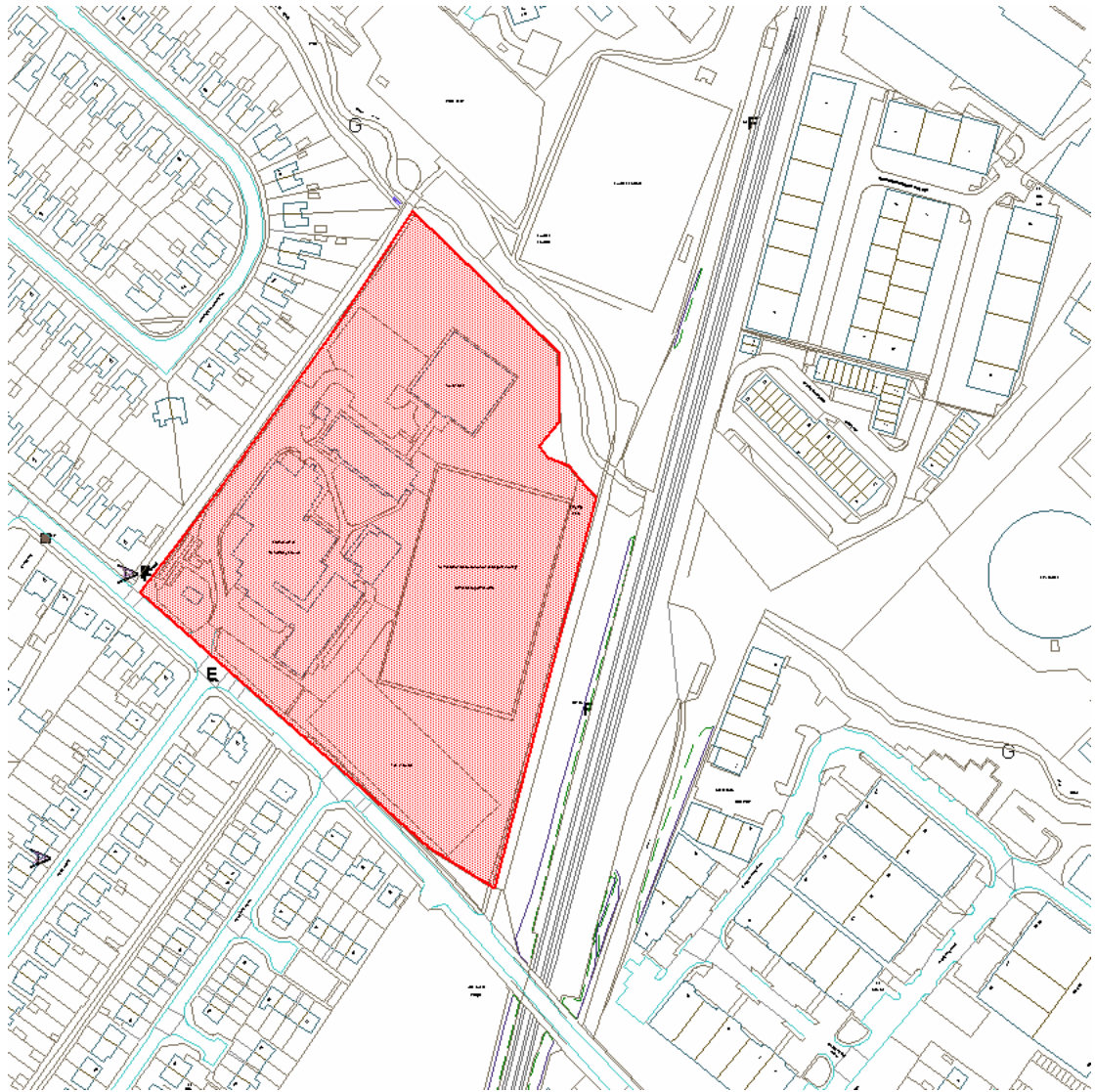


<b>APPLICATION NO:</b> 13/00911/OUT	<b>OFFICER:</b> Mrs Emma Pickernell
<b>DATE REGISTERED:</b> 11th June 2013	<b>DATE OF EXPIRY:</b> 10th September 2013
<b>WARD:</b> St Peters	<b>PARISH:</b> None
<b>APPLICANT:</b>	Clifton Diocese
<b>AGENT:</b>	Mr K Hunt
<b>LOCATION:</b>	Christ College, Arle Road, Cheltenham
<b>PROPOSAL:</b>	Outline application for residential development including means of access (indicative layout of 85 dwellings)

**RECOMMENDATION:** Permit subject to legal agreement



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises the majority of a former school site located on the north-east side of Arle Road, opposite the junctions of Arle Road with Arle Drive and Arle Gardens. Public footpaths run adjacent to the north-western and south-eastern boundaries of the site. The river runs along the north-eastern boundary of the site with a footpath beyond. The railway line runs parallel with the south eastern boundary of the site.
- 1.2 The surrounding area is largely residential although Cheltenham Trade Park exists to the east of the train tracks.
- 1.3 The site has been cleared of all buildings and structures. The sports hall has been retained and this is excluded from the application site, as are the former playing fields to the south of the site. These areas are shown on the application drawings as 'blue land'.
- 1.4 The very northern edge of the site falls within flood zone 3. A locally indexed building, 108 Arle Road is located opposite the site.
- 1.5 This is an outline application for the residential development of the site. All matters are reserved except for access. The details for the access show that the existing access would be closed and a new access opened 21m to the west.
- 1.6 All other details shown on the submitted plans are indicative and therefore are not under formal consideration, rather they seek to demonstrate that approximately 85 dwellings could be successfully accommodated on the site. The indicative layout indicates a mixed development comprising the following composition:
  - 25 x 4 bed units
  - 37 x 3 bed units
  - 21 x 2 bed units
  - 2 x 1 bed units.

The indicative layout shows that access to the majority of the site is through the main access with some of the frontage dwellings having access directly off Arle Road. These frontage dwellings are indicated to be mainly semi-detached dwellings. The road through the site provides access to the sports hall which would retain its existing parking area adjacent. In the north east corner of the site a play area is proposed. The layout seeks to provide a 'central square' which would provide a pedestrian route through the site from Arle Road. The majority of the houses front either the main road through the site or this link through the centre of the site although some front cul-de-sac routes off the main road. The majority of parking is indicated to be provided on-plot however two parking court areas are shown which also accommodate the 2 x 1 bed units in the form of flats over garages.

- 1.7 An indicative elevation of the Arle Road frontage has been provided which shows a combination of 2 and 2.5 storey pitched roof dwellings, although the Design and Access Statement re-iterates that these drawings are indicative and that different approaches may be appropriate.
- 1.8 The application site area is 2.57 hectares (excluding the sports hall area). The density therefore equates to 33 dwellings per hectare (dph).
- 1.9 It was confirmed prior to the submission of the application, via a screening opinion that an Environmental Impact Assessment would not be required.

1.9 This application comes before committee at the request of Cllr Rawson.

## **2. CONSTRAINTS AND RELEVANT PLANNING HISTORY**

### **Constraints:**

Landfill Sites boundary

### **Relevant Planning History:**

**00/01645/FUL 26th January 2001 PER**

Demolition of existing timber buildings and replacement with 5 new classrooms and drama studio

**01/00992/CONDIT 3rd April 2002 PER**

Variation of condition to allow 15m high floodlights to new floodlit all weather court (Retrospective)

**03/01239/DEEM3 10th September 2003 NOOBJ**

Erection of sports hall with car parking and ancillary accommodation

**77/00266/PF 31st August 1977 PER**

St. Benedict's Roman Catholic School Arle Road - Erection Of Garage

**78/00307/PF 11th August 1978 PER**

St. Benedict's Roman Catholic School Arle Road - Erection Of Extensions To Enlarge Existing Premises

**79/00571/PF 7th January 1980 PER**

St. Benedict's Roman Catholic School Arle Road - Stationing Of Temporary Classroom

**80/00350/PF 28th August 1980 PER**

St. Benedict's Roman Catholic School Arle Road - Erection Of Bicycle Shelters

**87/01225/PF 17th December 1987 REF**

St. Benedict's School Arle Road - Erection of Lighting Columns and Floodlighting of all-weather pitch in Accordance With The Specification Received On 2nd December 1987

**88/00625/PF 13th June 1988 PER**

Erection Of Office For Oval Use Sports Facilities For Cheltenham Borough Council

**88/01740/PC 19th January 1989 PER**

Part Of School Playing Field 74-92 E Nos 74-92 Alstone Lane - Use Of Land As A Compound For Site Offices For 14 Months

**95/00757/PF 19th October 1995 PER**

Floodlighting To Existing Rugby Pitch

**97/00204/PF 24th April 1997 PER**

Construction Of A Sports Pavilion \*\*\*Issued Under Delegated Authority 17 April 1997\*\*\*

**97/01069/PF 25th June 1998 PER**

Sites At: Arle Rd, Alstone Lane, Alstone Croft Playing Field - New Sports Hall, Car Park, Floodlit And Non-Floodlit Sports Facilities, Extended Changing Facilities

**06/01043/DEEM3 24th July 2006 NOOBJ**

Removal of condition 13 of permission CB 03/01239/DEEM3 dated 08/01/2004 for erection of sports hall with car parking and ancillary accommodation

**07/00443/FUL 22nd May 2007 PER**

Entrance improvements including enlargement of entrance lobby and provision of meeting room with office

**08/00341/FUL 25th April 2008 PER**

Erection of a steel framed canopy

**12/00662/DEMCON 23rd May 2012 NPRIOR**

Demolition of all school buildings, former caretakers house and other structures (Not including the existing Sports Hall)

**C12/00012/DEMO 1st May 2012 CLOSED**

Demolition of Former Christ College School

### **3. POLICIES AND GUIDANCE**

#### Adopted Local Plan Policies

CP 1 Sustainable development  
CP 3 Sustainable environment  
CP 4 Safe and sustainable living  
CP 5 Sustainable transport  
CP 7 Design  
CP 8 Provision of necessary infrastructure and facilities  
BE 18 Design and landscaping of new roads  
GE 5 Protection and replacement of trees  
GE 6 Trees and development  
GE 7 Accommodation and protection of natural features  
NE 1 Habitats of legally protected species  
HS 1 Housing development  
HS 2 Housing Density  
HS 4 Affordable Housing  
HS 5 Mixed Communities  
RC 2 Youth and adult outdoor playing facilities  
RC 3 Outdoor playing facilities in educational use  
RC 6 Play space in residential development  
RC 7 Amenity space in housing developments  
UI 1 Development in flood zones  
UI 2 Development and flooding  
UI 3 Sustainable Drainage Systems  
TP 1 Development and highway safety  
TP 2 Highway Standards  
TP 6 Parking provision in development

#### Supplementary Planning Guidance/Documents

Affordable housing (2004)  
Amenity space (2003)  
Flooding and sustainable drainage systems (2003)  
Landscaping in new development (2004)  
Planning obligations (2003)  
Planning obligations: transport (2004)  
Play space in residential development (2003)  
Security and crime prevention (2003)

#### National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

### County Education

11th July 2013

Thank you for giving us the opportunity to comment on the above planning application. I have prepared a formal assessment detailing the planning obligations required by Gloucestershire County Council (GCC) from this proposed development of 85 dwellings at Christ Church College site, Cheltenham.

GCC is the relevant authority for education, highways and various other community services. It is responsible for determining and negotiating contributions towards these services which include education, libraries, community care, fire and rescue, transportation strategy, sustainable transport issues, pedestrian and cycle routes. The Development Control group within Environment Directorate, will co-ordinate GCC's response on highway / transportation issues. I have considered the impact of this development on local education and the community resources for which GCC is responsible and whether planning obligations are relevant. This follows requirements and standards that are used by GCC elsewhere in Gloucestershire and also meets national practice. I set out below the planning contributions that will be required from this development.

#### 1. GENERAL

- a. Assessments of GCC requirements centre on CIL Regulations 2010 (section 122 and 123) and National Planning Policy Framework March 2012 (paragraphs 203-206). Planning obligations will be sought where they are necessary to make the development acceptable in planning terms, directly related and are fair and reasonable in relation to scale and location of development proposed.
- b. Contributions are ring-fenced for capital works specified by GCC, held in independent accounts and are not interchangeable.
- c. GCC will account for unspent contributions, expenditure and accrued interest. Unless programmed or otherwise agreed, unused contributions are returnable, with interest, to the developer.
- d. The s106 will be between GCC, the landowner and developer. The developer must meet GCC's legal and technical costs in preparing the agreement/s.
- e. All contributions are bonded and indexed.

#### 2. EDUCATION

- a. GCC is a Children's Services Authority (CSA) whose aim is to improve the co-ordination of services that affect children and young people such as:-
  - i. Education
    - ii. Social services - where they relate to children and young people
    - iii. Health services - where the CSA acts for organisations such as the NHS.
- b. New residential development gives rise to new pupils in relation to the type and numbers of new dwellings. There are direct linkages between the number of dwellings and number of pupils. GCC has to ensure sufficient accommodation for new pupils if existing schools do not have spare places or there are insufficient or no schools local to the development. There is justification at national, regional, county and local level for requiring contributions to local early years, primary and secondary facilities where evidence indicates and justification shows that that this would be reasonable.

c. Contributions will be indexed to the Department for Education (DfE) annual cost multipliers or any replacement thereof deemed relevant by the Council to maintain the proportionate value of contributions and to ensure payment.

d. When assessing education contributions GCC's criteria for a 'Qualifying Dwelling' is a house without age or health occupancy restrictions and with 2 or more bedrooms i.e. family accommodation. Flats and one bed houses are therefore excluded as they are occupied by lower number of pupils compared to houses.

e. This proposal of 85 residential units will consist of 83 qualifying houses and 2 flats. I have provided a review clause to account for any change to this.

f. Affordable or social housing contributes to local education infrastructure requirements in the same proportion as open market housing.

g. The County has reviewed and analysed the number of pupils at different development/dwelling types across the county. This shows that 7 early years, 25 primary and 15 (11-18 year olds) secondary pupils arise per 100 dwellings.

h. Early Years requirements -

i. In accordance with 2g above, minimal early years children will arise from this proposal. There should be adequate space at local nurseries to accommodate these children and therefore an early years contribution will not be required from this proposal.

i. Primary requirements -

i. There are two primary schools within half a mile of the proposed development; Rowanfield Infant and Junior School and Gloucester Road Primary School. Both of these schools are forecasted to be over capacity for the foreseeable future. There is a shortage of primary places in the Cheltenham area due to an ongoing significant increase in the population of rising 5 year olds. A review of primary provision has been undertaken and additional primary places will need to be put in place for future years. As this proposal will increase the demand for places, a contribution will be required to extend, remodel, upgrade and improve the capacity and suitability of these schools.

ii. In accordance with 2g above, 83 qualifying dwellings would give rise to 20.75 primary pupils.

iii. The DfE pupil capital cost multipliers are £11,434 per primary pupil which is a fair and reasonable estimate of the current cost of providing pupil places.

iv. This proposal will be required to pay a primary education contribution of  $20.75 \times £11,434 = £237,255$  to be used towards capital works to extend, remodel, upgrade and improve the capacity and suitability of Rowanfield Infant and Junior School and/or

v. Gloucester Road Primary School. If the number of qualifying dwellings change from 83, this contribution will be increased or decreased by £2,858 per qualifying dwelling.

vi. This contribution will be payable in two instalments; 12 and 24 months after commencement of development.

j. Secondary requirements -

i. The nearest secondary school is All Saints Academy.

ii. Current forecast data indicates there will be sufficient capacity at this school to accommodate the 12.45 secondary pupils likely to arise from this proposed development. Therefore a secondary education contribution will not be required.

### 3. COMMUNITY SERVICES - LIBRARIES

- a. Delivery of a properly resourced and adequate library service to meet the needs of the population arising from the scheme is required
- b. Based on the scale of scheme and the numbers of new inhabitants, there is a requirement to provide an extension to the local service to meet the new demand and maintain the welfare of the new community.
- c. The local libraries are Hesters Way and Cheltenham Main Library.
- d. Contributions for statutory libraries are assessed on the basis of the impact of the increased population in relation to stock, equipment and opening hours requirements and the immediate and long term costs arising over a 10 year period.
- e. Operating costs are primarily staffing costs. Library standards require a) 216 items to be purchased annually per 1,000 population and b) publicly available personal computers (0.6 PCs per 1,000 population). The cost of provision includes annual running/maintenance costs.
- f. To deliver a library service to the new community to appropriate standards, contributions will be required based on comparable costs of £196 per dwelling (this includes all flats and houses) For 85 dwellings this will be a total contribution of £16,660 for Hesters Way Library and/or Cheltenham Main Library. This will be used towards any of the following:- new computers, stock, furniture, opening hours or capital works. If dwelling numbers change this figure will be adjusted up or down by £196 per dwelling.
- g. As a comparison, the 'Community Infrastructure Levy: advice note for Culture Arts and Planning Professionals' (Arts Council for England April 2012) sets out recommended CIL charges based on the expected space and building cost implications of population growth for arts and culture provision. The recommended standard charge for libraries is £252 per dwelling.
- h. The contribution will be payable 12 months after commencement of development.

### 4. SUMMARY

- a. Planning obligation contributions will not be required for early years and secondary education but contributions will be required towards primary education and libraries.
- b. This assessment may change if the residential mix is altered. It will also vary with time and should be considered valid for 3 months from the date of this letter. After this time we may review the assessment.
- c. I have not considered the implications on other County Council functions e.g. highways, public transport and network improvements. The Environment Directorate will provide views on sustainability issues and the technical viability of access to the site for this change of use.
- d. These comments are made without prejudice to any other functions for which GCC, the Highways Agency or the Borough Council have responsibility e.g. highways and transportation, or any stance GCC may take at inquiry, appeal, re-application etc and are made at officer level. GCC members' opinions may differ from my comments. These views do not imply any comment about the merits or otherwise of any development at this site.
- e. If the applicant lodges an appeal for any reason in respect of this application (or proposal), I would be grateful if you would notify me immediately of the appeal and details of any public inquiry. Similarly if there is a call-in or other government action would you please advise me immediately. Without this information there is significant risk of the

County Council not being able to meet the timescales and deadlines imposed for submission of statements of case and other representations

### **Contaminated Land Officer**

*25th June 2013*

The full contaminated land condition should be added to this application to ensure that the site investigation recommended in the submitted Desk Study is completed.

*1st July 2013*

Unless otherwise agreed by the Local Planning Authority, development shall not commence on site until the following condition has been complied with. 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.

#### i) Site characterisation

A site investigation and risk assessment shall 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 shall be produced and will be subject to the approval of 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 of the Local Planning Authority.



#### 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.

### **GCC Highways Planning Liaison**

*10th July 2013*

This application seeks to gain planning consent for 85 dwellings located on the former site of the Christ College, Arle Road. The Applicant has applied for outline permission with all matters reserved with the exception of the access.

Extensive pre-application work was done for this particular matter and issues such as the traffic generation and location of the access to the site, car parking levels etc were all agreed at pre-application stage.

I have read through the information that has been submitted in order to support this particular application and I am satisfied that the information details what was previously agreed. I do not believe the proposal of 85 dwellings at this location will have a severe or significant impact on the highway network in terms of the traffic it will generate or highway safety.

I therefore refer to the above planning application received on 24/06/2013 with plan No. TE1070/103A and recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:-

1. No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 20m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

Reason: To reduce potential highway impact by ensuring that there is a satisfactory access at the commencement of construction works.

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

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

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

3. The details to be submitted for the approval of reserved matters shall include details of all access roads to and within the site, to include details of drainage, surfacing, construction, visibility splays, turning heads, street lighting, footways and road gradients, the dwellings hereby permitted shall not be occupied until the access road providing access from the nearest public road serving that dwelling have been provided in accordance with the approved plans to at least binder course level, and shall be retained and maintained in that form until and unless adopted as highway maintainable at public expense.

Reason: To ensure an adequate highway layout is provided, in the interests of highway safety

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

Reason: To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site, in the interests of highway safety

5. No work shall commence on the site until details of the provision of fire hydrants served by mains water supply, including a timetable for their provision, have been submitted to and approved in writing by the Local Planning Authority. The fire hydrants shall be provided in accordance with the approved details prior to occupation of the proposed dwellings

Reason: In the interests of community safety

NOTE:

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.

## **Social Housing**

*5th July 2013*

This falls below the policy compliant level of 40%, or 34 affordable dwellings. The Project Viability Report states that 15% affordable housing is to be adopted at the site, which equates to 13 affordable dwellings. This department has taken account of the proposals and seeks an independent valuation, at the applicants cost, of the site with the policy compliant 40%.

This department recommends consideration is given to the public access elements of this site regarding the openness or not of the site. The location of the affordable housing could potentially affect our satisfaction with the site layout.

It is suggested that the entrance to and from the site and the sports hall be a 2-way road to ease the flow of vehicles and that the road leading to the sports hall does not enter the housing development as proposed. Similarly, public footpaths should encourage direct access to the sports hall rather than via peoples homes.

**HMO Division**  
*21st June 2013*

The development upon completion of the works must not contain any category 1 hazards as described under Part 1 of the Housing Act 2004.

There is insufficient detail at this stage to comment on the suitability of the layout, lighting and room sizes of the individual properties. However, with regard to bedroom sizes, the following minimum standards should be applied: double bedroom ' 10.5m<sup>2</sup>; single bedroom ' 6.5m<sup>2</sup>. If these sizes are not applied, enforcement action may be taken under the Housing Act 2004 which may include prohibition of use.

Subject to compliance with the above, I have no fundamental objection to the proposal.

**Tree Officer**  
*11th July 2013*

It is difficult to make an informed comment at this stage with limited information. The concerns from the Tree Section's point of view are the impact of the large street trees, along Arle Road, on the new properties and also the impact of the development on these trees.

Although a precedent has been set along this road, it is not without its issues. The trees will cast shade, drop leaf litter and also this species of lime will drop sticky sap over the summer months. The internal layout may help address one of the issues (shade) but will not address the other two. The Tree Section wishes to prevent further issues in the area from arising.

The proposed properties appear to have driveways off Arle Road which will have to be constructed using no-dig techniques so as to avoid causing permanent harm to these high amenity trees.

The Planning Statement identifies that T37 is to be removed as part of the development and mitigation planting provided. This information should be contained within the Tree Report as I was unaware of this when I visited the site therefore I cannot make an informed decision on the removal of this tree at this stage.

For the Tree Section to comment further on this application, please can the following information be submitted:

- An updated Tree Report. The survey submitted is to BS 5837:2005, we are now working to BS 5837:2012.
- An updated Tree Constraints and Tree Protection Plan (to BS 5837:2005) in relation to the proposed development so that the root protection areas of these trees can be assessed against the proposal and to assess the impact the development will have on the root protection areas and also to assess whether the protective fencing is achievable. This is requested because the properties appear to be within the root protection area of these trees.
- An arb method statement (to BS 5837:2012) detailing how they intend to work around the root protection areas of the highway trees causing minimal harm.
- The internal layout of the properties along the Arle Road boundary to assess the impact that the trees will have on these properties.

## **County Archaeology**

*24th June 2013*

I note that this planning application is supported by a desk-based archaeological assessment compiled by Wessex Archaeology (report dated October 2012). The assessment identifies low potential for any archaeological remains to be present on this site, especially in view of the scale of previous development there.

Therefore, I am pleased to recommend that no further archaeological investigation or recording should be undertaken in connection with this planning application, and I have no further observations.

## **Cheltenham & Tewkesbury Cycling Campaign**

*5th July 2013*

With regard to the above planning application, we ask you to consider seeking through planning gain from the developer the upgrading of the adjacent footpath, from Arle Road to St Peter's Close, to a condition suitable for both walking and cycling. This would require improving the surface (including widening in places), the easing of bends and the provision of lighting.

The path is at present used by many people, both walking and cycling, for access to Tewkesbury Road and Kingsditch from the Rowanfield area and will also be a useful route for the new residents of the Christ College development. However, the present condition of the path leaves much to be desired.

## **Architects' Panel**

*5th July 2013*

1. Is the information sufficient to understand the application?

Yes on the basis all items are reserved with the exception of the access (which may be in the wrong location!?!)

2. Context.

The site appears to suit a residential development following the relocation off the school.

3. Massing and Scale

The mix of 2, 3 and 4 storey buildings appears to be acceptable although there are some areas where buildings step from three to two to four storeys? We are concerned that the road layout provides a number of cul-de-sac routes and would suggest a better scheme could be made if the main access was relocated to the centre of the site. We would also like to see parking spaces relating to houses rather than the parking courts provided.

4. External Appearance.

The proposed aesthetics could provide an interesting scheme.

5. Detailing and Materials

No comment

6. Environmental Design.

The environmental credentials need to be addressed as part of the main application. We would suggest the scale of the scheme could support an exemplar sustainable scheme for Cheltenham.

## 7. Summary

The principal is acceptable. We would suggest the site access should be located to suit an actual scheme as it does not quite work how it is suggested?

## 8. Recommendation

Approve in principal subject to consideration on the site access.

## **Urban Design**

*26th July 2013*

Latest layout seems a step back from earlier layouts

Side access road to sports hall seems a retrograde step. The proposed route brings sports hall traffic into the residential part of the estate and seems to put the traffic into a constrained space at the main entrance to the door. Previously the traffic was filtered out of the main circulatory route accessing the sports hall more or less as at present; this puts it into the main car park rather than straight into the access to the hall building itself.

Additionally, the above arrangements remove the opportunity for a corner turning building adjacent to the leap and overlooking the Leap from the area in front of the sports hall. In its place is the return flank of an end terrace and its garden wall - not acceptable.

The elements of the eastern block overlooking the leap are a step backwards - previously pre-app showed an active edge (a number of housing frontages) now the main element fronting here is a return flank and garden wall. The only building fronting on to the leap is now set well back behind a return on the neighbouring garden.

Parking courts are unacceptable. Insufficient active edges - they will give an awful quality of life to the occupants of the fogs. Lots of rear gardens. Not acceptable at all.

Structure of the layout seems confused, in penetrable (impermeable) and not legible. Previous structure, despite its flaws (to residual parking courts) was legible, logically structured and seemed to have potential. The loss of the E-W road behind the frontage now appears to have been an important structuring element and although there were concerns regarding the lack of active frontage along this street, there was a basis of a positive structure here.

Individual building accesses onto Arle Road is a positive element.

The amount of active frontage onto the footpath to the east has been severely reduced from the pre-app and is virtually non-existent.

The basic problem seems to be the removal of the circulatory street structure and the creation of a number of untrafficked frontages - here, there can be no parking of vehicle access; which is all pushed to the rear, compromising design and living quality and security and removing activity from the perimeter blocks.

In my view the layout is not acceptable and needs considerably greater thought. The previous pre-app layouts, although criticised and needing improvement, were a much stronger basis for the development of a satisfactory design.

## **Landscape Architect**

*1st August 2013*

### **Sustainable Urban Drainage**

Consideration should be given to the space required to incorporate a sustainable urban drainage scheme into the proposed development and the implications for site layout.

### **Parking Courts**

Parking Courts have proved to be problematical elsewhere in Cheltenham and should be removed. Parking spaces should be on-plot or on-street.

### **Green Infrastructure**

A green infrastructure strategy is being developed as part of the Joint Core Strategy for Cheltenham, Gloucester and Tewkesbury. The strategy aims to improve green connections within and between the settlements, especially along watercourses. Two of the identified locations for improvement in Cheltenham are close to the proposal site, by the River Chelt. The suggested improvements include:

- Improved signage for the footpaths
- Improved disabled access from the footbridge into Chelt Walk park
- Improved habitat management in the park

The Design and Access Statement refers to opportunities for enhancing biodiversity and habitat. Landscape plans for the proposed development should link to the wider area, especially Chelt Walk park in order to provide a connected green infrastructure which supports the emerging GI strategy for Cheltenham.

## **5. PUBLICITY AND REPRESENTATIONS**

Number of letters sent	34
Total comments received	14
Number of objections	10
Number of supporting	0
General comment	4

**5.1** The application was advertised by way of letters which were sent to 34 neighbouring properties. Site notices were also erected at the site and a notice published in the local newspaper. 14 representations have been made.

**5.2** The points which have been raised can be summarised as follows:

- Dwellings should be high quality and of a good size and design to reflect the surrounding area/concern about potential modern design
- Density is too high/suggest lower density
- Inadequate parking/garden/play areas
- Impact on highway network/parking on neighbouring streets/extra traffic/cumulative impact with other developments in the area
- Concern about proximity of pedestrian crossing adjacent to access
- Concern from residents opposite proposed entrance in relation to road safety and impact on amenity from noise of cars and headlights

- Would prefer access to be at the other end of the site
- Concern about water pressure
- Concern about accuracy of application and traffic figures.
- Concern about safety of footpaths
- Concern about access to and parking for sports hall
- Would like to see additional sports facilities provided

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

The key issues in determining this application are considered to be:

- The principle of development
- Highways and access
- Design and layout
- Trees
- Section 106 matters including affordable housing, viability
- The future of the sports hall and playing fields
- Neighbour amenity
- Flood Risk
- Sustainability
- Ecology
- Utilities
- Contamination

### **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 it is a brownfield site having been previously developed as a school site. As such the principle of residential development is acceptable on this site.

6.2.3 The school was operated on this site until 2011 when it was relocated to the All Saints Academy. The site is no longer required as a school and as such an appropriate use for the

land is required. The application documents explain that proceeds from the sale of the land will be used in the continuing operation of the All Saints Academy.

#### 6.2.4 National Planning Policy Context

6.2.5 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 proposal accords with the provisions of the Development Plan.

6.2.6 The NPPF provides significant ‘in principle’ policy support for the application proposals. The Framework places a major emphasis on Local Planning Authorities to significantly boost 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).

6.2.7 In conclusion; the principle of the proposed development is in accordance with the ‘saved’ policies within the Cheltenham Borough Local Plan and is supported by the NPPF.

### **6.3 Highways and Access**

6.3.1 As stated above access is the only ‘fixed’ element of this outline planning application. Local Plan policy TP1 seeks to avoid endangering highway safety through the creation of new accesses, altering existing accesses, or increasing the use of an existing access.

6.3.2 The previous use of the site was a school which generated a certain amount of traffic. The application has been accompanied by a Transport Assessment which assesses the amount of traffic generated by the proposed residential development and the use of the existing sports centre, which would also be accessed from this access point. Trip generation forecasts have been compared to estimated trip generation from the site when it was a school based on the 46 parking spaces which were provided on site. The analysis represents a worse case scenario as it is modelled on 100 dwellings being provided on the site and does not include trips associated with parents dropping children off to school. This analysis suggests that the proposal could, under these worse case scenario conditions result in a total net daily increase of 583 trips.

6.3.3 This figure has been used to test the impact upon the local road network. Highways have confirmed that “*I do not believe the proposal of 85 dwellings at this location will have a severe or significant impact on the highway network in terms of the traffic it will generate or highway safety.*” For this reason no transport contributions are required and no objection is raised on the grounds of the impact on the road network or highway safety.

6.3.4 The location of the new access has been agreed in consultation with highways because it results in an acceptable proximity to other junctions, has sufficient visibility and allows the pedestrian crossing to remain in its existing location.

### **6.4 Design and Layout**

6.4.1 As mentioned above matters of appearance, landscaping, layout and scale are reserved for future consideration. As such the information submitted with the application in this regard is purely indicative. It is important that there is sufficient information submitted with an application to satisfy the Authority that the site can be developed in the manner described in an acceptable manner, i.e. that the principle is acceptable. However it is important to remember that the indicative information does not form part of the approval and that detailed matters of design and layout will be dealt with at reserved matters.



Therefore it is considered appropriate to discuss the merits of the scheme as presented but only insofar as it has a bearing on the principle of the development.

6.4.2 A number of criticisms have been levelled at the indicative layout however it is considered that it largely demonstrates that the site is capable of accommodating 85 dwellings along with an appropriate amount of open space, parking provision and acceptable road widths etc. The density of the scheme is 33 dph which is considered to be compatible with the surrounding area, albeit perhaps slightly higher density towards the centre of the site.

#### 6.4.3 Parking Courts

Comments in relation to the two parking courts which are shown have been raised by a number of consultees who are concerned that they would create a poor quality environment and that parking would be better related to the houses which it serves. The agent has responded to these concerns by stating that the parking courts are small and serve only the immediate housing backing onto them. They consider that parking courts can be a legitimate design solution allowing vehicles to be removed from the street scene.

#### 6.4.4 Location of Access

Some consultation responses have expressed a concern about the location of the access and express a preference for a centralised access. As mentioned above; the location of the proposed access has been the subject of detailed discussion with highways and it considered to be optimum. If moved further along the frontage it could result in a cross-roads situation with the roads opposite, or result in the pedestrian crossing having to be removed. The land also rises as it crosses the railway line which results in reduced visibility. There is also the potential that further trees would have to be removed. In urban design terms a central access point may have been preferable but it is not feasible. However, a pedestrian route is shown through the centre of the site, leading to a central square and then on to the sports hall and play area. It is considered that this element of the scheme has the potential to be a high quality space and that the location is in the best position.

It must also be pointed out that the layout would achieve a positive, active frontage to Arle Road through the direct access to the houses along the front. This arrangement would integrate the scheme well into the surrounding area.

#### 6.4.5 Access to Sports Hall

The layout indicated means that visitors to the sports hall would either have to walk through the centre of the site or drive around the edge of the site, executing several turns in the road. It has been suggested that a junction should be created which would allow visitors of the sports hall to continue straight on without having to enter the residential part of the site. However Officer's view is that the layout would assist in the sports hall feeling part of the development and better integrated than could otherwise be the case. It would also help to slow vehicles down.

#### 6.4.6 Permeability of layout

Officer's view is that the scheme would benefit from additional access points between the existing footpaths on either side of the site and the proposed development. As present, one access point has been shown on each side. It is understood that the applicants reduced the number of accesses from that shown on earlier versions of the plan in response to comments received at the public consultation event. The treatment of the boundaries will be crucial in determining the quality of the relationship between the development and the footpaths and this is not known at this stage. These details can be required by condition.

#### 6.4.8 Heights of buildings

The information submitted with the application suggests that the buildings on the site would be a combination of 2 and 2.5 storey dwellings. There appears to be some confusion between the number of bedrooms and the number of storeys in the comments of the architect's panel. This scale of development is considered to be appropriate in principle subject to detailed design.

#### 6.4.9 Design of buildings

Although indicative, Officers view is that the indicative design shown on the street elevation which has been provided shows some promise and gives confidence that it should be possible to achieve a scheme which has an acceptable visual impact.

#### 6.4.10 Conclusion

In conclusion then, Officer's view is that the illustrative information which has been provided is sufficient to demonstrate that the site is capable of accommodating 85 dwellings in an acceptable manner. The layout has failings which have been identified above, however it is not considered that these are insurmountable or that they warrant the refusal of this outline application. The applicants have been offered the opportunity to address the concerns raised however they are not minded to amend the plans at this stage given their indicative nature and that no fundamental concerns about the level of development proposal have been raised. It is suggested that an informative be attached which draws attention to the need for further detailed consideration of the layout of the site and in particular the parking courts at reserved matters stage.

### **6.5 Trees and landscaping**

- 6.5.1 The site is not the subject of any Tree Preservation Orders however there are some prominent trees around the perimeter of the site including some important highway trees. Comments have been received from the Tree Officer which raise concerns about the principle of having driveways along the frontage where the highway trees are likely to drop sap onto cars, and shade the frontage of the dwellings; thereby leading to pressure to remove trees in the future. This concern is understood but must be weighed against the advantages of having accesses off the road frontage. Furthermore this relationship with highway lime trees is a common feature on Arle Road. The further information has been requested in line with the Officer's comments and a further update on this issue will be provided.
- 6.5.2 The draft s.106 which has been submitted with the application provides for the provision of 4 new highway trees to negate any losses.
- 6.5.3 Clearly a comprehensive landscaping scheme will be required and this will be the subject of an appropriately worded condition.

### **6.6 Section 106 matters including affordable housing and viability**

- 6.6.1 The application is for 85 dwellings and therefore triggers the requirement for affordable housing, in accordance with policy HS4, which states: *"In residential developments of 15 or more dwellings or residential sites of 0.5 hectares or greater, a minimum of 40% of the total dwellings proposed will be sought for the provision of affordable housing."* Note 1 attached to this policy also states that *"This proportion may vary to take account of the exceptional circumstances relating to a site."*
- 6.6.2 The information submitted with the application suggests that it would not be viable for the scheme to provide 40% affordable housing and that 15% would be a realistic level of affordable housing.

6.6.3 The application was accompanied by a viability assessment which has been independently assessed by the District Valuation Service (DVS) who has compared the market value of the site with the residual value of the site, should the 40% affordable housing be provided. He has concluded, on this basis, that it is unviable to provide 40% affordable housing. He has confirmed that 15% would be viable and that 20% might be viable with a slightly different mix of dwellings than the Housing Enabling Officer had requested.

6.6.4 The applicant has now offered to provide either of these two possible packages of affordable housing:

15% (13 Dwellings) Affordable Housing

2 bed houses – 4 x affordable rent & 2 x shared ownership

3 bed houses – 4 x affordable rent & 2 x shared ownership

4 bed house – 1 x social rent

20% (17 dwellings) Affordable Housing

2 bed houses – 6 x affordable rent & 3 x shared ownership

3 bed houses – 6 x affordable rent & 2 x shared ownership

6.6.5 The Housing Enabling Officer has been asked to express a preference on these two scenarios and this matter will be updated.

6.6.6 Policy HS4 does allow variations on the policy position to take account of the individual circumstances of the particular case. Paragraph 173 of the NPPF states that *“pursuing sustainable development required careful attention to viability and costs in plan-making and decision-taking...To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”*

6.6.7 In this instance it has been demonstrated, and verified that the development of the site in the manner envisaged would not be viable should the developer be required to provide 40% affordable housing. Therefore it is considered that the ‘exceptional circumstances’ clause of policy HS4 applies.

6.6.8 The applicant has agreed to all other applicable contributions including education, libraries and play space. Therefore subject to the confirmation of the views of the Housing Enabling Officer the affordable housing provision and s.106 contributions are considered to be acceptable.

6.6.9 Requests have been received for contributions towards footpaths and cycleways however given the viability situation this is not considered feasible.

6.6.10 It is worth remembering that the viability assessment which has been carried out relates to the development as described in the indicative material. The viability will need to be reassessed should this change through future proposals.

## **6.7 The future of the sports hall and playing fields**

6.7.1 As mentioned above the sports hall is to be retained. The applicant has secured an agreement with the YMCA which provides for a five year lease with an option to purchase. The lease is at a peppercorn rent per annum for the five years with the YMCA responsible

for repair (subject to a schedule of condition) and insurance. The YMCA have been granted the necessary rights of access for vehicles, services etc.

- 6.7.2 An Astroturf pitch previously existed on the site which has now been removed. There is a general presumption against the loss of outdoor playing facilities. However Policy RC3 makes it clear that the development of pitches and outdoor playing facilities in educational use will not be permitted where (a) the loss is likely to result in a future shortage of land for educational recreation or other operational requirements; or (b) the proposal is non operational, and the land could make a valuable contribution to meeting an identifiable community need for outdoor play facilities. In this instance the facilities have been replaced at the All Saints academy and there is no suggestion that the loss of this land would result in a future shortfall.
- 6.7.3 The NPPF echoes this approach at para. 74 where it states that *existing open space, sport and recreational buildings and land, including playing fields, should not be built on unless...:*
- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.*
- 6.7.4 A survey into the condition of the Astroturf pitch was submitted with the application which concluded that the surface was poor, as was the fencing and that to bring the pitch up to a usable standard would cost in excess of £260,000.
- 6.7.5 Sport England have been consulted on the proposal but have not made any representations.
- 6.7.6 Two other parcels of land are in the ownership of the applicant to the south of the site, known as sites B and C. Site C is in dual ownership and is used by a local primary school. The intention is that this arrangement would remain. The future of site B is not yet known however discussions are on-going and it is likely that its future will involve being leased or sold to a local club, being managed by the All Saints Academy or by the YMCA. Given that the loss of the facilities on the Christ College site is considered to be mitigated by the continuing investment in facilities at the All Saints Academy it is not considered necessary for this arrangement to be formalised through the s.106 agreement.

## **6.8 Neighbour amenity**

- 6.8.1 It is not considered that the dwellings proposed for this site would have any direct adverse impact on neighbouring properties by way of loss of light or privacy as they are not immediately adjacent to residential properties.
- 6.8.2 A specific concern has been raised in relation to the potential impact of the headlights of cars exiting the site on the properties opposite. The Transport Assessment comments on this matter and states that: *“the access road has been designed to be aligned at a slight angle on approach to Arle Road to reduce the effects of a ‘head-on’ headlight beam. The exit lane from the site access is also directed at the drive of the house opposite as opposed to the front room. In addition, it is proposed that a 1 in 60 gradient be provided to the access road which will help to effectively lower the headlight beam.”*
- 6.8.3 This arrangement is a common relationship in a residential area and it is not considered that it is likely to result in undue impact to the amenities of the properties opposite.

## **6.9 Flood Risk**

- 6.9.1 As mentioned above the very corner of the site is in flood zone 3, however the vast majority of the site is in Flood Zone 1 (low risk). No comments have been received from the Environment Agency.

6.9.2 The proposal is accompanied by a flood risk assessment which includes correspondence from the Environment Agency stating that they would not normally make comments on such an application.

6.9.3 The FRA concludes that trial pitting and infiltration testing will be required to inform the detailed design of the drainage works and this detail will be required by condition.

## **6.10 Sustainability**

6.10.1 The information included with the application suggests that the dwellings would be designed to meet Code 3 level. This brings with it a requirement for a certain level of renewable energy.

6.10.2 Specific details of the houses are not available at this stage, however the proposal represents the efficient use of a brownfield site in a sustainable location and therefore represents sustainable development.

6.10.3 A travel plan has been submitted which will assist in encouraging non-car modes of transport.

## **6.11 Ecology**

6.11.1 An ecological appraisal has been submitted with the application. This states that the site has low intrinsic ecological value. The ecological interest of the site is related to the site's value to birds, in providing suitable nesting and foraging habitat and its potential value to foraging bats and common reptiles. Recommendations are made in relation to conditions to be attached to any consent in relation to a watching brief in relation to birds if vegetation clearance is carried out within the nesting season, the removal or management of Cotoneaster, the erection of bird boxes and landscaping proposals.

## **6.12 Utilities**

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

## **6.13 Contamination**

6.13.1 A ground conditions report has been submitted with the application. This recommends a full site survey is carried out and this would be required by condition.

## **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 It must be remembered that the application is in outline with only access to be agreed at this stage. The remainder of the information submitted with the application is necessary only to demonstrate that it is technically feasible to accommodate the amount of development proposed in an acceptable manner.

7.3 It is acknowledged that there are deficiencies to the layout which have been discussed in detail above. However these are not considered to be insurmountable and should not lead to the conclusion that the proposal is unacceptable.

- 7.4 The proposal represents an appropriate and efficient use of the site, the principle of which should be supported.
- 7.5 The one matter which is not reserved i.e. access, has been found to be acceptable.
- 7.6 Therefore, on balance the proposal is considered to be acceptable and is therefore recommended for approval subject to the following:
- The revised arboricultural information being received and being acceptable
  - The signing of a s.106 agreement securing the following:
    - a) Financial contribution of £237,255 towards education
    - b) Financial contribution of £16,660 towards library provision
    - c) Playspace contribution of £32,690 (if 15% affordable housing) or £31,039.50 (if 20% affordable housing)
    - d) Affordable housing 15% or 20% depending on the preference of the Affordable Housing Enabling Officer.
    - e) Implementation of the Travel Plan
    - f) The provision of four street trees with a contribution of up to £1,200

## 8. CONDITIONS / INFORMATIVES

- 1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission. The development hereby permitted shall be begun not later than whenever is the later of the following dates:-
  - (a) the expiration of 5 years from the date of this permission;
  - (b) the expiration of 2 years from the final approval of reserved matters;
  - (c) in the case of approval on different dates the final approval of the last such matters to be approved.
 Reason: As required by Section 92 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out in accordance with drawing number TE/1070/103A received 5th June 2013  
 Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 Approval of the details of the Appearance, Landscaping, Layout and Scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.  
 Reason: This is an outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.
- 4 The development hereby approved shall not commence on site 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.

- 5 No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 20m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

Reason: To reduce potential highway impact by ensuring that there is a satisfactory access at the commencement of construction works in accordance with Local Plan Policy TP1 in relation to development and highway safety.

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

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

Reason: To reduce the potential impact on the public highway in accordance with Local Plan Policy TP1 in relation to development and highway safety.

- 7 The details to be submitted for the approval of reserved matters shall include details of all access roads to and within the site, to include details of drainage, surfacing, construction, visibility splays, turning heads, street lighting, footways and road gradients, the dwellings hereby permitted shall not be occupied until the access road providing access from the nearest public road serving that dwelling have been provided in accordance with the approved plans to at least binder course level, and shall be retained and maintained in that form until and unless adopted as highway maintainable at public expense.

Reason: To ensure an adequate highway layout is provided, in the interests of highway safety in accordance with Local Plan Policy TP2.

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

Reason: To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site, in the interests of highway safety in accordance with Local Plan Policy TP1.

- 9 No work shall commence on the site until details of the provision of fire hydrants served by mains water supply, including a timetable for their provision, have been submitted to and approved in writing by the Local Planning Authority. The fire hydrants shall be provided in accordance with the approved details prior to occupation of the proposed dwellings

REASON: In the interests of community safety in accordance with Local Plan Policy CP4 in relation to safe and sustainable living.

- 10 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.

- 11 Prior to the commencement of development, a detailed scheme for landscaping, tree and/or shrub planting and associated hard surfacing (which should be permeable or drain to a permeable area) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify species, density, planting size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or completion of the development, whichever is the sooner.

The landscaping scheme shall include a scheme for the removal and/or management of Cotoneaster.

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.

- 12 Prior to the commencement of development, samples of the proposed facing materials and roofing materials shall be submitted to and approved in writing by the Local Planning Authority, and the materials used in the development shall be in accordance with the samples so approved.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

- 13 Prior to the commencement of development, a detailed scheme for boundary walls, fences or other means of enclosure 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.

- 14 Prior to the commencement of development, details of the positioning and design of the points of access between the application site and the adjoining footpaths shall be submitted to and approved in writing by the Local Planning Authority.

The works shall thereafter be implemented strictly in accordance with the agreed details prior to the first occupation of any of the approved dwellings

Reason: To ensure that the accesses provided are well designed to encourage use of the footpaths in accordance with Local Plan Policy CP5 in relation to Sustainable Transport.

- 15 Prior to the commencement of development a plan indicating the location of bird boxes throughout the site shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of any of the dwellings hereby approved the bird boxes shall be installed in accordance with the approved scheme.

Reason: To provide an enhancement to the ecological value of the site as recommended in the submitted ecological appraisal and in accordance with Local Plan Policy NE3 and Chapter 11 of the NPPF.

- 16 Prior to the commencement of development, details of secure and covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development, the cycle parking shall be completed in all respects and thereafter kept free of obstruction and available for the parking of cycles only.  
Reason: To ensure adequate provision and availability of cycle parking in accordance with Local Plan Policy TP6 relating to parking provision in development.
- 17 Prior to the commencement of development, a scheme for the provision of refuse and recycling storage facilities to serve the proposed dwelling(s) (including appropriate containers in accordance with adopted Supplementary Planning Document - Waste Minimisation in Development Projects) shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) shall not be occupied until the approved scheme has been implemented.  
Reason: To achieve sustainable waste management and to facilitate recycling in accordance with Gloucestershire Waste Local Plan Policy W36 relating to waste minimisation.
- 18 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.
- 19 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.

## **INFORMATIVES**

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

- 2 Note:  
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.
- 3 The applicant is advised that in the opinion of the Local Planning Authority (LPA) there is a need for further detailed consideration and design work in relation to the layout of

the site and in particular the parking courts at reserved matters stage. The LPA welcome the opportunity to discuss the detailed layout and design prior to the submission of any subsequent reserved matters application(s).