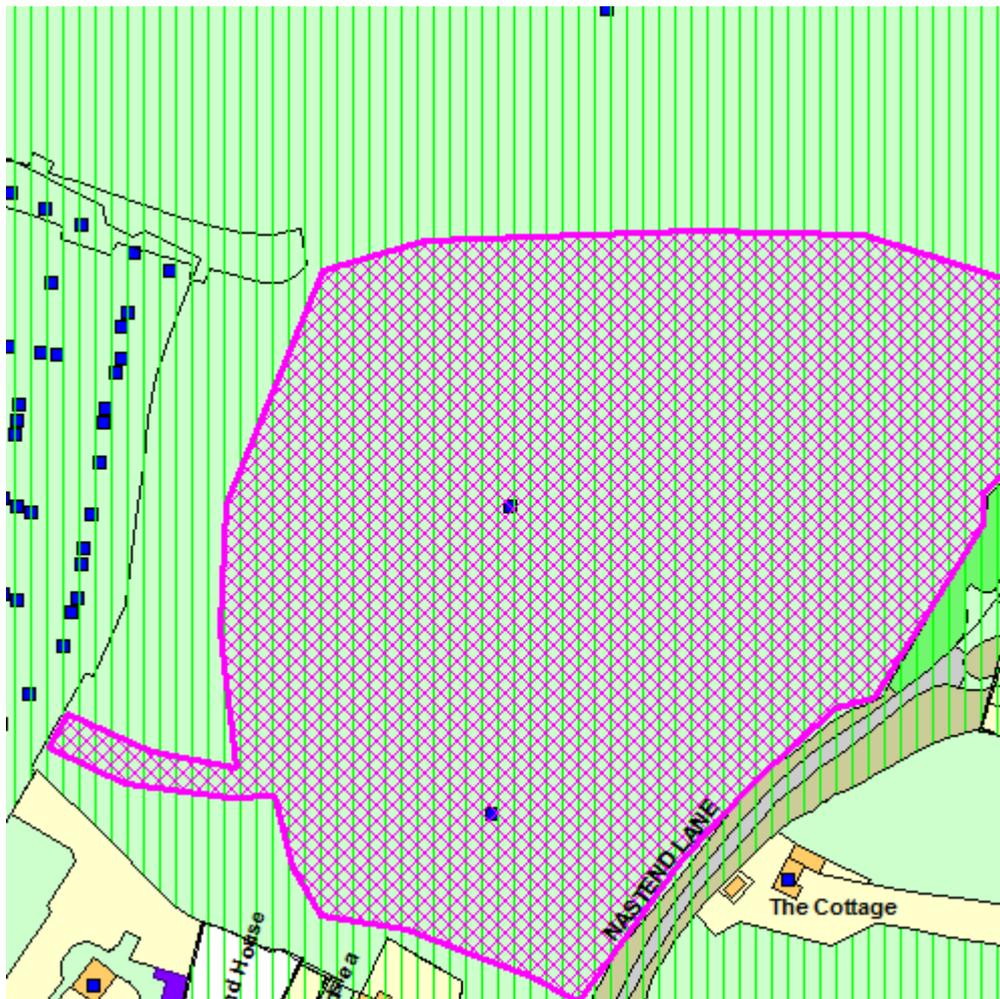




## Development Control Committee Schedule 08/01/2019

<b>Item No:</b>	<b>01</b>
<b>Application No.</b> <b>Site No.</b>	S.18/2326/REM
<b>Site Address</b>	Parcel H11 & H12 Land West Of Stonehouse, Grove Lane, Westend, Stonehouse
<b>Town/Parish</b>	Eastington Parish Council
<b>Grid Reference</b>	379132,206378
<b>Application Type</b>	Reserved Matters Application
<b>Proposal</b>	Approval of reserved matters following permission S.14/0810/OUT. Development comprising the erection of 165 dwellings and associated landscaping, access, parking and infrastructure.
<b>Recommendation</b>	Resolve to Approve
<b>Call in Request</b>	Request by DCC





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<b>Applicant's Details</b>	Redrow Homes South West Redrow House, West Point, Great Park Road, Bradley Stoke, Bristol, BS32 4QG
<b>Agent's Details</b>	None
<b>Case Officer</b>	David Lowin
<b>Application Validated</b>	31.10.2018
<b>CONSULTEES</b>	
<b>Comments Received</b>	Archaeology Dept (E) Eastington Parish Council Contaminated Land Officer (E) SDC Water Resources Engineer Historic England SW Highways England Arboricultural Officer (E) Stonehouse Town Council Archaeology Dept (E) Policy Implementation Officer (E) Eastington Parish Council Contaminated Land Officer (E) Severn Trent Water Ltd (E) Natural England (E) Flood Resilience Land Drainage
<b>Constraints</b>	Consult area Within 50m of Listed Building Neighbourhood Plan Eastington Parish Council Affecting a Public Right of Way SAC SPA 7700m buffer
<b>OFFICER'S REPORT</b>	

### BACKGROUND

S.14/0810/OUT sought permission for 1,350 dwellings, 9.3 ha employment land, community centre uses and a primary school, in accordance with the allocation SA2 in the adopted Stroud District Local Plan (November 2015).

This was considered at DCC on 12-1-16. Members resolved to grant subject to a Section 106 agreement which was signed on 18-4-16 and the decision notice was then duly issued. The outline permission included an indicative master plan for the whole site. It also included a 'Design Strategy', which set general objectives, highlighted key characteristics of the existing site and looked at potential pitfalls. It also defined the following character areas, with



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particular characteristics, aims and constraints and included parameter plans. The application site is characterised as core housing within the area envisaged as Western Severn Vale.

A subsequent application sought permission for the discharge of condition 46 of the Outline permission under Reference S.18/1516/DISCON for areas H11 and 12. Condition 46 requires that developers of any particular phase(s) shall, prior to the submission of a reserved matter application for that phase(s), submit an area master plan broadly in accordance with the overall Master Plan for the entire area covered by S.14/0810/OUT. Application S.18/1516/DISCON was approved by the DCC on 4th September.

The discharge of condition 46 for the two phases of this development gives a further layer of information, bridging the gap between the overall Master Plan and this reserved matters application.

### **THE SITE**

The application site is in the centre of the land west of Stonehouse, now called Great Oldbury. The main estate spine road is to the North, with Nastend to the South, separated by approximately 40m wide landscape buffer and an area of public open space. To the East is a complex of farm buildings and farmhouse together with an area of open space including a SUDS pond.

There is an open space and bridleway to the west beyond which are the permitted parcels H10 and H9. To the east is another open space.

The whole of the application site is situated within Eastington Parish.

### **THE PROPOSAL**

Detailed layout, elevation design and landscaping for the erection of 165 dwellings, with associated infrastructure, parking, landscaping including some 24 affordable dwellings for rent and 25 intermediate shared ownership homes; some 29.6% of the total dwellings for the two phases.

At the time of writing the revised layout is out for re-consultation.

### **CONSULTATIONS**

#### **Statutory Consultees:**

Highway Authority. Awaited at time of Officer Report.

Highways England: No Objection

SDC Water Engineer: No objection

Public Rights of way Officer: None Received

SDC Contaminated Land Officer: No comments.



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County Archaeologist.: No objection, recording condition not required.

SDC Senior Arboriculture Officer: No objection

Natural England: Consultation response awaited at time of report preparation.

Historic England: (commenting on the original submission, which has now been amended).

At the Outline application stage we identified that the proposed development had potential to impact upon the setting of Nastend House and to a lesser extent, the Church of St Michaels and Angels, depending upon the nature and layout of the development. Both heritage assets are designated as grade II\*, and as such are in the top 8% of listed buildings. Therefore, greater weight should be given to their conservation. The National Planning Policy Framework (NPPF) defines 'conservation' as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'.

The site is also to the north of the Stroud Industrial Heritage Conservation Area, designated in 1987. We previously advised that whilst the wider setting of the conservation area would be visually intruded upon, its core character and setting would be maintained. Overall, we identified that the principle of development, as proposed by the Outline application, would result in harm to the setting of Nastend House and that the degree of harm would be less than substantial.

The Reserved Matters application for the site provides some additional detail on the specific impacts of the development upon the setting of heritage assets. However, the supporting Compliance and Design Statement does not mention impacts upon the historic environment and how they are to be mitigated.

The buffer between the application site and the north side of Nastend House is identified as public open space with a proposed new footpath, as part of a wider green infrastructure plan. This has potential to provide a degree of mitigation from the harmful impact upon the setting of the Grade II\* building. It is uncertain to whether the existing planting along the southern boundary lies within the ownership and management of properties on Grange Drive. If this is indeed the case, the long term effectiveness of this screening cannot be relied upon. The proposed landscape plan for the northern fringe of the public open space includes only sporadic planting with no meaningful screening. This is of concern to us and we therefore advise that the landscaping proposals include a long-term solution for screening the development from the immediate setting of Nastend House.

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses". When considering the current proposals, in line with Para 189 of the NPPF, the significance of the asset's setting requires consideration. Para 193 states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the



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greater the weight should be. Para 194 goes on to say that clear and convincing justification is needed if there is loss or harm.

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189, 193 and 194 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Housing Policy Implementation; (comments on an earlier not final revision): Concern relating to clustering of affordable units.

Eastington Parish Council (Comments on original scheme): The social rented properties are easily visible as a result of the banks of car parking outside them. A cluster of 16 at one point although only 7 are affordable rented.

The masterplan indicated a landscaped street running northwest to south east through the site and a central set of four corner turning units central to the site which would have aided sense of direction This central feature is lost in normal and varied housing types and this doesn't mark the T junction as a focal point. The proposal shows little difference between this and the other street corners and the few trees and landscaping areas on the landscaped street are shown amongst banks of car parking on one side of the road. The banks of car parking outside the affordable housing draw attention to their location and detract from the landscaped street.

The continuation of the landscaped street is diluted by a relatively narrow path and could be improved by widening the southern leg of the northwest to south east travel route. Further, if the hoggin path is retained it is suggested that the two houses facing north onto it (259 and 315) are transposed to the other side of the path to gain southern sun to the houses. If this occurred the hoggin path could, at least, link more directly to the side of the secondary street with more landscaping and less car parking spaces.

Query if plots 261 to 268 are in the ideal place given the requirement for them to be in a landscaped street and desire to have corner turning units.

Stonehouse Town Council: Comment:

Concern about diversion of footpaths on to roads. Need for a dedicated cycle route into Stonehouse. Need for gaps at the bottom of fences to help movement of wildlife.

One public objection:

Minimal space between the new houses and the Nastend Court paddock. Does not constitute a buffer zone.



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### **NATIONAL AND LOCAL PLANNING POLICIES**

The National Planning Policy Framework.2 of July 2018 has extensive references to design in section 12, and lays emphasis on delivering a sufficient supply of homes (section 5).

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

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

Section 66(1). Impact on Listed Building.

Section 72(1). Impact on Conservation Area.

Stroud District Local Plan.

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

[https://www.stroud.gov.uk/media/1455/stroud-district-local-plan\\_november-2015\\_low-res\\_for-web.pdf](https://www.stroud.gov.uk/media/1455/stroud-district-local-plan_november-2015_low-res_for-web.pdf)

Local Plan policies considered as relevant for this application include:

CP1 Presumption in favour of sustainable development

CP2 allocates the site for development.

CP4 Place Making: Requires development to integrate into the neighbourhood, create/enhance sense of place. Create safe streets and homes

CP5 Principles for strategic sites: Appropriate density, low impact, accessibility by bus, layout, parking, landscaping and community facilities, use of a design code/framework, sustainability.

SA2. Site allocation: Accessible green space, structural landscaping buffer around Nastend and to the east of Nupend incorporating existing hedgerows and trees, management of open space for biodiversity, use of SUDs, connectivity to adjacent areas, primary access off Chipmans Platt, traffic calming, bus provision.

CP7 Lifetime Communities: Promotion of accessibility. Lifetime accommodation.

CP8 New Housing Development: Range of house types. Appropriate density, layouts to promote cycling/walking, parking appropriate, sustainable principles.

EI12. Promoting transport choice and accessibility. Connectivity for walking, cycling and access to public transport.

CP14. High quality sustainable development: Sustainable design, no increase to flooding, appropriate design respecting surroundings, including topography, built environment and heritage, protection of amenity, sense of pace, crime prevention, use of street scenes, master plans, development briefs design concept/codes.

ES1 Sustainable Construction and Design: Promotes energy efficiency.



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ES7 Landscape Character: Protection of distinct landscape types, respect setting of the AONB, location, materials and scale are sympathetic. Natural features retained.

ES8 Trees, hedgerows and woodlands: Retention or adequate replacement of trees.

ES12 Better Design of Places: Social integration, high quality places, well planned legible routes, integrated uses, safe spaces, secure private areas. Need for thorough site appraisal, use of design statements/code.

ES14 Public Art: Promotes publically accessible features.

SDC Residential Design Guide:

This covers many design aspects, from form, style, detailing, materials to landscaping and amenity.

SDC Landscape Assessment:

Defines and highlights the various landscapes in the District. It highlights settlement character as well as vegetation.

Eastington Parish NDP was adopted in October 2016.

This highlights the importance of the landscape around the hamlets and bridleways and footpaths within the overall site.

Eastington Neighbourhood Development Plan:

Does not have any specific policies for this site but there are some general policies. EP1 Sustainable development, EP2 Protect and enhance biodiversity and the natural environment, EP7 Siting and Design of new development, EP10 Traffic and Transport, EP11 Public Rights of Way and Wildlife corridors.

Residential Design Guide SPG (2000)

Stroud District Landscape Assessment SPG (2000)

IHCA Conservation Area Management Proposals SPD (2008)

The application has a number of considerations which cover the details of the proposed scheme which will be considered in turn below:

### **DESIGN AND APPEARANCE**

Background Guidance/policy

Local Plan policies as set out above, in particular those contained in Policy SA2.

Parameter plans and overall and indicative master plan as revealed by S.14/0810/OUT.

Eastington Neighbourhood plan as set out above.

NPPF as set out above.

It is considered by Officers that the design of dwellings and layout satisfy the policy requirements to provide distinctive sustainable place making and satisfies the requirements of the identified relevant policies.



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### **Consideration of Key aspects**

The very deep and broad nature of both these parcels has meant that the detailed design has been challenging. To break up expansive development and create character is also difficult when faced with the demands of road widths, turning and parking provision. In this respect the original master plan has been a design constraint.

This application originally showed considerable parking directly on the frontages which would have dominated the streetscenes. This has been redesigned.

The latest revisions show houses informally facing the open spaces in wavy, loosely knit orientation to create soft edges. Parking would not be prominent. Using a slightly lower density, gives scope for tree planting, (field maple and birch are suggested), with the perception to bringing some of the open space character into the development. The formal straight edges, prevalent in many housing developments elsewhere, has been avoided.

The centre of the site has frontages following the sweeping course of the road, emphasised by tree planting with sufficient space to flourish.

The northern edge of the site adjoins the spine road. This too uses lime trees, in verges, to emulate this consistent character feature of other parcels.

There are two cul-de-sacs which are quite high density but these are away from everyday public viewpoints.

The affordable housing clustering here has been challenging. However, in the latest revisions no more than 8 houses are now collectively on the same frontage. This is felt to comply with the Council's policy.

The layout is now consistent with the Area Master Plan that was approved by DCC in September 2018.

The elevations are simple and unfussy. They are more formal along the road avenues, with some using a 1920s design concept. The designs are more informal by the open spaces, based on the Severn Vale vernacular.

Materials similarly vary, with some render facing the open space and two shades of multi stock red brick elsewhere. Brown and grey roof tiles would compliment the walling.

Close boarded fences have been avoided in public views, with some hedges by the open spaces and brick walls.

The houses would be two storey with some flats over garages.

### **RESIDENTIAL AMENITY**

Existing residents at Nastend would be segregated by extensive open space and consequently would not be affected. Similarly residents on the adjacent parcels of wider scheme are unaffected.



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Each dwelling would have a garden. New residents would not suffer from any overbearing or shadowing. Reasonable privacy has been designed.

Noise and air quality are satisfactory.

The layout and boundary treatment provide distinction between public and private open space to help privacy and security.

The outline permission has (CEMP) conditions to protect amenity during construction.

### **HIGHWAYS/MOVEMENT**

Comments are awaited but Officers do not expect the Highway Authority to have objections, particularly as the roads follow the approved area master plan.

416 parking spaces are provided, typically 2-3/dwelling.

The master plan on the outline approval shows footpath/cycling across the wider site and this parcel. This was also considered in the area master plan for these parcels when connectivity was further improved. This is reflected in the current proposal. It is not only possible to move in all four directions but often at several points.

### **LANDSCAPE IMPACT**

The southern edge of parcel H12 faces an area of considerable informal open space which provides a robust buffer area to the northern edge of Nastend. The existing bridleway from Nastend is being retained and within an open space corridor. The pattern of development, open space and landscaping follows that agreed in the area master plan, with particular attention to the landscape buffer to Nastend.

On the western side of the development, outside the area edged red, there is a new footpath through the open space with pedestrian access into this housing area.

The scheme generally accords with the approved area master plan in these respects.

The open spaces and new planting break up and soften the development from elevated views from Doverow Hill and Maiden Hill in particular. The layout has also varied juxtapositions. Consequently the detailed design respects views from the nearby AONB. There is also some opportunity for views from the proposed layout towards the escarpment.

### **PUBLIC OPEN SPACE**

The areas of public open space adjoining the site are not within the site's red line, nevertheless the areas for public open space are in general accordance with the area master plan for these housing areas approved by DCC in September 2018.

### **ECOLOGY**

Detailed surveys were done at the outline stage. This particular application site is part of a large intensively farmed agricultural field. There is little vegetation and ecological value, apart from some hedging along the eastern boundary, which is being retained.



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The open spaces around the development site provide new grassland and indigenous tree/shrub planting. These connect with large spaces to allow the movement of wildlife across the wider development linking to the surrounding countryside. This is also assisted by the tree planting within the verges/gardens.

Consequently the proposal will provide more habitat and foraging to enhance biodiversity.

Conditions on the original outline consent require appropriate ecological management during and after construction.

### **HYDROLOGY**

This was considered at the outline stage, involving surface water attenuation and cleaning by ditches and ponds on the site. The detailed design here does accords with the principles. The Lead Drainage Authority is content.

### **LISTED BUILDINGS AND HERITAGE AND CONSERVATION AREA IMPACTS**

The Planning (Listed Buildings and Conservation) Act 1990 is of significance, in particular Section 66 requires: 'special regard to the desirability of preserving the building or its setting or any special architectural merit'. Section 72 of the aforementioned Act requires that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area or historic interest which it possesses'.

Paragraph 196 of the NPPF states ;'Where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum use'

Various High Court cases have explored the interpretation of law with respect to these matters, such that heritage considerations are capable of overriding the normal presumption in favour of the development of sites that are in material compliance with adopted local plan policy.

The need to give 'special regard ' was highlighted in the Barnwell manor case where the Court of appeal considered that the Inspector who determined the original appeal had failed to give special regard to the setting of a listed building and the original decision was quashed.

Local Plan Policy ES10 'valuing our historic environment and assets Proposals involving a historic asserts need to describe the assets, its significance, its setting and asses the impact. Proposals will be "supported which conserve and where appropriate enhance the heritage significance and setting of the Districts heritage assets especially those elements which contribute and to the distinct identity of the District". Listed Buildings and archaeological sites are highlighted for their heritage significance including their setting. Key views especially of spires and towers are highlighted. Any harm or loss would require "clear and convincing justification".

The October 2011 publication by English Heritage on the "Setting of Historic Assets", was very influential and helpful in explaining what constituted setting. This has now been updated



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by the Historic Environment Good Practice Note 3 by Historic England which provides guidance on setting. Both explain that whilst a visual connection may be important, there can be other aspects that form the basis of setting, for example historical connection, landscape, or even perception. These different aspects may overlap or even be distinctly different. They will not only vary in terms of geographical area but may also vary in terms of sensitivity to change. Different assets which may even be beside each other may well have different settings and different sensitivities to change.

Even a visual connection can be underestimation as sometimes a sequence of views is more telling rather than specific viewpoints. Some assets may also be below ground archaeological remains. There is no fixed permanent boundary to the setting of heritage assets. Sometimes a setting can be close or more distant.

The recommended approach is to analyse the significance of the asset and its setting, consider the capacity for change, and consider the various impacts (positive and negative) of the specific proposal, whether the impacts can be mitigated and the permanence of the impacts.

Nastend Farmhouse, is a grade 2 listed, This was historically a farm group, which cultivated parts of the West of Stonehouse development. However such a relationship with the surroundings has been changed by the growth of Stroudwater and the outline permission. The master plan shows some open space around it. Consequently this proposal would not impair the setting of the buildings.

Nastend house is particularly notable, being an elegant grade 2\* stone house, with partial timber frame. This dates back to 16/17th century. The listed building description notes the various distinctive windows. It was built by a renowned clothier.

Adjacent is Somerlea, a grade 2 listed small house, which was originally several cottages, used by hand loom weavers. Much of it dates back to late 16th century.

Also adjacent is the grade 2 listed Barn at Nastend End Court, so named for its historic association. This is stone built, mid 18th century.

All these three listed buildings are segregated from the new housing by open space and landscaping. There is also no overriding historic association. They are effectively read as part of Nastend hamlet rather than the new development and are therefore protected by the proposed buffer. This structural landscape buffer was part of the original Policy SA2 of the adopted Local plan housing allocation of land west of Stonehouse, and was repeated in the overall outline consent and its constituent Master Plan and most recently within the approval granted in September 2018 discharging the Area Master Plan submitted to satisfy condition 46 of the original Outline approval.

Oldbury House, the Georgian grade 2, with distinctive sash windows and ionic columned porch is to the west. This is well away from the new housing and not affected.



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The Industrial Heritage Conservation Area (IHCA) is based around the canal corridor. This is well over a mile to the south and is segregated by the extensive Stroudwater Industrial Estate and similarly employment development at Bonds Mill, with the A419 forming another barrier together with the 3 areas of open land South of Nastend. There is no overly significant historic or cultural relationship with the site. Consequently the proposal would not affect the IHCA.

There are non designated historic assets in Nastend. The 1839 tithe map shows 10 houses recorded. However these are similarly distanced to the specifically listed houses detailed above so as not to be impaired by the new development.

Archaeological matters were considered at the outline stage and not found to be particularly significant as confirmed by the County archaeologist.

Consequently the proposal causes less than substantial harm to the various heritage assets which is outweighed by the benefits of the development not least its status as an allocated residential site in an up to date adopted local plan, consistent with the principles established in the granting of the overall outline consent and also consistent with the area master plan recently approved by DCC in 2018. The development also provides the public benefit of affordable housing.

### **REVIEW OF CONSULTATION RESPONSES**

The various revisions have been made, in response to Officers concerns, as well as comments from the Parish Councils, Historic England and the Housing Policy Implementation Officer. The public comment has also been considered.

### **RECOMMENDATION**

Resolve to grant subject to no objections from County Highways and also to await comments from the Parish Councils on revised plans.

### **HUMAN RIGHTS**

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



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### Subject to the following conditions:

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

Reason:

In the interests of proper planning.

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

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

Reason:

In the interests of the visual amenities of the area.

3. All planting, seeding or turfing comprised in the approval 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 sooner. Any trees or plants which, within a period of five years from the completion of the development, die, or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of the visual amenities of the area.

Informatives:

1. Your attention is drawn S.14/0810/OUT which has conditions applicable to these parcels. These need to be discharged. They include the protection of amenity, ecology and landscape during construction.