

APPLICATION NO: 23/01691/REM		OFFICER: Mrs Lucy White
DATE REGISTERED: 4th October 2023		DATE OF EXPIRY: 24th January 2024/Agreed Ext of Time until 5 June 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 24/00251/CONDIT). 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 24/00251/CONDIT.	

Update to Officer Report

1. OFFICER COMMENTS

1.1. Background

- 1.2. Given the length of time that has passed since this application was first presented to the Planning Committee in December 2023 and the intervening activity in terms of a s73 application, officers consider it helpful to recount, in brief, the relevant planning history for this site.
- 1.3. Members will recall that outline planning permission was granted on appeal in 2022 for development comprising of up to 250 dwellings (including affordable housing) on land at Oakley Farm, with associated infrastructure, open space and landscaping and the formation of a new vehicular access from Harp Hill, under reference 20/01069/OUT (APP/B1605/W/21/3273053). All matters were reserved for future consideration.
- 1.4. An application seeking approval of the reserved matters (REM) details pursuant to the above outline planning permission was submitted to the Council on 3rd October 2023 under reference 23/01691/REM. The reserved matters application considers the design, appearance, layout, scale, landscaping and access arrangements details of the outline permission and is the subject of this report.

- 1.5. Members are reminded that application 21/01691/REM was on the Agenda and due to be determined at the December 14th 2023 meeting of the Planning Committee. The Officer report to the Committee recommended approval of the reserved matters details, plus approval of details to discharge other conditions attached to the outline permission.
- 1.6. An officer Update report published prior to the December meeting informed Members of a number of unforeseen but material issues that had arisen in the latter stages of the application. The first related to finished ground levels and building ridge heights and their conformity with the Building Heights Parameter Plan of the outline planning permission. The second issue was concerned with road gradients and whether the proposed development is in conformity with the requirements of Condition 13 of the original outline planning permission, specifically in relation to lengths of road where gradients fall between 1/20 and 1/12
- 1.7. In summary, Condition 13 of the original outline permission (20/01069/OUT) 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. In December 2023, following publication of the Committee report to Members, the Highway Authority (HA) submitted a revised response to confirm that the proposed reserved matters access arrangements do not conform with the terms of Condition 13. The proposals include sections of roads where gradients fall between 1/20 and 1/12 and exceed the 30 metres permissible under the terms of Condition 13. The HA offered design solutions/site engineering works to overcome this.
- 1.9. At that stage, officers were not supportive of the HA design solutions, which would need very careful consideration and consultation with the Council's specialist advisors to assess any potential landscape and visual effects on the environment. The possibility of the applicant seeking a variation to the terms of Condition 13 (under s73 of the Town and Country Planning Act) was also considered at this stage. The current reserved matters scheme (or an amended scheme) could then be considered alongside any approved varied terms of Condition 13.
- 1.10. The officer recommendation for application 23/01691/REM at December's Planning Committee meeting was therefore changed from permit to a deferral of the application to allow continued discussion with the applicant and Highway Authority. Members subsequently resolved to defer application 21/01691/REM at December's Planning Committee meeting.

- 1.11. Thereafter, considerable discussion took place between officers, the applicant and Highway Authority to resolve the issue. Legal advice on the purpose and interpretation of Condition 13 was also sought by both parties. The standards set by Manual for Gloucestershire Streets (MfGS) and the REM scheme's conformity with these standards was also reviewed. This culminated in the submission of a s73 (non-material amendment) application in February 2024 to vary the terms of Condition 13 (reference 24/00251/CONDIT).
- 1.12. The s73 application was presented to the March 2024 Planning Committee meeting, and Members resolved to approve the proposed variation of Condition 13, as per the officer recommendation, which differed from that proposed by the applicant. The decision notice for 24/00251/CONDIT was issued on 20th May 2024. This has resulted in the issuing of a new (revised) outline planning permission, which sits alongside the original permission which remains intact and un-amended.
- 1.13. The original Condition 13 reads as follows, with the proposed amended element underlined/bold text:

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.

- 1.14. The approved revised Condition 13 wording is as follows (the amended section underlined):-

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 in accordance with the Manual for Gloucestershire Streets so that maximum and minimum gradients allowable will be between 1/20 and 1/100 respectively, save that gradients between 1/20 and 1/12 are permissible, provided that where there are proposed gradients of 1/12, these shall be limited to maximum lengths of 30 metres. Where gradients between 1/20 and 1/12 are proposed, and where their respective lengths exceed 30 metres, the reserved matters submissions relating to access shall include evidence, to the satisfaction of the local planning authority, that site topography, the need to retain important existing landscape features, and to protect both the environment and amenities of neighbouring land users, necessitate gradients of between 1/20 and 1/12.

Reason: To ensure that safe and suitable access is provided for all users in the interests of highway safety and to ensure an appropriate design in the interests of the amenities of neighbouring land users and the protection of the environment; having regard to adopted policies D1, L1, GI3 and SL1 of the Cheltenham Plan (2020) and adopted policies INF1, INF3, SD4, SD6, SD7, SD9 and SD14 of the Joint Core Strategy (2017) and sections 9, 12, 15 and 16 of the NPPF (2023).

- 1.15. The above varied terms of Condition 13 allow greater flexibility in the design of the estate roads in instances where gradients between 1/20 and 1/12 are proposed. However, this is subject to the applicant providing sufficient evidence to demonstrate that gradients between 1/20 and 1/12 that exceed 30 metres in length are necessary to protect the environment and amenities of neighbouring land users.
- 1.16. At the time of considering the s73 application, officers were concerned that the delivery of a scheme for 250 dwellings that adheres to the terms of the original Condition 13 (and the parameters set by the AIM) could result in adverse effects on the environment and local amenity; caused specifically by the need to significantly raise and lower ground levels and introduce high retaining walls above those of the current REM scheme. The potential significant and altered engineering works and retaining wall structures that would be necessary to make the current REM scheme accord fully with the terms of original Condition 13 were of particular concern. As such, officers were concerned that the alternative design solutions presented by both the HA and applicant would increase the potential for adverse impacts on the environment, greater overlooking into neighbouring residential properties and the removal of a larger number of trees/hedgerow and would impact on the long term health and survival of retained TPO'd trees.

1.17. The potential effect on road gradients by reducing the number of proposed dwellings on the site has also been considered. The applicant has provided the following Addendum to the 'Alternatives' document. Officers are satisfied that, to comply with the terms of Condition 13, any meaningful reduction in the numbers of dwellings would not alter road gradients because the topography of this site will not change and will determine the main access road layout and design as it traverses the site from top to bottom.

The configuration of the main access road is dictated by the existing topography of the site (which is between 1 in 6 and 1 in 8). Specifically, from the site entrance at Harp Hill, the access road has to traverse across the slopes of the development east to west, round the Oak tree and then east down the slope to meet the gradient parameters set by the outline planning permission whilst ensuring that there is no impact on existing landscape and biodiversity features that are to be retained. Reducing the number of homes along the streets that are required to reach the bottom of the site would therefore not change the topography of the road.

1.18. Alternative Road Levels

1.19. Pursuant to the above revised terms of Condition 13, the applicant has submitted additional information in the form of a 'Road Levels Alternatives' document dated 23.04.2024. The document provides the evidence to show why the access and road design elements of the reserved matters scheme have been designed in the manner proposed, having regard to (i) site topography, (ii) the need to retain important existing landscape features and (iii) the need to protect both the environment and amenities of neighbouring land users. The applicant considers that the document '*demonstrates that the proposals have been designed to deliver the optimum access solution taking into account the characteristics of the site and the factors that informed the decision to approve the outline application*'.

1.20. The above document sets out two alternative engineering solutions for the access arrangements which could produce shallower road gradients between the southern and northern site boundaries; predominantly affecting a section of the access road through the centre of the site. It then goes on to discuss why these alternative solutions were not pursued by the applicant, noting that these options were discussed in broad terms with officers and the Highway Authority during the early stages of pre-application discussions; the preference of officers being a working with the site topography and incorporating split level houses rather than the significant re-grading of the land and need for large retaining structures.

1.21. The implications of both options are illustrated by way of accompanying plans and section drawings which include comparisons with the current proposed REM access arrangements.

1.22. Option 1

1.23. In summary, Option 1 would necessitate a steepening and extensive cut and fill of the initial section of the access road from Harp Hill on its north east alignment. This would achieve a greater change in levels over a shorter distance and thereby allow a central section of the internal estate road further north to have shallower gradients.

1.24. In addition to extensive and deeper cut and fill works to the south east field parcel, this option would necessitate breaks in the hedgerow and the lowering of Severn Trent's (strategically important) high pressure, water mains pipes in this location, which Severn Trent have advised strongly against.

1.25. This part of the site includes the proposed open space (retained AONB) element of the development. The south east field parcel also contains the greatest amount of retained ridge and furrow. Visually, it would be the least developed part of the site and therefore the most sensitive part of the site which impacts on the setting of the heritage assets at Hewlett's Reservoir.

1.26. The applicant also indicates that this option would result in the removal of circa 11,000 cubic metres of spoil from the site, involving 1,375 additional HGV movements.

1.27. Option 2

1.28. Option 2 would retain the current access approach from Harp Hill, reduce the level change running from south to north through the residential areas but would raise land levels on parts of the lower site area. Again, this would allow a section of the internal estate roads to have shallower gradients but the proposed dwellings adjacent to the northern site boundary would be significantly higher than the nearest adjacent houses in Pillowell Close and Brockweir Road.

1.29. This option would require extensive cut and fill works around the retained, veteran oak tree, and its root protection zone, within the proposed Oak Tree Neighbourhood (OTN). This would impact on the long term survival of the Veteran Oak tree, potentially culminating in its removal. Similarly, the required fill works within the OTN would affect most residential plots in this area, raising ground levels in the OTN by some 2 metres and at the northern site boundary by some 2-3 metres.

- 1.30. There would also be significant differences in ridge heights between the proposed dwellings in the OTN and existing dwellings to the west in Wessex Drive.
- 1.31. This option would therefore result in a poorer and unsatisfactory relationship between proposed and neighbouring dwellings in terms of overlooking, outlook and overbearing appearance.
- 1.32. Furthermore, the revised land levels and building heights of Option 2 would be in significant breach of the approved Building Heights Parameter Plan of the outline planning permission.
- 1.33. The potential effect on road gradients by reducing the number of proposed dwellings on the site has also been considered. The applicant has provided the following Addendum to the 'Alternatives' document. Officers are satisfied that, to comply with the terms of Condition 13, any meaningful reduction in the numbers of dwellings would not alter road gradients because the topography of this site will not change and will determine the main access road layout and design as it traverses the site from top to bottom.

The configuration of the main access road is dictated by the existing topography of the site (which is between 1 in 6 and 1 in 8). Specifically, from the site entrance at Harp Hill, the access road has to traverse across the slopes of the development east to west, round the Oak tree and then east down the slope to meet the gradient parameters set by the outline planning permission whilst ensuring that there is no impact on existing landscape and biodiversity features that are to be retained. Reducing the number of homes along the streets that are required to reach the bottom of the site would therefore not change the topography of the road.

1.34. Consultations

- 1.35. The Cotswold Conservation Board, The Friends of Oakley Pasture Slopes, the Highway Authority (HA), the Local Lead Flood Authority (LLFA), and the Council's Conservation and Tree officers were notified in writing of the Road Levels Alternatives document. The views of the Council's appointed Landscape Architect were also sought on the potential alternative road designs. The consultee comments received are set out in full below.
- 1.36. Neighbouring properties were also notified in writing of the additional information submitted and third party representations received since the publication of the Alternatives document are included within the report Appendices. The majority of the concerns and

comments made relate to the principle of residential development in this location and the volume of traffic generated by the proposed development and highway safety issues on Harp Hill.

Highway Authority (Development Management)

17th May 2024-

I have reviewed the documentation included in both 23/01691/REM and 24/00251/CONDIT. You will note that we have previously provided a no objection response to these applications, and that is still the County Council's position.

It is the highway authority's opinion that the current road geometry in drawing SK-007 Rev B accords with the wording of the Manual for Gloucestershire Streets, i.e. that no lengths of gradient 1:12 are greater than 30m, not inclusive of the vertical curves linking those sections of gradient.

I have reviewed the Road Levels Alternative document and note paragraph 1.11 where a "working with the site" design strategy was agreed with Borough and County Council. It is evident that both 'Option 1' and 'Option 2' would result in more favourable gradients along Road 2, however this would incur significantly more engineering, increase construction traffic, and impact on the site appearance and amenity. The matters relating to appearance, amenity, etc are for consideration by the LPA planning officer.

Cotswold Conservation Board (AONB)

15th May 2024-

APPLICATION NO: 23/01691/REM

DESCRIPTION: 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

LOCATION: Oakley Farm, Priors Road, Cheltenham, GL52 5AQ

Thank you for consulting the Cotswolds National Landscape Board¹ ('the Board') on the additional information submitted by the applicant in support of this proposed development, which would be located within the Cotswolds National Landscape².

In our response dated 6 November 2023 we did not object to this application which was then considered by the Borough Council Planning Committee with Officers recommending approval. The decision was deferred due to a change of advice from the County Council regarding compliance of the submitted scheme with the terms of condition 13 of the outline planning permission in respect of carriageway gradients. A S.73 application was then approved by the Council in March 2024 revising the wording of condition 13 of the outline permission and now states that "where gradients between 1/20 and 1/12 are proposed, and where their respective lengths exceed 30 metres, the reserved matters submissions relating to access shall include evidence, to the satisfaction of the local planning authority, that site topography and the need to retain important existing landscape features and protect both the environment and amenities of neighbouring land users, necessitate gradients between 1/20 and 1/12".

The additional information, in the form of a Road Levels Alternatives document, has been submitted by the applicant to justify their chosen access proposals. Two alternatives to the current scheme are presented which would permit shallower gradients on a section of access road through the centre of the site.

Option 1 would entail creating a steeper grade on the access road from Harp Hill, necessitating an extensive cut/fill exercise across what is the most visible and sensitive part of the site and would result in greater loss of historic ridge and furrow and hedgerow. It would expose the pressurised water main crossing the upper part of the site and Severn Trent advise against lowering the main which would also impact the historic features within the public open space and the setting of the neighbouring listed reservoir. It would also necessitate the removal of c.11,000m³ of spoil involving 1,375 additional HGV movements through the National Landscape.

Option 2 would raise the levels on parts of the lower area of the site. This approach would potentially necessitate the removal of the veteran oak tree within the proposed Oak Tree Neighbourhood due to cut/fill works within the root protection zone and would result in a number of other issues resulting from sub-optimal relationships between dwellings both within the site and neighbouring the site on Wessex Drive.

The Board would support neither of these options and considers that the submitted scheme which features sections of road at 1/12 for a maximum length of 30m would be preferable. As such we do not object to this proposal.

In our previous response, we outlined that the LPA had a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape under Section 85 of the Countryside and Rights of Way Act 2000. This statutory duty has since been superseded by Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 which came into effect on 26 December 2023 and introduces a new statutory duty on LPAs to seek to further the statutory purposes of the National Landscape as opposed to having regard to them. Further information and advice on this new duty is provided within Appendix 1 below.

Trees Officer

10th May 2024-

Option 1:

Page 9 describes the additional areas of cutting that would be required but doesn't describe the full extent of this (cutting to the west appears to be extended further south than what is currently proposed). Based on the information presented, the impact on existing trees is tolerable. There may be an impact on trees to be planted – it is unclear if these would be planted in the same area or moved south, or the amount to be planted decreased. Further consideration would need to be given to the effect of this cutting on dwellings to the north. An increased height of the retaining wall may give an overbearing feel to those dwellings, increasing pressure on the trees growing to the south of this (for pruning / removal).

Option 2:

The impact of this option on the veteran oak would be unacceptable to the Trees Section. An application for a revised scheme to reflect this option would not be supported and Trees Officers would strongly advise refusal of such a scheme.

Council - Landscape Architect (Ryder Landscape Consultants)

17th May 2024-

Comments on suggested modifications to main access road to create lesser on site gradients

Thank you for asking us to comment on the above and we trust you find this note helpful as you consider the implications of whether to reduce the main spine road gradients at Oakley Farm;

- 1. Summary of modification options*
- 2. Potential landscape, visual and user impacts to Field 3 (south west field)*
- 3. Potential landscape, visual and user impacts to landmark oak tree area and proposals.*
- 4. Summary of comments*

1. Summary of modification options

The proposals to generate the shorter lengths of the steeper gradient stretches appear to have two basic premises:

Option 1 – *Extend the length of the main access road on its north east alignment so it runs into the Public Open Space (POS) of Field 3 (Inquiry field reference number) which is the south east field with the greatest extant ridge and furrow and also the least developmental change proposed. These works require the cutting into the slope of the field and a degree of embankment to the down slope side of the road.*

Option 2 – *Raising ground around the landmark oak tree area, using the oak tree flats as a greater retaining wall and setting the properties in this area at a higher level than Footpath 86 that runs to the side of Wessex Drive housing.*

2. Potential landscape, visual and user impacts to Field 3 (south east field)

A number of adverse landscape impacts would occur compared to the original reserved matter road application; these include;

- **Break in hedgerow / loss of hedgerow** – breaching the hedgerow between Fields 2 & 3 removes the physical containment of the road within the boundary of Field 2, breaks up and weakens the value of this retained landscape feature with the resultant break less desirable in both landscape and ecological terms.*
- **Ridge and furrow** – Field 3 displays strong ridge and furrow (R&F) patterning and the amount of earthworks required to extend the road would reduce this in terms of quantum and legibility for the road corridor, cut and fill areas and any compound / laydown areas required for construction. R&F is listed as one of the indicators of time depth and a*

landscape characteristic of the Cotswolds National Landscape and as a feature worthy of retention.

- **More bank to cut** – Even with a steep batter to the cut face of 1:3 (or less with soil nailing or other geo-technical retaining techniques) there will be more bank to see cut into the natural slope of Field 3. One bank cut into another generally appears artificial within the landscape and typically proposals would seek to smooth out the differences in the gradient of the two slopes but by doing that here more R&F would be lost. The bank face in Field 3 would appear artificial.
- **Additional cut material to dispose of** – The longer the road the greater the volume of excavated material. I note in the Cotswolds National Park response of the 14 May 2024 that they consider the extra 11,000 Cu.m would require an additional 1,375 HGV movements. Removal from Site I think is the only option as depositing it on the remaining open ground of the Site would either remove R&F patterning, or create artificial earth mounds on the generally sloping site which would appear artificial in the landscape.

The following visual effects are considered to occur;

- **Close range change** – introduction of man-made form in the field remnant that has the least developmental change reducing its appearance as the semi-rural country park that it was intended to be. As well as the road itself the street lighting will stick up above the cut slopes and likely appear incongruous and marks its position in Field 3. There will also be less perceived enclosed within this field with the road size break in the hedgerow compared to the footpath sized one.
- **Mid-range views** – Field 3 and the alignment of the road was the primary concern regarding views from Aggs Hill towards the Site. Aggs Hill like the Site is within the National Landscape. At the moment the green roofs of the reservoirs visually ‘flow’ into Field 3 and this would be reduced by the light columns, possible visibility to the road carriageway and expected visibility to traffic movement of larger vehicles e.g. delivery vans and refuse vehicle.
- **Long-range views** – The road would add to the sense of change from the viewpoints on Cleeve Common and the Bill Smyllie Butterfly Reserve that sits just down the escarpment from it. These views are set on the Cotswolds Way. The amount of visible change would be relatively minor at this distance compared to the sense of wider change brought about by the whole development.
- **Residential views** – There would be a greater degree of change experienced by three houses to the western end of Birdlip Road and the top three, eastern most houses on Harp Hill that face Field 3. Some of the Birdlip Road houses from memory have ‘inverted living’ which will mean their rear of house living spaces will have increased visibility to the road compared to lower ground floor living spaces. The Harp Hill residents

would experience the greater change from their first floor, front of house rooms that are presumed to be bedrooms.

The following user effects have been identified;

- **Less Public Open Space** – with the introduction of the road there will be less POS to use and benefit from with the lower part of the field removed for the road extension;
- **Reduced quality of remaining Public Open Space** – with the road set within Field 3 the sense of naturalness within the remaining field will be significantly reduced. It was a theme of the original Inquiry how a semi-natural, country park type POS could genuinely have that character with a road running through it. The keeping of the road alignment within Field 2 improves the users' experience and sense of relative tranquillity in Field 3.

3. Potential landscape, visual and user impacts to the landmark oak area

By raising the ground around the landmark oak tree in Field 1 the following changes would be experienced on and adjacent to the Site.

Landscape wise the worst outcome would be the oak tree not surviving the increased works within its vicinity and its loss from the scheme. Even if the oak is retained it will appear set in a more artificial and convoluted arrangement than is currently proposed.

Visually there is more sense to the existing proposals with the road sweeping around the oak and it becomes the focus of the houses at the south west end of the scheme. If the housing plots were raised here to accommodate a shallower road there would be a knock-on effect to Footpath 86 that runs up the western side of the Site. Already appearing constrained and pushed out to the edge of the Wessex Drive development this path would be set more within a channel with no chance of views out to the east.

In design terms the retention of the landmark oak tree is an example of a landscape led internal layout to the development and its loss would reduce the quality of the south west end of the estate making it less distinctive for both residents and visitors alike.

In considering its useability there would still need to be steps and ramps to allow crossing from the higher southern side of the space to the lower northern parts, There are no user benefits from the change in level such as the removal of all steps and ramps.

A note about the oak tree flats and their relationship with the oak tree space. With the original proposals it appears as a stop end to space that the road then sweeps around and largely this effect would remain. However if the oak tree is lost its reason and arrangement would appear odd and contrived. A quick growing replacement tree would

take at least 70 to 80 years to reach a similar stature and an oak at least double that. It is better to seek to retain the current, high quality oak than look to replace it.

In looking at the further visualisations of the oak tree flats and in particular how planting had been shown growing down some of the rear retaining walls I would advise that planting at the base of retaining walls with climbing plants is usually more successful than relying on stock that grows up and over the top of the wall. Ideally both can be provided at the top and bottom of the walls but suggest this is a matter for detail design comments.

4. Summary of comments

Neither of these suggested modifications are beneficial in landscape character or visual appearance terms. They would lead to significant adverse effects to both the POS to the south east and to the internal character of the housing proposals to the south west if the landmark oak is lost or its setting over engineered.

I consider the existing proposals are better in both landscape and visual terms than either Option 1 or Option 2 and that the harms that would accrue by either elongating or raising the road do not justify the benefits of reducing the lengths of the steeper gradient sections. I trust you find this note useful as you consider the Reserved Matters application, but should you have any immediate queries please do not hesitate to contact me.

1.37. Officer Conclusions

1.38. Having considered the above consultee responses, it is quite clear that neither Option 1 or 2 offer a suitable and acceptable overall alternative to access arrangements and neither would be beneficial in terms of landscape character, visual appearance or impact on the amenities of adjoining land users. Whilst a reduction in the length of roads where gradients fall between 1/20 and 1/12 could be achieved (and thereby delivering more favourable gradients along sections of roads across the site) this would come at a considerable cost. As such, there will be no further proposed revisions to the REM scheme.

1.39. The Council's landscape architect (LA) provides a detailed commentary on the potential environmental effects of the two alternative options and discusses other potential changes in experience that were not specifically raised by the applicant. In relation to Option 1, these include loss and reduced quality of remaining public open space, the breaching of hedgerow and the visual and landscape impacts of creating an artificial bank face in the

southern field parcels. Close, mid and long distance views from neighbouring properties on Harp Hill and Birdlip Road and from various vantage points on the scarp would also be affected. In addition to the access road being set above the deep cut slopes in the southern field parcels, street lighting columns within this area would also appear incongruous. In relation to Option 2, the effect of raising land levels in the OTN would be Footpath 86 being set within a 'sunken' channel with no views out to the east. In terms of user benefits, the less steep gradients and change in levels across the site would not remove the need for steps and ramps to enable the traversing of the site from south to north. The LA concludes that the existing proposals are better in landscape and visual terms and there would be no benefits in reducing the lengths of the steeper gradient sections.

- 1.40. As previously mentioned, officers recommended approval of the REM scheme in December 2023 which is considered to be a well-considered, entirely bespoke and high quality design response to the topography challenges of this site, its existing landscape features, its AONB status and other constraints.
- 1.41. Similarly, the above consultees raise no objection to the design, scale and layout of the currently proposed REM scheme but have significant concerns in respect of the various impacts of the two alternative options.
- 1.42. Importantly, the HA has also confirmed that the proposed access arrangements of the REM scheme (which include road gradients between 1/20 and 1/12 greater than 30 metres in length) would be of adoptable standard and would satisfy MfGS requirements.
- 1.43. Officers therefore consider that the currently proposed REM scheme (23/01691/REM), which remains unchanged from that presented to the December 2023 Planning Committee, is acceptable for the reasons set out within the original officer report for 23/0169/REM.
- 1.44. As such, the recommendation to the December Planning Committee in respect of 23/01691/REM remains unaltered, including the schedule of suggested conditions.
- 1.45. The only differences to note are the change in the REM application description to include the planning reference number for the new (revised) outline planning permission 24/00251/CONDIT and the revised terms of Condition 13.
- 1.46. This Update report should therefore be read alongside the previous officer reports for 23/01691/REM and 24/00251/CONDIT, which are attached.

1.47. CONCLUSION AND RECOMMENDATION

- 1.48. The submission of the additional information/Road Levels Alternatives, as required by the revised terms of Condition 13, has been considered very carefully, but this does not alter the officer recommendation made previously in respect of application 23/01691/REM. Officers conclude that the applicant has provided sufficient evidence of the need for road gradients of between 1/20 and 1/12 to exceed 30 metre lengths; having regard to site topography, the protection of the environment and the amenities of neighbouring land users.
- 1.49. The recommendation is therefore to grant planning permission for the reserved matters details subject to the conditions and informatives set out in the previous Update report for 23/01691/REM which are repeated below, alongside the conditions attached to the new outline planning permission (24/00251/CONDIT).

2. 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).

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, the authority sought revisions to the design and layout of the proposed development in the interests of the character and appearance of the area and landscape qualities of the AONB.

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The development hereby approved includes the carrying out of work on the adopted highway. The applicant/developer is advised that before undertaking work on the

adopted highway they must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out. Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. The applicant/developer will be required to pay fees to cover the Council's costs in undertaking the following actions:

- o Drafting the Agreement
- o A Monitoring Fee
- o Approving the highway details
- o Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secure and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

- 3 The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. The applicant/developer is advised that they must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980. Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. The applicant/developer will be required to pay fees to cover the Council's costs in undertaking the following actions:

- o Drafting the Agreement
- o Set up costs
- o Approving the highway details
- o Inspecting the highway works

The applicant/developer should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Outline Planning Permission Conditions – 24/00251/CONDIT

- 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.

Reason: To accord with s92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 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.

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 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.

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.

- 4 The development hereby permitted shall provide no more than 250 dwellings.

Reason: To limit the terms of the permission in the interests of the protection of the environment, landscape and visual amenity and the protection and conservation of heritage assets, having regard to adopted policies D1, GI3 and L1 of the Cheltenham Plan (2020), adopted policies INF3, SD4, SD7, SD8 and SD9 of the Joint Core Strategy (2017) and sections 12, 15 and 16 of the NPPF (2023).

- 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).

Reason: To ensure that safe and suitable access is provided for all users and the development accords with the required principles and standards of urban design; in the interests of highway safety, the protection of the environment, and the conservation of heritage assets; having regard to adopted policies D1 and L1 of the Cheltenham Plan (2020), adopted policies INF1, INF3, SD4, SD6, SD7, SD9 and SD8 of the Joint Core Strategy (2017) and sections 9, 12, 15 and 16 of the NPPF (2023).

- 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.

Reason: To ensure the development is delivered in an appropriate manner.

- 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.

Reason: To ensure the development meets the identified housing needs of the area, having regard to adopted policies SD11 and SD12 of the Joint Core Strategy (2017) and section 5 of the NPPF (2023).

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.

Reason: In the interests of the character and appearance of the area and sustainable transport and waste management; having regard to adopted policy D1 of the Cheltenham Plan (2020), adopted policies INF1, SD3, SD4, SD6, SD7 and SD8 of the Joint Core Strategy (2017), policy W36 of the Gloucestershire Waste Local Plan and sections 9, 12, 15 and 16 of the NPPF (2023).

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).

Reason: In the interests of reducing carbon emissions, having regard to adopted policy SD3 and SD4 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD (2022).

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.

Reason: To ensure sustainable drainage of the development and to avoid increased flood risk to neighbouring properties, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 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.

Reason: To ensure suitable foul drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 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.

Reason: In the interests of a high quality design, the character and appearance of the landscape and visual amenity and to ensure a satisfactory relationship between the proposed development and adjacent buildings and land, having regard to adopted policies D1, L1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4, SD6, SD7 and SD14 of the Joint Core Strategy (2017). Approval is required upfront to allow the impact of the development to be accurately assessed.

- 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 in accordance with the Manual for Gloucestershire Streets so that maximum and minimum gradients allowable will be between 1/20 and 1/100 respectively, save that gradients between 1/20 and 1/12 are permissible, provided that where there are proposed gradients of 1/12, these shall be

limited to maximum lengths of 30 metres. Where gradients between 1/20 and 1/12 are proposed, and where their respective lengths exceed 30 metres, the reserved matters submissions relating to access shall include evidence, to the satisfaction of the local planning authority, that site topography, the need to retain important existing landscape features, and to protect both the environment and amenities of neighbouring land users, necessitate gradients of between 1/20 and 1/12.

Reason: To ensure that safe and suitable access is provided for all users in the interests of highway safety and to ensure an appropriate design in the interests of the amenities of neighbouring land users and the protection of the environment; having regard to adopted policies D1, L1, GI3 and SL1 of the Cheltenham Plan (2020) and adopted policies INF1, INF3, SD4, SD6, SD7, SD9 and SD14 of the Joint Core Strategy (2017) and sections 9, 12, 15 and 16 of the NPPF (2023).

- 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.

Reason: To ensure appropriate and timely delivery of highway works and that opportunities for sustainable transport modes have been taken up; in the interests of highway safety and to minimise impact on the local highway network, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and section 9 of the NPPF (2023).

- 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)

Reason: To ensure appropriate and timely delivery of highway works and that opportunities for sustainable transport modes have been taken up; in the interests of highway safety and to minimise impact on the local highway network, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and section 9 of the NPPF (2023).

- 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.

Reason: To ensure that safe and suitable access is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and Section 9 of the National Planning Policy Framework (2023).

- 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.

Reason: To ensure that safe and suitable access is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 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.

Reason: In the interests of highway safety and to safeguard the amenities of occupiers of neighbouring land users, having regard to adopted policy SL1 of the Cheltenham Plan and adopted policies SD14 and INF1 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable highway and amenity impact during construction.

- 19 Gloucestershire Waste Local Plan Policy W36 Gloucestershire Waste Local Plan Policy W36 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.

Reason: To ensure the effective implementation of waste minimisation in accordance with the Gloucestershire Waste Core Strategy, Gloucestershire Waste Local Plan Policy W36 and adopted policy SD3 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during construction.

- 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.

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

- 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.

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

- 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with adopted policies SD3 and SD14 of the Joint Core Strategy (2017).

- 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.

Reason: To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area during the construction and operational phases of the development, having regard to adopted policies INF3 and SD9 of the Joint Core Strategy (2017) and section 15 of the NPPF (2023).

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

Reason: In the interests of the character and appearance of the Cotswolds National Landscape (AONB) and locality in general and to safeguard important ecological species and the amenities of adjacent properties and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area during the construction and operational phases of the development; having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020), adopted policies INF3, SD4, SD6, SD7, SD9 and SD14 of the Joint Core Strategy (2017) and sections 12 and 15 of the NPPF (2023).

- 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).

Reason: In the interests of biodiversity and the character and appearance of the area, having regard to adopted policies D1, GI3 of the Cheltenham Plan (2020), and adopted policies SD4, SD6, SD7, SD8, SD9 and INF3 of the Joint Core Strategy (2017).

- 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.

Reason: To safeguard the existing tree(s) in the interests of visual amenity and biodiversity, having regard to adopted policies D1 and GI3 of the Cheltenham Plan (2020) and adopted policies SD4, SD7, SD9 and INF3 of the Joint Core Strategy (2017).

- 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.

Reason: To safeguard important existing trees and hedgerow in the interests of visual amenity and to safeguard important ecological species and their habitat, having regard to adopted policies D1, GI2 and GI3 of the Cheltenham Plan (2020) and adopted policies SD4, SD7, SD9 and INF3 of the Joint Core Strategy (2017).

- 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.

Reason: To allow provision of public art in accordance with the public realm objectives of adopted policy SD4 of the Joint Core Strategy (2017) and having regard to the Cheltenham Public Art Strategy (2017).

- 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.

Reason: Any further extension or alteration requires further consideration to safeguard the character and appearance and amenities of the area and those of future occupiers of the development, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4, SD6, SD7 and SD14 of the Joint Core Strategy (2017).

- 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.

Reason: To assist in mitigating any impacts the proposed development may cause to designated landscape areas having regard to Policy BG1 of the Cheltenham Plan, Policy SD9 of the Joint Core Strategy (2017) and guidance set out at section 15 of the NPPF (2023).

- 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.

Reason: In the interests of heritage and conservation, having regard to adopted policy SD8 of the Joint Core Strategy and Section 16 of the NPPF (2023).

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.

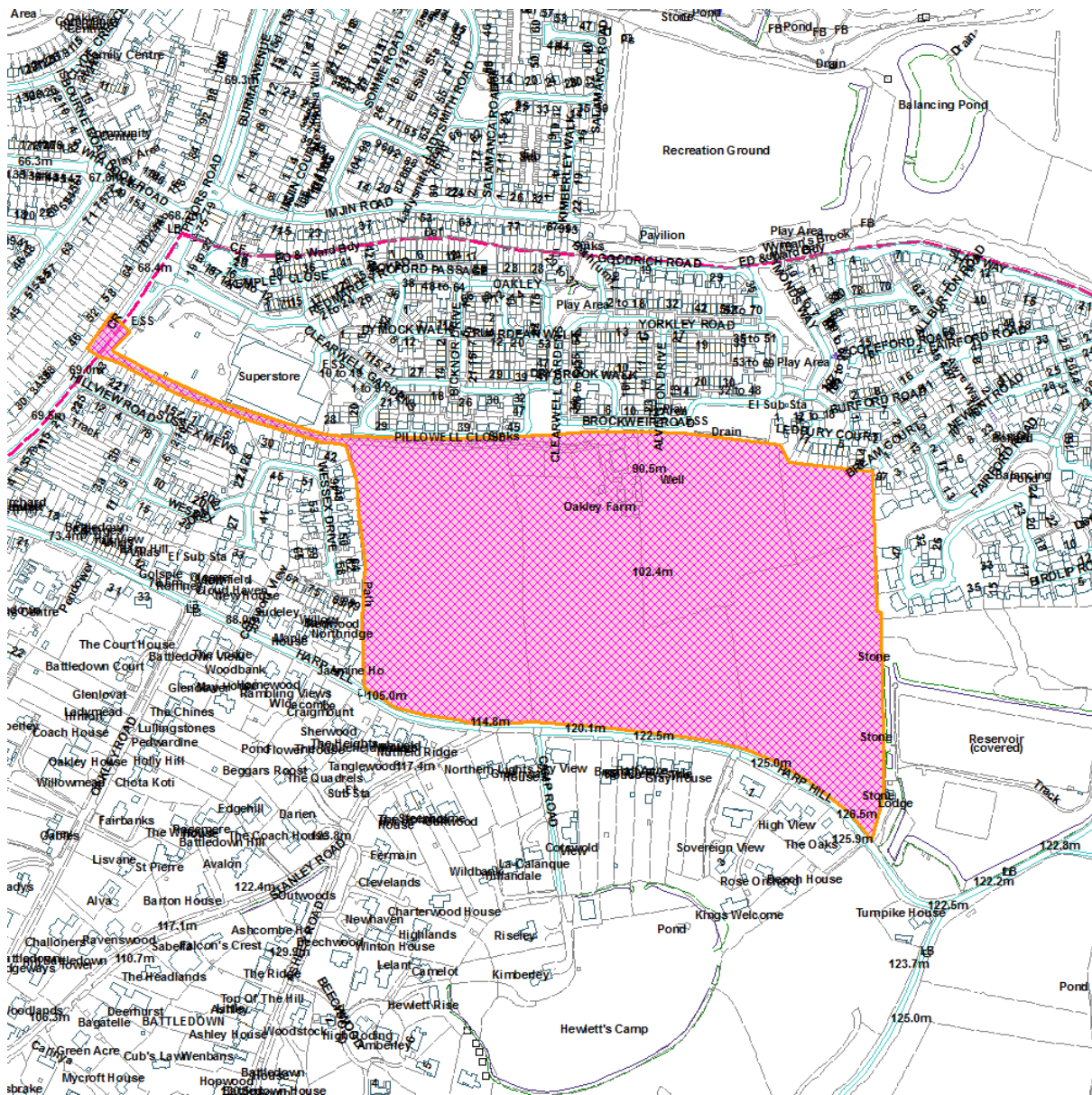
2 This planning permission is subject to Section 106 legal agreements/Unilateral Undertakings which provide (in summary) for the following:

- Affordable housing
- Open space/play and recreation provision, allotment space provision, off-site contributions for playing pitch improvements and future open space management and maintenance
- Education and Library provision/contributions
- Off-site transport infrastructure works - footway and cycleway works along Priors Road
- Travel Plan implementation/monitoring
- Maintenance contribution for repointing and maintaining historic wall adjacent to Hewlett's Reservoir

The planning permission should be read in conjunction with the above s106 legal agreements/Unilateral Undertakings.

APPLICATION NO: 23/01691/REM		OFFICER: Mrs Lucy White
DATE REGISTERED: 4th October 2023		DATE OF EXPIRY: 24th January 2024
DATE VALIDATED: 4th October 2023		DATE OF SITE VISIT:
WARD: Battledown		PARISH: Charlton Kings
APPLICANT:	Vistry Homes Limited And Stonewater Limited	
AGENT:	Nexus Planning	
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.	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises of an area of approximately 14.9ha of agricultural grassland and associated buildings at Oakley Farm. The site lies wholly within the Cotswold Area of Outstanding Natural Beauty (AONB) and is bounded by Harp Hill to the south, residential development associated with the former GCHQ site to the east and north and Wessex Drive to the west. The grade II listed Hewlett's Reservoir and Pavilion form part of the east site boundary. The land rises steeply south towards Harp Hill and is sub-divided into separate field parcels, delineated by extensive rows of established, mature hedgerow. A number of established trees occupy other parts of the site, some of which are veteran trees and subject to Tree Preservation Orders.
- 1.2 Members will recall that outline planning permission was granted on appeal in 2022 for development comprising of up to 250 residential dwellings, to include provision of affordable housing, associated infrastructure, ancillary facilities, open space and landscaping, demolition of all existing buildings and the formation of a new vehicular

access from Harp Hill, under reference APP/B1605/W/21/3273053 (20/01069/OUT). All matters were reserved for future consideration.

- 1.3** The above outline planning permission was granted subject to 5no. Section 106 Agreements to secure the provision of 40% affordable housing, on-site public open space and recreation provision (including its future management and maintenance), an off-site financial contribution towards improvements to Beeches and/or Priors Farm playing fields, implementation of a residential Travel Plan, financial contributions towards off-site highway improvements, bus services, libraries and education provision. There is also a legal undertaking for the developer to pay a sum of up to £25,000 towards any future costs associated with the repair/re-jointing and maintenance of the listed boundary wall at Hewlett's Reservoir, which forms part of the east site boundary.
- 1.4** This application is seeking approval of the reserved matters (design, appearance, layout, scale, landscaping and access arrangements) pursuant to the above outline planning permission. In so doing, details are also submitted in relation to conditions 6 (phasing), 9 (Energy and Sustainability Statement), 12 (site levels), 13 (Harp Hill access junction details), and 25 (hard and soft landscaping and boundary treatment) of 20/01069/OUT.
- 1.5** A Housing Mix Statement, as required by Condition 7 and to be provided at reserved matters stage, has been submitted separately.
- 1.6** In addition to the suite of elevation and layout drawings, the application includes various supporting documents including a Design Statement, Landscape Design Statement, Planning Statement, Statement of Engagement, Arboricultural Impact Plans, Energy and Sustainability Statement, and Transport Technical Note. In response to the various scheme revisions, some of the supporting documents have been updated.
- 1.7** Both the Landscape Design Statement and Design Statement include various helpful 3D and illustrative images of the proposed development. The latter also sets out how the scheme design has evolved from conception through to the final pre-application proposal. The applicant has needed to work within the approved parameters and scope of the outline planning permission, alongside the constraints of site topography and existing landscape features, which has presented significant but not insurmountable challenges for the design team.
- 1.8** This application is before the Planning Committee because of the scale and significance of the proposed development and following a request from the Chair of Planning Committee that any future reserved matters applications would be determined by the Planning Committee.
- 1.9** Pre-application process and Public Engagement
- 1.10** This application is subject to a Planning Performance Agreement (PPA) which was entered into to cover both the pre-application and reserved matters application stages. The PPA sets a timetable and protocols for determining both the pre-application and reserved matters submissions. Over the summer of 2023, lengthy pre-application discussions and a series of design workshops took place involving both the applicant and Council, including their respective specialist advisors for landscape architecture, trees, urban design and affordable housing.
- 1.11** The applicants made a separate pre-application to Gloucestershire County Council acting as Highway Authority and a summary of the outcome of those discussions is provided as part of the current application.
- 1.12** It is important to note that there has been a highly collaborative approach to all pre-application/PPA meetings and discussions and this has resulted in a well-considered and high quality scheme, despite the challenges of site topography and retained landscape

features. The proposals offer a wholly bespoke approach to these constraints and respond well to the character of the site and its surroundings. The vast majority of officer/advisor concerns and suggestions have been addressed and incorporated into the final scheme proposal.

- 1.13** At an advanced stage in the pre-application process, in September 2023, the emerging proposals were presented to the Gloucestershire Design Review Panel. The comments of the Panel are set out in full at the end of the report and discussed later in the report. The majority of the Panel's comments have been taken on board and incorporated within the scheme revisions.
- 1.14** The applicant has also engaged with and presented the scheme to the Parish Council and the Friends of Oakley Farm Pasture Slopes (the Friends), the latter having been a Rule 6 Party to the Public Inquiry appeal in respect of the outline planning permission. Members will also recall that the applicant presented the pre-application scheme to Planning Committee Members and ward councillors, also in September 2023.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Area of Outstanding Natural Beauty
Airport safeguarding over 15m
Airport Safeguarding over 45m

Relevant Planning History:

23/00201/PREAPP 20th October 2023 CLO

A reserved matters application for 250 dwellings and associated infrastructure (pursuant to outline planning permission 20/01069/OUT)

19/00526/SCREEN 2nd April 2019 ISSUE

Request for a screening opinion under Part 2, Regulation 6 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

19/00916/SCOPE 12th July 2019 SCOPE

Request for EIA Scoping Opinion for Land at Oakley Farm

19/01610/DEMCON 10th September 2019 NPRIOR

Application to determine whether prior approval is required for the demolition of a detached dwelling (The Farmhouse, Oakley Farm) (method of demolition and restoration of the site)

20/01069/OUT 7th October 2022 UNDET/ALLOWED ON APPEAL 5th October 2022

Outline application for development comprising of up to 250 residential dwellings including provision of associated infrastructure, ancillary facilities, open space and landscaping, demolition of existing buildings and formation of new vehicular access from Harp Hill. All matters reserved except for means of access to site from Harp Hill.

23/01677/DISCON PCO

Discharge of condition 7 (housing mix statement) of planning permission 20/01069/OUT

3. POLICIES AND GUIDANCE

National Planning Policy Framework

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 12 Achieving well-designed places
 Section 14 Meeting the challenge of climate change, flooding and coastal change
 Section 15 Conserving and enhancing the natural environment
 Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design
 L1 Landscape and Setting
 HE2 National and Local Archaeological Remains of Importance
 BG1 Cotswold Beechwoods Special Area Of Conservation Recreation Pressure
 SL1 Safe and Sustainable Living
 GI2 Protection and replacement of trees
 GI3 Trees and Development

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction
 SD4 Design Requirements
 SD6 Landscape
 SD7 The Cotswolds Area of Outstanding Natural Beauty
 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
 INF3 Green Infrastructure
 INF4 Social and Community Infrastructure
 INF5 Renewable Energy/Low Carbon Energy Development
 INF6 Infrastructure Delivery
 INF7 Developer Contributions

Supplementary Planning Guidance/Documents

Cheltenham Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	313
Total comments received	55
Number of objections	52
Number of supporting	0
General comment	3

- 5.1** Letters of notification were sent to 313 properties. In addition, a number of site notices were displayed at various points around the periphery of the site and an advert placed in the Gloucestershire Echo.
- 5.2** In response to the publicity, a total of 55 representations have been received, 52 of which are in objection to the proposals.

5.3 All representations received during the course of the application have been made available to Members separately. In summary, the concerns raised relate to (but are not limited to) the following matters:

- Increase in traffic on Harp Hill, unsuitability of Harp Hill/Greenway Lane, proposed access from Harp Hill and pressures on local road network. Congestion at Priors Road roundabout and other road junctions. Highway safety implications and safety of pedestrians and cyclists. Access difficulties for properties opposite the Harp Hill site access.
- Harp Hill site access should be relocated and possibly further west, outside of Highway Flexibility Zone
- Loss of privacy, light and outlook from neighbouring properties
- Environmental pollution – air quality, traffic pollution, light and noise emissions
- Lack of infrastructure proposed and pressures on existing schools and community services
- Impact on drainage and flooding in area
- Loss and harm to AONB
- Ecological harm, loss of (Veteran) trees, hedgerow, wildlife, habitat, flora and fauna.
- Overdevelopment of site with too many houses proposed.
- Disturbance, heavy traffic and damage to nearby properties during construction programme

5.4 It should be noted that many of the public representations are concerned with matters that were considered at the outline planning permission stage (e.g. principle of residential development, traffic impact, AONB impact, housing numbers, air quality, pollution and education provision). As such, these matters are of no material relevance when determining this reserved matters application.

5.5 Charlton Kings Parish Council has also made representations and objects to the proposed development. In summary, their concerns relate to traffic impacts on Harp Hill and local road junctions, inadequate on-site parking provision, potential drainage issues from the outlet pipes within the SUDs attenuation pond, overbearing impact of some plots on neighbouring properties and overdevelopment of the site. Comments are also made in respect of EV charging points, headlight glare affecting properties on Harp Hill opposite the main site access and appropriate deer-proof fencing around the allotments. The Parish's comments are set out in full at the end of the report.

5.6 The applicant has sought to address the concerns of the Parish in their amended covering letter received 23rd November 2023; some of which (dwelling numbers, access, traffic impact) relate to considerations of the outline planning permission. Officers concur with the applicant's response to the Parish's concerns, the majority of which are discussed generally in later sections of the report. Furthermore, in respect of neighbour amenity, officers are satisfied that, despite the proximity of some plots to dwellings on adjacent land, there would be no significant harm caused to the amenities of neighbouring land users.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 This is an application seeking approval of reserved matters following the grant of outline planning permission. As such, the matters for consideration are limited to the following:-

- details of the layout, design, scale, density and architectural features of the proposed dwellings
- extent to which the proposals adhere to the approved Parameter Plans of the outline planning permission (i.e. compliance with Condition 5 of 20/01069/OUT)
- details of proposed landscaping within both the built up and public open space areas of the development
- impact on retained trees and hedgerow
- ecology, biodiversity and BNG
- estate road and access junction arrangements
- distribution, tenure mix and design of the affordable housing provision
- the impact on the beauty and landscape qualities of the Cotswold AONB
- impact on designated heritage assets
- drainage and flood risk
- impact on amenities of adjoining land users

6.3 Matters relating to the acceptability of the principle of the redevelopment of the site to provide up to 250 dwellings, vehicular access via Harp Hill and the transport impacts of the proposed development on the local road network are not relevant to the determination of the reserved matters and cannot therefore be re-examined.

6.4 Policy Background

6.5 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 decisions on applications should be made as quickly as possible.

6.6 The development plan comprises of the Cheltenham Plan (CP) (adopted 2020) and adopted policies of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (JCS) (adopted 2017). Material considerations include the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and the Cotswold National Landscape Management Plan 2023-25 (CMP).

6.7 The outline planning permission establishes the principle of the redevelopment of the site for residential purposes and the provision of up to 250 dwellings.

6.8 Notwithstanding the above, paragraph 11 of the NPPF states '*Plans and decisions should apply a presumption in favour of sustainable development....and for decision making this means approving development proposals that accord with an up-to-date development plan*'. Where policies which are most important for determining the application are out-of-date, the NPPF at paragraph 11(d) advises that planning permission should be granted '*(i) unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*'. This is referred to as the 'tilted balance' and the government's approach to ensuring delivery of housing nationally.

6.9 Footnote 7 of paragraph 11 of the NPPF explains further that for applications involving the provision of housing, relevant policies must be considered out of date in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing.

6.10 The Council is currently unable to demonstrate a five year housing land supply (the latest published figure as at 31 March 2023 being 4.84 years). The housing supply policies in the development plan are therefore out-of-date.

6.11 The application site is also designated land and lies wholly within the Cotswold AONB. The site's designated status means that NPPF paragraph 11(d) (i) and (ii) both apply.

6.12 Although the impact of the redevelopment of this site on the AONB was considered as part of the outline application and by the appeal Inspector, the current REM proposals will still need to be considered having regard to the relevant paragraphs of the NPPF. Paragraph 176 of the NPPF states that '*great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues*'. Paragraph 177 advises that consideration of such applications should include an assessment of:-

- *Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated*

6.13 JCS Policy SD7 states that:-

All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan.

6.14 Similarly, Policy L1 of the Cheltenham Plan states that '*development will only be permitted where it would not harm the setting of Cheltenham including views into or out of areas of acknowledged importance*'. The supporting text to L1 emphasises the need to continue the protection of the town's setting and encourage its future enhancement through sensitively designed and located development; and in doing so protect views into and out of the AONB. Paragraph 8.3 of the Cheltenham Plan comments on the particular importance of protecting the scarp as the dominant feature of Cheltenham's setting.

6.15 Policy CE1 of the Cotswolds National Landscape Management Plan 2023-25 requires:

1. Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds National Landscape, should have regard to, be compatible with and reinforce the landscape character of the location, as described by the Cotswolds Conservation Board's Landscape Character Assessment and Landscape Strategy and Guidelines. There should be a presumption against the loss of key characteristics identified in the landscape character assessment.

2. Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds National Landscape, should have regard to the scenic quality of the location and its setting and ensure that views - including those into and out of the National Landscape - and visual amenity are conserved and enhanced.

6.16 CMP Policy CE3 stipulates:

1. Proposals that are likely to impact on the local distinctiveness of the Cotswolds National Landscape should have regard to, be compatible with and reinforce this local distinctiveness. This should include:

- *being compatible with the Cotswolds Conservation Board's Landscape Character Assessment, Landscape Strategy and Guidelines and Local Distinctiveness and Landscape Change;*
- *being designed and, where relevant, landscaped to respect local settlement patterns, building styles, scale and materials;*
- *using an appropriate colour of limestone to reflect local distinctiveness.*

2. Innovative designs - which are informed by local distinctiveness, character and scale - should be welcomed.

6.17 Compliance with Outline Planning Permission/Alternative Illustrative Master Plan and Parameter Plans

6.18 The outline planning permission is subject to a number of approved Parameter Plan drawings and 31 conditions, a number of which require details to be provided at the reserved matters stage (REM). The Parameter Plans illustrate the broad concepts of access and movement, general land use, building heights and green infrastructure. The outline submission also included an Alternative Illustrative Masterplan (AIM) and landscaping strategy to demonstrate how 250 dwellings could be accommodated on this site and to illustrate the general distribution/layout of built form and soft landscaping.

6.19 Of note is Condition 5 of the outline permission which requires the REM to be in general accordance with the AIM 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)

6.20 In light of the above, the REM proposals are required to accord substantially with the design and layout principles of the proposed and retained structural landscaping, distribution of built form and opens space across the site and the alignment of the main vehicular access and junction from Harp Hill, as shown on these plans. In essence, a tree belt/buffer should run east west across the site to demarcate the built up area from the public open space/green infrastructure within the retained southern field parcels.

6.21 Similarly, Condition 13 relates to the proposed access arrangements from Harp Hill and the road gradients within the site. The condition reads as follows:-

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.

6.22 The extent to which the REM scheme satisfies the requirements of the above planning conditions is discussed below.

6.23 Design and layout

- 6.24** Section 12 of the NPPF sets out that good design is a key aspect to achieving sustainable development and creating better places to in which to live. Similarly, Policy SD4 of the JCS require development to respond positively to and respect the character of the site and its surroundings. These objectives are reiterated in Policy D1 of the Cheltenham Plan which requires development to achieve a high standard of architectural design that complements neighbouring development.
- 6.25** In similarity with the AIM, the application site is split into roughly one third/two thirds land parcels. The larger northern section would accommodate the 250 proposed dwellings plus 2no. SUDS pond features, associated estate roads and infrastructure. The smaller southern section would accommodate an approximate 15 metre tree belt, retained pasture slopes/public open space, footpaths and the main vehicular access into the site. The main estate road running through the site is circular, follows the contours of the land and provides access to a number of short cul-de-sacs.
- 6.26** The proposed dwellings are fairly evenly distributed across the site in street frontage rows or cul-sacs. The dwellings are a mix of terraced, semi-detached and detached properties and apartment blocks. Within the central-western part of the site the majority of the dwellings front the estate roads, creating strong building lines; albeit the topography of the site and roof forms prevent an overly terracing effect within the street scene. Elsewhere, dwellings front onto the 'destination oak tree', SUDS features and central Glade area in the north east corner and central area respectively. There is good use of back-to-back gardens, with other dwellings backing onto areas of public open space or site boundaries. The 5no. allotments are suitably located adjacent to the east site boundary and provide a generous buffer between the proposed dwellings and properties in Birdlip Road. Overall, the layout, spacing and distribution of houses and the street hierarchy work well across the site.
- 6.27** All proposed dwellings have dedicated parking provision either as on-plot parking spaces, allocated street parking or in parking courts. In addition there are 56 unallocated visitor parking spaces across the site and allocated parking for the allotment holders.
- 6.28** The proposed refuse storage strategy, is again a bespoke approach. Some of the terraced houses have been designed with refuse bin storage built into front boundary walls and a detailed drawing is provided to show this arrangement. All under croft garages have storage areas for bins within the garages. All dwellings with rear garden access would have bin stores in their rear gardens and the apartments have bin collection points located within acceptable carry and collection vehicle distances. Cycle storage for houses is located either within garages or in rear garden sheds. The majority of the apartment buildings have secure and covered cycle storage in the form of a dedicated store or under star storage facility. However, there are some apartments that have either a Sheffield stand or nor cycle storage facility. A condition is therefore added to ensure appropriate covered and secure cycle storage provision for these apartments.
- 6.29** The layout comprises generally of 4no. distinct 'neighbourhood' areas, known as Central Lower, Upper Lower, NE Pond, Oak Tree, Reservoir and NE Edge. Within these areas, retained and structural planting is proposed together with the east-west tree belt. The layout includes 5 no. LAPs (informal local play areas) and 1no. LEAP (local equipped play area), as required by the s106 Agreement. These are located evenly across the site to achieve suitable travel distance from properties.
- 6.30** The existing north-south hedgerow within the west field parcels is largely retained with breaks in the hedgerow for roads and footpaths. Similarly, the revised road alignment/main access location has resulted in the retention of the majority of the existing north-south hedgerow within the eastern field parcels. This feature connects with the heavily landscaped Glade area (and LEAP) forming an almost continuous landscaped strip running north-south across the site and defining the character of this part of the site.

In this respect and in comparison with the previous Alternative Illustrative Masterplan (AIM), the proposed layout is a betterment in terms of retained green infrastructure. Furthermore, in the Design Statement, the applicant refers to their vision of creating '*a new landscape-led neighbourhood in Cheltenham...bespoke houses have been designed to accommodate the slopes of the site and embed the homes into the landscape*'. Officers consider that overall, the proposed scheme achieves these aims successfully. The proposals are a bespoke response to the constraints of the site. There are no standard house types within the layout.

- 6.31** The proposed location and alignment of the main access road and junction with Harp Hill, as shown on the site layout plan and Drawing No PJS22-068-DR-400: Planning Stage Roads Horizontal General Arrangement, fall within the Highway Corridor Flexibility Zone of the Parameter Plan. This is despite the relocation of the main access slightly further west than that shown on the AIM and without compromising the two oak trees located within the highway verge. The reasons given for the adjustment are the provision of a tested, less convoluted and far more efficient response to the site. The access arrangements shown on the AIM are considered by the applicant to be impracticable due to site gradients. A site layout drawing with parameters overlay is provided to demonstrate conformity with condition 13.
- 6.32** The other proposed pedestrian and cycle access points into the site are also in general conformity with the AIM. These consist of two footpath connections onto Harp Hill at the southern end of the site, and a footpath/cycle path and emergency vehicular access via the old farm track leading to Priors Road in the north. However, during pre-application discussions it was agreed that to minimise pedestrian/vehicular conflict, the footpath adjoining the main vehicular access onto Harp Hill (as shown on the AIM) should be removed because there is no footpath provision on this part of Harp Hill. The outline planning permission only required the extension of the existing footpath on Harp Hill further east to connect with the existing public right of way (PROW) running along the west site boundary.
- 6.33** There are three main north-south internal footpath routes through the site, linking Harp Hill and the POS with Priors Road, with connections to the central Glade play area. These paths vary in width, with sections of the footpaths running between or alongside houses and needing steps in places due to site gradients. Some concerns were raised during pre-application discussions over the potential width and proximity of these paths to neighbouring dwellings. In response, the applicant has provided additional, larger scale drawings to demonstrate the (varying) width and alignment of these footpath links more clearly. Officers are now satisfied that the footpaths are suitable and should not significantly harm the amenities of any future dwelling occupiers.
- 6.34** There are additional points of access into the site from the PROW along the west site boundary. The proposed layout also indicates new access points into neighbouring housing areas in Birdlip Road and Highnam Place within the north and north-east corners of the site. The applicant is continuing discussions with adjoining land owners and management companies to facilitate these access opportunities and connections with surrounding areas, whose residents would certainly benefit from being able to access the play areas and the public open space and recreation opportunities of the proposed development. From these neighbouring residential areas, there would also be improved pedestrian access to Harp Hill and the AONB beyond. Unfortunately, within the scope of this REM application, the applicant can only provide the areas for these access points; it cannot facilitate and carry out the works to implement the access points.
- 6.35** There are some points between the demarcated built development and green infrastructure areas of the Land Use Parameter Plan where the boundaries are moderately breached. Within the Central Upper Neighbourhood and the Oak Tree Neighbourhood some of the rear boundaries/plots of the dwellings have been moved

slight further south by approximately 7 metres. That said, only the rear gardens of the affected dwellings would encroach into the tree belt area. This adjustment has been made to enable more meaningful street tree planting (with heavy standard/semi-mature species) within the highway verges. This amendment and slight conflict with the approved parameter plans was agreed by officers during pre-application discussions and was a result of comments raised by the Gloucestershire Design Review Panel. The proposed reduction in width of parts of the tree belt buffer is minimal and would be imperceptible when viewed from Harp Hill and from within the site/public open space. There is also another slight deviation in that there are some visitor parking spaces located within the Highway Flexibility Zone. These minor changes are of no concern.

- 6.36** Despite the number of proposed apartment buildings and three storey buildings across the site, officers are also satisfied that building heights are in general accordance with the Building Heights Parameter Plan whereby the tallest buildings must be confined to the central and lower parts of the site (noting future ground levels permissible up to 1.5 metres above existing ground levels). The applicant has provided a Schedule of Accommodation which includes an assessment of all the plots against the Parameter Plan and confirms the parameter height for each plot (10.5 metres or 12 metres, depending on location within the site). The assessment indicates that four plots (118-219) exceed the parameter height by approximately 46cm. However, when allowing for the additional 1.5 metres of finished raised ground levels above existing levels, the parameter ridge heights for these four plots are not exceeded.
- 6.37** In light of the above, officers are satisfied that the proposed layout is in general accordance with the approved Parameter Plans and AIM. The requirements of Condition 5 are therefore met.
- 6.38** The submitted Phasing Plan indicates a logical construction programme, starting with the main access road and junction with Harp Hill, then working left and down the slope, finishing with the last Phase (6) of house building adjacent to properties in Birdlip Road. Phase 3 would see the green infrastructure of the POS area implemented to allow time for the landscaping to establish. A Landscape Phasing Plan is also provided. A Construction Environmental Management Plan (CEMP), to tie in with the phased construction programme, would be submitted and approved by the LPA prior to the commencement of development.
- 6.39** Architectural Design/Dwelling Types
- 6.40** Due to the topography of the site, many of the proposed dwellings are split level properties, particularly those in the central areas where gradients are steepest. These dwellings either step up or down the contours of the site to reduce the height of retaining walls within rear gardens and reduce visible retaining structures generally across the site. As a result, many of the proposed house types have living accommodation on the upper floors and raised external garden areas with privacy walls. Some are two storey at the front with level access and parking at ground level and three storey height at the rear with the kitchen at lower ground, garden level. The Oak Tree flats similarly step up the slope and incorporate two internal retaining wall structures. The single aspect flats and houses above garages (FOGS and HOGS) have also been purposely designed to act as retaining structures.
- 6.41** The bespoke house types vary from terraced, semi-detached and detached dwellings plus several three storey detached and linked apartment buildings. In terms of building heights, dwelling house types range from one bed bungalows to three/three and a half storey town houses and apartment buildings with maximum ridge heights in line with the approved Building Heights Parameter Plan (10.5 and 12 metres). There is strong use of gable front features and pitched roofs with window alignment and proportions reflecting the principles of Cheltenham's Regency architecture. At various end points within the site

layout, buildings have been carefully designed to act as attractive focal points within the street scene.

- 6.42** Front boundary treatments to individual houses vary from stone walls, (some of which also act as retaining structures), hedges, estate type railings with planting behind. Other boundary treatment is shown in a revised drawing, submitted in response to concerns about timber fencing installed adjacent to areas of public open space. Unfortunately, the revisions do not adequately address officer concerns in that plots 1-42 (which back onto the POS and tree belt) and plots 11-14 (Glade area) are still shown with timber fencing. Although a more robust timber fence panel could be used, officers consider a solid stone wall a more appropriate boundary treatment in these areas. Timber fence panels would more than likely in time be altered/replaced by future home owners, which could result in a haphazard appearance, thereby detracting from the overall character and appearance of the development. A condition is therefore added requiring the submission and approval of a revised boundary treatment scheme.
- 6.43** The design of the Oak Tree flats and those with the Glade neighbourhood has been very carefully considered and the topic of much pre-application discussion, due to site topography, their prominence and trees within their settings. The Oak Tree flats in particular would be a prominent feature in the street scene, forming the backdrop to the retained veteran oak tree. These buildings step down the slope and appear more as smaller groups of town houses, adding verticality to the building mass. The introduction of mansard roofs to these buildings, alters and reduces their scale and massing, whilst adding visual interest and modulation.
- 6.44** Similarly, some of the Glade apartment buildings have been designed to step up the slope and are linked by their recessed shared entrances. Following discussion with the applicant, the location of some apartment buildings within the Glade neighbourhood has been revised to improve walking/step distances to the parking and bin collection areas for these flats. Some of the Glade flats also play an important surveillance role over the Glade children's' play area.
- 6.45** The materials palette consists of Cotswold/re-constituted stone, stone/buff coloured brick, pale coloured render and dark timber cladding. Stone and facing brick would be the predominant external facing materials with some of render and timber cladding added. Roof coverings would be slate/artificial slate and metal cladding for the mansard roofs of the Oak Tree flats.
- 6.46** The design and materials palette of the dwellings responds largely to its neighbourhood area location within the site. For example, dwellings in the Oak Tree neighbourhood incorporate more stone in their facades, more render is used in the dwellings fronting the SUDS pond in the north west corner and timber cladding has been added to dwellings in the Glade area and around tree groups.
- 6.47** Notwithstanding the requirements of Condition 8, officers have agreed with the applicant, that due to current difficulties sourcing brick and Cotswold stone (and to avoid revised planning applications), material details would be agreed at a later stage. This will include a requirement for large sample panels of all facing materials to be constructed on site and subsequently approved. A condition has been added accordingly.
- 6.48** Drawings are also provided to show future management and maintenance responsibilities for the site. All areas of public open space (outside of private/affordable home ownership) would be transferred to a management company. The allotments would be transferred to either the Parish Council or Management Company and the majority of the internal estate roads would become adopted highway.
- 6.49** Gloucestershire Design Review Panel

- 6.50** At a relatively advanced but still emerging stage during the pre-application process, the proposals were presented to the Gloucestershire Design Review Panel in early September 2023. The Panel's comments are set out in full at the end of the report.
- 6.51** The Panel were generally supportive of the scheme but raised concerns about the visual impacts of the main vehicular access into the site from Harp Hill and the lack of a pedestrian footway on Harp Hill. Whilst recognising that the principles of this were agreed at outline planning stage, the Panel thought that the visual impacts could be reduced by additional landscape screening of the elevated section of the vehicular entrance.
- 6.52** One of the key amendments to the scheme was the result of comments made by the Panel, who suggested the incorporation of more street trees to create a more meaningful landscape feature. As discussed at paragraph 6.34 the alignment of the built development and green infrastructure boundaries adjacent to the POS has been adjusted slightly. Essentially, this has created a wider road verge within which to carry out more effective street tree planting.
- 6.53** Other comments were made in relation to site levels and the drainage ponds and SUDS proposals generally, pedestrian links to surrounding areas, proximity of retained hedges to dwellings and site level effects on these hedges.
- 6.54** Notwithstanding the Panel's view that this is a well-designed development of the principals agreed at outline and a positive design response to the sloping site, there were also comments on the architectural detailing and aesthetics of the scheme. In particular, attention was drawn to the mansard roof form of the apartments buildings, the balance of vertical and horizontal on some elevations and careful use of timber cladding.
- 6.55** Where achievable, the majority of the above suggestions were incorporated into the REM scheme.
- 6.56** Cotswold National Landscape (Cotswold Conservation Board)
- 6.57** Cotswold National Landscape (CNL) raise no objection to the proposed development and consider this a high quality scheme. In particular, they comment as follows:-

We consider that the scheme accords with the relevant advice contained within Section 2.1 of the Cotswolds National Landscape Strategy and Guidelines; for example, it does not overwhelm the existing settlement, does not unduly affect settlement character and form and is not an overly standardised development layout. It also avoids development that may restrict or obscure views to the upper escarpment slopes. By extension we also consider the scheme accords with the relevant parts of Cotswolds National Landscape Management Plan policies including CE1 (Landscape) and CE11 (Major Development)

The proposed materials palette reflects both Cotswold stone and light render commonly seen in the local area as well as dark grey slate. We would support the comments of the Council's Urban Design consultant that good quality natural Cotswold stone should be used rather than recon stone to ensure that locally distinctive characteristics and relevant 'special qualities' of the National Landscape are reflected in the scheme and that the scheme positively addresses the aims of Policy CE3 of the Management Plan and the advice contained within the Cotswolds AONB Landscape Strategy & Guidelines.

- 6.58** Comments are made in respect of conformity with the parameter plans and connectivity to adjacent residential areas which should be addressed as part of the REM application to provide certainty over the arrangements. The difficulties presented by the latter point are discussed elsewhere in the report.

6.59 Affordable Housing

- 6.60** Paragraph 59 of the NPPF states that when supporting the government's objective of boosting housing land supply, the needs of groups with specific housing requirements must be addressed. Within this context paragraph 61 goes on to state that the size, type and tenure of housing needed for different groups in the community should be reflected in strategic policies.
- 6.61** Policy SD12 of the JCS (affordable housing) seeks the provision of 40% affordable housing (AH) in all new residential developments of 11 or more dwellings. Policy SD11 sets out that development should address the needs of the local area, including older people.
- 6.62** The outline application proposed a policy compliant level of affordable housing (40%) and a provision of 100 affordable homes for this development with an approximate 70/30 tenure split between rented and shared ownership/intermediate properties. Affordable housing provision is secured via a s106 Agreement. The relevant s106 obligations secure the number, type, tenure mix, sizes and floor areas of the AH provision.
- 6.63** The REM application is submitted jointly by Vistry Homes and Stonewater Ltd, the latter intended to be the affordable housing provider for this development.
- 6.64** The REM scheme proposes 250 dwellings, 100 of which would be a mix of social and affordable rented and shared ownership dwellings. The proposals have been reviewed by the Council's Housing Enabling officer who was also heavily involved in pre-application discussions. In terms of clustering, the 100 AH units are seamlessly distributed across the site and the sizes, types and tenure mix adheres broadly with the terms of the s106 obligations (which allows for revisions agreed between the parties). The AH units are in small clusters (with a maximum cluster size of 12 units) and would be indistinguishable in appearance from the market dwellings, faced in either stone or a mix of brick and render. The layout of the AH has been well thought and balanced against the need to achieve social integration and deliver level access affordable homes.
- 6.65** Notwithstanding the above, some concerns were raised regarding site gradients and the extent of level access to all ground floor AH units, the distance of the single storey 2no. wheelchair accessible units (plots 215 & 216) in the NE corner of the site from the Priors Road footpath entrance and the grouping of some 4/5 bed affordable and market dwellings together. After further discussion with the applicant, it is agreed that the relocation of the wheelchair accessible units to the SUDS pond area is not feasible. Stonewater have also confirmed that they have no issues with the layout and future management of the AH scheme and officers have been given sufficient assurance that the 4/5 bed affordable units (and their interaction with the wider market offer) will not create a community cohesion issue. On this basis, officers are now satisfied that the proposals would deliver an acceptable AH provision.
- 6.66** The Housing Enabling officer's comments are set out in full at the end of the report.
- 6.67** Summary of PPA Scheme Revisions
- 6.68** Following the statutory 21 day consultation period a number of potential minor scheme revisions were discussed with the applicant; in response to both public and consultee comments.
- 6.69** In summary, these include (but are not limited to) the following:-

- Footpath junctions within POS amended to Y-heads to avoid desire line formation. Bound gravel paths amended to buff asphalt surface with concrete edging to avoid erosion and downhill run-off (resin bound surface option not suitable due to underlying strata). Supplementary tree planting added to POS and section of unnecessary crescent path removed from south west corner of POS, in order to retain as much ridge and furrow feature as possible.
- To address concerns over future hedge management, an additional drawing is provided to show the detail and degree of separation between the footpath/hedge line and dwellings along the western site boundary. Future management of hedgerow will be submitted as part of the discharge of Condition 27.
- A defined footpath connection shown connecting the Glade area to Birdlip Road (adjacent to plot 216 at eastern site boundary). No-dig solution proposed for path with path line defined by rustic post and rail fencing to prevent desire line formation. Footpaths through the Glade play area also clarified – concern over desire lines down steep gradients
- Amended perimeter hedge planting proposed around 'Destination Oak Tree' in western area. Planting to comprise of defensive and established species to provide early establishment of the barrier.
- Intermediate size of tree belt species confirmed to enable establishment
- Relocation of sub-station to a less prominent location adjacent to plot 101. Specification drawing of sub-stations also provided.
- Relevant house types amended to show upper floor dark cladding wrapping round side elevations of properties to avoid awkward joins in prominent locations. Garage doors amended to be the same colour as elevation dark grey/black cladding. Box dormer feature added to upper floors of open market Hazel house type.
- House types amended to show location of PV roof panels.
- Larger balconies (5sq metres) provided where achievable.
- Boundary treatment (timber fencing) adjoining some landscaped areas and the public realm amended to solid brick walls.
- Additional Phasing Plan (extracted from the Design Statement) and Landscape Management Plan submitted, the latter plan denoting the public and private realm management responsibility areas.
- Phasing Plan for landscaping.
- Footpath crossing details added to Harp Hill access.
- Longitudinal Section Plan of access arrangements (to accompany an additional Transport Technical Note to confirm that the access arrangements comply with the requirements of Condition 13 – road gradients).
- Roof pitch of maisonette plots 125-127 and 133 and 135 in north west corner altered slightly to accord with the Building Height Parameter Plan.

6.70 The applicant has also provided additional drawings to satisfy all requirements of Condition 15 (levels and ridge heights of proposed dwellings and buildings on adjoining

land). This plan shows the ridge heights for all the existing buildings that share a boundary with the site, and the proposed ridge heights for the nearby properties. The potential impact on neighbour amenity is discussed at paragraphs 6.74-80.

6.71 Although not all of the comments and requests for scheme amendments made by officers and consultees are addressed, the various proposed revisions are welcomed. The majority of the outstanding matters can be dealt with satisfactorily at a later stage via the discharge of conditions attached to the outline permission and new conditions added to this REM approval.

6.72 Given the nature of the scheme revisions, officers did not consider it necessary to carry out a formal re-consultation exercise; albeit some the proposed amendments have been discussed with the relevant Council consultees and specialist advisors.

6.73 Impact on neighbouring property

6.74 Section 12 of the NPPF requires development to create places with a high standard of amenity for existing and future users. Policy SL1 of the Cheltenham Plan advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land users or the locality. In assessing impact on amenity, the Council will take account of matters including, but not limited to, loss of privacy, light and outlook. The policy is consistent with adopted JCS policy SD14.

6.75 The nearest residential properties and, those considered to be most affected by the proposed development, are located in Wessex Drive to the west, Harp Hill to the south and the residential areas of the former GCHQ site to the north and east.

6.76 Separation distances between proposed and neighbouring property boundaries and nearest elevations in Wessex Drive and the Oakley Grange residential areas (notably Birdlip Road and Highnam Place) appear acceptable and adhere broadly to the recommended distances set out within Policy SL1 of the Cheltenham Plan. Separation distances between the proposed dwellings within the site and their garden sizes are also, on the whole, acceptable and broadly in line with policy recommendations and SPD guidance. There are however, three instances where the recommended 21 metre distance between facing windows falls a little short; albeit this must be balanced against the majority of facing dwellings exceeding the recommended distances.

6.77 Although 95% of the proposed houses provide gardens over 10.5 metres in length, some rear garden sizes fall below the 10-11m length usually recommended for new housing development, with some first floor rear facing windows located falling short of the recommended 10.5 metres distance from their rear property boundary (5.8 and 7.8 metres being the shortest lengths). Although some of these gardens have increased garden width and generous front garden areas to provide adequate amenity space, this does not overcome the potential overlooking issue for the back to back houses. There are also some rear/side elevations of buildings located in close proximity to and extending the full width of proposed rear property boundaries. These relationships and garden lengths for some dwellings are not ideal but they are not sufficiently harmful to withhold planning permission or require a substantial revision of the scheme layout and numbers of dwellings proposed.

6.78 Local residents have raised concerns about the proximity of existing neighbouring dwellings and to proposed plots adjacent to the west and east site boundaries and the resultant potential for overlooking and an overbearing appearance. Notwithstanding the above comments, the relationship between the proposed development and these neighbouring properties has been considered very carefully.

6.79 Plots 228 and 237 are located the closest to properties in Birdlip Road, one of which has an inverted internal layout with main living areas and a raised terrace at first floor. The proposed allotments (the full length of an individual allotment) and some tree planting are located between the side elevations of Plots 228 and 237 and the east site boundary. The separation distances between the rear elevations of Nos 45 and 43 Birdlip Road and the (blank) side elevations of plots 228 and 237 is some 37-40 metres. As such, the potential level of harm to neighbour amenity is significantly reduced by the intervening allotment buffer. Furthermore, any overlooking from first floor windows in plots 228 and 237 is reduced by the angle of view, in addition to the separation distances between properties. Further north, the Birdlip Road properties side onto an area of POS.

6.80 The rear elevations of the single storey dwellings proposed at plots 215 and 216 are within 1.5-4 metres of the east site shared boundary with No 3 Highnam Place. Given the single storey form and scale of plots 215 and 216, there should be no significant harm to the amenities of No 3 in terms of loss of light privacy or overbearing. However, to maintain privacy between neighbouring properties, a condition is added which prevents the insertion of additional windows and doors (including dormer windows) within these two dwellings. It is not considered reasonable to apply the same condition to other plots, because the separation distances between rear elevations and site boundaries is considered acceptable and/or planning permission would be required for any new first floor side facing windows/doors. In this respect, officers have no significant concerns over the potential for overlooking, loss of light or an overbearing appearance in relation to properties in Wessex Drive, Pillowell Close, Brockweir Road and Fairford Road.

6.81 The differences in (finished) land levels and ridge heights between the proposed dwellings and dwellings on adjoining land is acknowledged. Ridge heights of the proposed dwellings would be in region of 4-8 metres higher than properties in Wessex Drive. However, the separation distances between the dwellings and the intervening PROW and landscaping buffer would prevent any significant overbearing appearance or loss of outlook. The adjoining properties in Brockweir Close, Birdlip Road and Highnam Place, adjacent the north and east site boundaries, would be less affected by ridge height differences, albeit the differences in ground (rear garden) levels is acknowledged. Again, separation distances here and the intervening allotments would minimise any harmful effects on amenity. Furthermore, one should not forget the fact that the application site is steeply sloping and as such, the outline permission allows for future finished ground levels to exceed existing ground levels by 1.5 metres.

6.82 For the above reasons, the proposals are considered to be in broad accordance with the objectives and policy guidance of section 8 of the NPPF (2023), Policy SL1 of the Cheltenham plan, Policy SD14 of the JCS and the relevant SPD guidance.

6.83 Access and highway issues

6.84 Paragraph 11 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

6.85 Policy INF1 of the JCS reiterates the stance of the NPPF and states that proposals should ensure that safe and efficient access to the highway network is provided for all transport modes.

6.86 Gloucestershire County Council, acting as local highway authority (HA) has undertaken a thorough review of the REM submission. The current proposals were also subject to a pre-application process with the HA.

- 6.87** As previously mentioned, the outline planning permission defines a Highway Corridor Flexibility Zone within which the design and alignment of the main vehicular access road and vehicular junction within Harp Hill is to be provided, in accordance with Condition 5. Condition 13 relates to the detail of the access arrangements from Harp Hill and the minimum and maximum gradients allowable for roads within the new housing estate. Note that, Condition 13 does not require strict conformity with the illustrative proposed access arrangements on to Harp Hill as shown on the Access and Movement Parameter Plan and AIM of the outline permission.
- 6.88** As set out at paragraph 6.31 of the report, the main vehicular access and junction within Harp Hill has been moved slightly further west but is still within the Highway Corridor Flexibility Zone, as required by Condition 5.
- 6.89** The application is accompanied by a Transport Technical Note and various highway related technical drawings. The Transport Technical Note was revised to add commentary on the proposed road gradients and their conformity with the terms of Condition 13. In summary, the horizontal alignment of the roads has been established to achieve the most effective alignment overall, whilst respecting the constraints of the existing TPO trees and their associated root protection areas across the site. The GCC MfGS Highways Design Guidance prescribes maximum and minimum grades of 1:20 and 1:100 respectively, with 1:12 sections permitted for max 30m lengths, as per the requirements of Condition 13. These requirements have been discussed and agreed with the HA; the vertical design and the proposed road levels are in accordance with these requirements. Similarly, vehicular swept path analysis across the site (including the requirements for refuse vehicles) has also been discussed and agreed with the HA.
- 6.90** Irrespective of the above, the HA has been re-consulted in respect of the additional Longitudinal Section Plan of access arrangements submitted on 4th December 2023. Members will be notified of their response and whether this alters the HA's recommendation, in an Update report or at Committee.
- 6.91** In summary, the HA consider the quantum of car parking and cycle parking provision consistent with the guidance set out in Manual for Gloucestershire Streets (MfGS). The requirement to provide for EV charging is conveyed through the building regulations; regardless conditions are in place to secure appropriate provision. The internal road layout is also considered acceptable, subject to further scrutiny at technical design stage. The HA notes that some areas (pedestrian corridors, forward visibility/tree conflict and additional crossing point) within the layout may need revisiting, but these are not significant issues and can be addressed at the later (s38) stage.
- 6.92** The HA confirms that the revised location for the main vehicular access from Harp Hill is suitable, achieves the required visibility splays and its geometry accords with MfGS guidance. The main pedestrian and cycle access would be via an existing PROW (footpath ZCHH86) which extends to the farm track onto Priors Road to the north and Harp Hill to the south. This right of way will be upgraded to adoptable standards, the specification for which will be dealt with at technical design stage. Condition 14 of the outline consent requires the footpath and cycleway link between Priors Road and the development area to be implemented prior to occupation of any dwelling on site, and in accordance with details to the submitted and approved by the LPA.
- 6.93** The HA concludes therefore *'that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained'*.
- 6.94** Note also that Condition 15 of the outline consent sets out various dwelling occupation triggers for the implementation of the agreed off-site highway improvement works which are also subject to a s106 obligation.

6.95 The Parish Council and a number of local residents have raised concerns over the amount of visitor parking shown. MfGS sets out that visitor car parking should be provided at a ratio of 1 space per 5 dwellings. In addition, unallocated parking should be provided for 10% of four bed dwellings. The proposed development consists of 250 dwellings including 31 four-bed dwellings. On this basis, a total of 50 visitor parking spaces are required and an additional 4 unallocated spaces based on the 10% provision for the four bed dwellings. Therefore a total of 54 unallocated/visitor spaces are provided plus 2 additional unallocated on-street parking spaces adjacent to plots 34 and 47.

6.96 Local residents have also raised concerns over the traffic and congestion impacts of the proposed development, affecting Harp Hill, the Prior Road junctions, Greenway Lane and Six Ways junction on London Road. These matters were considered by the appeal Inspector when determining the outline planning permission and cannot be re-examined at REM stage.

6.97 Sustainability

6.98 Paragraphs 148 and 150 of the NPPF require the planning system to ‘...support renewable and low carbon energy and associated infrastructure’. New development should ‘avoid increased vulnerability to the range of impacts arising from climate change’ and in areas which are vulnerable risks should be managed ‘through suitable adaptation measures, including through the planning of green infrastructure’. Similarly, greenhouse gas emissions can be reduced through the location, design and orientation of new development.

6.99 NPPF paragraph 152 states that:

‘The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure’

6.100 NPPF paragraph 154 b) goes on to state that new development should be planned for in ways that ‘can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards’.

6.101 Policy SD3 of the JCS sets out the requirements for achieving sustainable design and construction. Development proposals should aim to increase energy efficiency, minimise waste and avoid environmental pollution and in doing so will be expected to achieve national standards and be adaptable to climate change in relation to design, layout, siting, orientation and associated external spaces. An Energy Statement must be submitted for all major planning applications which should indicate the methods used to calculate predicted annual energy demand and associated carbon emissions. Similarly, Policy INF5 of the JCS sets out that proposals for the generation of energy from renewable resources or low carbon energy development will be supported.

6.102 The Cheltenham Climate Change SPD (adopted June 2022), sets out a strategy for decarbonising buildings over the next decade. For residential development there is an opportunity to improve the environmental performance of buildings through the inclusion of technologies and features such as photovoltaics, heat recovery, permeable (or minimal) hard surfaces, fabric first design approach, insulation renewable and appropriately sourced materials, alternative heating systems (heat pump) and thoughtful kitchen design.

6.103 The comprehensive Energy and Sustainability Statement submitted to discharge Condition 9 sets out the applicant’s proposed approach to sustainable design and

measures to reduce carbon emissions. It should be pointed out that the outline planning application was determined prior to the adoption of the above SPD and therefore a Sustainability Statement/Checklist in direct response to the SPD was not provided at that time. However, the REM submitted statement aims to achieve standards close to those listed in the SPD.

6.104 Condition 9 of 20/01069/OUT requires the Energy and Sustainability Statement to demonstrate an improvement on the energy efficiency of the scheme over and above the Building Regulations in place at the time of the outline planning permission; albeit there is a requirement for the statement to include 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).

6.105 With the above in mind, the proposed low carbon measures outlined within the submitted Energy and Sustainability Statement (in summary) are as follows:

- Fabric first approach to sustainable construction
- Improvements in insulation specification and reduction in thermal bridging
- Water usage reduced in accordance with Part G of Building Regulations (flow restrictors, low use appliances selected)
- Passive design methods
- All new dwellings to be served by Air Source Heat Pumps and Hot Water Pumps
- Solar PV installed on roofs where appropriate
- EV charging points provided for all new dwellings (shared facility for flats)
- All homes to meet minimum requirements of Part L of 2021 Building Regulations – therefore resulting in a 31% reduction over Part L 2013 9in force at the time of the outline permission). The proposed low and renewable measures proposed would deliver a reduction of 256,754 kgCO₂/year over Part L 2021 equating to an improvement of 65.77% and around 76% over Part L 2013.
- Some dwellings will be constructed beyond the implementation of the Future Homes Standard (anticipated in 2025), resulting in a 75-80% reduction in CO₂ emissions.

6.106 These measures are clearly welcomed and will significantly reduce energy demand and CO₂ emissions beyond Building Regulations Part L, exceeding the requirements of the outline permission and Condition 9.

6.107 Notwithstanding the requirements of Condition 9, conditions are added which require the submission and approval of details for the ASHPs, solar PV installations and EV charging points, and their subsequent implementation prior to first occupation of the relevant dwellings. Further conditions are included that require the development to be carried out as a 'no gas' served site and in general accordance with the measures set out within the Statement.

6.108 Other considerations

6.109 Heritage and Conservation

6.110 The application site lies adjacent to the grade II listed Hewlett's Reservoir; the walls and embankment of the reservoir forming part of the south east site boundary. There are a number of heritage assets located within the reservoir complex including two underground reservoirs, an octagonal pavilion, Cotswold stone gate piers, cast iron gates and brick boundary walls and all are grade II listed. The adjoining Stone Lodge which faces onto Harp Hill is also listed due to its association with Hewlett's reservoir.

6.111 Other notable heritage assets are located nearby but are not considered to be significantly affected by the proposals and these include (Scheduled Monument) Hewlett's Camp to the south, the grade II listed Bouncer's Lane Cemetery Park and Garden and Cemetery Chapels.

6.112 JCS policy SD8 requires both designated and undesignated heritage assets and their settings to be conserved and enhanced as appropriate to their significance, and is consistent with paragraph 197 of the NPPF that advises that in determining planning applications, local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

6.113 Additionally, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority (LPA), in considering whether to grant planning permission, to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

6.114 The Council's Conservation officer has reviewed the proposed reserved matters proposals which are considered to be in accordance with the terms of the outline planning permission. No objection is therefore raised to the works on heritage grounds.

6.115 The County Archaeologist, similarly has no further observations or requests for archaeological investigation.

6.116 The application site contains surviving ridge and furrow field patterns in the majority of the field parcels. This is a characteristic landscape feature (and non-designated heritage asset) of this part of the AONB.

6.117 Although the majority of ridge and furrow features would be lost as a result of the proposed development, the retention of surviving ridge and furrow within the proposed public open space at the southern end of the site must be safeguarded through appropriate hard and soft landscaping and their future management within this area. As such, Condition 25 (g) requires the submission of details of ridge and furrow retention, planting and maintenance.

6.118 The proposals are considered to retain ridge and furrow features where practicable. Hard surfaced footpaths have been kept to a minimum within the POS, with the remainder being mown paths only. The Council's Landscape Architect and Trees officer consider the proposals for soft landscaping and tree planting within the POS acceptable. The future general landscape management of this area is dealt with via s106 obligations, Condition 23 and an additional suggested condition set out below.

6.119 Drainage/Flood Risk

- 6.120** The application has been assessed in accordance with JCS Policies INF2 and section 14 of the NPPF; paragraph 167 setting out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 6.121** The application site is located in Flood Zone 1 (lowest risk of fluvial flooding). An ordinary watercourse/ditches (not a main river) runs adjacent to the northern site boundary and there are two internal ditches and a surface water drain within the site.
- 6.122** Environment Agency mapping indicates that the north east section of the site is at risk of reservoir flooding (from Severn Trent Water Ltd Hewlett's Reservoir). Also according to EA mapping and the surface water management plan produced for the Priors Oakley Flood Alleviation Scheme led by the County Council, there is some risk of surface water flooding to the site during the 1 in 100 year rainfall event. However, there is no known historical reported surface water flooding of this site but properties downstream of the site and Wymans Brook have experienced flooding historically. The site could also be affected by overland flows onto the site from elevated land to the south east.
- 6.123** The outline planning application was accompanied by a Flood Risk Assessment (FRA) and Drainage Strategy and matters relating to hydrology, drainage and flood risk were set out in Section 12 of the Environmental Statement accompanying the outline application. The FRA concluded that the development would be safe from flooding. Flood risk would not be increased downstream and that the overall flood risk in the area would be reduced. The use of SuDS as mitigation would manage and reduce flood risk and would ensure that there is no adverse effect on water quality. The FRA identified a minor beneficial effect of the proposed development on flooding and surface water drainage. Similarly, subject to Severn Trent approval, foul sewerage could be accommodated and any effect on existing sewerage infrastructure would be negligible.
- 6.124** At outline stage the LLFA advised that subject to subsequent approval of a detailed drainage strategy, to include appropriate on site attenuation for events with flow probabilities of up to and including the 1 in 100 year event and the incorporation of sustainable drainage and hierarchy principles (SuDS) to balance surface water run-off to Greenfield run-off rates, no objection was raised.
- 6.125** Conditions 10 and 11 of the outline permission require a detailed surface water and foul drainage scheme to be approved prior to the commencement of development. The scheme should be in accordance with the principles set out in the FRA and Drainage Strategy submitted with the outline application.
- 6.126** The REM submission includes details of a drainage strategy and the Local Lead Flood Authority (LLFA) has reviewed the information provided. Although the applicant is not seeking through REM details to discharge Condition 10 in full, the LLFA has no objection to the layout proposed to satisfy the reserved matters of the outline planning permission. However, the LLFA note that the details submitted (to discharge condition 10 in full) do not include a timetable for implementation. The LLFA suggest that, to prevent flood risk to new properties at the lower end of the slope, the SUDS features and any other drainage required on the lower ground is put in place prior to the commencement of other site works. This matter has been discussed with the applicant who has confirmed that a separate application to discharge Condition 10 will be submitted prior to commencement of development. The timetable for implementation will be dealt with and agreed with the LLFA at this stage.
- 6.127** The Council's drainage officer has also reviewed the scheme and comments that the hydrological aspects of the drainage scheme are acceptable. However, an updated management plan for the drainage scheme and SUDS features (including any new

culverts and land drains if they are not to be adopted by Severn Trent Water) will need to be provided. The management plan should specify who will be responsible for maintenance of the surface water drainage assets and SUDS features. These matters can also be adequately dealt with through the discharge of Conditions 10 and 11.

6.128 No response was received from Severn Trent Water. However, the applicant is not seeing to discharge condition 11 at this stage which deals with foul water drainage proposals.

6.129 In light of the above, there are no significant concerns or adverse effects arising from the proposed development that would increase fluvial food risk, surface water flood risk on or off site or compromise water quality on or off-site.

6.130 Ecology/Biodiversity/Green Infrastructure

6.131 Policy SD9 of the JCS seeks the protection and enhancement of ecological networks across the JCS area, improved community access for new development to contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure.

6.132 NPPF paragraph 174 seeks through development, the protection and enhancement of valued landscapes and sites of biodiversity value and the need to minimise and provide net gains for biodiversity and coherent and resilient ecological networks. Paragraph 175 sets out a mitigation hierarchy in terms of retained and enhanced environmental features that can be incorporated into a development proposal.

6.133 The REM is in general accordance with the approved parameter plans (and AIM) of the outline approval and in some places offers a betterment in terms of green infrastructure and biodiversity provision, particularly in The Glade area, which includes the larger of the children's play area (LEAP). Pre-application discussions have left little doubt that, despite the number of dwellings proposed and the challenges faced by site topography, the scheme has been landscaped led.

6.134 It is evident that the proposals have, where achievable, sought to retain as much of the existing landscape features of the site and incorporate retained individual TPO trees and groups of trees and shrubs to create distinct character areas within the site. Furthermore, the proposed SUDS features at the northern end of the site, offer biodiversity and ecological benefits in addition to the visual and recreational enhancements to these areas within the development.

6.135 The Council's ecology advisor (EO) has reviewed the BNG report, BNG metric and landscaping plans. The EO confirms that positive BNG values for area habitats and linear habitats are achieved and these exceed the 10% minimum and appear to be achievable based on the BNG calculations and the current landscape plan.

6.136 The submitted updated site surveys have also been reviewed. The EO notes that several trees with low bat roost potential (T7, T65) will require removal. These trees should be subject to aerial inspection by a bat licensed ecologist prior to removal. Should bats be found to be present then it will be necessary to apply to Natural England for an EPS mitigation licence (a copy of which should be sent to the LPA once received).

6.137 The EO recommends other precautionary measures in respect of well used mammal paths leading into the scrub in the north-western part of the site. The detail of such measures are included in a subsequent amended Briefing Note which has been agreed by the EO.

6.138 Note also that Condition 23 of the outline planning permission requires the submission and approval of hedgehog tunnels and the approval of any modifications to the CEMP and LEMP as a result of requirements of a protected species license.

6.139 Habitats Regulations Assessment/Cotswold Beechwoods Special Area of Conservation (SAC)

6.140 Although not strictly a consideration of this reserved matters application, Policy BG1 of the Cheltenham Plan states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network (alone or in combination), and the effects cannot be mitigated.

6.141 Therefore, in order to retain the integrity of the Cotswold Beechwoods Special Area of Conservation (SAC) all development within the borough that leads to a net increase in dwellings will be required to mitigate any adverse effects.

6.142 However, the outline planning application was received and validated prior to 1 November 2022, this being the date after which the Cotswolds Beechwoods SAC Mitigation Strategy of May 2022 should apply to planning applications; as stated by Natural England in its letter to Councils of 9 September 2022. SAC mitigation in the form of a financial contribution is not therefore being sought for this development.

6.143 Notwithstanding the above, Section 7 of the ES covered the ecological implications of the proposed development and included a Preliminary Ecological Appraisal and Habitats Regulations Assessment (HRA) (for the Cotswold Beechwoods Special Area of Conservation (SAC) and Severn Estuary SPA/Ramsar), as requested by Natural England and in accordance with the Conservation of Habitats and Species Regulations 2017. The applicant's shadow HRA considered the recreational pressures on the SAC arising from the proposed development and concluded that, given the distance between the application site and Beechwoods and the number of other recreational opportunities available within and closer to the site, there should not be any significant effects on the Beechwoods SAC, either alone or in combination with other planned development. In carrying out its 'appropriate HRA assessment', the sHRA was adopted by the Council.

6.144 Appropriate SAC mitigation would be sought via Homeowner Information Packs (HIP) provided to all first occupiers of the proposed dwellings. Accordingly, Condition 30 requires the HIP to reference alternative (off site) recreation opportunities and website information for the Cotswold National Landscape. Furthermore, the proposed development includes significant on-site POS and recreation opportunities, which offer further mitigation for SAC recreational pressures.

6.145 Trees and Landscaping

6.146 Policies GI1 and GI2 of the Cheltenham Plan seek to retain, protect and minimise the loss of trees through development.

6.147 The application site contains a number of TPO'd trees which include the majority of the veteran and mature oak trees within the site. There are also other trees and mature hedgerow within the site, which form parts of the existing field parcels and site boundaries.

6.148 The Council's Trees Officer (TO) has undertaken a thorough review of the proposed tree planting proposals and has considered associated elements of the soft landscaping scheme. The TO's comments are set out in full in the consultation section of this report.

6.149 The TO was also heavily involved in all pre-application discussions and associated site visits. The proposed layout responds to the tree impact related concerns raised during this pre-application process, in particular eliminating development within root protection

areas (RPAs), no-dig construction methods for any ground works within RPAs, creating suitable buffers and distance between the larger trees and proposed dwellings, avoidance of all year round shading of dwellings and the long term protection of the Veteran 'destination' oak tree within the Oak Tree Neighbourhood.

6.150 Whilst the revised scheme addresses the majority of the tree related concerns, the TO maintains their concerns over the protection of the veteran 'destination' oak tree which is of high amenity value, as an existing and proposed site feature. Therefore, to ensure the long term health and protection of this prominent feature, public access to the area around and under the tree canopy must be prevented. Unfortunately, the revised landscape strategy has not incorporated the TO's suggested 'buffer' (prickly) planting around the tree. The proposed hornbeam/beechnor the proposed 'Cheshire' style fencing surrounding the tree are considered sufficiently robust to prevent unwelcome intrusion. The TO recommends alternative prickly/thorny species which should be planted at the start of the build process to enable establishment upon first occupation of the dwellings.

6.151 The location of the informal play area (LAP) adjacent to this oak tree is also of concern. Although the LAP is outside the target area for possible branch failure, its proximity may encourage congregation in this area and therefore potential intrusion into the oak tree enclosure and/or requests for pruning.

6.152 In light of the above outstanding concerns, a condition has been added requiring the submission of a revised landscaping and boundary treatment scheme for this oak tree. The scheme will also need to include suitable signage within the area to prevent the residents/public from entering the enclosure. A condition is also added requiring a revised scheme for the layout and play equipment to be provided within the Oak Tree Neighbourhood LAP.

6.153 The applicant has also been made aware of the TO's comments in relation to all year round shading caused by trees to some of the proposed dwellings. The majority of the associated trees are TPO protected oak trees which retain their leaves longer than other species. Whilst the Council would maintain control of pruning through the TPO application process, the Council would not welcome requests from homeowners to significantly prune these protected trees.

6.154 The other tree related outstanding matters are noted and have either been addressed and/or are not of significant, overarching concern.

6.155 Public Sector Equalities Duty (PSED)

6.156 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

6.157 Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have "regard to" and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

6.158 In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

- 7.1** The principle of redeveloping this site for residential purposes and the suitability of the site to accommodate up to 250 dwellings has already been established with the grant of outline planning permission in October 2022. The detail of the reserved matters of that approval must be in general accordance with the approved Parameter Plans and specific elements of the Alternative Illustrative Master Plan (AIM) of the outline planning application.
- 7.2** The details submitted in respect of the following reserved matters have been found to be acceptable: access, layout, scale, appearance and landscaping. The proposals are in general conformity with the approved parameter plans and relevant parts of the AIM and where there are slight deviations, there are sound and acceptable reasons for the adjustments made.
- 7.3** The potential for significant harm to the amenities of occupiers of neighbouring properties and those of future occupiers of the development would be minimal. Similarly, the Highway Authority and LLFA raise no objection to the reserved matters details subject to conditions and the subsequent discharge of other conditions attached to the outline permission.
- 7.4** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for development must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 7.5** The relevant policies of the development plan currently in force are out of date due to a shortfall in the five-year supply of housing land. The proposal has therefore been assessed against the guidance contained within the NPPF. Paragraph 11(d) of the NPPF applies a presumption in favour of sustainable development unless:-
- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.
- 7.6** Officers have taken account of the social, economic and environmental benefits of the proposals and have applied the policies in the NPPF that protect the relevant areas or assets of particular importance, those being the AONB and designated heritage assets of Hewlett's Reservoir. In accordance with NPPF paragraph 11(d), the 'tilted balance' in favour of sustainable development is engaged in this case and there are no other adverse impacts arising from the proposals that would significantly outweigh the benefits of the scheme and substantiate a refusal.
- 7.7** The recommendation is therefore to grant planning permission for the reserved matters subject to the following suggested conditions.
- 7.8** At the time of writing, the wording and scope of the below suggested conditions (including any pre-commencement conditions) are still being discussed with the applicant. Confirmation of the final agreed list of conditions will be provided by way of an update report prior to the Committee meeting.

8. CONDITIONS / INFORMATIVES

- 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 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 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 implementation of any new boundary treatments, including boundary walls, railings, fences or other means of enclosure, details 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 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).

- 7 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. 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).

- 8 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).

- 9 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).

- 10 Notwithstanding the submitted details and prior to commencement of development, full details of all proposed street tree planting, 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).

- 11 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

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)

- 12 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).

- 13 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).

- 14 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).

- 15 The proposed solar PV panels to serve dwellings and apartment buildings shall be fully installed and operational prior to first occupation of the relevant dwelling or apartment building 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.

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).

- 16 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.

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.

- 17 Where not shown on the approved plans, secure and covered cycle storage shall be provided for the apartment buildings in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall thereafter be retained available for such use in accordance with the approved details at all times.

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 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).

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, the authority sought revisions to the design and layout of the proposed development in the interests of the character and appearance of the area and landscape qualities of the AONB.

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The development hereby approved includes the carrying out of work on the adopted highway. The applicant/developer is advised that before undertaking work on the adopted highway they must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out. Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. The applicant/developer will be required to pay fees to cover the Council's costs in undertaking the following actions:

- Drafting the Agreement
- A Monitoring Fee
- Approving the highway details
- Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secure and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

- 3 The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. The applicant/developer is advised that they must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980. Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- Drafting the Agreement
- Set up costs
- Approving the highway details
- Inspecting the highway works

The applicant/developer should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Consultations Appendix

Landscape Architect

6th November 2023 – Comments provided separately at end of report

Urban Design

27th October 2023 – Comments provided separately at end of report

Gloucestershire Design Review Panel

20th September 2023 - Comments provided separately at end of report

GCC Highways Planning Liaison Officer

8th November 2023 –

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection subject to conditions. The justification for this decision is provided below.

The Highway Authority (HA) has considered the reserved matters application and is content that the quantum of car parking and cycle parking provision is consistent with the guidance set out in Manual for Gloucestershire Streets (MfGS). The requirement to provide for EV charging is conveyed through the building regulations approved document S.

The proposed layout is acceptable and will be subject to further scrutiny at technical design stage. There are areas within the proposed layout that will likely need to be revisited during S38 proceedings, such as the location of the proposed pedestrian corridor along the southern end of the road that serves dwellings 228 to 250, which appears outside a natural desire line for pedestrians walking to the west; the forward visibility along the bend between the parking spaces for plots 242 and 234 is obstructed by the proposed trees and will likely result in an unacceptably short forward-visibility splay or this green area being dedicated to the HA. In addition, the pedestrian walkway to the south of the visitor parking spaces to the east of plot 1 will necessitate a crossing point.

Vehicular access

Access to the site will be made via Harp Hill, within an area approved on a parameters plan that accompanied the original Outline application ref 20/01069/OUT. The HA is satisfied that the revised access location is suitable when achieving the necessary visibility splays in accordance with the sign posted speed limit of Harp Hill, and the proposed geometry of the access accords with the guidance set out in MfGS.

It is worth noting that a number of public representations have been received in respect of the traffic impact of the development proposal within the local road network; however, such matters have already been considered as part of the aforementioned Outline application that was granted planning permission in October 2022 by way of an appeal (ref APP/B1605/W/21/3273053).

Pedestrian/cycle access

The main pedestrian and cycle access to the site is proposed to be made via an existing PROW footpath 86 ref ZCH86. The Highway Authority has no objection to the proposal; however the right of way will need to be upgraded to an adoptable standard for its use by pedestrians and cyclists, and its specifications are largely a matter dealt with during the technical design stage.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that

there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

Conformity with Submitted Details (Multiple Buildings)

The Development hereby approved shall not be occupied until the access, parking and turning facilities that that individual building to the nearest public highway has been provided as shown on drawing DR A 1002 Rev P1.

Reason: To ensure conformity with submitted details.

Informatives

Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

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Drafting the Agreement

A Monitoring Fee

Approving the highway details

Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

Highway to be adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980. Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Councils cost's in undertaking the following actions:

- Drafting the Agreement
- Set up costs
- Approving the highway details
- Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Street Trees

All new streets must be tree lines as required in the National Planning Policy Framework. All proposed street trees must be suitable for transport corridors as defined by Trees and Design Action Group (TDAG). Details should be provided of what management systems are to be included, this includes root protections, watering and ongoing management. Street trees are likely to be subject to a commuted sum.

Public Right of Way Impacted

There is a public right of way running through the site, the applicant will be required to contact the PROW team to arrange for an official diversion, if the applicant cannot guarantee the safety of the path users during the construction phase then they must apply to the PROW department on 08000 514514 or highways@gloucestershire.gov.uk to arrange a temporary closure of the right of way for the duration of any works.

We advise you to seek your own independent legal advice on the use of the public right of way for vehicular traffic. The site is traversed by a public right of way and this permission does not authorise additional use by motor vehicles, or obstruction, or diversion

GCC Local Flood Authority (LLFA)

23rd October 2023 –

The LLFA has no objection to the layout proposed to satisfy reserved matters of this site.

Supplementary comments on the revised scheme provided 28th and 29th November 2023 –

The only bit that isn't covered is the timetable for implementation.

The objective of that item is to get a commitment to put the suds and any other drainage required in place before other works on site may increase flood risk down the slope. This, we have found from experience, is particularly important on developments on slope like this.

By digging the attenuation ponds first and putting in drainage features on the lower slope first protection is given to the properties on the lower slope from increased risk of flooding caused by exposing ground on higher slopes. Alternatively a strategy of directing overland flows by use of straw bail bunds or similar may be implemented until the SuDS are fully functional.

There is nothing in the new layouts that affects drainage, the two attenuation ponds are still in the same place.

CBC Drainage and Flooding Officer

2nd November 2023 –

Hydrological aspects of the drainage scheme are acceptable and these have also been reviewed and accepted by the LLFA.

An updated management plan for the drainage scheme and SUDS features (including any new culverts and land drains if they are not to be adopted by Severn Trent Water) still needs to be provided as it is not currently included in the drainage compliance note. The management plan should specify who will be responsible for maintenance of the surface water drainage assets and SUDS features.

Heritage and Conservation

9th November 2023 –

In terms of the impact on neighbouring heritage assets, the proposed works shown in the approval of reserved matters application (access, appearance, landscaping, layout and scale) are considered in accordance with the terms of outline planning permission 20/01069/OUT allowed at appeal. No objection is therefore raised to the works on heritage grounds.

Cotswold Conservation Board (Cotswold National Landscape)

8th November 2023 -

APPLICATION NO: 23/01691/REM

DESCRIPTION: 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

LOCATION: Oakley Farm, Priors Road, Cheltenham, GL52 5AQ

Thank you for consulting the Cotswolds National Landscape Board¹ ('the Board') on this proposed development, which would be located within the Cotswolds National Landscape².

In reaching its planning decision, the local planning authority (LPA) has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape.³ The Board recommends that, in fulfilling this 'duty of regard', the LPA should: (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account the following Board publications⁴:

- Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2023-2025 (link);
- Cotswolds AONB Landscape Character Assessment (link) in this instance, with regards to Landscape Character Type (LCT) 2 (Escarpment), which the site is located within, and LCT 7 (High Wold), which the site is visible from;
- Cotswolds AONB Landscape Strategy and Guidelines (link) particularly, in this instance with regards to LCT 2 (link), including Section 2.1 and LCT 7 (link), including Section 7.1;
- Cotswolds AONB Local Distinctiveness and Landscape Change (link);
- Cotswolds Conservation Board Position Statements (link) particularly, in this instance, with regards to the Housing Position Statement (link) and its appendices (link), Landscape-Led Development Position Statement (link) and its Appendices (link), Tranquillity Position Statement (link) and the Dark Skies and Artificial Light Position Statement (link) and its appendices (link 1, link 2, link 3).

Having reviewed the applicant's submission, the Board does not object to this application. Please see Annex 1 below for our further comments.

Without prejudice, should the Council be minded to grant planning permission we would recommend that the implementation of these proposals (in particular the landscaping scheme and Landscape and Tree Management and Maintenance Scheme, CEMP and LEMP) should be closely monitored to ensure compliance, in the interests of the conservation and enhancement of the landscape and scenic beauty of the Cotswolds National Landscape.

ANNEX 1 COTSWOLDS NATIONAL LANDSCAPE CONSULTATION RESPONSE IN
RELATION TO PLANNING
APPLICATION 23/01691/REM

This application principally seeks approval for the reserved matters detailed within condition 1 of the outline permission; namely access, layout, appearance, landscaping, and scale. We consider each below:

Access

The vehicular access from Harp Hill shown on the Feasibility Layout (DRWG: P22-3013_DE_01_C_01) is located within the 'Highways Corridor Flexibility Zone' shown on the approved Access and Movement Parameter Plan as required by condition 5 of the outline planning permission though it differs to the exact position shown on the Alternative Illustrative Masterplan as the proposed access point has been moved further west. We acknowledge that the route of the access road and roads within the site differ from the Alternative Illustrative Masterplan due to engineering issues related to the gradients present on site.

However, it is noted that the length of the access road within the most visually prominent part of the site south of the main belt of landscape screening appears to be shorter than that shown in the Alternative Illustrative Masterplan and as such could be considered an improvement on what is shown within the parameter plans. Therefore, we consider that the vehicular access point is acceptable in principle, subject to it meeting the technical requirements of condition 13 of the outline planning permission. Though pedestrian and cycle connections are proposed on the western boundary, only 'potential' pedestrian/cycle connections are shown to the north and east, but with little detail provided, the Landscape Design Statement states for example that "opportunities for connecting areas of POS [offsite at Fairford Road] will be explored". Ideally this should be addressed as part of this reserved matters application to provide certainty over the arrangements, enable an increased level of pedestrian permeability through the site and ensure that neighbouring communities to the north and east can access the site including the play areas.

Layout

We consider that the submitted Site Layout is in general accordance with the design and layout principles of the Alternative Illustrative Masterplan as required by condition 5 and is a high quality scheme. We note the slight variations between the proposed layout and the parameter plans in respect to the location of parts of a small number of gardens and part of one dwelling, in part due to the need to provide good standard and sized street trees, but consider that the proposed development remains "substantially in accordance" with the parameter plans as required by the conditions pursuant to the outline permission.

The substantial tree belt that runs east-west across the site is mostly retained and enhanced and demarcates the developed part of the site, helping to reduce the visual impact of the development in wider views. The main hedgerow running north-south in the western part of the site is retained for the majority of its length along with the key large veteran oak tree in the western part of the site and overall, the submitted masterplan offers Green Infrastructure benefits over and above the Alternative Illustrative Masterplan. The proposed layout also addresses the setting of the Reservoir and Pavillion.

We consider that the scheme accords with the relevant advice contained within Section 2.1 of the Cotswolds AONB Landscape Strategy and Guidelines; for example, it does not overwhelm the existing settlement, does not unduly affect settlement character and form and is not an overly standardised development layout. It also avoids development that may restrict or obscure views to the upper escarpment slopes. By extension we also consider the scheme accords with the relevant parts of Cotswolds National Landscape Management Plan policies including CE1 (Landscape) and CE11 (Major Development).

Appearance (including materials)

The proposed materials palette reflects both Cotswold stone and light render commonly seen in the local area as well as dark grey slate. We would support the comments of the Council's Urban Design consultant that good quality natural Cotswold stone should be used rather than recon stone to ensure that locally distinctive characteristics and relevant 'special qualities' of

the National Landscape are reflected in the scheme and that the scheme positively addresses the aims of Policy CE3 of the Management Plan and the advice contained within the Cotswolds AONB Landscape Strategy & Guidelines. We also agree that this should be tested through samples and onsite sample panels to be controlled via condition.

Affordable housing units appear to be of a high design standard, use the same materials palette as the market housing, generally accord with the requirements of the outline permission in terms of size and tenure and are well assimilated with the market dwellings within the layout.

Hard and Soft Landscaping

Condition 25 (including parts a-j) requires the submission of detailed hard and soft landscaping and boundary treatment schemes for the residential and open space elements of the proposed development. The applicant's comprehensive Landscape Design Statement and accompanying plans provide a detailed response to this requirement and, by and large, we agree that the scheme is landscape-led.

The retention of much of the existing trees and structural planting in the areas referred to as Harp Hill Meadows, the Glade, Oak Meadow Walk and Oakley Farm Green (including all veteran or TPO'd trees) and provision of new structural planting in a minimum 15m wide belt of native woodland should mitigate the impact of the residential development, helping to break up the parcels of built form, especially in the eastern part of the site. The concentration of development on the northern half and lower parts of the site and retention of the more elevated southern part of the site as grassland meadow (including its ridge and furrow features) should help to reduce potential harm to landscape character and minimise the impact of the development on views towards and from the Cotswold Escarpment.

We also note that the scheme would result in an estimated 91.87% gain in habitat units and 65.71% in hedgerow units.

Scale

We consider the proposed use of split-level dwellings and two-storey dwellings with undercroft parking on certain parts of the site would, subject to accordance with the maximum building heights shown on the Building Heights Parameter Plan, be preferable to using retaining walls which may increase the visual impact of the development. We also consider that the scheme as a whole is in substantial accordance with the Building Heights Parameter Plan.

Other matters

We note and support the Phasing Plan submitted in accordance with Condition 6. This shows the establishment of the southern part of the site within phase 3, before the majority of the residential development is completed which will enable the landscaping further time to establish before the majority of residential development is completed.

We note the contents of the Energy and Sustainability Statement and the conclusion that the proposed scheme would deliver a 66% improvement in terms of energy efficiency compared to Part L (2021) of the Building Regulations and, where applicable, is also designed to meet Future Homes Standards.

Finally, we acknowledge that a further external lighting scheme will be prepared and submitted at a later date to address the requirements of condition 24 and would request to be consulted on its discharge given the requirement of part d) of condition 24 relating to the regard to be given to the sensitive location of the site within the National Landscape and the fact that its dark skies are one its 'special qualities'.

Ecologist

25th October 2023 –

I have reviewed the BNG report, BNG metric and landscaping plan. I confirm that the positive BNG values for area habitats and linear habitats exceed the 10% minimum and appear to be achievable based on the BNG calculations and the current landscape plan. I accept the reasons that the BNG metric 2.0 has been used on this occasion. (For new projects, we would expect BNG Metric 4.0 to be used).

A Landscape and Ecological Management plan will need to be submitted to the LPA prior to commencement to ensure that the target conditions for enhanced/created habitats will be met and consequently that the positive BNG values can be achieved. The management plan should be of 30 year duration for BNG projects, to ensure that the proposed net gains can be delivered. (This is of particular importance for larger projects.)

I have also reviewed the Briefing Note - Updated Walkover Survey, Sept 2023; and note that several trees with low bat roost potential (T7, T65) will require removal. These trees should be subject to aerial inspection by bat licensed ecologist prior to removal. Should bats be found to be present then it will be necessary to apply to Natural England for an EPS mitigation licence (a copy of which should be sent to the LPA once received). Due to the presence of well used mammal paths leading into the scrub in the north-western part of the site, precautionary measures are recommended. The details of such measures should be included in the Briefing Note and this should be re-submitted to the LPA for review.

Tree Officer

9th November 2023 –

1) The Root Protection Area of the 2 veteran trees on the eastern boundary has now created a "curved rear garden boundary of Plot T217. Whilst unusual, it is the most appropriate solution here. It is desirable that "buffer" (prickly) planting is undertaken under the canopy of these 2 adjacent veteran oak trees so as to ensure that a desire line/footpath is not created which leads from the adjacent estate westwards under the canopy of these trees.

2) It is not clear whether the recommended 2M wide maintenance access strip of the boundary has been created.

3) No "gateway tree proposals" (for the area leading from Priors Rd) are shown.

4) No buffer planting is shown on the landscape Master Plan around the "Destination Oak". Similarly "Cheshire style fencing" does not sound robust or appropriate against unwelcome intrusion under the canopy (Root Protection Area) of this Veteran Oak. The proposed beech/hornbeam hedge is not a sufficient deterrent to unwelcome visitors. Prickly/thorny species should be planted within the Veteran Tree Buffer area - dog rose, hawthorn, bramble, holly etc should be incorporated into the overall design. All such buffer planting should be planted at the start of the build process so it is well established and functioning at the start of occupation of the proposed dwellings.

5) It is unclear if a play area is to be sited adjacent to this oak tree. Such a play area would not be welcome as described within point 8 of previous Trees Officer comment (of 23/8/23 23/00201/PREAPP)).

6) As previously requested, no clear plan showing proposed new underground/over ground services showing appropriate clearance from retained trees have been submitted.

7) As previously requested, no details of short, medium and long term vegetative/Tree management plans have been submitted.

8) As previously requested, no Suds Management Plans have been submitted.

9) As previously requested the woodland screening to run east-west through the site should be moved to the south so as to reduce the likelihood of shade onto rear gardens as the trees establish and grow. It will also help provide an alternative open space to the rear of the properties thus relieving pressure on the "destination oak". Such a grassed strip should be at approx. 8M wide so as to facilitate grass mowing but also give a sense of an "open area" to the rear of properties which would encourage eg a circular soft landscape walk. Such a step back will also reduce the likelihood of significant shade and ground water extraction by tree roots on the proposed allotments to the east of the site.

10) The proposed dwelling to the north of the "quiet glade" will detract from the secluded nature of the views to the north and towards the fantastic views of the tree outline within the Bouncers Lane cemetery. The proposed "naturalistic play" within this area is more welcome than the colourful and hard play areas as installed in other domestic situations.

11) The shade analysis of the trees onto the proposed dwellings at differing times of year and differing times of day is welcome. It reads that several properties will be in regular and quite constant shade from the sun. Whilst sunlight may be blocked at differing times of day, there will be a sense of daylight as properties are to be situated at some distance to many of the trees. Most/all of the best/high quality of the trees on site are now subject to a Tree Preservation Order and so formal Council permission will be necessary prior to the pruning of any live wood. However, given the level of shade on some of the properties, it is anticipated that there will be regular and significant requests to prune the protected trees-many of which could be considered "notable" and several of "veteran" status. CBC Trees Officers would not welcome such causation of formal applications. It should be born in mind that the overwhelming majority of TPO protected trees are oak, and that this species retains leaves attached to the crown until late November/early December. As such there is only approx. 4 months when the trees will be leafless.

12) The landscape plans do not seem to show the specific locations of different species of new planting.

Tree Officer 2

20th November 2023 –

There is much to commend the submitted landscape plan (entitled Framework Plan) by IDP Drawing no 002 of Sept 2023. It proposes a rich tapestry of trees which in the main, is true to the Landscape Design Statement.

There are many proposed fruit trees to be planted within proposed rear gardens-this is very welcome.

It is highly ambitious in terms of the "instant landscape" it proposes to achieve and there is a good variation in the palette of trees proposed for planting-large and small, native and exotic, wind and insect pollinated etc.

However, the drawing does not contain any key to the species proposed and the schedule contained within the Landscape Design Statement does not contain the abbreviated code to the scientific names of proposed trees to be planted. CBC trees officers consider they have deciphered the abbreviated scientific names. However, it would be very helpful to the non-specialist if such abbreviations are explained.

Please could the following be adjusted to the submitted Landscape Plan and Landscape Design Statement:

1) No trees to be planted should be greater in size than 12-14's - Heavy Standards-rather than the Extra Heavy Standards proposed. Such smaller trees will have reduced instant visual impact but will be significantly easier to establish and grow. Trees Officers preferred go-to size of tree to plant is the BS8545 "Standard" size 10-12cms girth at 1M above ground level (approx. 3.5M high). The anticipated cost saving that this will create should be used to contribute to extra aftercare and maintenance of the new tree planting.

The Tree Pit design drawings within the Landscape Design Statement should be adjusted to reflect this change in tree sizes to be planted.

2) All tree pits (other than the whip planting within the shelterbelt) must have fresh topsoil (to the BS 8545 (2014) spec. Maps show the underlying soil type to be Charmouth mudstone and as such some free draining sandy soil must be included into all tree pits.

3) It should be borne in mind that the proposed street tree Persian ironwood *Parrotia persica* 'Vanessa' is an interesting choice of an upright tree with much to commend it-though it is slow growing and will take many years before so many proposed trees are visually significant in the landscape.

4) Many field maple "*Acer campestre* S" are proposed. It is unclear what this variety/sub species is. It is assumed that more fastigate and suitable in built up areas, *Acer campestre* 'Elsrijk' are to be planted as a part of the street scene.

5) Please could details of a proposed "avenue planting" off the entrance from Priors Rd be detailed.

6) Many hornbeam *Carpinus betulus* are proposed within built-up areas. Such trees will become too large for the proposed sites. It would be preferable if the more upright and manageable *Carpinus betulus* 'Frans Fontaine' were planted as an alternative.

7) The shelterbelt woodland mix of tree sizes are to be only 40-60cms tall. Whilst this should help ensure prompt establishment, the proposed planting tubes are to be 600 mm and as such no trees would be visible growing out the top of the tubes for at least 1-2 years. Experience has shown that trees in such growing tubes suffer with extreme heat if there is a hot summer. Please could this planting size be made larger to 90-120cms high. A carpet of mulch should be applied to 1metre diameter spread around the base of all such whips.

8) No *Salix* or *Populus* (willow or poplar) should be planted within this shelter belt-they will become too large (casting shade onto the rear gardens, allotments to the north as well as choke out other proposed species) as well as suppress other adjacent species. Willow and poplar are fast growing and can proliferate and become very difficult to control. It is recommended that an increase in the proportion of native evergreen shade tolerant species be planted instead-holly, yew, etc. Please could rowan (*Sorbus aucuparia*) and spindle (*Euonymus europaeus*) be added to the woodland edge mix

9) Details of protection from unwelcome visitors, dogs as well as deer should be submitted and agreed. Such fencing must remain in situ until plants are approx. 5M high and be a part of the short, medium and long term management plan for the site.

10) No short/medium and long term management strategy is available to view for this woodland. Indeed no such Management Strategy is available for any of the soft landscaping (as well as SUDS schemes) for this site. Such information (or at least the Heads of Terms to be addressed) should be submitted as a part of this application.

11) It is noted that *Magnolia Leonard Messel* are to be planted. Experience has shown that *Magnolia* are slow growing (4M in 20 years?) and enjoy free draining soil. The soil in this site is unlikely to be free draining and such a delicate species as *magnolia* should not be planted adjacent to play areas. Please could an alternative tree species be suggested.

12) There is an overreliance on *Amelanchier* to be planted as driveway trees around the destination oak. A wider palette of small trees should be planted.

13) FAO Sam-do we want AES HIP and ACE PLA in the open spaces to the south of the site?

14) A really strong gateway landscape visual statement would be if at least 3 tall evergreen species were planted close to the entrance to the site off Harp Hill. *Sequoiadendron giganteum* or *Sequoia sempervirens* would be welcome in amongst the proposed oak as an obvious go-to choice-many such trees exist within Battledown and as such it is anticipated that they will grow well here too.

15) Landscape details regarding the tree "buffer" around the destination oak are anticipated and must be agreed prior to determination.

16) It would be interesting and help create heritage if some old varieties of native fruit trees of local provenance were planted within the open space to the south of the site as well as on the edge of the buffer zone adjacent to the woodland shelter belt. Glos Orchard Group could advise and supply (and plant).

Tree Officer 3

28th November 2023-

The proposed scheme will completely change much of the site entirely. It is recognised that whilst through the Appeal process, the site has an existing Outline Permission for up to 250 dwellings, the proposed scheme takes account of and respects existing tree constraints.

The best trees on the site have been protected by a TPO and have been retained and incorporated into the design. As such the Council has overall control of them from increased pressure for inappropriate pruning and removal. Nevertheless, it must be recognised that the wider environment in which the trees exist (above and below ground) will be forever changed through indirect and indirect impacts of introducing new adjacent dwellings, roads, drainage etc to the site. However, to mitigate for this, a generous tree planting plan is proposed, not only within the street scene but also in the larger open space to the south.

Nevertheless, there are several issues which need to be further addressed/changed so as to try to minimise impact on the protected trees as well as new tree planting:

1) Trees officers maintain unease of the formal play provision around the destination oak to the east of the site. Whilst the play areas are to be outside of the target area/drop zone of possible branch failure, it is anticipated that inviting children and others to congregate near to this delicate tree will lead to increased requests to prune. Chapter 07 of the Public Open Space Details LA5727-LDS-001B states "the area beneath the canopy of the tree will be retained as grassland and bark". This is an insufficient and deterrent and buffer planting detail. There should be deterrent planting included within the sphere of influence of the tree to actively deter the public from gathering under the canopy of the tree. Notice/explanation boards should be provided explaining why visitors are being excluded and the value of the tree explained.

2) 7.5 of the Public Open Space Details recommends *Morus alba pendula* is incorporated. Such small weeping white mulberry will shed much soft fruit onto the ground in the autumn. This is unlikely to be welcome by those living adjacent and lead to pressure to remove.

3) As per point 10 above the tranquil nature of the proposed "glade area" will be transformed into something somewhat different if the swings/slides and other play equipment is incorporated. However, the direct impact of such play provision onto adjacent trees should not be significant. Nevertheless, a more natural "natural play" area would be less visually jarring than many of the proposed play features proposed. The proposed play equipment will somewhat dominate this tranquil space.

4) Whilst the landscape plan ("Landscape Framework") describes only 1 willow, para 7.6 Oakley Farm Green & SuDS of the Landscape Design Statement recommends the planting of willow within the SuDS areas. Such trees will outgrow the site and come to dominate and overwhelm as well as spread and colonise other green space adjacent.

5) It appears that the proposed woodland tree planting will be relatively close to the proposed allotments. Such trees would not only be elevated from the site but also to the south. As such, it is anticipated that the woodland trees will take sunlight and water as they grow thus taking sun and water from the allotment. This would not likely be welcome by allotment holders. Trees to be planted nearby should be of an appropriate species to not become a nuisance (eg plum, cherry, hawthorn etc).

6) As commented previously, Trees Officers maintain that several of the proposed properties will remain in shade for much of the day throughout a large proportion of the year. Large retained TPO'd oaks elevated up the natural slope of the site and to the south of proposed dwellings will put much shade on the gardens and homes. Whilst the trees are set back which will allow daylight into the area, this should not be confused with direct sunlight. Whilst the Borough Council will retain overall control of pruning through the TPO application process, it is important that new potential buyers are made aware of the protected status of

the trees during the purchase process and that applications to prune to allow for more light are likely to be refused. Oak trees by their nature retain their leaves for much of the year (until early December and are in leaf by May).

Proposed tree conditions of any permission to grant consent:

1) TRE05C - No service runs within RPA

All service runs shall fall outside the Root Protection Area(s) 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).

Reason: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policies GI1 + GI2 of the Cheltenham Borough Local Plan (2020). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

2) TRE03B - Protective fencing

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

Reason: To safeguard the biological and structural condition of the tree having regard to Policies GI1 + GI2 of Cheltenham Borough Local Plan 2020.

3) Landscaping

Notwithstanding other landscaping details, post-development tree protection around the destination oak should be submitted and agreed prior to the commencement of demolition and construction. Such new landscaping should include details of proposed deterrent planting within the proposed Cheshire fencing and to include bramble, dog rose etc. Such deterrent protection should be explained on public notice boards explaining the delicate and special nature of this Veteran oak as well as the reasoning behind the area within the Cheshire fencing being a permanent exclusion zone.

Reason: To safeguard the biological and structural condition of the tree having regard to Policies GI1 + GI2 of Cheltenham Borough Local Plan 2020.

4) No-Dig Construction Methods

All paths, parking areas and other forms of hard landscaping that fall within any Root Protection Area(s) shall be constructed using a no-dig method. Prior to the commencement of development, full details of the proposed no-dig method shall be submitted to and approved in writing by the Local Planning Authority and the development shall be implemented strictly in accordance with the details so approved.

Reason: In the interests of local amenity in accordance with Local Plan Policies GI1 and GI2 relating to the retention, protection and replacement of trees.

5) TRE08C - Arboricultural monitoring

No works shall commence on site unless details of Arboricultural Monitoring of the site to include details of (i) person(s) to conduct the monitoring; (ii) the methodology and programme for reporting; and (iii) a timetable for inspections, has been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out unless in accordance with the details so approved.

Reason: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policies GI1 and GI2 of the Cheltenham Borough Local Plan (2020). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

6) Arb Monitoring: TRE01C - Existing trees to be retained

All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any trees or planting indicated on the approved drawings 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 (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 within the ten year period shall be carried out in accordance with BS 3998:2010 (or any standard that reproduces or replaces this standard). Tree planting in areas not subject to development and all deterrent planting should be undertaken at the start of any construction process. This will help ensure tree establishment is successful prior to habitation of dwellings.

Reason: In the interests of visual amenity, having regard to Policies GI1 and GI2 of the Cheltenham Borough Local Plan (2020).

7) Heads of terms for the management of the TPO protected trees should be submitted and agreed prior to the commencement of demolition and construction of any approved scheme.

Reason: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policies GI1 and GI2 of the Cheltenham Borough Local Plan (2020). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

Minerals And Waste Policy Gloucestershire

2nd November 2023 - Comment available to view on website.

Gloucestershire Centre For Environmental Records

13th October 2023 - Report available to view on website.

Building Control

27th October 2023 - This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Parish Council

11th November 2023 –

Objection:

The Committee has grave concerns regarding the addition of traffic from 250 dwellings on to Harp Hill, and the resultant effect, particularly in rush hours, on the junctions with Priors Road, and Greenway Lane at Sixways, and an increase in traffic using Mill Lane. The later in particular will have an increased risk of collisions / accidents. Therefore, great consideration must be given to improvements to the two junctions and what measures can be taken on Mill Lane to improve safety / cope with increased traffic.

There is inadequate parking provision that will result in residents having to resort to anti-social / inconsiderate parking, as clearly evident on the adjacent Oakley GCHQ development's roads.

Plot numbers 227 & 57 will be overbearing to dwellings on Wessex Drive and similarly with plots 211 to 216 in relation to adjacent dwellings on Birdlip Road. Both this issue, and that of

inadequate parking, result from attempting to squeeze too many units into the area. Fewer units would prevent the overbearing nature of parts of the development and allow for an increase in parking provision.

As parking spaces are not necessarily adjacent to the dwellings they serve, how will electrical charging points be provided at all spaces, particularly with regard to apartments?

Concerns have been raised regarding headlights from cars leaving the site shining to windows of dwellings opposite the entrance. The Committee would ask that, in the light of this concern, the position of the proposed access / egress point on Harp Hill is assessed to check it is in the optimal position.

Given the severity of the slopes within the site sufficient grit bins will need to be provided to maintain safety in severe winter conditions. With the increased volume of traffic, grit bin provision for Harp Hill should also be re-assessed.

Both from the Parish Council's experience on its allotment sites, and the more rural character of this site, it is imperative that the proposed allotments are protected by deer-proof fencing, otherwise in practice they will be unusable.

The 675mm dia. outlet pipe from the attenuation pond cuts through the space occupied by the overflow attenuation storage crates, so the design will need to be revised to avoid that clash.

If the Case Officer is minded to permit without the design being revised to address these concerns, the Committee requests that the application is examined by CBC's Planning Committee.

County Archaeology

2nd November 2023 –

Thank you for consulting the archaeology department on this application. The county Historic Environment Record shows that geophysical survey and archaeological trial trench evaluation were carried out in relation to application 20/01069/OUT. On the basis of these investigations this department advised that no further archaeological investigations/mitigation was required. I therefore have no comments to make in relation to this reserved matters application.

From: Emma Williams <admin@glosdesignpanel.co.uk>

Sent: 06 December 2023 14:10

To: Tony Clements <t.clements@nexusplanning.co.uk>

Cc: ataylor@nashpartnership.com; Rob Stroud <Rob.Stroud@vistry.co.uk>; Nigel Lush <Nigel.Lush@vistry.co.uk>; KCharsley@idpgroup.com; Daniel Sharp <d.sharp@nexusplanning.co.uk>; Lucy White <Lucy.White@cheltenham.gov.uk>

Subject: Re: Oakley Farm, Battledown, Cheltenham - 23/01691/REM: GDPR Presentation

Good afternoon Tony and all

Please see below the response from the panel with regards to the latest information that was sent to them for review.

The issues with commenting on these details are the time it will take to understand them on a scheme of this nature and scale and the limited time to arrange a formal and comprehensive second design review. There are a couple of headlines we suggested as requiring development such as the access road location and its potential visibility in the AONB and the proximity of new buildings to the retained hedgerows and trees. Looking at these in more detail:

1. ACCESS VISIBILITY - The road location was agreed as part of the appeal so apart from some additional screening there is not a lot different that could be achieved?
2. VEGETATION - The tree line to the south look to have been relocated which provides more space around the veteran oak tree and an allowance for on street trees so this is a positive. However remain unconvinced that the retention of the hedgerows running north /south is feasible given the proximity of the houses. There does not appear to be any space for the level changes and construction and there is not any additional room for maintenance. Street trees are shown to the southern street only, and still rooting volume is questionable to achieve larger species trees (which is what would be required for them to have some visual filtering / laying effect).
3. RETAINING WALLS – we would hope to see some clarity on the retaining walls that we spoke about last time, still no details of what where and how they will work.

With this in mind and without a more formal review which would provide sufficient time to look at these items and comment accordingly I would suggest our original comments stand and Cheltenham Planning Department need to review the submitted scheme against the earlier comments to ensure they are satisfied that the comments are not relevant or have been addressed.

I trust this is acceptable in this instance.

Kind regards

Emma Williams
Design Panel Admin
07771866651

(Please note that I work part-time, so you may not get an immediate response)



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