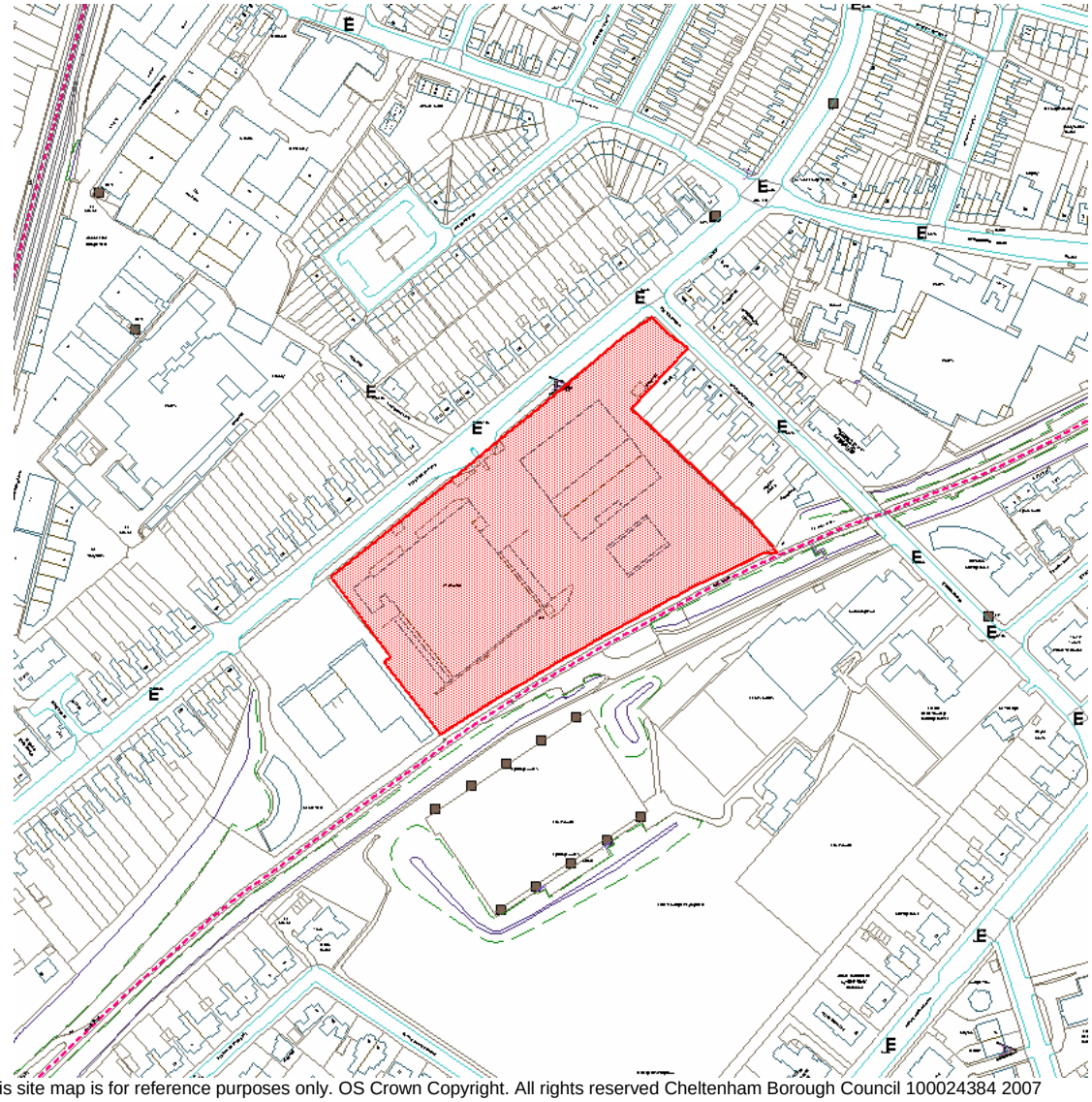
APPLICATION NO: 13/00106/FUL	**OFFICER: Mr Ian Crohill**
DATE REGISTERED: 24th January 2013	**DATE OF EXPIRY:** 25th April 2013
WARD: St Peters	**PARISH:** None
APPLICANT:	Taylor Wimpey Bristol
AGENT:	Quod
LOCATION:	Travis Perkins, Gloucester Road, Cheltenham
PROPOSAL:	Erection of 107 dwellings (class C3) including access and servicing arrangements, car parking, landscaping and associated works

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

1.1 The application proposes the erection of 107 dwellings including access and servicing arrangements, car parking, landscaping and associated works. Clearly that development, if approved, would be following demolition of all buildings on site, though the applicant's have indicated that this will form part of a separate prior approval notification for demolition in due course. The site extends to some 2.5 ha and comprises the existing Travis Perkins builder's merchants. This application forms part of a wider strategy to relocate the company to an alternative site within the Borough. The alternative site is located on Tewkesbury Road, being the former Bonnella Works site on the corner of Brook Road and Tewkesbury Road. And has been vacant for a large number of years. The planning application relating to the use of that site for the establishment of a replacement builder's yard complex is also before Planning Committee this month (13/ 00111/FUL).

1.2 The site is located on Gloucester Road approximately 1 kilometre from the town centre and 400 metres from the railway station. The site currently has one access point onto Gloucester Road. The site is currently occupied by 5 buildings in addition to large areas of external display and storage associated with the sale of building plumbing and heating materials principally to the trade. The use of the site is *sui generis* – a builders merchants.

1.3 The surrounding land is predominantly in residential use. Gloucester Road to the north, north-west has housing opposite dating mainly from the inter-war period but with some modern in-fill examples. To the east of the site there are a number of substantial 2-3 storey semi-detached dwellings fronting Malvern Road and to the south is located the former railway line, the Honeybourne cycle/footway with the Cheltenham Ladies College sports centre, courts and pitches beyond. To the west is a relatively recent commercial development, the land formerly being part of the Travis Perkins builders' yard.

1.4 The site has been in use as a builders' yard for over 40 years. The applicants claim that, for reasons partly related to the historic nature of the use and perhaps more significantly the way in which the business has evolved over the years, the premises are no longer fit for purpose. The site, they argue, is simply too large for their requirement. As already stated, it spreads to almost 2.5 ha with multiple buildings on site. This leads to an inefficient use of the site and has led to the applicants acquiring alternative premises on Tewkesbury Road. That site is substantially smaller (58% smaller) and would have a new purpose built floorspace. The applicants state categorically that if both planning permissions are in place, all existing jobs from the Gloucester Road branch will be transferred to the Tewkesbury Road site.

1.5 The application has been accompanied by a Planning Statement, a Design and Access Statement, a Transport Statement, a Travel plan, a Flood Risk Assessment, a Shadow/Daylight Assessment, a Desk Study fro Ground investigation, A statement of Community Involvement, an Affordable Housing Assessment, and an Arboricultural Survey. Members' attention is drawn to these documents which are available to read on line and assist in reaching a full understanding of the proposal.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:
Honeybourne Line
Smoke Control Order

Relevant Planning History:
12/01138/PREAPP REC

Proposed residential (Class C3) redevelopment

03/00975/OUT 5th August 2003 REF
Erection of 24 apartments

03/01339/OUT 13th October 2003 REF
Erection of 24 Apartments

03/01636/FUL 15th December 2003 REF
New entrance and parking layout

02/01662/FUL 13th December 2002 REF
Reconfiguration of access/entrance

01/01723/COU 2nd April 2002 PER
Creation of new fire escape for existing first floor office suite and division of car park

01/01329/OUT 12th November 2001 WDN
Construction of access road and 9 no. residential units (outline)

98/00467/PF 30th July 1998 PER
Erection Of Car Showrooms and Workshop (Incorporating Minor Amendments To Those Previously Approved Under CB10689/17)

96/00972/PF 20th February 1997 PER
Construction Of Two Car Showrooms/Dealerships

96/00973/PO 20th March 1997 REF
Outline Application - Apartment Block For 24 Flats

95/00467/PO 27th July 1995 PER
Outline Application For A Residential Development On Part Of Site

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies
CP 4 Safe and sustainable living
CP 7 Design
GE 5 Protection and replacement of trees
GE 6 Trees and development
EM 2 Safeguarding of employment land
HS 1 Housing development
HS 4 Affordable Housing
RC 6 Play space in residential development
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety
TP 6 Parking provision in development

Supplementary Planning Guidance/Documents
Affordable housing (2004)
Development on garden land and infill sites in Cheltenham (2009)
Landscaping in new development (2004)
Planning obligations: transport (2004)
Play space in residential development (2003)
Security and crime prevention (2003)

National Guidance
National Planning Policy Framework

4. CONSULTATIONS

Cheltenham Civic Society
8th February 2013
We consider that the opportunity to create something really impressive on this significant town centre site has been lost. Both the layout and the design are unimaginative and very standard.

8th May 2013
ADDITIONAL COMMENTS ON 13/00106/FUL, Travis Perkins site, revised plans:
We still regret that the opportunity for something more impressive has not been taken on this important town centre site. But we do accept that the frontage to the Honeybourne Way is well handled and that there will be substantial benefit from the pedestrian and cycle access through the site to the town centre. We still think that something bolder is called for on the Gloucester Road frontage.

Crime Prevention Design Advisor
21st February 2013
In my capacity as Crime Reduction Design Advisor for Gloucestershire Constabulary I would like to comment on the planning application at the former Travis Perkins, Gloucester Road, Cheltenham with reference number 13/00106/FUL. I would like to draw your attention to the PDF document attached to the carrying e-mail which should be read in conjunction with the following crime generating subjects.

Crime and Disorder Act
Gloucestershire Constabulary would like to remind the planning committee of their obligations under the Crime and Disorder Act 1998, Section 17 and their "Duty to consider crime and disorder implications

(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area."

Design and Access Statement
This application's Design and Access Statement has shown a clear understanding of crime prevention, designing out crime techniques or site security.

Planning Policy
Cheltenham Borough Council's Local Plan which contains Policy CP 4:
"Development will be permitted only where it would:

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

Carbon Footprint of Crime
The carbon cost of crime is based on a formula created by Prof Ken Pease for converting the financial costs of crime into the energy expenditure of the emergency services and criminal justice service as they respond to criminal events. In Gloucestershire this roughly

equates to 257,012 tonnes of CO2 generated in 2012, with the Cheltenham responsible for 27% a total of 65680 tonnes of CO2. Over the past 12 months 160 crimes occurred on Gloucester Road; a small proportion of the 978 crimes which occurred in the St Marks policing area, which generated 3262 tonnes of CO2.

Secured by Design

Secured by Design focuses on crime prevention of homes and commercial premises; promoting the use of security standards for a wide range of applications and products. The design principles can reduce crime by 60%; create a positive community interaction; work to reduce the opportunities exploited by potential offenders; remove the various elements that contribute and encourage situational crime; and ensure the long term management and maintenance of communal areas.

To assist in achieving these security levels the door sets and windows installed in these buildings should comply with BS PAS 24:2012; however BS PAS 23:1999 and BS PAS 24:2007 doors and BS7950:1997 windows will still be acceptable until August 2013.

Laminated glazing should also be used on glazed door panels, windows adjacent to doors and any additional glazing which is easily accessible to provide additional security and resilience to attack.

The 16 properties allocated to the Housing Associations are obliged to build in the Secured by Design principles and standards; however the remaining 91 dwellings will fall outside of these building standards. To this end Gloucestershire Constabulary would like to see these security standards incorporated across the development/ site and remove the disparity between affordable homes having higher standards of security than those dwellings built for sale.

Permeability

The layout should encourage all routes, housing types and layout to offer spaces that are overlooked, integrated within the community and well used to increase opportunities of passive surveillance.

Surveillance

Secluded and shaded areas naturally instil a fear of crime as residents anticipate the opportunities for ambush, assault or robbery; homes are also at risk as recessed doorways provide burglars with a concealed means to enter a building. These issues will be reduced by providing each dwelling with sufficient lighting and fenestration to allow natural surveillance from high occupancy rooms. The street scene and landscaping should encourage passive surveillance from the pedestrian and vehicular movement; this can be achieved by keeping the ground level plants below 1m in height, while removing epicormic growth and lower branches to a height of 2 metres.

Residential dwellings

The layout and the construction phasing should compliment the requirements of the masterplan and design brief requirements; thereby avoiding the creation of large areas of 1.8 metre walls and fencing, restricting the use of windowless elevations facing onto the street scene and removing any sense of ownership which will encourage crime. Each of these features will be created when the development is divided into smaller land parcels; designed and built out with very little regard for neighbouring sites or the over arching masterplan.

Each housing cluster should offer back-to-back gardens to create security through perimeter blocking; ideally vehicles should be parked within the curtilage of the property; with the appropriate use of planting and landscaping design and external lighting.

Dwellings designed to be adaptable under the 'Life Time Home' status should also provide intrinsic security features especially when you consider that crime is a major reason for people to move home. Being able to adapt a home over several decades would be wasted if the occupant became a victim of crime and moved after 5 years.

Apartments

The communal entrance door to each of the blocks should form the first line of defence; it should be fitted with an access control system that incorporates telephone door entry system so that residents can confirm their visitors. Each apartment should be supplied with separate utility meters stored outside of the building, also provision for a safe mail drop which would not compromise the building security.

The design should carefully consider the security of the ground floor apartments by installing the appropriate window openings and providing a defensible space where the occupants can demonstrate ownership. Poorly considered spaces will increase the fear of crime, leading to windows constantly covered with a curtain and subject to all manner of crimes.

Communal storage buildings

The Refuse storage should be set away from the building to prevent arson, housed in a purpose built structure that includes lockable doors or gates, appropriate security lighting, have clear signage, subject to natural surveillance from the surrounding area and easily accessible during refuse collection by the council.

The cycle store should be housed in a purpose built structure with a BS PAS 24: 2007 external door. Inside lighting will provide a 15 Lux average, with Sold Secure anchor points or a galvanised steel pipe with minimum wall thickness of 3mm and foundation depth of 300mm that encourage both wheels and the crossbar to be secured. The type and quality of the security products used should be proportionate to the value of modern cycles and reduce the impact of crime on an individual.

Footpaths

The designs of public footpaths will be influenced by the principles described in 'Manual for Street'; therefore any footpaths exceeding 1.5m wide should have vehicle mitigation designed into the entry/ exit points to restrict motor vehicles from entering, using them as a thoroughfare or as an ad hoc parking area. "Good design will minimise the risk of ad hoc parking that might compromise designed spaces." (Guidance Note: Residential Parking - The Chartered Institution of Highways and Transportation Institute of Highway Engineers, 2012)

Boundary treatment and garden fencing

Boundary treatments for each property need to promote private, semi-private and semi-public spaces. Where the rear gardens offer opportunities to enjoy the natural vistas extending beyond the boundaries of the site, or provide means of observation across the car parking the rear garden fences should not exceed 1.5m in height; this will provide natural surveillance from the dwellings, views across the surrounding landscape, encourage neighbour interaction and security for the car park.

Any boundary treatment or building elevation which abuts large areas of Public Open Space should integrate a planted defensive area which incorporates a variety of spiky plants to help protect the rear boundary.

Management and maintenance

In an effort to preserve the quality finish, reduce the anti social behaviour, create safe and friendly public spaces. "Management and maintenance needs to be part of the design and delivery process across a large scheme." (Design Council CABE Case Studies 5, 2012) The landscape will need to be continually managed by either the council or an external

company under contract to demonstrate a level of ownership and community respect for this public space; the plants should be maintained to offer natural surveillance and restrict any opportunities for hiding, stalking and ambush. "The level of investment in the public spaces and the quality of its management does rely on there being sufficient resources from residents and a competent organisation overseeing the scheme to maintain this quality approach." (Design Council CABE Case Studies 1, 2012)

Public Art
The intended Artwork should be robust and able to withstand potential damage or misuse. To ensure its long-term survival it should reflect the local character of the area, drawing it into the community and inspiring respect. The artwork should be of an easily cleaned/ repairable construction and made from a non-desirable material to reduce the likelihood of theft.

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

County Archaeology
12th February 2013 - Archaeological and historic building implications

In connection with the above planning application I wish to make the following observations.

I advise that there is no archaeology known within the application site. However, the wider locality is known to contain extensive evidence for Roman settlement and agricultural activity. In view of the large size of the application site (c. 2 ha) I therefore have a concern that significant archaeological remains may be present and that such remains would be adversely affected by any new construction works required for this development proposal.

In addition, historic maps dating to the early 20th century indicate that the application site once contained railway sidings and associated buildings including a large engine shed, the footprint of which would appear to be incorporated within one of the modern structures which currently occupy this site. Therefore, I have a concern that an historic structure relating to the industrial history of the area may be present on this site.

20 May 2013
I have today spoken to Amanda Hooper of English Heritage and she has confirmed that the application to designate the GWR engine shed as a Listed Building was not successful. For that reason, in accordance with the NPPF, paragraph 128, I recommend that in advance of the determination of this planning application the applicant should provide an assessment which describes the significance of any heritage assets contained within the site and how these would be affected by the proposed development.

On that basis I think it would be difficult to argue that the engine shed is a heritage asset meriting preservation in situ, and I therefore have no objection to the development which is proposed. The engine shed is clearly a structure of interest, and I recommend that provision is made for recording the structure both before and during its demolition.

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

'No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of

archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority'.
Reason: to make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework

Landscape Architect
18th March 2013
In general the proposals are acceptable, being based on an attractive palette of plants. However, there are some issues which need to be addressed:

There are a number of planting beds along the sides of dwellings. From experience of developments elsewhere in Cheltenham, this arrangement is not successful, with the planting being poorly maintained. Consider incorporating these beds within garden boundaries, paying attention to the hard landscape treatment of the boundary to enhance the public realm.

Boundary with the Honeybourne Line
In terms of the public realm, improving informal surveillance of the Honeybourne Line is an important potential benefit of the proposed development. The number, species and arrangement of trees along this boundary should be selected to ensure this outcome. This might result in a reduction in the number of trees proposed. Trees framing the access points should be spaced far enough apart to avoid creating 'ambush' points next to the access paths.

The proposed planting along this boundary is a palette of grasses. Elsewhere in Cheltenham, ornamental grasses have proved difficult to maintain. Some of the taller grasses might also reduce informal surveillance of the footpath. Alternative planting schemes should be considered, with emphasis being given to maintaining an open aspect to the Honeybourne Line.

The proposed public art and the landscaping plans should be designed as part of a cohesive scheme, with one complementing the other. More information is required regarding the public artwork, the hard landscape treatment of the boundary edge and how changes in level are to be dealt with. Cross-sections and illustrations should be provided.

Architects' Panel
12th March 2013
Massing and Scale
The site appears to have been laid out with multiple entrances from Gloucester Road, a central crossroads and a circular route around the site. This provides vehicular access to the new dwellings but does little in terms of placemaking. We question how pedestrians move around the site, whether a circuit is the right answer and why there is a need for so many new vehicular entrances? The layout of the houses also requires various rear alleys to get access to rear gardens. The scheme also lacks public outside space, meeting spaces, etc which we believe is crucial for the success of this type of scheme and should be achievable with 107 new dwellings.

5. External Appearance.
The elevations are poor and could be anywhere. The reference to a pair of brick built semi detached properties opposite appears spurious, especially when much of the proposal is 3 storeys and vertical in its proportions. The windows appear to have been taken from a standard book with a strange mix and flat horizontal proportions (in some cases there are 4 different windows in a single elevation?)

6. Detailing and Materials
The materials are drawn from the local palette but are not used in a suitable manner.

7. Environmental Design.
The scheme warrants a true sustainable brief not just a minimum CfSH grading.

8. Summary
We believe the layout is poor and uninspired, the aesthetics are poor and do not relate to Cheltenham or any form of high quality modern architecture. The massing could be acceptable and the historic precedent of the Cheltenham townhouse could support the 3 storey nature of the plans, but not in its current guise. We would suggest the house types could provide a more sympathetic terrace frontage which could increase site density and allow some communal open space within the scheme?

9. Recommendation
Please Refuse.

Contaminated Land Officer
5th February 2013
Please impose standard contaminated land planning condition

HMO Division
8th February 2013
Analysis of proposal/s
1. The useable floor area of smaller bedrooms indicate they are below the minimum for single person occupation. e.g. PT36 Easedale P/Nos: 62, 14, 17. PB41 Easton P/Nos: 17, 18, 80, 81, 21-24. PA31 Denford P/Nos: 3, 4, 7, 8, 87, 88., A656 P/Nos: 45, 15.

Recommendation/s
The proposal should be modified to show floor areas of no less than 7 sq.m for a single bedroom and 10.5 sq.m for a double bedroom. respect to the Housing Health and Safety Rating System (Housing Act 2004). Consideration should also be given to reducing the seriousness of Category 2 Hazards to an acceptable level.

GCC Highways Planning Liaison
6th February 2013
I refer to the above planning application received on 31/01/2013 with plan No. 0466-102

Pre-application discussions have previously taken place between the Highway Authority and Hydrock and Focus on Design Partnership with regard to the proposed layout and transport issues relating to the residential development.

<u>Transport Statement</u>
The transport statement, dated December 2012, has been reviewed and the information contained within it considered by the Highway Authority. The proposed development will be located on the site of the former Travis Perkins builders' merchant yard. Access into the new development will be by way of Gloucester Road for the majority of the dwellings (three plots are to be served off Malvern Road). Pedestrian and cycle links are to be provided from the development to the Honeybourne Line which runs along the back of the site. Gloucester Road is a Class 2 highway (B4633) which is subject to a 30mph speed limit. The site is located along a bus route and is located near to the local train station. The visibility from the proposed access along Gloucester Road is in excess of what Manual for Streets requires for an access located along a road with a 30mph speed limit, visibility is

therefore deemed acceptable. In terms of accessibility and sustainability the site is considered to be excellent.

Accident data ' Accident data for the past three years in the vicinity of the site shows that there have been seven reported incidents, five of which resulted in slight injury and two in serious injury. However, it is reported that all of the incidents were caused by driver/pedestrian error and are not considered to be as of a result of a highway layout itself at this location.

Trip generation - From the TRICS data that has been provided and the information within the transport statement it would appear that the change in use of the site from a builders merchants to a residential development of 107 dwellings will in fact result in less vehicular two-way traffic movements in both the am and pm peak hours (am peak - reduction of 48 movements, pm peak ' reduction of 12 movements). Therefore in terms of trip generation the development is deemed acceptable by the Highway Authority as there will be no detrimental impact on the highway network.

At this stage full engineering details have not been submitted for the works along Gloucester Road, which will include works on the existing public highway. I have therefore recommended a condition that requires details of the access works and footway works to be submitted for approval prior to works commencing on site. I note that on the Planning Layout plan that the footway fronting plots 9 to 11 reduces in width. A minimum 2m wide footway will need to be provided at this location and the details to be submitted should include this.

Travel Plan

A travel plan has been developed but implementation of the plan is not to be secured by way of obligation or condition as the Highway Authority believe that the development is in such an accessible location, with regards to walking/cycling/public transport, that a full plan does not need to be implemented and monitored by the Council. The Developer is encouraged to promote the travel plan themselves to the new residents and encourage the use of sustainable modes of transport.

Parking

The proposed car parking for the development is considered acceptable. The Developer has proposed 200% allocated parking (2 per dwelling) plus 20% visitor parking (0.2 per dwelling).

Pedestrian/Cycle Links

Pedestrian links are to be provided from the new development to link to the existing Honeybourne Line. Three links are proposed. The links will encourage the use of the Honeybourne Line which provides a footway/cycleway link to parts of the town including the train station, Prince of Wales Stadium and out towards Pittville. The provision of these links will need to be secured by condition to ensure they can be retained and maintained in the future.

Vehicle Tracking

Tracking for a large refuse vehicle (3 axle) has been submitted as part of the planning application and demonstrates that a vehicle of this size can manoeuvre around the development safely within the limits of the highway.

In conclusion in terms of impact on the highway network , highway safety and good layout and design the development accords with current government guidance, National Planning Policy Framework, and I recommend that no highway objection be raised subject to certain conditions being attached to any permission granted.

Tree Officer
20th February 2013
The Tree Section does not object to this application however several pieces of information are necessary to be submitted and agreed prior to the granting of any Planning Permission

1. Detailed landscaping scheme-showing species, sizes, locations, root types, tree pit details, aftercare and maintenance regimes etc

2. Utility plans for underground services showing that no trenches are to be located in any Tree Protection Zones

3. Tree protection plan for G3 T5 and T6-these are street trees are considerable size and their roots are likely to ingress into this site. As such an appropriate area of land within the site needs to be protected during construction. Distance of the fence details are contained within the submitted Arboricultural Constraints Report

Trees within the site and fronting onto Gloucester Road have been earmarked for removal. The trees are of variable standard and safe useful life expectancy and it is the opinion of the Tree Section that their removal and replacement with 7X18-20 lime trees would be of overall benefit to the street scene. However agreement with the tree's ultimate owner (Gloucestershire Highways) must be agreed and appropriate commuted sums paid for each tree in anticipation of future management. As such it is recommended that this application is commented upon by Glos Highways Trees Officer, Catherine Stent.

It is likely that this council would give permission for the removal of hedge G9+10 which fronts on to the Honeybourne line. However alternative landscaping/planting details for this area need to be submitted and agreed. Anecdotal evidence has suggested that the land on the Honeybourne line adjacent to the Ladies College is prone to occasional flooding. Action to address this so as to ensure any future adjacent properties are not flooded should be incorporated to address this.

Urban Design Manager
23rd May 2013

Conclusion:
The proposal is acceptable in this form. It develops good linkages with the Honeybourne Line and should help with surveillance of the Line – though the internal layout of some units could be reconsidered to improve the situation. Layout has improved through negotiation and the landscape strategy has developed well. Density is similar to the higher density of nearby streets and it is not considered that there will be amenity impacts other than in one specific instance, where conditions should address the problem.

Context
The site is currently a builder's yard and was formerly Malvern Road railway station and sidings. It sits between

- the Gloucester Road – a main orbital around the west side of the town
- housing fronting onto Malvern Road
- the Honeybourne Line – a former railway track, now a pedestrian-cycle which is a green link between both the town centre and St Paul's area with Cheltenham Spa railway station
- commercial premises also fronting, but set well back from, Gloucester Road across a landscaped frontage.

The site is flat and largely devoid of landscape cover apart from some boundary trees on the Gloucester Road frontage. Beyond the site, towards Malvern Road the land rises, so

that housing here sits above the site, with gardens falling into it; there is also a rise beyond the Honeybourne Line, which is in cutting on the south east side. There is substantial tree cover around (though outside) three sides of the site – Gloucester Road (street trees), Malvern Road (boundary planting and garden trees) and Honeybourne Line (boundary and "trackside" planting). The planting on the Honeybourne Line is a dense row of conifers which are not considered to have any amenity value.

Housing opposite the site on Gloucester Road consists of two strong typologies. One to the south is red brick, two-storey Victorian semi-detached behind 5m (approx) front gardens, with long back gardens; the other to the north, two-storey, white painted brick mid-20th century behind 8m (approx) front gardens, with long back gardens. Housing abutting the site on Malvern Road is two-and-a-half (frontage) to three-storey (at rear) rendered villas dating from the mid 19th-century, with 3m front gardens and 25m plus rear gardens; housing opposite on Malvern Road and continuing north on the same side along Gloucester Road is two-storey white-rendered mid-19th century terraced housing with 5m (approx) front gardens.

Issues
The main urban design issues are:

- developing a strong relationship to the main frontage areas on Gloucester Road and the Honeybourne Line
- achieving a layout which is a satisfactory living environment for those on the site, a good neighbour and adheres to good urban design practice in terms of legibility and permeability and an acceptable architectural treatment.

Analysis
1. Relationship to frontages
The main concern for the Honeybourne Line relationship has been to improve the current negative relationship between the site and the Line, providing both enhanced security for users of the line and links from the site (and hence through from Gloucester Road) to the line. This has been achieved. The removal of the existing dense row of conifers and its replacement with a more open landscape scheme establishes a strong relationship between the two parcels. This is enhanced by the three points of linkage, which provide easy access to a sustainable transport link into town, the station and the nearby play area. Routes through the site to the Gloucester Road provide a valuable additional point of access to the Line. The housing fronting the Line is three-storey and looks onto the Line across a circulatory route. Whilst the relationship benefits both the site and the Line, some of these units have only bedrooms fronting onto the Line, with kitchens (ground floor) and living rooms (first floor) facing into the rear garden. A preferable arrangement would have been for the more "active" rooms to face the Line, which would provide it with enhanced surveillance and would reduce over-looking issues to rear gardens and rooms of buildings backing onto the housing.

The relationship to Gloucester Road is an active frontage relationship, mirroring, in a modern day format, the housing opposite. Roadside verges are retained, there is some new tree planting, housing fronts the road, with shared access points, broken by landscape treatments. This element is successful.

2. Layout
The layout has been a significant point of discussion through the application process and improvements have been achieved through discussions with both officers and the architects' panel. These improvements have benefited both the relationship to the Gloucester Road and Honeybourne Line frontages described above and the internal layout.

- The street layout now follows a regular pattern with perimeter blocks. There is one main vehicular access centrally from Gloucester Road feeding a circulatory loop with

a central pedestrian priority street. This allows three pedestrian/cycle access points to the Honeybourne Line.

- Parking is largely on-plot, on-frontage or on-street well related to housing. Rear parking courts, prevalent in early iterations, have been removed, improving the perimeter block structure and, consequently, on-street activity and surveillance; whilst reducing opportunities for crime. Housing fronting Gloucester Road has a series of shared access drives to the frontage separated by landscape.
- The improved structure to the layout has benefited the public realm with opportunities for some tree planting and small front gardens. Street form and planting along the Honeybourne Line frontage is rationalised and improved from the existing. If the parking regime works, the streets should be pedestrian friendly.

The scheme density has consistently remained at 42dph throughout the negotiation. Nearby blocks vary between 31dph (Malvern Road) and 44dph (Gloucester Road/ Pates Ave – including open space). Whilst the proposal is clearly at the higher end of this range, these comparators do produce liveable homes and places and the proposed density is not considered unacceptable.

There is considered to be little adverse amenity impact on neighbours. On Gloucester Road the buildings face each other across the tree-lined street at some distance. On Malvern Road there is a back to back garden relationship. The existing buildings (predominantly 3-storey on this elevation) and proposed buildings (predominantly 2.5-storey with three 3-storey units) are about 40m apart and those on Malvern Road are elevated above the proposal. Existing boundaries to Malvern Road and some of the existing gardens have significant tree coverage, which will provide ample screening for much of the year and partial screening for the winter months.

The one area of apparent amenity difficulty is unit 44 – a flat over garages – which is 1.5-2.5m from the rear garden boundary of two houses on Malvern Road, with kitchen, bathroom and landing windows over-looking two rear garden areas. This relationship could be considered to dominate the rear of the gardens, even if windows can be frosted. Additionally it is unclear how the strip behind the unit will be used. This area will need further consideration.

Architectural style is traditional in form – pitched roofs over brick or render. Housing on Gloucester Road is intended to reflect the typology opposite.
Public art will be provided – most likely along the Honeybourne Line. This needs to be designed by the developer working with the Public Art Panel and negotiations will begin if the scheme is permitted.

5. PUBLICITY AND REPRESENTATIONS

5.1 A total of 85 letters of notification were sent out and following receipt of revised plans further letters were then sent out. In addition the receipt of the application was advertised in the local press and on site.

5.2 Over 30 letters of representation (including on-line comments) have been received to date. The issues raised by writers of the representations can be summarised as follows:

1. Generally welcome the principle of redevelopment of site for residential purposes
2. 2.5-3 storeys at back of Malvern road unacceptable – will create shadow and overlooking
3. Concern re boundary security
4. Uninspiring architecture, poor quality of design
5. Traffic generation; significant amount of traffic increased along Gloucester Road
6. Concern re security along Honeybourne Line

7. Density much too high
8. Flat 44 has been repositioned with overlooking windows only 1-2m from boundary
9. No increase in recreation facilities
10. Access at bottom of Malvern Road near junction to Gloucester Road will cause difficulties (this in fact is an access only to an existing electricity sub-station)
11. Inadequate parking provision within site
12. Golden opportunity for as mini roundabout at Malvern Road/Gloucester Road junction has been lost.
13. Development will give rise to need for additional school provision
14. Cycle and pedestrian access onto Honeybourne Line should be separated.
15. One access onto Honeybourne Line is a real missed opportunity.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The key considerations in the assessment of this application are the principle of developing the site (with specific reference to the provisions of the National Planning Policy Framework and consideration of policy EM2), the design and layout of the proposal, potential impact on neighbouring amenity and highway considerations. These matters will all be considered below.

6.2 Principle of Development

6.2.1 Local plan Policy

6.2.2 Policy HS1 (Housing Development) states that housing development will be permitted on land allocated for housing or previously-developed land, subject to a number of policies which are not relevant to these proposals. The application site is unallocated, but is currently used as a Travis Perkins builders' merchant therefore is clearly brownfield land, i.e. previously developed. As such, the principle of residential development is acceptable on this site.

6.2.3 Furthermore Policy EM2 (Safeguarding Employment) is not directly relevant to the proposal, when it is recognised that the site's lawful use, i.e. builders' merchant is in fact sui generis and does not fall within uses Classes B1, B2 or B8, to which Policy EM2 specifically relates. Notwithstanding that fact, however, even if Policy EM2 is considered, the proposed redevelopment of the site for residential use would comply with that Policy. In particular, the policy states that a change use of land or buildings in existing employment use (i.e. Use Classes B1, B2 or B8 inclusive) will not be permitted except, inter alia, where development of the site for appropriate uses other than B1, B2 or B8 will facilitate the relocation of an existing firm to a more suitable site within the Borough. As has already been stated, this application is being advanced in conjunction with an application for a proposed purpose built builders' merchants at the former Bonella Works site on Tewkesbury Road,

If planning permission is granted, it will facilitate Travis Perkins' relocation from their existing branch on Gloucester Road. This relocation site is a brownfield site and is both operationally and locationally superior to their existing branch on Gloucester Road. In short, it is a far more suitable site. It is considered therefore, that in any event, compliance with Policy EM2 can be demonstrated. If approved the two schemes would see the likely retention of an important employer within the Borough. The proposals do represent a statement if intent by the applicant and the decision to locate a replacement branch within the Borough, retaining existing jobs, is welcomed. The relocation does, however, depend on both proposals being approved and Members need to be aware that if planning permission were to be granted the applicant would have to enter into a section

Agreement linking the two permissions to ensure that the relocation did in fact take place.

6.2.4 National Planning Policy Context

6.2.5 Consideration of Policy EM2, in any event is somewhat dated given the publication of the National Planning Policy Framework. At the heart of this Framework there is the presumption in favour of sustainable development. (Para 19) "*The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth."*

6.2.6 The NPPF goes on to state at para 21; "*Investment in business should not be over-burdened by the combined requirements of planning policy expectations……*" Officers consider that this advice is directly relevant to the assessment of the two applications at Gloucester Road and Tewkesbury Road. The applicant has a clear aspiration to create a new builders merchants depot within the Borough and they claim that the existing site is inefficient and no longer fit for purpose. The redevelopment of the existing Gloucester Road site will help fund this relocation, albeit with significant investment as well, and therefore Officers consider that the advice within para 21 of the NPPF represents a material consideration of significant weight.

6.2.7 Furthermore the NPPF is underpinned by a presumption in favour of sustainable development, which for decision-taking means *"approving development proposals that accord with the development plan without delay"*. As set out above, the application proposals accord with the provisions of the Development Plan, including consideration of Policy EM2 which is not strictly relevant in this case. It could therefore be argued that planning permission should be granted *"without delay"*.

6.2.8 The NPPF provides significant in principle policy support for the application proposals. The Framework places a major emphasis on Local Planning Authorities significantly boosting the supply of housing with objectively assessed needs being met in full. To this end, there is a need for housing in Cheltenham for additional housing, and this need is underpinned by recent planning appeals in which it has been argued that the Authority cannot meet its five year supply. It also highlighted persistent under delivery indicating the requirement to provide a 20% buffer (i.e. a 6 year supply).

6.2.9 In conclusion, the principle of the proposed development would appear to accord with the relevant 'saved' Policies within the Cheltenham Borough Local Plan and would appear to be fully supported by the NPPF.

6.3 Design and layout

6.3.1 Local Plan Policy CP7 (design) states that development will only be permitted where it achieves the following requirements;

a) is of a high standard of architectural design; and

b) adequately reflects principles; and

c) complements and respects neighbouring development and the character of the locality.

6.3.2 The scheme has been significantly revised since its initial submission following comments from both the Civic Society and the Architects Panel that were not particularly complimentary. The Council's Urban Design Manager has been closely involved in consideration of this application and the changes in layout and external appearance have

come about greatly as a result of negotiations between the applicant's architect, the Urban Design Manager and the Case Officer. The comments made by both the Civic society and the architects Panel have also informed the process.

6.3.3 The development scheme comprises a mix of dwelling types. The majority of the 107 dwellings are to be houses, either semi- detached or terraced. In addition two small blocks of apartments are proposed there would be a mix of 2, 2.5 and 3 storey buildings within the site.

6.3.4 The Gloucester Road frontage to the site has been designed to be fairly traditional, all brick and has been simplified by removing the high window bars and making the ground floor bays (where they are applicable) slightly higher. Overall the design of the dwellings has been simplified with the windows balanced and a reduction in the height of the roof pitches. Also a double band of brick in blue (very common to area) as a plinth in blue brickwork that will sit below the ground floor window cill level has been introduced to maintain the 'traditional' appearance. In addition proper 'corner turning buildings' have been introduced to mark the site entrance, in addition to two buildings of scale (at the north east corner) – a pair of 2.5 storey units.

6.3.5 No units will now have access from Malvern Road; just a small service drive is to be provided off Malvern Road purely for the maintenance of the sub station.

6.3.6 The central parking courts that appeared in the initial scheme have also been removed, in favour of creating further space to the (in particular) easternmost north/south street, this would allow more landscaping, public realm activity and parking bays to be provided. Where courts have had to be retained (north west and north east), these now adopt a mews form with sentry buildings positioned to improve surveillance.

6.3.7 Where the development is adjacent to the Honeybourne Line, a more 'modern' interpretation is proposed with a predominantly render appearance – with some coloured elements to the facades creating further rhythm in the appearance and a distinct character from the other parts of the site and as viewed from the Honeybourne line.

6.3.8 The central link through the site creates a transition between the traditional brick and more modern rendered detailing.

6.3.9 In addition further revisions have also improved the scheme for example; variation in carriageway widths, surfacing and landscape; separation of the private drives along Gloucester Road along with the introduction of landscaping/front gardens and more significant landscaping and trees along the Honeybourne Line.

6.3.10 It is worth repeating here the conclusions reached by the Urban Design Manager in his comments.

"The proposal is acceptable in this form. It develops good linkages with the Honeybourne Line and should help with surveillance of the Line – though the internal layout of some units could be reconsidered to improve the situation. Layout has improved through negotiation and the landscape strategy has developed well. Density is similar to the higher density of nearby streets and it is not considered that there will be amenity impacts other than in one specific instance, where conditions should address the problem."

6.4 Impact on neighbouring property

6.4.1 Local plan policy CP4 advises that development will only be permitted where it dose not cause unacceptable harm to the amenity of adjoining land users and the locality.

6.4.2 Occupiers of properties in Malvern Road have expressed concern with regard to the height of the buildings to the rear of their boundary. However, there is a normal back to back garden relationship. The existing buildings (predominantly 3-storey on this elevation) and proposed buildings (predominantly 2.5-storey with three 3-storey units) are about 40 metres apart and those on Malvern Road are elevated above the proposal. Existing boundaries to Malvern Road and some of the existing gardens have significant tree coverage, which will provide ample screening for much of the year and partial screening for the winter months.

Local residents have also raised the issue of density, expressing the view that it is too high. However, it should be noted that the density of the scheme has consistently remained at 42dph throughout the negotiation. Nearby blocks vary between 31dph (Malvern Road) and 44dph (Gloucester Road/ Pates Ave – including open space). Whilst the proposal is clearly at the higher end of this range, these comparators do produce liveable homes and places and the proposed density is not considered unacceptable.

6.4.3 The other main concerns appear to relate to the Honeybourne Line and in particular security. The Honeybourne Line relationship has been improved. The current negative relationship between the site and the Line and the lack of security for users of the line are the main issues. The security has been enhanced and links from the site (and hence through from Gloucester Road) to the line have been incorporated. The removal of the existing dense row of conifers and its replacement with a more open landscape scheme establishes a strong relationship between the two parcels. This is enhanced by the three points of linkage, which provide easy access to a sustainable transport link into town, the station and the nearby play area. Routes through the site to the Gloucester Road provide a valuable additional point of access to the Line. The housing fronting the Line is three-storey and looks onto the Line across a circulatory route.

6.4.4 The question of traffic generation and amount of parking has also, not surprisingly, been raised. However, it will be noted that the Highway Authority are happy with the scheme, traffic generation is calculated as being lower than that from the builders merchants use and two allocated parking spaces along with incidental parking is more than sufficient.

6.4.5 Subject to conditions, Officers are satisfied that the proposed development will not compromise neighbouring amenity and it is therefore in accordance with the provisions of local plan policy CP4. It should be noted that the development will constitute a better neighbour than the existing builders yard use of the premises which is also an important consideration.

6.5 Access and highway issues

6.5.1 The comments provided by the County Council in relation to highway safety conclude that the scheme is acceptable. It is suggested that the proposed development would result in a reduced level of traffic moving in and out of the site and that the position of the existing vehicular access is suitable to serve the proposed development.

6.6 Other considerations

6.6.1 Members will note that both the Council's tree officer and Landscape Officer raise points with regard to trees and landscaping. It is considered that all the matters raised can be covered by way of conditions, should permission be granted.

6.6.2 The application proposes 107 dwellings and therefore triggers local plan policy HS4 relating to affordable housing. This policy requires the following;

6.6.3 *"In residential developments of 15 or more dwellings or residential sites of 0.5 hectares or greater, a minimum of 40% of the total dwellings proposed will be sought for the provision of affordable housing. "*

6.6.4 Members will recall from an earlier section of this report that the redevelopment of the application site will help fund the relocation of the applicant to the proposed new premises at the Bonella Works on Tewkesbury Road. Importantly however, the development value generated by the proposed residential scheme on Gloucester Road does not meet the overall cost of the relocation. It is for this reason that the applicant is proposing that only 15% (16 dwellings) of the houses be made available as affordable housing.

6.6.5 The application was accompanied by a (confidential) viability assessment and this assessment was independently verified by the District Valuation Service (DVS). The DVS were asked to clarify two matters; first that the construction costs and development values being suggested for the proposed redevelopment were realistic, and second that construction costs for the proposed replacement facility at Tewkesbury Road were realistic. The answer to both of these questions was that when viewed alone the residential scheme was viable at the 40% affordable housing requirement. However, in order to fund the Tewkesbury Road it was also independently agreed that it was realistic in terms of costs and values that a reduced percentage affordable housing enabled the relocation package to proceed and therefore that the applicant's figures could indeed be relied on.

6.6.6 Having established that the viability assessment was reliable, it is important to revert to the requirements of local plan policy HS4. This policy is accompanied by a note that states that the proportion of affordable housing may vary to take account of the exceptional circumstances relating to a site. In this instance, the applicant is suggesting that the relocation does in fact represent exceptional circumstances.

6.6.7 The report has already discussed the merits of the proposed relocation and concluded that it is something that should be supported; it will bring new and more efficient builders merchants branch to the town, retain an important employer within the town, and maintain jobs. It is worth bearing in mind that the actual building works in themselves will also generate additional jobs. These are all factors that bring with them considerable weight when assessed against advice contained within the NPPF and also when considered in the light of recent government announcements. The key question in relation to local plan policy HS4 is whether the merits of this relocation amount to 'exceptional circumstances' where affordable housing is considered and officers conclude that it does.

6.6.8 In the current economic climate and with reference to the strong guidance set out in the NPPF, particularly at para 21 (already quoted), it is essential that local plan policies are not overly onerous where investment in business is concerned. The applicant is proposing a significant level of investment to relocate to the Tewkesbury Road site, and to achieve this investment a reduction in affordable housing is required. There is a very strong possibility that this investment (i.e. borrowing costs) will not take place if the strict local plan requirement for affordable housing is insisted upon. Officers do not consider that the NPPF would give this authority any assistance if planning permission were to be refused and the applications went to appeal. Furthermore, members will be aware of this authority's lack of a five-year housing supply and that the NPPF advises that where a five-year housing supply cannot be demonstrated, policies for the supply of housing (such as policy HS4) should not be considered up-to-date. Para 14 of the NPPF then states that where relevant policies within the development plan are out-of-date, planning permission should be granted unless "*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".

6.6.9 Officers consider that to insist up 40% affordable housing within this site will certainly have an adverse impact and will significantly and demonstrably outweigh the benefits that the proposed relocation package would bring.

7. CONCLUSION AND RECOMMENDATION

7.1 In conclusion, Officers consider that when assessed against the provisions of the NPPF and Local Plan Policy, the proposed development is acceptable.

7.2 The design and layout of the proposal should result in a scheme with its own identity and officers consider that the proposed architecture will generate some interesting dwellings. It is hoped that further comments from the Architect's panel will be received before the meeting. Furthermore, the proposal should not compromise neighbouring amenity to an unacceptable level.

7.3 The report has discussed the merits of the relocation and the provision of affordable housing. Members will be aware however, that the NPPF represents a material consideration of significant weight, particularly with its strong emphasis on economic growth and in the light of the Council's lack of a five year supply of housing.

7.4 When assessed against the advice within the NPPF, Officers conclude that the proposal (in combination with the Bonnella Works proposal) is a sustainable form of development; the two schemes will create high quality employment space within the town, retain an important employer within the borough and bring with them potential for job creation and will also create additional housing.

7.5 It is recommended that members resolve to grant planning permission for the proposed development subject to a S106 agreement and the conditions suggested below. The S106 Agreement will cover the following matters:

a) Financial contribution of £271,557 towards Education
b) Financial contribution of £20,972 towards Library provision
c) Public Art provision subject up to the value of £30,000
d) Affordable Housing (15% - 16 dwellings)
e) Linking planning permissions 13/00106/FUL (current proposal) to planning permission 13/000111/FUL (Bonella Works, Tewkesbury Road) to ensure that the relocation from Gloucester Road to Tewkesbury Road does in fact take place and that the site on Gloucester Road is not simply implemented in isolation.

8. CONDITIONS / INFORMATIVES)

1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with drawing numbers 0466 – 104-2C; 107C; 110B; 112C; 115D; 320B and 144803E; 144804D received 24 April 2013 and 0466 – 102E; 104-1C; 105D; 108C; 113D; 114D; 252A and 256A received 7 June 2013.

Reason: To ensure the development is carried out in strict accordance with the approved drawings.

3 Prior to the commencement of development, plans showing the existing and proposed ground levels and slab levels of the proposed and adjacent buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented strictly in accordance with the agreed details.
Reason: To ensure a satisfactory relationship of the proposed building with the adjoining properties and land in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.

4 Prior to the commencement of development, an annotated elevation with a detailed specification of all external materials and finishes (including all windows and external doors) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented strictly in accordance with the details so approved and maintained as such thereafter.
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

5 No construction work at the site is to take place outside the hours of 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays.
Reason: To protect the amenity of residents of nearby residential property in accordance with local plan policy CP4.

6 Prior to the commencement of development, the developer shall provide a plan for the control of noise, dust, vibration and any other nuisances from works of construction and demolition at the site. The plan shall also include controls on these nuisances from vehicles operating at and accessing the site from the highway. The development shall be implemented strictly in accordance with the approved details.
Reason: To protect the amenity of residents of nearby residential property in accordance with local plan policy CP4.

7 No other works shall commence on site until full engineering details of the proposed access into the development, the vehicular accesses serving the plots fronting Gloucester Road and the footway along the site frontage have been submitted to and agreed in writing by the Local Planning Authority. Those works shall be carried out in accordance with the approved details prior to the occupation of the proposed dwellings.
Reason: To ensure a safe and suitable means of access is provided and to ensure adequate pedestrian facilities are provided along Gloucester Road, in the interests of highway safety.

8 No works shall commence on site until full engineering details of the pedestrian links from the new development to the Honeybourne Line have been submitted to and approved in writing by the Local Planning Authority. The pedestrian links shall then be completed in all respects in accordance with those details before any of the dwellings are occupied and shall be maintained as such thereafter.
Reason: To ensure that safe and suitable pedestrian linkages can be provided from the development to the Honeybourne Line in order to encourage walking and cycling

9 No individual dwelling shall be occupied until the access road (including surface water drainage/disposal, vehicular turning heads, street lighting, and footways where proposed), providing access from the nearest public road to that dwelling have been completed to at least binder course level in accordance with the submitted plans. The access roads etc shall be maintained in that form until and unless adopted as highway maintainable at public expense.
Reason: To minimize hazards and inconvenience for users of the development by ensuring that there is a satisfactory means of access.

10 None of the dwellings hereby permitted shall be occupied until the car parking associated with that dwelling (including garages and car ports where proposed) has been provided in accordance with the submitted plan [drawing no.0466-102], and shall be maintained available for that purpose for the duration of the development.
Reason: To reduce potential highway impact by ensuring that vehicles do not have to park on the highway.

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

1. Provide for the parking of vehicles of site operatives and visitors;
2. Provide for the loading and unloading of plant and materials;
3. Provide for the storage of plant and materials used in constructing the development;
4. Provide for wheel washing facilities;
5. Specify the intended hours of construction operations;
6. Measures to control the emission of dust and dirt during construction

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

12 Unless otherwise agreed by the Local Planning Authority, the development shall not be occupied until the following condition has been complied with and satisfactorily agreed, in writing, by the Local Planning Authority.

i) Site characterisation
A site investigation and risk assessment should be carried out to assess the potential nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report must include:

a) a survey of the extent, scale and nature of contamination

b) an assessment of the potential risks to:
- human health
- property (including buildings, crops, livestock, pets, woodland and service lines and pipes)
- adjoining land
- ecological systems
- groundwaters and surface water
- archaeological sites and ancient monuments

c) an appraisal of remedial options to mitigate against any potentially significant risks identified from the risk assessment.
This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'

ii) Submission of a remediation scheme
Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use should be produced and will be subject to the approval, in writing, by the Local Planning Authority prior to implementation. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme

must ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act (1990) in relation to the intended use of the land after remediation.

iii) Implementation of approved remediation scheme
Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of the development, other than that required to carry out remediation. Following completion of measures identified in any approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval, in writing, by the Local Planning Authority.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination until section iv) has been complied with in relation to that contamination.

iv) Reporting of unexpected contamination
In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported immediately in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with section i) and a remediation scheme submitted in accordance with section ii). Following completion of measures identified in the approved remediation scheme, a verification report must be produced in accordance with section iii).
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 offsite receptors in accordance with Local Plan Policy NE4 relating to development on contaminated land.

13 Prior to the commencement of development, a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a survey of all existing trees on the land showing the size and species and identifying those trees, if any, it is proposed to remove. In addition it shall show in detail all proposed tree and shrub planting, hard surfacing (which should be permeable or drain to a permeable area) and areas to be grassed.
Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policies CP1 and CP7 relating to sustainable development and design.

14 Prior to the commencement of development, a detailed scheme for boundary walls, fences or other means of shall be submitted to and approved in writing by the Local Planning Authority and the boundary walls, fences or other means of enclosure shall be erected before the development hereby permitted is first occupied.
Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policy CP7 relating to design.

15 Prior to the commencement of any works on site (including demolition and site clearance) a Tree Protection Plan (TPP) to BS5837:2012 for G3, T5 and T6 (these are street trees of considerable size and their roots are likely to ingress into the site) shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall detail the methods of tree/hedge protection and clearly detail the positioning and specifications for the erection of tree protective fencing. 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 GE5 and GE6 relating to the retention, protection and replacement of trees.

16 Prior to the commencement of development, the surface water drainage system shall be designed in accordance with the principles of Sustainable Drainage Systems (SUDS). This shall include a maintenance strategy and full details (including calculations) shall be submitted to and approved by the Local Planning Authority. Prior to the first occupation of any part of the development, the surface water drainage system shall be completed in all respects in accordance with the details approved and shall be retained as such thereafter.
Reason: To ensure the surface water drainage system does not contribute to flooding or pollution of the watercourse in accordance with Local Plan Policy UI3 relating to sustainable drainage systems.

17 No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
Reason: To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework.

18. Prior to the commencement of development, a scheme for the provision or improvement of recreational facilities to serve the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall now be occupied until the approved scheme has been implemented.
Reason: To avoid any increase in the Borough's imbalance between population and the provision of outdoor play space and related facilities in accordance with Local Plan Policy RC6 relating to play space in residential development.

INFORMATIVES

1 The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority, is not in conflict with the following policies:

CP 4 Safe and sustainable living
CP 7 Design
GE 5 Protection and replacement of trees
GE 6 Trees and development
EM 2 Safeguarding of employment land
HS 1 Housing development
HS 4 Affordable Housing
RC 6 Play space in residential development
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety
TP 6 Parking provision in development

The planning permission is subject to a legal agreement relating to the relocation proposals (approved under ref: 13/00111/FUL), the provision of affordable housing and financial contributions towards education and libraries and the provision of public art.

2 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 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 fully assessed the viability of the proposed development with regard to affordable housing provision and also how it complies with Local Plan policy EM2 and the wider provisions of the NPPF.

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

3 The Local Highway Authority will require the developer to enter into a legally binding agreement to secure the proper implementation of the proposed highway works including an appropriate bond.