodstore/supermarket proposals was the Market Tavern site. This site was promoted as a retail-led redevelopment, and was considered as part of the retail sequential assessment during the previous supermarket proposals in the April 2015. Part of the site has now been identified in the Neighbourhood Plan for mixed use development, although the amount of land allocated does not make it large enough to accommodate this proposed development. Such a sized site is more likely to be useful for an immediate needs "corner shop" rather than more of a bulkier weekly shop. It is therefore difficult to consider this site as a genuinely available alternative.

Moreover, since the approval of the Dudbridge Road scheme and refusal of the other two proposals, the Market Tavern redevelopment proposals have not come forward. In any event, whilst the current proposal is smaller than the previously assessed supermarket schemes, Officers and our retail consultant still do not consider that it represents a suitable site for the proposed development even when flexibility in scale and format in taken into account. In



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particular, the shape, orientation and topography of the site do not lend themselves to a foodstore development which needs to be supported by some accessible customer parking provision.

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

The Bath Road Trading Estate site introduced a fourth out-of-centre site and, whilst a detailed re-visit of this assessment has not been undertaken, Officers consider that a reasonable conclusion to draw is that the application site is not better connected or more accessible in relation to nearby town centres than the other three sites. Equally, it does not perform more poorly in relation to accessibility factors than the other sites. This is supported by our retail consultant on the basis of the site is located in close proximity to the Bath Road site which would have characteristics that are likely to be equally applicable to this application site.

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

RETAIL IMPACT ASSESSMENT

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

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

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

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



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

The agent's analysis provides two impact scenarios, first with a mainstream supermarket at Avocet/Dudbridge and ALDI at Daniels and a second with ALDI at Avocet/Dudbridge and Lidl at Daniels. Our retail consultant is satisfied that this offers a robust assessment and would present a worst-case scenario and is not unreasonable for the development.

Our retail consultant has used the latest retail expenditure forecasts in their assessment and whilst in broad agreement trade diversion forecast they consider there is an over-reliance on trade diversion.

Our retail consultant assessment (table 1) indicates that around £0.17m of convenience goods expenditure could be diverted from stores in Stroud town centre, which will be spread across the different stores in the centre (although the highest amount of diversion will be from the Iceland). This will equate to a total impact of around 3% on the town centre's convenience goods sector. There will be similarly small levels of impact on the convenience goods sectors in Nailsworth (-3%) and Stonehouse (-4%) town centres. In Nailsworth, the large amount of diversion will come from the Morrisons store, whilst the Co-op on High Street will be the focus for the impact in Stonehouse town centre. The level of impact on these larger anchor stores in Stonehouse and Nailsworth is unlikely to have any significant negative consequences and they are likely to remain even after the trade diversion and continue to contribute to the wider health and attractiveness of the centre.

Outside of these nearby town centres, the assessment indicates that the diversion of convenience goods trade from other settlements in Stroud District will be comparatively low and with some diversion (£0.42m) from stores outside of the District. This level of diversion is, however, lower than assumed in the applicant's cumulative impact analysis but as they cannot be directly compared they are generally in line with each other.

Whilst this is only a small element of the proposed foodstore our retail consultant assessment (table 2) has also undertaken financial impact analysis for the comparison goods floorspace.

Table 2 indicates that £0.8m of the £2.29m total turnover will be diverted from comparison goods stores across Stroud, with £0.7m (of the £0.9m) coming from town centre stores. Table 2 indicates that this will have a 1% impact 2021 trading levels in the town centre's comparison goods sector as a whole.

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

The impact on both convenience and comparison goods, ie the total retail impact is brought together in table 3. This indicates the following total negative financial impacts for these three centres, Stroud **-1%**, Stonehouse **-0.3%** and Nailsworth **-1%**.



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

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

Cumulative impact

There is also a need to consider the cumulative impact upon Stroud, Nailsworth and Stonehouse on the assumption that the Dudbridge Road/Avocet permission does go ahead either as a mainstream grocery retailer or by a discount grocery retailer. Bearing in mind this situation, we have considered whether this proposal would increase these levels of convenience and comparison goods impact upon Stroud, Stonehouse and Nailsworth town centres.

Bearing in mind the individual impacts associated with the proposal and the additional cross-competition which would be created between the possible new Daniels and Dudbridge Road/Avocet stores, our retail consultant concludes that the impact levels on Stroud, Nailsworth and Stonehouse town centres of the approved scheme would not be increased by a Daniels store. Therefore, whilst there may well be an adverse impact upon the health of nearby town centres, the scale of cumulative impact is not so great or severe as to classify it has a significant adverse impact, which is the key test in paragraph 27 of the NPPF and Policy EI9 of the Local Plan.

In reaching this conclusion our retail consultant has had regard to a number of aspects of the health of Stroud, Stonehouse and Nailsworth town centres:

Stonehouse is a centre of reasonable health, although it is susceptible to impacts from convenience goods stores due to the role that the Co-op plays within the centre. Vacancies are currently reasonably low within the centre and the location and trading effects of the Daniels Industrial Estate proposal mean that whilst there could be an adverse impact upon the centre it is unlikely to a significant one.

The health of Nailsworth town centre is considered to be good, with low levels of vacancy and a good mix of popular land uses. We consider that the Morrisons supermarket plays an anchor role for the centre and, as set out above, is likely to lose some trade as a consequence of the proposal. However, due to the good trading performance of this store, we do not consider that the Daniels Industrial Estate proposal is likely to materially affect the trading performance of Morrisons and the positive contribution that it makes to the wider health and attractiveness of the centre.

Stroud is the town centre which is likely to receive the highest level of trade diversion. The centre has a small convenience goods sector, with the largest store being Iceland, and a proportion of convenience goods units which is lower than the national average. Vacancies in



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the centre (as measured by the latest (June 2016) Experian GOAD land use survey) are slightly above the national average and there have been a number of store closures in the centre in recent months. We have also examined the market share levels of the town centre between the 2009 and 2013 household shopping surveys which underpin the Council's two most recent retail studies. These show that the centre is losing market share in both main and top-up food shopping trips and also in a number of comparison goods categories. This suggests that the centre is becoming relatively fragile and could be susceptible to even relatively modest levels of impact. However, when considering the specific impacts associated with the Daniels Industrial Estate proposal, and the type/scale of proposed development, we do not consider that they can be classified as significantly adverse.

An A3/5 restaurant/coffee house with drive through facility is also proposed. This will provide another pressure to the town centre particularly Stroud as it would provide competition providing another different site for food and beverage customers to visit. Whilst this is noted a single restaurant unit would not lead to a significant adverse impact upon the health of any nearby centre.

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

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

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

DESIGN AND APPEARANCE

As an outline application indicative only drawings showing an indication of a possible design and appearance of the buildings has been submitted. Whilst this is not being considered during this application it is not considered that there is an overriding reason why an appropriate high quality design could not be provided.



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RESIDENTIAL AMENITY

As an outline application full details of the position, elevations and fenestration etc have not been submitted for consideration. However, with appropriate consideration there is no overriding reason why the scheme should not be able to mitigate any adverse effects on the residential amenities currently enjoyed. The position of the site creates distance between the site existing residential properties. This and the indicative landscaping and layout creates a vegetation buffer to the neighbouring residential properties and position the retail stores away from this boundary. The historic industrial use and background noise of the busy local highway network are also noted.

Details of proposed acoustic fencing and other noise mitigation methods have been addressed and can be required at reserved matters stage or via condition.

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

HIGHWAYS

The application is in outline however an indicative Masterplan has been submitted which shows the proposed foodstore and retail unit would share a new vehicle access from Bath Road with the proposed residential dwellings to be accessed from Dudbridge Road. Pedestrian access to the whole site would be available from both access points.

The development site is served by bus services on both Bath Road and Dudbridge Road. The services on Bath Road provide a connection between Gloucester, Stroud and Nailworth on a half hourly timetable. The closest northbound bus stop is on Dudbrige Hill outside B&Q and includes a shelter which is approximately a 300m walk from the centre of the site. The southbound stop is located south of the Bath Road/Walkley Hill junction. Pedestrian crossing facilities to reach the southbound stop are available at the Golden Cross junction and also will be provided at the site access. Dudbridge Road has a much less frequent service however the number 8 service provides an infrequent service to Cashs Green and Stroud. Further to the west the bus stop adjacent to the existing Sainsburys foodstore on Dudbridge Hill which is approximately 5-600m from the site has a frequent bus service which includes the 66S which continues to run until the late evening and provides a connection to Gloucester.

The submitted Transport Statement (TS) has reviewed the Trip Rate Information Computer System (TRICS) database to forecast a likely trip rate for the different land uses of the development based on surveys of similar sites from around the country. This was not considered comparable but additional information taking the total person trips from the TRICS database and converted to vehicle trips using the modal split data from the 2011 Census data has been used. This has given a slightly higher trip rate with 36 and 31 two way vehicle movements in the morning and evening periods respectively from the residential element of the scheme.



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The TS has also reviewed the retail element of the scheme and the likely trip rate from the TRICS database for a Friday and Saturday as these are the periods of highest demand created by a foodstore. GCC Highways Officer is satisfied that the TRICS assessment is robust resulting in trip rate 295 two-way vehicle movements Friday peak and 324 two-way vehicle movements at the Saturday morning peak. GCC Highways have also address the vehicle movements of the fast food/drive thru coffee (A1/A3) unit.

The number of vehicle trips stated above are gross trips and do not account for any transferred, linked or pass-by trips within the local area. It has been assumed that 10% of trips associated with the foodstore would occur alongside trips to other retail units within the local area (such as B&Q) and can therefore be considered to already be using the wider highway network.

Pass-by trips are those which are already using the local roads and visit the development as part of an existing journey. For the foodstore figures of 30% for weekdays and 20% for weekends have been applied which is considered to be reasonable. The smaller drive-thru unit also has applied a pass-by figure of 33% which when considering its location on a major route in to the town centre is considered to be reasonable. The remaining trips are transferred from other local stores and are considered to be new trips to the local network.

The Bath Road/Dudbridge Road junction suffers from congestion and queuing at peak times, due to the banned left turn and right turn in the development traffic would have limited impact on this junction. Residential traffic leaving the development would have to turn right on to Bath Road and head south towards Nailsworth and the demand for this movement is limited. In the morning and evening peak hour there would be expected to be an additional 9 and 7 two way movements respectively which would not be a material increase in the existing situation. Retail development traffic would access the development from Bath Road and therefore there would be small increase in traffic past the junction on the Bath Road. The Retail Impact Assessment sets out that the majority of trade would be expected to come from the Stroud area and therefore not impacting on this junction. Approximately 10% of traffic would be expected to travel to or from the south past Dudbridge Road which amounts to approximately 20 two way vehicle movements in the worst case Friday evening peak hour.

The signal controlled junction of Bath Road, Dudbridge Hill and Walkley Hill known locally as the Golden Cross junction. As stated above the largest draw to the proposed store will be from the Stroud area and therefore the majority of retail development traffic would be expected to use this junction particularly given the restricted movements at the Dudbridge Road/Bath Road junction. In line with previous applications on the site the proposals include improvements to this junction which will improve pedestrian safety at the junction. The results of junction capacity analysis suggest that the Golden Cross signal controlled junction is currently operating inefficiently, but that meaningful improvements can be provided, the main benefit of the revised proposals being improved pedestrian provision. The design allows for pedestrian refuges on each arm of the junction of a sufficient width to provide shorter crossing distances for pedestrians as well as allowing the signals to run more efficiently. These improvements are shown on figure 6.13 and have previously been agreed in principle with GCC.



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As part of the proposals at the Golden Cross junction amendments to the existing bus stops have been proposed in accordance with discussions with GCC Highways and the Integrated Transport Unit at GCC.

The Bath Road access was proposed to take the form of a signal controlled junction in the same format as was agreed by GCC for previous applications on the development site for a larger foodstore. As the current application would generate fewer vehicle movements at this junction compared with the previous application the applicant has been asked by GCC Highways to assess a potential lesser level of junction includes a ghost island shown on drawings SK04 as this creates less future maintenance for the highway authority and provides cost effective mitigation in accordance with paragraph 32 of the NPPF. This assessment shows that the ghost island junction would have sufficient capacity to operate at a future year with over 50% of theoretical capacity spare on the foodstore arm. This type of junction also has the added benefit of maintaining the free flow of traffic along the Bath Road which acts as a major route in and out of Stroud. The ghost island junction design also includes a pedestrian refuge island to allow pedestrians to cross Bath Road and access the site.

The Dudbridge Road access will form a formalised bellmouth junction at the location of the existing south west access to the industrial estate slightly to the south of the existing access. A footway has been proposed to the south of the access for approximately 30 m to provide a crossing point to the other side of the road shown on Fig 6.8. An assessment has been undertaken of the existing and proposed vehicle movements along Dudbridge Road and the resulting difficulty in crossing for pedestrians wishing to travel in this direction. From this it is concluded that the low number of pedestrian expected to wish to use this route and with the traffic lights on Dudbridge Road would create gaps in the traffic flow.

The submitted Transport Assessment has reviewed the personal injury accident (PIA) records for the most recent 5 year period. This demonstrates that there is no evidence of an existing highway safety problem that is likely to be worsened as a result of the development.

The proposal is currently supported by a retail travel plan to encourage the future employees of the retail units to travel to the site by sustainable modes of travel. The submitted Travel Plan has not included any measures for the residential portion of the development which should be included within the Travel Plan to cover the development as a whole, this addition could be covered by planning condition.

The application for retail development on the site is broadly similar to previous planning applications on the site to which the highway authority has previously recommended no objection however

The scale of retail development is smaller than previously proposed and includes residential development accessed from Dudbridge Road which fits with the Local Plan Policy EI2 for the redevelopment of employment sites to mixed use developments.

GCC Highways have raised no highway objection subject to conditions and consider the proposed development would be expected to generate fewer vehicle movements than the



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previous larger scale supermarket applications on the site. As discussed above GCC Highways are satisfied that the reviewed Bath Road junction, the Dudbridge Road junction and the improvements at the Golden Cross junction would provide a safe and suitable access, and improve pedestrian access encouraging and making it easier for travel modes other than the private car whilst maintaining the operation of the network which is congested at peak times without the development.

As noted by the Parish, the improvements to the Golden Cross junction will result in the loss of some of the existing footway parking. 5 spaces will be retained but 8 or 9 spaces will be lost. Whilst the impact on these local residents is noted, there is no legal basis for footway parking on Bath Road and the wider benefit created by the highway improvement outweigh this loss and potential inconvenience.

The Parish also suggested a further pedestrian crossing and that speed controls should be provided. These are also noted but with the technical input from the agent's highways consultant and GCC Highways we are unable to justify that further works beyond the proposed mitigation are required to make the proposed scheme acceptable. The enforcement of road traffic laws is the responsibility of the police.

The highway comments and suggests from Rodborough Parish Council are appreciated and as suggested the technical input and advice from GCC Highways Officers has been received. Whilst the comments are appreciated as addressed above further amendments and mitigation would not be reasonable.

The cumulative impact of this proposal and that of the nearby Bath Road Trading Estate also has to be considered. GCC Highways considered that should both sites be granted planning permission the two food stores would lessen the impact on the adjacent highway network compared to just one store being permitted as the demand for shopping will stay the same and will be spread over a wider area. GCC Highways are satisfied that the cumulative impact should both sites be permitted is acceptable.

LANDSCAPE IMPACT

Given the intervisibility of the Stroud Valleys the site is visible from various elevated viewpoints, including Selsley and others which are within the Cotswold AONB as well as views into the AONB as the hills form a backdrop to the site. However, the site is seen in conjunction with an extensive urban area with the larger higher B&Q store behind.

Indicative elevations and cross sections have been submitted. Whilst the car park will be built up, the proposed store and parts of the residential scheme will be set into the existing ground profile. Some of the existing buildings particular, the Springfield Engineering building are also higher and larger than the proposed foodstore. The scheme also provides less built form with the car parking and landscaping associated with the residential and retail elements result in it being less obtrusive. The indicative landscaping strategy will also help soften the appearance and integrate the scheme.

It is therefore considered the scheme would improve the wider character of the area and its contribution to the setting of the AONB.



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DRAINAGE AND FLOOD RISK

The agent has submitted the additional information regarding the drainage strategy and Flood Risk Assessment (FRA). Whilst a detail design is yet to be developed, GCC as Lead Local Flood Authority is now satisfied with this updated information and has withdrawn their objection. It is proposed that the new development will restrict its surface water flows to 65l/s and this is the combined discharge rate from various catchments and a more conservative figure compared to existing discharge.

As the application site is located within Flood Zone 1 (low risk) there is no requirement for a Flood Risk Sequential Test. The site is set over a range of different levels with a difference of 5-10m across the site. With the additional drainage information, the reduction in hard surfacing and detailed SUDS design being approved via condition the flood risk and drainage is considered to be acceptable.

ARCHAEOLOGY & HERITAGE ASSETS

Where Listed buildings or their settings, are affected by development proposals, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act requires the decision-maker to have special regard to desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. Section 72(1) of the Act requires that special attention shall be paid to the desirability of preserving the character or appearance of Conservation Areas.

Unlike most industrial complexes in the valleys, the Daniels site does not have its roots in early industry, therefore its positioning away from the valley bottom is in itself worthy of comment. Even though not included in the Industrial Heritage Conservation Area, which is largely based along the routes of early transport infrastructure, Seen from the surrounding high ground, the site reads as being a contiguous part of the wider industrial landscape and is read in the same context as the nearby Lightpill and Dudbridge industrial sites. Whilst the site's positioning on the hillside may be unusual, the buildings are typical of those found throughout the IHCA; there is a real jumble of built form: mixture and juxtaposition is a key characteristic.

The applicants' very detailed Heritage Impact Statement concludes that there is very little of historic significance on the site; this is debatable. Changes in the availability of materials, progress in building technology, changing industrial practices, and social and economic conditions all influenced the form of industrial buildings. This is well demonstrated on the Daniel's site. The clear legibility of the evolution of one of Stroud's most prominent engineering companies from the late 19th/early 20th century through to almost the present is of itself historically interesting.

Architecturally, many of the buildings are not of particular interest, however, some could be deemed to be so significant as to be considered non-designated heritage assets. These buildings are not only of architectural interest in themselves, but they also play a positive contributory role in the setting of the IHCA and nearby listed buildings.



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The most obvious of these are the early roadside brick buildings, Buildings E and F, extant by the end of the first quarter of the 20th century. These are simple and robust structures, one with the characteristic north light roofline found on industrial sites throughout the valleys. The buildings create the first introduction into the historic industrial core of the Lightpill section of the IHCA, funnelling views down the road, past the Kitesnest Pub (another undesignated heritage asset) to the Grade II Listed Lightpill Mill.

The Historic Environment Good Practice Advice in Planning: 3 states that the contribution of setting to the significance of a heritage asset is often expressed by reference to views, including a variety of views of, across, or including that asset, and views of the surroundings from or through the asset, and may intersect with, and incorporate the settings of numerous heritage assets. It is considered that Buildings E and F make a positive contribution to the setting of Lightpill Mill and are a good gateway to the IHCA. Their loss would be deeply regrettable.

Also of interest is Building C, The House. This is a good early –mid 19th century building that has survived the wholesale highway-led demolition of the Golden Cross area. Its close interconnection with the adjacent Building E is an insight into the early appearance of the site, where the domestic and industrial clearly co-existed. The alterations to the house, in particular the insertion of the high status tripartite sash, are an indication of the increasing success of the ironworks in the 19th century. The house is of both architectural and social interest, and is therefore considered to be a non-designated heritage asset, the loss of which is not deemed to be necessary or desirable.

The Springfield Engineering building (Building A) may not be appreciated by most at the moment, but it is actually a very cleverly designed structure with bold stripes of dark glazing juxtaposed with strips of brick and sheet materials. Its colours make reference to the surrounding buff coloured stone and red brick, rooting the building in its surroundings in spite of its massive scale. It is exactly the kind of building that could easily inspire good modern development on mill sites throughout the IHCA, and its loss should not be assumed to be acceptable.

Whilst the Heritage Impact Statement refers to some standard mid- 20th century boundary railings, it makes no mention of some of the surviving early railings and gates on the site. These are almost certainly the product of the original ironworks, and are therefore of historic interest in their own right. Their loss would be deeply regrettable.

Overall, the site is an integral part of the industrial story of the Stroud Valleys, and is therefore of inherent historic interest. The site's clearance would cause harm to the setting of the IHCA and the Grade II listed Lightpill Mill. The demolition of the identified non-designated historic assets would constitute the loss of buildings of social, architectural and historic interest.

Bearing in mind that the harm to the designated historic assets would be less than substantial, the public benefits of the scheme have to be weighed against the identified harm.



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The County Archaeologist has checked the application site against the County Historic Environment Record. There is no record of any significant archaeology on this site or in the immediate locality. In addition, the fact that the application site has been intensively developed previously means that there is little potential for archaeological remains to be preserved there, even if once present.

CONTAMINATED LAND

In response to the site's varied industrial uses, an assessment of contamination and ground conditions has been carried out. Our Senior Contaminated Land Officer has raised no objection subject to the imposition of a condition requiring a full contaminated land survey to be carried out on the report previously submitted.

AFFORDABLE HOUSING

The application seeks permission for up to 50 dwellings and the agent has offered 30% of the proposed dwellings as affordable housing units. This has been questioned and clarification sought and the agent has repeated the offer of providing 30% as affordable units and that they do not wish to use Vacant Building Credit. As this is a welcome provision the application has been progressed on this basis.

As the scheme is in outline the details of the residential units has not been submitted. However, a scheme with 50 units would result in a 30% total being 15 affordable units.

We would normally seek a 50/50 mix of affordable rent and intermediate (usually shared ownership). As there is a much greater need for rented units a mix of 8 rented and 7 intermediate is outlined.

The Strategic Housing Market Assessment (SHMA) shows that the greatest need is for 2 bedroom houses, followed by 1 bedroom flats and 3 bedroom houses. Following discussions with the agent an affordable housing mix to address this has been proposed.

Rented accommodation:

- 5 no. 2 bedroom houses
- 2 no. 1 bedroom flats
- 1 no. 3 bedroom house

Shared ownership accommodation:

- 5 no. 2 bedroom houses
- 2 no. 3 bedroom house

The details of this will be covered and controlled via a legal agreement.

ECOLOGY

The application site lies within the 3km core catchment zone of the Rodborough Common SAC. Therefore, to mitigate the increased pressure from recreational activity from the new residents of the proposed dwellings a suitable contribution towards the SAC Avoidance and Mitigation Strategy has been offered in line with the HRA and Local Plan policy ES6. This will be addressed through the legal agreement.



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Two active outlier badger setts have been identified within a bank in the northwest of the site, the proposed development will destroy the setts as a result of ground levelling. Badgers and their setts are protected under the Protection of Badgers Act 1992, the legislation aims to protect badgers from persecution, rather than a response to the species rarity. As well as protecting the animal itself the legislation also makes the intentional or reckless destruction, damage or obstruction of a badger sett an offence. As the application is only in outline the full details have not yet been developed. Details of the Badger Sett Closure Method Statement can be approved via condition and would also require a license from Natural England.

Himalayan Balsam has also been identified and the method of removal of this invasive species can also be agreed via a condition.

The other recommendations for mitigation and enhancement made within the submitted ecological assessment can also be required and full details approved via condition to ensure the long-term biodiversity provisions within the site.

OBLIGATIONS

The Community Infrastructure Team at GCC have sort a contribution towards Libraries from the residential element of the scheme. This is noted but with the introduction of Community Infrastructure Levy (CIL) any contribution for this would potentially be taken from the CIL payment and therefore it has not been requested.

As this is an outline application with the details eg number and size of the dwellings not yet known the CIL liability will be addressed at the reserved matters stage.

CONCLUSION & RECOMMENDATION

Members will be aware that both the Bath Road Trading Estate and Daniels Industrial Estate redevelopments are under consideration and before this committee. As both schemes involve similar A1 retail food stores, the retail impact and the cumulative impact if members seek to approve both has to be considered and we have sort specialist independent advice from our retail consultant to assist in the assessment and provide a robust decision should either application end at an appeal.

As outlined in the Officer's report, individually both of the Daniels and Bath Road schemes are considered to be acceptable. Whilst the final version of the independent expert advice has not yet been submitted, Officers are taking a precautionary approach based on knowledge and previous experience and considered it likely that this advice will outline that only one additional discounter food store, as proposed by both these applications, can be permitted (in additional to the Avocet/Dudbridge permission) without a significant adverse overall impact on town centre health and investment.

Therefore, depending on the outcome of the other application a two part recommendation is proposed. Should members consider the Bath Road proposal to be acceptable this application is recommended for refusal as the cumulative impact would have significant adverse overall impact on town centre health and investment.



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Due to the cumulative retail impact of the proposal, when taken into account the other retail commitments at Avocet/Dudbridge the proposed A1 food store would have a significant adverse overall impact on town centre health and investment and undermine the viability and vitality of Stroud and Nailsworth town centres. The proposal is therefore contrary to Paragraph 23 of the NPPF and Policies CP12 and EI9 of the adopted Stroud District Local Plan November 2015.

If members have refused the Bath Road scheme, the retail impact would allow a positive resolution for this scheme subject to conditions and legal agreement.

Comparison

Both these sites are located in close proximity to each other and have similar characteristics being no better connected or more accessible than each other given they are both out-of-centre sites. They are therefore considered to be sequential neutral. On a retail grounds there is no advantage or benefit to either scheme.

During the previous consideration of supermarkets applications, members put great weight on the regeneration and job creation benefits. The food stores being similar in size and format so would provide roughly a similar level of jobs.

To the food store, the Daniels scheme adds the coffee shop and any additional jobs from the residential properties and construction phases.

In addition to the food store, the Bath Road scheme includes reconfiguration and modernisation of 3 industrial units to provide 2193 sq m of B2 industrial floor space. The investment and rejuvenation in the Trading Estate will also help facilitate further phases of development to regeneration other parts of the Estate including the Listed mill and the employment potential within them. The Bath Road scheme will therefore provide both retail jobs but also more traditional engineering and industrial employment in the wider Trading Estate.

Whilst the existing tenants have been kept updated and offered assistance by both applicants and their agents, there are more existing businesses being displaced by the Daniels scheme which is 62% vacant when compared to 85% vacancy of the Bath Rd application site. The Daniels site has 69 jobs and Bath Rd site has 32, 14 of which are at Trutum which is only partly affected with the modernisation of unit L4D.

The residential element provides a positive regeneration of a brownfield site in accordance with a mixed-use allocation in the Local Plan and would provide a land value boost to mitigate the clear up costs.

The Bath Road scheme is a full application with a committed named retailer, a majority of the site vacant and appears to be deliverable in the near future. The Daniels scheme is only in outline and whilst it could still be deliverable in the future, the submitted proposal has less detail about the operators or designs.



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Therefore, on balance, whilst both schemes provide positives, Officers consider that when considered in the round the benefits and deliverability of the Bath Road should be given greater weight.

The Avocet/Dudbridge permission is currently only just over half way through the 3 year time limit to start. This runs until 27/8/2018 so has about 17 months still to go. It is therefore difficult at this stage to do anything other than consider it as a commitment which could still come forward. Whilst it is evident from repeated news reports that changing shopping patterns and current market conditions have reduced the likelihood of a mainstream retailer looking to progress this site with the length of time still to run this cannot be discounted at this time. If members decide the current proposals are not acceptable on purely a retail impact this could be revisited next summer then the Avocet situation is clearer.

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.

RECOMMENDATION: REFUSE

For the following reason:	1. Due to the cumulative retail impact of the proposal, when taken into account the other retail commitments at Avocet/Dudbridge and Bath Road, the proposed A1 food store would have a significant adverse overall impact on town centre health and investment and undermine the viability and vitality of Stroud and Nailsworth town centres. The proposal is therefore contrary to Paragraph 23 of the NPPF and Policies CP12 and EI9 of the adopted Stroud District Local Plan November 2015.
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