

APPLICATION NO: 23/01691/REM	OFFICER: Mrs Lucy White
DATE REGISTERED: 4th October 2023	DATE OF EXPIRY: 24th January 2024
WARD: Battledown	PARISH: Charlton Kings
APPLICANT:	Vistry Homes Limited And Stonewater Limited
AGENT:	Mr Tony Clements
LOCATION:	Oakley Farm Priors Road Cheltenham
PROPOSAL:	Application for approval of Reserved Matters (access, appearance, landscaping, layout and scale) following outline planning permission for residential development of up to 250 dwellings and associated infrastructure, ancillary facilities, open space and landscaping, demolition of existing buildings and creation of a new vehicular access from Harp Hill (in accordance with the terms of outline planning permission 20/01069/OUT). Details are also submitted in relation to conditions 6 (phasing), 9 (Energy and Sustainability Statement), 13 (Harp Hill access junction details) and 25 (hard and soft landscaping and boundary treatment) of 20/01069/OUT.

Update to Officer Report

1. OFFICER COMMENTS

- 1.1. A revised list of suggested conditions is set out at the end of this report and supersedes the conditions schedule within the original Officer Committee report. In summary, conditions have been added in relation to site levels and ridge heights, sustainability (no gas serving development and provision of water butts), obscure glazing to one plot, a timetable for implementation of hard and soft landscaping and details of the proposed screen wall planting to the apartment buildings.
- 1.2. For completeness, a full list of the conditions attached to the outline planning permission is also provided at the end of the report.
- 1.3. Since the publication of the Officer report, a number of unforeseen but material issues have arisen which must be brought to Members' attention. The first relates to finished ground levels and building ridge heights and their conformity with the Building Heights Parameter Plan (drawing ref: drawing P18-847_02 sheet 04 Rev C) of the outline planning permission (20/01069/OUT). For ease of reference, this drawing is also provided at the end of the report.
- 1.4. Condition 5 of the outline planning permission requires applications for approval of reserved matters to be in substantial accordance with the Building Heights Parameter Plan. The parameter plan restricts building heights above future ground level to 10.5 metres or 12 metres within defined areas of the site. This plan also includes an

annotation which states that '*future ground level allows for a maximum of 1.5 metres above the existing ground level (this establishes appropriate drainage, balance cut and fill and align street and buildings to consistent levels)*'.

- 1.5. There are some instances across the site where the 1.5 metres allowance above existing ground levels is exceeded, with some future ground levels being 3 metres above existing ground levels. However, there are no instances across the site where building heights exceed either the 10.5 or 12 metre ridge height limit (whichever is applicable to that plot) above existing ground levels plus the additional 1.5 metre allowance.
- 1.6. Officers are not overly concerned about these future ground level increases above the 1.5 metre parameter plan allowance. At outline stage, the engineering and drainage challenges and the overall feasibility of delivering a 250 dwelling scheme on a significantly sloping site had not been fully investigated or tested. Applying a 1.5 metre increase in ground levels across the whole site is considered a rather simplistic and generalised approach in the absence of any testing. As such, and on balance, officers consider the finished ground levels to be acceptable and the proposed development in substantial accordance with the Building Heights Parameter Plan. Officers are also strongly of the view that the merits of the proposed development must be considered as a whole and there are many positives associated with the proposals that outweigh the effects of any future ground levels exceeding the 1.5 metre limit set by the parameter plan.
- 1.7. The second issue relates to road gradients and whether the proposed development is in conformity with the requirements of Condition 13 of the outline planning permission. In summary, Condition 13 requires reserved matters submissions relating to access to be generally designed so that maximum and minimum gradients allowable will be 1/20 and 1/100 respectively, save that gradients up to 1/12 are permissible, provided that where they are proposed, they shall be limited to maximum lengths of 30 metres.
- 1.8. The Highway Authority's formal consultee response was received on 9th November 2023 and no objection to the proposals was raised. In response to officers seeking clarification from the applicant that the proposed road gradients comply with the requirements of Condition 13, the Highway Authority has since reviewed the proposed access arrangements and now reached the conclusion that the road gradients within the site, although not exceeding 1:12, include lengths between 1:20 and 1:12 longer than the 30 metre length permissible.

1.9. Accordingly, the Highway Authority has provided the following update to their previous consultee response:

We have received information from Vistry concerning the impact of potential changes to the gradients to fully comply with Condition 13.

By way of background, the County Council accepted the currently proposed road gradients for highways adoption purposes and had agreed that Vistry had complied with the planning condition on the basis that none of their 1/12 gradients were longer than 30 metres. The condition requires the access to be generally designed so that maximum gradients allowable will be 1/20, save that gradients up to 1/12 are permissible, provided that where they are proposed, they shall be limited to maximum lengths of 30 metres. However, upon reviewing the wording of the planning condition, it is GGC's opinion that the correct interpretation of the condition is that all gradients that are steeper than 1/20 should be restricted to 30m in length. There are a number of vertical curve transitions between the proposed 1/12 gradients that exceed 30 metres in length and where the average gradient is steeper than 1/20 and therefore it is GCC's opinion that this aspect would not comply with the condition.

Nevertheless, the objective of the condition is to ensure that gradients have been optimised to provide the best circumstances for wheel-chair users etc. So GCC have been working with Vistry to see whether everything that is reasonably practicable has been done to achieve the gradients and whether the proposal can be modified to comply with the exact wording of the condition, i.e. the gradients between 1/12 and 1/20 are shorter than 30m in length.

As mentioned above had accepted the proposed gradients, however if the levels were modified so that they were fully compliant with the wording of the condition, that would have to be done by either raising the lower end of the road or lowering the upper section of the road.

Lowering the upper section of road has some implications that would need to be considered in the planning balance:

- *Reduces the currently proposed levels through the open space by a further c.2.2m and widens the earthworks embankments affecting the adjacent public open space;*
- *Reduces the level of the connecting road and would require additional removal of some hedge / trees where the road crosses the retain north/south hedge.*
- *Would require further diversion of a 12inch and 18inch water main.*

- *Would require the exportation of significant higher level of surplus soil.*

Raising the lower end of the road has some implications that would need to be considered in the planning balance:

- *Raises the existing low spot at least 3m above currently proposes levels.*
- *Adversely impacts the veteran protected Oak tree by raising levels in the vicinity of the tree.*
- *Would require additional retaining structures to accommodate the increase in levels.*
- *Would require the exportation of significant higher level of surplus soil.*

1.10. The Highway Authority and planning officers are still in discussion with the applicant on how to resolve this issue. However, at this stage officers are generally not supportive of the design solutions set out above, which would also need very careful consideration and consultation with the Council's specialist advisors, to minimise harmful impacts on the landscape. It is more likely that the applicant will be advised to submit an application to vary Condition 13 (under s73 of the Town and Country Planning Act). The current scheme (or an amended scheme) could then subsequently be considered alongside an approved varied wording of Condition 13.

1.11. Officers and the Highway Authority will provide a verbal update and explanation of the highway related matters concerning the proposed development's conformity with Condition 13 at Planning Committee on Thursday 14th December 2023.

1.12. In light of the above and to allow for further discussion with the applicant, the officer recommendation is therefore changed to DEFERRAL of the application.

CONDITIONS

- 1 The development shall be begun not later than the expiration of two 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.

- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Affordable housing shall be provided on the site in accordance with the approved plans and the statement (Ref: P20-2940) dated April 2021 submitted on behalf of the applicant; and in accordance with the terms of the signed s106 agreement.

Reason: To ensure that an appropriate mix of affordable housing is provided, having regard to adopted policy SD12 of the Joint Core Strategy (2017).

- 4 Sample panels of all facing and roofing materials of at least one square metre each, shall be provided on site to illustrate the proposed palette of materials. Prior to commencement of any above ground works, the sample panels and an accompanying written specification of the proposed facing and roofing materials shall be approved in writing by the Local Planning Authority and thereafter retained on site for the duration of the construction period.

The sample panels shall demonstrate the proposed colour, texture and finish of the external facing materials to be used for all proposed dwellings/buildings and shall provide details of the proposed bond and pointing profile of all external brickwork.

All dwellings/buildings shall be constructed in accordance with the approved material details.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD7 of the Joint Core Strategy (2017).

- 5 Notwithstanding the submitted details, prior to the implementation of any hard surfaces within the site, including driveways, parking and turning areas, footways and patios, details of all hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. All new hard surfacing areas shall be permeable or drain to a permeable area and shall be carried out in accordance with the approved details prior to first occupation of the dwellings (or phase of development) to which the materials relate.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 6 Notwithstanding the submitted details, prior to the commencement of development and in accordance with the principles set out in the approved Landscape and Environmental Management Plan (LEMP) (March 2021), and the Management Measures set out at section 10 of the approved Landscape Design Statement (November 2023), a detailed landscape and tree management and maintenance scheme (LTMMS) for the short (5-year), medium (10-year), and long (30-year) term, informed by a comprehensive tree survey of the site, shall be submitted to and approved in writing by the local planning authority. The submitted details shall also include a detailed scheme for the retention and future management and maintenance of ridge and furrow landscape features within the site, including details of all footpath construction and tree planting that affects ridge and furrow.

Any risk management and maintenance work relating to retained trees, and ongoing management provisions for veteran trees that are identified to be required, shall be carried out in accordance with the approved LTMMS and undertaken in accordance with BS 3998:2010 - Tree Work Recommendations.

Reason: In the interests of the character and appearance of the area, having regard to policies D1, GI2 and GI3 of the Cheltenham Plan (2020) and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 7 Notwithstanding the submitted information, prior to the commencement of development, a detailed timetable for the implementation of all proposed hard and soft landscaping and tree planting works (to include those carried out in public open space and private amenity areas) shall be submitted to and approved in writing by the local planning authority. The timetable shall correspond with the approved Landscaping Phasing Plan. The approved hard and soft landscaping works shall be carried out in accordance with the approved timetable for implementation.

Reason: In the interests of the character and appearance of the area, having regard to policies D1, GI2 and GI3 of the Cheltenham Plan (2020) and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 8 Notwithstanding the submitted details, prior to the implementation of any new boundary treatments, details of all new boundary walls, railings, fences or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall thereafter be implemented in accordance with the approved details and prior to first occupation of the dwellings to which the boundary treatment (or phase of development) relates.

Reason: In the interests of the character and appearance of the area and residential amenity, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4, SD7 and SD14 of the Joint Core Strategy (2017).

- 9 Notwithstanding the details provided within the Landscape Design Statement, prior to the commencement of development within the site areas of Phase 3 (Oak Tree Gardens) and Phase 5 (The Glade), as shown on the approved phasing plan, a detailed scheme and specification for the Oak Tree Gardens Local Area for Play (LAP) and The Glade Local Equipped Area for Play (LEAP) shall be submitted to and approved in writing by the local planning authority. No more than 50% of the dwellings within Phases 3 and 5 shall be occupied until the schemes have been fully implemented in accordance with the approved details and made available for use.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies GI2 and GI3 of the Cheltenham Plan (2020).

- 10 Notwithstanding the submitted details and prior to the commencement of development, a detailed scheme for railings/gates, landscaping (tree and/or shrub planting) within the curtilage of the Veteran Oak tree within Phase 3 (Oak Tree Gardens) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify species, density, planting size, layout, protection, aftercare and maintenance. The scheme approved shall be carried out in the first planting season following occupation of no more than 50% of the dwellings within the Phase 3, unless otherwise first agreed in writing by the local planning authority. The landscaping shall be maintained for 30 years after planting and should any landscaping be removed, die, be severely damaged or become seriously diseased within this period it shall be replaced with other tree and/or shrub planting as originally required to be planted.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies GI2 and GI3 of the Cheltenham Plan (2020).

- 11 Notwithstanding the submitted details and prior to commencement of development, full details of all proposed street tree planting, tree species/sizes, root protection systems, a future management plan, and the proposed times of planting, shall be submitted to and

approved in writing by the local planning authority. All street tree planting shall be carried out in accordance with the details approved.

Reason: To ensure the long term health of the street trees in the interests of the amenity and environmental quality of the locality, having regard to adopted policy SD4 of the JCS (2017) and adopted policies D1 and GI3 of the Cheltenham Plan (2020).

- 12 Notwithstanding the details provided within the Landscape Design Statement, prior to the commencement of development within the site areas of Phase 3 (Oak Tree Gardens) and Phase 5 (The Glade), as shown on the approved phasing plan, a detailed scheme and specification for the Oak Tree Gardens Local Area for Play (LAP) and The Glade Local Equipped Area for Play (LEAP) shall be submitted to and approved in writing by the local planning authority. No more than 50% of the dwellings within Phases 3 and 5 shall be occupied until the schemes have been fully implemented in accordance with the approved details and made available for use.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies GI2 and GI3 of the Cheltenham Plan (2020).

- 13 The following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority:
1. Porch canopies
 2. Rainwater goods
 3. Garage doors
 4. Electric vehicle charging points (including appearance, location and type and a site layout plan to show location of EV charging points for all proposed dwellings) to accord with the relevant Council standards
 5. External bin stores
 6. Balustrades to balconies and roof terraces

Reason: In the interests of visual amenity, having regard to policies D1 and S1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017)

- 14 The design and profile of all new windows and external doors (including cills, heads and reveals, materials, finish and colour) shall be carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority prior to their installation.

Reason: In the interests of the character and appearance of the area, having regard to policy D1 of the Cheltenham Plan (2020) and policy SD4 of the Joint Core Strategy (2017).

- 15 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional windows, doors and openings shall be formed in dwellings at Plots 215 and 216 (as shown on Drawing No 1002 P6) without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 16 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor en-suite, dressing and landing windows of Plot 74 shall at all times

be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

Reason: To safeguard the amenities of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 17 Where not shown on the approved plans, secure and covered cycle storage shall be provided for all apartment buildings and in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be provided prior to first occupation of the relevant dwelling(s) in accordance with the approved details and thereafter retained available for such use.

Reason: To ensure the adequate provision and availability of cycle parking, so as to ensure that opportunities for sustainable transport modes have been taken up, having regard adopted policy INF1 of the Joint Core Strategy (2017).

- 18 Prior to the first occupation of the development the sustainable practices and low carbon emission features outlined in the (AES) Energy and Sustainability Statement dated September 2023 shall be implemented in full, unless otherwise first agreed in writing by the local planning authority.

Reason: To ensure that the proposed development addresses climate change, having regard to policy INF5 of the Joint Core Strategy (2017) and the adopted Supplementary Document - Cheltenham Climate Change (2022).

- 19 No dwelling hereby permitted shall be connected to mains gas supplies for the purposes of domestic hot water or space heating.

Reason: To ensure that the development contributes towards the mitigation of climate change, having regard to Strategic Objective 6, policies SD3 and INF5 of the Joint Core Strategy (2017) and the guidance set out in Cheltenham Climate SPD (adopted 2022).

- 20 No dwelling or apartment building hereby approved shall be occupied until the proposed solar PV panels serving that dwelling or apartment building have been fully installed and in accordance with details (to include their building location, operation, design, appearance and positioning on the roof) which shall have been submitted to and approved in writing by the Local Planning Authority. The solar PV panels shall be retained as such thereafter unless otherwise first agreed in writing by the local planning authority.

Reason: In the interests of the character, appearance and amenities of the area and reducing carbon emissions, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020), adopted policies SD3, SD4 and SD14 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD (2022).

- 21 Details of the type/model, location and predicted noise levels of the proposed air source heat pumps (ASHPs) shall be submitted to and approved in writing by the local Planning authority. An ASHP(s) shall be installed prior to first occupation of each dwelling or apartment building hereby approved and in accordance with the details approved. The ASHPs shall be retained as such thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of future occupiers and neighbouring properties and to reduce carbon emissions, having regard to adopted policies D1 and SL1 of the

Cheltenham Plan (2020), adopted policies SD3, SD4 and SD14 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD.

- 22 Notwithstanding the submitted details, prior to the commencement of above ground works, full details of all retaining wall structures (to include but not limited to, section drawings, elevations, materials) shall be submitted to and approved in writing by the Local Planning Authority. The retaining wall structures shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of the character and appearance of the area and residential amenity, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4, SD7 and SD14 of the Joint Core Strategy (2017).

- 23 Notwithstanding the submitted details, no development shall take place until plans showing the existing and proposed ground levels of the site and existing ground levels of adjacent land have been submitted to and approved in writing by the local planning authority. The submitted details shall be in substantial accordance with the Building Heights Parameter Plan (drawing P18-847_02 sheet 04 Rev C) of 20/01689/OUT and shall include:-

1. Existing and proposed cross section drawings of the site indicating the extent of ground works required to achieve finished site levels.
2. Proposed slab levels of the proposed buildings and ridge heights of proposed and adjacent buildings.

The development shall 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 adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4, SD7 and SD14 of the Joint Core Strategy (2017). Approval is required upfront to allow the impact of the development to be accurately assessed.

- 24 Prior to their first occupation all dwellings (other than apartments) shall be provided with a water butt.

Reason: To ensure that the proposed development addresses climate change, having regard to policy INF5 of the Joint Core Strategy (2017) and the adopted Supplementary Document - Cheltenham Climate Change (2022).

- 25 Prior to the commencement of development, full details of the proposed screen wall planting to the apartment buildings shall be submitted to and approved in writing by the local planning authority. The details shall include plant species, planting density, a scheme for the future management and maintenance of the planting and a timetable for its implementation. The screen wall planting shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, having regard to policies D1 of the Cheltenham Plan (2020) and adopted policies SD4, SD7 and INF3 of the Joint Core Strategy (2017).

Schedule of Conditions attached to Outline Planning Permission

- 1) Details of the access, appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) shall be submitted to and approved by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for the approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this decision.
- 3) The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is later.
- 4) The development hereby permitted shall provide no more than 250 dwellings.
- 5) The details to be submitted as part of the reserved matters for access, layout and landscaping shall be in general accordance with the design and layout principles of the Alternative Illustrative Masterplan Ref 18017.202 Rev B in respect of the following:
 - a. the proposed and retained structural landscaping (trees, shrubs and hedgerows) and public open space within the green infrastructure areas shown on drawing P18-0847-02 sheet 02 Rev D;
 - b. the design and alignment of the main vehicular access road and vehicular junction within Harp Hill within the Highway Corridor Flexibility Zone shown on drawing P18-0847-02 sheet 03 Rev F (excluding other internal estate roads).

For the avoidance of doubt, applications for approval of reserved matters shall be in substantial accordance with the submitted Land Use Parameter Plan (drawing P18-0847_02 sheet 02 Rev D), Access and Movement Parameter Plan (drawing P18-0847_02 sheet 3 Rev F), Building Heights Parameter Plan (drawing P18-847_02 sheet 04 Rev C) and Green Infrastructure Parameter Plan (drawing P18-0847_02 sheet 05 Rev D).

- 6) The first reserved matters applications required by Condition 1 shall be accompanied by a Phasing Plan, giving details of the phasing of the development. The development shall be carried out in accordance with the approved Phasing Plan unless any variations have first been approved in writing by the local planning authority.
- 7) Prior to the submission of the first reserved matters, a Housing Mix Statement for the open market housing shall be submitted to the local planning authority for approval. The Statement shall set out an appropriate mix of dwelling sizes, types and tenures to be provided on site that will contribute to a mixed and balanced housing market. The Statement will address the needs of the local area having regard to the Council’s current local housing evidence base. The development shall be implemented in accordance with the approved Statement.
- 8) The reserved matters required to be submitted and approved under Condition 1 shall include:
 - a. details of the design, form and architectural features of the dwellings, including materials to be used on the external walls and roofs;
 - b. details of the position, design, materials and type of boundary walls within the development;
 - c. details of cycle storage facilities for each dwelling;
 - d. details of refuse and recycling storage to allow for the separate storage of recyclable waste materials;
 - e. details of electrical vehicle charging points (including appearance, location and type) to accord with the relevant Council standards;The development shall be carried out in complete accordance with approved details.

- 9) The details to be submitted for approval as part of the reserved matters application(s) for appearance, scale and layout pursuant to Condition 1 shall include an Energy and Sustainability Statement. The statement shall demonstrate an improvement on the energy efficiency of the scheme over and above the Building Regulations in place at the time of this decision and shall include, but not be limited to, the following information:
 - a. details of the methods used to calculate predicted annual energy demand and associated carbon emissions;
 - b. measures to reduce impact on climate change (including consideration of heat proofing, construction techniques, building fabric, solar gain, natural lighting, shading, orientation, water retention, flood mitigation and landscaping).
- 10) No development shall take place until details of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be in accordance with the principles set out in the Flood Risk Assessment and Drainage Strategy prepared by Phoenix Design dated March 2020. An assessment shall be made regarding the potential for disposing of surface water by means of a sustainable drainage system (SuDS) in accordance with the principles set out in The SuDS Manual, CIRIA C753 (or any subsequent version), and the results provided to the local planning authority.

Where a sustainable drainage scheme is to be provided, the submitted details shall provide:

- a. an assessment of the hydrological and hydro-geological context of the development;
- b. information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- c. a timetable for its implementation;
- d. a management and maintenance plan for the SuDS. The plan shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The surface water drainage scheme, including its management and maintenance, shall be implemented strictly in accordance with approved details and thereafter retained as such for the lifetime of the development.

- 11) No development shall take place until full details for the treatment and disposal of foul water (including pollution control and monitoring measures) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 12) No development shall take place until plans showing the existing and proposed ground levels of the site and existing ground levels of adjacent land have been submitted to and approved in writing by the local planning authority. The submitted details shall include existing and proposed cross section drawings of the site indicating the extent of ground works required to achieve finished site levels. The reserved matters application(s) submitted pursuant to Condition 1 shall include details of the proposed slab levels of the proposed buildings and ridge heights of proposed and adjacent buildings. The development shall be implemented strictly in accordance with the agreed details.
- 13) Notwithstanding the illustrative proposed access arrangements on to Harp Hill, as shown on Access and Movement Parameter Plan ref: P18-0847_02 Sheet No.3 rev F and the Alternative Illustrative Masterplan ref. 18017.202 Rev B, full details of the proposed access junction on to Harp Hill shall be submitted to and approved in writing by the local planning authority as part of the first reserved matters submission. The access shall be installed in accordance with the approved details and made available for use prior to the first occupation of any dwelling. The reserved matters submissions relating to access are required to be generally designed so that maximum and minimum

gradients allowable will be 1/20 and 1/100 respectively, save that gradients up to 1/12 are permissible, provided that where they are proposed, they shall be limited to maximum lengths of 30 metres.

- 14) No dwelling hereby permitted shall be occupied until the Footpath and Cycleway link between Priors Road and the development area (as shown on Drawing No 333.E.33) has been fully implemented in accordance with a detailed design previously submitted to and agreed in writing by the local planning authority.
- 15) No more than 50 dwellings shall be occupied until the following highway works have been implemented in full:
 - a. Alterations to the junction of Priors Road / Hales Road / Harp Hill / Hewlett Road (shown on Drawing No H628/04 Rev C);
 - b. Harp Hill pavement extension and pedestrian linkages (shown on Drawing No H628/05 Rev A).
- 16) No dwelling shall be occupied until: (i) the carriageways providing access from the public highway to that dwelling have been completed to at least binder course level, and the footways to surface course level and in accordance with the approved plans; and (ii) the car/vehicle parking area, visitor parking and turning space associated with that dwelling (including garages and car ports where proposed) have been completed in accordance with the approved plans.
- 17) Prior to first occupation of the development, details of the arrangements for future management and maintenance of the roads/streets within the development shall be submitted to and approved in writing by the local planning authority. The roads/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.
- 18) No development shall take place until a Construction Traffic Environmental Management Plan (CTEMP) has been submitted to and approved in writing by the local planning authority. The CTEMP shall include: details of parking or vehicles of site operatives and visitors (including measures to ensure satisfactory access and movement for existing occupiers during construction); details of any temporary access into the site; details of loading and unloading of plant and materials; arrangements for turning vehicles; details of storage of plant and materials; measures for traffic management (including routing) so as to minimise the impacts of construction traffic on the highway; details of types, size and numbers of construction related vehicles anticipated daily, including arrangements to receive abnormal loads or unusually large vehicles; means to prevent deposition of mud or other substances on the highway; details of wheel washing facilities; measures for the control of site lighting (required for safe working or for security); means to control dust and emissions to air; means to control noise and vibration; methods of communicating the CTEMP to staff, visitors and neighbouring residents and businesses. The approved CTEMP shall be adhered to throughout the demolition and construction period.
- 19) No development shall take place until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The SWMP shall include: information on the type and amount of waste likely to be generated prior to and during the construction phase; details of the practical arrangements for managing waste generated during construction in accordance with the principles of waste minimisation. The approved SWMP shall be adhered to throughout the demolition and construction period.
- 20) Demolition, construction works or other operations that generate noise beyond the site boundary shall be only carried out between the hours of 0800 hrs and 1800 hrs

Mondays to Fridays, and between 0800 hrs and 1300 hrs on Saturdays and at no time on Sundays and Bank Holidays. Deliveries to, and removal of plant, equipment, machinery and waste from the site shall only take place within the permitted hours detailed above.

- 21) No piling activities shall be carried out until a full piling method statement has been submitted to and approved in writing by the local planning authority. The method statement must assess and include full details of the noise and vibration impact from the piling operations on the nearest residential properties; dates and times of piling; and details of monitoring measures. All piling activities shall be carried out in accordance with the approved details.
- 22) In the event contamination is found at any time when carrying out the approved development that was not previously identified, it must be immediately reported in writing to the local planning authority, and development shall be halted on that part of the site affected by the unexpected contamination. An investigation and risk assessment must then be undertaken in accordance with the Environment Agency's relevant guidance and, where necessary, a remediation scheme also submitted. Following completion of measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the local planning authority before development can recommence on the part of the site identified as having unexpected contamination.
- 23) The development hereby approved shall be carried out at all times (including during all ground and vegetation clearance works) and thereafter maintained in accordance with the recommendations and measures within the Construction Environmental Management Plan (CEMP) (Ecology Solutions March 2021 7807.CEMP.vf); and the Landscape and Ecology Management Plan (LEMP) (Ecology Solutions dated March 2021 7807.LEMP.vf). In addition to the approved LEMP, hedgehog tunnels shall be installed in accordance with details which shall have been previously submitted to and approved in writing by the local planning authority. Any modifications to the approved details within the CEMP and LEMP (for example as a result of requirements of a protected species license) must be submitted to and agreed in writing by the local planning authority prior to the implementation of any modifications.
- 24) Full details of the external lighting scheme, following the principles and recommendations of the approved lighting strategy (Illume Design Lighting Strategy 03.03.2021 No. 4218 rev 0.2), shall be submitted to and approved in writing by the local planning authority. The details shall include but shall not be limited to the following:
 - a. the position, height and type of all external lighting (including any security lighting);
 - b. the intensity of lighting and spread of light as a lux contour plan (including horizontal and vertical components);
 - c. lighting calculations and assessment;
 - d. measures to minimise light spill/pollution, having regard to the sensitive location of the site within an AONB;
 - e. measures to minimise the effects of lighting on protected wildlife species;
 - f. the periods of day and night (throughout the year) when such lighting will be used and controlled for construction and operational needs.

The approved scheme shall be maintained thereafter for the lifetime of the development and in accordance with the manufacturer's recommendations.

- 25) The submission of details required by Condition 1 shall include full details of a hard and soft landscaping and boundary treatment scheme for both the residential and open space elements of the proposed development. The scheme shall include the following:
 - a. a written specification describing the species, sizes, spacing, densities and planting numbers;
 - b. details of all retained trees, hedgerow and other ecological features;

- c. details of the phasing of implementation of all proposed hard and soft landscaping;
- d. details of proposed aquatic planting for the indicative SuDS feature shown in the north-west corner of the site;
- e. details of meadow grassland planting within the areas of public open space;
- f. details of hard and soft boundary treatment (including details of materials and elevation drawings where relevant);
- g. details of ridge and furrow retention, planting and maintenance;
- h. buffer/protection and deterrent planting measures (from deer and other predators) around retained mature, veteran and ancient trees;
- i. details of biodiversity net gain (BNG), in accordance with Natural England's Biodiversity Metric 2.0;
- j. a detailed Landscape and Tree Management and Maintenance Scheme (LTMMS) (for the short, medium and long term – 5, 10 and 30 years) for areas of proposed open space and children's play areas based on the principles set out in the approved LEMP.

All hard and soft landscaping and boundary treatments (as well as the LTMMS) shall be implemented and maintained in accordance with the approved details, and in accordance with a timetable agreed with the local planning authority. Any trees, hedgerows or other plants which, within a period of 5 years from the date that they were planted, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season (October to March) with others of the same size or species unless otherwise first agreed in writing by the local planning authority. Any pruning works shall be carried out in accordance with BS 3998:2010 (or any standard that reproduces or replaces this standard).

- 26) All works including roads, paths, parking areas, drainage runs and other areas of hard landscaping that fall within Root Protection Areas of retained trees shall be constructed using a no-dig method. All trenches and service runs shall fall outside the Root Protection Area(s) of any retained trees shown on the approved drawings, 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). No fires shall be lit within 5m of the Root Protection Areas and materials that will contaminate the soil such as cement or diesel must not be discharged within 10m of any tree stem. Existing ground levels shall remain the same within the Root Protection Areas and no building materials or surplus soil shall be stored therein.
- 27) Prior to the commencement of development (including site and vegetation clearance works), the following shall be submitted and approved in writing by the local planning authority:
 - a. a Tree, Shrub and Hedgerow Retention and Removal Plan, identifying all trees, shrubs and hedgerow to be removed and retained (including tree BS 5837:2012 categorisation);
 - b. details of tree protective fencing to comply with BS 5837:2012;
 - c. an Arboricultural Monitoring scheme for the construction phase which shall include details of (a) persons to conduct the monitoring; (b) the methodology and programme for reporting; and (c) a timetable for inspections;
 - d. an Arboricultural Method Statement (AMS) to comply with BS 5837:2012 which shall include (a) any no-dig construction method details for parking areas, footpaths, roads, drainage runs and other forms of hard landscaping; (b) foundation details for properties near to retained trees on or adjacent to the site; (c) the storage of materials and siting of temporary structures for contractors; and (d) any access facilitation pruning in accordance with BS 3998 (2010).

No trees, shrubs or hedges within the site which are shown to be retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed, without the prior written consent of the local planning authority. Any

retained trees, shrubs or hedgerow indicated on the approved drawings which, within a period of 5 years following the completion of the construction phase die, become seriously damaged or diseased shall be replaced during the next available planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the local planning authority. Any pruning works shall be carried out in accordance with BS 3998:2010 (or any standard that reproduces or replaces this standard).

No tree and/or hedge clearance shall be carried out during bird nesting season (1st March to 31st August inclusive) unless the site has been surveyed in advance for breeding birds and a scheme to protect breeding birds has first been submitted to and approved in writing by the local planning authority.

The development shall be carried out at all times in accordance with the details approved and the tree protective fencing shall be installed and inspected prior to the commencement of development and shall thereafter remain in place until the completion of the relevant construction phase.

- 28) Details of a scheme for Public Art within the area(s) of public open space shall be submitted to and approved in writing by the local planning authority. The approved scheme be installed within six months following the completion of the development or in accordance with a timetable previously agreed in writing by the local planning authority.
- 29) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages and outbuildings (other than sheds and greenhouses, and those forming part of the development hereby permitted) shall be erected without the permission of the local planning authority.
- 30) Prior to first occupation of the development, details of a Homeowner's Information Pack providing information on recreation resources in the locality shall be submitted to and approved in writing by the local planning authority. The pack shall be in accordance with the advice from Natural England (letter dated 13 April 2021) and include reference to: Alternative local recreation opportunities (off site), and website information for the Cotswolds AONB. Each household shall be provided with an approved Homeowner Information Pack on occupation.
- 31) Details of a scheme of interpretation for the adjacent heritage assets at Hewlett's Reservoir (which shall include details of the location, content and design of interpretation boards to provide the public with a better understanding of the heritage assets adjoining the site) shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented prior to the completion of the development.




PLANNING APPLICATION BOUNDARY
 (15.27 HA)


MAXIMUM BUILDING HEIGHT UP TO 10.5M
ABOVE FUTURE GROUND LEVEL


MAXIMUM BUILDING HEIGHT UP TO 12M
ABOVE FUTURE GROUND LEVEL


EXISTING CONTOURS AND SPOT HEIGHTS
 (CONTOURS AT 1M INTERVALS)

* FUTURE GROUND LEVEL ALLOWS FOR A MAXIMUM OF 1.5M ABOVE THE EXISTING GROUND LEVEL (THIS ESTABLISHES APPROPRIATE DRAINAGE, BALANCE CUT AND FILL AND ALIGN STREET AND BUILDINGS TO CONSISTENT LEVELS).

EXTRACT AT 1:2500 SHOWING WESTERN GATEWAY