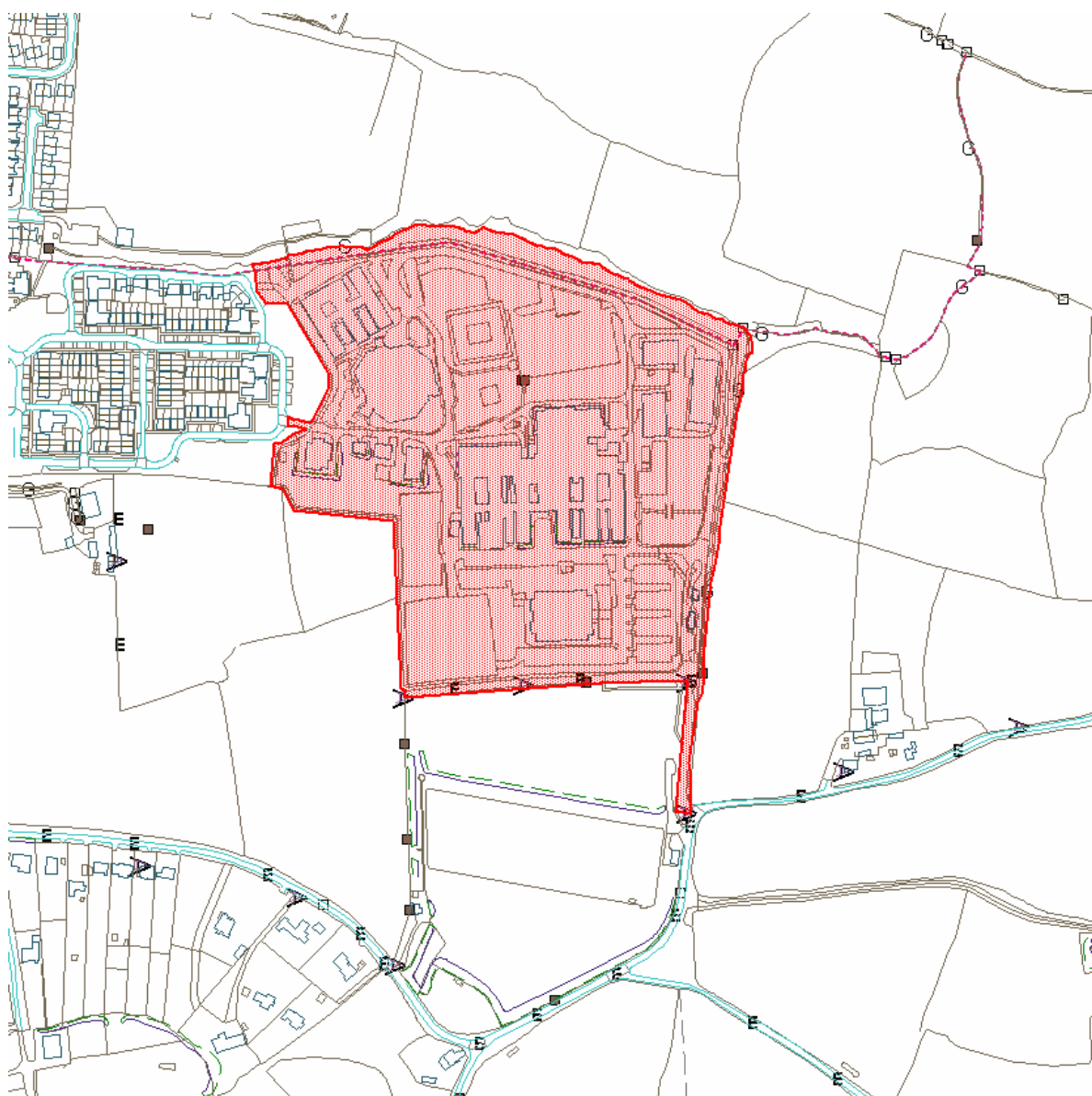


APPLICATION NO: 13/01683/REM		OFFICER: Mr Ian Crohill	
DATE REGISTERED: 1st October 2013		DATE OF EXPIRY: 31st December 2013	
WARD: Battledown		PARISH:	
APPLICANT:	Mrs Emma Geater		
AGENT:	Focus Design Partnership Ltd		
LOCATION:	GCHQ Oakley, Priors Road, Cheltenham		
PROPOSAL:	Approval of reserved matters pursuant to Outline Planning permission ref: CB11954/43 and ref:01/00637/CONDIT for the erection of 311 dwellings and associated roads, footways, parking, landscaping, drainage and public open space.		

RECOMMENDATION:



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The report relates to application 13/01683/REM, an application for approval of reserved matters which forms, in effect, Phase 3 of the residential development on the former GCHQ site at Oakley, Cheltenham.
- 1.2 The application takes the form of approval of matters reserved by outline planning permission CB11954/43 granted 5th October 1998. The time limit by which details in pursuance of that outline had to be submitted was extended by permission ref. CB11954/55 granted 22 April 1999 (ten years from date of that permission) and by permission ref. 01/00367/CONDIT granted on 21 June 2001 (fifteen years from the date of that permission). The outline permission provided for a district centre (Sainsbury's supermarket) covering 1.6ha of site and 20ha were to be devoted to residential development. Members will be aware that the permission for the Sainsbury's store has been implemented and that phases 1 and 2 of the total residential development have also been completed.
- 1.3 The current reserved matters application relates to the external appearance, siting, design and landscaping of the third and final phase of the residential development with access to the majority of the development being off Priors Road and through Phases 1 and 2. The access was approved in detail form along with the outline in 1998, it is traffic light controlled and has been in use now for several years. The application proposes a total of 311 dwellings.
- 1.4 A number of Section 106 Agreements relate to the outline permission. Some of these agreements amended previous ones and some introduced new obligations to development of the site. Of relevance to the residential element within the total development, the s106 agreements governed:-
 1. The provision of equipped play space on the site. It identified a need to provide 3 local play areas within the total development, though provision is also made for the obligation to be discharged by paying a commuted sum.
 2. A commuted sum in respect of Education provision.
 3. Provision of an element of Public Art (£85,000 payable but relates to retail store element only)
 4. Affordable Housing
 5. Provision of CCTV (relates to retail store element only)
 6. New access arrangements

With regard to financial contributions for education provision, the s106 basically secured a contribution of £48,925 per twenty five dwellings, payable on occupation of each 25th dwelling.

Affordable housing was to be provided in the proportions of 12% for rent or shared equity and 6% low cost market housing in accordance with the s106 Agreement. The affordable housing for phases 1 and 2 has been provided within the relevant developments; the current application therefore provides for affordable housing at 12% of the total 311 dwellings.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Ancient Woodland
Area of Outstanding Natural Beauty
Landfill Sites boundary
Public Right of Way

Smoke Control Order

Relevant Planning History:

CB11954/43 Outline application for residential Granted 05.10.98 development (20 ha) and provision of district centre incorporating food superstore (1.6ha)

CB11954/55 Application under S73 to develop Granted 22.04.99 in accordance with planning permission CB11954/43 without complying with condition 1(a), to allow for applications for reserved matters approval to be made no later than 10 Yrs from the date of this permission.

01/00637/CONDIT Variation of condition 1 (a) (b) of permission CB11954/43 to provide a 15 year period for approval of the reserved matters. Granted 26.06.2001

06/00352/REM Residential development for Phase 1 Granted 11.05.06 consisting of 159 dwellings, garages, highway, drainage, landscaping and associated works (approval of matters reserved by Outline Permission CB11954/43 as amended by permissions reference CB11954/55 and 01/00637/CONDIT)

06/00380/REM Residential development for Phase 1 Granted 11.05.06 consisting of 103 dwellings, garages, drives, footpaths, highway, engineering, landscape and associated works (approval of matters reserved by Outline Permission CB11954/43 as amended by permissions reference CB11954/55 and 01/00637/CONDIT)

07/01296/REM Residential development for phase 2 comprising 53 dwellings. Approved April 2008

0701465/REM Residential development for phase 2 comprising 104 dwellings Approved April 2008

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

- CP 1 Sustainable development
- CP 2 Sequential approach to location of development
- CP 3 Sustainable environment
- CP 4 Safe and sustainable living
- CP 7 Design
- CP 8 Provision of necessary infrastructure and facilities
- PR 1 Land allocated for housing development
- GE 5 Protection and replacement of trees
- GE 6 Trees and development
- HS 1 Housing development
- HS 2 Housing Density
- HS 4 Affordable Housing
- RC 2 Youth and adult outdoor playing facilities
- RC 4 Casual play space
- RC 6 Play space in residential development
- RC 7 Amenity space in housing developments
- UI 2 Development and flooding
- UI 3 Sustainable Drainage Systems
- TP 1 Development and highway safety
- TP 2 Highway Standards
- TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

Sustainable buildings (2003)
Sustainable developments (2003)
Flooding and sustainable drainage systems (2003)
Security and crime prevention (2003)
Travel plans (2003)
Planning obligations (2003)
Amenity space (2003)
Play space in residential development (2003)
Affordable housing (2004)
Planning obligations: transport (2004)
Landscaping in new development (2004)

National Planning Policy Framework 2012

4. CONSULTATIONS

Cheltenham Civic Society

13th November 2013

No Comment

Architects Panel

14th November 2013

2. Is the information sufficient to understand the application?

The information was very thorough with lots of plans, elevations and street scenes however we could not see any 3D images and it was felt that a couple of birds eye site plans to help explain the layout in relation to the topography would have been very useful.

3. Context

None provided that could be seen with regards the approach to the site through the existing housing.

4. Massing and Scale

We were concerned that some of the units are four storeys in height and these appear to have been positioned at the top of a bank at the approach to this section of the site, as such their positioning will exaggerate their impression of height.

We are not saying that we don't feel four storeys could be used on the site but we question the positioning of it.

At the same time there seems to be a large number of smaller detached units which has resulted in a layout that looks in places quite fragmented. It was felt that some of the most successful areas were the terraces of smaller properties and the denser areas of place making.

5. External Appearance

There was quite a range of appearances and on the whole these were felt to be appropriate.

6. Detailing and Materials

There was not a great level of information relating to specific details and there was some concern that the success of the shared surfaces will be down to the selection and

combination of materials but on review of the key it appeared there was quite a lot of tarmac proposed.

7. Environmental Design

There was not a great deal of information relating to the environmental aspects of the site.

8. Summary

There were some aspects of the plans and elevations that suggested an interesting and well-designed scheme with a solid concept underlying it however it appeared that in some areas this had broken down a little resulting in the concerns raised above.

There was also considerable concern over the highway implications of this number of houses being accessed through the earlier housing scheme and ultimately onto Priors Road at one point.

9. Recommendation

This a significant site in terms of the location and size of the development into currently open space although we accept there is an extant outline approval for the residential use the scheme should deliver a high quality housing scheme for the town we feel the current scheme falls short of this. Refuse in the current form albeit we don't believe the scheme is that far from being acceptable.

Crime Prevention Design Advisor

24th October 2013

Letter available to view on line.

Severn Trent Water Ltd

21st October 2013

With reference to the above planning application the company's observations regarding sewerage are as follows:

I confirm that Severn Trent Water Limited has NO OBJECTION to the proposal subject to the inclusion of the following condition.

Condition

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

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

If you require any further information please contact Rhiannon Thomas on 01902 793883.

Environment Agency

2nd December 2013

Thank you for your letter dated 3 October 2013 consulting us on the above application. We did not initially anticipate providing comments as the proposal does not feature in our checklist for consultation. We were previously involved at the Outline stage and influenced the development at that stage, including the principles of the surface water drainage for the site. Since then the Flood and Water Management Act 2010 has altered our responsibilities for flood risk - we maintain an overview for all forms of flooding, but we lead on fluvial flood risk and the Lead Local Flood Authority (LLFA) leads on surface water flooding and

drainage. As such we would not normally make bespoke comments on this application and would provide standard advice on surface water drainage.

In this instance however, we have become involved in the application in support of the LLFA in their role and our own overview role in terms of flood risk. Accordingly, in addition to our enclosed standard surface water drainage guidance we also provide the following comments for your consideration and that of the LLFA. Thank you for your 27 November email confirming that we can still provide comments at this stage.

Flood Risk:

There is a known flood risk downstream of the development site as referenced within the application. In accordance with guidance contained within the National Planning Policy Framework (NPPF) we would expect you and the LLFA to use this opportunity to seek to reduce the causes and impact of this risk as far as practicable. In addition, when determining any planning application we are keen to ensure, and would expect you to also ensure, flood risk is not increased elsewhere. This is not currently clear from the information submitted to date as it does not confirm the proposed drainage scheme will attenuate runoff to the required 1 in 100 year standard plus a 30% allowance for climate change.

Drainage Strategy:

We note the comments included within the Design and Access Statement in relation to the surface water drainage. Whilst we have no major objections to the principles of the proposed design included within the aforementioned document, unfortunately no detail has been submitted in this regard. Given this information has been presented in support of a detailed planning application we would usually expect more detailed information to be included at this stage. The proposed layout of the development will have a considerable impact on the availability of land for surface water drainage storage and features.

There are no calculations submitted, hence our comment above that it is not clear whether the site will be attenuated to the 1 in 100 year storm event plus 30% climate change allowance (as required by the NPPF). For a site this size it is anticipated that much more storage will be required than what is detailed. There is no information regarding what will happen in an exceedence event; given the steepness of the site this is an important factor.

It is unclear why the use of permeable paving is not more widespread; it should be utilised in all driveways and parking areas.

With regard to the notes included on drawing no. 0488-320 entitled 'Drainage Strategy', you and the LLFA should be satisfied that it has been adequately demonstrated that infiltration techniques are not suitable on this site through appropriate tests. There is no information in this regard.

We have previously discussed the inclusion of a balancing pond with the developers and their representatives and there is reference to such an inclusion on the associated drawing (item 13). It does not however appear to have been included within any of the drawings themselves. There is very little space available on site; it is unclear why the documentation appears to be contradictory and the attenuation pond removed.

The Drainage Strategy makes reference to 7 outfalls and 7 gullies; we note only two outfalls have been detailed on the drawing. It is unclear whether these are existing or proposed new outfalls.

Swales and overflow infiltration trenches are referenced as part of the proposals however there is very little detailed information in this regard.

Again very little information has been submitted in relation to the proposed attenuation "tanks" and "culverts". It is also unclear who will adopt these features upon completion and how they will be maintained.

Conclusion:

It is unfortunate that the drainage of surface water from the site appears to have been considered after the detailed design. This is an opportunity to reduce the existing flood risk downstream and we would usually expect more information to be submitted in support of a detailed planning application.

20th January 2014

I write further to our previous letter dated 29 November 2013, our reference SV/2013/107371/01-L01. Following that letter we received an email dated 13 December 2013 from the applicant's drainage consultant Andrew Dennis of Focus Design. As per our discussions, we have been unable to provide a formal response to this information before now as my colleague Matt Kerry who has been involved with the detailed drainage discussions to date was on sick leave in December and following his return to work was involved with the Christmas and New Year tidal and fluvial flood incident. We apologise for this delay and thank you for confirming our comments are still required.

The 13 December email has confirmed the points and queries raised in our 29 November letter. We are satisfied that this email and the submitted Drainage Statement confirm the principles of the drainage strategy. Of key importance is the confirmation that the drainage scheme will deliver attenuation to the 1 in 100 year storm standard plus the 30% allowance for climate change as required by the NPPF and its Technical Guidance.

We still consider that detailed drawings showing the detailed drainage and SuDS features to be delivered will be needed for the scheme, however following our discussion we understand that you would be satisfied to secure such detailed drawings via a condition of any permission granted. Given that the principles are established and confirmed for the development, the Environment Agency would not need to have further involvement with the scheme at the discharge of conditions stage as we would anticipate either the Lead Local Flood Authority (LLFA) or the Land Drainage Officer would review the detailed drawings and oversee the implementation of the drainage scheme. Accordingly you may wish to attach a condition seeking detailed drawings based on the submitted Drainage Statement for review by the LLFA and/or the Land Drainage Officer.

Natural England

28th October 2013

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

This reply comprises our statutory consultation response under provisions of Article 20 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 Regulation 61 (3) of the Conservation of Habitats and Species Regulations 2010 (The Conservation Regulations) and Section 28(I) of the Wildlife and Countryside Act 1981 (as amended).

The proposal is for approval of reserved matters for 311 houses on land at Oakley, previously occupied by GCHQ. The southern part of the site is within the Cotswolds Area of Outstanding Natural Beauty (AONB) and the site is surrounded by the AONB to the west, south and east. The Cheltenham Circular walk runs along the eastern boundary. There are no European or nationally protected biodiversity sites within 2km of the proposal.

Protected Landscape

The proposal is for a large development partly within the Cotswolds AONB and surrounded by the AONB on three sides. The impact of this development on the AONB is Natural England's key concern. The NPPF states that great weight should be given to conserving landscape and scenic beauty in AONBs, which along with National Parks, have the highest status of protection in relation to landscape.

Development within the AONB and impacting on the setting of the AONB should be high quality and sensitive to the character of the AONB. It is Natural England's view that this proposal does not take into account the impacts on the AONB sufficiently: the layout is not sensitive to the landscape context; the density is too high; and the provision of green infrastructure is inadequate to mitigate the impacts on the AONB.

We would expect the LPA to consider opportunities for moderating any detrimental effects on the AONB, and to take account of the following:

1. The LPA should be mindful of development within the AONB which could affect the special qualities of the AONB. Any development should be designed sympathetically to the existing character of the AONB in the area, and consideration should be given to the extent to which the development can positively contribute to and complement the character and quality of the landscape in the area. Both the protected landscape and the size of the proposed development means that careful design is especially important.
2. The transition from the built up area to open countryside should be handled with care with sensitive design of buildings and layout of the development.
3. The scheme should be carefully designed to minimise visual impacts from public viewpoints by appropriate scale, spatial arrangement, density of the buildings and by incorporating green infrastructure into the scheme.
4. We advise that the choice of building style and building materials should be sensitive to the local vernacular architecture. I attach some information on Concept Statements, a tool to achieve high quality, locally distinctive design in development. We would also encourage the development to be an exemplar development in its use of resources and aim for at least level 4 of the Code for Sustainable Homes.
<http://naturalengland.etraderstores.com/NaturalEnglandShop/Concept%201>
5. The proposal should be guided by the Landscape Character Assessment for the area and the Cotswolds AONB Management Plan.
6. We would also strongly encourage the Council to seek the views of the Cotswold Conservation Board.

Green Infrastructure

Given the location of this large development partly within the AONB, Natural England would expect substantial and well designed green infrastructure to reduce the impact of the proposed development on the protected landscape. We would expect a greater part of the site to be developed as green infrastructure than is currently proposed and encourage further provision of green infrastructure as part of this development to reduce the impact on landscape and rights of way.

Green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement,. Evidence and advice on green infrastructure, including the economic benefits of GI can be found on the Natural England Green Infrastructure web pages.

Biodiversity enhancements

The development should aim to enhance the biodiversity of the site by including trees, hedges and ponds. These features should be part of a connected mosaic landscape that links to linear landscape features outside the site to provide important commuting routes for wildlife.

The application provides opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats and the installation of bird nest boxes for house martins, house sparrows and swifts and habitat enhancement. The authority should consider securing measures to enhance the biodiversity of the site. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those.

Protected Species

If the LPA is aware of, or representations from other parties highlight the possible presence of a protected or Biodiversity Action Plan (BAP) species on the site, the authority should request survey information from the applicant before determining the application. The Government has provided advice on BAP and protected species and their consideration in the planning system.

Natural England Standing Advice is available on our website to help local planning authorities better understand the impact of development on protected or BAP species should they be identified as an issue for particular developments. This also sets out, when, following receipt of survey information, the authority should undertake further consultation with Natural England.

Contaminated Land Officer

4th October 2013

Please can you add the standard contaminated land condition to this application.

Tree Officer

30th January 2014

The Tree Protection Plan and Landscaping Plans, are in the whole, acceptable. The proposed tree planting is thorough and has a good variety of species which are well suited to their proposed locations. Also the pit details, aftercare and maintenance are well detailed. However some minor details are missing on Landscaping Plans; Drw No. 1507 07 Rev E the species of trees are missing for the trees in the parking areas for plots 83 - 86 and Drw No. 1507 09 Rev E the species of tree is missing east of plot 31 and the species of tree is missing east of plot 24.

There is still information outstanding that I would still like to see:

A Tree Constraints Plan (TCP) overlaid onto the proposed site plan and Arb Method Statement (AMS) all to BS 5837:2012, as previously requested.

The reasons these are required are to make an informed decision about the proposed development in relation to the protected trees. Protective fencing can be off-set slightly and therefore not a true reflection of a trees RPA. Where this occurs, paths, roads, services and other forms of hard landscaping can fall within the RPA and therefore would need to be installed either with a no-dig technique or be hand dug. An example of this is adjacent to T59 in the NW corner of the site, an attenuation tank and draining is to be installed-will any of this fall within the RPA of this TPO'd oak? Also the proposed roads adjacent to T113 and T115.

The TCP will indicate if the above is necessary for any of the retained trees and if so appropriate conditions will be recommended, if no-dig or hand digging is not required then these conditions are not necessary for this application.

The requirement for the AMS is to outline the various site requirements; from storage of materials and sighting of temporary structures for contractors, any access facilitations pruning and details of no-dig and/or hand dig techniques. Also more specifically how the levels are to be altered in and around T97 with minimal harm to the tree. For a full list of requirements please refer to Section 6.1 of 'BS 5837:2012 Trees in relation to design, demolition and construction-Recommendations'.

Both the TCP and AMS are to ensure that this development can be facilitated with minimal harm to the TPO'd trees on site. Therefore it is far more prudent to ensure that these issues are resolved now, prior to a decision being issued, to confirm that the proposed development can proceed, without causing permanent harm to protected trees with a high amenity value.

Notwithstanding the above information being submitted I recommend the following conditions be attached:

Protective Fencing

Tree protective fencing shall be installed in accordance with the specifications set out within the Tree Protection Plan Drawing Number D3519 P3 Rev A and BS 5837:2012. The fencing shall be erected, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction process.

Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

Hand digging within RPA

Works that are required to take place within the Root Protection Area(s) are to be undertaken by hand and no roots over 25mm are to be severed without the approval of a qualified arborist or the Local Planning Authority's Trees Officer.

Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

Arboricultural Method Statement

Prior to the commencement of any works on site (including demolition and site clearance) an Arboricultural Method Statement (AMS) to BS 5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The AMS shall detail the no-dig construction for parking areas, footpaths, roads and other forms of hard landscaping that fall within the root protection area of TPO'd trees; foundation details for properties near to TPO'd trees on and adjacent to the site; storage of materials and sighting of temporary structures for contractors and any access facilitations pruning. The development shall be implemented strictly in accordance with the details so approved.

Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

TRE04B No fires within RPA

TRE05B No service runs within RPA

TRE08B Arboricultural monitoring

TRE09B Submission of leaf guard details

Providing that CBC's landscape architect is also satisfied with the Landscaping Scheme, and we receive updates in writing for the missing tree species, please can the following condition be attached in respect of the landscaping;

Detailed Landscaping

The landscaping proposal shall be carried out no later than the first planting season following the date when the development is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. The scheme shall be

implemented in accordance with Drawing Numbers; 1507 05 Rev E, 1507 06 Rev E, 1507 07 Rev E, 1507 08 Rev E, 1507 09 Rev E and 1507 10 Rev E. The trees and all other planted materials shall be maintained for 5 years after planting and should they be removed, die, be severely damaged or become seriously diseased within this period they shall be replaced with another tree as originally required to be planted.

Reason: To preserve the visual amenities of the locality in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

5. PUBLICITY AND REPRESENTATIONS

- 5.1** A total of 46 letters were sent out notifying local residents of the receipt of the application. In addition notices were posted on site and published in the local newspaper.

Number of contributors	19
Number of objections	17
Number of representations	2
Number of supporting	0

Neighbour comments are attached to this report.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 Outline permission for redevelopment of the whole of the GCHQ Oakley site was granted in 1998. That Outline permission, having been varied by extensions of time during which implementation could take place, is still extant. The principle of residential development on this site has therefore long been established. The outline planning permission (CB11954/43) and subsequent extension (ref:01/00637/CONDIT) requires Reserved Matters applications to be submitted on the final phase no later than 2016.

Construction of phases 1 and 2 of the development is complete and the current application constitutes the third and final phase, all within the 2016 time period.

6.1.2 The application has been the subject of detailed scrutiny by Officers following its submission and concerns, which principally related to issues of detail relating to detailed highway design (not the access issue from Priors Road), landscaping, tree retention and affordable housing (type and mix, not amount) were brought to the attention of the applicants. Amended plans incorporating detailed changes have been received in various stages through the life of the application so far and the final set of drawings was received on 6th February. It was not considered necessary to give further publicity to these plans as they incorporated only detail changes whereas the representations received related more to matters of principle.

6.2 The site and its context

6.2.1 As has already been stated, the site is part of that formerly occupied by GCHQ. GCHQ vacated this last part of their site in December 2011 and since then the remaining buildings have been decommissioned. The area to the East of the site has recently been developed and apart from the Western boundary, the site is surrounded by the countryside. The southern part of the site falls within the Cotswolds Area of Outstanding Natural Beauty (AONB). The site's main access is from Priors Road, through the earlier phases. Another point of vehicular access is also available from Harp Hill, at eastern end of the site, restricted to 40 units by Condition 19 of the outline planning permission. The land the subject of the current applications is currently being cleared. The site measures

approximately 11.15 ha (27.57 acres). It is occupied with various redundant buildings. Existing mature trees are growing on the site, majority of them along the boundaries.

6.3 Design and Layout

6.3.1 Local Plan Policy CP7 requires development to be of a high standard of architectural design.

6.3.2 The density of the development is considered appropriate to the locality. An average net density of 28 dph is proposed across the application site. The proposed density takes into consideration factors such as the existing character of the surrounding area, the site characteristics such as the topography, the density patterns of surrounding areas and to make efficient use of land. The density of development proposed is what was generally expected from the outline permission. The applicants propose a range of dwelling types within the site - ranging from one bedroom apartments to 5 bedroom houses. The scheme will have a mix of tenures including open market housing, affordable and low cost homes. The number of affordable units is 37 which is 12% of the total numbers for the site.

6.3.3 The development itself incorporates green corridors that buffer the periphery of the site and meet the recreation ground to the north. The largest central feature space is located centrally on the site, on the high ground, enabling distant views. It also can be viewed from outside the boundary. The applicants state that this central green space offers an area for informal play activities. It is proposed that some existing vegetation on the site as well as that which forms the boundaries will be retained so as to retain the character of the site and maintain its semi rural edge appearance.

6.3.4 The scale and heights of the buildings have been designed to respond to the character of the space, the street hierarchy, the site's landscape and contextual setting, to which they relate. The majority of buildings across the site are to be two storeys. There are, however, also a number of 3 and 2.5 storey houses shown that would act as marker buildings located at corners within the development. There is a group of apartment blocks along the western boundary of the site. They are the tallest buildings on the site (3 and 4 storeys) and form a landmark entrance frontage. It is here that the tallest of the GCHQ buildings (in particular the 'green building') were located. The scale of the buildings proposed generally responds to those found locally with a mix of detached and semi-detached of varying size. Whilst, as already stated, the average density through the scheme is 28 dp, this density reflects two distinctly different character areas within the development: the southern part that falls partly within the AONB is of low density, approximately 20 dph and the area to the north and east is of medium to higher density, approximately 40 dph. The densities gradually lower towards the southern boundary. This pattern of density within the total Oakley development site accords with that which was envisioned from the original grant of outline permission and throughout the 2 previous phases.

6.3.5 The style of buildings proposed is contemporary but not overtly futuristic; taking cues from Cheltenham vernacular and the development in phases 1 and 2. As a result, a "sense of place" should be evident from the style of the development (street elevations will be available for Members to view at the meeting) It is an approach which has been supported by your Urban Design Manager. The Civic Society, however, have expressed 'no comment' and the Architects Panel are not completely convinced. It is considered, however, that design approach will result in a development which has a sense of place built into it. Officers are of the view that the design approach adopted by the applicant is one which is appropriate for such a large residential scheme which will almost establish its own context.

6.3.6 Two vehicular access points are provided into the site: The first utilises an existing site entrance along the western boundary which continues as the primary route, forming a loop that circles the northern part of the scheme. From this primary street, secondary and tertiary routes are shown to radiate as well as some small courtyards. Sections of the

primary route are proposed as shared surface, to be used jointly by vehicles, cyclists and pedestrians. A central square is located on the axis that follows the visual corridor from the site's highest point to the north. The secondary vehicular access is located to the south and also utilises an existing site entrance. It is a narrow lane and is located in the AONB and for this reason its use was restricted in the original outline permission to serve only 40 units. It will provide access to low density part of the scheme and has been designed as a windy lane between the buildings. It responds to the topography and provides several incidental green spaces. No vehicular connection between the two points of access is shown (again to meet the requirements of the Outline), however a network of footpaths would link the northern and southern part of the site, crossing the public open space.

6.3.7 On average, the scheme will provide at least 1.5 spaces per dwelling. Extra visitor parking spaces will also be provided, mainly along the primary street. A variety of parking arrangements have been provided. Most of the plots will be served by courtyard or curtilage parking, with most of the open market units owning a garage or carport. Provision for visitor parking is also made available

6.4 Impact on neighbouring property

6.4.1 There has been a wealth of opposition to the scheme principally related to the question of access to Phase 3 through phases 1 and 2. Local residents claim that the standard of the roads in the two built phases are such that they cannot accommodate the necessary parking and at the same time provide through and safe passage for vehicles in phases 1 and 2, let alone 280 or so additional dwellings in phase 3.

6.4.2 The Highways Officer raises no objection (see below) and would not provide any technical support for any objection put forward on that basis. More importantly, in planning terms the fact that the majority of the development (other than a small number of 40 houses to be accessed off Harp Hill) is to be served off Priors Road is clearly established in the original outline permission. An application for the approval of matters reserved by an outline cannot deviate from that outline. Furthermore it is not open to the Local Planning Authority to re-visit the principles established by an extant outline permission. As has already been stated the outline granted originally in 1998 remains extant until 2016.

6.5 Highway matters

The Highway Authority responded on the application on 10 February following lengthy discussions with the applicant's agent and the securing of revised plans. The comments are as follows.

6.5.1 *"Outline permission for the whole site was granted consent on 5th October 1998, application number CB11954/43. A further permission (ref no: 01/00637/CONDIT) was granted on 21st June 2001 to extend the period for submission of reserved matters to 15 years, therefore that outline permission is still extant and is the valid fallback position.*

6.5.2 Fallback position

I have read the objections submitted to the Local Planning Authority (LPA) in relation to access being taken through phases 1 and 2; however the fallback position is very important and needs to be taken into consideration. Access to the site was assessed under the original outline permission, at that time the whole development would have been assessed, i.e. phases 1, 2 and 3. The problems in relation to car parking and road widths associated with phases 1 and 2 are being investigated as part of the ongoing adoption discussions between the developers and the Highway Authority (HA). Due to the extant outline planning permission we can only look at the layout of the proposed site, i.e. the area of land within the red line, it would be unreasonable to require the developer of phase 3 to mitigate the impact of phases 1 and 2 as this is dealt with by separate processes, the Section 38 adoption process.

6.5.3 Condition 19 Harp Hill

I note the objections that recommend the whole development should be served through the access from Harp Hill. Although there may be some merit in making more use of this access, all of this had been assessed on the original outline permission, condition 19 of that permission says:

'No more than 40 houses shall be served by the access onto Harp Hill at the east end side of the site.

REASON: The road network in the locality is not capable of accommodating the traffic associated with more than this number of houses'.

Given that the original outline permission is still extant it would be unreasonable to require the developer to amend this planning permission as again the suitability would have been assessed at the original outline stage and during the granting of the extension of time by 15 years.

6.5.5 Construction Method Statement (CMS)

Should it be the intention to take the majority of the construction traffic through the existing development (Phases 1 & 2) then this is a cause for concern as it has the potential for additional conflict between large vehicles and vulnerable road users. A condition requiring a CMS was not attached to the original outline permission but I believe it is important in order to maintain highway/public safety, therefore should you think it reasonable please ensure a condition requiring a Construction Method Statement is attached to any permission granted. As part of the CMS the HA will also require a photographic survey of the surrounding highway network likely to be affected by the construction, and the developer will be required to put right any damage under Section 59 of the Highways Act 1980.

6.5.6 Internal layout

Concerns on the design were raised early in the planning process by the Highway Authority, mainly in relation to proposed road widths, car parking, and safe and suitable access for vulnerable road users. Discussions have been ongoing between the applicant/developer, the LPA and the Highway Authority to overcome these issues, and the Highway Authority are now generally happy with the layout now proposed on drawing no: 0488-102 Rev E. The only real outstanding issues are the dropped kerb/tactile crossing details that will need to be provided at junctions, given that these amendments will be minor and would be within the extent of the proposed highway boundary the details can be agreed at the Section 38 technical approval stage. I do still have concerns about the proposed steps adjacent to the car parking for plots 144 & 146 being placed adjacent to the highway, the Stage 2 Safety audit which will be required as part of the Section 38 will almost certainly pick up that pedestrian safety barriers will be required to stop vulnerable road users running out into oncoming traffic, therefore it is likely they will need to be moved back further from the highway.

6.5.7 *The HA raised the issue of the numbers and allocation of car parking on the proposed scheme. One of the main problems with phases 1 and 2 is that the reserved matters were assessed on the basis of the maximum car parking standards of an average of 1.5 spaces per dwelling that were in force at the time, this left many of the dwellings with only a single car parking space. The applicant/developer has taken the comments on board in relation to car parking and provided a better scheme, generally 2 spaces per dwelling are being provided and where only a single space and a garage is being provided the garages are 3m by 6m which does allow for some storage space and a car to be parked at the same time. Concerns were raised by the HA in relation to the number of 3 and 4 bedroom dwellings that were being provided with one space and a garage, the developer has now reassessed the allocation and replaced some of the garages with car ports and provided additional dedicated car parking spaces. In areas where low levels of car parking is being proposed, the developer has ensured additional visitor spaces are provided and/or the road widths are suitable to accommodate additional on-*

street parking whilst not affecting the swept path of a refuse vehicle. It is for these reasons the proposed car parking levels/arrangement are now accepted. The road serving plots 125-133 & 156-162 appears to be a shared surface environment with narrow pinch points that would fall well below the County's deemed to satisfy standard of 6m, however this will not be a vehicular through route and will only serve a small number of dwellings, and as vehicles will be travelling at slow speeds I do not believe highway safety will be severely compromised. I note that this area has not been included on the adoption plan; this road will not be suitable for adoption by the Highway Authority and will need to be subject to a private road agreement. The National Planning Policy Framework (NPPF) says that although safe and suitable access should be provided, 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe', given that the developer has managed to overcome the original concerns raised by the Highway Authority with regards to safety of the proposed layout, and that the highway impact of the development was assessed on the original outline permission, it would not be reasonable to object to the scheme on highway safety grounds."

6.5.8 It is for those reasons that he recommends that no highway objection be raised and suggests certain conditions that it may be appropriate to attach to any reserved matters approval granted.

6.6 Drainage

6.6.1 The Wyman's Brook flows outside the site northern boundary with a ditch, that discharges to the Brook bounding the east of the site. The existing drainage within the site is discharged via several outfalls to the ditch and Brook. Condition 5 of the outline planning permission requires a surface water drainage infrastructure system be approved prior to construction. In accordance with the National Planning Policy Framework the proposed drainage of the site has been designed to mimic the existing drainage regime for the site as closely as possible whilst trying to improve the conditions for the site and surrounding area. The discharge rates from the site are therefore constrained to a maximum rate equivalent to the existing runoff rates, however to provide a betterment it is proposed to reduce the amount of SW run off by a further 20%.

6.6.2 To provide these improvements to the rate of discharge leaving the site it will be necessary to attenuate the flows within the boundary of the site, within the physical constraints of the site. The two main constraints of the site are that infiltration is not suitable on the site due to made ground and poor infiltration rates and also that there is a significant slope over the majority of the site making above ground storage impractical in most locations. The south of the site is slightly flatter than the north and therefore it is proposed to attenuate the 100 year storm event, including climate change, within an attenuation pond. The 30 year storm event would be stored within culverted pipes, along with all the storage for the north of the site. As part of the private drainage further SUDs measures are to be incorporated that will include permeable pavements for some private drives and courtyards, overflow infiltration trenches and swales all of which would provide improved water quality. Also water butts would be provided which would help reduce the volume of water leaving the site further reducing the risk to the downstream areas of the site.

6.6.3 It should be noted that Severn Trent Water raise no objections with regard to the drainage strategy proposed and that the Environment Agency in their most recent letter confirm that they are now satisfied with the drainage strategy and that the submitted Drainage Statement confirm the principles of the drainage strategy. Of key importance is the confirmation that the drainage scheme will deliver attenuation to the 1 in 100 year storm standard plus the 30% allowance for climate change as required by the NPPF and its Technical Guidance. They still, however, consider that detailed drawings showing the detailed drainage and SUDS features to be delivered will be needed for the scheme, and are agreeable that these could be secured via a condition of any permission granted.

6.7 Affordable Housing

6.7.1 The provision of affordable housing on this site is determined by the s106 agreement, attached to the original outline planning permission approved in 1998, as amended.

6.7.2 The Borough Council's Housing section confirm, following a meeting with the applicants that, in light of the existing s106 agreement, a mutually agreed affordable housing provision has been reached. The affordable housing mix is as follows:-

- 10 x 2 bedroom apartments (all shared ownership)
- 5 x 2 bedroom houses (1 shared ownership and 4 affordable rent)
- 15 x 3 bedroom house (all affordable rent)
- 7 x 4 bedroom houses (all social rent)

Total 37 units

6.7.3 The revised plans for the development confirm the location and distribution of the affordable housing dwellings and this too is acceptable to Borough Council Housing Officers. For completeness they also consider the following should be drawn to the applicant's attention by way of an informative attached to any reserved matters approval issued:

- It should be noted that any 4 bedroom affordable housing should be set at social rent levels to take account of the impact of the Benefit Cap, which would render 4 bedroom accommodation unaffordable for households on a low income, if set at an Affordable Rent of 80% of market rents.
- Any service charges on the affordable dwellings should be eligible for Housing Benefit.
- We would expect all the affordable housing to meet minimum internal floor area size measurements, design and quality standards as described by the Homes and Communities Agency.
- All the affordable homes should meet the Code for Sustainable Homes Level 3 (or equivalent measure).
- In the case of affordable housing all ground-floor properties should be designed to meet current Lifetime Homes Standards.
- We would expect that the shared ownership units will be let at a level that is affordable in accordance with the Council's SPG and having regard to local incomes and house prices.

6.8 Landscape and visual impact

6.8.1 It will have been noted from the consultations section above that it is Natural England's view that this proposal does not take into account the impacts on the AONB sufficiently. Furthermore they consider that the layout is not sensitive to the landscape context; the density is too high; and the provision of green infrastructure is inadequate to mitigate the impacts on the AONB

6.8.2 Officers do not agree with this view and over the period of determination there have been protracted discussions between the Council's Landscape and Tree Officers which have informed the final drawings now submitted for determination.

6.8.3 It must be remembered that the site is predominantly occupied by various redundant office buildings and associated parking for vehicles and associated roadways. Small pockets of open space and courtyards exist but are generally devoid of vegetation, with grass lawns being the predominant green element. The site falls in a northerly direction

from approximately 120m at the southern boundary to approximately 85m to the north and is covered by the various buildings associated with the GCHQ. A level change of approximately 2 metres occurs along the southern boundary to the Hewletts Reservoir and another level change of approximately 3 metres occurs between the northern boundary along Wymans Brook.

6.8.4. Added to this is the fact that the site is relatively well screened from its surroundings, by the boundary wall and higher landform to the southern boundary, and existing hedgerows and trees to the majority of the site boundaries. Views of the site from public footpaths are predominantly screened by boundary vegetation. However, there are views of the site from the short stretch of public footpath to the rear of Wessex Drive and the stretch of footpath to Cheltenham Circular Footpath due to the close nature of views. Private views of the site from residential properties to Aggs' Hill and Harps Hill will be mostly limited to first floor windows, due to intervening vegetation and landform. It is the public views of the site which include the AONB to the south that are important given that they contribute to the setting of the overall area listing. However views from Harp Hill and Aggs' Hill to the south and east of the Site are relatively well screened due to intervening vegetation.

6.8.5 The size and massing of the existing GCHQ buildings and general lack of vegetation within the site means the existing site is generally visible from surrounding public viewpoints particularly during winter months without the benefit of screening from foliage. During summer months this impact is greatly reduced and only certain views of the main 'green building' is visible above hedge and tree lines. Overall the site is generally well screened due to boundary vegetation, surrounding pockets of woodland and ancient field boundaries with associated field trees. Whilst the landform rises substantially to the east of the Site and north to Cleeve Common it is considered that the development scheme could be implemented with minimal visual impact.

7. CONCLUSION AND RECOMMENDATION

It is considered that the application as now presented to committee accords in all respects with the extant outline permission. Furthermore, the development complies where necessary with the requirements laid down in the various Agreements under S106 that accompanied that outline permission. It is recommended, therefore that the reserved matters be approved subject to conditions.