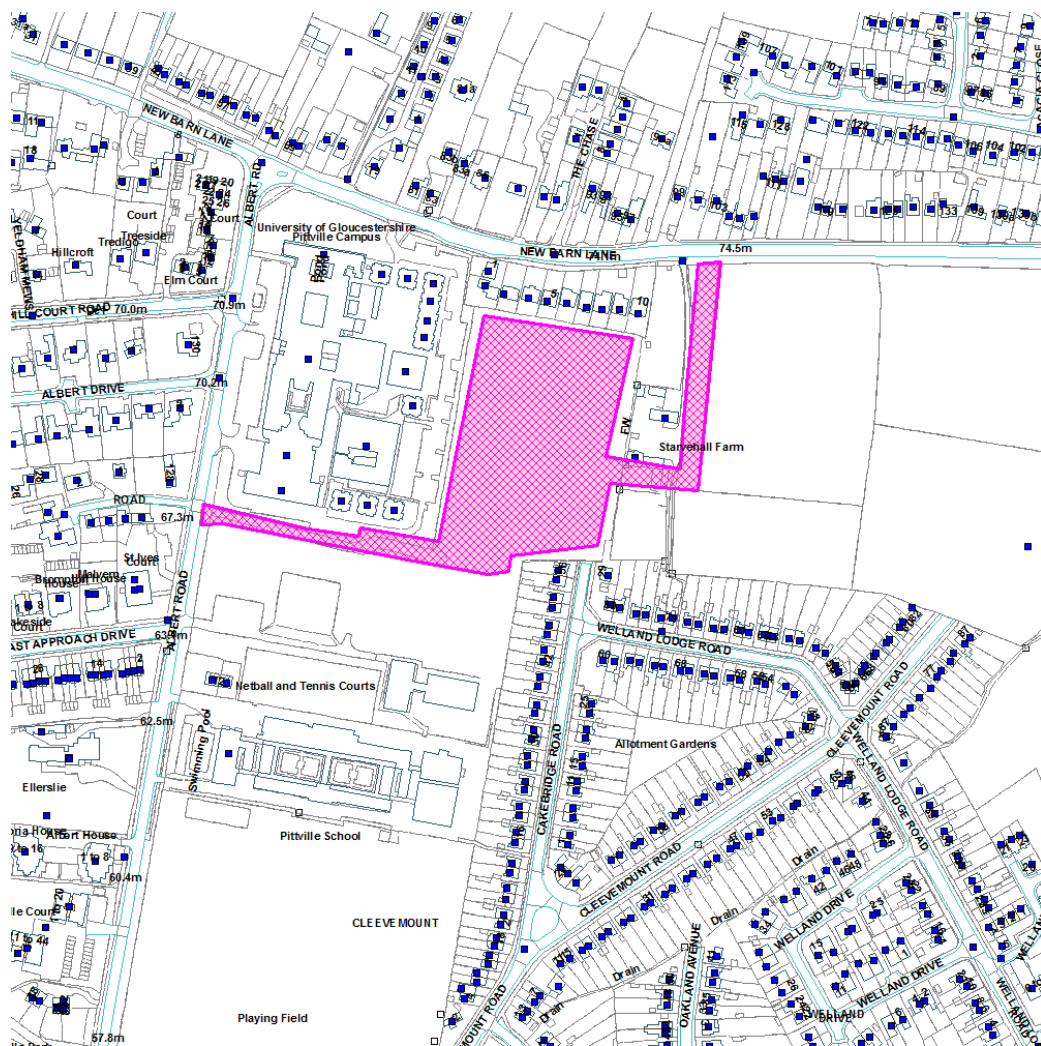


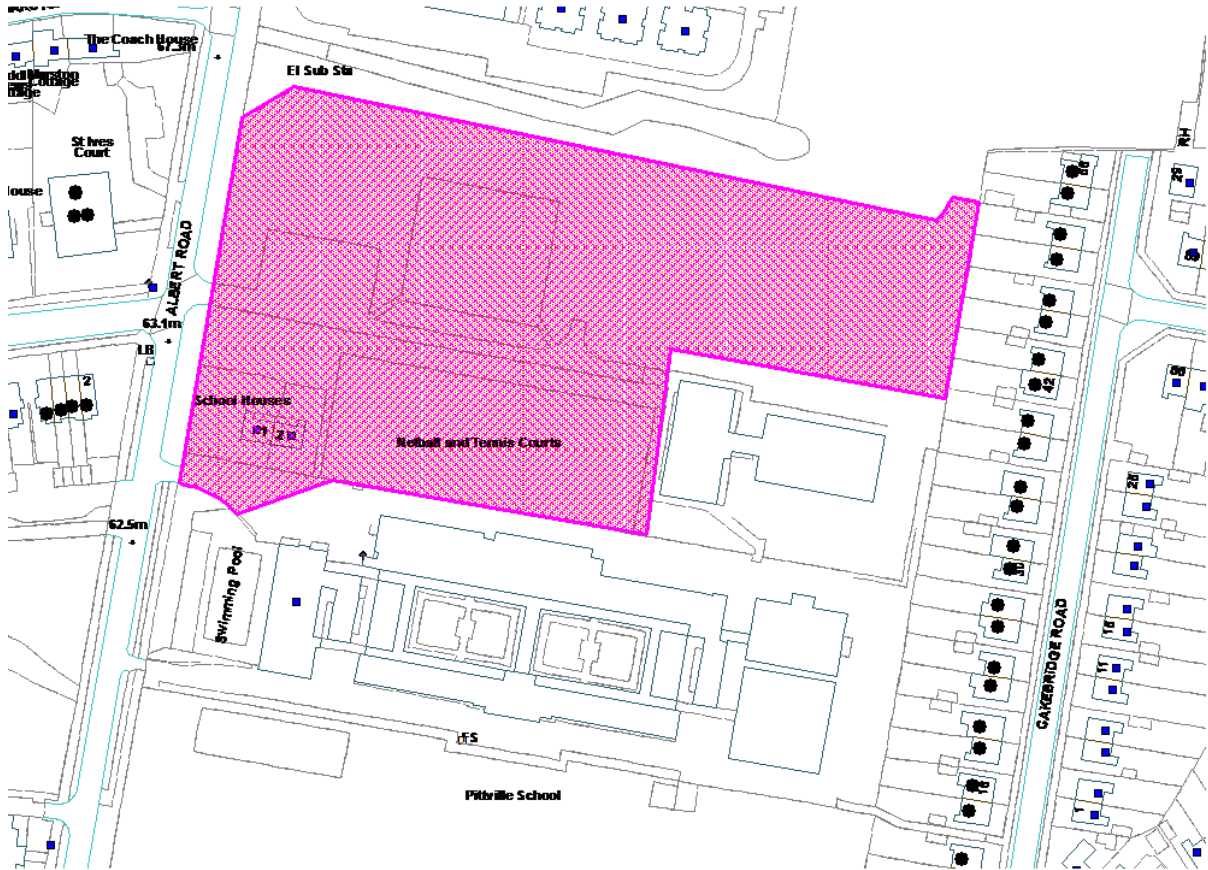
<b>APPLICATION NO:</b> 15/01162/FUL & 15/01163/OUT		<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 21st July 2015		<b>DATE OF EXPIRY:</b> 20th October 2015
<b>WARD:</b> Pittville		<b>PARISH:</b>
<b>APPLICANT:</b>	Pittville School	
<b>AGENT:</b>	Foxley Tagg Planning Ltd	
<b>LOCATION:</b>	Pittville School Albert Road Cheltenham	
<b>PROPOSAL:</b>	Erection of indoor sports centre, artificial turf pitch, tennis courts, floodlighting, associated parking and landscaping and including demolition of two dwellings (15/01162/FUL).	
	<b>AND</b>	
	Outline application for the erection of up to 58 dwellings (approval sought for means of access with other matters reserved) (15/01163/OUT)	

**RECOMMENDATION:** To follow as an update or at Committee

## 15/01163/OUT



15/01162/FUL



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This report relates to two planning applications for proposed development at Pittville School. The applications have been submitted in parallel and are to be considered together. In summary, the applicant seeks full planning permission for the erection of an indoor sports centre, artificial turf pitch, tennis courts, floodlighting, associated parking and landscaping and including demolition of two dwellings (15/01662/FUL). The second application seeks outline planning permission for the erection of up to 58 dwellings with approval sought for means of access with all other matters reserved (15/01163/OUT). Both applications relate to land within the ownership of Pittville School and within the existing boundary of the school campus.
- 1.2 Councillor Lillywhite has requested that the outline planning application be determined by the Planning Committee; the reason for referral being the concern of local residents on New Barn Lane. Since the above applications are linked, they should both be determined by the Planning Committee.
- 1.3 The two applications are accompanied by a comprehensive set of technical reports relating to design and access, relevant planning policy, transport, flooding and drainage, existing sports provision and loss of playing fields, trees and ecology, utilities and a draft community use agreement for the sports centre. Some of these documents have been revised during the course of negotiations and following submission of an amended scheme.
- 1.4 **Sports Centre and Outdoor Facilities – 15/01162/FUL**
- 1.5 The application site for the proposed sports facilities (15/01162/FUL) comprises 1.62 ha of predominantly hard surface playing courts, a multi-use games area, areas of grassland used for amenity and recreation by school pupils, an access road and vehicular entrance from Albert Road and two (caretakers') dwellings. The site is located wholly within the Central Conservation Area (Pittville Character Appraisal Area) and the adjoining main school building is included in the Index of Buildings of Local Interest.
- 1.6 The site faces Albert Road to the west, the gardens of residential properties in Cakebridge to the east, the University of Gloucestershire Pittville Campus to the north with the main school buildings immediately to the south. The surrounding area is generally residential in character, with buildings of varying height, architectural style and age. The notable exceptions are the Grade 1 listed Pittville Pump Rooms and the University Campus to the north; with planning permission recently granted for the redevelopment of this site to provide a student village.
- 1.7 The applicant proposes the erection of a new sports centre comprising an indoor sports hall, wet and dry changing rooms, a gym, teaching rooms, small café with associated parking facilities to the front of the building. The application also includes the provision of an artificial hockey pitch with floodlighting and replacement tennis courts (3no.) The existing access arrangements from Albert Road would be retained for the sports centre which would enable this facility to be used and remain separate from the school during out of school hours and at weekends.
- 1.8 The new sports facilities would primarily serve the school and are intended to replace the existing, aged and inadequate indoor physical education facilities currently offered to pupils. As such, a supporting statement has been provided by the head teacher of the school outlining the school's current position. Whilst able to offer a PE curriculum, including more recently GCSE PE, the school is hampered by poor changing facilities and a significant lack of indoor facilities; which include an outdated gym which is not full size or height and therefore restricts certain activities.

The school is also oversubscribed, and is forced to double up spaces particularly during external exam periods.

- 1.9** It is also proposed that the new sports centre would be available for public/community use outside school hours and during school holidays. A Statement of Community Use (and Business Management Plan) forms part of the submission package.

**1.10 Residential Scheme – 15/01163/OUT**

- 1.11** The application site for the residential proposal covers 2.13 ha of land and comprises an existing school playing field, a strip of land following the boundary with the University of Gloucestershire and land associated with the adjoining Starvehall Farm development which will provide the vehicular access into the site from New Barn Lane.

- 1.12** The gardens of properties in Greenfields/New Barn Lane form the northern boundary of the site, the University Pittville Campus (new student village) the west boundary and the remaining school grounds (and proposed new sports facilities) the southern boundary of the site. All boundaries to the site contain trees/shrubs and mature hedging albeit the rear gardens of properties in Greenfields which back onto the site are fairly open with some dwellings having limited vegetation along boundary fences. The land is relatively flat and is currently landlocked with no public access. The school states that the playing field has not been used for sporting activities since 2009.

- 1.13** As an outline planning application the applicant is requesting consideration of the principle of residential development along with access routes into and out of the site. All other matters (hereinafter referred to as reserved matters) regarding design, scale and appearance, layout and landscaping would be determined through a subsequent reserved matters application.

- 1.14** As stated above, this application is inextricably linked to the full application for the new sports centre and ancillary facilities; the proposed housing development funding the new sports facilities for the school with no cost to the Local Education Authority.

- 1.15** The scheme as first submitted included an indicative layout of 58 dwellings, estate roads landscaped open areas, a balancing pond and footpath/cycle links to Albert Road and Cakebridge Road. A revised site location drawing was received on 8<sup>th</sup> December; the red line amended to align correctly with the proposed vehicular access route through the Starvehall Farm development. However, the applicant has chosen not to show an indicative layout of housing or landscaping/SuDS details within the amended application site.

- 1.16** Members should note however that, despite the lack of an indicative layout, the application is still valid. The benefit of the superseded drawing is that it demonstrates that up to 58 dwellings could be accommodated on this site. The revised access point would likely necessitate a slight reconfiguration of estate roads and corresponding reposition of houses. The balancing pond and landscaped areas could also still be provided. Again, it is important for Members to note that layout is not for consideration as part of this outline planning application.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Conservation Area

### Relevant Planning History:

**14/00804/PREAPP 23rd July 2015 CLO**

Residential development on school playing field (to facilitate a new sports centre for the school)

**95/00443/PF 24th August 1995 PER**

Construction Of New Pool Enclosure And Changing Accommodation To Former Outdoor Pool (Amended Scheme)

**95/00606/PF 21st September 1995 PER**

Enlargement Of Existing Tennis Court Fenced Enclosure And Resurfacing Plus Tarmac Hardplay/Overflow Car Park Provision

**95/00607/PF 21st September 1995 PER**

Floodlighting Of Resurfaced Tennis Courts For Community Use

**95/00661/PF 21st September 1995 REF**

Construction Of New Six Classroom Teaching Block and 500 Sq.m. Hard play Area

**95/00839/PF 16th November 1995 PER**

Construction Of New Six Classroom Teaching Block (Revised Scheme)

**97/00390/PF 26th June 1997 PER**

Provision Of Extended Outdoor Physical Education Hardplay Space, With Basketball Goals

**97/00629/PF 18th September 1997 PER**

Provision Of New Hard-Surfaced Play Area (Alternative To Approved Scheme Cb11022/12) (Retrospective)

**98/01108/PF 10th December 1998 PER**

Formation Of Glazed Enclosures To Existing Covered Ways To Provide Access To Toilets.

**04/00749/FUL 24th June 2004 PER**

New library and classroom block and extension to existing classroom block, including siting of temporary teaching units during construction period

**05/00470/FUL 17th June 2005 PER**

New 2.1m high boundary fencing to Albert Road frontage

**05/01070/FUL 20th September 2005 PER**

Replacement of existing windows to front elevation of main building.

**05/01845/FUL 24th January 2006 PER**

Minor works to existing library block to create new 1st floor teaching space including a main stair extension and fire escape stairs.

**06/00525/FUL 26th May 2006 PER**

Minor works to existing library block to create new first floor teaching space including two external stairs and two new dormers

**06/01065/FUL 25th August 2006 PER**

Works to increase width of existing vehicular access to north of school from Albert Road

**15/01163/OUT      PCO**

Outline application for the erection of up to 58 dwellings (approval sought for means of access with other matters reserved)

**3. POLICIES AND GUIDANCE**

3.1 The following policies and documents are relevant to the consideration both applications.

Adopted Local Plan Policies

CP 1 Sustainable development  
CP 4 Safe and sustainable living  
CP 5 Sustainable transport  
CP 7 Design  
CP 8 Provision of necessary infrastructure and facilities  
BE 1 Open space in conservation areas  
BE 2 Residential character in conservation areas  
BE 3 Demolition in conservation areas  
BE 4 Timing of demolition in conservation areas  
BE 5 Boundary enclosures in conservation areas  
GE 2 Private green space  
NE 3 Biodiversity and geodiversity of local importance  
HS 1 Housing development  
HS 4 Affordable Housing  
UI 2 Development and flooding  
UI 3 Sustainable Drainage Systems  
TP 1 Development and highway safety  
TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

Affordable housing (2004)  
Amenity space (2003)  
Flooding and sustainable drainage systems (2003)  
Landscaping in new development (2004)  
Planning obligations (2003)  
Play space in residential development (2003)  
Security and crime prevention (2003)  
Sustainable buildings (2003)  
Sustainable developments (2003)  
Central conservation area: Pittville Character Area and Management Plan (July 2008)  
Index of buildings of Local Interest SPD (2007)

National Guidance

National Planning Policy Framework

**4. CONSULTATIONS**

**SPORTS FACILITIES – 15/01162/FUL**

**Environmental Health**

*14th August 2015*

I am happy with the submission of the lighting survey.

However I have some concerns about the elevated levels of noise (in particular the noise of the hockey balls hitting the boards around the perimeter fence, and the noise from shouting whilst football is being played/practiced) from the all-weather pitch affecting dwellings in Albert Road.

Consideration should be given to the fitment of buffers to the fence surrounding the hockey pitch, and perhaps an acoustic screen to assist in blocking noise from the pitch affecting nearby noise sensitive dwellings?

Further, some consideration should be given to fitting a clear glazed acoustic screen to the flat roof "breakout area".

All the above should be submitted as a report. You may wish to consider the following condition: -

'No development shall be carried out until a full Noise Assessment is completed and such details have been submitted to and approved by the Local Planning Authority. The details submitted shall include measures to control noise affecting nearest habitable dwellings. All necessary measures highlighted in the report shall be completed to the satisfaction of the Local Planning Authority prior to first use of the proposal'.

*9th November 2015*

With regard to the most recent submission on 3rd September 2015 relating to the "Revised artificial turf pitch ATP proposed plan", superseding those previously, there appears to be a change in the plans but less information than that submitted on 2nd September 2015.

For that reason I would suggest the following condition be attached any subsequent consent: -

#### FLOODLIGHTING SCHEME

Prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that:-

- Light into neighbouring residential windows generated from the floodlights shall not exceed 5 Ev (lux) (vertical illuminance in lux).
- Each floodlight must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical.
- The floodlighting shall be designed and operated to have full horizontal cut-off and such that the Upward Waste Light Ratio does not exceed 2.5 %.

The submitted scheme shall include an isolux diagram showing the predicted illuminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties. Upon completion of the development, and prior to first use, an independent post-completion light survey shall be carried out to ensure actual readings reflect mapped values, and in particular comply with the above values. Thereafter the approved scheme shall be implemented prior to beneficial use and be permanently maintained.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

## NOISE

Noise from the use of the ATP has not been addressed in sufficient detail. There is no indication of the proposed means of reducing noise of hockey balls hitting the fences surrounding the pitch (padding). Further, there does not appear to be a detailed plan of any acoustic barriers between the development and properties in Albert Road.

For that reason I would suggest the following condition be applied:-

No development shall be carried out until a full Noise Assessment is completed and such details have been submitted to and approved by the Local Planning Authority. The details submitted shall include measures to control noise affecting nearest habitable dwellings. All necessary measures highlighted in the report shall be completed to the satisfaction of the Local Planning Authority prior to first use of the proposal.

13<sup>th</sup> January 2016

### Noise

- I have assessed the recent submissions with regard to this application, in particular those relating to the “sound-deadening fencing”. This is in the nature of product information provided by Zaun Limited, the manufacturer of the proposed fencing material. Whilst this literature alleges sound-reducing performance, this has not been related to the situation on the ground, particularly with regard to expected noise from the facility, and its effect on the nearest noise-sensitive dwellings (noise attenuation due to distance, etc.).

Therefore the condition I suggested in my previous consultation response of 17th August 2015 still stands: -

“No development shall be carried out until a full Noise Assessment is completed and such details have been submitted to and approved by the Local Planning Authority. The details submitted shall include measures to control noise affecting nearest habitable dwellings. Predictions of noise levels should include noise from different sports activities, and expected levels of noise at nearby noise-sensitive dwellings. All necessary measures highlighted in the report shall be completed to the satisfaction of the Local Planning Authority prior to first use of the proposal’.

- I consider that the opening times of the facility, in particular the extended opening until 2200 hrs may also give rise to noise complaints. I would consider that a more appropriate closing time of the facility would be 2100 hrs.

### Lighting

- Isolux (illuminance) maps indicate that lighting levels at nearby dwellings when the floodlighting is in use will be within acceptable levels, in the region of <2 lux. However these are predicted levels.

I would like you to consider attaching the following condition, to ensure actual lighting levels post completion are in line with predicted levels, thus:

Light into neighbouring residential windows generated from the floodlights shall not exceed 5 Ev (lux) (vertical illuminance in lux). Each floodlight must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical. The floodlighting shall be designed and operated to have full horizontal cut-off and such that the Upward Waste Light Ratio does not exceed 2.5 %.



Upon completion of the development, and prior to first use, an independent post-completion light survey shall be carried out to ensure actual readings reflect mapped values, and in particular comply with the above values.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

I believe that the above conditions are able to be subsequently discharged.

### **Parish Council**

*11th August 2015*

Objection on the grounds of the proposal being in a conservation area, there are also concerns with flood lights and noise from the sports facilities during the evenings. The Prestbury Parish Council would like this matter to be determined by full planning committee.

### **Heritage and Conservation**

*1st October 2015*

Further to: pre-application site visit and application information

#### Analysis of Site:

Prominent site at the north end of the conservation area, with the site rising from the south to the north. There are important views across the site to the Cotswold Hills to the east and the north boundary of the site contains an important group of trees.

Historic character of the site: The historic character of this area is one of quality and it was originally conceived by Joseph Pitt as a "spacious Regency new town" with the Pump Rooms at its centre. Although much of Pitt's dream was never materialised due to a financial crisis in the 1820s, the quality character of the area has still been retained today. Indeed many of the historic buildings in the immediate vicinity of the site are built in ashlar limestone and some of the new buildings are built in stucco. There are no brick buildings in the area and brick in Cheltenham tends to be used for boundary walls or ancillary buildings.

#### Comments:

##### **GENERAL COMMENTS -**

1. There are long distance views across the site both from the Albert Road and from East Approach Drive, and from the eastern colonnade of the Pump Rooms to the east and to the Cotswold escarpment in the distance. Certainly the green space of this site as existing adds to the rural, green and spacious quality of this part of the conservation area, adds to the far reaching setting of the Pump Rooms, adds the setting of the Pittville School which is a locally indexed building and adds quality to the spacious character and setting of the town.
2. The wider landscaping setting of the area has been clearly defined in section 2.15 (page 8) of the Pittville Character Area Appraisal and Management Plan.
3. The character of this part of the town and this part of the conservation area is educational and so the proposed use as a sporting facility attached to the school is acceptable in terms of the established character of the conservation area.
4. It is understood that the proposed sports hall will be used as a community facility and not just for the school use. This increased use and activity on the site will certainly change the character of the area from a largely residential suburb to a

busier and noisier area with the potential of sporting and possibly social events taking place out of school hours and school holidays.

5. The principle of developing this site is of concern in relation to the proposed development and the harmful impact on the long distance views, and the harmful impact on the character of the conservation area.
6. However whilst it may not be possible to completely eliminate this harmful impact, it may be possible to reduce this impact and every opportunity to reduce the harm must be taken.

#### DETAILED COMMENTS

Notwithstanding the above concerns about the harm of the principle of the proposed development, the following detailed comments focus on how this harm can be reduced and thereby lessen its impact on the conservation area and setting of the Pump Rooms -

1. The site layout is a sensible approach to the location of the proposed new sports building, the multi-sport pitch, tennis courts and the car parking.
2. Again the proposal to change the existing ground levels across the site, so that the north part of the sports hall (ie emergency exit corridor) is semi-buried is sensible.
3. The size and location of the car parking also appears to be sensible, and its impact could and should be mitigated by landscaping.
4. The colour of the surface of the multi sports pitch should be green to look like grass. However the proposed floodlighting and the fencing around the multi-sports pitch will be very visually harmful and this impact needs further consideration.
5. The proposed boundary fencing being a wire fencing is not acceptable for a boundary in the conservation area and I suggest a brick wall is not suitable.
6. **SPORTS HALL**
  - a. The form, mass and layout of the sports hall has been designed to achieve the required facilities and again notwithstanding the above concerns about the principle of the proposals, the form, mass and height are all acceptable with the exception of the external area at first floor level to the east of the sports hall building (ie external terrace area located above the plant, equipment store, and outdoor changing areas) which is unacceptable.
  - b. However I have concerns with the detailed design which are as follows –
    - i. The extensive area of glazing on the south elevation will cause significant heat gain and potentially heat loss. No information has been provided on the proposed method of ventilation, but the approach appears to be mechanical ventilation (ie air conditioning) and this seems a foolish approach when combined with a potential heat gain situation. I strongly urge that building control comments are obtained at this stage. Indeed mechanical ventilation is not a sustainable approach and is questionable.
    - ii. However even if air conditioning is acceptable no information has been provided on plant boled flues or where air condensers will be fitted. Such information should be provided now as these elements could have a major impact on the design and look of the building.
    - iii. The extensive area of glazing on the south elevation will also result in significant light pollution when the building is being used at night. This light

pollution will have a fundamental impact on the appearance of the area when considered individually and in combination with the proposed floor lighting.

- iv. The external area at first floor level to the east of the sports hall building which is unacceptable (ie external terrace area located above the plant, equipment store, and outdoor changing areas), will have a limited visual harmful impact on the conservation area when viewed from the Albert Road; however it will certainly have a harmful impact on the setting of the conservation area when viewed from the proposed pedestrian route to immediately to the north of the site.
- v. In addition the proposed use of this large external area has not been confirmed as a sport associated use (although it has been suggested it could be a viewing area for the multi-sport pitch). Such a suggestion that such a large area would contain spectators is of concern. Obviously suggesting a large number of spectators with possible noise issues and therefore it could also have a negative impact on the character of the area.
- vi. In addition I also have major concerns about the proposed materials of the sports hall. As analysed above this area of the town contains quality buildings of natural stone or stucco render. There are no existing brick buildings in the immediate vicinity. The proposed grey/blue engineering brickwork will in my opinion not be appropriate for the character of this suburb area adjacent to and affecting the setting of the Locally Indexed Pittville school.
- vii. In addition the suggested cement fibre cladding would also not be of a sufficiently high quality finish and material for this very sensitive site.
- viii. In the recent email dated today, the agent has suggested that only the cheaper cement fibre cladding is financially an option. If this is the case then the strategy for raising funds and making grant applications should be reviewed and architectural redesigns be submitted to address the concerns over lack of quality materials.

#### CONSERVATION AND HERITAGE SUMMARY:

I object to the proposals because of the fundamental harmful impact on the conservation area, the harmful impact on the setting of the Pittville Pump Rooms (grade I listed building) and the harmful impact on the Locally Indexed Pittville School.

However not withstanding these fundamental concerns, the detailed design of the proposed development especially the proposed materials of the sports hall, the extent of glazing to the south elevation of the sports hall, the lack of information on the boiler flue and air conditioning/mechanical ventilation extracts, the floodlighting to the multi-sport pitch and the fencing/height of the fencing to the multi-sport pitch and all of significant concern.

#### SUGGESTED REFUSAL REASONS RELATING TO CONSERVATION AND HERITAGE MATTERS:

Refusal reason: The proposed development by virtue of the detailed design of the sports hall, and materials of the sports hall, and floodlighting and fencing to the multi-sports pitch would harm the character and appearance of the conservation area and also harm the setting of the grade I listed building (Pittville Pump Rooms) and the setting of the Locally Indexed building (Pittville school). Accordingly, the proposals are contrary to sections 66(1) and 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990, national policy set out in the NPPF and Historic Environment Good Practice Advice In Planning and policies CP7, BE1, BE5, BE11, and GE2 of the Adopted Cheltenham Borough Local plan.

## **Crime Prevention Design Advisor**

*27th July 2015*

In my capacity as Crime Prevention Design Advisor for Gloucestershire Constabulary I would like to comment on the material considerations of the planning application specifically relating to designing out crime.

I would like to draw your attention to the PDF document attached to the carrying e-mail which provides detail to the following comments.

1. The level of lighting within the car park must comply with BS 5489-1:2003 or equivalent; care should be taken to prevent light pollution into the environment.
2. Care should be taken to ensure landscaping does not hinder surveillance of car park. Hedges and bushes should not be allowed to grow in excess of 1.0 metres and trees, etc should be pruned of any branches below 2.5 metres. Where new planting is undertaken care should be taken to select shrubs, etc that have low natural growth characteristics, i.e. 1.0 metre maximum.
3. Reception needs to be clearly sign posted. The draft lobby should provide a secure 'air-lock' for the Hall.
4. Access to the roof should be controlled.
5. Access Control measures will help prevent unauthorised visitors from accessing internal parts of the Hall.
6. Access into the car park should be controlled; management practices should ensure the complex is secure at all times.
7. Signage should be utilised across the site to provide information, show directions for visitors and to restrict unauthorised access into the complex.

(See annex A as below, referring to your Planning Authority's planning policy.)

It is recommended that the development is built to meet Secured by Design standards. Secured by Design (SBD) is a police initiative owned by the Association of Chief Police Officers (ACPO), to encourage the building industry to adopt crime prevention measures in the design of developments. It aims to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment, where communities can thrive.

Research conducted by Secured by Design has proven that SBD developments are half as likely to be burgled, have two times less vehicle crime and show a reduction of 25% in criminal damage, thereby increasing the sustainability of a development.

Gloucestershire Constabulary's Crime Prevention Design Advisors are more than happy to work with the Council and assist the developers with further advice to create a safe and secure development, and when required assist with the Secured By Design accreditation. Please feel free to contact me should you have any queries or wish to discuss these issues further.

Annex A - Planning Policy

Cheltenham Borough Council's Local Plan which contains Policy CP 4:

Development will be permitted only where it would:

(c) make adequate provision for security and the prevention of crime and disorder; and  
(b) not, by nature of its size, location, layout or design to give rise to crime or the significant fear of crime or endanger public safety.

Accompanying plan - see separate plan

### **GCC Local Flood Authority (LLFA)**

*12th August 2015*

I refer to the above planning application received by the Lead Local Flood Authority (LLFA) on the 22nd July 2015 to provide comment on the surface water flood risk. It is confirmed that the site is situated within the SFRA Flood Risk Zone 1. Furthermore, the Environment Agency's (EA's) uFMfSW shows a low risk from surface water to the site.

Reviewing the applicant's Flood Risk Assessment (FRA) and accompanying documents, it was determined that the applicant has not met local and national requirements due to a lack of information. Therefore, Gloucestershire County Council (GCC) as the LLFA objects to the proposal in its current form. The following points provide further detail of this decision.

The FRA has stated that "a shallow open drainage ditch is noted as running along Albert Road... eventually discharge to the Hyde Brook.....In any event, its limited depth means that it is unlikely to be suitable to receive a restricted discharge from an attenuation based surface runoff system"

- No evidence has been provided to support that the above open ditch is not capable of supporting the attenuated discharge from the site. Thus, the current application does not adhere to the SuDS discharge hierarchy.
- Furthermore, the ditch may have the capacity if modified to accept the site's runoff, this has not been explored.
- The letter dated 16th December 2013 from Severn Trent Water (STW) agrees in principle the discharge of surface water to the combined sewer at a limited rate of 5 l/s for 70 dwellings within a prescribed boundary. The prescribed boundary includes the extents of two applications (15/01162/FUL and 15/01163/OUT); STW's letter does not acknowledge two applications.
- Both planning applications state a discharge of 5l/s to the combined sewer system will be implemented. However, it appears STW has not given agreement to two 5l/s discharges from each application. (i.e. no agreement has been given for the applications 15/01162/FUL and 15/01163/OUT to connect to the combined sewer separately, with a total discharge of 10 l/s).
- The applicant has not provided a sufficient level of detail of the current (i.e. the existing) runoff rate. Therefore, it has not been possible to determine if the level of betterment for the site is in line with Gloucestershire County Council policy for a site that has been previously developed on.
- The applicant has failed to supply the location and extent of the SuDS installation features and conventional drainage system.
- The applicant has failed to demonstrate that the attenuation storage is sufficiently sized to accommodate the attenuated flows from the site.

Therefore, the LLFA require further information including the below to determine if the sports centre development at Pittville School, Albert Road is technically feasible in terms of surface water drainage, and does not increase flood risk to the site or elsewhere.

- 1) The existing runoff rate for the site during a Q100, Q30 and QBar return periods (i.e the greenfield runoff rates). This will need to include the calculations and parameters used to delineate the results. The runoff rates for hydrological purposes should take in to account the full boundary of the site and include the runoff from all permeable and impermeable surfaces.
- 2) The proposed site's total runoff rate and attenuation volume for the Q100, Q30 and QBar return periods. This will need to include the calculations and parameters used to delineate the results. The runoff rates and volumes for hydrological purposes should take in to account the full boundary of the site and include the runoff from all permeable and impermeable surfaces.
- 3) A demonstration that the peak runoff rate of the whole site during all events up to and including the 1 in 100 year event plus climate change will not exceed that of the existing runoff rate. For hydrological purposes the demonstration should include the runoff from all permeable and impermeable surfaces that are within the site boundary.
- 4) A detailed assessment with accompanying evidence that the existing open drainage ditch can or cannot be utilised for the discharge of the development's surface water.
- 5) Clarity on the agreed discharge with Severn Trent to the combined sewer system. This should include but not limited to, the agreed number of discharge points within the prescribed boundary and if Severn Trent are accepting 5 l/s discharge of surface water to the combined system from each planning application with the boundary (i.e. 15/01162/FUL and 15/01163/OUT)
- 6) Provide detail on the location and extent of all Sustainable Drainage features and conventional drainage system that will service the surface water runoff.

Future management and maintenance of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not therefore been considered by the Lead Local Flood Authority.

Please note, any revised documentation will only be considered when resubmitted through [suds@gloucestershire.gov.uk](mailto:suds@gloucestershire.gov.uk) e-mail address. Please quote the planning application number in the subject field.

*5th October 2015 - From: Sally Tagg*

*Sent: 16 September 2015 13:22*

*To: Lucy White*

*Subject: FW: 822 - Pittville School - Local Flood Authority Responses - 15/01162/FUL & 15/01163/OUT*

*Dear Lucy,*

*I write in relation to both Pittville School applications and consultation responses from Gloucestershire County Council as the Lead Flood Authority and dated 11/08/15 and 12/08/15.*

*Our Flood Consultant has reviewed the responses and his comments on each application are as follows.*

**15/01162/FUL - Sports Centre**

1. *An assessment of the existing site contributing impermeable area has been made within the FRA, together with the associated 1yr surface water run-off rate. With a max. restricted positive discharge rate of 5 l/s shown to be offering significant betterment in this 'regular' event, it is clear that this betterment will only increase further for the more extreme, and rarer, 30yr and 100yr events.*
  - *The FRA suggests the runoff value supplied for the 1yr event is for the positively drained area only. The FRA drainage calculations/values do not consider the existing runoff from the permeable areas which will be developed on, and thus altered. The LLFA expects existing runoff calculations to be conducted on the entire site up to the site boundary. This is to ensure all areas that are developed on or altered will be considered in the drainage calculations.*
  - *However, upon further interrogation of the FRA and the above point it has been seen that the level of betterment provided by discharging the 0.612ha of impermeable area at 5 l/s will provide a significant betterment from the current situation.*
  - *The discharge rate of 5l/s from the positively drained area is now considered acceptable for the sport hall site's drainage strategy.*
2. *The size of attenuation structure required has been calculated within the FRA, based on the worse case 100yr climate change event. Furthermore, the FRA also states the location of the proposed structure. Graphical confirmation can, however, be provided if the text is not sufficiently clear.*
  - *The LLFA expects for full planning applications the inclusion of a graphical demonstration(s) to show all proposed drainage features (e.g. storage or swale) are technically feasible.*
3. *The depth of the adjoining highway ditch is approximately 0.5m. The depth of the proposed attenuation structure is 2m. Regardless of the capacity of the ditch, it is evident that a gravity discharge will not be viable. It is our recommendation that a pumped surface water discharge is avoided wherever possible.*
  - *Agreed, a pumped surface water discharge should be avoided. However,*
  - *LiDAR suggests the field to the south of the site has enough slope to permit gravity discharge to Wyman's Brook directly. Using a swale or similar structure to convey the water directly to the Brook would provide substantial water quality benefits. The feature could include a storage element, eliminating the requirement for tanked storage. The LLFA requires this concept to be fully considered for the application to comply with the SuDS discharge hierarchy.*
4. *A 5 l/s discharge is widely accepted, including by STW and the EA, as being the lowest practical discharge rate, regardless of prevailing Greenfield or existing positive discharge rates. For a site with a gross area of 1.62 ha, this would, however, represent a QBAR Greenfield equivalent rate of around 3 l/s/ha which is considered perfectly acceptable.*
  - *The FRA suggests a restriction of 5l/s is applied to the 0.612ha area of impermeable area (~8.2 l/s/ha), thus does not represent the site's gross runoff rate of 3 l/s/ha.*

- *The LLFA requires the runoff from permeable area to be considered in the runoff calculations, and therefore contribute to the calculations of the restricted flow from the drained hard-standing areas.*
  - *However, upon further examination of the FRA, the above response, a 5l/s restriction on the impermeable area only will meet the sufficient level of betterment required on the whole site. Therefore,*
  - *The discharge rate of 5l/s from the positively drained area is now considered acceptable for the sport hall site's drainage strategy.*
5. *STW was originally approached when this site and the adjoining residential site were a single entity. They have not been re-approached by virtue of the proposed restricted discharge from the Sports Centre site offering significant betterment in the post development scenario. Indeed, we understand that STW have now responded under formal consultation with no objection.*
- *Evidence of STW "no objection" to the application has been made available on Cheltenham Borough Council's Planning Portal. This is longer a concern for the LLFA for the Sports hall site.*

*In summary, the LLFA accept the proposed formal discharge rate of 5 l/s for sports hall site. However the LLFA retains the original decision to object to planning application, and request for additional information and considerations to be made, including in no particular order:*

- 1) *Graphical confirmation that the underground storage is technically feasible on the site.*
- 2) *Full consideration of utilising the existing drainage ditch and/or Wyman's brook to discharge the surface water.*

### **15/01163/OUT - Residential**

1. *The site is Greenfield with a gross area of 2.13ha. The proposed restricted discharge rate of 5 l/s therefore equates to a Greenfield equivalent of 2.3 l/s/ha which is considered to be a perfectly reasonable QBAR allowance. Furthermore, as per the comments in respect of the Sports Centre site, a 5 l/s restricted discharge rate is considered the lowest practical rate. With the proposed discharge rate not exceeding 2.3 l/s/ha and given the extent of on site attenuation being proposed, accommodating up to the 100yr climate change event, it is clear that there will be no increase in flood risk in any event up to the 100yr climate change and a reduction in more extreme events. The worse case 100yr climate change event has been used to size the balancing pond. The discharge rate will clearly reduce as the head reduces in the less severe events.*
  - *The FRA states the contributing area of the 5 l/s runoff rate is approx. 0.55ha (~9 l/s/ha for 0.55ha) - This is a significant increase in runoff for the impermeable area if the greenfield runoff rate is 2.3l/s/ha at QBAR. A 0.55ha area at 2.3l/s/ha = 1.27 l/s at QBAR, approximately 4.18l/s for the 1% event.*
  - *5 l/s has been set as a maximum by STW and does not mean it needs to be adhered to as the site's maximum. Discharge values below 5 l/s can be achieved with good design.*



- *With the proposed discharge rate the development will not comply with S2 and S4 of the non-statutory technical standards for sustainable drainage.*
2. *Again referring back to the comments made above, STW was originally approached on the basis of these sites being a single entity. With the Sports Centre discharge being significantly offset by the betterment being provided by the proposed on site attenuation on that site, the proposed 5 l/s associated with the residential development is expected to remain acceptable. I would suggest awaiting STW's formal response on this application before actioning further.*
- *Evidence of STW "no objection" to the application has been made available on Cheltenham Borough Council's Planning Portal. The connection to STW's sewer is longer a concern for the LLFA for the residential development. However,*
  - *irrespective of STW agreement for a 5l/s connection, the LLFA requires the runoff to be discharged at the greenfield runoff rate for the site to comply with the non-statutory technical standards for sustainable drainage.*

In summary, the LLFA accept STW's "no objection", however the LLFA does not accept the proposed runoff rate as the FRA does not sufficiently demonstrate that this rate matches the current greenfield runoff rate.

Because the application is an outline submission, and STW has given "no objection" to the development (i.e no objection to connect to the sewer subject to conditions) the LLFA would be satisfied with rescinding the original objection on the basis the proposed runoff rates are investigated/accommodated in the detail design. This can be addressed in the following condition:

Condition:

Development shall not take place until a detail drainage scheme for surface water has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall adhere to the requirements for greenfield developments set out in the non-statutory technical standards for sustainable drainage. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure satisfactory drainage of the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

22nd October 2015

Addendum to Consultee response.

PROPOSED: Erection of indoor sports centre, artificial turf pitch, tennis courts, floodlighting, associated parking and landscaping and including demolition of two dwellings.

Discussions with the developer's engineer, Richard Fillingham have been made regarding the above planning application. Subsequently, Richard on behalf of the developer submitted further detail on the drainage scheme (see attached: Pittville School Hall - SW attenuation) and has demonstrated the most recent proposal is technically feasible.

In spite of this, the development in its current form does not adhere to the Building Regulation H's discharge hierarchy, and therefore does not meet the LLFA's requirement. To address this, an investigation has been agreed to be undertaken by the engineer to

determine the feasibility of utilising Wyman's Brook as the final discharge point. This will ensure the application complies with the discharge hierarchy.

On the basis that the current drainage proposal has been demonstrated to be technically feasible and adheres to the next hierarchy after discharging to a water body, it was agreed with the LLFA that the investigation could be addressed through a condition. It is essential the discharge hierarchy is addressed prior to the submission of a detail drainage scheme as it may have implications to the general strategy and current drainage layout.

Therefore, based on the recent submitted detail and agreement for an investigation, the LLFA would like to rescind the original objection to the planning application 15/01162/FUL, subject to the following conditions.

- 1) Condition: No development approved by the permission shall be commenced until an appropriate investigation in to the feasibility of using Wyman's Brook as the discharge point for the development has been submitted to and agreed by the Local Planning Authority  
Reason: To ensure the development complies with Building Regulation H discharge hierarchy, and therefore not increase flood risk outside of the site.
- 2) Condition: No development approved by the permission shall be commenced until a detailed drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy must be designed to manage all flows and volumes up to and including the 1 in 100 year event plus climate change as required by the National Planning Policy Framework. The strategy must reflect the findings of Condition 1.

Please see Attenuation Tank plan in documents tab.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality

Future management and maintenance of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not therefore been considered by the Lead Local Flood Authority.

*12<sup>th</sup> January 2016*

I refer to the revision notice received by the Lead Local Flood Authority (LLFA) on 11th December 2015 for the above planning application for comment on the surface water flood risk and surface water management. Reviewing the revisions, the drawing "Revised proposed site layout – Residential development" (i.e. Dwg: (SK)06 Rev: E) in particular affects the LLFA decision on the planning application.

On the basis the latest revision voids drawing no. (SK)06 Rev:D and the information it provided, the LLFA OBJECTS to the proposal in its current form. This is due to:

- The revision omits the original submission detailing the site layout which contained aspects of the drainage strategy. Without the layout it is not possible for the LLFA to determine if the site's proposal is technically feasible with respects to surface water management, and will not increase flood risk elsewhere. National best practice states a "drainage strategy/statement & sketch layout plan" shall be submitted with an outline application (LASOO, 2015). The "location and extent of the SuDS installation features and drainage system provided" is also a requirement within Gloucestershire County Council's SuDS Design and Maintenance Guide (2015) for outline submissions.

- Furthermore, the development site is currently greenfield and therefore any development has the potential to adversely impact the risk of flooding if the surface water is not dealt with appropriately. Therefore, evidence is required to ensure an appropriate drainage system matching the development's strategy can be deployed at the site.
- Cheltenham, and in particular Pittville Ward has experienced severe flooding, notably to the south of the development along Wyman's Brook. The development falls within the brook's hydrological catchment. It is therefore paramount the application demonstrates the development it will have no adverse impacts in terms of flood risk to the site or elsewhere. Providing an indicative layout of the SuDS system etc. provides a proof of concept.

Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the Lead Local Flood Authority.

**Severn Trent Water Ltd**  
*13th August 2015*

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.

**GCC Highways Planning Liaison Officer**  
*4th December 2015*

This response is based on the following amended information:  
Second Technical Note Highways Nov 15

Existing School Parking Numbers Plan

The proposed development will be available for use primarily by Pittville School, however it will also be available for use by the local community and local sports and athletics teams. It has therefore been necessary to ensure that there is adequate parking for the peak use of the site, which is likely to be in the evenings and weekends. The site is located in a sustainable location, where walking, cycling, and the use of public transport are realistic alternative to the use of the private car.

The information submitted by the applicant has made it difficult to determine if the 59 parking spaces is suitable for the proposed use, as the parking accumulation undertaken has not been done using a similar donor site. However, GCC is satisfied that the 59 parking spaces together with the agreed overflow parking of 65 spaces will be suitable to accommodate the peak demand of the site. No details of cycle parking have been included,

therefore a planning condition will be recommended. The impact of the development in the traditional peak hours will be minimal. The impact in the evenings and weekends will be greater, however base traffic flows are much lower in the evenings and weekends, therefore there is ample spare capacity on the network to accommodate the additional traffic likely to be generated by the development.

I recommend that no highway objection be raised to this application subject to the following conditions being attached to any permission granted:

Condition 1

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework. .

Condition 2

The development hereby permitted shall not be occupied until secure and covered cycle storage facilities have been made available in accordance with details to be submitted to and approved in writing by the LPA and similarly maintained thereafter.

Reason: - To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

Condition 3

Prior to beneficial occupation, the vehicular parking facilities shall be provided in accordance with the submitted plan and those facilities shall be maintained available for those purposes thereafter.

Reason: - To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

Condition 4

No works shall commence on site until details of the Car Park Management Plan (CPMP) have been submitted to and approved in writing by the Local Planning Authority, the approved CPMP shall be implemented prior to beneficial occupation of the proposed development and shall be retained for the duration of development thereafter.

Reason: - To reduce potential highway impact, in accordance with paragraph 32 and 35 of The Framework.

Condition 5

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 10m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework.

#### Condition 6

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: - To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

#### Informative

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Work Agreement (including an appropriate bond) with the County Council before commencing those works.

#### **Tree Officer**

*14th August 2015*

The Tree Section has no objections with this application. The Tree Section has noted that the Tree Protection Plan is labelled as a draft. It is presumed this is an admin error as the Arboricultural report and plans are adequate with regards to tree protection.

Should this application be granted, please use the following condition and informative:

#### Tree Protection (vertical and horizontal protection)

Tree protection (fencing and no-dig construction) shall be installed in accordance with the specifications set out within the Arboricultural Report reference Sports Application, Pittville School and the Tree Protection Plan Drawing Number GL523JD/FOX/TPP(draft) dated April 2015. The tree protection shall be erected/installed, 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.

INFTR - is strongly recommended that suitable leaf guards to cover guttering and down pipes are installed onto external rain drainage pipework so as to reduce the incidence of such blocked pipework as a result of tree related litter-fallen leaves, twigs, fruit etc.

#### **Landscape Architect**

*24th August 2015*

Further to:

Site visit 13/08/2015

### General Comments

Whilst appreciating Pittville School's desire to improve its sports facilities, it is nevertheless regrettable that this should require the disposal of a playing field and the erosion of urban green space that this implies.

The proposed development of the Starvehall Farm land to the east of the application site will increase the urbanisation of this part of Cheltenham. Under these circumstances the contribution that the school playing fields make to the spacious character of the town becomes even more important and should be taken into account in accordance with Local Plan Policy GE 2 Private Green Space.

Ref: 15/01163/OUT Pittville School

i. Pedestrian path from proposal site to Albert Road

The proposed pedestrian path linking the application site to Albert Road is a matter of concern because it is difficult to see how this route can be made safe, especially at night. Pedestrian paths should always have good informal surveillance to help reduce crime and the fear of crime. In this case the path is not overlooked at all (nearby university residences are screened by large trees).

In addition, during discussions with representatives of Pittville School at a recent site visit, the installation of security fencing along the school boundary was mentioned. The school is considering this in order to protect its land and property. There is already security fencing along the university's boundary. If there were to be fencing along the school boundary as well, the resulting enclosure of the path could make it appear intimidating, especially after dark.

The Design & Access Statement says that this path will provide a link to bus services on Albert Road. While in principle this might be useful to local residents, the wisdom of providing a path which has inherent safety issues is questionable.

Lighting the path would not provide a remedy - it is the potential enclosure and lack of informal surveillance that is the problem.

This access path should either be removed from the scheme or redesigned to avoid creating opportunities for crime and the consequent increase in the fear of crime.

Reason: In the interests of local security, in accordance with Local Plan Policy CP4 (Safe and Sustainable Living).

ii. Site layout

• Views

Extensive views of the Cotswold escarpment are obtained from the site. The site layout should be arranged to take advantage of this.

- Plots 37-47 have back gardens abutting a public path. This is not acceptable as it makes rear gardens vulnerable to anti-social behaviour. The site layout should be re-worked to avoid this arrangement. (Note: The housing layout shown in Appendix 2 of the Design & Access Statement avoids this problem.)

• Courtyard Parking

It is not clear from the drawing if the courtyard parking for the apartments is enclosed by a boundary. Please could this be clarified.

Ref: 15/01162/FUL Pittville School

The principal concern with this application is the effect on the pedestrian pathway along the northern edge of the site, as described above.

Further Information Required (both applications)

Should planning permission be granted, prior to commencement of development, the following information should be submitted in writing for the approval of the Local Planning Authority:

- Detailed schemes for hard and soft landscaping
- Timing of landscaping works
- A maintenance plan for first 5 years following planting, including SuDS
- Long-term maintenance arrangements and plans for the landscaped areas, including SuDS.

It would be preferable if this information could be submitted at Reserved Matters application stage rather than through Planning Conditions.

*26th August 2015*

Further to:

Site visit 13/08/2015

Drawing (SK)06 Proposed Site Layout - Residential Development

Drawing (SK)05 Proposed Site Layout - Sports Centre

General Comments

Whilst appreciating Pittville School's desire to improve its sports facilities, it is nevertheless regrettable that this should require the disposal of a playing field and the erosion of urban green space that this implies.

The proposed development of the Starvehall Farm land to the east of the application site will increase the urbanisation of this part of Cheltenham. Under these circumstances the contribution that the school playing fields make to the spacious character of the town becomes even more important and should be taken into account in accordance with Local Plan Policy GE 2 Private Green Space.

**Sport England**

*17th August 2015*

It is understood that the site forms part of, or constitutes a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

Sport England is therefore a statutory consultee and has assessed the application in the context of its policy to protect playing fields, 'A Sporting Future for the Playing Fields of England', which is in line with paragraph 74 of the National Planning Policy Framework (NPPF).

Essentially, Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or part of a playing field, unless one of five exceptions applies.

A copy of 'A Sporting Future for the Playing Fields of England', which includes the five exceptions, can be found at: <http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/>.

The application seeks full planning permission for the erection of a sports centre (containing a four court sports hall, changing rooms, gym, fitness studio and classroom), an artificial grass pitch with fencing and floodlights, four tennis courts, access and car parking facilities. The application also seeks consent for the demolition of two dwellings in a conservation area.

The application site is located to the north of the existing school buildings and the land currently accommodates tennis courts, a separate hard surfaced play area, a pair of semi-detached houses and a grass play area.

Sport England has examined the plans, drawings and documents accompanying the application and comments as follows:

1. In the Design and Access Statement, it is stated that "All sports facilities have been designed to Sport England guidelines and recommendations... ". However, the 'Proposed Floor Layouts' (drawing numbered (SK) 10 Rev. D) shows an equipment store which is less than the recommended minimum size of 12.5% of the area of the sports hall (see Sport England's Design Guidance Note Sports Halls Design and Layouts, 2012, p.22) <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/sports-halls/>.
2. The strategic need for an artificial grass pitch, which is suitable for hockey, has not been demonstrated through a robust and up-to-date assessment of needs carried out in accordance with paragraph 73 of the NPPF. In its comments on the parallel application for outline planning permission (15/01163/OUT) Sport England explained why the Playing Pitch Assessment Report accompanying that application was not considered to be a robust and objective assessment of needs. The study area was too small and the pitch sport National Governing Bodies (NGBs) had not been actively involved in the assessment process.

It should be noted that Sport England's Facilities Planning (<http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/facilities-planning-model/>) uses travel times to define facility catchments in terms of driving and walking. The model includes a distance decay function, where the further a user is from a facility, the less likely they will travel. The majority of visits made to swimming pools, sports halls and artificial grass pitches (AGPs) are made by car, with a significant minority of visits to pools and sports halls being made on foot. Survey data shows that almost 90% of all visits, car borne or walking, are made within 20 minutes. Hence, 20 minutes is often used as a rule of thumb for catchments for sports halls and swimming pools. For AGPs, there is a similar pattern to halls and pools, with hockey users observed as travelling slightly further (89% travel up to 30 minutes). With the majority of visits made by car and hockey users being prepared to travel up to 30 minutes, it is clear that a 2 mile radius from the school is not a suitable catchment when undertaking an assessment of needs for this type of facility.

While it is noted from the 'Sports Statement' accompanying the application that there is interest in the proposed pitch from Cheltenham Hockey Club (paragraph 4.22), this does not amount to evidence of a strategic need for the facility. The views of the pitch sport NGBs, on the proposals the subject of this



application, are currently being sought and will be forwarded to the local planning authority shortly.

3. The 'ATP Proposed Plan' (drawing numbered 01 Rev. 03) is annotated with a "3G Artificial Playing Area". In contrast, the 'ATP Technical Information to Assist Planning' document states that, "The project aspirations include the construction of a new artificial hockey pitch to deliver quality performance for competitive hockey, training and youth development and other associated PE curriculum activities" (p.7). It adds that the playing surface will be "partially filled with silica sand (sand dressed)" (p.9). The document then contradicts itself by saying "The proposed playing surface (synthetic carpet of tufted construction) should replicate the qualities of a good natural grass football pitch" (p.13). If hockey is the principal sport to be accommodated on the proposed pitch, a sand dressed surface should be chosen. This is the preferred type of playing surface for competitive hockey and will also be suitable for football training. A 3G (rubber crumb type) playing surface will be of limited or no use at all for hockey depending on the depth of pile. Please see Sport England's Design Guidance Note, Artificial Surfaces for Outdoor Sport 2013 (Table 3, p.24) <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/artificial-sports-surfaces/>. The drawing should be amended to remove reference to a 3G Artificial Playing Area and the reference to football pitch removed from page 13 of the document. Otherwise, further explanation is needed regarding the principal sport to be played on the proposed pitch and the choice of playing surface.
4. The 'ATP Proposed Plan' (drawing numbered 01 Rev. 03) is further annotated with "full sized football markings". A full sized football pitch measuring 100m x 64m (106m x 70m including runoff) cannot be accommodated within a fenced enclosure measuring 101.4m x 63m. A full sized hockey pitch measuring 91.4m x 55m (with 5m runoff at each end and 4m runoff each side) and a Youth U15/U16 11v11 football pitch measuring 91m x 55m (97m x 61m including runoff) can be accommodated. The drawing requires amendment to confirm the correct size of football pitch.
5. The 'Proposed Site Layout – Sports Centre' (drawing numbered (SK) 05 Rev. D) appears to show the position of the lighting columns inside the fencing for the artificial grass pitch. The 'ATP Proposed Plan' (drawing numbered 01 Rev. 03) indicates them positioned outside the fencing. The columns will need to be sited outside of the fence to be clear of the pitch safety margins (i.e. runoff).
6. The application appears to contain no information regarding the surface of the proposed tennis courts and the fencing that will surround them.
7. The 'Planning Statement' indicates that a Draft Community Use Agreement has been prepared and submitted with the application. However, this is not available to view among the list of documents on the Council's website. This is an important document and needs to be made available for consideration.
8. The 'Planning Statement' also refers to a Draft Business Plan which, for reasons of commercial confidentiality, has not been made public. Consequently, the Council will need to satisfy itself that the Plan makes adequate provision for the management and maintenance of the sports facilities, including measures to ensure replacement of the playing surface of the artificial grass pitch at the end of its useful lifespan (usually a period of 10-15 years).

The application has not fully demonstrated that the proposed sports facilities will be fit for purpose and sustainable in the longer term. Therefore, it is not yet possible to conclude that

the proposed development fulfils the circumstances described in exception E5 of Sport England's Planning Policy Statement or the third bullet point in paragraph 74 of the NPPF.

*21st September 2015*

I refer to Sport England's letter dated 14 August 2015 and to the Council's letter dated 2 September 2015. In the former, Sport England set out its comments on the proposed development and stated that the views of the pitch sport National Governing Bodies (NGBs) were being sought and would subsequently be forwarded to the Council. In the latter, Sport England was informed about the submission of revised plans and/or additional information as part of the application.

The views of The Football Association, Rugby Football Union, England Hockey and Lawn Tennis Association are set out below.

#### The Football Association (The FA)

1. From the ATP Technical Information document, it is clear that the proposed facility is a sand dressed ATP to meet the performance specification for hockey. This could provide a training facility for football but would not permit match play as the facility would not be a 3G FTP [Football Turf Pitch]. There is a high number of sand dressed/sand based pitches in the Cheltenham area and EH [England Hockey] will need to determine the strategic need in the absence of a current Playing Pitch Strategy.
2. The FA would encourage footballers to use a 3G FTP where available, for both training and match play, which could affect any business case that has been made.
3. The FA would question the need for an additional sand based ATP in the absence of a Playing Pitch Strategy to provide direction.
4. For football, there is currently one full size 3G pitch in the Cheltenham area. Additional 3G pitches are planned to be constructed in the northern part of Gloucester City and there are a number of potential similar projects in the Cheltenham area.
5. To meet with The FA's approval and be placed on The FA register for 3G Football Turf Pitches: <http://3g.thefa.me.uk/> any 3G pitch would need to meet the design specifications contained on Page 29 of The FA Guide to 3G Football Turf Pitch Design Principles and Layouts (<http://www.replaymaintenance.co.uk/downloads/ftp-tech-guide.pdf>) and the performance standard should meet FIFA 1\*.
6. Discussion with England Hockey would be needed to establish the required surface and whether this would be sustainable. A recognised playing pitch strategy is needed and consideration of a suitable business plan to avoid displacement from other local facilities.

#### Rugby Football Union (RFU)

The RFU has advised that the application does not affect the current or future provision of Rugby Union and it does not wish to comment on this proposal.

#### England Hockey (EH)

England Hockey has advised that there are currently a good number of Hockey compliant AGPs [Artificial Grass Pitches] in Cheltenham. The majority are at private school sites and can be difficult for community clubs to access. A new pitch with a community use agreement could be beneficial. EH would need to work with The FA to discuss the 3G/Sand pitch balance within the Cheltenham area. It adds that the plans make reference to 3G and sand, so are a little confusing. Some clarity would be useful.

### Lawn Tennis Association (LTA)

1. The LTA would not consider the existing tennis courts to be in poor condition and would suggest that average would be a more appropriate classification of the condition.
2. The current usage of the courts is mainly through school use with some limited tennis in the summer. For schools only usage the LTA would consider four replacement courts to be a suitable compromise. However, if additional community access is intended then six floodlit courts would be better and would allow greater participation in tennis.
3. The new courts should be constructed in accordance with the SAPCA Guide for the Construction of Tennis Facilities. From the information provided, the LTA cannot comment on the suitability of the technical design as there is no detail given, ranging from the overall size of the facility to the type of surface or the specification for floodlighting. Additional information is required before the LTA could make a formal judgement on the project.

### The Revised Plans

The revised information, submitted as part of the application, is understood to comprise:

- ATP Proposed Plan (drawing numbered 01 Rev 5)
- Proposed Site Layout ;V Sports Centre (drawing numbered (SK)05 Rev E)
- Proposed Floor Layouts (drawing numbered (SK)10 Rev E)
- Proposed Site Section (drawing numbered (SK)15 Rev D)
- ATP Technical Information to Assist Planning Revision 4 dated 26 08 2015.

Sport England notes:

1. The sports hall equipment store has been increased in size to accord with Sport England's design guidance.
2. The ATP Proposed Plan has been amended by the removal of reference to a 3G Artificial Turf Playing Area (simply stating Artificial Turf Playing Area instead) and the reference to football pitch has been removed from page 13 of the ATP Technical Information to Assist Planning document.
3. The ATP Proposed Plan has been further amended to confirm the correct size of football pitch.
4. The Proposed Site Layout and Proposed Site Section have been amended to show the lighting columns sited outside of the fence, clear of the pitch safety margins.

The revised information is helpful in clarifying the principal sport to be played on the proposed artificial grass pitch and the choice of playing surface. It also brings the design of the proposed facilities into line with published guidance. However, the strategic need for an artificial grass pitch for hockey in this location has still not been demonstrated, there is no further information regarding the design of the proposed tennis courts and the draft Community Use Agreement remains unavailable.

Therefore, it is still not possible to conclude that the proposed development fulfils the circumstances described in exception E5 of Sport England's Planning Policy Statement or the third bullet point in paragraph 74 of the NPPF.

In light of the above, Sport England maintains its objection to the proposal the subject of this application.

Should your Council be minded to grant planning permission for the development then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the National Planning Policy Guidance the application should be referred to the National Planning Casework Unit.

### **Strategic Land Use Team**

*21st October*

The relevant policy document for consideration in regard to this application is the adopted Cheltenham Borough Local Plan Second Review 2006 (the local plan); Material Considerations include National Planning Policy Framework (NPPF), national Planning Practice Guidance (PPG) and the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Document (November 2014).

The NPPF seeks to achieve sustainable development, deliver a wide choice of high quality homes (chapter 6), support access to high quality open spaces (para 73) and protect existing open space (para 74). The presumption in favour of sustainable development places the development plan as the starting point for decision making (paragraph 12). The PPG provides further supporting guidance on open spaces online .

The local plan constitutes the 'Development Plan' for the purpose of these applications and should be read as a whole according to the degree of consistency of its policies with the NPPF and PPG.

For clarity these comments refer to two applications, the first (15/01163/OUT) seeks outline planning permission for residential development (up to 58 dwellings) and the second (15/01162/FUL) the erection of indoor sports centre, artificial turf pitch, tennis courts, floodlighting, associated parking and landscaping and including demolition of two dwellings.

#### Housing Land Supply

The NPPF states applications should continue to be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to date if the local authority cannot demonstrate a five-year supply of deliverable housing sites.

At the 1st April 2015 and using the JCS housing requirement for Cheltenham, the Council cannot demonstrate a five year supply of housing as prescribed by paragraph 47 of the NPPF.

The presumption in favour of sustainable development is a 'golden thread' running through both plan-making and decision-taking. For decision taking this means that (unless material considerations indicate otherwise) development proposals that accord with the development plan should be approved without delay.

Where the development plan is absent, silent or relevant policies are out of date then the presumption in favour of sustainable development means that (unless material considerations indicate otherwise) permission should be granted unless; any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the NPPF policies as a whole or specific NPPF policies indicate development should be restricted.

Having regard to Cheltenham's housing supply and the principles established in paragraph 49 of the NPPF, relevant local plan policies for the supply of housing should be considered

out of date. Although, paragraph 14 makes it clear that (unless material considerations indicate otherwise) where specific policies, including heritage assets, indicate that development should be restricted then the presumption in favour of granting permission does not apply.

It should be noted that policies which seek to protect open spaces and heritage assets are not considered to be relevant local plan policies for the supply of housing and therefore remain relevant, however the supply of housing as part of the application is a material consideration which would help to meet need.

### Open Spaces

The site identified in application 15/01162/FUL is a school playing field in the northern part of Pittville School campus. Immediately to the south of the site (but north of Pittville School building) is where the proposed sports facilities are to be built (application 15/01163/OUT). This currently has a mixture of hard asphalt courts (playground, tennis and basketball/netball courts) and an informal grassed open space.

The proposed site for residential development, a school playing field, is privately owned by the school and according to evidence submitted by the applicant has not been used for several years; although the field is well maintained for aesthetic reasons. There is no evidence to suggest the site is available for community use. Neither site is identified as public open space in the local plan.

The local plan (policy GE2: private green space) finds that some of the most extensive and important private green areas are school grounds and especially those located in the central conservation area. The local plan recognises the need for schools to improve their facilities to flourish in a competitive market and it also recognises the importance of their contribution to the prosperity and image of Cheltenham. For these reason the local plan states the Council will work with schools to find suitable locations within or near their holdings, which would not harm areas of significant townscape and environmental value.

The local plan includes a policy on outdoor playing facilities in educational use (policy RC3), it states development of playing fields and other outdoor playing facilities in education use will not be permitted. The applicant will need to demonstrate the loss of a school playing field is not likely to result in a future shortage of land for educational recreation or other operational requirements; or the proposal is non-operational, and the land could make a valuable contribution to meeting an identifiable community need for outdoor play facilities.

The NPPF is clear that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless it can be demonstrated otherwise. It provides three exceptions and the burden of proof lies with the applicant to demonstrate one of the three bullet points.

The applicant must:

1. undertake an assessment which has clearly shown the open space, buildings or land to be surplus to requirements; or
2. demonstrate the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
3. demonstrate the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

The PPG guides authorities and applicants to refer to Sport England's guidance on how to assess the need for sports and recreational facilities . Sport England has objected to the application.

NPPF Paragraph 73 is set in the context of 'planning policies', where it provides local planning authorities with guidance on how to base their planning policies and local plans on up-to-date and robust evidence.

In the absence of up-to-date evidence the applicant has undertaken a playing pitch assessment based on Sport England's guidance . The Council has yet to undertake a full review of all green spaces and playing pitches in Cheltenham to support the emerging Cheltenham Plan. This review is scheduled to start in late 2015 and is due to be published in Spring 2016.

Sport England does not consider the evidence to be robust and or an objective assessment of needs. It believes the study area is inappropriate to assess the needs and should be undertaken across the whole local authority area and possibly wider where there are cross boundary issues. Furthermore Sport England does not agree with the study area, contrary to the applicant's assertions in paragraph 4.10 of the submitted playing pitch strategy.

It is acknowledged the applicant has not undertaken a full playing pitch strategy, although their assessment does follow the same methodology as prescribed by Sport England guidance. The playing pitch assessment uses a two mile radius from the playing field, which equates to an area of 12.6 square miles; covering much the northern, eastern and southern urban areas of the town and southern parts of Bishop's Cleeve. To provide some perspective the Borough area is approximately 18 square miles.

The NPPF advocates proportionality when collecting evidence. In the absence of an up-to-date local authority playing pitch strategy the applicant's assessment should be seen as nothing less than a proportionate response to collecting evidence.

Sport England find that bullet points two and three (of NPPF paragraph 74) do not apply as the proposed development does not feature a replacement playing field and the proposed development is not for an indoor or outdoor facility, respectively. As a result Sport England finds the applicant has not provided a robust assessment of needs and therefore objects to the proposal.

The application is more nuanced than Sport England's position which appears to assess the existing playing pitch on its own merits and does not account for application 15/01162/FUL. It would be wrong to consider the two sites separately especially considering proposals on the southern site seek to offer an improved sport provision. The two applications are intrinsically linked.

We should seek guarantees on when the new sports facilities will be provided. It would be advantageous to include S106 conditions requiring the applicant to deliver the sport facilities alongside the residential development. Conditions should also support community access to these facilities.

It is clear the applicant is seeking to improve the sports facility offer in the local area however it means losing a significant area of existing playing pitch. Paragraph 74, bullet point two requires the applicant to demonstrate any displaced provision is provided in a suitable location that is equivalent or better provision in terms of quantity and quality.

With respect to these applications, it is clear that the new provision is in a suitable location and would be of a better quality however, it's somewhat more difficult to establish if it achieves at least equivalent quantity. 'Quantity' is discussed to in relation to 'provision', so the consideration of quantity has to be more subtle than simply calculating the net loss or gain of playing pitches. One should consider the increase in the amount of sporting activities that can occur at the school as a result of the new provision. The proposals offer the ability to play more types of sport and in all weather conditions. For this reason and on

the balance of land lost vs opportunities to increase sporting activities, the application must be considered to be compliant with bullet point two.

Focusing on bullet point three, proposals do offer an alternative sports and recreational provision across the two sites. The loss of a grass playing pitch is offset by the provision of a new indoor sports hall, a multi-purpose artificial pitch and new tennis courts (albeit this represents a net loss of two courts). The playing pitch assessment shows the loss of an unused playing pitch, would not result in the shortage of educational sporting or recreational provision and it would not impact upon other operational requirements of the school.

### Conclusion

The council cannot demonstrate a five year housing land supply and in terms of the NPPF means relevant policies for the supply of housing should not be considered up-to date.

The proposals adhere to local plan policy RC3 and NPPF paragraph 74. The new facilities are suitably located and offer at least equivalent provision in terms of quantity and quality. Residential development is unlikely to result in the shortage of educational sporting or recreational space and therefore is unlikely to impact the operational requirements of the school as the playing pitch has been unused for a number of years. Residential development would fund an improved offer of sporting activities on the school campus as it would help fund a new artificial turf pitch and an indoor sports centre.

The application involves the loss of an unused playing field, however on planning balance the delivery on new homes and improved sporting facilities in a suitable location weighs heavily in support of these applications (15/01162/FUL and 15/01163/OUT).

### **Architects Panel**

*17th November 2015*

The panel had seen two previous schemes for this building and generally speaking the proposals are an improvement; however, the panel still had some concerns. The large areas of timber cladding seem to need more articulation, perhaps in the form of vertical joints, and we are still concerned with how it will weather. We were also not convinced that the stone cladding system would create the right effect and wondered if this would be better off rendered instead. Elevationally, we felt that the south-east elevation may require more solid wall, perhaps behind the servery; and we did not feel that the corner over the entrance had been fully resolved e.g. the thickness of the corner post seemed to vary between elevation and plan. Overall, we felt that the proposal still required some refinement.

### **Cheltenham Civic Society**

*14th August 2015*

We welcome the good and unashamedly modern design of the sports centre, with no attempt to mimic the existing school buildings.

### **Tree Officer**

*10th December 2015*

The Tree Section has no objections to the revised plan to remove T31 Horse Chestnut and T32 Sycamore according to the Tree Protection Plan (Draft) revision A.

Should this application be granted please use the following condition and informative:

### Tree Protection

Tree protection shall be installed in accordance with the specifications set out within the Arboricultural Report reference Sports Application, Pittville School and the Tree Protection Plan Drawing Number GL523JD/FOX/TPP(draft) Revision A dated April 2015. The tree protection shall be erected/installed, 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.

INFTR - It is strongly recommended that suitable leaf guards to cover guttering and down pipes are installed onto external rain drainage pipework so as to reduce the incidence of such blocked pipework as a result of tree related litter-fallen leaves, twigs, fruit etc.

### **Landscape Architect**

*16th December 2015*

#### 15/01162/FUL Pittville School

- The Revised Proposed Landscaping Plan does not show a landscape layout but a cross-section drawing. The Revised Proposed Floor Layouts shows the original proposed landscaping plan. Please could it be clarified if a new landscape plan was intended to be submitted.

#### 15/01163/OUT Pittville School

- The section detail of the proposed footpath/cycle way does not show boundary fencing and landscaping. Please could these details be provided in order to better illustrate the enclosure of the path along its boundaries.
- The drawings showing proposed lighting along the footpath are helpful though concerns remain about the safety of this footpath at night. However, it is appreciated that during the day the path would be useful link between the proposed residential development and Pittville Park and the town. A design solution which provided greater informal surveillance for the path, both day and night, would be very welcome.

### General Comments

15/01162/FUL Pittville School & 15/01163/OUT Pittville School

- In terms of green infrastructure the two application sites should be considered as a whole in order to provide the greatest benefit to the locality, both in terms of aesthetics and creating habitats for urban biodiversity.

Please could a revised landscape layout plan include the following:

- The relationship between the proposed landscaping on both sites. This should take the form of a landscape structure plan.
- A boundaries plan, showing position, extent and height of proposed boundary fencing.

In addition to the above, should planning permission be granted, prior to commencement of development, the following information should be submitted in writing for the approval of the Local Planning Authority:



- Detailed schemes for hard and soft landscaping
  - Timing of landscaping works
  - A maintenance plan for first 5 years following planting, including SuDS
  - Long-term maintenance arrangements and plans for the landscaped areas, including SuDS.
- 

## **RESIDENTIAL SCHEME - 15/01163/OUT**

### **Tree Officer**

*14th August 2015*

The Tree Section has no objections to the revised plan to remove T31 Horse Chestnut and T32 Sycamore according to the Tree Protection Plan (Draft) Revision A. It must be noted that the Tree Protection Plan is still labelled as a draft and the Tree Removal Plan has labelled the trees incorrectly. The Tree Removal Plan must be updated or removed to ensure there is no confusion to which trees are to be removed.

Should the application be granted please use the same conditions stated in the Tree Sections comments dated 14/08/2015.

### **Strategic Land Use Team**

*21st October 2015*

See consultee comments for 15/01162/FUL

### **GCC Local Flood Authority (LLFA)**

*12th August 2015*

I refer to the above planning application received by the Lead Local Flood Authority on the 22nd July 2015 to provide comment on the surface water flood risk. It is confirmed that the site is situated within the SFRA Flood Risk Zone 1. Furthermore, the Environment Agency's uFMfSW shows a low risk from surface water to the site.

Reviewing the applicant's Flood Risk Assessment and accompanying documents, it was determined that the applicant has not fully complied with the non-statutory technical guidance. Therefore, Gloucestershire County Council objects to the proposal in its current form. The following points provide further detail of this decision.

The applicant has taken reasonable steps to determine the discharge strategy, and infiltration tests have been recommended at a later stage to determine if infiltrating SuDS are possible on the site. This is acceptable. Severn Trent has agreed, upon the receipt of evidence that infiltration is not feasible on site, that a connection for the surface water drainage to the combined sewer is permissible. A discharge limit of 5 l/s will be applied. However, the letter dated 16th December 2013 from Severn Trent Water (STW) agrees in principle the discharge of surface water to the combined sewer at a limited rate of 5 l/s for 70 dwellings within a prescribed boundary. The prescribed boundary includes the extents of two applications (15/01162/FUL and 15/01163/OUT); STW's letter does not acknowledge two applications.

Both planning applications state a discharge of 5l/s to the combined sewer system will be implemented. However, it appears STW has not given agreement to two 5l/s discharges from each application. (i.e. no agreement has been given for the applications 15/01162/FUL and 15/01163/OUT to connect to the combined sewer separately, with a total discharge of 10 l/s).

From the FRA it is understood the connection to the combined sewer will service the positively drained areas of the site (i.e. the impermeable surfaces), totalling an area of discharge to the combined sewer.

No indication has been given of the existing runoff rates of the site, and in particular for the areas that will become hard standing. Thus, it has not been possible to determine if 5l/s for the 0.55ha reflects the current greenfield runoff rate. Therefore it is not possible to determine if the proposed drainage infrastructure would be capable of discharge at the greenfield runoff rate, and if the required attenuation and runoff rates are achievable at this site.

Hence, to determine if this development is technically viable Gloucestershire County Council as the LLFA require further information, and should include:

- 1) The existing runoff rate for the site during a Q100, Q30 and QBar return periods (i.e the greenfield runoff rates), this will need to include the calculations and parameters used to delineate the results. The runoff rates for hydrological purposes should take in to account the full boundary of the site and include the runoff from all permeable and impermeable surfaces.
- 2) The proposed site's total runoff rate and attenuation volume for the Q100, Q30 and QBar return periods, this will need to include the calculations and parameters used to delineate the results. The runoff rates and volumes for hydrological purposes should take in to account the full boundary of the site and include the runoff from all permeable and impermeable surfaces.
- 3) A demonstration that the peak runoff rate of the whole site during all events up to and including the 1 in 100 year event plus climate change will not exceed that of the existing runoff rate. For hydrological purposes the demonstration should include the runoff from all permeable and impermeable surfaces that are within the site boundary.
- 4) Clarity on the agreed discharge with Severn Trent to the combined sewer system. This should include but not limited to, the agreed number of discharge points within the prescribed boundary and if Severn Trent are accepting 5 l/s discharge of surface water to the combined system from each planning application with the boundary (i.e.15/01162/FUL and 15/01163/OUT)

Please note, future management and maintenance of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not therefore been considered by the Lead Local Flood Authority.

Any revised documentation will only be considered when resubmitted through [suds@gloucestershire.gov.uk](mailto:suds@gloucestershire.gov.uk) e-mail address. Please quote the planning application number in the subject field.

*5th October 2015 - From: Sally Tagg [mailto:]*

*Sent: 16 September 2015 13:22*

*To: Lucy White*

*Subject: FW: 822 - Pittville School - Local Flood Authority Responses - 15/01162/FUL & 15/01163/OUT*

Dear Lucy,

I write in relation to both Pittville School applications and consultation responses from Gloucestershire County Council as the Lead Flood Authority and dated 11/08/15 and 12/08/15.

Our Flood Consultant has reviewed the responses and his comments on each application are as follows.

15/01162/FUL – see comments in previous section

15/01163/OUT - Residential

1. The site is Greenfield with a gross area of 2.13ha. The proposed restricted discharge rate of 5 l/s therefore equates to a Greenfield equivalent of 2.3 l/s/ha which is considered to be a perfectly reasonable QBAR allowance. Furthermore, as per the comments in respect of the Sports Centre site, a 5 l/s restricted discharge rate is considered the lowest practical rate. With the proposed discharge rate not exceeding 2.3 l/s/ha and given the extent of on-site attenuation being proposed, accommodating up to the 100yr climate change event, it is clear that there will be no increase in flood risk in any event up to the 100yr climate change and a reduction in more extreme events. The worst case 100yr climate change event has been used to size the balancing pond. The discharge rate will clearly reduce as the head reduces in the less severe events.
  - The FRA states the contributing area of the 5 l/s runoff rate is approx. 0.55ha (~9 l/s/ha for 0.55ha) - This is a significant increase in runoff for the impermeable area if the greenfield runoff rate is 2.3l/s/ha at QBAR. A 0.55ha area at 2.3l/s/ha = 1.27 l/s at QBAR, approximately 4.18l/s for the 1% event.
  - 5 l/s has been set as a maximum by STW and does not mean it needs to be adhered to as the site's maximum. Discharge values below 5 l/s can be achieved with good design.
  - With the proposed discharge rate the development will not comply with S2 and S4 of the non-statutory technical standards for sustainable drainage.
  
2. Again referring back to the comments made above, STW was originally approached on the basis of these sites being a single entity. With the Sports Centre discharge being significantly offset by the betterment being provided by the proposed on site attenuation on that site, the proposed 5 l/s associated with the residential development is expected to remain acceptable. I would suggest awaiting STW's formal response on this application before actioning further.
  - Evidence of STW "no objection" to the application has been made available on Cheltenham Borough Council's Planning Portal. The connection to STW's sewer is longer a concern for the LLFA for the residential development. However,
  - irrespective of STW agreement for a 5l/s connection, the LLFA requires the runoff to be discharged at the greenfield runoff rate for the site to comply with the non-statutory technical standards for sustainable drainage.

In summary, the LLFA accept STW's "no objection", however the LLFA does not accept the proposed runoff rate as the FRA does not sufficiently demonstrate that this rate matches the current greenfield runoff rate.

*Because the application is an outline submission, and STW has given "no objection" to the development (i.e no objection to connect to the sewer subject to conditions) the LLFA would be satisfied with rescinding the original objection on the basis the proposed runoff rates are investigated/accommodated in the detail design. This can be addressed in the following condition:*

Condition:

*Development shall not take place until a detail drainage scheme for surface water has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall adhere to the requirements for greenfield developments set out in the non-statutory technical standards for sustainable drainage. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.*

*Reason: To ensure satisfactory drainage of the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.*

*19th November 2015*

From correspondence with Sally Tagg of Foxley Tagg Planning Ltd and Richard Fillingham of R J Fillingham Associates, information has been provided that has addressed LLFA concerns. Specifically, through providing an agreement in principle by Severn Trent Water (subject to condition) for the site to connect to their network to discharge surface water.

Moreover, taking in to consideration the application is an outline, it thus far has been demonstrated the site is feasible in terms of surface water flood risk and management; however the proposed discharge rate does not meet the national requirements (i.e. does not match the existing greenfield runoff rate). This has been discussed with Richard Fillingham, and an agreement has been met. Therefore, the LLFA would like to rescind the original objection subject to the following condition:

Condition: Development shall not take place until a detail drainage scheme for surface water has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall adhere to the requirements for greenfield developments set out in the non-statutory technical standards for sustainable drainage. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure satisfactory drainage of the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

Future management and maintenance of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not therefore been considered by the Lead Local Flood Authority.

## **Urban Design**

*12th October 2015*

Conclusion:

There is no objection in principle to the proposal.

The highway access needs to be better related to the approved design code for Starvehall Farm. A number of issues need to be considered in terms of future reserved matters submissions, particularly impact on neighbouring amenity, framing of views of the scarp

and consistency with the design requirements of the Starvehall Farm application on neighbouring land.

The footpath/cycle link to Albert Road is very important in order to deliver a major improvement to local sustainable travel choice and will have benefits well beyond the development site to the Prestbury Road area. It should be designed to maximise overlooking and security.

### Context

The site sits at the top of a ridge; land to the south falls toward Cheltenham town centre and to the east to Prestbury. There are extensive views across the site to the Cotswold scarp as it sweeps around the south and east of the town. The site is bounded:

- to the north by detached suburban housing with comparatively short rear gardens beyond a mix of domestic fence and hedge boundaries which allow easy views between the gardens and the site.
- to the west by UoG Pittville Campus - a predominantly residential campus where redundant buildings are currently undergoing redevelopment to provide additional accommodation and some administrative space. There is a dense hedge boundary.
- to the south by Pittville School. There is currently an application to redevelop its existing sports facilities at the point adjoining this site. The boundary is open but marked by avenue tree planting. A footpath/cycle link is identified running to Albert Road along this "avenue".
- To the south east by Cakebridge Road - a residential cul-de-sac of semi-detached housing. The boundary is a 2m high wall.
- To the east by open fields which are the subject of an outline planning consent for housing at Starvehall Farm. The consent is controlled by a detailed design code.

### Issues

The main urban design issues are:

1. Relationship to context
2. Maximising opportunities for permeability

### Analysis

The proposal is in outline with all matters except access reserved. There is an indicative layout.

#### 1. Context.

There is limited ability to assess the contextual compatibility of an outline scheme with all but access reserved. Nevertheless there are a number of issues which can be considered now that might establish how any reserved matters can be considered, in particular- views, neighbouring residential amenity, consistency of approach with the Starvehall Farm design code and layout.

Views: The development of the site will remove the expansive views of the scarp currently available from most parts of the site and from housing to the north. This is an inevitable consequence of the development. If the principle of development is accepted, then a reserved matters submission needs to allow for the framing of selected views to the scarp through the site and from any significant spaces or nodes within it. This will require

consideration of the impact of layout and building height on views to the east and south. In this respect the submitted indicative layout is not successful.

Neighbours: The relationship between layout on the application site and the neighbouring housing to the north is a critical amenity issue. The short back gardens to the north require future layout proposals to stand off this boundary to a greater degree than might normally be expected. A "back-garden to back-garden" arrangement is important here in terms of security and privacy; open space on the northern boundary would seriously compromise this. However, it would be a courtesy to existing occupiers to consider how the layout can frame views south to the scarp. The submitted indicative layout does not demonstrate that these issues have been fully considered.

To the south east there is a need to consider the impact of reserved matters on the rear gardens of homes in Cakebridge Road. The views and more exposed boundary treatment evident in the north are not as evident here, but there will be issues of security which require consideration.

The boundary to the west is not sensitive in the same way, but the layout here needs to consider the effect of the student accommodation (both proposed and existing) on the new development.

Starvehall Farm: The Starvehall Farm design code establishes both fixed criteria and desirable criteria for the development of the adjoining site. It takes a considered approach to street layout, building design, landscape and other matters.

The proposed layout needs to relate well to the code. The submitted indicative layout shows no evidence that it has done so. Furthermore, the vehicular access needs to work well with the Starvehall code. The position proposed for the highway access does not appear to consider the optimum location in terms of the Starvehall code's layout and there needs to be a better tie in between it and the code. The Starvehall code does allow for pedestrian access adjoining the south east corner of the application site, but there is no joining link shown on the submitted scheme.

## 2. Permeability

In considering the Starvehall scheme, the need to establish a basis for a route through to Albert Road was considered in the footpath access discussed above. This was considered important because it offered the potential for more convenient links than currently available from estates on the Prestbury Road, to Pittville Park and School and cycle routes through the park to the Honeybourne Line. These estates currently have a series of culs-de-sac to the north and west making routes to the school and park via Prestbury Road or New Barn Lane lengthy and a significant deterrent to sustainable transport choices.

For this reason links to Starvehall or Cakebridge Road and through the site to Albert Road are very important and will have a significant impact on local sustainable travel choice - especially walking and cycling. Security of the route, particularly in day time, can be established by achieving a housing layout which maximises overlooking and surveillance of the route. The submitted indicative layout does not achieve this and reserved matters need to give serious consideration to layout in this area. Additionally negotiations are on-going regarding the related application for sports facilities at the school to maximise overlooking. As the police comments point out lighting and planting needs to be carefully considered along this Albert Road link in order to maximise security after dark - the inclusion of an artist on the design team could deliver an innovative lighting scheme with the potential to significantly enhance the route.

Nevertheless the main use will be during daylight hours and the provision of the route should be a prerequisite to ensure that sustainable travel choice via walking and cycling, for the journey to work and school, but also for leisure, is maximised.

## **GCC Highways Planning Liaison Officer**

*7th December 2015*

This response is made on the basis of the amended information received

- Revised TA
- Second Technical Note Highways Nov 15
- Revised Site Layout SK06 E
- Alternative Site Layout SK28

The recommendation of the Highway Authority to Cheltenham Borough Council for the proposed development of up to 58 dwellings is based on the National Planning Policy Framework, the saved policies within the Cheltenham Borough Local Plan and any other material planning considerations.

### Access Points

Vehicle access to the site will be via the Starvehall Farm development. It is considered that this estate road is suitable to accommodate the traffic from 58 dwellings. A planning condition will be recommended to ensure that this is the only point of access for vehicles and construction traffic. A condition will also be recommended for the provision of the estate road from New Barn Lane to be constructed to a suitable standard prior to any occupations taking place. Two pedestrian/cycle links are proposed, one to Cakebridge Road and one to Albert Road. These links are considered important to provide convenient pedestrian access to facilities and to comply with the policies contained within section 4 of the NPPF. Some detail has been submitted regarding these links, however further plans showing widths, design speeds, agreed lighting spec etc are required.

### Assessment of Public Transport, Walking and Cycling Infrastructure and Highway Network Capacity

A non-motorised user context report has not been submitted, therefore it has not been possible to determine the objectives for non motorised users. An NMU context report will be required at the reserved matters stage. As no NMU audit has been submitted, I have considered the pedestrian and cycle links, as well as the links to public transport infrastructure. The existing links are considered suitable to provide safe and suitable access along the likely desire lines. In order to take up the opportunities for sustainable transport modes, a planning condition will be recommended to enhance the existing Albert Road public transport infrastructure to provide real time passenger information displays.

### Development Impact

The cumulative impact of the development with the permitted Starvehall Farm has been considered, together with the stand alone impact of the development. The trip rates for the proposed development have been based on the agreed trip rates for Starvehall Farm, a sensitivity test has also been undertaken by assessing Overbrook Drive and applying these trip rates to 58 dwellings. Using the Starvehall trip rates, it is estimated that the development will generate 33 two way trips in the AM peak and 35 in the PM peak. The Overbrook Drive trip rates estimate 27 trips in the AM peak and 23 in the PM peak. It is not considered that these additional trips will have a severe or significant impact on the local highway network.

A cumulative assessment of the impact of 58 dwellings together with 300 dwellings at Starvehall has been undertaken. The proposed 58 dwelling residential development will gain access to the wider highway network via a connection to the Starvehall Farm development to the east. From this point all development traffic will then route to the north and join New Barn Lane. The 58 dwellings proposed will generate a limited level of traffic over the local highway network, amounting to a maximum of 33 trips in the AM peak and 35

vehicle movements during the weekday PM peak hour. The Starvehall Farm TA at Table 7.1.1 illustrates predicted link traffic flows for New Barn Lane amounting to 1035 in the 2021 AM peak and 898 vehicle movements during the PM peak in the 2021 assessment year. The addition in this location of 33 AM movements and 35 PM movements from the Pittville school residential proposals will result in an increase of 3.1% in the AM and 3.8 % in the PM in link traffic flows. This is negligible and not sufficient to affect the operation of New Barn Lane.

In relation to the New Barn Lane access the capacity assessment results presented within the Starvehall Farm TA at Table 7.2.2 illustrate that during 2021 maximum RFC values of only 0.15 are predicted during the AM peak and only 0.10 during the PM peak. This demonstrates that the junction will be operating far below its maximum capacity which is an RFC value of 0.85. The Starvehall Farm access to new Barn Lane should therefore have more than sufficient capacity to accommodate the modest level of traffic generated by an additional 58 dwellings.

### Layout

The layout of the development as shown on the masterplan is not considered acceptable to achieve a design speed of 20mph, therefore for the purposes of this application and because layout is a reserved matter, only the points of access to the development have been considered when providing a recommendation.

### Construction Traffic

Concerns have been raised regarding the construction phase of the development, should planning permission be granted, construction traffic and the impacts of this are an inevitable consequence of engineering works and cannot be avoided, however the submission of a construction method statement, together with any potential planning conditions which the LPA may deem necessary in terms of works restrictions will mitigate the impact. Largely the planning system does not consider the impact of the construction phase of a development, except for to ensure that authorities look to mitigate the impact as far as possible. A planning condition will be recommended to ensure that construction traffic is only routed through the Starvehall development.

### Conclusion

The National Planning Policy Framework states at paragraph 32 that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. The Highway Authority considers that this development will not have a severe impact on the local highway network. The NPPF states that 'safe and suitable access to the site can be achieved for all people', and that 'opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure.' It is considered that the development proposals will meet these criteria. It is recommended that no highway objection be raised to this application, subject to the following conditions being attached to any permission granted.

### Conditions

1. No dwelling shall be occupied until the western Starvehall Farm estate road has been constructed to binder course level and the footways completed to surface course level.  
Reason - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 32 and 35 of the NPPF.
2. There shall be no vehicular access for development traffic or construction traffic to the site other than via New Barn Lane.  
Reason- To reduce potential highway impact, in accordance with paragraph 32 of the NPPF.



3. No works shall commence on site until details of real time passenger information enhancements at the Albert Road bus stops have been submitted to and agreed in writing by the local planning authority, no part of the development shall be occupied until the approved works have been completed, the works shall be maintained as such thereafter unless and until adopted as highway maintainable at public expense.  
Reason- To take up the opportunities for sustainable transport modes in accordance with paragraph 32 of the NPPF.
4. No works shall commence on site until details of the pedestrian/cycle link to Albert Road and Cakebridge Road together with a road safety audit has been submitted to and agreed in writing by the local planning authority, no part of the development shall be occupied until the approved works have been completed, the works shall be maintained as such thereafter unless and until adopted as highway maintainable at public expense.  
Reason- To reduce potential highway impact, in accordance with paragraph 32 of the NPPF.
5. No works shall commence on site until the first 20m of the proposed access road which provide access to the site from the Starvehall Farm estate road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level and the works shall be maintained as such thereafter unless and until adopted as highway maintainable at public expense.  
Reason - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework.
6. No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.  
Reason - To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.
7. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.  
Reason - To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 32 and 35 of The Framework, and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the NPPF.
8. Details of the layout and internal access roads within the site together with a road safety audit and non-motorised users audit, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the local planning authority, so as to achieve a 20mph design speed, before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 32 and 35 of the NPPF.

9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction

Reason - To reduce the potential impact on the public highway.

10. The car parking, vehicular loading and turning, and cycle parking arrangements agreed as part of the Reserved Matters application shall be provided prior to occupation of the dwelling to which they relate and shall be maintained thereafter.

Reason - To reduce potential highway impact, in accordance with paragraph 32 and 35 of the NPPF.

#### Informatives

The proposed development will require works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including appropriate bonds) with the Local Highway Authority, which includes both the Highways Agency and Gloucestershire County Council, before commencing works on the development.

The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

The Developer is requested to erect a sign at the boundary of the new estate street with the nearest public highway providing the Developer's contact details and informing the public that the County Council is not responsible for the maintenance of the street.

The applicant is advised that to discharge condition X that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

For avoidance of doubt the submitted layout plan has been treated as being for illustrative purposes only.

#### **Parish Council**

*11th August 2015*

OBJECTION to erection of 58 dwellings, on the grounds of the proposal being in a conservation area and the loss of Green Space. This development together with Starvehall

Farm proposal will become a larger development in the area, therefore the Prestbury Parish Council would like this matter to be determined by full planning committee.

### **Sport England**

*17th August 2015*

Letter available to view on line.

*21st September 2015*

I refer to the letter dated 12 August 2015, setting out Sport England's comments on the above proposal, in which it was stated that the views of the pitch sport National Governing Bodies (NGBs) were being sought and would subsequently be forwarded to the Council. The views of The Football Association, England and Wales Cricket Board, England Hockey and Lawn Tennis Association are set out below.

#### The Football Association (FA)

1. No contact was made from the applicant's agent in the preparation of the Playing Pitch Assessment report, so it is not supported by The FA.
2. The FA has found no record of any use of the site by community groups during the past few seasons.
3. Without an adopted Playing Pitch Strategy, to demonstrate that the playing field is not required, The FA would object to the loss of any playing field area that could be formally used for football. Through speaking to representatives of local leagues, the opportunity to have had access to this site would have been welcomed. With an increase in housing, it is felt that there is a need to retain this site as a playing field with a suitable Community Use Agreement in place.

#### England and Wales Cricket Board (ECB)

1. No contact was made with the ECB in the development of the Playing Pitch Assessment Report or the planning application.
2. Cricket is not possible on the site due to its limited size.
3. As the site is not suitable for cricket, the proposal would have no impact on the delivery of cricket in the local area.

#### England Hockey (EH)

England Hockey simply confirmed that it had not been contacted regarding the preparation of the Playing Pitch Assessment.

#### Lawn Tennis Association (LTA)

1. The LTA also confirmed that it had not been contacted in relation to the Playing Pitch Assessment.
2. As there is currently tennis court provision elsewhere on the site, this part of the playing field would not contribute to meeting the existing or future needs of tennis if it was made available for use.

In light of the above, Sport England maintains its objection to the proposal the subject of this application, because it is not considered to accord with any of the exceptions in Sport England's playing fields policy or with paragraph 74 of the NPPF.

Should your Council be minded to grant planning permission for the development then, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009

and the National Planning Policy Guidance, the application should be referred to the National Planning Casework Unit.

### **Joint Waste Team**

*24th July 2015*

I don't know whether or not the planned development on Pittville Campus is going to be private and run by the school in which case it would fall to the campus to provide the waste collection services etc.

To air on the side of caution, presuming these properties will fall to CBC to provide a waste collection service, I would like to highlight the following;

I've copied Tammy in as this looks to be similar to some of the GCHQ type layouts in Benhall and I know that the operations team have had quite a few issues in gaining access there.

Tammy please could you provide a breakdown of the types of issue you regularly experience and which would be likely in this planned development?

From my perspective the road surfaces within the development need to be adequate to accommodate a 26 tonne refuse vehicle which usually precludes block paving.

In addition, pavements have to be wide enough to accommodate the waste and recycling receptacles when presented on collection day and not pose any obstructions to pedestrians. Plus it should be recognised that with that many properties there is likely to be a great deal of roadside parking and so the roads themselves have to be wide enough to allow waste and recycling collection vehicles to gain access past parked cars and heads of cul-de-sacks should be designed in such a way so that they can be used even when cars are in situ. Special attention should be paid to the 90 degree turns which are on site as if they are too narrow and a car is parked in the wrong place on collection day, it's likely that the majority of the development won't receive a waste/recycling collection.

### **Social Housing**

*12th August 2015*

#### Level of Affordable Housing Provision.

This application proposes a total of 58 residential units. In order to be policy compliant, a minimum of 40% of total dwellings must be affordable dwellings on this site. The latest SHMA that has been commissioned also requires a mix of 75:25 rented to intermediate housing. This equates to 23 affordable housing units with 17 rented and 6 intermediate.

#### Dwelling Mix

Having regard to local needs, we would seek the following mix of affordable dwellings on a policy compliant site:

58 dwellings at 40%	Size m2	Built in Storage M2	Affordable rented	Shared Ownership	Total
1 Bed Flat (2 person)	1 storey 50	1.5	4	0	4
2 Bed Houses (4 person)	2 storey 79	2.0	5	3	8
3 Bed Houses (5 person)	2 storey: 93	2.5	4	3	7
3 Bed Houses (6 person)	2 storey: 102	2.5	2	0	2
4 Bed Houses (7 person)	2 storey 115	3.0	2	0	2
<b>Total</b>			<b>17</b>	<b>6</b>	<b>23</b>

The developer has submitted a viability assessment to demonstrate that the scheme would be viable with a lower provision of affordable housing. This would equate to 21% and 12 dwellings with an indicative affordable housing mix as follows:

12 dwellings at 21%	Size m2	Affordable rented	Shared Ownership	Total
1 bed flat	45.0	3		3
2 bed house	70.0	2	2	4
3 bed house	84.0	1	1	2
3 bed house	98.0	2		2
4 bed house	112.0	1		1
<b>Total</b>		<b>9</b>	<b>3</b>	<b>12</b>

### Viability

If it is independently verified that it is not viable to deliver affordable housing to a level that is policy compliant, then there are a number of options the council will consider. These are as follows:

- Altering the unit mix or tenure split to facilitate a more viable scheme, while still addressing the housing needs of the Borough.
- Supporting the injection of public subsidy to achieve the full affordable housing requirement. This could enable the overall scheme to become viable via, for instance, a bid to the Homes & Communities Agency. Any s.106 agreement would therefore need to include a provision to facilitate this.
- Altering the % affordable housing sought on the site to reflect the viable position.

In these cases an overage clause would be included within the s.106 agreement to capture any market improvement value between the time of the viability validation and before completion of the site. The overage clause will seek to secure payments which would provide the equivalent on site affordable housing value via a commuted sum provision, should market conditions improve and the viability of the scheme allow such payment. Any payment would be subject to the ceiling of the equivalent cost to the developer of providing a policy compliant affordable housing contribution.

The s.106 agreement will also include triggers for repeat viability appraisals, if the development hasn't started and completed with reasonable timeframes from when planning permission was given.

We would also expect the value of the affordable housing (as assessed within any viability appraisal) to be detailed within an s.106 agreement and used as the basis for determining what would be a reasonable offer from a Registered Provider.

If it is independently verified that it is only viable to deliver affordable housing at 21% then we would seek the following mix of affordable dwellings:

58 dwellings at 21%	Size m2	Built in Storage M2	Affordable rented	Shared Ownership	Total
1 Bed Flat (2 person)	1 storey 50	1.5	2		2
2 Bed Houses (4 person)	2 storey 79	2.0	2	2	4
3 Bed Houses (5 person)	2 storey: 93	2.5	2	1	3
3 Bed Houses (6 person)	2 storey: 102	2.5	2		2
4 Bed Houses (7 person)	2 storey 115	3.5	1		1
<b>Total</b>			9	3	12

### Dwelling Mix/Tenure

There is a demand for one bedroom dwellings for persons seeking to downsize due to the under occupation charge that has been imposed from April 2013. In view of this we have included 1 bed flats in our proposed mix.

The majority of affordable homes provided in Cheltenham Town Centre in recent years comprise of smaller 1 and 2 bedroom flats. With regard to site specific recommendations the development of this site located outside the main town centre area is an opportunity for the delivery of a greater proportion of larger family sized accommodation whilst including a broad mix of property types and sizes on site. In view of this 4 bedroom houses have also been included in the mix.

The 75:25 split between affordable rent and intermediate rent is required on this site for the affordable housing provision. The intermediate Housing should be shared ownership and we have proposed a fairly even split between 2 and 3 bed houses to reflect the needs of a broader range of family sizes and would help create a more balanced community.

We would expect the affordable housing to be "pepper-potted" in small clusters throughout the development and indistinguishable from other market dwellings.

### Rents

With regard to the 4 bed houses, we would require the rent to be charged at a rent equivalent to a 3 bed affordable rent plus 5%, and in any event, no more than the local housing allowance (LHA) or equivalent for a 3 bed.

### Car Parking

Parking provision for affordable homes will be expected to be made on the same basis as that provided for market dwellings.

### Service Charges

Any service charges on the affordable dwellings should be eligible for Housing Benefit.

### Shared Ownership

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.

### Full Planning Application

On submission of a full planning/revised application we would require an Affordable Housing Plan as part of the application, detailing the location of both the market and affordable homes in terms of their type and size as well as highlighting parking spaces and the dwellings they serve.

### Affordable Housing Standards

With the emerging requirements in the Housing Standards Review, produced by the DCLG, we would expect all the affordable housing to meet minimum gross internal floor area size measurements, space, design and quality standards as described by the Homes and Communities Agency.

Amendments to M4(1), M4(2) and M4(3) of Schedule 1 to the Building Regulations 2010 take effect on 1st October 2015 therefore we would seek the following:

All general needs accommodation should be designed to meet the 2015 amendments of M4 (1) Building Regulations 2010.

All ground-floor flats or a proportion of dwellings (to be agreed) should be designed to meet the 2015 amendments of M4 (2) Building Regulations 2010.

Any wheelchair user dwellings would be required to be designed to meet the 2015 amendments of M4 (3) Building Regulations. As the gross internal areas in this standard will not be adequate for wheelchair housing, additional internal area would be required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

There is no longer a requirement for a specific level of Code for Sustainable Homes Standard to be achieved to meet HCA standards for new affordable homes. This is therefore to be negotiated with the developer.

### Lifetime Homes

We note from the Planning Statement that all dwellings will be Lifetime Homes.

### Full Planning Application

On submission of a full planning/revised application we would require an Affordable Housing Plan as part of the application, detailing the location of both the market and affordable homes in terms of their type and size as well as highlighting parking spaces and the dwellings they serve.

### Registered Providers

All affordable housing should be provided by a Registered Provider who will be expected to enter into a nominations agreement with the Local Authority, providing 100% nominations on first letting/sale and 75% of all subsequent lettings thereafter. This will assist the Local Authority in meeting its statutory housing duties under the Housing and Homelessness legislation.

A list of Register Providers managing accommodation in Cheltenham can be made available if needed.

## **GCC Community Infrastructure Team**

*16th October 2015*

The development will generate 14.5 primary aged children and 8.7 secondary aged children (see below).

App Ref 15/01163/OUT Annex 1: Community Infrastructure

### Analysis

No. Dwellings	58	
No. Qualifying dwellings	58	
Pupil Yields	Based on GCC research	£ Costs per pupil*
Pre-school	4.06	12359
Primary	14.5	12359
Secondary	8.7	18848
Total	27.26	

\*DfE pupil capital cost multipliers are used.  
These provide a fair and reasonable estimate of the current cost of providing pupil places

The nearest Primary School is Dunalley Primary. This is forecast to be close to capacity in 2018/19: the building capacity is 420. The proposal will therefore need to contribute to the shortfall in primary places: a total of 9.5 places (14.5 generated by the scheme, but with a credit of 5 surplus places).

The full secondary contribution is required for Pittville School (8.7 places)

A library contribution is also required.



## Summary

<u>Infrastructure</u>	<u>Required Y/N</u>	<u>£</u>
Pre-school	N	0
Primary	Y	117410
Secondary	Y	163978
Libraries	Y	11368

### **Crime Prevention Design Advisor**

*13th August 2015*

I would like to draw your attention to the PDF document attached to the carrying email which provides detail to the following comments.

1. Road edging should include off-road mitigation to prevent inappropriate access and parking. Vehicle mitigation should be designed into the entrances of any footpath exceeding 1.5m wide.
2. Re-enforce the private nature of the site with features such as rumble strips, change of road surface (by colour or texture).
3. Apartments should have security provision for communal living with consideration given to access control, postal security and utility meters. Parking should be access controlled and security considered.
4. The boundaries abutting a POS should be reinforced with a line of defensive planting to restrict garden thefts and burglary.
5. Planting should not restrict surveillance opportunities, assist in climbing or create hiding places. Planting along footpaths needs to be carefully considered to ensure it will not grow over the path, restricting the width, creating narrower and less inviting areas.
6. Plot 1 should have its boundary strengthened with defensive planting.
7. The lighting plan should be designed to encompass the development and allow for seasonal variations within the planting scheme; thereby removing areas of deep shadow to reduce the fear of crime, along with opportunities of crime and Anti-Social Behaviour.
8. Public open spaces and play areas should be managed and maintained for prolonged community involvement; also ensuring the extended life of the drainage system.
9. The area next to Plot 21 should be secured from intruders, to avoid anonymity along the boundary line.
10. For all plots, windows and doors to BS PAS 24: 2012

(See annex A as below, referring to your Planning Authority's planning policy.)

It is recommended that the development is built to meet Secured by Design standards. Secured by Design (SBD) is a police initiative owned by the Association of Chief Police Officers (ACPO), to encourage the building industry to adopt crime prevention measures in the design of developments. It aims to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment, where communities can thrive.

Research conducted by Secured by Design has proven that SBD developments are half as likely to be burgled, have two times less vehicle crime and show a reduction of 25% in criminal damage, thereby increasing the sustainability of a development.

**Severn Trent Water Ltd**

*29th July 2015*

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.

**Landscape Architect**

*24th August 2015*

Please see comments in relation to 15/01162/FUL

*16th December 2015*

15/01162/FUL Pittville School

- The Revised Proposed Landscaping Plan does not show a landscape layout but a cross-section drawing. The Revised Proposed Floor Layouts shows the original proposed landscaping plan. Please could it be clarified if a new landscape plan was intended to be submitted.

15/01163/OUT Pittville School

- The section detail of the proposed footpath/cycle way does not show boundary fencing and landscaping. Please could these details be provided in order to better illustrate the enclosure of the path along its boundaries.
- The drawings showing proposed lighting along the footpath are helpful though concerns remain about the safety of this footpath at night. However, it is appreciated that during the day the path would be useful link between the proposed residential development and Pittville Park and the town. A design solution which provided greater informal surveillance for the path, both day and night, would be very welcome.

General Comments - 15/01162/FUL Pittville School & 15/01163/OUT Pittville School

- In terms of green infrastructure the two application sites should be considered as a whole in order to provide the greatest benefit to the locality, both in terms of aesthetics and creating habitats for urban biodiversity.

Please could a revised landscape layout plan include the following:

- The relationship between the proposed landscaping on both sites. This should take the form of a landscape structure plan.
- A boundaries plan, showing position, extent and height of proposed boundary fencing.

In addition to the above, should planning permission be granted, prior to commencement of development, the following information should be submitted in writing for the approval of the Local Planning Authority:

- Detailed schemes for hard and soft landscaping
- Timing of landscaping works
- A maintenance plan for first 5 years following planting, including SuDS
- Long-term maintenance arrangements and plans for the landscaped areas, including SuDS.

**Cheltenham Civic Society**

*14th August 2015*

We accept the principle of the development of this site for housing. We hope that at the next stage there will be an imaginative layout, taking advantage of the potential of the site and the quality of the design in the adjacent University Village. Squares and crescents would be a welcome format, reflecting Cheltenham's heritage.

**Parish Council**

*22nd December 2015*

Prestbury Parish Council object to this application for the following reasons:- It is difficult to understand the impact traffic will have on the community. It is being compared with traffic output from Starvehall Farm in 2021, why is this. Parking details are not shown.

The Prestbury Parish Council also object as this is excessive development in the area, there is already Starvehall Farm, the University development and this is a loss of Green Space and playing fields area within the conservation area.

This application does not comply with the following planning policies:-

- GE2 Private Green Spaces
- BE1 Open space in conservation area
- CP3 Sustainable Environment

**Joint Waste Team**

*21st December 2015*

To air on the side of caution, presuming these properties will fall to CBC to provide a waste collection service, I would like to highlight the following as per my response on 24th July 2015;

I've copied Tammy in as this looks to be similar to some of the GCHQ type layouts in Benhall and I know that the operations team have had quite a few issues in gaining access there.

Tammy if not having already done so when we received the original planning information, please could you provide a breakdown of the types of issue you regularly experience and which would be likely in this planned development?

From my perspective the road surfaces within the development need to be adequate to accommodate a 26 tonne refuse vehicle which usually precludes block paving.

In addition, pavements have to be wide enough to accommodate the waste and recycling receptacles when presented on collection day and not pose any obstructions to pedestrians. Plus it should be recognised that with that many properties there is likely to be a great deal of roadside parking and so the roads themselves have to be wide enough to allow waste and recycling collection vehicles to gain access past parked cars and heads of cul-de-sacks should be designed in such a way so that they can be used even when cars are in situ. Special attention should be paid to the 90 degree turns which are on site as if they are too narrow and a car is parked in the wrong place on collection day, it's likely that the majority of the development won't receive a waste/recycling collection.

## 5. PUBLICITY AND REPRESENTATIONS

	15/01162/FUL	15/01163/OUT
Number of letters sent	125	176
Total comments received	14	24
Number of objections	6	23
Number of supporting	8	0
General comment	0	1

- 5.1** For both applications a total of 125/176 local residents in neighbouring streets have been notified of the proposals, including the revised details received in December 2015. A number of site notices have also been displayed within the vicinity of both sites, on Albert Road, New Barn Lane and Cakebridge Road.
- 5.2** As a result of the public notification exercises and at the time of writing, a total of 14 comments have been received in respect of the sports centre application (15/01162/FUL); 6 objecting and 8 in support of the proposals. A total of 24 comments have received in respect of the residential scheme (15/01163/OUT); 23 objecting and 1 general comment.
- 5.3** Prestbury Parish Council has also objected to both applications.
- 5.4** The concerns and other matters raised by local residents are very similar and in many instances overlap between the two applications. The comments received for each application are summarised as follows:-

### Sports Facilities – 15/01162/FUL

- Potential for increase in traffic and parking congestion in neighbouring streets and the cumulative effects of Starvehall Farm and Pittville Campus developments
- No evidence of need for new school sports facilities which, in terms of size and quality, are considered to be in excess of school requirements. Existing school sports facilities should be refurbished instead.

- School in desperate need of proposed new facilities given poor quality and lack of current provision, particularly indoor sports facilities.
- Lack of indoors sports facilities and venues in Cheltenham for hire and therefore proposed development will improve provision and choice for local children. Local community should be supporting improvements to local schools.
- No evidence that alternative funding of proposed sports facilities has been fully investigated by the school
- Likely increase in noise and disturbance to local residents caused by proposed floodlighting, use of artificial hockey pitch and 'break out' area of sports centre and proximity of proposed tennis courts to properties in Cakebridge Road. Potential for increased noise at weekends.
- The proposed community use is not sufficient justification for loss of playing field and new sports facilities. Other community sports facilities located nearby, including those recently approved at Pittville Campus, which will be in direct competition.
- Long-term funding of the management of out of hours use of sports centre has not been fully explored. If this commercial enterprise proves to be not financially viable who is responsible for recovering the costs.
- Proposed development has not been approved by Sport England
- Design of proposed sports centre out of character with Regency architecture and locality in general

#### Residential Scheme 15/01163/OUT

- Funding for proposed new sports facilities is insufficient justification for loss of school playing field.
- Insufficient evidence provided by applicant in regard to the playing field being surplus to school requirements.
- Increase in traffic on access roads through Starvehall Farm and on local road network and at junctions with New Barn Lane. Potential for noise and disturbance to local residents in addition to highway safety issues.
- Cumulative effects of traffic increase and noise pollution as a result of Starvehall Farm, Pittville Campus and Pittville school developments.
- Proposed residential scheme is an extension of the Starvehall Farm development
- Proposed access route was not shown on the approved Starvehall Farm development and therefore the application should be refused. A revised traffic assessment for Starvehall Farm and impact upon New Barn Lane should be carried out.
- The Starvehall Farm development did not allow for the traffic generated by an additional 58 dwellings and Condition 5 of the approved Starvehall Farm scheme limits the number of dwellings to 300 due to highway safety concerns.
- Increase use of Cakebridge Road as an access route for pedestrians/cyclists will result in loss of privacy for residents. Other existing routes into town, the proposed footpath linking the site with Albert Road and pedestrian routes proposed within Starvehall Farm are more suitable.

- Loss of views, outlook, light, privacy and amenity of residents in Greenfields. Proximity of proposed dwellings to the rear of these properties.
- Northern playing field is more suitable for playing sports than the proposed retained southern field.
- Loss of open green space and habitat for local wildlife.
- Sport England has raised objection to the loss of the playing field and therefore the proposed development should be refused.
- Proposed three storey building accommodating flats is unacceptable in this location
- Insufficient parking facilities provided for future residents
- Number of houses proposed is excessive and likely to be low cost housing which could result in drop in property values locally
- Effect of all three developments (Pittville School, Pittville Campus and Starvehall Farm) on surface water drainage, sewerage and potential for flooding.

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

#### **6.2** The key issues for consideration, relating to both applications are as follows:

- The principle of the loss of the school playing field (and the need to consider both applications together)
- The principle of the proposed redevelopment of the land for residential purposes and the acceptability of the numbers of dwellings proposed.
- Affordable housing and viability issues
- Access arrangements, traffic, parking and highway safety issues (including the cumulative impacts associated with Starvehall Farm)
- Potential impact upon the amenities of local residents (noise, disturbance, light pollution, overlooking and loss of privacy)
- Design, scale and layout of proposed development and their impact upon the character and appearance of the locality, the setting of nearby listed and locally indexed buildings and the wider conservation area.
- Landscaping, drainage and flooding issues

### **6.3 Key Policy Considerations and Principle of Loss of Playing Field**

#### **6.4** The relevant policy documents for consideration are the Cheltenham Borough Local Plan (adopted 2006), the NPPF and the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS).

- 6.5** At paragraph 14 of the NPPF states that “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking...” Further, when determining applications for housing, paragraph 49 of the NPPF similarly advises that they should be considered in the context of a presumption in favour of sustainable development.
- 6.6** The application sites are located within the Principal Urban Area of the Local Plan and benefit from ease of access (by foot, cycle and public transport) to all amenities and services provided in Cheltenham town centre. Both application sites must therefore be considered as sustainable locations for new residential development.
- 6.7** The NPPF requires local planning authorities to demonstrate a five year supply of housing; as at 1<sup>st</sup> April 2015 and using the JCS housing requirement for Cheltenham, the Council is currently unable to demonstrate such a requirement. The NPPF advises that relevant local plan policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 6.8** Where policies are not considered to be up-to-date, the NPPF advises that, with the presumption in favour of sustainable development (unless material consideration indicate otherwise) permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the framework. It should be noted that paragraph 14 also makes it clear that where specific policies, for example heritage assets, indicate that development should be restricted then the presumption in favour of development does not apply. It should also be noted that the policies which seek to protect open spaces and heritage assets are not considered to be relevant local plan policies for the supply of housing and therefore are relevant to the considerations.
- 6.9** At paragraph 73 the NPPF seeks to support access to high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities.
- 6.10** In relation to the loss of playing fields, the NPPF at paragraph 74 states that “existing open space, sports and recreational buildings and land, including playing pitches, should not be built on unless: an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements”. As such, the applicant has submitted a Playing Pitch Assessment which considers both the existing supply and demand of local playing pitches within the locality as well as their quality.
- 6.11** Paragraph 74 also stipulates that pitches should not be built on unless “the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.” In this regard the proposed residential scheme would facilitate the development of a new sports centre and artificial playing pitch (ATP) for the school on adjoining land within the ownership of the school; the applicant arguing that this provision and wider range of sporting uses and increased availability (to the wider community) would clearly outweigh the loss of the playing field.
- 6.12** In essence, the residential development would be an enabling project; the capital receipt (less s106 financial contributions, affordable housing etc.) funding entirely the provision of a much needed new sports facility with no surplus profit awarded to the school.

- 6.13** The evidence submitted by the school indicates that the playing field has not been used for several years (since 2009) and is therefore surplus to the school's requirements in terms of its educational sports provision/curriculum. There is also no evidence to suggest that the playing field is currently available for community use; although it is understood that some of the other school sports facilities are made available for use by local primary schools. Importantly, neither site is identified as public open space in the Local Plan nor is there general public access into the school grounds at any time of the day.
- 6.14** Policy GE2 (private green spaces) identifies that some of the most extensive and important private green spaces are those within school grounds. With this in mind, officers do not dispute the fact that the current playing field contributes to the quality of the local environment. However, the Local Plan equally recognises the need for schools to improve their facilities and compete within an increasing competitive market; the Council will work with schools to find suitable locations within or near their holdings which would not harm areas of significant townscape and environmental value (paragraph 6.24).
- 6.15** Importantly, the Local Plan does make the distinction between the recreational value of open space and its environmental value in term of decision making. In this respect, Policy RC3 states that development of playing fields and other outdoor playing facilities in education use will not be permitted unless the loss will not result in a future shortage of land for educational recreation or the proposal is non-operational and the land could make a valuable contribution to meeting an identifiable community need for outdoor play facilities.
- 6.16** In light of the above, the Local Plan policies relating to loss of outdoor educational sports facilities are in general conformity with NPPF guidance; that existing playing fields should not be built upon unless it can be demonstrated otherwise. In summary the applicant must demonstrate that:-
- a. The land is surplus to requirements
  - b. The loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location
  - c. The development is for alternative sports and recreational provision, the need for which clearly outweighs the loss
- 6.17** The following paragraphs discuss the extent to which the proposals and supporting information demonstrate the above.
- 6.18** The Council does not have an up-to-date and robust green spaces and playing pitch assessment for Cheltenham, as advised at paragraph 73 of the NPPF. A full review will be undertaken in support of the emerging Cheltenham Plan.
- 6.19** In the absence of such an assessment the applicant has undertaken a detailed playing pitch assessment based on Sport England's Guidance (as advised in NPPG). This assessment concludes that the playing field is surplus to the school's requirements, it is not used by the community and has not been in use for over 5 years. The school states that it has sufficient provision elsewhere to meet DfE guidelines, taking into account anticipated future growth in pupil numbers. Further, in terms of adult/community use there is unlikely to be an increase in demand for grass pitches; league match play showing a preference towards artificial flood lit pitches used throughout the week.
- 6.20** The assessment also concludes that there is sufficient provision of playing pitches within the local area; albeit there are only 2 hockey pitches in the study area and



these are not available to the public. The applicant also argues the proposed facilities will provide an increase in the range of sports and teaching facilities provided by the school in addition to improving the quality of existing provision (an outdated gym of limited size and height, poor changing facilities). The statement provided by the head teacher of Pittville School outlines in further detail the existing situation with regards facilities and the difficulties the school currently experiences during exam periods, for example.

- 6.21** Officers acknowledge the difficulties faced by the school and have inspected the school's current facilities. The clear advantages to the school in having a modern, purpose built sports centre and ATP which are able to accommodate a range of sporting activities for both the school (and community) is not in dispute. As such, officers are fully supportive of the proposed sports facilities, in principle. However, this must of course be balanced against consideration of the loss of the school playing field to fund the new sports facilities.
- 6.22** Sport England is a statutory consultee for both applications; providing appropriate guidance on the design and layout of new sporting facilities and development and reuse of existing playing fields, whether for sporting/recreational activities or alternative uses.
- 6.23** In this instance Sport England has raised objection to both applications. In terms of the evidence submitted by the applicant, it considers the applicant has failed to undertake a robust or objective assessment of needs. In particular, the study area for the Playing Pitch Assessment was not considered to be wide enough and should have been undertaken across the whole authority area and wider where there are cross boundary issues; the application site being relatively close to Bishops Cleeve and Tewkesbury's Borough Council's administrative area.
- 6.24** The Council's Strategic Policy Officer (SPO) acknowledges that the applicant has not undertaken a full playing pitch strategy although their assessment does follow the same methodology as prescribed by Sport England guidance. The applicant's study area covers a 2 mile radius which equates to 12.6 miles and covering much of the northern, eastern and southern urban areas of the town and including southern parts of Bishops Cleeve. To provide some perspective the SPO points out that the Borough area is approximately 18 miles.
- 6.25** At paragraph 193 the NPPF advises that proportionality should be exercised when collecting evidence and in the absence of an up-to-date local authority playing pitch strategy, the SPO concludes that the applicant's assessment should be seen as a proportionate response, bearing in mind also that the proposed sports facilities are intended primarily for use by a school and not the wider community.
- 6.26** Sport England also considers that bullet points two and three of NPPF paragraph 74 do not apply since the proposed development (residential scheme) does not provide for a replacement playing field or indoor or outdoor sporting facilities. Their response in relation to the proposed residential scheme clearly does not take account of the accompanying application for the new sports centre and ATP.
- 6.27** Officers consider unequivocally, that the two applications should be considered together. The two red line sites are within the same ownership and the residential scheme would fund the new sports facilities thereby 'replacing' the loss of the playing field. Given the case put forward by the applicant and the circumstances of these two applications it would be imprudent to take an alternative approach and consider each application solely on its individual merits.
- 6.28** Officers consider that the applicant has demonstrated that the loss of the playing field would be replaced by an alternative sporting facility which one might argue is a

better provision in terms of the range and quality of activities offered and in a suitable location on an adjoining parcel of land within the school grounds. In terms of quantity and range, the new facilities would enable school pupils to engage in more types of sport and in all weather conditions and times of the year. The applicant's playing pitch assessment has demonstrated that the loss of the playing field would not result in the shortage of educational sport provision at this school or within the wider catchment area; there would in fact be an improvement in provision.

## **6.29 Summary**

**6.30** The new sports facilities are located in a suitable location, would provide at least an equivalent if not better provision in terms of quality and quantity of facilities without impacting on the operational requirements of the school. The playing field has been unused for more than 5 years and there are other adequate playing fields owned and managed by the school which would meet DfE curriculum requirements. The delivery of new homes, contributing to the 5 year supply of housing land, must also weigh heavily in the planning balance alongside the much need improved sporting facilities for Pittville school.

**6.31** In light of the above, Officers conclude that the proposed developments, which include the loss of an existing school playing field, adhere to the objectives of Policy RC3 of the Local Plan and NPPF guidance set out at paragraphs 49 and 74.

## **6.32 Design and layout**

### **6.33 Residential Scheme (15/01163/OUT)**

**6.34** This is an outline application for up to 58 dwellings with access being the only matter to be agreed. Matters of appearance, landscaping, layout and scale are reserved for future consideration. As such the information submitted with the application relating to other matters is purely indicative and would not form part of any approval at outline stage. Nonetheless, it is important that there is sufficient information submitted with this application to satisfy the Local Planning Authority that the site can be developed for the purpose identified; in other words the principle of development must be deemed acceptable.

**6.35** The scheme as first submitted included an indicative layout of 58 dwellings, including a main vehicular access road from New Barn Lane through the neighbouring Starvehall Farm development, estate roads, footpath and cycle links to Albert Road and Cakebridge Road and a balancing pond.

**6.36** Subsequent to the submission of a reserved matters application for the Starvehall Farm development in November (re 15/01794/REM), the proposed access road into the site has had to be amended slightly (approximately 10m metres further north) to align with the link/estate roads of Starvehall Farm. Note that, there was a spur shown in this location on the approved indicative layout drawing for Starvehall Farm. Consequently the proposed layout for Starvehall Farm has not altered significantly since outline stage or as consequence of the Pittville School applications.

**6.37** However, the revised submission does not include an indicative layout. Although Officers would have preferred the applicant to have amended the indicative layout accordingly, since this would assist in their overall consideration of the proposed development, the submitted documents do constitute a valid planning application. The previous layout does demonstrate that up to 58 dwellings could be accommodated on this site and any revised layout would likely have necessitated relatively minor tweaks to groups and alignment of houses and estate roads.

- 6.38** In light of the above, Officers are unable to comment any further on matters of indicative layout/design. Footpath links and vehicular access issues are discussed in more detail in section 8 of the report.
- 6.39** Sports Centre and Artificial Playing Pitch/Tennis Courts – 15/01162/FUL
- 6.40** The proposed development (as revised) is considered acceptable in principle subject to approval of the detail of its design.
- 6.41** The layout of the proposed new sports facilities has, to some extent, been constrained by site topography and the Design and Access Statement sets out the evolution of the design and layout of buildings and hockey pitch. The proposed layout has, where possible, responded to existing level surfaces and tried to preserve the openness of the site by locating the sports centre building centrally within the site and setback from the northern boundary with Pittville Campus. Pedestrian routes through the site and those from the car park have been carefully considered with safe routes for school pupils accessing the new sports centre and ATP from the main school buildings.
- 6.42** The design and appearance of the new sports centre was discussed during the pre-application process and has been substantially modified as a result. The pre-application proposals demonstrated a lack of analysis as to show how the proposed building responded to its context and this was reflected in the design. There was a distinct lack of cohesion to the design and a poor relationship between certain elements.
- 6.43** The scheme as first submitted was considered acceptable in form, scale, layout and general appearance but officers had concerns in relation to the proposed materials.
- 6.44** The proposed building was contemporary in style, rectangular in form, relatively compact and linear on the site to ensure maximum use of the remaining external space within the school grounds. The building was divided horizontally into two parts; a timber clad first floor with horizontal louvered sections over fenestration and a ground floor buff brick plinth with minimal openings responding to its internal function and layout of changing rooms and ancillary facilities. A recessed, glazed entrance and reception area provided a distinctive feature and focus to the front and side elevations breaking up the mass and bulk of the building. The first floor over-sailed the recessed entrance with a detailed timber clad/louvered façade above.
- 6.45** The principle concerns in relation to materials were the extent of timber cladding at first floor which wrapped around the entire building, broken only by timber louvered sections over recessed glazed openings. This sat above the buff brick plinth with little contrast in colour and as such there were concerns about the overall effect of colour palette on the appearance and bulk of the building. A more robust ground floor material/colour was considered more appropriate which, in appearance, would provide a more supporting structure.
- 6.46** There were also concerns about the quality, longevity and weathering capabilities of timber cladding particularly given the extent of cladding proposed and the fact that the success or failure of the design and appearance of the resultant building would rest upon the execution and quality of the cladding material. There was also doubt as to whether cladding, on the scale proposed, was a suitable approach in this location and how it might affect the setting of the nearby Grade 1 Pittville Pump Rooms and the character and appearance of the wider conservation area.
- 6.47** More detail was also requested in relation to the louvered sections and how they would function and relate to the recessed glazing behind; the submission of a vertical section drawing through this element was advised.

- 6.48** In response, the applicant provided further detail and a sample of the proposed timber cladding and its weathering properties (NORclad Scandinavian Redwood). Various rainscreen cladding alternatives to the timber cladding were also suggested. The applicant also proposed a natural stone clad plinth solution replacing the brick plinth.
- 6.49** After much deliberation, the applicant presented revised proposals showing a white synthetic rendered first floor (with horizontal aerofoil timber louvered sections over recessed fenestration) over a stone clad plinth. The first floor white rendered box element is simple, crisp and lighter in form and appearance and would provide a more suitable contrast to the darker and contrasting material of the stone plinth below. The louvered half sections would allow an acceptable degree of transparency with views into the building. Similarly, the proposed composite screens and dark grey aluminium window surrounds add interest and contrast to the long elevations. As requested by officers, an elevation study of the louvered sections has also been submitted which gives a clearer indication of the recessed element, shading effects and proportions of these important sections of elevation.
- 6.50** The stone plinth would be constructed of panels of natural stone cladding attached to the outside wall and would have the appearance of a dry stone wall. The plinth would also sit within the slope of the site; some excavation, site levelling and retaining walls would be required. Section drawings accompany the application and these detail the amount of cut and fill and retaining structures required. In summary, the break out area and retained grassed area at the rear of the sports centre meets existing ground levels at the rear/east boundary with Cakebridge Road.
- 6.51** There are also minor changes to the internal layout and allocation of space in response to comments received from Sport England and a free standing extract and plant structure is now proposed within the break out area.
- 6.52** The sports centre comprises 2,400 sq. m of internal floor space and provides a 4 court sports hall, studio and gym facilities, viewing gallery, teaching facilities, wet/dry or home/away changing facilities, a small café, storage facilities and a breakout area to the rear. The size and scale of the building and internal layout have largely been dictated by Sport England Guidance, site constraints and the school's budget. The proposed break out area would be used as an informal viewing area and for outside seating for students. Ball games and formal use of this space is not intended.
- 6.53** The revised choice of external materials should now provide a low maintenance building with a lighter but contrasting aesthetic appearance. Render and stone are characteristic features within the locality and the building should fit well within its surroundings and preserve the character and appearance of the conservation area and setting of nearby listed buildings.
- 6.54** In all other respects, the recessed entrance, footprint, form and general appearance of the building remains unaltered with the exception of a slight overhang of the first floor on the side (south) elevation
- 6.55** In light of the comments made above, the proposed development adheres to the objectives of Policy CP7 of the Local Plan which seeks to ensure that development proposals achieve a high standard of architectural design and complement and respect neighbouring development and the character of the locality.
- 6.56** Artificial Hockey Pitch (ATP) and Tennis Courts
- 6.57** The siting of the hockey pitch was, for the applicant, a major constraint to the layout of the proposed development and, to avoid large areas of cut and fill, its location has had to be restricted to the most level part of the site (where the existing tennis

courts are located) running vertically alongside the main school building. The school currently has no hockey pitch facilities and therefore the proposed ATP is much needed.

**6.58** The proposed ATP is competition size and would be used predominately for hockey but is able to accommodate 5 a side football and other training activities. However, given the surface type it would not be suitable for competitive football. It would be flood lit via lighting columns located around the pitch (details of which have been submitted) and enclosed via 3 metre high fencing. In response to the concerns of the Environmental Health team, additional acoustic mitigation measures have been incorporated at the highest impact points of the pitch at the goal ends; Zaun Hockey 400 Super Rebound acoustic fencing with 400 Rebound acoustic fencing elsewhere. Notwithstanding the submitted details, a condition has been added requiring full details of all fencing and acoustic measures to be submitted and approved at the detailed design stage.

**6.59** The number of replacement tennis courts has been reduced from four to three due to the proximity of the rear gardens of properties in Cakebridge Road which back onto the site along the east boundary. In addition, an additional acoustic fence is provided between the tennis court fencing and the rear boundaries of the nearest Cakebridge Road properties. Three metre high fencing encloses the tennis courts which are not proposed to be flood lit.

#### **6.60** Architects Panel

**6.61** The Architects Panel has reviewed the proposed development on three occasions (once during pre-application discussions). Each time they considered the proposals had improved but they have been consistent in their concerns about the large areas of vertical cladding, which they felt need more articulation, and the weathering of the timber. The Panel also had reservations about the effect of the revised stone cladding and suggested a rendered finish instead (albeit the drawings were seen in draft only).

**6.62** Due to time constraints, the Panel has not been able to comment on the revised scheme with the rendered top section. However, the revised scheme has been prepared in response to the Panel's views and officers consider the sports centre building much improved in its design and overall appearance and presence within the street scene.

#### **6.63** Conservation and Heritage Comments

**6.64** The Conservation Officer's comments are reproduced in full in section 5 above and have been made in response to the scheme as first submitted with reference to some of the alternative materials suggested by the applicant.

**6.65** The Conservation Officer mentions the long distance views across the site from Albert Road and East Approach Drive and considers that the green and spacious qualities of the site add to the qualities of this part of the Conservation Area and setting of the Pump Rooms and Pittville School main building. Whilst she considers the form, mass, layout and principle of a new sporting facility acceptable in terms of the established (educational) character of this part of the Conservation Area, she has concerns about the proposed increase in use and activity on the site which could potentially alter the character of the area.

**6.66** In addition to these general comments, the Conservation Officer has commented on the extensive area of glazing on the south elevation (in relation to heat gain and loss, light pollution and ventilation) and lack of information submitted in respect of air conditioning and position of flues. There are also concerns about the height of

fencing and floodlighting of the hockey pitch which could impact on the character and appearance of the Conservation Area. Similarly, she considers that the proposed external area at first floor level to the east of the sports centre (breakout area) could impact on the setting of the Conservation Area when viewed from the proposed pedestrian route north of the site.

**6.67** Other concerns relate to the proposed materials for the sports centre, notably the use of brick work which is not a material typically found in this area of the town.

**6.68** Again, the scheme has been revised in response of the Conservation Officer's initial comments. The materials have been substantially revised and additional information has been submitted in respect of air conditioning and means of ventilation. The proposed hockey pitch is set back from the road some 25 metres and although a proportion of the fence would be seen above the existing 2 metre hedge which lines the west boundary of the site, Planning Officers do not consider that there would be significant harm to the overall character and appearance of the Conservation Area. When approaching the site from the north, views of the hockey pitch and fencing would be partly obscured by the Media Centre of the Pittville Campus and also by the proposed new sport centre building. Similarly, when approaching from the south the main school building would offer some screening. This is a school site with a number of existing hard surfaced playing surfaces and tennis court enclosures to the north of the main school building and as such one would expect to see outbuildings and fenced sports facilities within the school grounds.

**6.69** Similarly, Planning Officers consider the proposed external breakout area acceptable. It would be located at existing land levels and is intended to be used informally by school pupils for either recreational purposes or when viewing matches. This area of the site is currently used informally by pupils and therefore any noise or visual impact associated with the proposed development should not be dissimilar to the current scenario. The Environmental Health team has no objection, in principle, to the use of this area.

**6.70** Trees, Landscaping and Boundary Treatment

**6.71** All trees within the application sites would be retained with the exception of two which are located between the red line sites. These trees would need to be removed to accommodate the footpath link from the residential site to Albert Road. All other perimeter landscaping and hedging would also be retained and proposed new hard landscaping across the site would be broken up with grassed areas and soft landscaping where practicable.

**6.72** The Trees section has no objection to the proposed removal of a Horse Chestnut and Sycamore tree or to any other tree related matter, subject to adequate tree protection measures being in place during construction of the footpath link to Albert Road and in accordance with the submitted Arboricultural Report. The feasibility study for the footpath construction identifies that the footpath would partially impinge on the root protection zones of three existing trees. Since the new path would be higher than the existing bund, which itself would have been constructed above the tree roots, it is unlikely that future earthworks would impact on existing trees which line the proposed footpath.

**6.73** Perimeter green balustrade fencing is proposed along the north and west boundaries with Albert Road and Pittville Campus. To afford greater security for the school and new sports facilities this would sit behind the existing hedgerow along Albert Road and between the side elevation of the sports centre and footpath link to Albert Road.

**6.74** Notwithstanding the submitted details, full consideration of any new landscaping proposals and boundary treatment for either application would be carried out via the discharge of conditions/reserved matters. In particular, careful attention would be paid to boundary treatment affecting Albert Road, properties in Greenfields and the character and appearance of the wider conservation area.

**6.75** Although landscaping is not a matter to be considered at this outline stage, the Council's Landscape Architect does comment that the two applications should be considered as a whole in terms of green infrastructure proposals along with consideration a full landscaping master plan and accompanying maintenance strategy.

#### **6.76 Impact on neighbouring property**

**6.77** A number of local residents (mostly those living in Cakebridge Road and Greenfields) have raised concerns about noise and disturbance associated with the hockey pitch and tennis courts, light spill from the proposed floodlighting, loss of views, light and outlook from the rear of their properties.

**6.78** The proposed (revised) acoustic mitigation measures are outlined in paragraphs 6.50-51. The Environmental Health Officer (EHO) considers the proposals and level of protection generally acceptable from an amenity perspective subject to conditions relating to the detail of floodlighting, fencing and restrictions to the hours of use of the outdoor sports facilities. A Noise Assessment Report for all proposed sports activities on this site would also be required.

**6.79** The EHO considers the number, height and position of floodlight columns in relation to neighbouring properties acceptable. Given the distances, the properties in Cakebridge Road would be unaffected in terms of light spill and although there would be low level light spill into Albert Road (as indicated on the submitted lux diagram), this should not extend to properties on the west side of the road. There should, therefore be no harm to the amenities of neighbouring properties in terms of light pollution. However, the applicant would still need to submit further technical detail with regard to light levels entering the windows of neighbouring properties, the alignment of light beams and measures to prevent light spill. An updated isolux diagram showing predicted illuminance at critical locations on the boundary of the site and at adjacent properties would also be required along with post-completion light surveys. The EHO considers that this level of detail could be adequately dealt with via the discharge of conditions.

**6.80** Notwithstanding the submission of revised acoustic fencing for the hockey pitch, the EHO requires, in addition, the installation of sound-deadening padding or an alternative at the high impact points of the pitch. The concerns here relate specifically to hockey balls which would affect the nearest residential properties in Albert Road and, to a lesser extent, properties in Cakebridge Road. Whilst the submitted specification details include references to sound-reducing performance, this has not been tested in relation to the situation on the ground and its effect on the nearest noise sensitive properties. The detail of all fencing and associated acoustic measures (including the submission of a full Noise Assessment report of all proposed sports related activities) can be dealt with via planning conditions.

**6.81** Similarly, the proposed location and number of tennis courts is now considered acceptable and the distance from the rear boundaries of properties in Cakebridge Road (approx.19.5 metres) should minimise noise and disturbance and not cause significant harm to amenity. An additional 2 metre high acoustic fence is also to be

located between the proposed tennis courts and rear boundaries of Cakebridge Road properties.

**6.82** The (superseded) indicative layout of housing for the residential scheme shows proposed dwellings some 10-10.5 metres from the rear gardens of properties in Greenfields. A number of these properties have relatively short rear gardens (6.5-12 metres) and with open aspects to the school playing fields and light boundary treatment. Subsequently, the applicant has been made aware of the Council's concerns regarding the proximity of proposed dwellings to properties in Greenfields. Any detailed layout would have to demonstrate a minimum distance of 11metres to the boundary and more in instances where existing rear gardens of Greenfields extend short of 11metres.

**6.83** Matters relating to noise and disturbance generated by a potential increase in traffic are discussed in the following section.

#### **6.84 Access and highway issues**

**6.85** Local Plan policy TP1 seeks to avoid endangering highway safety, directly or indirectly, through the creation of a new access, altering an existing access, or increasing the use of an existing access on to the main highway network. Development should also not be permitted where it would generate a high turnover of on-street parking.

**6.86** Both applications are accompanied by a Transport Assessment which assesses the amount of traffic generated by the proposed residential development, the suitability and traffic and highway safety implications associated with the proposed new access through Starvehall Farm, the use of the existing school vehicular access from Albert Road to serve the new sports centre and ATP, on-site parking provision and footpath and cycle links proposed through to Albert Road and Cakebridge Road.

**6.87** Both Transport Assessments have been supplemented by Technical Notes submitted by the applicant which address the issues raised by the Highways Officer in respect of overspill parking and capacity of the highways infrastructure for Starvehall Farm and New Barn Lane to accommodate additional traffic.

#### **6.88 Sports Centre – 15/01162/FUL**

**6.89** Given that the sports centre and ATP would also be available for use by the local community, GCC Highways has had to ensure that there is adequate parking for the peak use of the site (likely to be evenings and weekends). A total of 59 spaces are proposed for the new sports facilities but the supporting information submitted by the applicant made it difficult for the Highways Officer to determine whether this number is acceptable because the parking accumulation study has not been carried out using a donor site. That said, GCC is now satisfied that the 59 spaces plus an agreed overflow parking provision of 65 spaces (using existing school parking bays on adjoining land) would be suitable to accommodate the peak demand for the proposed development.

**6.90** GCC also conclude that the impact of the development at traditional peak hours (am and pm) would be minimal but impact in the evenings would be greater with the anticipated out of school hours activities and events. However, base traffic flows are



much lower in the evenings and weekends, therefore there should be ample spare capacity on the network to accommodate any additional traffic.

**6.91** No details of cycle parking have been submitted and therefore a condition has been added to ensure adequate provision. Conditions relating to Construction Methodology (parking, deliveries and storage of materials etc.), a Car Park Management Plan (including appropriate management and procedures for overspill parking), visibility splays and surface treatment have also been added.

**6.92** Residential Scheme – 15/01163/OUT

**6.93** GCC consider that the proposed vehicular access to the site using the estate road/s via Starvehall Farm is suitable to accommodate the traffic generated by up to 58 dwellings. GCC also recommend that planning conditions are added to ensure that this is the only point of access for vehicles and all construction traffic and that the access road is constructed to a suitable standard prior to occupation of any of the proposed dwellings.

**6.94** GCC is supportive of the two pedestrian/cycle links which they consider important to improve sustainability, permeability and pedestrian access to facilities. The proposed footpath link from the residential site to Albert Road would be constructed on top of and following the line of an existing bund (flood defence) which runs the length of the northern boundary with Pittville Campus. This was constructed by the school following the floods of 2007. Given the lack of detail first submitted, the applicant has subsequently submitted a construction feasibility section drawing of the footpath. Whilst helpful, full details of construction methodology, impact on tree roots, width, gradient, speeds, agreed lighting and boundary treatment would need to be considered at reserved matters stage.

**6.95** Both GCC and CBC officers have considered carefully the cumulative impact of the proposed development with Starvehall Farm (and Student Village at Pittville Campus) in addition to the impact of the proposed developments in isolation. Officers are also aware of Condition 5 of the outline planning consent for Starvehall Farm which restricts development to 300 dwellings within its application site, for highways safety reasons. As part of this process, the applicant was asked to carry out and submit further analysis/traffic modelling of anticipated traffic flows through Starvehall Farm.

**6.96** In summary, the trip rates for the proposed development have been based on agreed trip rates for Starvehall Farm. The additional trips generated (33 two way am peak and 35 pm peak) should not have a severe or significant impact on the local highway network. With reference to the Starvehall Farm Transport Assessment (SFTA), the cumulative assessment of 58 dwellings plus 300 at Starvehall Farm concludes that the proposed development would result in an increase in traffic flows of 3.1% in the AM peak and 3.8% in the PM peak. GCC consider this to be negligible and not sufficient to affect the operation of New Barn Lane.

**6.97** Again, with reference to the SFTA, the capacity assessment of the New Barn Lane access point demonstrates that the junction would be operating far below its maximum capacity and should therefore have sufficient capacity to accommodate the modest level of traffic generated by an additional 58 dwellings.

**6.98** GCC also comments on the estate road layout shown on the indicative layout drawing first submitted. Although this drawing is superseded and no indicative

layout is now shown, their concerns in relation to design speed can be more easily addressed at reserved matters stage.

- 6.99** To limit noise and disturbance from construction traffic affecting local residents and the local road network during the construction phase, GCC recommend the submission of a Construction Method Statement to help mitigate any adverse effects. A condition has been attached accordingly along with conditions relating to completion of the Starvehall Farm prior to occupation, passenger information enhancements along Albert Road, visibility splays, management and maintenance of streets, design and layout of estate roads and footpath link with road safety audit.
- 6.100** In conclusion and with regard to the cumulative impacts of the development, the Highway Authority considers that this development would not have a severe impact on the local highway network and a safe and suitable access to the site can be achieved. No highway objection is therefore raised.

### **6.101 Other considerations**

#### **6.102 Viability Issues and Affordable Housing**

- 6.103** The residential proposal is for up to 58 dwellings and therefore triggers the requirement for affordable housing, in accordance with paragraphs 47 and 50 of the NPPF and Policy HS4 of the Local Plan, which states: "*In residential developments of 15 or more dwellings or residential sites of 0.5 hectares or greater, a minimum of 40% of the total dwellings proposed will be sought for the provision of affordable housing.*" Note 1 attached to this policy also states that "*this proportion may vary to take account of the exceptional circumstances relating to a site.*"
- 6.104** The information submitted with the application suggests that it would not be viable for the scheme to provide 40% affordable housing and that 20% would be a realistic level of affordable housing. Importantly, the applicant has taken account of the construction costs for the sports centre and ATP/tennis courts in its assessment of viability.
- 6.105** The applicant's Viability Assessment has been independently assessed by the District Valuation Service (DVS) which has compared the market value of the site with the residual value of the site should the 40% affordable housing be provided. In contrast with the applicant's viability assessment, the DVS was instructed to not take account of the construction costs of the proposed sports facilities (application 15/01162/FUL) in their assessment of viability. However, they were asked to comment on the accuracy of the figures and construction cost estimates for the sports centre provided by the applicant. Given that the justification for the sale and loss of the playing field is the provision of alternative and improved indoor sports facilities for the school, officers would then take account of the construction costs for the sports facilities in the Council's overall assessment of viability and acceptable level of affordable housing.
- 6.106** Given the circumstances of the linked applications, the issue of viability is more complex. Although it might seem reasonable and simpler to take account of the construction costs for the sports centre in an initial viability appraisal, officers felt the correct procedure, in the first instance, was to assess the viability of the residential scheme as a stand-alone proposal and since both applications have been submitted separately. Once a viable scheme and percentage of affordable housing has been agreed for the 58 dwellings, the intention would then be for the DVS to undertake further sensitivity testing, working backwards from 40% affordable housing, if necessary, to reach a residual land value commensurate with the estimated

construction costs of the sports centre and ATP. The 'exceptional circumstances' clause of Policy HS4 therefore applies.

**6.107** Fundamentally, the residential scheme has been assessed on the basis that it is an enabling project intended to fund the school's new sports facilities and justify the loss of the playing field. The Council would otherwise be unable to support the loss of the playing field. As such, there should be no residual capital receipt for the school upon completion of the sports facilities. Any surplus would be expected to result in an increase in the percentage of affordable housing provision within the proposed residential scheme.

**6.108** A draft report from the DVS (received on 8<sup>th</sup> December 2015) concludes that the proposed development of 58 dwellings is viable with a 40% affordable housing provision (having also taken account of other s106 contributions). Sensitivity testing in relation to 20% affordable housing (as submitted by the applicant) also concludes that the scheme is viable. Note that, both assessments of residual land value exclude the sports hall and ATP construction costs.

**6.109** At the time of writing negotiations and discussions between the DVS, applicant and officers are on-going; clarification being sought in relation to valuation figures and the construction costs/tendering for the sports facilities. The DVS has not therefore been able to complete the further sensitivity testing to reach a RLV commensurate with construction costs of the sports facilities and hence reach an agreed level of affordable housing. Nonetheless, based on the assessments carried out to date, officers envisage that this figure should be between 30-40%. Members will be updated prior to Committee should agreement be reached between all parties.

#### **6.110** S106 Agreement and Heads of Terms

**6.111** In addition to the affordable housing element, play space, education (primary and secondary provision) and library s106 contributions are required for the residential scheme and would be included in the heads of terms. Given the complexities of viability in this instance, contributions towards public art will not be pursued.

**6.112** Drafting of the s106 will also need to give careful consideration to the triggers for the release and construction of the residential scheme alongside implementation of the sports facilities. In essence, the scenario the Council would need to avoid is a completed and occupied residential scheme without completion or even commencement of the new sports centre. Officers are currently discussing the various options in this regard which are likely to conclude that a developer lead and funded sports facility is the most suitable mechanism. For example, the developer of the residential scheme would appoint a contractor, develop the centre and provide funds to the school so that development can come forward subject to clauses. These might include a restricted number of dwellings being occupied until completion of development of the sports centre and none being occupied until commencement.

**6.113** Members will be updated should agreement be reached on this matter prior to Committee.

#### **6.114** Funding

**6.115**A number of local residents have questioned whether the school has investigated thoroughly alternative means of funding the new sports centre and ATP; this would then avoid the loss of the playing field.

**6.116**Pittville School is a state-funded, foundation school which, in monetary terms, is funded by the Government via the local education authority. As such, the school is provided with an annual lump sum which it must budget to prevent an overspend; the school has no other spare capital other than their assets of land and buildings. There are other sources of funding for sports centres, for example from the Lottery and Sport England, however, the school would not qualify for such funds and nor would any funds cover the full costs.

**6.117**It is understood that lottery funding is restricted to community and voluntary groups and charities. Sport England have a Strategic Facilities fund but again the proposed development would not fall within the eligibility criteria being over the maximum funding amount (£2 million). There is also no supporting commitment from GCC/CBC and the project has not been identified as a priority within a local authority strategic needs assessment for sports and leisure provision. A loan is also not possible due to servicing the debt and interest payments.

#### **6.118**Community Use Agreement for Sporting Facilities

**6.119**Pittville School intends to maintain and improve the accessibility of its sporting facilities to the wider community and as such a Community Use Agreement (and Business Plan) has been submitted in support of their application. This policy document outlines the school's aims to work in partnership with national, regional and local governing bodies, clubs, local authority councils and the local community to provide sport and recreational facilities outside of school hours, during school holidays and at weekends. The facilities available would also extend to beyond the new facilities proposed as part of this application and could include existing playing pitches for football, rugby and cricket. This arrangement is not dissimilar to that currently offered at Cleeve School in Bishops Cleeve for example.

**6.120**The Community Use Agreement sets out the broad principles of how the site would be managed and includes provision to evaluate and monitor the community use of facilities. It also proposes the establishment of a Stakeholder Group consisting of representatives from user groups, local residents, parents and sports governing bodies, as deemed appropriate, to advise on the programme of activities offered. Fundamentally, the cost of the community use would be covered by the income generated by out of hours use.

**6.121**Whilst officers are of the view that, without a proposed community use of the facilities this application should not be refused, the community use element would undoubtedly be of benefit and should be fully supported. To protect the amenities of occupiers of neighbouring properties, matters relating to extended hours of use, lighting and car park management are covered by relevant suggested conditions.

#### **6.122**Utilities

**6.123**A utilities report has been submitted with the application which concludes that there is water, electricity, gas and foul sewerage within or immediately adjacent to the site which means that connections should be possible without major infrastructure works.

#### **6.124** Drainage and Flooding

**6.125** Both sites are located within Flood Risk Zone 1 (low risk) and the applications are thus accompanied by a Flood Risk Assessment with accompanying documents.

**6.126** GCC as Local Lead Flood Authority (LLFA) initially objected to both applications. In relation to the residential scheme there were concerns about combined discharge rates for the two application sites, lack of clarity on and agreed discharge with Severn Trent Water to the combined sewer system. Clarification was also required in relation to existing run off rates and whether the proposed drainage infrastructure would be able to discharge at the greenfield runoff rate.

**6.127** Following discussions between the LLFA and the applicant's drainage consultant, information was submitted which addressed the previous concerns. Whilst the proposed discharge rates do not meet national requirements (i.e. do not match existing greenfield runoff rates) an agreement was reached between the applicant and LLFA and a condition would be attached requiring submission of a detailed drainage scheme for surface water.

**6.128** In relation to the sports centre application there was a lack of evidence provided to support the view that the open ditch running alongside Albert Road was not capable of supporting the attenuated discharge from the site. Therefore, on this basis, the proposed development does not adhere to the SuDS discharge hierarchy. There were also concerns in relation to the size of attenuation storage and similar issues in relation to existing discharge rates and whether there would be betterment for the site in line with GCC policy for previously developed land.

**6.129** Following discussions with the applicant, the LLFA subsequently agreed that an investigation into the feasibility of using the next hierarchy after discharging to a water body (in this case Wyman's Brook) would be sought via planning condition. On this basis no objection is raised by the LLFA.

**6.130** However, the comments made above in respect of the residential scheme (15/01163/OUT) were based on the supporting information as originally submitted i.e. with an indicative layout. The LLFA is now objecting to the revised scheme based on lack of information; without a layout it is not possible to determine if the proposal is technically feasible in relation to surface water management and will not increase flood potential elsewhere.

**6.131** Notwithstanding the LLFA objection, officers consider the previous layout drawing and all documents submitted in relation to flood risk and drainage still relevant. As previously mentioned, the application is valid without a layout drawing and the earlier submission reasonably demonstrates that up to 58 dwellings could be accommodated on this site with sustainable drainage options. Officers are therefore taking a pragmatic approach and intend to add the conditions previously suggested by the LLFA; the detail of all drainage matters being considered at reserved matters stage.

## **7. CONCLUSION AND RECOMMENDATION**

**7.1** Paragraph 14 of the NPPF requires that "at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking....For decision-taking this means approving development proposals that accord with the development plan without delay .... Where the development plan is absent or silent or relevant policies are out of date, granting planning permission

unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.”

- 7.2** With the above in mind, officers consider that when assessed against the provisions of the NPPF and Local Plan Policy, the proposals, considered together, are acceptable. Further, in terms of achieving sustainable development, there are clearly the social and economic benefits to the school and wider community and the environmental impacts of the proposed developments are, on balance, considered acceptable.
- 7.3** In relation to the sports facilities (15/01162/FUL) the proposed layout, scale, design and revised choice of external materials should now provide a low maintenance building with a lighter but contrasting aesthetic appearance. As such the building should fit well within its surroundings and preserve the character and appearance of the conservation area and setting of nearby listed buildings. Amenity issues in relation to noise and disturbance and light pollution are covered by a number of suggested conditions restricting hours of use of the proposed facilities and seeking approval of the detail of the design and height of acoustic fencing.
- 7.4** It must be remembered that the residential application (15/01163/OUT) is in outline with only access to be agreed at this stage. The remainder of the information submitted with the application is necessary only to demonstrate that it is technically feasible to accommodate the amount of development proposed in an acceptable manner.
- 7.5** Gloucestershire County Council Highways consider the proposed vehicular and pedestrian access to the site acceptable in principle (subject to conditions) and has considered carefully the potential increase in traffic using New Barn Lane and the cumulative impact of the proposed development with Starvehall Farm.
- 7.6** It is acknowledged that the revised submission, with amended access road, does not include an indicative layout of housing. However, the scheme as first submitted included a layout which does demonstrate that up to 58 dwellings could be accommodated on this site. Any revised layout would likely have necessitated relatively minor tweaks to groups and alignment of houses and estate roads. The detail of numbers, layout, scale and design and all amenity issues associated with the proximity of proposed dwellings to existing properties in Greenfields would be considered at reserved matters stage.
- 7.7** The loss of the existing playing field is regrettable and officers are aware of the objection received from Sport England and the many comments received from local residents in this regard. However, the applicant’s justification for the loss and redevelopment of the playing field for residential purposes is the proposal for new and much needed sporting facilities for Pittville School.
- 7.8** The proposed residential scheme would fund and facilitate the development of the new sports centre and ATP on adjoining land within the ownership of the school; the applicant arguing that this provision and wider range of sporting uses and increased availability (to the wider community) would outweigh the loss of the playing field. Officers share this view and firmly consider that the proposed sports facilities as a ‘replacement’ and justification for the loss of the playing field is a material consideration for both applications and which should weigh heavily in the planning balance in support of the proposals. The delivery of new homes, contributing to the 5 year supply of housing land is also a material consideration. As such, these two applications should be considered together and not solely on their individual merits.

- 7.9** In light of the above, Officers conclude that the proposed developments, which despite the loss of an existing school playing field, adhere to the objectives of Policy RC3 of the Local Plan and NPPF guidance set out at paragraphs 49 and 74.
- 7.10** However, agreement has not yet been reached with the applicant in respect of an appropriate level of affordable housing provision and heads of terms generally. As such a recommendation will be provided as an update before or at Committee, dependant on the outcome of current negotiations with the applicant and final report of the DVS. A full set of conditions, if relevant, will also be provided as an update prior to Committee.