



Stroud District Council

Town and Country Planning Act, 1990 (As amended)

Refusal of
Outline Planning
Permission

Under the above Act the District Council as Local Planning Authority HEREBY REFUSES TO PERMIT the development described below:

Agent:
Ecotricity
Lion House
Rowcroft
Stroud
Gloucestershire
GL5 3BY

Applicant:
Ecotricity Group Limited

Planning Ref:S.16/0043/OUT
Application Date: 08/01/2016
Dated: 25/06/2019

Description of Land

Land At M5 Junction 13 West Of Stonehouse, Eastington, Gloucestershire,

Description of Development

5,000 capacity football stadium and other ancillary uses (Use Class D2); two full-sized grass pitches and a goal practice area (Use Class D2); car parking for cars and coaches and highways improvements to the A419 including a signalised site junction and combined cycle/footway. All matters are reserved save for access.

Eastington Parish Council 378047 206562

The reasons for the Council's decision to refuse permission are:

1. The proposed development is contrary to Policies CP15 and EI11 of the adopted Stroud District Local Plan, November 2015 and EP1 of the adopted Eastington Neighbourhood Development Plan 2016 being located in a rural location outside the defined development limits. The proposal would be very prominent from localised viewpoints and would appear out of character with the Severn Vale. There is insufficient information on the design and landscaping to ensure that the character of the landscape can be maintained. There is similar intervisibility with adjacent listed buildings along Grove Lane, and the proposal would impair their rural setting and character, contrary to Local Plan Policies EI11, CP14 (5 & 8) ES7, ES10 and NDP Policy EP4. The scheme would also appear overbearing and cause general disturbance that would harm the amenities of the neighbouring residents along Grove Lane contrary to Local Plan Policies CP14 (7) ES3 (1). It has also not been demonstrated that the vitality and viability of Nailsworth Town would not be adversely affected by the loss of the existing stadium contrary to Local Plan Policy CP12. It has therefore not been demonstrated that the scheme provides sufficient sustainable benefits to outweigh the harm to the character, appearance and amenities of the area to justify a departure from the adopted development plan in accordance with paragraph 12 of the National Planning Policy Framework (Feb 2019).

Article 35 Statement

In dealing with the application we have worked with the applicant in a positive and pro-active manner and have implemented the requirement in the National Planning Policy Framework (2019) paragraph 38.

IMPORTANT NOTES –SEE OVERLEAF

Proper Officer of the Council
Duly Authorised in that behalf

NOTES

1. If the applicant is aggrieved by the decision of the District Council as Local Planning Authority to refuse permission for the proposed development he may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act, 1990, within six months of receipt of this notice. Please note that if an enforcement notice has been issued, or is issued within the next six months, your window for appeal is greatly restricted and you should seek professional advice. (Appeals must be made on a Planning Appeal form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN. If requesting forms from the Planning Inspectorate, please state the appeal form you require. When lodging an appeal a copy must also be sent to the Head of Development Services, Council Offices, Ebley Mill, Ebley Wharf, Ebley, Stroud, GL5 4UB.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the District Council as Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least **10 days** before submitting the appeal. Further details are on Gov.UK.

The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

2. If the permission to develop land is refused whether by the District Council as Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District council a purchase notice requiring the District Council to purchase his interest in the land in accordance with the provisions of Sections 137-144 of the Town and Country Planning Act, 1990.
3. In certain circumstances, a claim may be made against the District Council as Local Planning Authority for compensation, where permission is refused by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act, 1990.
4. If any further information is required in connection with this decision, it may be obtained from the Head of Development Services, Council Offices, Ebley Mill, Ebley Wharf, Ebley, Stroud, GL5 4UB. Please quote the reference number of this refusal in any correspondence.