

APPLICATION NO: 13/01683/REM		OFFICER: Mr Ian Crohill
DATE REGISTERED: 1st October 2013		DATE OF EXPIRY: 31st December 2013
WARD: Battledown		PARISH:
APPLICANT:	Persimmon Homes	
AGENT:	Mr Darren Beer	
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.	

Report Update – March 2014

Members deferred consideration of this application at their last meeting as it was considered that there were still concerns with regard to the application that needed further information. The principal issues identified by Members related to:-

1. surface water and flood risk
2. the submitted construction method statement
3. highway issues
4. consultation with the Cotswold Conservation Board.

The applicant has been asked to submit further supporting statements with regard to the first three of those issues and these are copied for Members' information below.

It is also confirmed that a consultation with the Cotswold Conservation Board has been carried out and any comments received will be reported to Members.

1. Officer comments

- 1.1. Members are reminded that the application is one for the approval of matters reserved by an outline permission. Reference has been made to the time scales involved and the fact that the outline permission was first granted 16 years ago. The normal practice is that an application for the approval of reserved matters should be submitted to the Local Planning Authority within 5 years of the date of the permission. However, it is quite properly within the powers of a Local Planning Authority to vary that time scale taking into account all circumstances of the case.
- 1.2. The original outline permission was granted in October 1998. However, in 1999 permission was granted by Cheltenham Borough Council Planning Committee to allow for applications for reserved matters in compliance with the 1998 outline permission to be made no later than 10 years from the date of that 1999 permission. It was further agreed, again by Planning Committee, in June 2001 to extend the time during which reserved matters applications had to be submitted to a period of 15 years. That is 15 years from the date of the 2001 permission (01/00637/CONDIT), in other words by 26th June 2016.
- 1.3. Those extensions of time were granted in both 1999 and 2001 for sound planning reasons relating to the economic interests of the town as a whole. They were seen at the time as part of an important retention package to secure and maintain GCHQ's presence as a significant employer within the town. Several years on GCHQ has invested in their Benhall site and are still a significant employer within the town; making a meaningful contribution to the economy of the town.

- 1.4. It may well be that the 2001 permission played a significant part in that whole process, the Local Planning Authority will never really know, but it should be borne in mind that the extensions of time from both 1999 and 2001 were granted for proper, sound, planning reasons at the time and it would be wrong to argue now, when faced with the consequences of those decisions, that they should not have been taken.
- 1.5. The outline permission establishes clearly the principle of development of the site and sets out the expectations in terms of the approval of matters reserved by that outline. In that context it must be remembered that the points of access (and the restriction to no more than 40 houses off Harp Hill) along with the amount of affordable housing are matters that are fixed and are not open for negotiation if a reserved matters application is submitted.
- 1.6. The application before you is for the approval of reserved matters pursuant to outline planning application 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. Whilst the outline did not specify the numbers of houses to be built on the whole site it was always considered that a figure somewhere in the region of 700+ dwellings would be constructed. The 311 now proposed would mean that that figure would be achieved. It should be remembered that the total commitment at Oakley, in terms of numbers of dwellings, has formed an important and significant part of the Council's 5 year housing land availability.
- 1.7. The application has been submitted along with a raft of supporting documentation. In addition to plans detailing the layout; vehicle tracking; the landscaping; the affordable housing; the dwelling types; their storey heights; bin and cycle stores; external works; garages and car ports and drainage strategy, the submission also includes a Landscape and Visual Appraisal; an East Cheltenham Heritage Appraisal; a Design and Access Statement; an Arboricultural Constraints Report and a Land Quality Assessment. All these reports and plans have informed the Officers recommendation and can be viewed through the Council's web site. Members are urged to fully apprise themselves with the content.

2. The applicant comments further in respect of the reasons for deferment at the last Committee Meeting.

- 2.1. *Further to Members' consideration of the Reserved Matters planning application at the 20th February planning committee, the applicant has gone away and reconsidered all of the issues that have been raised at that meeting. We would like to take the opportunity to respond to the issues raised by Members in advance of the Planning Committee confirmed for the 20th March.*

Density

- 2.2. *The proposals before members represent a significant reduction in the density of development when compared to the earlier phases of Oakley. The applicant agrees with Members that it would not be favourable to replicate the appearance and experiences of the previous phase. The density of the application proposals has also been influenced by the topography/high ground and juxtaposition of the site with the AONB.*
- 2.3. *It should be noted that the area within and adjacent to the AONB is only at 20 dwellings per hectare, creating a very low density of development dominated by its landscape setting. The conclusions of the landscape and visual assessment for the site fully endorse this approach.*

- 2.4. *The remaining development areas will be delivered at a density of 30 dwellings per hectare, this will be concentrated on the areas of the site where the land form is much lower than the adjacent AONB setting. In combination the overall density for the site is only 30 dwellings per hectare.*
- 2.5. *In the context and comparison to phases 1 and 2 this is a marked reduction which in recognition of the sites particular characteristics is felt appropriate by the applicant and endorsed by Council officers.*

Highways and road widths

- 2.6. *During the pre-application dialogue and during post submission negotiations, significant alterations have been made to the highways within the scheme to meet with the support of the highway officer from Gloucester County Council.*
- 2.7. *It should be noted that an increased level of parking for both the home owners and visitors has been incorporated to reasonably ensure that the parking difficulties as raised by members in relation to phases 1 & 2 will not be repeated if this application were to be approved. The applicant has spent a significant amount of time with the highway officer to ensure visitor parking is provided in the correct locations (for example where a higher concentration of dwellings would be positioned).*
- 2.8. *The scheme will deliver a primary infrastructure network which will allow a bus service to move through the site as requested by the highway officer. This has been provided by the applicant although the requirement for the same did not form part of the established outline planning permission. It should be noted that this will not adversely affect the parking strategy for the development.*
- 2.9. *The proposed layout also takes into account the safe egress of service, delivery and emergency vehicles to all parts of the development to ensure each dwelling is catered for without exception.*

Affordable housing

- 2.10. *During the post submission negotiations, the applicant has worked very hard with the affordable housing officer to ensure the mix and balance of affordable housing not only meets with the requirements of the Section 106 agreement; but will also meet the existing local need.*
- 2.11. *Significant amendments were undertaken during the application process to ensure the buildings and spaces for the affordable elements were reflective of the agreed mix, distributed across the development to ensure complete integration.*

Drainage

- 2.12. *We fully recognise Members concerns that they wanted to make sure the details of the drainage strategy had been carefully considered for this site. We want to reassure Members that significant engagement with both the Environment Agency and GCC has take place since May 2013.*
- 2.13. *The proposed drainage scheme would provide protection to the site for all events up to and including the 1 in 100 year event including climate change for the lifetime of the development whilst providing betterment to the existing flood issues in the surrounding area and which the EA have confirmed is a suitable approach.*
- 2.14. *All drainage matters have been discussed extensively with the Environment Agency, resulting in their support for the proposals, subject to a series of conditions.*

- 2.15. *The proposed development at GCHQ Oakley is to be drained in accordance with the National Planning Policy Framework (NPPF) and in accordance with the good practise. The level of protection provided will ensure that there will be no risk to all properties and people within the site for all events up to and including the 1 in 100 year event including a 30% allowance for climate change. For this same period the surrounding areas will be either unaffected or be improved from a drainage perspective.*
- 2.16. *All adoptable foul and surface water drainage is to be designed in accordance with Sewers for Adoption 7th Edition and the Building Regulations.*
- 2.17. *Discussions have been held with the Environment Agency (EA) regarding the strategy for the site which they confirmed was satisfactory in a letter dated January 20th 2014, based on the below principles.*

Surface water drainage

- 2.18. *We thought it may be helpful to provide Members with a detailed overview of the Surface Water Drainage Strategy.*
- 2.19. *The proposed drainage of the development at GCHQ has been designed in a sustainable manner using SUDS' techniques to meet the latest flood prevention standards of 1 in 100 plus 30% which takes into account future climate change.*
- 2.20. *The scheme will reduce surface water flows to the watercourse improving the existing situation downstream of the site, whilst still providing protection to the site itself. It should be noted that flows to the stream have been reduced by at least 20%.*
- 2.21. *The site is currently served by 7 known sewer outfalls to the Wyman Brook along with at least 7 other direct gully discharges to a ditch running from south to north connected to the Wyman Brook*
- 2.22. *These outfalls are unrestricted and are used to drain the impermeable areas within the existing site.*
- 2.23. *To determine the impermeable area discharging to each gully outfall the areas were taken off from the survey.*
- 2.24. *For the sewer outfalls the total impermeable area of the existing site (minus that being drained by the gullies) was divided up proportionally to the separate outfalls dependant on the outfall size.*
- 2.25. *WinDes calculations were then carried out for each of the gullies and outfalls to determine the existing rate of outfall for the 1 in 1, 30 and 100 year events.*
- 2.26. *The NPPF advises that discharge from a development should mimic the existing regime, which would mean the peak allowable discharge rates for the site would be the same as that which leaves via the existing outfalls.*
- 2.27. *There is a known issue with flooding downstream of the site and therefore it is proposed to reduce the discharge rates leaving the site by a minimum of 20% to provided a betterment.*
- 2.28. *During heavier rain events the existing system would also flood which would leave the site without restriction at a high flow rate. This has not been included in the existing flow rates or subsequent flow reduction and therefore the actual betterment to the surrounding area is greater since the new system would be constructed to avoid flooding.*

- 2.29. *The two main drainage challenges we have is that infiltration is not suitable on the site due to made ground and poor infiltration rates and secondly there is a significant slope over the majority of the site making above ground storage impractical in most locations. It is therefore proposed to store the 1 in 100 year storm event plus 30% within an attenuation pond. The 30 year storm event would be stored within a culverted pipe as show on the plan appended to this statement.*
- 2.30. *The north of the site would be attenuated through a combination of underground storage tanks and culverts.*

Foul Drainage

- 2.31. *The existing site currently discharges to the north west of the site via a 150mm dia pipe.*
- 2.32. *The flows developing from the site will be discharged via this same connection with the recently constructed sewer within the site to the North West of the development having been designed to accommodate the additional flows arising from the development of this site. Due to the topography of the site a gravity connection will be suitable.*

Detailed Design of the Drainage Strategy

- 2.33. *The detailed design of the drainage network has been completed in tandem with the progression of the planning application. Through the detailed design we can confirm that the actual discharge rates from the site will provide a reduction of between 21% and 48%, over the existing rates. This is a further improvement over the original strategy.*
- 2.34. *The EA confirmed that the principle of the detailed drainage design is satisfactory and represents betterment over the existing regime.*

Design buildings and boundaries

- 2.35. *The approach to the design of the size and shape of the buildings is one of traditional design and in the laying out of the various streets, but elevations offered in a more modern way. A summary of the key points are: -*
- *A well balanced mix of both open market and affordable homes ranging from 2 to 5 bedrooms*
 - *Building heights, widths and depths to reflect historic patterns of development and are well related to street frontages, the public realm and community amenity areas*
 - *Provision of locally recognizable materials for walls and roof's in sympathetic tones, especially on the higher slopes within and adjacent to the AONB*
 - *A generous but not over complex inclusion of light render, but predominantly facing brickwork*
 - *Boundary treatments include low walls, railings, soft planting, hedgerows and verges*
- 2.36. *It should be noted that members raised an issue over draft condition 5 relating to the inclusion of 'timber windows and doors', with a recommendation that modern materials such as uPVC are preferred. The applicant agrees with Members that it would be more suitable to use UPVC on this site and this is shown on the proposed design drawings and documents, therefore we would support any proposed amendments to this condition.*

2.37. Construction Management

- 2.38. *Condition 10 of the outline planning permission required the developer to submit a comprehensive scheme detailing the method of demolition, the re-use of existing materials and resources, the disposal of waste material within the site and the protection of adjoining properties from disturbance by noise, vibration, lighting and dust during demolition and construction shall be submitted to and approved in writing by the LPA so as to minimise disturbance to adjoining occupiers during building operations.*
- 2.39. *The information to discharge this condition was submitted to the Council on the 3rd September 2013 and approved by the Environmental Health Officer on the 28th November 2013 under reference: 13/1526/DISCON. The condition was discharged subject to the hours of all operations within the site (including deliveries to and from the site) during the process of demolition being restricted to 7:30 am to 6:00 pm. On Mondays to Fridays inclusive; 8.00 am to 1.00pm on Saturdays and 8.00 am to 1.00pm on Sundays and Bank Holidays at which time no noise producing work shall be undertaken.*
- 2.40. *The number of vehicle movements into and out of the site will be minimal during demolition as the majority of the materials arising from the demolition of the buildings on site will be reused to re-grade the site. Only minimal vehicle movements will take place to remove scrap metal to a local waste management facility.*
- 2.41. **Summary**
- 2.42. *It is felt that the scheme presented for you today represents a very high quality development as endorsed by various officers and key stakeholders. Extensive pre applications have taken place over the last 12 to 18 months.*
- 2.43. *It is with great pride that the applicant is able to bring forward this redundant brown field site back into active use, thus contributing to the creation of new homes for now and for the future to the Cheltenham area. In addition the scheme will deliver investment into local education, open space provision, improvements to local drainage and enhance the site which is currently an eyesore.*
- 2.44. *For these reasons and with the support and recommendation of the case officer, we trust that the application can be approved in line with the report presented to you.*
- 2.45. *The principles of the original master plan have therefore been incorporated, but improved to allow better connections, permeability and legibility across the site as endorsed by officers and key stakeholders such as the civic society and architects panel. A summary of the key points are: -*
- *Roads have been widened*
 - *Layout designed to allow for a bus route and also full access for emergency services and refuse/recycling collection*
 - *Secondary and tertiary streets created as 'shared surfaces' so pedestrians and cyclists feel*
 - *Over provision of car parking made to avoid having a situation apparent on the earlier phases*
 - *Large amenity green areas have been provided for amenity, informal recreation and surface water management features*
 - *Important and mature TPO trees have been retained*
 - *Perimeter boundaries designed sensitively in built form and landscape terms*
 - *10 parking spaces have been provided for parking to access adjacent allotments as requested by the Council in order to assist in the delivery of their open space strategy*
 - *Key note buildings provided to the western boundary fronting phase 1 play area, as a recognition of the previous large building*

- *High quality landscape environment has been created to promote green connections generally across the scheme*