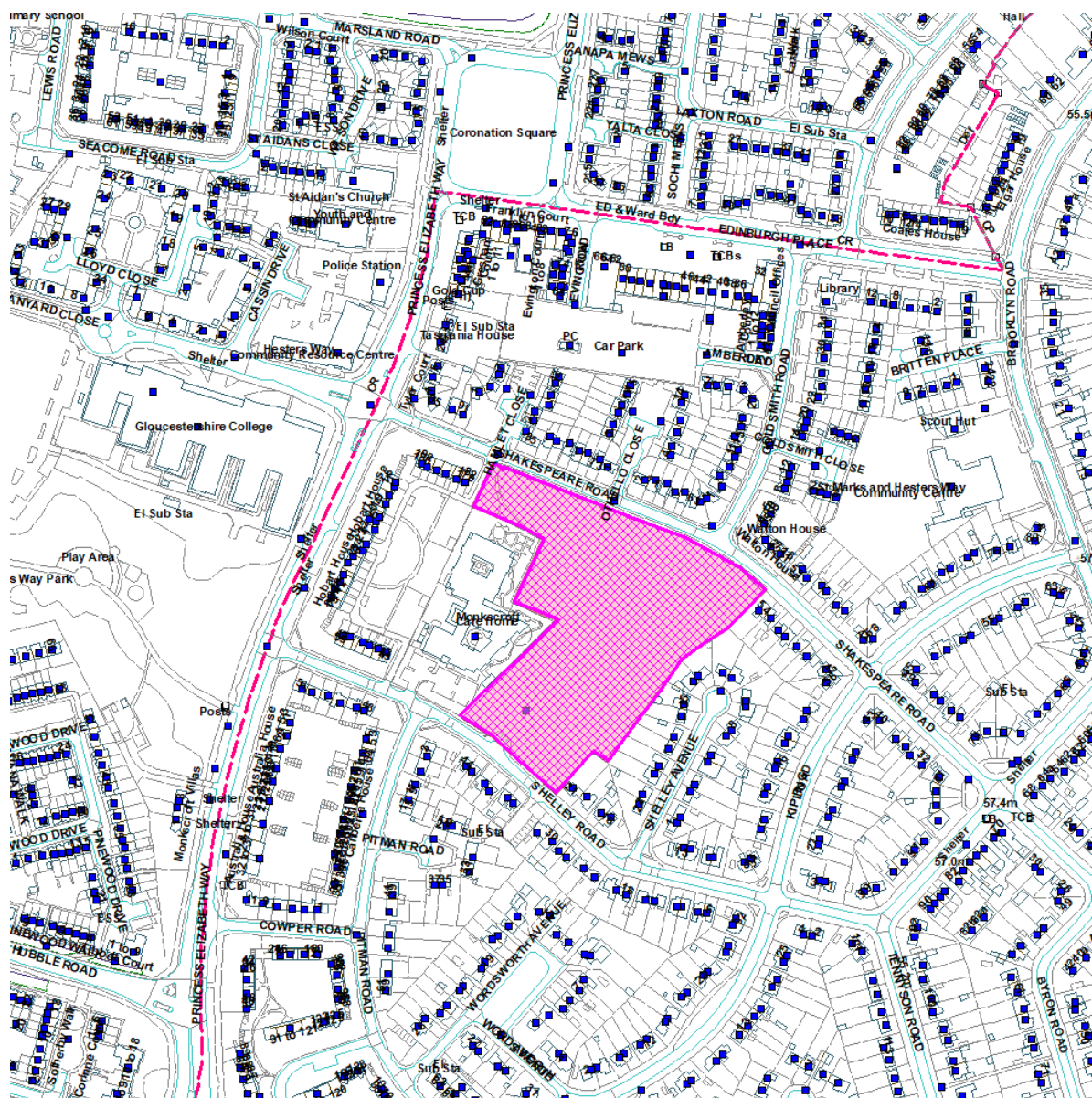


APPLICATION NO: 19/01190/OUT		OFFICER: Michelle Payne	
DATE REGISTERED: 19th June 2019		DATE OF EXPIRY: 18th September 2019 <small>(extended until 31st October 2019 by agreement with the applicant)</small>	
DATE VALIDATED: 19th June 2019		DATE OF SITE VISIT: 23rd July 2019	
WARD: St Marks		PARISH: n/a	
APPLICANT:	Gloucestershire County Council		
AGENT:	Evans Jones Ltd		
LOCATION:	Land Off Shelley Road, Cheltenham		
PROPOSAL:	Outline application for erection of 60 dwellings including access (with all other matters reserved) on site of former Monkscroft Primary School		

RECOMMENDATION: Permit subject to s106 agreement



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises the majority of the former Monkscroft school site located on Shelley Road and extends north to Shakespeare Road. To the west, the site is largely bounded by Monkscroft Care Centre, an 80 bed nursing care home, and a small number of residential properties in Hobart House; and, to the east, the site is bounded by residential properties on Shakespeare Road and Shelley Avenue.
- 1.2 The site is some 1.8 hectares in area and has been cleared of all buildings and structures; however there are a number of high quality trees within the site. The site lies wholly within the Principal Urban Area (PUA) and Flood Zone 1.
- 1.3 The application is seeking outline planning permission for the redevelopment of the site to provide 60 residential units; with access provided from Shelley Road. Matters relating to layout, scale, appearance and landscaping are reserved for future consideration, should the principle of developing the site for housing be considered acceptable. The site is allocated for up to 60 dwellings in the emerging Cheltenham Plan, under policy H1 (site HD2).
- 1.4 Whilst layout is a reserved matter, an indicative layout has been submitted to demonstrate that 60 dwellings could be successfully accommodated on the site. The density of the development equates to 33 dwellings per hectare (dph). A policy compliant provision of affordable housing (40%) is proposed.
- 1.5 The application is before committee as it has been submitted by Gloucestershire County Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 10m
Principal Urban Area

Relevant Planning History:

09/01801/FUL

PERMIT

3rd March 2010

Demolition of Monkscroft Primary School and construction of an 80 bed residential care home

3. POLICIES AND GUIDANCE

National Planning Policy Framework (NPPF)

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 5 Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 15 Conserving and enhancing the natural environment

Saved Local Plan (LP) Policies

CP 4 Safe and sustainable living

CP 7 Design

BE 20 Archaeological remains of local importance

GE 2 Private green space
GE 5 Protection and replacement of trees
GE 6 Trees and development
RC 2 Youth and adult outdoor playing facilities

Adopted Joint Core Strategy (JCS) Policies

SD3 Sustainable Design and Construction
SD4 Design Requirements
SD8 Historic Environment
SD9 Biodiversity and Geodiversity
SD10 Residential Development
SD11 Housing Mix and Standards
SD12 Affordable Housing
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management
INF6 Infrastructure Delivery
INF7 Developer Contributions

Supplementary Planning Guidance/Documents

Flooding and sustainable drainage systems (2003)
Landscaping in new development (2004)
Sustainable buildings (2003)
Sustainable developments (2003)
The Poets conservation area character appraisal and management plan (2009)

4. CONSULTEE RESPONSES

Planning Policy Team

22nd August 2019

The site

The application site is located between Shelley Road and Shakespeare Road on land which was previously part of Monkscroft Primary School. The site is allocated for housing development (HD2) within the emerging Cheltenham Plan Pre-Submission document.

Policy Framework

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be taken in accordance with the relevant adopted Development Plan unless material considerations dictate otherwise. Therefore, in determining this application, the following must be considered:

The adopted development plan for the area:

- The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (December 2017)
- Relevant saved policies of the Cheltenham Borough Local Plan Second Review 2006

Relevant material considerations, which include:

- The National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (nPPG)
- The pre-submission Cheltenham Plan and its evidence base.

JCS Policy SD10 requires that on sites not allocated, housing development and conversions to dwellings will be permitted on previously developed land within the Principal Urban Area of Cheltenham and rural service centres and service villages except where

otherwise restricted by policies in district plans. Housing development on other sites will only be permitted if it is for affordable housing on a rural exception site or if it is infilling within the Principal Urban Area of Cheltenham.

The new Cheltenham Plan is at an advanced stage of preparation and is a material consideration. There are limited outstanding concerns regarding HD2 in the new Cheltenham Plan. Significant weight should therefore be given to emerging policy HD2 in accordance with NPPF para 48.

Provided that the criteria set out in HD2 are satisfied the Policy Team offer no objections to this application.

Joint Waste Team

21st June 2019

- 1) Pathway - Pathway needs to be of hard standing
- 2) Bins - Residents would need to be informed that due to it being private dwellings the ownership would be for them to present on the kerbside for 7am on the morning of collection.
- 3) Road Layout - Parking in the new road will reduce the amount of space to be able to turn a 26 tonne vehicle in. Ideally off road parking is advisable with a turning space for refuse and recycling trucks
- 4) Road Surface - The road surface will need to be of a good surface that will take the weight of a 26 tonne vehicle. Until the road has been completed and passed on, Ubico would need assurances that they are safe to enter and not held responsible for any damage.
- 5) Turning Section - Due to the main road leading into the new estate reversing off or onto is not advisable. Also the distance to reverse and navigate the new estate would also not be possible. Therefore the road into the new estate will need turning spaces to allow for a 26 tonne vehicle to turn safely. This would require the road to have adequate measures to prevent parking in these spaces.
- 6) Presentation Points - The properties would need a position near the kerbside to present bins, boxes, caddy's and blue bags that would avoid blocking access to the pathway or driveways.
- 7) Communal- If any of the properties are to be communal then a bin shed will need to be planned. The bin shed needs to be of adequate size to house all the receptacles needed for the occupancy. Ideally the bin shed should be no further than 30 metres away from the adopted highway as per the planning guidance document.

Building Control

21st June 2019

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Cheltenham Civic Society

24th July 2019

The Civic Society's Planning Forum hopes that as a Local Authority site, this development could be an exemplar in alleviating the climate emergency that CBC has announced. As this development is public sector led, it should be demonstrating net biodiversity gain as an exemplar to private developers. The Society's Forum hopes this indicative site plan is accurate as to tree planting.

This appears to be a site with some former Roman presence so a proper archaeological survey should take place, under Planning Condition.

The Society's Forum is concerned about the traffic burden this proposal puts on Shelley Road. Could a second access road be added to Shakespeare Road, with some modal filtering to prevent this becoming a rat-run for motorised vehicles across the estate.

There does not appear to be enough parking provided for residents and visitors given the existing pressures on on-street parking in this area.

As a Local Authority led development, the Society's Forum hopes this will be an opportunity to build some much-needed social housing.

When the detailed application is available, the Civic Society's Planning Forum would welcome a presentation of the detailed scheme.

Sport England

3rd July 2019

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

However, as the playing field has not been used for at least five years, the consultation with Sport England is not a statutory requirement.

Notwithstanding the non-statutory nature of the consultation, Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 97) and against its own playing fields policy, which states:

'Sport England's 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 any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link: www.sportengland.org/playingfieldspolicy

Sport England' applies its policy to any land in use as playing field or last used as playing field and which remains undeveloped, irrespective of whether that use ceased more than five years ago. Lack of use should not be seen as necessarily indicating an absence of need for playing fields in the locality. Such land can retain the potential to provide playing pitches to meet current or future needs.

The Proposal and Impact on Playing Field

The proposal is for an outline application for erection of 60 dwellings including access (with all other matters reserved) on the site of former Monkscroft Primary School, which will result in the loss of approximately 1.1 hectares of playing field.

Assessment against Sport England Policy

The applicants have admitted that there is a loss of playing field, (para 5.15 in the planning statement), but have done nothing to address this loss. Nor have they addressed the adopted Cheltenham Borough Council's Playing Pitch Strategy.

The proposal is not for alternative sports facilities, therefore the applicants have not addressed any of Sport England Planning Policy exceptions or paragraph 97 of the National planning Policy Framework.

Conclusion

In light of the above, Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF. However, if the following amendments were made we would be likely to be in a position to support the proposals:

- There is a proposal for either replacing the playing fields which are lost or a suitable mitigation package is offered up in lieu of the replacement playing fields in line with the adopted PPS

Sport England would like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

Gloucestershire Centre for Environmental Records

8th July 2019

Report available to view online.

County Archaeology

21st June 2019

Thank you for consulting me concerning the above planning application. I wish to make the following observations regarding the archaeological implications of this scheme.

I note that this planning application is supported by a report on an archaeological evaluation compiled by Worcestershire Archaeology, dated March 2018. The evaluation comprised the excavation of eight trial-trenches which were placed to investigate ground anomalies predicted by a previous geophysical survey.

The result of the evaluation was positive, in that archaeological remains dating to the Roman period were found to be widespread, being present in Trenches 3, 5, 6, 7 and 8. The Roman remains included a series of ditched enclosure boundaries and pits, and these are thought to represent a small rural settlement occupied predominantly in the 1st and 2nd centuries AD, although some evidence for earlier and later activity was also found.

It is clear from the results of the evaluation that the archaeological remains are not of the first order of preservation, since they have undergone erosion from medieval ploughing and from localised modern landscaping. For that reason it is my view that the archaeological remains are not of the highest significance, so meriting preservation in situ. Nevertheless, the result of the evaluation indicates that the Roman remains have the potential to make a significant contribution to our understanding of the archaeology of the locality.

On that basis I am pleased to confirm that I have no objection in principle to the development of this site, with the proviso that an appropriate programme of archaeological work to excavate and record the Roman settlement should be undertaken in advance of the development proceeding.

To facilitate the archaeological work I recommend that a condition based on model condition 55 from Appendix A of Circular 11/95 is attached to any planning permission which may be given for this development, ie;

'No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority'.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 199 of the National Planning Policy Framework.

Architects Panel

29th July 2019

Design Concept - The panel had no objection to the principle of a housing scheme on this site but were not convinced by the indicative Site Layout plan submitted with the application.

It was acknowledged that the application was for Outline permission only but the panel questioned the density of the development. The scheme description should be changed and the number of dwellings removed until such time as a proper site density appraisal scheme has been undertaken.

Recommendation - Amend application description.

Tree Officer

19th July 2019

The CBC Tree Section does not object to this outline application in principle on the assumption that a detailed tree retention and removal plan can be submitted and agreed as a part of this application.

It appears as though the most desirable/highest amenity trees will be retained. However some of these trees may need to be retained in a 'pollarded' form (eg Ts 22 +22) due to the inherent nature of their brittle nature. Similarly, several of the plums and other small trees/large bushes along the northern boundary may need to be pruned so as to be a suitable soft landscaping within a future public open space.

Many of the units appear to have reasonably generous gardens. However very few of the proposed gardens appear to have suggested suitable trees planted within. This needs to be rectified and a generous landscaping palette needs to be submitted-even if only in outline form as a part of this application.

It is noted that there are several large and potentially very large trees outside and just inside the site-especially on the southern and eastern boundaries. It would be useful if a full shade analysis of such trees (now and at full maturity) could be plotted against the proposed building plots. Without such careful consideration, such properties and their gardens may have little sunlight and there may be pressure to remove such trees.

Usual BS5837 Tree Protection Plans, method Statements, service run details, planting/landscape detailed drawings etc could be submitted as reserved matters.

GCC Highways Development Management

16th July 2019

I recommend that this application be refused on highway grounds for the following reason(s):

Insufficient information has been submitted to demonstrate that the proposal can provide a safe and suitable access arrangement contrary to Section 9 of the National Planning Policy Framework 2019.

The highway authority would be unable to give consideration to an alternative recommendation unless the following information is provided;

- The dimensions of the access arrangement will be determined by swept path analysis of the largest expected vehicles likely to use the proposed development site access. Details of vehicle tracking for the largest vehicle expected to site simultaneously passing a private estate car (1715mm x 4226mm) at the site access junction through all turning manoeuvres as well as throughout the site. The SPA should provide clearance of 500mm to any kerb-line, vertical structure, tree or parking space.
- A Road Safety Audit Stage 1/Mobility Audit ((Walking, Cycling & Horse-Riding Assessment And Review (WCHAR) (DMRB HD 42/17) is required.
- Applicant/agent to give further consideration to the transition from 3m wide cycle way from development site onto the existing highway.
- Requirement for S278
NOTE: The upgrade works to the access require alteration to the existing highway network and must be undertaken by the Highway Authority or its appointed agents. An Agreement under Section 278 of the Highways Act 1980 will be required.

The Local Highway Authority will need to be contacted prior to commencement of work on the access.

It should be noted, given officer concerns that the provision of new information may not result in a different recommendation for this location.

GCC Highways Development Management – final comments

7th October 2019

I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:-

1. Throughout the construction [and demolition] period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:
 - i. parking of vehicles of site operatives and visitors;
 - ii. loading and unloading of plant and materials;
 - iii. storage of plant and materials used in constructing the development;
 - iv. provide for wheel washing facilities
 - v. provide vehicle routing strategy for construction stage

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

2. Prior to occupation of the development hereby permitted until a Travel Plan has been submitted to and agreed in writing by the Local Planning Authority, setting out:
 - i. objectives and targets for promoting sustainable travel,
 - ii. appointment and funding of a travel plan coordinator,
 - iii. details of an annual monitoring and review process,
 - iv. means of funding of the travel plan, and;
 - v. an implementation timetable including the responsible body for each action.

The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The development will generate a significant amount of movement and to ensure that the appropriate opportunities to promote sustainable transport modes are taken up in accordance with paragraphs 108 and 111 of the National Planning Policy Framework.

3. Details of the layout, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority 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 scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

4. Prior to occupation of the proposed development hereby permitted details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be 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 scope for conflict between traffic and cyclists and pedestrians in accordance with paragraph 108 and 110 the National Planning Policy 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 127 of the Framework.

5. No above ground works 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 access and tackle any property fire in accordance with paragraph 110 of the National Planning Policy Framework.

6. Means of vehicular access to the development hereby permitted shall be from Shelley Road only.

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 scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

7. 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 0.6m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

8. The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 1 bicycle per dwelling has been made available in accordance with details to be submitted to and approved in writing by the LPA.

Reason: To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

9. The details to be submitted for the approval of reserved matters shall include vehicular parking [and turning] [and loading/unloading] facilities within the site, and the building(s) hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

10. Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed broadly in accordance with the submitted plan drawing no. SK01 rev B, with the area of driveway within at least 10.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

Informatives

1. 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 Works Agreement and apply for an application under the Traffic Regulation Order (including an appropriate bond) with the County Council before commencing those works.
2. The applicant is advised that to discharge condition 04, 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.
3. GCC currently has no technical specification for shared space. This is an adoption matter to which GCC are not obliged to adopt any highway. GCC will only adopt roads that meet our published technical specification.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

GCC Local Flood Authority (LLFA)

12th July 2019

I refer to the above application received by the Lead Local Flood Authority (LLFA) on 21st June 2019 for comment on the proposals for management of surface water.

I confirm that, according to the Environment Agency's updated flood maps, the site is located in fluvial flood zone 1 as mentioned in the site specific Flood Risk Assessment (FRA).

Whilst it is recognised that there are no flood reports for this site, it is noted from the Environment Agency's updated flood maps, that the site is affected by a small area of surface water flood risk in the south eastern most corner during a 1 in 100 year rainfall event. In accordance with Sections 7, 8 and 9 of the non-statutory technical guidance, the applicant must provide evidence to demonstrate that no area of the site will flood during the 1 in 30 year rainfall event or any building (including basements) during the 1 in 100 year rainfall event. This evidence should be provided at detailed design stage.

In addition, it is recognised that Shelley Road which directly abuts the site boundary and at the location where access to this development site is proposed, is at risk of surface water flooding during the 1 in 30 year and 1 in 100 year rainfall events. The applicant should be required to provide evidence at detailed design stage to demonstrate that the proposals for this development will not exacerbate the existing flooding issue on Shelley Road.

The LLFA also acknowledges that the site is characterised by lime rich and clayey soils with impeded drainage. The site specific FRA confirms that infiltration tests were carried out to BRE 365 standard and failed as no infiltration occurred, therefore infiltration has been discounted as a viable drainage strategy for this site. The applicant should be required at detailed design stage to provide evidence and results of the infiltration tests carried out.

It is acknowledged that surface water discharge via connection to a watercourse is deemed unviable for this site, as there are no nearby watercourses. In light of this and the fact that infiltration is also deemed unviable, it is noted that the proposed method of surface water discharge from this site is through a gravity connection to a nearby surface water sewer. The LLFA accepts the evidence provided by the applicant to confirm Severn Trent Water's agreement to a gravity connection to the existing surface water sewer in Shelley Road or Shakespeare Road with a controlled discharge at the greenfield runoff rate 5l/s/ha, subject to a formal Section 106 approval, in the event that surface water discharge via infiltration or watercourse is proven to be unviable.

The LLFA recognises that the proposed impermeable area as a result of this development is 0.85ha and therefore a significant increase. It is acknowledged the applicant proposes the use of permeable paving and underground crates to attenuate surface water on site and accommodate volumes whilst restricting discharge from the site at 8.9l/s. The applicant has provided microdrainage calculations to demonstrate that 460.2m³ storage is required and will be provided by the proposed underground crates.

It is acknowledged that above ground attenuation has been considered in the site specific FRA and subsequently discounted due to safety and land take reasons. However, the LLFA suggests that the applicant should be required to reconsider the opportunities for above ground attenuation on this site and consider the significant benefits that this will provide in many ways including ease for maintenance, as well as the biodiversity and amenity value which would undoubtedly be welcomed in an area where greenspace is limited. The applicant should be required to provide detailed evidence that this has been reconsidered.

The microdrainage calculations provided with the site specific FRA adequately evidences the storage crate calculations, however the detailed design should provide further calculations including (but not exclusive to) pre and post development greenfield runoff rates, design criteria, network details, area summary to illustrate how the system is divided for each pipe/ crate and confirmation of the PIMP applied, simulation criteria.

The LLFA notes that the site specific FRA refers to maintenance responsibility of the SuDS features falling to whoever adopts the system and that this may be the LLFA. Please note, the LLFA do not currently adopt SuDS. Also, it should be noted that a full maintenance schedule including a plan of all drainage assets should be provided at detailed design stage.

Finally, it is recognised that the site specific FRA does not make reference to exceedance flow paths. The LLFA would recommend that exceedance flow paths are provided together with an appropriate plan at detailed design stage. Exceedance flows resulting from events in excess of the 1 in 100 year must be managed in a way that minimises risk to people and property. Please note it is not appropriate for exceedance flow paths to affect gardens and property, but should instead utilise highway and public open space.

In principle, the LLFA considers the FRA for this site to be appropriate for an outline planning application, and would be happy to recommend approval with the understanding that the points raised above are addressed as an integral part of the following recommended condition:

Condition: No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been provided for approval by the Local Planning

Authority, this should be in accordance with the proposal set out in the applicant's submission (Flood Risk Assessment BR-582-0001). The SuDS Strategy must include but not be exclusive to a detailed design, details of BRE 365 infiltration tests, a construction management plan and a timetable for implementation, a plan of exceedance flowpaths, maintenance schedule, and confirmation of the management arrangements. The SuDS Strategy must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put in to use/occupied.

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, flood risk and water quality in the locality.

NOTE 1: The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality however pollution control is the responsibility of the Environment Agency.

NOTE 2: 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 LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

Housing Strategy and Enabling

8th July 2019

Level of Affordable Housing Provision

The Joint Core Strategy Policy (SD12) states that 'on sites of 11 dwellings or more, or sites with a maximum combined gross floor space of greater than 1000 sqm; a minimum of 40% affordable housing will be sought with the borough of Cheltenham'

This application will comprise of 60 residential units. Therefore at 40% we will be seeking 24 affordable housing units.

The latest SHMA that has been commissioned also requires a mix of 75:25 rented to intermediate housing.

Dwelling Mix

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

40%	Social Rented	Affordable Rented	Intermediate (Shared Ownership)	Total	%
1 Bedroom 2P House	0	6	0	6	25
2 Bedroom 4P House	0	4	4	8	33

3 Bedroom 5P House	0	4	2	6	25
3 Bedroom 6P House	0	3	0	3	13
4 Bedroom 7P House	1	0	0	1	4
Total	1 (4%)	17 (71%)	6 (25%)	24	100

Viability

The Joint Core Strategy states that where there is an issue relating to the viability of development that impacts on delivery of the full affordable housing requirement, developers should consider:

- Varying the housing mix and design of the scheme in order to reduce costs whilst having regard to the requirements of other policies in the plan, particularly Policy SD4, and the objective of creating a balanced housing market.
- Securing public subsidy or other commuted sums to assist delivery of affordable housing

If a development cannot deliver the full affordable housing requirement, a viability assessment conforming to an agreed methodology, in accordance with Policy INF6 will be required. Viability assessments will be published in full prior to determination for all non-policy compliant schemes except in exceptional circumstances when it can be proven that publication of certain specific information would harm the commercial confidentiality of the developer to no public benefit. Where necessary CBC will then arrange for them to be independently appraised at the expense of the applicant.

The council considers that information submitted as a part of, and in support of a viability assessment should be treated transparently and be available for wider scrutiny. In submitting information, applicants should do so in the knowledge that this will be made publicly available alongside other application documents.

The council will allow for exceptions to this in very limited circumstances and only in the event that there is a convincing case that disclosure of an element of a viability assessment would cause harm to the public interest to an extent that is not outweighed by the benefits of disclosure. Given the significant benefits associated with the availability of information to the public as part of the decision making process, and the other factors identified above, the councils anticipate that there would be very few exceptions.

If an applicant wishes to make a case for an exceptional circumstance in relation to an element of their assessment, they should provide a full justification as to the extent to which disclosure of a specific piece of information would cause an 'adverse effect' and harm to the public interest that is not outweighed by the benefits of disclosure. The council will consider this carefully, with reference to the 'adverse effect' and overriding 'public interest' tests in the EIR, as well as the specific circumstances of the case.

The viability of a site may enable additional levels of affordable housing to be delivered above the requirements set out in the Joint Core Strategy. In this case the authority will negotiate with developers to find an appropriate balance to deliver affordable housing and infrastructure needs.

Dwelling Mix/Tenure

The 75:25 split between affordable rent and intermediate housing is required on this site for the affordable housing provision. The intermediate housing should be shared ownership and we have proposed this as a mix of dwelling types as this best meets local needs.

Where possible, affordable housing should be provided on-site and should be seamlessly integrated and distributed throughout the development scheme.

The design of affordable housing should meet required standards and be equal to that of market housing in terms of appearance, build quality and materials.

Rents

Affordable rents must not exceed the Local Housing Allowance.

Affordable rents must be set at 80% of market rent or 100% of the Local Housing Allowance if this is below 80% of market rents.

In light of long-standing welfare reforms and the benefit cap directly impacting the amount of Universal Credit and Housing Benefit received, the Council would expect that any 4 bedroom 7 person houses included within the proposed dwelling mix will be let at Social Rented levels, as defined within Annex 2 (Glossary) of the June 2019 NPPF, as updated by HM Government from time to time.

Service Charges

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

Service charges should be kept minimal this can be achieved through the design and we would be happy to refer you to RP's for further input if necessary.

Shared Ownership

We would expect that the shared ownership units will be let at a level that is affordable, having regard to local incomes and house prices.

Provision should be made, where possible to ensure that housing will remain at an affordable price for future eligible households, or that subsidy will be recycled for alternative housing provision.

Car Parking

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

Affordable Housing Standards

We would expect all the affordable housing to meet minimum gross internal floor area size measurements, space, design and quality standards as described by Homes England, or by any Government organization that may otherwise supersede it from time to time.

Amendments to M4(1), M4(2) and M4(3) of Schedule 1 to the Building Regulations 2010 took 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.

Full Planning Application

Upon 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 Registered Providers managing accommodation in Cheltenham can be made available if needed.

GCC S106 Officer

4th October 2019

SUMMARY: S106 Developer Contributions - for 19/01190/OUT Former Monkscroft Primary School

Phase of Education	Name of closest non-selective school	Multipliers 2019 (DfE per pupil)	No of dwellings	Pupil Yield	Max Contribution (£)	Contribution
Pre-school	N/A (Scheme falls in the Hesters Way Primary Planning Area)	£15,091.00	60	13.80	£208,255.80	Yes – full
Secondary	All Saints Academy/Cheltenham Secondary Planning Area	£23,012.00		12.00	£276,144.00	Yes - full

- **EY: full EY contribution to expand full day-care year round provision in the area** (Hesters Way Primary Planning Area).
- **Primary: no primary contributions required.** There has only been one previous development naming the Rowanfield schools in the last 5 years; as the schools forecasts show them to have spare capacity and there is nothing in the last 3 censuses to suggest this is an inaccurate reflection of the situation a primary contribution will not be required.
- **Secondary:** There is no secondary catchment school named for this area and there is no secondary transport catchment listed. The forecasts don't fully reflect the situation which appears to show spare capacity at the school, however if you break the forecasts down they show that by 2024 the school is full in Years 7-11 and the only spare capacity is in 6th form; we will require **a full secondary contribution naming the school and/or another secondary school in the Cheltenham Secondary Planning Area.**

5. PUBLICITY AND REPRESENTATIONS

5.1 Letters of notification were sent out to 102 neighbouring properties. In addition, a site notice was posted and an advert published in the Gloucestershire Echo. In response to the publicity, 10 representations have been received in objection to the proposal, and the comments have been circulated in full to Members; the concerns include, but are not limited to:

- The location of the access
- Insufficient parking
- Increase in traffic
- Highway safety
- Overdevelopment
- Impact on adjacent conservation area

6. OFFICER COMMENTS

6.1 Determining issues

6.1.1 The main considerations when determining this application for outline planning permission relate to the principle of developing the site for housing; access and highway safety; trees and landscaping; design and layout; drainage and flooding; wildlife and biodiversity; impact on neighbouring amenity; and affordable housing and other planning obligations.

6.2 Policy background / principle of development

6.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This is reiterated in paragraph 47 of the National Planning Policy Framework (NPPF) which also highlights that timely decisions on applications should be made.

6.2.2 Paragraph 11 of the NPPF sets out a “*presumption in favour of sustainable development*” which in decision making means:

- *approving development proposals that accord with an up-to-date development plan without delay; or*
- *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - *the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - *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.*

6.2.3 The development plan comprises saved policies of the Cheltenham Borough Local Plan Second Review 2006 (LP) wherein those policies are consistent with the NPPF; and adopted policies of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (JCS).

6.2.4 Material considerations include the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), and the emerging Cheltenham Plan (eCP) which is now at an advanced stage of preparation.

6.2.5 Adopted JCS policy SD10 advises that in Cheltenham housing development will be permitted at sites allocated for housing through the development plan; and on previously developed land within the Principal Urban Area (PUA). Elsewhere, housing development will be permitted where it is infilling within the PUA.

6.2.6 The site comprises previously developed land and is wholly located within the PUA of Cheltenham. Additionally, the site is allocated for housing development (HD2) within the emerging Cheltenham Plan Pre-Submission document for approximately 60 dwellings. The site is not the subject of any designation that would preclude development. As such, officers consider the principle of developing the site for housing to be acceptable.

6.3 Access and highway safety

6.3.1 As stated above, the proposed access is the only 'fixed' element of this outline planning application.

6.3.2 Adopted JCS policy INF1 advises that planning permission will be granted only where the impacts of the development are not severe. The policy also seeks to ensure that all new development proposals provide safe and efficient access to the highway network; and provide connections to existing walking, cycling and passenger transport networks, where appropriate. The policy reflects the advice set out within Section 9 of the NPPF.

6.3.3 The application proposes the use of the historic entrance on Shelley Road albeit in an altered form. The Planning Statement which accompanies the application, at paragraph 3.11, sets out that *"the applicant fully explored the options for an additional vehicular entrance on Shakespeare Road. However, on the professional advice of the appointed highway consultant (Cotswold Transport Planning) this additional access was not pursued as it had no technical or practical advantage but would lead to the creation of a "rat run" and undesirable segregation of the site"*.

6.3.4 As originally submitted, the GCC Highways Development Management Team (HDM) recommended that the application be refused on highway grounds, advising that insufficient information had been submitted to demonstrate that the proposal could provide the safe and suitable access arrangement required by the NPPF at Section 9. Additional/revised information was therefore requested and subsequently received.

6.3.5 Having reviewed this additional/revised information, further amended to include double yellow lines at the junction, HDM now recommend that no highway objection be raised subject to the inclusion of a number of conditions.

6.3.6 As such, whilst the concerns of local residents have been duly noted, there are no longer any highway grounds on which to refuse planning permission; a highways refusal could not be reasonably defended on appeal.

6.4 Trees and landscaping

6.4.1 Local plan policy GE5 (protection and replacement of trees) seeks to resist the unnecessary felling of trees on private land. In addition, policy GE6 (trees and development) advises that the planting of new trees and measures adequate to ensure the protection of trees during construction works may be required in conjunction with development. The policies are consistent with the aims and objectives of JCS policy INF3 which provides additional advice in respect of green infrastructure.

6.4.2 A Tree Survey has been submitted to accompany this application. The trees within the site are not subject to Tree Preservation Orders but there are a number of desirable/high amenity value trees which are shown to be retained on the Illustrative Master Plan. The Trees Officer has reviewed the application and raises no objection in principle to this outline application subject to the submission of additional information.

6.4.3 Landscaping is an additional matter that has been reserved for future consideration and as such it is not considered necessary to secure additional landscaping details at this time given the nature of the application which is only seeking to establish the principle of development and the proposed access; although clearly a comprehensive landscaping scheme will be required at reserved matters stage. Additional detail relating to tree protection, method statements, service runs etc. can be secured through the inclusion of appropriately worded conditions.

6.5 Design and layout

6.5.1 As previously noted, matters relating to layout, scale and appearance are reserved for future consideration should members resolve to grant outline planning permission. As such, the Illustrative Master Plan and Illustrative Mix submitted with the application are purely indicative and are not formally part of the application; they simply serve to demonstrate that 60 dwellings could be comfortably accommodated within site.

6.5.2 The submitted Planning Statement at paragraphs 6.14 and 6.15 state that it “is envisaged that there would be a mix of dwelling types including 2 storey dwellings. This illustrative scale is commensurate with the surrounding area” and the “illustrative mix shows a combination of 1, 2, 3 and 4 bedroom properties. They are split across the site with the 1 bedroom units being within the apartment block”.

6.5.3 Officers are satisfied that the illustrative information provided is sufficient to demonstrate that the site is capable of accommodating a mix of 60 dwellings in an acceptable manner.

6.6 Drainage and flooding

6.6.1 Adopted JCS policy INF2 and Section 14 of the NPPF seeks to ensure that new development is not inappropriately located in areas at high risk of flooding, and to ensure that development does not increase flood risk elsewhere and, where possible, contributes to a reduction in existing flood risk.

6.6.2 The application site is wholly located within Flood Zone 1, and the application has been accompanied by a detailed Flood Risk Assessment (FRA) and drainage strategy which has been reviewed by the County Council, as the Lead Local Flood Authority (LLFA) responsible for managing the risk of flooding from surface water, groundwater and ordinary watercourses.

6.6.3 The LLFA considers the level of detail submitted to date to be appropriate for this outline planning application and recommends approval subject to a number of points raised within their detailed response (at Section 4 above) being addressed at detailed design stage by way of a condition.

6.7 Wildlife and biodiversity

6.7.1 JCS policy SD9 and advice set out within the NPPF at Section 15 seeks to ensure that development contributes to, and enhances, the natural and local environment; and that important habitats and species are protected. Where developers are unable to avoid harm to biodiversity, mitigation measures should be incorporated into the design of the development.

6.7.2 The application has been accompanied by an Ecological Appraisal. The report does not identify any protected species within the site but does make some recommendations for ecological enhancements to the site for bats and nesting birds. Additionally, a suitable landscaping strategy should help enhance the site for foraging birds; the report suggests that *“Any new planting on site should concentrate on species that are native to the area and ideally produce a range of seeds and berries at varying times of the year. Nectar rich plants could also be used [to] encourage invertebrates on to the site, which in turn provide food for birds as well as other species such as bats.”* Such enhancements can be secured by condition.

6.8 Neighbouring amenity

6.8.1 Saved LP policy CP4 and adopted JCS policy SD14 seek to ensure that new development does not result in unacceptable harm to the amenity of adjoining land users and the locality.

6.8.2 Whilst it is acknowledged that the future development of this site will undoubtedly have an impact on neighbouring residential properties, officers are satisfied that the site could be developed without causing any undue harm in terms of daylight, privacy or outlook; Although the indicative layout does show some properties being located within 10.5 metres of the site boundaries, there is sufficient space within the site to resolve this within a worked up scheme.

6.9 CIL and S016 obligations

6.9.1 Adopted JCS policy INF7 sets out that financial contributions towards the provision of infrastructure will be sought through the S016 and CIL mechanisms as appropriate.

6.9.2 This development would be liable for CIL (Community Infrastructure Levy) CIL. In Cheltenham, the CIL rate for residential developments of between 11 and 449 dwellings is £200 per square metre; however, there are some exceptions, for example, those parts of a development which are to be used as social housing.

6.9.3 CIL sits alongside S106 agreements, which are still used to secure site-specific obligations which are needed to make a development acceptable in planning terms, particularly affordable housing.

6.9.4 JCS policy SD12 is the relevant policy for the provision of affordable housing in new developments. In Cheltenham, outside of Strategic Allocation sites, a minimum of 40% affordable housing is sought on sites of 11 dwellings or more. Where possible, the policy requires the affordable housing to seamlessly integrated and distributed throughout the development. The proposed scheme is compliant with the requirements of the policy.

6.9.5 As previously noted, this application proposes a 40% provision of affordable units, which equates to 24 dwellings. Having regard to local needs, the Housing Enabling Officer is seeking the following mix of affordable dwellings on the site:

- 6 x affordable rented 1 bed 2P houses
- 4 x affordable rented 2 bed 4P houses
- 4 x intermediate (shared ownership) 2 bed 4P houses
- 4 x affordable rented 3 bed 5P houses
- 2 x intermediate (shared ownership) 3 bed 5P houses
- 3 x affordable rented 3 bed 6P houses
- 1 x social rented 4 bed 7P house

6.9.6 Additionally, financial contributions are required toward primary and secondary education.

6.9.7 The affordable housing provision and contributions to education would be secured through an S106 agreement.

6.10 Other matters

Loss of playing field

6.10.1 Sport England (SE) although not a statutory consultee, as the playing field has not been used in excess of five years, have commented on this application.

6.10.2 SE state that whilst the applicants have noted that the development would result in the loss of a playing field, they have not addressed the loss, and as such, SE object to the application unless provision is made to replace the playing field or a suitable mitigation package is offered up in lieu of the replacement playing fields.

6.10.3 The playing field has not, in fact, been used for in excess of 10 years, and officers consider that its loss is far outweighed by the proposed development for 60 dwellings. Furthermore, it is important to remember that the site is allocated within the eCP.

Archaeology

6.10.4 Paragraph 189 of the NPPF advises that where a development site has the potential to include heritage assets with archaeological interest, developers should be required to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

6.10.5 The application is supported by a report on an archaeological evaluation and has been reviewed by the County Archaeologist who concludes that they *"have no objection in principle to the development of this site, with the proviso that an appropriate programme of archaeological work to excavate and record the Roman settlement should be undertaken in advance of the development proceeding"*; this can be secured by way of a suitably worded condition.

7. CONCLUSION AND RECOMMENDATION

- 7.1 NPPF paragraph 38 advises that local planning authorities should approach decisions on proposed development in a positive way and *"Decision-makers at every level should seek to approve applications for sustainable development where possible"*. Paragraph 11 sets out a presumption in favour of sustainable development and directs that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework taken as a whole, or specific policies in the Framework indicate development should be refused.
- 7.2 The site comprises previously developed land and is wholly located within the Principal Urban Area of Cheltenham. Additionally, the site is allocated for housing development (HD2) within the emerging Cheltenham Plan Pre-Submission document for approximately 60 dwellings. The site is not the subject of any designation that would preclude development. As such, officers consider the principle of developing the site for housing to be acceptable.
- 7.3 It must be remembered that the application 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 the site can accommodate the amount of development proposed in an acceptable manner.

- 7.4 The one matter which is not reserved i.e. access, has been found to be acceptable.
- 7.5 Any adverse impacts resulting from the development, i.e. the loss of the playing field which has not been used in excess of 10 years, would not significantly and demonstrably outweigh the benefits of this application.
- 7.6 In conclusion, the principle of developing this site for housing is acceptable and the recommendation therefore is to grant planning permission subject to a signed S106 agreement to secure the affordable housing provision and education contributions, and a schedule of conditions:

8. CONDITIONS

- 8.1 The following conditions are suggested should Members be minded to grant outline planning permission but at the time of writing the report they are still to be agreed by the applicant:

- 1 The outline planning permission hereby granted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To accord with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Application(s) for approval of the reserved matters (layout, scale, appearance and landscaping) must be made not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The details to be submitted for the approval of reserved matters shall include vehicular parking and turning facilities within the site, and the building(s) hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be retained available for those purposes thereafter.

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 scope for conflict between traffic and cyclists and pedestrians in accordance with adopted policy INF1 of the Joint Core Strategy (2017) and paragraphs 108 and 110 of the National Planning Policy Framework.

- 4 The details to be submitted for the approval of reserved matters shall include a full shade analysis of the retained trees within and adjacent to the site boundaries (now and at full maturity) plotted against the proposed building plots.

Reason: To ensure the successful long term retention of these trees and to avoid any future pressure to remove such trees, having regard to adopted policy INF3 of the Joint Core Strategy (2017).

- 5 Prior to the commencement of development, the applicant, or their agent or successors in title, shall secure the implementation of a programme of

archaeological work in accordance with a written scheme of investigation which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 199 of the National Planning Policy Framework.

- 6 Prior to the commencement of development (including demolition and site clearance), a Tree Protection Plan (TPP) to BS5837:2012 (or any standard that reproduces or replaces this standard) shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall include the methods of tree and /or hedge protection, the position and specifications for the erection of tree protective fencing, and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details, and the protective measures specified within the TPP shall remain in place until the completion of the construction process.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to saved policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 7 Prior to the commencement of development, plans showing the existing and proposed ground levels and slab levels of the proposed and adjacent buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory relationship between the proposed development and adjacent buildings and land, having regard to saved policies CP4 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017). Approval is required upfront to allow the impact of the development to be accurately assessed.

- 8 Prior to the commencement of development, a detailed Sustainable Drainage System (SuDS) Strategy document shall be submitted to and approved in writing by the Local Planning Authority; the document should be in accordance with the proposal set out in the submitted Flood Risk Assessment (ref. BR-582-0001 Rev 01 dated May 2019). The SuDS Strategy must include, but not be exclusive to, a detailed design, details of BRE 365 infiltration tests, a construction management plan and a timetable for implementation, a plan of exceedance flowpaths, maintenance schedule, and confirmation of the management arrangements. The SuDS Strategy must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put in to use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding in accordance with adopted policy INF2 of the Joint Core Strategy (2017) and paragraphs 163 and 165 of the National Planning Policy Framework. It is important that these details are agreed

prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

- 9 Throughout the construction phase of the development hereby permitted, sufficient provision shall be made within the site to accommodate the likely demand generated for the following:

- i. parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities
- v. provide vehicle routing strategy for construction stage

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with adopted policy INF1 of the Joint Core Strategy (2017) and paragraph 110 of the National Planning Policy Framework.

- 10 No construction works shall be carried out above ground level, until a scheme for the provision of fire hydrants (served by mains water supply) has been submitted to and agreed in writing by the Local Planning Authority, and no dwelling shall be occupied until the hydrant serving that property has been provided.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to access and tackle any property fire in accordance with paragraph 110 of the National Planning Policy Framework.

- 11 No external facing or roofing materials shall be applied unless in accordance with:

- a) a detailed written specification of the materials; and/or
- b) physical samples of the materials.

The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is appropriate to its surroundings in accordance with saved policy CP7 of the Cheltenham Borough Local Plan (2006), adopted policy SD4 of the Joint Core Strategy (2017) and guidance set out within Section 12 of the National Planning Policy Framework.

- 12 Prior to the implementation of any landscaping, full details of a hard and/or soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify all walls, fences, trees, hedgerows and other planting which are to be retained, and provide details of all new walls, fences, or other boundary treatments; finished ground levels; new hard surfacing of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

The landscaping scheme shall include species that are native to the area which provide for a range of seeds and berries at varying times of the year. Nectar rich plants should also be included to encourage invertebrates on to the site, which in turn provide food for birds as well as other species such as bats.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details prior to first occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 13 Prior to first occupation of the development, bird boxes shall be installed within the site in accordance with a plan which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide an enhancement to the ecological value of the site as recommended in the submitted Ecological Appraisal and in accordance with adopted policy SD9 of the Joint Core Strategy (2017) and paragraph 170 of the National Planning Policy Framework.

- 14 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 0.6m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with adopted policy INF1 of the Joint Core Strategy (2017) and paragraphs 108 and 110 of the National Planning Policy Framework.

- 15 Prior to first occupation of the development hereby permitted, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be 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 that 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 scope for conflict between traffic and cyclists and pedestrians in accordance with adopted policy INF1 of the Joint Core Strategy (2017) and paragraph 108 and 110 the National Planning Policy 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 127 of the Framework.

- 16 Prior to first occupation of the development, secure and covered cycle storage facilities for a minimum of 1 bicycle per dwelling shall be provided in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with adopted policy INF1 of the Joint Core Strategy (2017) and paragraph 108 of the National Planning Policy Framework.

- 17 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in accordance with a scheme which shall have first been submitted to and approved in writing by the Local Planning Authority. The storage facilities shall thereafter be retained for that purpose.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

- 18 Prior to first occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with approved Drawing No. CTP-17-415_SK01-B, with the area of driveway within at least 10.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with adopted policy INF1 of the Joint Core Strategy (2017) and paragraph 108 and 110 of the National Planning Policy Framework.

- 19 No dwelling 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 scope for conflict between traffic and cyclists and pedestrians in accordance with adopted policy INF1 of the Joint Core Strategy (2017) and paragraphs 108 and 110 of the National Planning Policy Framework.

- 20 Means of vehicular access to the development hereby permitted shall be from Shelley Road only.

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 scope for conflict between traffic and cyclists and pedestrians in accordance with adopted policy INF1 of the Joint Core Strategy (2017) and paragraphs 108 and 110 of the National Planning Policy Framework.

- 21 The car parking associated with each building within the development (including garages and car ports where proposed) shall be constructed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason: To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

- 22 All service runs shall fall outside the Root Protection Area(s) of retained trees, unless otherwise first agreed in writing by the Local Planning Authority. Any such

works shall be carried out in accordance with the National Joint Utilities Group; Volume 4 (2007) (or any standard that reproduces or replaces this standard).

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to saved policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006).

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 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 Works Agreement and to apply for an application under the Traffic Regulation Order (including an appropriate bond) with the County Council before commencing those works.
- 3 The applicant/developer is advised that to discharge condition 15 the local planning authority will require a copy of a completed dedication agreement between the applicant /developer and the Local Highway Authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
- 4 The County Council currently has no technical specification for shared space. This is an adoption matter to which the County Council are not obliged to adopt any highway. Gloucestershire County Council will only adopt roads that meet our published technical specification.