

**TO EACH MEMBER OF THE
PLANNING COMMITTEE**

23 July 2018

Dear Councillor

PLANNING COMMITTEE- TUESDAY 31 JULY 2018

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the following:

Agenda Item	Description	
5a	Schedule	1 - 93
	To consider the accompanying Schedule of Planning Applications and proposals, marked Appendix "A".	

Should you have any queries regarding the above please contact Democratic Services on
Tel: 01684 272021

Yours sincerely

Head of Democratic Services



**APPENDIX A
Agenda Item No. 5A**

TEWKESBURY BOROUGH COUNCIL

Schedule of Planning Applications for the consideration of the **PLANNING COMMITTEE** at its meeting on 31 July 2018

	(NORTH)	(SOUTH)
General Development Applications Applications for Permission/Consent	(178 – 184)	(119 - 177)

PLEASE NOTE:

1. In addition to the written report given with recommendations, where applicable, schedule of consultation replies and representations received after the Report was prepared will be available at the Meeting and further oral reports may be made as appropriate during the Meeting which may result in a change to the Technical Planning Manager stated recommendations.
2. Background papers referred to in compiling this report are the Standard Conditions Booklet, the planning application documents, any third party representations and any responses from the consultees listed under each application number. The Schedule of third party representations received after the Report was printed, and any reported orally at the Meeting, will also constitute background papers and be open for inspection.

CONTAINING PAGE NOS. (119 - 184)

Codes for Application Types

OUT	Outline Application
FUL	Full Application
APP	Application for Approval of Reserved Matters
LBC	Application for Listed Building Consent
ADV	Application for Advertisement Control
CAC	Application for Conservation Area Consent
LA3/LA4	Development by a Local Authority
TPO	Tree Preservation Order
TCA	Tree(s) in Conservation Area

National Planning Policy

National Planning Policy Framework (NPPF)

Technical Guidance to the National Planning Policy Framework

Planning Policy for Traveller Sites

Planning Policy Statement 10: Planning for Sustainable Waste Management

Planning Policy Statement 11: Regional Spatial Strategies

INDEX TO PLANNING SCHEDULE (RECOMMENDATIONS) 31st July 2018

Parish and Reference	Address	Recommendation	Item/page number
Bishops Cleeve 18/00522/FUL Click Here To View	43 Evesham Road Bishops Cleeve	Permit	3 / 176
Churchdown 16/00738/OUT Click Here To View	Parcel 3745 Cheltenham Road East Churchdown	Delegated Permit	1 / 119
Stanway 18/00449/FUL Click Here To View	Land On The East Side Of Broadway Road Stanway	Refuse	4 / 178
Tewkesbury 18/00512/FUL Click Here To View	1 Abbey Court Gloucester Road Tewkesbury	Permit	5 / 182
Twigworth 17/00852/OUT Click Here To View	Yew Tree Farm Tewkesbury Road Twigworth	Delegated Permit	2 / 150

16/00738/OUT

Parcel 3745, Cheltenham Road East, Churchdown

ITEM 1

Valid 02.09.2016

Outline planning application for residential development comprising 465 (no) new family homes, public open space, landscaping, drainage and other facilities with associated vehicular and pedestrian access.

Grid Ref 386476 220537

Parish Churchdown

Ward Churchdown St Johns

RECOMMENDATION Delegated Permit

Policies and Constraints

DEFERRED AT 13.02.2018 COMMITTEE (Item No 11, Page No 623)

Joint Core Strategy - SP1, SP2, SD3, SD4, SD6, SD8, SD9, SD10, SD11, SD12, SD14, INF1, INF2, INF3, INF4, INF6, INF7, SA1, A2.

Tewkesbury Borough Local Plan to 2011 (March 2006) - TPT3, TPT5, RCN1, RCN2, NCN3.

Affordable Housing SPD

National Planning Policy Framework

Planning Practice Guidance

The First Protocol, Article 1 (Protection of Property)

Human Rights Act 1998 - Article 8 (Right to Respect for Family and Private Life)

Consultations and Representations

Churchdown Parish Council - Object:

- Site is Green Belt land and JCS has not been finalised
- Preservation of Green Belt is paramount
- Issues concerning:
 - Vehicular access
 - Emergency access operation
 - Flooding the site already floods,
 - SUDs will not mitigate the risk sufficiently
 - School provision
 - Location of play areas
 - Traffic
 - Lack of infrastructure
 - One entrance from Cheltenham Road East is totally inadequate
 - 400 houses gives a minimum of 1,000 inhabitants
 - Children will require in extra form entry in a primary school
 - Need to take account of other developments in area
 - Concern with storm runoff
 - Hopefully doctor's Surgery will be built before the development is completed

Innsworth Parish Council - Object:

- Site is in the Green Belt
- Site Flooded in 2007
- Development will lead to increased traffic congestion

Churchdown and Innsworth Neighbourhood Plan Steering Group:

- Emerging Neighbourhood Plan must be referred to
- NP steering group met with applicant as part of community engagement
- Range of environmental issues inc. retention of the mature hedgerow on Cheltenham Road East.
- Want to remove 335 metres
- Residents want protection of green-ness
- The hedgerow is part of the character of area
- Damaging to the foraging bats and birds.

- Understand the need to remove some for visibility
- The new hedgerows will take a long time to reach maturity
- Hedgerow will help reduce noise and air pollution
- The site plan shows poor connectivity of green infrastructure
- A lot of the "green lines" in the centre aren't hedgerows at all
- Enhancement of water courses/swales, which is positive
- Neighbourhood plan calls for creation of ponds and pond complexes
- Only 5% of the houses will have integral bat boxes
- No mention of hedgehog-friendly fencing
- Fruity streets and a small community orchard would be welcome as well as foraging trails

Gloucester City Council - Site is part of the South Churchdown strategic allocation contained within the Joint Core Strategy (JCS).

- Inspector has indicated her support for this strategic allocation.
- The council does not wish to object to the principle of development at this location.
- Would provide for the needs of Gloucester residents.
- The public open space and green infrastructure is to the north west of the site on the Illustrative masterplan,
- Layout differs from indicative site layout in the JCS which places the open space to the west and south of the site.
- Green Infrastructure in the JCS Indicative site layout was to protect views from Churchdown Hill and to avoid areas prone to flooding.
- Flood Zones 2 and 3a (plus climate change) are located to the south of the site
- TBC Should consider the protection of views and also Flood Zones

Highways England - No objections.

County Highways Officer - No objections in principle, subject to S.106 contribution and conditions.

Strategic Housing and Enabling Officer - No objections subject to S.106 contribution.

County Archaeologist - No objections subject to conditions.

Historic England - No objections.

Environment Agency - No objections subject to conditions.

Urban Design Officer - No objections following receipt of amendments.

Landscape Officer - No objections subject to details.

Natural England - No objections.

Ecology Advisor - No objections.

Environmental Health Adviser - No objections subject to conditions.

Lead Local Flood Authority - No objections subject to condition.

CPRE Gloucestershire - Object:

- JCS allocation not finalised
- CPRE objected to allocation
- Total housing in JCS too high
- Contrary to purpose of Green Belt
- Critical to maintaining separation between Gloucester and Cheltenham
- Gloucester Northern bypass curbed expansion of Gloucester
- Development north of bypass built before Green Belt designation
- Adverse effect upon perceived gap
- Would reduce gap to less than 200 metres
- Planting unlikely to mitigate impacts
- Sense of coalescence increased by presence of fire station
- Proposed strategic gap will not provide adequate mitigation

- 656 dwellings are not 'infill'
- Should recognise intrinsic character and beauty of countryside
- No exceptional circumstances to alter the Green Belt

Sport England - Object:

Proposal provides some open space including pitches
 No ancillary buildings or facilities are proposed
 More appropriate for contributions to be made for off-site facilities

Local Community representations

17 individual objections have been submitted and are summarised as follows:

- Roads in Churchdown are a nightmare
- Cheltenham Road East is already busy and difficult to access with queuing traffic
- Extra 1,000 vehicles using the road
- £7m refurb of Elmbridge Road roundabout is a wasted exercise if access is permitted off Cheltenham Road East
- Cumulative impact of this and other housing development and park and ride
- Roads near the two secondary schools are always blocked
- Pirton Lane is a cut through from Brockworth & Hucclecote
- Existing heavy goods vehicles and cars passing shake and rattle houses
- No proposed changes to existing roads
- Near to fire station and road used by ambulances
- Peak hour traffic will not be able to cope
- Will be daily queues along Cheltenham Road East.
- Most households have 2 or 3 cars plus visitors
- Plenty of parking should be made available to residents of the development.
- Pedestrian and vehicle access should not be provided onto Parkside Drive and Dancey Road.
- Emergency access only gates should also restrict pedestrian access
- Access road will cut the cycle path and walkway
- Potential accident blackspot where car vs. cycle vs. pedestrian meet
- Would impact on street parking in area, intense on street parking already
- Parkside Drive is characterised by large plots with large spacing between
- Development would be high density
- Will not integrate with 1930's housing
- Would impact amenity, loss of sunlight to properties near field
- Loss of village status and a separation from Gloucester
- The character of the area would change completely
- Would be out of keeping with existing development
- Extra disturbance to residents
- Disruption to community is not fair
- Will destroy views of Cathedral and May Hill
- Will bring light pollution, noise and traffic fumes
- Plan includes a play area at far side of the development
- POS more beneficial to be located nearer to Parkside Drive
- Consider screening the new development from existing housing by landscaping
- Noise pollution will be continuous from Gloucester to Staverton
- Objected to the JCS proposals
- Concerns with drainage, possibility of flooding
- Field often has surface water
- Underpass and parts of field flooded in 2007
- Cheltenham Road East was almost flooded near the site access
- Vale of Gloucester is full of water-courses
- If low lands are built on, the water will be forced elsewhere
- Surprised at the extent of flooding in 2007
- Flood attenuation proposals will not be sufficient
- Ditches will need to be maintained
- Not wise to build family houses and play areas so close to water
- Land is Green Belt which should be preserved to stop urban spread
- Brown Field sites should be used first
- No thought to the future generations

- Field last used/farmed in 2016
- Wildlife is in decline and will be impacted
- Detrimental for biodiversity wildlife
- Removal of too much hedgerow
- Tree works to will need to be done branches often fall on ash path between Parkside Close and school
- Schools are oversubscribed no new schools are planned
- Children come from several miles away due to the good Ofsted reports
- Doctor's surgery struggles with demand

Planning Officers Comments: Bob Ristic

1.0 The site and its location

1.1 The site is located to the north east of Gloucester immediately to the south west of Innsworth and to the southwestern edge of Churchdown Parish. The site lies to the north-western side of the B4063 - Cheltenham Road East (CRE) and to the southwest of Parkside Drive and Dancey Road. The A40 Gloucester Northern bypass lies approximately 100 metres to the west and the A40 Gloucester to Cheltenham Golden Valley bypass lies approximately 200 metres to the south of the site.

1.2 The application site is approximately 19.8 hectares (49 acres) in area and is currently in agricultural use. The site is relatively flat with a gentle slope downwards to the north-western corner. The site is defined by trees and hedgerows to all but the north-eastern boundary adjoining Parkside Drive and Dancey Road.

1.3 The site adjoins existing residential development at Luke Lane and Nicholson Close to the north and Parkside Drive and Dancey Road to the east whereas the land to the southern side of Cheltenham Road East (CRE) remains in agricultural use.

1.4 The site comprises the north-western part of a wider strategic allocation A3 - South Churchdown (SCUE) as allocated in the adopted Joint Core Strategy (JCS).

2.0 Planning History

2.1 There is no relevant planning history on this site other than its promotion and allocation through the JCS process.

3.0 The Proposals

3.1 The application seeks outline planning permission (with all matters reserved) for a residential development comprising 465 new family homes, public open space, landscaping, drainage and other facilities with associated vehicular and pedestrian access.

3.2 The application is accompanied by a series of illustrative parameters plans, including a Landscape & Movement Parameter Plan (**which is attached and will be displayed at Committee**), which indicate how the quantum of development could be delivered on the site.

3.3 The application is also supported by a Planning Statement; Affordable Housing Statement; Design and Access Statement; Statement of Community Involvement; Waste Minimisation Statement; and Travel Plan.

3.4 The application is also accompanied by an Environmental Statement required as the proposed development constitutes EIA (Environmental Impact Assessment) development in accordance with the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations.

3.5 The Environmental Statement (ES) assesses a range of social and environmental issues. The ES includes, Noise and Air Quality Assessments, Ecological reports, Transport Assessment; Landscape and Visual Impact Assessment; Archaeological appraisal (including Trial Trenching); and a Flood Risk Assessment among its appendices.

3.6 A number of the appendices have been updated with further information and assessments through the application process to address matters raised by consultees.

4.0 The Community Infrastructure Levy Regulations

4.1 The Community Infrastructure Levy (CIL) Regulations allow local authorities to raise funds from

developers undertaking new building projects in their area. Whilst Tewkesbury Borough Council has not yet developed a levy the regulations stipulate that, where planning applications are capable of being charged the levy, they must comply with the tests set out in the CIL regulations. These tests are as follows:

- a) necessary to make the development acceptable in planning terms
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

4.2 As a result of these regulations, Local Authorities and applicants need to ensure that planning obligations are genuinely 'necessary' and 'directly' related to the development'. As such, the Regulations restrict Local Authorities ability to use Section 106 Agreements to fund generic infrastructure projects, unless the above tests are met. Where planning obligations do not meet the above tests, it is 'unlawful' for those obligations to be taken into account when determining an application. The need for planning obligations is set out in relevant sections of the report.

4.3 The CIL regulations also provide that as from 6 April 2015, no more contributions may be collected in respect of an infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy.

5.0 The Development Plan/ National Planning Policy

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The key consideration in assessing the principle of development therefore are the existing and emerging development plans for the area and Government policy in respect of new housing development.

5.2 The development plan for the area comprises the Cheltenham, Gloucester and Tewkesbury Joint Core Strategy, adopted in December 2017 and the saved policies of the Tewkesbury Borough Local Plan to 2011 (adopted March 2006). The Tewkesbury Borough Plan which is anticipated to go to public consultation in the spring will effectively replace the saved Local Plan policies. The TBP can be given only very limited weight at this stage. A Neighbourhood Development Plan for Churchdown and Innsworth is being prepared however this is at an early stage of preparation and can be given no weight at this time.

Cheltenham, Gloucester and Tewkesbury Joint Core Strategy - December 2017

5.3 The Joint Core Strategy (JCS) was adopted in December 2017 and is part of the Development Plan for the area. Various policies in the JCS superseded some of the policies in the Tewkesbury Borough Local Plan to 2011 which had previously been saved by direction of the Secretary of State.

5.4 The JCS sets out the key spatial policies for the JCS area over the plan period of 2011-2031 and the preferred strategy to help meet the identified level of need. Policy SP1 sets out the overall strategy concerning the amount of development required, and Policy SP2 sets out the distribution of new development. These two policies, combined with Policy SD1 on the economy, provide the spatial strategy for the plan. This strategy, together with its aims, is expressed in relevant policies throughout the plan and will be supported by forthcoming district plans and neighbourhood plans.

5.5 Policy SP1 of the JCS sets out the need for new development and the overall housing requirement for each authority. Policy SP2 sets out the policy for the distribution of new development across the area. The needs of Gloucester City Council (at least 14,359 new homes) will be provided within the city administrative area and urban extensions at Innsworth and Twigworth, South Churchdown and North Brockworth within Tewkesbury Borough as defined in Policy SA1, as well as commitments covered by any Memoranda of Agreement.

5.6 Policy SP2 advises that the unmet needs of Gloucester and Cheltenham, beyond their administrative boundaries, will only be delivered on Strategic Allocation sites allocated through Policy SA1 and any other sites with an agreed sharing mechanism through a Memorandum of Agreement between the relevant local planning authorities.

5.7 Policy SA1 sets out that the South Churchdown Allocation (A2) is proposed to provide, 1,100 new

dwellings and 17.4 hectares of employment land up to 2031.

5.8 Policy A2 sets out the specific requirements of the South Churchdown Strategic Allocation including the quantum of residential and employment, provision of community facilities, contribution to education, provision of sustainable drainage and mitigation of flood risk, protection of the natural environment and the provision and enhancement of transport routes.

5.9 Other relevant JCS policies are referred to in the relevant sections below.

National Planning Policy Framework and Planning Practice Guidance

5.10 The NPPF aims to promote sustainable growth and requires applications to be considered in the context of sustainable development and sets out that there are three dimensions to sustainable development: economic, social and environmental.

- the economic role should contribute to building a strong, responsive and competitive economy;
- the social role should support strong, vibrant and healthy communities; and
- the environmental role should protect and enhance the natural, built and historic environment.

These roles should not be undertaken in isolation, because they are mutually dependant.

5.11 Paragraph 12 of the NPPF clarifies that it does not change the statutory status of the development plan as the starting point for decision-making. Proposed development that accords with the development plan should be approved, and proposed development that conflicts should be refused unless other material circumstances indicate otherwise. Paragraph 14 of the NPPF sets out that at the heart of the NPPF there is a presumption in favour of sustainable development and that for decision-taking this means (unless material considerations indicate otherwise) that development proposals that accord with the development plan should be permitted without delay; and that where the development plan is absent, silent or out-of-date, permission should be granted subject to certain caveats.

5.12 In terms of economic growth, one of the 'core principles' of the NPPF is to proactively drive forward and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Paragraph 19 of the NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and that planning should operate to encourage and not act as an impediment to sustainable growth.

5.13 In terms of housing delivery, the NPPF sets out that local authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing, including identifying key sites which are critical to the delivery of the housing strategy over the plan period (paragraph 47). Paragraph 49 sets out that housing application should be considered in the context of the presumption in favour of sustainable development.

5.14 Other specific relevant policies within the NPPF are set out in the appropriate sections of this report.

6.0 The Application Proposal and Policy Context

6.1 The Application site forms part of the South Churchdown Strategic Allocation which comprises three parcels of land (in separate ownerships) divided by the B4063 Cheltenham Road (running along the southern boundary of the application site) and the A40 Golden Valley, separating the central parcel from the eastern part of the allocation at Elmbridge Court.

6.2 The applicant has advised that the owners of the adjoining parcels of land are not in a position to bring that those parts of the allocation forward at this time and this has prevented a single application being brought forward across the whole allocation. The applicant has also advised that this parcel of land is the only part which of the allocation which is in a position to begin to deliver housing towards the JCS trajectory which projects 50 dwellings being delivered on the South Churchdown allocation during 2019.

6.3 Policy SA1 sets out inter alia the general requirements for applications at strategic allocations and advises that development should enable a comprehensive scheme to be delivered across the developable area within each strategic allocation and that proposals are accompanied by a comprehensive masterplan for the entire strategic allocation. However the policy also advises that the JCS authorities will be flexible in considering different approaches to achieving a comprehensive masterplan providing that proposals still take fully into account the development and infrastructure needs of the wider allocation and demonstrate that it

would not prejudice the sustainable delivery of the entire allocation.

6.4 As set out above the applicant has advised that due to the allocation being in separate ownerships they have been unable to prepare a masterplan for the whole allocation as those landowners are not in a position to bring their sites forward at this time. The applicant has referred to the master planning evidence submitted as part of the evidence base to the JCS for the allocation and have set out how their proposal would not prejudice the delivery of the aims set out in Policy A2. Consultees have been made aware that the application forms only part of a strategic allocation (SA) and have assessed the impacts of the proposal on ability of the wider allocation to be delivered.

6.5 Policy A2 sets out the specific requirements of this allocation which include, the delivery of 1,100 new homes, 17 hectares of employment, facilities to meet the needs of the community, contributions towards education, provision and protection of green infrastructure, biodiversity and heritage assets, flood risk management, access from CRE, traffic mitigation as well as public and sustainable transport enhancements.

6.6 The principle of development is therefore acceptable subject to compliance with policies A1 and A2 of the JCS, including whether the proposal would prejudice the development of the wider allocation and all other material planning considerations.

7.0 Layout & Design

7.1 The NPPF sets out that the Government attaches great importance to the design of the built environment (paragraph 56). Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. At paragraph 57 the NPPF advises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Similarly Policy SD4 of the JCS seeks to encourage good design and is consistent with the NPPF and so should be accorded considerable weight.

7.2 Policy SA1 of the JCS requires development proposals to enable a comprehensive development across each strategic allocation and include a comprehensive masterplan for the entire allocation, although the JCS authorities will be flexible in this regard. Policy A2 (South Churchdown) sets out various requirements for bringing forward the development of the site including (ix) a layout and form of development that respects landscape character.

7.3 The application has been accompanied by a Design and Access Statement and series of supporting drawings including a Landscape and Movement Parameter Plan which sets out the broad layout of the development, which have been revised and updated following discussions with officers.

7.4 The site would be accessed from a new junction T-junction off Cheltenham Road East. This would be the only vehicular access into the site, with access into the site being restricted from Parkside Drive and Dancey Road to emergency vehicles and pedestrians only.

7.5 The residential development would be sited to the central part of the site and would provide a mix of accommodation ranging from 1 bed apartments to 4 bed family homes with an average net density of 33.7 dwellings per hectare. The highest density development would be located towards the central part of the site with the lower density areas being located adjacent to Parkside Drive and Dancey Road and along Cheltenham Road East.

7.6 The principle roads within the site would include 'avenue' tree planting to soften the development and a series of open spaces and play areas provided throughout the site. The northern and western edges of the site would provide further public open space and SuDS drainage features and would serve to separate the development from the adjoining green buffer at Innsworth Ditch, between the site and the A40 Gloucester Northern bypass.

7.7 The proposal would entail the loss of an area of existing overgrown hedgerow to the south-eastern boundary of the site in order to provide adequate visibility for the proposed site access given the alignment of the road. The proposed dwellings on this frontage would be set back from the road and the area in front would be landscaped and would provide a continuation of the existing verge area to the front of properties at Dancey Road, allowing for the integration of the development with the existing street scene.

7.8 The proposal would allow for the re-routing of the existing Sustrans cycle route from the highway at Cheltenham Road East to a new route inside the site, with further linkage into Dancey Road, providing a safer route for cyclists and pedestrians.

7.9 The submitted details demonstrate how the development would be linked to the adjoining parcel of land on the southern side of Cheltenham Road East via three new pedestrian crossing points with refuge islands. These crossings would give future occupiers of that phase improved access to the cycle route and green infrastructure within the application site.

7.10 The submitted details have indicated how the proposal would provide pedestrian linkages to existing development to the north at Parkside Drive and Dancey Road and that there would be opportunities to create further new linkages to Luke Lane subject to intervening land owner's consent.

7.11 While this is an outline application with all matters reserved, it is considered that the submitted details demonstrates that an acceptable standard of design and layout can be achieved on the site, that the proposed layout would provide for appropriate linkages to the wider SA and would not prejudice the delivery of the adjoining parcels of land in design terms.

8.0 Accessibility and Highway Safety

8.1 Section 4 of the NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. It states at paragraph 29 that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Paragraph 32 states that planning decisions should take account of whether opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure. Furthermore, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The NPPF also requires safe and suitable access to all development sites for all people.

8.2 Policy INF1 of the JCS requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. All proposals should provide for safe and efficient access to the highway network for all transport modes; encourage maximum potential use of walking, cycling and passenger transport networks to ensure that credible travel choices are provided by sustainable modes. Planning permission will be granted only where the impact of development is not considered to be severe. Policy INF1 further requires developers to provide transport assessments to demonstrate the impact, including cumulative impacts, of the prospective development along with travel plans where appropriate.

8.3 The access specific requirements of JCS Policy A2 include the provision of primary access from the B4063 Cheltenham Road East, provision of measures necessary to mitigate the traffic impacts of the site, public transport connections and pedestrian and cycle link enhancements.

8.4 The application is supported by a Transport Assessment (TA) and a Travel Plan (TP). The TA has assessed the potential impacts of the proposed development on the highway network and concludes that the site is in an accessible location in proximity to local services within Churchdown and is also in proximity to Cheltenham and Gloucester and associated retail employment and leisure facilities.

8.5 Furthermore the report identifies the availability of good public transport connections in the form of bus stops and proximity to Sustrans Cycle Route 41 thereby providing viable alternative means of transport to the car.

8.6 The traffic impacts have been modelled and the report concludes that the traffic from the development would disperse quickly over the wider highway network and that the overall traffic impact is considered to be small.

8.7 The submitted TP sets out a range of measures to encourage new residents to adopt sustainable modes of transport, including street designs to constrain vehicle speeds, provision of cycle parking, the re-location of a bus stop to the south-west of the site closer to the development, a residential travel plan webpage, notice boards and bus taster tickets.

8.8 The application has been reviewed by the Highway Agency who are satisfied that the development would not have a severe impact on the on the strategic road network (SRN) and that queues on the approaches to the SRN would only change marginally during the AM and PM peak hours.

8.9 The application has also been assessed by the Gloucestershire County Council as the Local Highway

Authority (LHA) who have advised that the TA has assessed the development impact up to 2026 when the development is likely to be fully built out and that a further sensitivity test was undertaken up to 2031 which included the cumulative transport impacts of the full South Churchdown Urban Extension (SCUE) as allocated in Policy A2 of the JCS.

8.10 The assessment determined that the Pirton Fields development would have an impact on Cheltenham Road East approach arm to Elmbridge Court Roundabout in the 2026 future year. To mitigate this impact, the LHA advise that new signalisation would need to be provided in order to create sufficient capacity up to the 2031 future year and so as not to prejudice the ability of the remaining portion of the allocation to come forward.

8.11 The LHA acknowledges that the full SCUE is likely to have a material impact on Elmbridge Court and the local network at Parton Road and Pirton Lane and that the remaining portion of the SCUE would have to provide appropriate mitigation as part of any future planning application to mitigate its associated highway impact.

8.12 The applicant is presently discussing the particular signalisation design with the LHA and the results of the modelling of the proposed mitigation is awaited. Consequently, the LHA is not in a position to confirm the precise S.106 contributions required for these works or any necessary conditions however the LHA has advised that subject to agreement of satisfactory mitigation measures the development would not result in a severe impact upon the highway network or prejudice the delivery of the remaining allocation. It is considered that this matter can be resolved through officer delegated powers.

8.13 Overall, the LHA do not object to the application however further information is required and **an update will be provided at Committee.**

9.0 Landscape

9.1 Policy SD6 (Landscape) of the JCS provides that Development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. Proposals will have regard to the local distinctiveness and historic character of the different landscapes in the JCS area and will be required to demonstrate how the development will protect or enhance landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement or area. All applications for development will consider the landscape and visual sensitivity of the area in which they are to be located or which they may affect. Policy SD4 (Design Requirements) sets out principles for achieving high quality design.

9.2 One of the core planning principles of the NPPF sets out that the planning system should recognise the intrinsic character and beauty of the countryside. Section 11 of the NPPF sets out that the planning system should contribute to and enhance the local environment by, amongst other things, protecting and enhancing valued landscapes. The NPPF also sets out that the Government attaches great importance to the design of the built environment (paragraph 56). Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. At paragraph 57 the NPPF advises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

9.3 The site does not fall under any statutory or non-statutory landscape designation. The site has now been removed from the Green Belt by the JCS and allocated as part of strategic allocation A2 for housing development. Policy A2 requires, *inter alia*, the strategic allocation to deliver a green infrastructure network including habitat creation and management; a landscape buffer along the route of the A40 and a layout and form that respects landscape character.

9.4 The ES includes a chapter on Landscape and Visual Amenity (LVA) which assesses the impacts associated with the proposed development as well as consideration of the potential cumulative effects with the remainder of the SA to the south of the site if it were to come forward.

9.5 The ES advises that the site comprises large, irregular arable fields defined by hedgerows and trees to the boundaries with watercourses beyond the northern and western hedge and tree line. The report identifies that the site is heavily influenced by existing development including the highway network, adjoining residential development and street lighting.

9.6 The ES concludes that while the visual assessment found a small number of significant adverse cumulative visual effects as a result of the development, these would be limited to the local area and would be experienced by the residents who currently enjoy views over the site and the fields, and walkers, whose views would change from one of arable farmland to built-form however these effects would be limited to the

local area and the effects of the development on the wider landscape would not be significant.

9.7 The proposed development would result in the loss of an existing arable field and an area of existing tree and hedge planting running through the centre of the site. A further 270 metre (approx.) length of hedgerow would be removed along the Eastern part of the site frontage adjacent to Cheltenham Road in order to provide visibility to the site access.

9.8 The trees and hedgerows on the site have been subject to an arboriculture assessment and the majority have been identified as Category C which indicates that the trees are 'unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories'. Furthermore, it is concluded that the trees are not subject to a tree preservation order or worthy of such protection.

9.9 The Council's Landscape Officer (LO) has been consulted on the application and has advised that the application proposes a landscape strategy of retaining and strengthening existing hedgerow boundary features where practical, providing landscape buffers, retaining watercourses, providing public spaces and landscaped areas, to integrate the development within the surrounding landscape setting.

9.10 The proposals take account of the setting and visual context of the site in relation to Tinkers Hill, a Special Landscape Area and the immediate landscape and urban setting. The landscape and visual impacts of the proposed development and the general approach within the Design and Access Statement and Illustrative Framework Masterplan, is considered acceptable and consistent with the requirements of Policy A2.

9.11 In conclusion on this point, while it is acknowledged that the development will result in harm in that the proposal would result the loss of a green field and hedgerow planting, it is considered that the applicant has demonstrated that the proposal can deliver an acceptably high-quality development. Furthermore, it is considered that the harm is outweighed by the provision of much needed housing, improved public access to the land and recreational facilities. The site has of course been allocated for development in the JCS. The proposal would also provide acceptable compensatory planting within the scheme as set out within the Design and Access Statement and accompanying Landscape and Movement Plan.

10.0 Flood Risk and Drainage

10.1 Policy INF2 of the JCS seeks to prevent development that would be at risk of flooding. Proposals must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. For sites of strategic scale, the cumulative impact of the proposed development on flood risk in relation to existing settlements, communities or allocated sites must be assessed and effectively mitigated. Development should also aim to minimise the risk of flooding and provide resilience to flooding, taking into account climate change and where possible reducing overall flood risk. Where appropriate applications should be informed by a Flood Risk Assessment (FRA) and incorporate suitable Sustainable Drainage Systems (SuDS) to manage surface water drainage. Policy A2 of the JCS requires development proposals to deliver adequate flood risk management across the site and ensure that all more vulnerable development is located in Flood Zone 1.

10.2 The NPPF states at paragraph 100 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

10.3 The adopted Flood and Water Management Supplementary Planning Document (FWMSPD) has the following key objectives: to ensure that new development does not increase the risk of flooding either on a site or cumulatively elsewhere and to seek betterment, where possible; to require the inclusion of Sustainable Drainage Systems (SuDS) within new developments, which mimic natural drainage as closely as possible (e.g. permeable paving, planted roofs, filter drains, swales and ponds) and provision for their long-term maintenance, in order to mitigate the risk of flooding; to ensure that development incorporates appropriate water management techniques that maintain existing hydrological conditions and avoid adverse effects upon the natural water cycle and to encourage on-site storage capacity for surface water attenuation for storm events up to the 1% probability event (1 in 100 years) including allowance for climate change. The FWMSPD is currently under review.

10.4 The application has been accompanied by a Flood Risk Assessment (FRA). The report advises that all vulnerable development would be located in Flood Zone 1, the zone with the lowest probability of flooding. The report identifies that due to the local geology the potential for infiltration drainage is limited and that surface water drainage will need to be discharged to watercourses to the northern and western boundaries of the site. In order to mitigate the impacts the report demonstrates suitable attenuation can be achieved

upon the site through the use of a variety of SuDS techniques and the associated control of surface water discharge rates.

10.5 The Environment Agency have reviewed the ES in respect of hydrology, flood risk and SuDS. While raising no objections the EA acknowledges that that flood risk and surface water management are key consideration in determining this application. They advise that the surface water attenuation features should be designed to accommodate the 1 in 100 year flood level plus an allowance for climate change, which given the scale and nature of the development should be 40% in accordance with national guidance.

10.6 The EA concurs with the conclusions of the ES that the proposal provides for further mitigation measures with regards to water quality which will help reduce the risk of pollution to the water environment during construction and beyond.

10.7 The Lead Local Flood Authority (LLFA) have advised that the application has appropriately addressed the surface water flood risk at this stage and that the proposed use of ponds and swales, which are indicated to be constructed in the first phase of the development (where feasible) would provide appropriate flood mitigation as well as amenity, pollution control and biodiversity benefits.

10.8 The LLFA advise that while the submitted details provide an appropriate strategy for surface water drainage a detailed surface water drainage strategy for the site will be required and that this can be secured by a suitably worded condition.

10.9 In terms of the wider allocation, the LLFA have advised that each application/site is required to mitigate the risk of flooding on-site, in order to meet the national requirements to not increase flood risk to the site or elsewhere. As a result of this requirement the proposal would not prejudice the future development of the remaining SA.

11.0 Heritage Assets

11.1 Paragraph 128 of the NPPF advises that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation

11.2 The NPPF sets out at Paragraph 134 that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 135 advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

11.3 The ES includes a chapter on Archaeology and Cultural Heritage. While it is identified that there are no listed buildings in proximity to the application site, the site is of archaeological interest.

11.4 An archaeological evaluation of the site has been undertaken, including desk based and physical assessments. The desk based assessments identifies the presence of a former Second World War Heavy Anti-Aircraft Battery (HAA). Further geophysical survey work and trial trenching was undertaken which revealed concrete bases dating from the Second World War, medieval ridge and furrow features and a possible Iron Age Farmstead.

11.5 The report advises that a written scheme of investigation setting out three main areas of archaeological mitigation (excavation) has been prepared and to allow for proposed mitigation which would allow for appropriate preservation by record.

11.6 The County Archaeologist (CA) advises that sufficient information has been made available regarding archaeological impact to allow an informed planning decision to be made on that issue. A total of 80 trial-trenches were dug, as informed by the geophysical survey.

11.7 The result of the archaeological investigation identified several areas of archaeological interest. Within the eastern half of the application site, linear ditched boundaries were found which are likely to relate to a farmstead dating to the later prehistoric period.

11.8 In the western half of the application site the investigation confirmed the presence of surfaces and

substructures relating to the demolished remains of a Second World War Anti-Aircraft battery, associated remains of which were also found at dispersed locations across the wider area.

11.9 The CA advises that while the application site contains significant remains, the archaeology is not of the first order of preservation since it has undergone erosion from later ploughing and demolition. Therefore it is not of the highest archaeological significance to merit preservation in situ. However, the archaeological deposits on this site have the potential to make an important contribution to the understanding of the archaeology of the locality and the wider region.

11.10 The appendix to the Environmental Statement includes a Written Scheme of Investigation (WSI) which proposes archaeological excavation and recording to be implemented if planning permission is granted. The CA has advised that the WSI proposes an appropriate programme of archaeological mitigation and that an appropriate programme of work to excavate and record any significant archaeological remains should be undertaken prior to the development in order to mitigate the ground impacts of the development and this can be secured by condition.

11.11 Considering the absence of listed buildings on or near the application site and the archaeological evaluation undertaken it is considered that the development would not result in harm to the significance of a designated heritage assets.

12.0 Ecology and Nature Conservation

12.1 Policy SD9 of the JCS seeks to protect and, wherever possible enhance biodiversity, including wildlife and habitats. The NPPF sets out, inter alia, that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments. Furthermore, planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats.

12.2 The ES includes a chapter on Ecology and Nature Conservation which considers the potential effects of the proposed development on ecological features of importance identified through a series of baseline assessments which are appended to the ES. Further documents have been received through the application process in response to comments from consultees. The suite of documents cover:

- Hedgerows
- Reptiles
- Bats
- Slow worms.
- Breeding birds
- Cotswold Beechwoods SAC;
- Severn Estuary SAC/SPA/Ramsar

12.3 The ES concludes that the site supports an assemblage of relatively common habitats with the most valuable being the network of hedgerows, scrub, watercourses, and grassland which to varying degrees support a number of protected species, including bats, reptiles and breeding birds.

12.4 the ES advises that the effects of the construction and operational phases of the proposed development, range from 'major' to 'minor' negative before identified mitigation works are implemented. These include the translocation of reptile populations; the protection of retained habitats and species with appropriate fencing; extensive landscape planting which would replace lost habitat; the implementation of a Landscape and Ecological Management Plan (LEMP) for the site; and the creation of various habitats and habitat features for protected species. Once successfully implemented, it is considered that these proposed mitigation measures would reduce the negative effects to between 'neutral and minor positive levels'.

12.5 Furthermore, the potential cumulative impacts of developments at the site and the developments across the wider strategic allocation area, would have 'neutral to minor positive' effects on the valued ecological features and the cumulative impacts are anticipated to be 'not significant'.

12.6 Natural England (NE) have been re-consulted following the receipt of supplementary details requested and advise that the proposed development would not have significant adverse impacts on designated sites and raise no objection.

12.7 The Councils Ecology Adviser (ECA) has reviewed the submitted details and advised that subject to compliance with conditions there would be no likely significant effects on the Cotswolds Beechwood SAC or

the Severn Estuary SAC, SPA and Ramsar site.

12.8 In respect of on-site ecology the ECA has confirmed that the impacts upon Bats, Reptiles, Hedges, Buffer zones and Nesting Birds can be suitably mitigated against through the imposition of conditions requiring a (CEMP) and (LEMP). Overall it is considered that subject to compliance with conditions the proposal would not result in harm to matters of ecology or nature conservation.

13.0 Noise and Air Quality

13.1 Policy SD14 of the JCS seeks to protect health and improve environmental quality. The NPPF states at paragraph 120 that to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. In respect of air quality it advises that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMAs), and the cumulative impacts on air quality from individual sites in local areas.

13.2 The ES includes chapters relating to noise impacts and air quality. The ES concludes that the air quality assessment focuses on key transport-related pollutants Nitrogen Dioxide (NO₂) and Particle Pollution less than or equal to 10 micrometres (PM₁₀). The assessment has shown that the additional traffic associated with the proposed development will have a negligible impact on NO₂ and PM₁₀ concentrations and the traffic forecasts have included all committed development traffic within the JCS. The impacts arising from construction activities are considered to be negligible and can be mitigated against by a construction management plan (CMP) which can be secured by condition.

13.3 In terms of noise, the ES has assessed the cumulative effect of committed development including the wider SA and the associated effects of the changes in noise at both existing and proposed noise sensitive receptors. External and internal noise levels have been assessed in accordance with the appropriate guidance and these criteria are likely to be exceeded at both existing and proposed noise sensitive receptors. However, the assessment has demonstrated that traffic generated by the proposed development and wider committed development would have 'negligible' impact on traffic noise levels within the study area. It is recommended that appropriate acoustic mitigation is incorporated into the design through a variety of measures. Overall, the ES concludes that the proposed development is unlikely to present significant detriment to noise levels in the immediate area based on the traffic generation and the impacts associated with the construction phase can be effectively managed as part of a CMP.

13.4 The Council's Environmental Health Adviser (EHA) has been consulted and has advised that the calculations in the accompanying noise report have been assessed against the correct standards (the World Health Organisation (WHO) and BS 8233: 2014 Guidance on Sound Insulation and Noise Reduction for Buildings) and the report takes into consideration the wider impact from all factors including the increase in traffic in the local area.

13.5 With effective mitigation as suggested in the noise report, it is considered that the proposed development can comply with the requirements of WHO and BS 8233 and the appropriate noise levels can be achieved for future occupiers by way of an appropriate conditions.

13.6 In terms of air quality the EHA has advised that due to the location of the proposed development, there would be no adverse impact associated with introducing sensitive receptors (i.e. residential properties) to the site as a result of existing local air quality. In order to avoid background "creep" in air pollution levels as well as providing opportunities for the use of more sustainable modes of transport, the EHO has proposed conditions relating to low NO_x boilers and electric vehicle charging provision.

13.7 In conclusion and subject to compliance with conditions the proposal would not result in harm to existing and future occupiers and would have an acceptable impact in terms of noise and air quality.

14.0 Affordable Housing

14.1 Policy SD12 of the JCS requires a minimum of 35% affordable housing on sites within identified Strategic Allocations. The NPPF sets out that, LPAs should set policies for meeting affordable housing need on development sites.

14.2 The Strategic Housing & Enabling Officer (SHEO) has been consulted on the application and has

advised that the development would generate a requirement for 163 affordable dwellings comprising the following mix:

House Type	Number
1B2P flats & bungalows	43
2B4P wheelchair bungalows	2
2B flats & houses	64
3B houses	34
4B+ houses	20

TOTAL 163

14.3 The applicant has proposed to deliver affordable 35% affordable housing on the site to comply with policy with 50/50 split between rent and intermediate forms of tenure as defined by the NPPF.

14.4 The SHEO has proposed a different tenure split with 70% affordable rented and 30% intermediate product which is based on identified housing needs. This matter will be subject to further negotiations in order to secure an acceptable mix of affordable dwellings to serve the needs of the community.

15.0 Open Space, Outdoor Recreation, Sports and Community Facilities

15.1 Saved policy RCN1 of the Local Plan requires the provision of easily accessible outdoor playing space at a standard of 2.43ha per 1000 population. The Council's adopted Playing Pitch Strategy sets out requirements for formal playing pitches. Policy INF4 of the JCS requires appropriate social and community infrastructure to be delivered where development creates a need for it. Policies INF6 and INF7 support this requirement. The NPPF sets out that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

15.2 The application has been accompanied by an indicative Landscape and Movement Parameters Plan which outlines the proposed landscaping strategy for the site. The site would be laid out with a swathe of open space separating the dwellings from Cheltenham Road East and this belt would continue along the western and northern edges of the site, providing a landscaped buffer and trails around the site.

15.3 The proposal also includes a number of play spaces (LEAPs) within the development as well as a larger area of POS to the north-western corner of the site. The submitted drawings have indicated that two football pitches could be accommodated on the land.

15.4 The Community and Economic Development Manager has been consulted in respect of the provision that would be expected from the proposed development. A response is awaited and **an update will be provided at Committee**. Initial discussions have indicated that in place of the proposed on site pitches a contribution towards existing local facilities would be more appropriate in this area. This approach is considered appropriate in principle and would address concerns raised by Sport England.

15.5 Furthermore there will be a requirement for contributions towards local community facilities and the provision of recycling infrastructure, dog fouling bins and signs to cater for the needs arising from the development. This will need to be secured by S.106 agreement.

16.0 Community, Education and Library Provision

16.1 Policy INF4 of the JCS highlights that permission will not be provided for development unless the infrastructure and public services necessary to enable the development to take place are either available or can be provided. Policies INF6 and INF7 of the JCS support this requirement. The NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.

16.2 The County Council Community and Economic Development Officer (CEDO) has advised that financial contributions towards education will be required to provide additional school places based on the number of pupils expected to need places arising from the development.

16.3 The CEDO has explained that in the pre-school/nursery and secondary school sectors this would be addressed through expansion or provision at nearby facilities, through a financial contribution. At the primary

school sector, a contribution to expand the nearby primary schools would also be required, in the form of a £1.7M contribution. There would need to be some flexibility in the application of this contribution which could be secured through a planning obligation (S106 agreement). If other parcels of land within the strategic allocation come forward then the allocation would likely require an on-site primary school; if this happens relatively soon, then there would need to be flexibility to use the contribution towards this new school.

16.4 The application is likely to yield around 130 additional pupils who will require primary school places, which is insufficient in itself to require an on-site primary school. The wider strategic allocation however is sufficiently large to require a new primary school, but at present it is unclear as to when other schemes may come forward, and it is outside the control of the present application and applicant. As an additional mitigation measure, therefore, it will be necessary to secure some land within the development site to allow temporary provision of school places in the event that this is needed. This may be used as expansion of existing schools, or as a temporary location for a new school within the strategic allocation. These arrangements, secured through an appropriate s106 agreement, will allow decisions around school place provision to be taken to serve the needs of the new community.

16.5 In addition to the education provision a library contribution of £91,140 would be required in order to improve facilities in Churchdown to cater for the needs of the increased population.

16.6 The applicant has advised that they have no objections to these proposals in principle which could be secured by a s106 agreement.

17.0 Overall Balancing Exercise and Conclusion

17.1 Section 38(6) of the Town and Country Planning Act 1990 provides that, if regard is to be had to the development plan, the determination must be made in accordance with the development plan unless other material circumstances indicate otherwise. Section 70 (2) of the Act provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

17.2 The proposed development would broadly comply with Policies SA1 - Strategic Allocations and A2 - South Churchdown of the JCS and would allow for part of the allocation to be delivered in the short term. Furthermore, it has been demonstrated that the development of this site would not prejudice the wider allocation being brought forward as a separate application in the future.

Benefits

17.3 Considerable weight is given to the economic benefits that would arise from the proposal both during and post construction. Social benefits, namely the provision of new housing, including affordable housing which would contribute towards the housing needs identified within the JCS, would also arise. Furthermore the proposal will include additional benefits including the provision of public open space, the re-routing of the Sustrans cycle route away from the Highway and the provision of SuDS facilities which would improve drainage conditions and provide ecological benefits.

Harms

17.4 The proposal would result in the loss of an open field and extends the urban boundary of Churchdown. Furthermore and in the short term the proposal would result in the loss of hedges and trees at the site. The weight given to these harms must however be reduced given the allocation of the site in the JCS.

Neutral Effects

17.5 Subject to resolution of the issues set out in section 8 above, there would be an acceptable impact in transport terms subject to s106 obligations and the imposition of suitable planning conditions. Similarly, subject to the views of the Community and Economic Development Manager, contributions towards sports, recreation and community facilities would mitigate impacts on existing social infrastructure.

17.6 The County Council is satisfied that subject to flexible obligations relating to education and library contributions there is no objection to the proposals. In terms of ecology, there would be an acceptable impact on the Cotswolds Beechwood SAC and the Severn Estuary SAC, SPA and Ramsar site. The proposal would have an acceptable impact on archaeological remains and would not give rise to unacceptable impacts in relation to noise, vibration, dust, odour and air quality to existing and future occupiers.

18.0 Conclusion

18.1 It is considered that the delivery of much needed housing, including affordable housing, associated infrastructure and public open space would outweigh the harms identified.

18.2 It is therefore recommended that the decision is **DELEGATED** to the Development Manager to permit the application subject to resolving the outstanding highways, open space and community facility contributions; additional/amended planning conditions; and the completion of a section 106 legal agreement to secure the following heads of terms:

- Affordable Housing - 35%
- Pre-school - £512,629
- Primary Education - £1,766,773
- Secondary education - £1,632,969
- Libraries - £91,140
- Sports facilities - TBC
- Open space, playing pitches and facilities - TBC
- Community facilities and Infrastructure - TBC
- Highway improvements and signalisation - TBC
- Recycling - £73 per dwelling
- Dog bins & signs - 1 dog bin per 45 houses at £350 per bin and 1 sign per 10 houses at £50 per sign.

Conditions:

- 1 As part of the first reserved matters application a phasing plan for the whole site shall be submitted to the local planning authority for approval in writing. The phasing plan shall include details of the intended number of market and affordable dwellings for each phase of development together with general locations and phasing of key infrastructure, including surface water drainage, green infrastructure, play facilities and access for pedestrians, cyclists, and vehicles. The phasing plan shall be based on the amended Landscape & Movement Parameters Plan contained within the Design and Access Statement Addendum dated February 2017 and received by the Local Planning Authority on 28th March 2017 except where other planning conditions specify otherwise. The development shall thereafter be carried out in accordance with the approved phasing plan.

Reason: To define the terms of the permission and ensure a satisfactory appearance to the development.

- 2 The development of each phase for which permission is hereby granted shall not be begun before detailed plans showing the appearance, means of access, landscaping, layout and scale (hereinafter referred to as "the reserved matters") have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with those approved details.

Reason: To define the terms of the permission and ensure a satisfactory appearance to the development.

- 3 Application for the approval of the reserved matters for phase 1 as identified by the phasing plan shall be made to the local planning authority before the expiration of 2 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of one year from the date of approval of the reserved matters for phase 1, whichever is the later.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 5 Application for the approval of reserved matters for the subsequent phases of development as identified by the phasing plan shall be made to the local planning authority before the expiration of 4 years from the date of this permission. The subsequent phases of development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before the

expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 6 The first reserved matters application submitted pursuant to Condition 2 shall be accompanied by a detailed drainage strategy for the whole development hereby approved. The detailed drainage strategy must be/consider/include, but not be limited to:
- Compliant with National & Local Standards/Guidance including the NPPF, Non-Statutory Technical Standards for Sustainable Drainage, and Building Regulation H
 - Sufficient evidence to demonstrate the system is technically feasible (e.g. sufficient runoff rate and volume management, appropriate use of climate change factors, system simulations, and construction drawings)
 - a scheme of surface water treatment;
 - management of exceedance flows for the 1 in 100 year event; and
 - a construction method statement taking in to account but not limited to surface water management (quantity and quality) during the construction stage; The drainage scheme shall be carried out in accordance with the approved details

Reason: To ensure that the development is provided with a satisfactory means of drainage, as well as reducing the risk of flooding both on the site itself and the surrounding area, and to minimise the risk of pollution.

- 7 None of the residential units hereby permitted shall be occupied until a scheme for the maintenance of all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation. The approved SuDS maintenance scheme shall be carried out in full in accordance with the approved details.

Reason: To ensure that the development is provided with a satisfactory means of drainage, as well as reducing the risk of flooding both on the site itself and the surrounding area, and to minimise the risk of pollution.

- 8 Each application for reserved matters shall be accompanied by a plan setting out the existing and proposed ground levels and ground floor slab levels of the buildings relative to Ordnance Datum Newlyn. The development within that phase shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory and well planned development and in the interest of visual amenity.

- 9 For each phase of development the reserved matters submitted pursuant to condition 2 shall be accompanied by full details of both hard and soft landscape proposals. These details shall include, as appropriate:

Hard landscaping

- i. Proposed finished levels or contours;
- ii. Positions, design, materials and type of boundary treatment to be erected;
- iii. Hard surfacing materials;
- iv. The equipment layout and surfacing for the children's play areas; and
- v. Minor artefacts and structures (e.g. street furniture, refuse or other storage units and signs); and

Soft landscape details shall include:

- i. Planting plans including the positions of all tree, hedge and shrub planting;
- ii. Written specifications (including cultivation and other operations associated with plant and grass establishment);
- iii. Schedules of plants, noting species, planting sizes and proposed numbers;
- iv. Densities where appropriate; and
- v. Implementation timetables including time of planting.

The development shall be carried out only in accordance with the details so approved.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

- 10 If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

- 11 The first reserved matters application submitted pursuant to Condition 2 shall be accompanied by a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, (other than privately owned domestic gardens). The landscape management plan shall be implemented in accordance with those approved details.

Reason: In the interests of visual and residential amenity.

- 12 Land identified as Public Open Space in the landscape and movement parameters plan (Design & Access Statement Addendum February 2017) shall be safeguarded and retained as public open space.

Reasons: To meet the requirements of the Habitats Regulations and to safeguard Biodiversity.

- 13 No development including demolition or site clearance shall be commenced on the site or machinery or material brought onto the site for the purpose of development until full details of measures to protect trees and hedgerows have been submitted to and approved in writing by the Local Planning Authority. This shall include:
- a. Protective fencing must be installed around trees and hedgerows to be retained on site. The protective fencing design must be to specifications provided in BS5837:2012 or subsequent revisions, unless agreed in writing with the Local Planning Authority. A scale plan must be submitted and approved in writing by the Local Planning Authority accurately indicating the position of protective fencing. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of development,
 - b. The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the tree protection zone (TPZ). Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, citing of site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the TPZ, unless agreed in writing with the local planning authority. The TPZ shall be maintained during the course of development.

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

- 14 No works in any individual phase shall take place Including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:
- a) Risk assessment of potentially damaging construction activities
 - b) Identification of "biodiversity protection zones" with reference, but not exclusively, to species and habitats identified in the Environmental Statement and subsequent ecological update reports.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d) The locations and timing of sensitive works to avoid harm to biodiversity features
 - e) The times during construction when specialist ecological or environmental need to be present on site to oversee works
 - f) Responsible persons and lines of communication
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person
 - h) Use of protective fences, exclusion barriers and warning signs
 - i) The approved CEMP shall be adhered to and implemented throughout the construction period

strictly in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reasons: To safeguard Biodiversity.

- 15 At the first reserve matters stage in relation to each phase of development as set out in the Design & Access Statement addendum phasing parameters plan (February 2017) a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by, the Local Planning Authority prior to the commencement of that phase of development. The content of the LEMP shall include, but not exclusively, the following:
- a) Description and evaluation of features to be managed with reference, but not exclusively, to species and habitats identified in the Environmental Statement and subsequent ecological update reports.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management including those in relation to otters, reptiles, bats and nesting birds.
 - d) Appropriate management options for achieving aims and objectives including appropriate enhancement measures.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also identify the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reasons: To meet the requirements of the Habitats Regulations and safeguard Biodiversity.

- 16 The hard and soft landscaping scheme pursuant to Condition 9 shall take full account of the Landscape and Ecological Management Plan and Construction Environmental Plan for the relevant phase. Thereafter landscaping shall be implemented and maintained in accordance with the approved scheme.

Reasons: To safeguard Biodiversity and the natural environment.

- 17 The first reserved matters application in relation to each phase of development as set out in the Design & Access Statement addendum phasing parameters plan (February 2017), shall include an external lighting control scheme, to demonstrate measures to reduce impacts on existing and proposed features for bat foraging and flight corridors. The development shall be carried out in accordance with the approved scheme.

Reasons: To safeguard local character from increased light pollution and to safeguard Biodiversity.

- 18 Before each dwelling is occupied, an A4 sized colour leaflet setting out the location and sensitivities of the Cotswold Beechwoods SAC, how to avoid negatively affecting it and indicating alternative locations for off road cycling shall be submitted to and agreed in writing by the Local Planning Authority and thereafter two copies shall be issued to each new homeowner prior to the occupation of any new dwelling hereby permitted.

Reasons: To ensure no adverse effects on the integrity of the Cotswolds Beechwoods SAC as a result of the development.

- 19 Prior to the occupation of the 200th dwelling hereby permitted permanent SAC interpretation and mitigation measures, proportionate to the impact of the development, shall be agreed with the Local Planning Authority. The interpretation and mitigation measures shall be implemented in accordance

with the approved details and shall be similarly maintained thereafter.

Reasons: To ensure no adverse effects on the integrity of the Cotswolds Beechwoods SAC as a result of the development.

20 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 provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. (ii) loading and unloading of plant and materials;
- iii. (iii) storage of plant and materials used in constructing the development;
- iv. (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. (v) wheel washing facilities;
- vi. (vi) measures to control the emission of dust and dirt during construction;
- vii. (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety.

21 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 the document entitled 'Written Scheme of Investigation: Archaeological Mitigation' compiled by Armour Heritage (dated January 2016).

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

22 If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority and the remediation of the site shall incorporate the approved additional measures.

Reason: To protect the living conditions of future occupiers.

23 No development above DPC level shall take place until a scheme of noise attenuation to achieve 50dB(A) 'desirable' criteria (and not to exceed the upper limit of 55dB(A)) as recommended by BS8233:2014, for enclosed outdoor private amenity areas (gardens), has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in accordance with the approved details and prior to the first occupation of each dwelling.

Reason: To ensure satisfactory the living conditions of future occupiers.

24 Prior to the first occupation of the development, details of Low Emission Boilers to be installed in each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The Ultra-Low NOx boilers (with maximum NOx Emissions less than 40 mg/kWh) shall be installed in accordance with the approved details prior to the first occupation of each property.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.

25 Prior to first occupation, each dwelling hereby permitted shall be provided with an outside electrical socket to enable ease of installation of an electric vehicle charging point. All sockets shall comply with BS1363 (or other document which may replace or modify it), and shall be provided with a lockable weatherproof cover if located externally to the building.

Reason: To encourage sustainable transport modes and incorporate facilities for charging plug-in and other ultra-low emission vehicles.

26 No demolition, construction works or machinery (audible beyond the application site) shall be

operated, or process carried out and no deliveries taken at or despatched from the site outside the following times 07.30 hours to 18.00 hours Mondays to Fridays and 08.00 hours to 13.00 hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In order to protect the amenity of occupiers of nearby properties.

Notes:

1 Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating an improved design and ensuring that highway safety and ecology issues have been addressed.

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

3 Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

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

UPDATE

This application was deferred by the 13th February 2018 planning committee to allow for officers to secure further information regarding education, highways and drainage and to invite statutory consultees to the Committee meeting.

PRIMARY EDUCATION PROVISION

The applicant (M&M) has acknowledged that the whole South Churchdown Strategic allocation of 1,110 new houses would generate the need for a 1.5 form entry primary school (PS). However the current application for 465 new dwellings would not generate sufficient child product to require a new primary school on site (130 primary places through the life of the development), and the County Council S.106 officer (GCC) has advised that a ½ form entry school would not be viable or acceptable.

The capacity and forecasts of existing primary schools places have been assessed and it has been demonstrated that a PS would not need to be provided immediately, but at such a time to allow it to open and meet the needs from the development when they arise. The bespoke timings would be detailed within a legal agreement with appropriate 'triggers' to ensure delivery of a school at the required time.

An agreement in principle has been reached between the parties (GCC/M&M and the adjoining landowner). The land for the new PS would be identified and secured through the planning process, in consultation with GCC and via an application to be submitted and determined on the balance of SA2 Allocation. M&M propose to contribute S.106 payments for both the capital cost of the construction of the new PS and the value of the land to be provided by the adjoining landowner (to be determined by the District Valuer) for the 1.5 form entry PS on a pro-rata basis, based on housing numbers.

It is considered that the mechanism to secure the PS site and appropriate restrictions on occupancy of the proposed development until such time as the school site is delivered can be secured through an appropriately worded S.106.

To 'future-proof' additional primary need in the area, GCC would require the ability to expand the school from the 1.5 form entry which would be generated by the strategic allocation to a 2 form entry PS. This would be achieved through GCC securing an Option to purchase additional land to expand the school site, if required.

In the unlikely event that the adjoining land does not come forward, and no planning application is submitted, then, not only would the requirement for a 1.5 Form Entry PS not crystallise but GCC would remain in control of the M&M S.106 contributions to deliver provision of school places in relation to the current application.

In addition to the primary school arrangements set out above, M&M would provide the appropriate off site contributions towards nursery and secondary places as summarised at paragraph 18.2 of the report.

FLOOD RISK AND DRAINAGE

The lead local flood authority (LLFA) have advised that the drainage proposal for the application site are specific and it is not considered that this development or any other that forms part of the strategic allocation would impact or prejudice other parcels in terms of surface water flood risk. Each application is assessed independently to ensure that it meets national requirements to not increase flood risk to the site or elsewhere.

The submitted Phasing Parameter Plan (Drawing No. 15-45-PL-218) states the SuDS would be constructed first, and their Environmental Statement (Section 7.99) suggests these SuDS would be constructed to serve the whole site in advance of construction. However, precise details of the SuDS measures would be secured by condition.

Maintenance of the watercourses

The south-western and northern watercourses form the boundary of the development site and therefore the current landowner is responsible for the maintenance on their side. The responsibility for maintenance once the development is built would be dependent on the transfers of land and the management/maintenance agreements/arrangements. The southern and northern watercourses would most likely be maintained by a private management company or adopted as public open space.

Site discharge rates

Discharge rates for this development have not been specified yet. As this is an outline application, the Lead Local Flood Authority (LLFA) considers it appropriate to agree these rates at the detail design stage and the applicant has identified a substantial area for above ground attenuation.

For all developments, agreed discharge rates can be no greater than the existing greenfield rate up to the 1 in 100 year event. In some circumstances, to deal with runoff volumes (this is different to the rate of runoff), the LLFA have advised that they request the developer to restrict runoff rates for all event up to the 1 in 100 year event + 40% climate change (1% probability of occurring in any one year) to the 1 in 2.3 year event (also known as the QBar event and has a 43% probability of occurring in any one year) as it has the added benefit of reducing the site's discharge rate and the detail of how the runoff volume is managed would be agreed in the detail design.

Horsebere Brook

The watercourse adjoining the development site and the Horsebere Brook are not hydrologically connected, therefore independent of each other. Regardless of hydraulic connectivity, the applicant must demonstrate the development would not increase flood risk to the site or elsewhere. This is achieved by ensuring that the development's runoff rate and volume is managed on site by the Sustainable Drainage System (SuDS) that mimics the existing hydrological conditions. These details would be secured as part of the detailed design in order to ensure that the development would not increase flood risk.

HIGHWAYS

The Gloucestershire County Council Highways officer has provided the following assessment of the application.

Proposed Transport Network Changes:

Access -

- DMRB TD42/95 Compliant Ghost Island Junction.
- 2.4m x 120m visibility splays achievable.

- Secondary emergency access off of Parkside Drive, Conditioned to be for emergency use only.
- Separate Pedestrian/cycle accesses.
- Dropped Kerb tactile crossing points over Cheltenham Road East.
- Pedestrian/cycle access infrastructure to be provided up to northern site boundary for a potential future link to Thompson Way/Luke Lane.

Off-site network changes -

- New Ghost Island junction on CRE.
- Pedestrian Dropped Kerb tactile crossings either side of the vehicular site access.
- Improvements to the bus stop facilities to the south west of the development site.

Impact of Development:

The scope of junction assessments has been agreed with GCC and the results are acceptable. Impact of the development likely upon network in 2026 future year.

Impact on Local Network -

The impact of the development on the Local Network is deemed acceptable. There is a marginal but not significant impact on the performance of Pirton Lane and Parton Road signalised junctions as a result of this development.

Impact on Primary Network (Elmbridge Court Roundabout) -

The proposed development would have an impact on the performance of the (Cheltenham Road East) CRE approach arm in the 2026 future year. Modelling with signalisation of CRE demonstrates a benefit in performance in 2026.

The proposed modelling design raised significant safety issues. The developer wanted to address this at detail design stage. However, there is a risk that a suitable scheme cannot be provided by the developer and any condition at Outline stage would therefore be unreasonable with the risk of an unimplementable planning permission.

It is therefore suggested that a contribution is sought and GCC and their consultant's monitor junction performance to be in a position to then design and implement a suitable mitigation scheme.

The 2031 sensitivity test determines significant impact on primary and local networks as a result of the Full South Churchdown Urban Extension. Further mitigation would be required. This has been identified in the JCS Transport Evidence Base, Appendix C, DS7 Scheme Cost Assumptions. A contribution is therefore sought for highways improvements as identified in the JCS Transport Strategy May 2017.

Highway conclusion:

Although the development would have an impact on the performance of the CRE approach arm to Elmbridge Court Roundabout, this can be overcome by a planning obligation/contribution under s106 to make the development acceptable in planning terms. The development does not prejudice the performance of the Local Road Network and is therefore acceptable in accordance with the NPPF.

No highway objection is therefore raised subject to conditions and the completion of a S.106 agreement to secure Local Road Network improvements and the JCS DS7 Package of scheme mitigation comprising:

Network improvements -

£613,335.00 - Contribution towards the JCS DS7 Package of Scheme Mitigation, Corridor 3, Scheme ref 20.

£152,529.00 - Contribution towards Local Road Network Improvements.

OTHER MATTERS

The following further representations have been received:

Innsworth Parish Council have drawn attention to their emerging neighbourhood plan and specifically the Green Infrastructure plan and Movement of People Plan and specifically contributions towards improvement works to the Ash Path are considered. It is noted that the plan is still at an early stage and can-not be afforded weight, however discussions with regards to S.106 contributions are ongoing.

The Tree Warden has raised concerns with regards to the extent of hedgerow proposed to be removed to the north of the access drive beyond that required to achieve appropriate visibility splays and the importance the hedge plays in terms of visual amenity and wildlife.

It is noted that this application is submitted in outline with all matters reserved. The detailed landscaping proposals would be considered as part of the relevant reserved matters application.

CONCLUSIONS

It is recommended that the decision is DELEGATED to the Development Manager to permit the application subject to resolving the outstanding open space and community facility contributions; additional/amended planning conditions; and the completion of a section 106 legal agreement to secure the following heads of terms:

- Affordable Housing - 35%
- Pre-school - £512,629
- Primary Education - £1,766,773
- Secondary education - £1,632,969
- Contribution towards the JCS DS7 Package of Scheme Mitigation - £613,335.00.
- Contribution towards Local Road Network Improvements - £152,529.00.
- Libraries - £91,140
- Sports facilities - TBC
- Open space, playing pitches and facilities - TBC
- Community facilities and Infrastructure - TBC
- Highway improvements and signalisation - TBC
- Recycling - £73 per dwelling
- Dog bins & signs - 1 dog bin per 45 houses at £350 per bin and 1 sign per 10 houses at £50 per sign.

RECOMMENDATION Delegated Permit

CONDITIONS

1 As part of the first reserved matters application a phasing plan for the whole site shall be submitted to the local planning authority for approval in writing. The phasing plan shall include details of the intended number of market and affordable dwellings for each phase of development together with general locations and phasing of key infrastructure, including surface water drainage, green infrastructure, play facilities and access for pedestrians, cyclists, and vehicles. The phasing plan shall be based on the amended Landscape & Movement Parameters Plan contained within the Design and Access Statement Addendum dated February 2017 and received by the Local Planning Authority on 28th March 2017 except where other planning conditions specify otherwise. The development shall thereafter be carried out in accordance with the approved phasing plan.

Reason: To define the terms of the permission and ensure a satisfactory appearance to the development.

2 The development of each phase for which permission is hereby granted shall not be begun before detailed plans showing the appearance, means of access, landscaping, layout and scale (hereinafter referred to as "the reserved matters") have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with those approved details.

Reason: To define the terms of the permission and ensure a satisfactory appearance to the development.

3 Application for the approval of the reserved matters for phase 1 as identified by the phasing plan shall be made to the local planning authority before the expiration of 2 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990

as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4 The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of one year from the date of approval of the reserved matters for phase 1, whichever is the later.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

5 Application for the approval of reserved matters for the subsequent phases of development as identified by the phasing plan shall be made to the local planning authority before the expiration of 4 years from the date of this permission. The subsequent phases of development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

6 The first reserved matters application submitted pursuant to Condition 2 shall be accompanied by a detailed drainage strategy for the whole development hereby approved. The detailed drainage strategy must be/consider/include, but not be limited to:

- Compliant with National & Local Standards/Guidance including the NPPF, Non-Statutory Technical Standards for Sustainable Drainage, and Building Regulation H
- Sufficient evidence to demonstrate the system is technically feasible (e.g. sufficient runoff rate and volume management, appropriate use of climate change factors, system simulations, and construction drawings)
- a scheme of surface water treatment;
- management of exceedance flows for the 1 in 100 year event; and
- a construction method statement taking in to account but not limited to surface water management (quantity and quality) during the construction stage; The drainage scheme shall be carried out in accordance with the approved details

Reason: To ensure that the development is provided with a satisfactory means of drainage, as well as reducing the risk of flooding both on the site itself and the surrounding area, and to minimise the risk of pollution.

7 None of the residential units hereby permitted shall be occupied until a scheme for the maintenance of all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation. The approved SuDS maintenance scheme shall be carried out in full in accordance with the approved details.

Reason: To ensure that the development is provided with a satisfactory means of drainage, as well as reducing the risk of flooding both on the site itself and the surrounding area, and to minimise the risk of pollution.

8 Each application for reserved matters shall be accompanied by a plan setting out the existing and proposed ground levels and ground floor slab levels of the buildings relative to Ordnance Datum Newlyn. The development within that phase shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory and well planned development and in the interest of visual amenity.

9 For each phase of development the reserved matters submitted pursuant to condition 2 shall be accompanied by full details of both hard and soft landscape proposals. These details shall include, as appropriate:

Hard landscaping

- i. Proposed finished levels or contours;
- ii. Positions, design, materials and type of boundary treatment to be erected;
- iii. Hard surfacing materials;

- iv. The equipment layout and surfacing for the children's play areas; and
- v. Minor artefacts and structures (e.g. street furniture, refuse or other storage units and signs); and

Soft landscape details shall include:

- i. Planting plans including the positions of all tree, hedge and shrub planting;
- ii. Written specifications (including cultivation and other operations associated with plant and grass establishment);
- iii. Schedules of plants, noting species, planting sizes and proposed numbers;
- iv. Densities where appropriate; and
- v. Implementation timetables including time of planting.

The development shall be carried out only in accordance with the details so approved.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

10 If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

11 The first reserved matters application submitted pursuant to Condition 2 shall be accompanied by a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, (other than privately owned domestic gardens). The landscape management plan shall be implemented in accordance with those approved details.

Reason: In the interests of visual and residential amenity.

12 Land identified as Public Open Space in the landscape and movement parameters plan (Design & Access Statement Addendum February 2017) shall be safeguarded and retained as public open space.

Reasons: To meet the requirements of the Habitats Regulations and to safeguard Biodiversity.

13 No development including demolition or site clearance shall be commenced on the site or machinery or material brought onto the site for the purpose of development until full details of measures to protect trees and hedgerows have been submitted to and approved in writing by the Local Planning Authority. This shall include:

(a) Protective fencing must be installed around trees and hedgerows to be retained on site. The protective fencing design must be to specifications provided in BS5837:2012 or subsequent revisions, unless agreed in writing with the Local Planning Authority. A scale plan must be submitted and approved in writing by the Local Planning Authority accurately indicating the position of protective fencing. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of development,

(b) The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the tree protection zone (TPZ). Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, citing of site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the TPZ, unless agreed in writing with the local planning authority. The TPZ shall be maintained during the course of development.

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of

the character and amenities of the area.

14 No works in any individual phase shall take place including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of "biodiversity protection zones" with reference, but not exclusively, to species and habitats identified in the Environmental Statement and subsequent ecological update reports.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The locations and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialist ecological or environmental need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person
- h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reasons: To safeguard Biodiversity.

15 At the first reserve matters stage in relation to each phase of development as set out in the Design & Access Statement addendum phasing parameters plan (February 2017) a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by, the Local Planning Authority prior to the commencement of that phase of development. The content of the LEMP shall include, but not exclusively, the following:

- a) Description and evaluation of features to be managed with reference, but not exclusively, to species and habitats identified in the Environmental Statement and subsequent ecological update reports.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management including those in relation to otters, reptiles, bats and nesting birds.
- d) Appropriate management options for achieving aims and objectives including appropriate enhancement measures.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also identify the legal and funding mechanism(s) by which the long-term implementation of the plan would be secured by the developer with the management body (ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action would be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan would be implemented in accordance with the approved details.

Reasons: To meet the requirements of the Habitats Regulations and safeguard Biodiversity.

16 The hard and soft landscaping scheme pursuant to Condition 9 shall take full account of the Landscape and Ecological Management Plan and Construction Environmental Plan for the relevant phase. Thereafter landscaping shall be implemented and maintained in accordance with the approved scheme.

Reasons: To safeguard Biodiversity and the natural environment.

17 The first reserved matters application in relation to each phase of development as set out in the Design & Access Statement addendum phasing parameters plan (February 2017), shall include an external lighting control scheme, to demonstrate measures to reduce impacts on existing and proposed features for bat foraging and flight corridors. The development shall be carried out in accordance with the approved scheme.

Reasons: To safeguard local character from increased light pollution and to safeguard Biodiversity.

18 Before each dwelling is occupied, an A4 sized colour leaflet setting out the location and sensitivities of the Cotswold Beechwoods SAC, how to avoid negatively affecting it and indicating alternative locations for off road cycling shall be submitted to and agreed in writing by the Local Planning Authority and thereafter two copies shall be issued to each new homeowner prior to the occupation of any new dwelling hereby permitted.

Reasons: To ensure no adverse effects on the integrity of the Cotswolds Beechwoods SAC as a result of the development.

19 Prior to the occupation of the 200th dwelling hereby permitted permanent SAC interpretation and mitigation measures, proportionate to the impact of the development, shall be agreed with the Local Planning Authority. The interpretation and mitigation measures shall be implemented in accordance with the approved details and shall be similarly maintained thereafter.

Reasons: To ensure no adverse effects on the integrity of the Cotswolds Beechwoods SAC as a result of the development.

20 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 provide for:

- i. the parking of vehicles of site operatives and visitors;**
- ii. loading and unloading of plant and materials;**
- iii. storage of plant and materials used in constructing the development;**
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- v. wheel washing facilities;**
- vi. measures to control the emission of dust and dirt during construction;**
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.**

Reason: In the interests of highway safety.

21 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 the document entitled 'Written Scheme of Investigation: Archaeological Mitigation' compiled by Armour Heritage (dated January 2016).

Reason: It is important to secure a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme would advance understanding of any heritage assets which would be lost.

22 If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority and the remediation of the site shall incorporate the approved additional measures.

Reason: To protect the living conditions of future occupiers.

23 No development above DPC level shall take place until a scheme of noise attenuation to achieve 50dB(A) 'desirable' criteria (and not to exceed the upper limit of 55dB(A)) as recommended by BS8233:2014, for enclosed outdoor private amenity areas (gardens), has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented

in accordance with the approved details and prior to the first occupation of each dwelling.

Reason: To ensure satisfactory the living conditions of future occupiers.

24 Prior to the first occupation of the development, details of Low Emission Boilers to be installed in each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The Ultra-Low NOx boilers (with maximum NOx Emissions less than 40 mg/kWh) shall be installed in accordance with the approved details prior to the first occupation of each property.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.

25 Prior to first occupation, each dwelling hereby permitted shall be provided with an outside electrical socket to enable ease of installation of an electric vehicle charging point. All sockets shall comply with BS1363 (or other document which may replace or modify it), and shall be provided with a lockable weatherproof cover if located externally to the building.

Reason: To encourage sustainable transport modes and incorporate facilities for charging plug-in and other ultra-low emission vehicles.

26 No demolition, construction works or machinery (audible beyond the application site) shall be operated, or process carried out and no deliveries taken at or despatched from the site outside the following times 07.30 hours to 18.00 hours Mondays to Fridays and 08.00 hours to 13.00 hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In order to protect the amenity of occupiers of nearby properties.

27 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 minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians.

28 Prior to occupation of the dwellings hereby permitted, details of a scheme to prevent access, by way of retractable bollards, gates or other means, by motor vehicles from Parkside Drive shall be submitted to and agreed in writing by the Local Planning Authority. The access shall then be constructed in accordance with the approved plan with the bollards retracted upright / gate locked permanently thereafter unless otherwise required in an emergency.

Reason: To ensure that a safe and convenient means of emergency access can be provided in the interests of highway safety.

29 The proposed dropped kerb, tactile crossings points shall be provided broadly in accordance with submitted drawing ST13331-01 Rev B and made available for public use before any of the dwellings hereby permitted are first occupied.

Reason: To ensure that priority is given to pedestrian and cycle movements and to provide access to High Quality Public Transport facilities.

30 Details of enhancements to the bus stop facilities south west of the development site on Cheltenham Road East shall be submitted to and agreed in writing with the Local Planning Authority. The enhancements are to include Shelters, timetables, Real Time Passenger Information and infrastructure improvements. The approved details shall then be provided and made available for public use before any of the dwellings hereby permitted are first occupied.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up and to provide access to high quality public transport facilities.

31 The details to be submitted for the approval of reserved matters shall include residential

vehicular parking and turning as well as parking facilities for the POS/Sports Pitches within the site, and the building(s) hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians.

32 Details of the layout, access and an internal footway/cycle link from CRE to the northern site boundary, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians.

33 No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians.

34 The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 120m distant to the left and 120m distant to the right (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.6m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided.

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

Reason: To ensure that the opportunities for sustainable transport modes are taken up.

36 Prior to works commencing on site, details of a pedestrian/cycle link at the northern site boundary, fronting Luke Lane/Thompson Way, to facilitate a future link to Innsworth shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian/cycle link shall be provided in accordance with the approved details on first occupation of the dwellings hereby permitted.

Reason: To ensure priority is given to pedestrian and cycle movements.

37 No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Local Planning Authority for the provision of fire hydrants (served by mains water) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the council.

Reason: To ensure adequate water infrastructure is made on site for the local fire service to tackle any property fire.

38 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.** specify the intended hours of construction operations;
- vii.** measures to control the emission of dust and dirt during construction

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies.

39 No works shall commence on site until details of a tactile, dropped kerb crossing point on the site access junction with Cheltenham Road East is submitted to and approved in writing by the Local Planning Authority. The approved crossing facility shall be provided and made available for use before any of the dwellings hereby permitted are occupied.

Reason: To ensure priority is given to pedestrian and cycle movements along Cheltenham Road East.

Notes:

1 Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating an improved design and ensuring that highway safety and ecology issues have been addressed.

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

3 Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

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

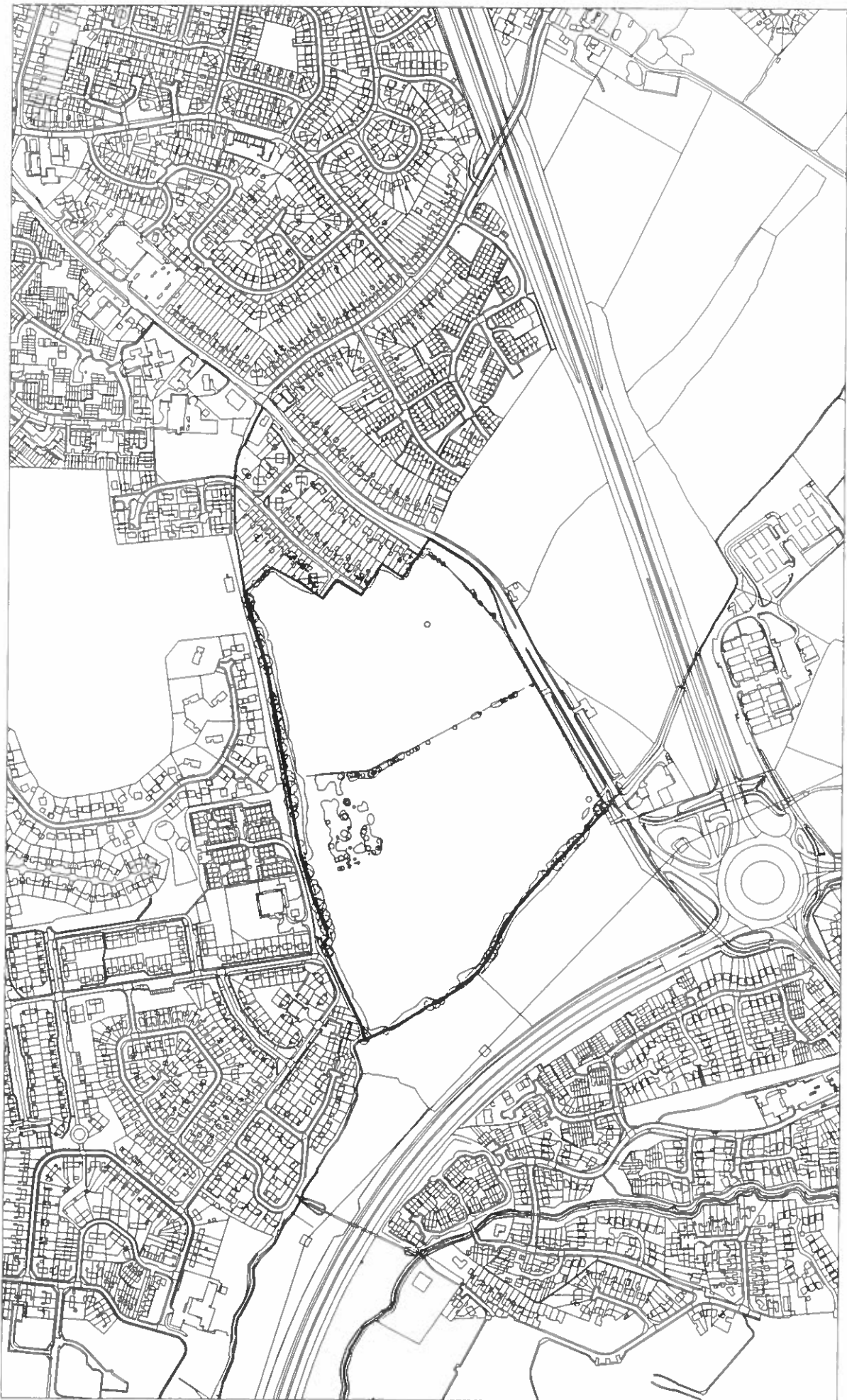
5 The applicant is advised that to discharge condition # that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a private managements and maintenance company confirming funding, management and maintenance regimes.

6 The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

7 The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding highway works agreement (including appropriate bond) with the County Council before commencing those works.

8 You are advised to contact Amey Gloucestershire 08000 514 514 to discuss whether your development will require traffic managements measures on the public highway.

16/00738/OUT.



Drawn by:	JG	Checked by:	PJR	Status:	Planning	Date:	05/08/16	Drawing no:	15-45-PL-219	Rev:	0
Scale: 1:2500 @ A1											

Revisions:

Rev 0 Drawing created by uk.dave

Title:

Wider Context Application Boundary

Project:

Pirton Fields

the richards partnership

1 Agcourt Square, Monmouth, NP25 3BT

T +44(0)1600 772251

149/a 35

17/00852/OUT

Yew Tree Farm, Tewkesbury Road, Twigworth

ITEM 2

Valid 01.08.2017

Outline planning application for the erection of up to 74 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Tewkesbury Road. All matters reserved except for the means of access.

Grid Ref 384902 222408
Parish Twigworth
Ward Coombe Hill

RECOMMENDATION Delegated Permit

Policies and Constraints

DEFERRED AT 03.07.18 COMMITTEE (ITEM 8 - PAGE NO 95)

Joint Core Strategy - SP1, SP2, SD3, SD4, SD6, SD8, SD9, SD10, SD11, SD12, SD14, INF1, INF2, INF3, INF4, INF5, INF6, INF7.

Tewkesbury Borough Local Plan to 2011 (March 2006) - TPT3, TPT5, TPT6, TPT9, RCN1, RCN2, NCN3.
Flood and Water Management SPD

Affordable Housing SPD

National Planning Policy Framework

Planning Practice Guidance

Within 50m of listed buildings

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Down Hatherley, Norton and Twigworth Neighbourhood Development Plan 2011-2031 (Submission Version)

Consultations and Representations

Twigworth Parish Council and Down Hatherley Parish Council

The two Parish Council's vigorously oppose the application.

The previous application was for less than 60 houses and community concern was voiced at a meeting with Hunter Page in Down Hatherley Village Hall in March 2013. The hall was packed, and such was the concern, indeed, incredulity that the site was being considered for development that the planners' contentions were all vociferously rebutted.

Submissions from the councils included photographs from residents of Orchard Park whose homes directly bordered the site. They showed that the land does indeed flood after heavy rain, and remain so for many days beyond due to the heavy clay loam that defines this neighbourhood. This was attested to by all local residents, parish and borough councillors. Local concern was such that Twigworth PC sought the opinion of Professor Ian Cluckie, a hydrologist of international repute. His conclusion was that SUDS engineering to mitigate the issue of site flooding was not likely to solve the problem; that development of this scale on this site was 'unwise'.

In 2007 this site was flooded virtually everywhere and in places at a depth of between two and three feet.

The present application is for even more houses, a possible 75. Both parish councils and the entire community are again united in opposition.

Flooding concern: The site and the meadows around are a necessary soak for drainage towards the Severn yet liable to fluvial 'ponding' due to the soil type. The parish councils have many photographs showing significant pluvial flooding. It is not believed that SUDS engineering will eliminate surface flow beyond the borders of such a large housing estate. Properties bordering the A38 - and which also back the site- were badly flooded in 2007 one family at least having to vacate their home for over a year.

Dangers along the A38: The size and intensity of vehicles is increasing every year. Collisions at private and business turn-offs are not infrequent and a fatality occurs on average every 7 years. A junction for the proposed estate will only increase the volume of traffic and the congestion which is currently a mile long queue at peak times down to the Longford roundabout. Sections of Twigworth have very narrow pavements indeed and are already a constant source of danger to pedestrians. It also needs to be stressed that the A38 a diversion route during any M5 closure.

Twigworth is a parish with few facilities There is an absence of doctor's surgery, community centre, village hall, school, post office or other than a very small shop within Orchard Park.

It is within the Green Belt: Even if the Joint Core Strategy recommended some G.B. removal and this was then passed by the 3 boroughs, this site would not be included for release.

It does not conform with the emerging Neighbourhood Development Plan (Down Hatherley, Twigworth and Norton parishes). After nearly 5 years of preparation it is now in the final stages before anticipated acceptance by Tewkesbury Borough Council.

Norton Parish Council - Opposes the application and supports the objection submitted by Twigworth and Down Hatherley parish councils. Concerned about the inadequacy of the current road system to accommodate the unchecked growth of housing and mobile home developments on the A38, and the poorly designed, unfunded and unproven schemes suggested to alleviate this growing congestion. These developments have continued in contravention of saved planning policies, sound professional advice and years of work on our joint Neighbourhood Development Plan, held up by the authorities' poorly conceived approach to the Joint Core Strategy.

Norton school, the primary provision for this development, is already oversubscribed without taking into account the recent permitted developments in the area.

Sandhurst Parish Council - Object:

1. Traffic: The site is just outside the Parish of Sandhurst and the Parish Council is very concerned by the potential increase of some 150 cars using the roads in the area. If allowed, the development would increase the number of vehicles using the narrow and winding Sandhurst Lane as a 'rat run' through Sandhurst to avoid the daily tailbacks, particularly of southbound traffic, on the A38 between north of Twigworth and the Plock Court roundabout at Longford. Sandhurst Lane is a country road used by residents of Sandhurst, agricultural vehicles, milk tankers, cyclists, horse riders, pedestrians and road runners. Increase in traffic on Sandhurst Lane would be dangerous as it is single track, twisty and has limited visibility for much of its length. The junction of Sandhurst Lane with the A38 Tewkesbury Road is a difficult place to obtain a view when exiting from Sandhurst and the inevitable increase in traffic from this development would have a further adverse effect.

2. Flooding: The site sits in a flood risk area and is flooded regularly as evidenced by one of the photographs included in a previous planning application for the site (Application Number: 13/00570/OUT). Sandhurst Parish Council is concerned that any development would cause the displacement of flood water which would inevitably flow towards Sandhurst, an area badly affected by flooding every year.

3. The site is in the Green Belt and this development would further erode the rural aesthetic of the area.

County Highways - No objection subject to conditions including and a S106 contribution of £161, 625 shall be entered into towards improvements along the A38 corridor for the improvements identified within DS7.

Highways England - No objection

Local Lead Flood Authority - Initially objected to the application as insufficient information was submitted and no consideration was given to SuDS. Further to the objection the applicant submitted a revised Flood Risk Assessment including a proposed location for a Sustainable Drainage Basin. The LLFA have now confirmed that there is no objection to the application subject to a condition requiring a detailed drainage design.

Urban Design Officer This site must be considered and designed in the context of the developments that are going on in the surrounding area. Links and connections must be made where possible. Overall the location of the site appears logical for residential development as it is within the existing built form of

Twigworth and offers opportunities to integrate with the existing settlement. The built form responds to the existing morphology of the village. The parameter and illustrative material submitted with the design and access statement are well thought through and the layout responds well to the constraints of the site and achieves a good quality of design.

County Archaeologist - A Roman agricultural landscape is present in the application site and this is confirmed by the archaeological appraisal which supports the application. The Roman archaeology is not of the first order of preservation and it is recommended a condition is imposed requiring the implementation of a programme of archaeological work prior to the commencement of development.

Natural England - Initially objected to the application as the lack of detail in the proposed SuDS scheme meant that Natural England could not assess potentially significant effects on the Innsworth Meadow Site of Special Scientific Interest (SSSI). Further to the submission of an additional Drainage Strategy including proposed SuDS, Natural England confirmed that there was no objection to the application.

Public Rights of Way Officer - The development does not appear to affect the nearby public rights of way.

Minerals and Waste Planning Authority - The application should be supported by a Waste Minimisation Statement

Historic England - Do not wish to offer any comments

Severn Trent - No objection subject to conditions

Environmental Health - The applicant should submit a noise assessment in support of the application setting out the necessary noise mitigation measures to meet the recommended noise levels for internal and external areas.

Environmental Health Contamination - No objection subject to conditions requiring an investigation and risk assessment and if necessary a remediation scheme.

Gloucestershire County S106 Officer - The scheme will generate a need for a contribution of £72,850 for additional pre-school places, £268,043 for additional primary school places, £213,814 for additional secondary school places and £14,504 for additional library resources

Communities Officer - The scheme will generate a need for a contribution of £89,188 for off-site playing pitches and changing facilities, £66,362 for sports facilities, £33,648 for community buildings and commuted sums for Tewkesbury Council's Grounds Maintenance Services in accordance with the Schedule of Rates 2017/18.

NHS - Based on 74 houses we would assume 162 patients - the total contribution requested is £7,607

Housing Enabling Officer - The proposal meets the affordable homes requirement on the site. 26 affordable housing properties are required on a development of 74 homes

Local Residents

8 objections have been received from local residents

- The proposal would be detrimental to the residential amenity, privacy and outlook of residents of Orchard Park caravan park
- The proposal would increase congestion on Tewkesbury Road
- The application is no different to the previous application which was refused
- The application site is frequently saturated with large areas of surface water
- The application site was previously a natural pond
- The proposal could result in run off to adjoining land
- There is no evidence that the SuDS system will work and it may not be maintained
- Heavy rain has previously caused flooding to properties near the application site
- The proposed access onto Tewkesbury Road is an accident black spot and is very close to existing junctions and there is an existing blind spot at the entrance to Norton Garden Centre.
- There is no pedestrian crossing on the Tewkesbury Road
- The site's emergency access is not wide enough for a fire engine

- The proposal would impact on the setting of grade II listed Yew Tree Cottage and the construction works could cause potential damage
- The site is in the Green Belt
- The proposal would not fit in with the current environment and would create a sprawl between Twigworth and Down Hatherley. There are insufficient local amenities and transport facilities to serve the development.
- The application is premature of the adoption of the JCS
- The development is not in keeping with the emerging Neighbourhood Plan and the opinions of locals has not been taken into consideration

Planning Officers Comments: Paul Instone

1.0 Introduction

1.1 The application relates to land at Yew Tree Farm, Twigworth. The site extends to approximately 3.1 hectares and consists of 2 pasture fields, a small barn, structures which lie within the rear curtilage of the dwelling at Yew Tree Farm, and an area of land which contains the remains of a small abandoned nursery with associated structures. The site also includes a finger of agricultural land in south east corner of site which extends to Brook Lane.

1.2 The site is bounded by the A38 to the north and there are three dwellings indented into the northern site boundary. Immediately to the west of the site are residential properties, with Orchard Park a residential park home beyond them which also wraps around the southern site boundary.

1.3 To the north east of the site is sporadic residential development and immediately to the east is a linear parcel of land which is currently used as a paddock. In the wider setting, the site is surrounded by open fields and countryside.

1.4 The application site forms part of Strategic Allocation A1 Innsworth and Twigworth in the Joint Core Strategy and is part of that allocation which is shown as Housing and Related Infrastructure on the JCS Indicative Site Layout Proposals Map. The site is also located within 50m of listed buildings, namely Yew Tree Cottage immediately to the north west of the site and the Manor House on the opposite side of the A38.

2.0 Relevant Planning History

Application Site

2.1 13/00570/OUT - Outline application for a mixed residential development comprising up to 58 dwellings, a new vehicular access off the A38, public open space, landscaping and other associated works (Appearance, Landscaping, Layout and Scale to be reserved for future consideration). Refused August 2013.

2.2 This application was submitted and determined prior to the site being included in Strategic Allocation A1 and the site was in the Green Belt.

Adjacent Sites

2.3 15/01149/OUT - A mixed use development comprising demolition of existing buildings; up to 725 dwellings and a local centre of 0.33ha (A1,A2,A3,A4,A5,D1,D2 uses); primary school, open space, landscaping, parking and supporting infrastructure and utilities; and the creation of a new vehicular access from the A38 Tewkesbury Road. Permitted at appeal December 2017.

2.4 15/00749/OUT - A mixed use development comprising demolition of existing buildings, up to 1,300 dwellings and 8.31 hectares of land for employment generating uses comprising a neighbourhood centre of 4.23ha (A1, A2, A3, A4, A5, D1, D2, B1), office park of 1.31ha (B1) and business park of 2.77ha (B1 and B8 uses), primary school, open space, landscaping, parking and supporting infrastructure and utilities, and the creation of new vehicular accesses from the A40 Gloucester Northern Bypass, Innsworth Lane and Frogfurlong Lane. Permitted at appeal December 2017.

3.0 Current Application

3.1 The current application seeks outline planning permission for up to 74 dwellings, to include a new vehicular access off the A38, associated landscaping, public open space and a sustainable drainage system. The application seeks to determine access at this stage; however, appearance, landscaping, layout and

scale are reserved for future consideration.

3.2 Whilst the above matters are reserved, the applicant has provided an indicative layout, which indicates the likely characteristics of the development. A design and access statement has also been submitted which sets out the design and layout principles.

3.3 During the determination of the application a new layout has been submitted which allows for a SUDs pond within the scheme. The resultant factor of this is that the numbers of dwellings has fallen by 1 from 75 to 74.

4.0 The Community Infrastructure Levy Regulations

4.1 The Community Infrastructure Levy (CIL) Regulations allow local authorities to raise funds from developers undertaking new building projects in their area. Whilst Tewkesbury Borough Council has not yet developed a levy the regulations stipulate that, where planning applications are capable of being charged the levy, they must comply with the tests set out in the CIL regulations. These tests are as follows:

- a) necessary to make the development acceptable in planning terms
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

4.2 As a result of these regulations, Local Authorities and applicants need to ensure that planning obligations are genuinely 'necessary' and 'directly' related to the development'. As such, the Regulations restrict Local Authorities ability to use Section 106 Agreements to fund generic infrastructure projects, unless the above tests are met. Where planning obligations do not meet the above tests, it is 'unlawful' for those obligations to be taken into account when determining an application. The need for planning obligations is set out in relevant sections of the report.

4.3 The CIL regulations also provide that as from 6 April 2015, no more contributions may be collected in respect of an infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy.

5.0 The Development Plan/ National Planning Policy

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The key consideration in assessing the principle of development therefore are the existing and emerging development plans for the area and Government policy in respect of new housing development.

Cheltenham, Gloucester and Tewkesbury Joint Core Strategy - December 2017

5.2 The Joint Core Strategy (JCS) was adopted in December 2017 and is part of the Development Plan for the area. Various policies in the JCS superseded some of the policies in the Tewkesbury Borough Local Plan to 2011 which had hitherto been saved by direction of the Secretary of State.

5.3 The JCS sets out the key spatial policies for the JCS area over the period of 2011-2031 and the preferred strategy to help meet the identified level of need. Policy SP1 sets out the overall strategy concerning the amount of development required, and Policy SP2 sets out the distribution of new development. These two policies, combined with Policy SD1 on the economy, provide the spatial strategy for the plan. This strategy, together with its aims, is expressed in relevant policies throughout the plan and will be supported by forthcoming district plans and neighbourhood plans.

5.4 Policy SP1 of the JCS sets out the need for new development and the overall housing requirement for each authority. Policy SP2 sets out the policy for the distribution of new development across the area.

5.5 To meet the needs of Gloucester City the JCS makes provision for at least 14,359 homes. At least 13,287 dwellings will be provided in the Gloucester City administrative boundary, including the Winnycroft Strategic Allocation, and urban extensions at Innsworth and Twigworth, South Churchdown and North

Brockworth within Tewkesbury Borough defined in Policy SA1, and sites covered by a Memoranda of Agreement.

5.6 Tewkesbury Borough's needs of (at least 9,899 new homes) will be provided through existing commitments, development at Tewkesbury Town in line with its role as a market town, smaller-scale development meeting local needs at Rural Service Centres and Service Villages, and sites covered by any Memoranda of Agreement.

5.7 Policy SA1 sets out the Strategic Allocations Policy and states that new development will be provided in Strategic Allocations in order to deliver the scale and distribution of development set out in policies SP1 and SP2. Seven Strategic Allocations are identified and the application site forms part of the JCS Strategic Allocation A1 identified at Innsworth and Twigworth. The Indicative Site Layout on the Policies Map Plan A1 shows that the application site is identified as part of a wider area of 'Housing and Related Infrastructure'.

5.8 Policy SA1 states that development proposals should enable a comprehensive scheme to be delivered across the developable area within each Strategic Allocation. Developers must ensure that the sites provide an appropriate scale and mix of uses, in suitable locations, to create sustainable developments that support and complement the role of existing settlements and communities. Proposals must be accompanied by a comprehensive masterplan for the entire Strategic Allocation demonstrating how new development will integrate with and complement its surroundings in an appropriate manner.

5.9 Policy SA1 goes on to state that Strategic Allocations should seek in all cases to retain and enhance areas of local green space within the boundary of the allocation. Infrastructure should be planned and provided comprehensively across the site taking into account of the whole Strategic Allocation. The transport strategy to support the delivery of the Strategic Allocations should align with and where appropriate contribute towards the wider transport strategy contained within the Local Transport Plan, including transport corridors and junctions. The development of Strategic Allocations must encourage the use of walking, cycling and the use of public transport.

5.10 Policy A1 of the JCS provides policy on Strategic Allocation A1, of which the application site forms part of, and sets that whole Strategic Allocation is expected to deliver

- i. Approximately 2,295 new homes
- ii. Approximately 9 hectares of employment generating land
- iii. A local centre including the provision of an appropriate scale of retail, healthcare and community facilities to meet the needs of the new community
- iv. New primary and secondary education schools and facilities
- v. A green infrastructure network of approximately 100 hectares, corresponding with flood zones 2 and 3.
- vi. Protection to key biodiversity assets, including a new nature reserve with the green infrastructure area to support the restoration of the SSSI and improve the ecology of the area to support restoration of the SSSI, improve the ecology of the area and contribute to water quality enhancements.
- vii. Adequate flood risk management across the site and ensure that all more vulnerable development is located wholly within flood zone 1. This includes measures to reduce flood risk downstream through increasing storage capacity.
- viii. Flood risk management will be a critical part of master planning the site in linking the Innsworth and Twigworth areas, avoiding overland flow routes and addressing surface water flooding. Detailed flood risk assessments must utilise the latest flood risk modelling information for the whole site and any other areas impacted by the development in terms of flood risk.
- ix. A layout and form of development that respects the landscape character as well as the character, significance and setting of heritage assets and the historic landscape.
- x. A layout and form that integrates, where appropriate, important hedgerows within the development.
- xi. A layout and form that reduces the impact of electricity pylons and high voltage lines; with the siting of residential development being a particular consideration.
- xii. Primary vehicle accesses from A38, Innsworth Lane and explore the potential for a new main junction onto the A40 to the south of the site.
- xiii. The potential for a highway link through both the Innsworth and Twigworth sites linking the A38 and A40.
- xiv. Measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of more sustainable transport modes.
- xv. High quality public transport facilities and connections within and adjacent to the site
- xvi. Safe, easy and convenient pedestrian and cycle links within the site and to key centres, providing segregated links where practical.

5.11 Other relevant JCS policies and saved policies of the Tewkesbury Local Plan 2006 are referred to in the relevant sections below.

Emerging Development Plan

5.12 The Tewkesbury Borough Plan is at an early stage of preparation. Initial consultation took place in 2015 and a Pre-submission consultation is expected to take place in early 2018. Given its stage of preparation, in light of guidance at paragraph 216 of the NPPF, very limited weight can be given to the emerging Borough Plan.

National Planning Policy Framework and Planning Practice Guidance

5.13 The NPPF aims to promote sustainable growth and requires applications to be considered in the context of sustainable development and sets out that there are three dimensions to sustainable development: economic, social and environmental.

- the economic role should contribute to building a strong, responsive and competitive economy;
- the social role should support strong, vibrant and healthy communities; and
- the environmental role should protect and enhance the natural, built and historic environment.

These roles should not be undertaken in isolation, because they are mutually dependant.

5.14 Paragraph 12 of the NPPF clarifies that it does not change the statutory status of the development plan as the starting point for decision-making. Proposed development that accords with the development plan should be approved, and proposed development that conflicts should be refused unless other material circumstances indicate otherwise. Paragraph 14 of the NPPF sets out that at the heart of the NPPF there is a presumption in favour of sustainable development and that for decision-taking this means (unless material considerations indicate otherwise) that development proposals that accord with the development plan should be permitted without delay; and that where the development plan is absent, silent or out-of-date, permission should be granted subject to certain caveats.

5.15 In terms of economic growth, one of the 'core principles' of the NPPF is to proactively drive forward and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Paragraph 19 of the NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and that planning should operate to encourage and not act as an impediment to sustainable growth.

5.16 In terms of housing delivery, the NPPF sets out that local authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing, including identifying key sites which are critical to the delivery of the housing strategy over the plan period (paragraph 47). Paragraph 49 sets out that housing application should be considered in the context of the presumption in favour of sustainable development.

5.17 Other specific relevant policies within the NPPF are set out in the appropriate sections of this report.

Emerging Neighbourhood Plan

5.18 The Down Hatherley, Norton and Twigworth Neighbourhood Development Plan 2011 -2031 has been submitted to Tewkesbury Borough Council and a consultation, under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 was completed in April 2018. Policy H2 of the Plan sets out criteria for new housing development in Twigworth. The Plan also states that, whatever growth level is ultimately determined, for Twigworth, it should be delivered steadily over the plan's period through a series of modest developments and not on a single large site delivered in a short space of time. This NDP proposes an organic, piece by piece, approach to sustainable growth in Twigworth in line with the available infrastructure.

5.19 Given the stage of preparation of the Neighbourhood Plan, and in light of guidance at paragraph 216 of the NPPF, limited weight can be given to the Neighbourhood Plan

Principle of Development

5.20 Planning policies should plan positively for development and infrastructure requirements and Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay.

5.21 Policy SA1 states the new development will be provided within the Strategic Allocations in order to deliver the scale and distribution of new development set out in Policies SP1 and SP2.

5.22 The application site forms part of the wider Strategic Allocation A1 at Innsworth and Twigworth. The site itself is identified as an area for Housing and Related Infrastructure on the Indicative Site Layout Proposals Map A1. Policies SA1 and A1 identify provisions that applications within the Strategic Allocation will be expected to deliver (see paragraphs 5.7 - 5.10 above).

5.23 The principle of the application is therefore considered acceptable providing the provisions of policies SA1 and A1 as well wider planning objectives and policies are met, and subject to there being no material considerations indicating that the application should be determined other than in accordance with the development plan.

6.0 Design and Layout

6.1 The NPPF sets out that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF follows that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

6.2 Policy SD4 of the JCS states that where appropriate proposals for new development should be accompanied by a masterplan and design brief demonstrating principles including context and character, legibility and identity, amenity and space, public realm and landscape, safety and security and inclusiveness. In addition Policy SA1 states that proposals in Strategic Allocations must be accompanied by a Strategic Masterplan demonstrating how the new development will integrate and complement its surroundings, including the wider allocation.

6.3 All matters relating to design and layout are reserved for future consideration. However, the application has been supported with a design and access statement and an illustrative masterplan which provides an indication as to how the site could be developed. This would be used to inform the submission of any subsequent reserved matters applications.

6.4 The illustrative masterplan indicates a single primary access road off the A38. This road would then serve a series of smaller roads and spaces around the development. The design of the road network is such that it would allow future connections to land to the south and east. In addition a proposed emergency and pedestrian/cycle access point is proposed off the A38 and a new pedestrian/cycle link is also proposed to the east onto the existing bridleway on Brook Lane. The layout is considered to be relatively well connected to the surrounding movement networks and is felt to provide an appropriate level of permeability. Most of the proposed pedestrian and vehicular routes and connections to the wider network also appear well overlooked and relatively well defined by an active frontage.

6.5 A sustainable drainage (SuDS) basin and play area are incorporated into the development in the south west of the site. New planting including boundary vegetation is proposed to be incorporated into this area off open space.

6.6 A recreational route is proposed to the east of the site which would link to the footpath on the A38 to the north and the bridleway on Brook Lane to the south. The recreational route would lie within a green corridor which includes retained and enhanced planting, a new wildlife pond and long grass margins to filter views of the development.

6.7 The location of the proposed houses are such that they provide a frontage onto the A38, with an open character to the streetscene which generally reflects the character of Twigworth. The layout also allows for opportunities for further development to the south and east. The Council's urban design officer has been consulted on the application and stated that the built form responds to the existing morphology of the village. The parameter and illustrative material submitted with the design and access statement are well thought through and the layout responds well to the constraints of the site and achieves a good quality of design.

6.8 It is a requirement for proposals within the Strategic Allocations to be accompanied by a comprehensive masterplan to demonstrate how the development will take account of the development and infrastructure needs of the wider allocation.

6.9 To the west and south the site is adjoined by Orchard Park residential caravan site which does not form part of the Strategic Allocation. Beyond Orchard Park to the south and west of the application site is a site which benefits from planning permission (ref: 15/01149/OUT) for a mixed use development comprising up to 725 dwellings and a local centre of 0.33ha (A1,A2,A3,A4,A5,D1,D2 uses); primary school, open space, landscaping, parking and supporting infrastructure and utilities; and the creation of a new vehicular access from the A38 Tewkesbury Road.

6.10 Whilst the current application site is separated from the development proposals to the south and west by Orchard Park Residential Caravan Site the applicant has provided a masterplan showing how the current proposal would relate to this wider site and it is noted that the proposed local centre and primary school in the adjacent development would be accessible to future residents either via the A38 or the footpath to Brook Lane.

6.11 No details are provided of how the application site would relate to potential development proposals on land to the east, but it is understood that this information is not available at this time. However, given that the land to the east can be accessed separately off Brook Lane it is not considered that the current proposals prejudice the sustainable delivery of the land to the east.

6.12 In conclusion, in terms of design it is considered that the proposed illustrative layout in isolation is acceptable and demonstrates that the new development would integrate with and complement its surroundings in an appropriate manner and would not prejudice the sustainable delivery of the of the wider allocation. The detailed design and size of the dwellings would be addressed through any subsequent reserved matters application; however, the Illustrative Masterplan and Design and Access Statement show that 74 dwellings could be accommodated on the site in an acceptable manner.

7.0 Landscape and Visual Impact

7.1 One of the core planning principles of the NPPF is that the planning system should recognise the intrinsic character and beauty of the countryside. Section 11 of the NPPF sets out that the planning system should contribute to and enhance the local environment by, inter alia, protecting and enhancing valued landscapes.

7.2 Policy SD6 (Landscape) of the JCS provides that Development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. Proposals will have regard to the local distinctiveness and historic character of the different landscapes in the JCS area and will be required to demonstrate how the development will protect or enhance landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement or area. All applications for development will consider the landscape and visual sensitivity of the area in which they are to be located or which they may affect.

7.3 The site is located within the Settled Unwooded Vale of Gloucester as defined within the Gloucestershire Landscape Character Assessment. There are no national, regional or local landscape designations covering the site or adjacent to the site. However, there are a number of landscape features which reflect the character of the unwooded vale.

7.4 The application is supported by a Landscape and Visual Impact Assessment (LVIA) which describes the existing landscape character and quality of the site and surrounding area and assesses the ability of the site to accommodate the proposed development and the landscape and visual effects of the proposed development.

7.5 The site has a relatively flat topography and is bounded by built form to the north, west and south and a small linear landholding to the east which is bounded by hedgerows. The topography of the wider area, including the City of Gloucester is dominated by the low lying landscape of the Vale of Gloucester.

7.6 The LVIA assesses the landscape impact of the proposal from a number of near distance and longer distance views and concludes that visibility would be restricted to partial views from public vantage points and residential properties in close proximity to the site. In terms of more distant views the report identifies

some visual impacts from the bridleways and public footpaths at Sandhurst Hill approximately 2.6 km to the north west. The visual effects of the proposal are assessed as being limited to moderate adverse effect from nearby residential views in the early years which would reduce as the landscaping matures to slight adverse. All of the effects from public vantage points are considered no greater than slight adverse. Officers have also assessed potential views from near distance and longer distance viewpoints and agree with the findings of the LVIA.

7.7 The site is predominately flat, semi-improved grassland with some low quality native hedgerows and no significant trees worthy of retention. The site's character is reduced by the main road to the north and its surrounding influences, such as the derelict former nursery and green houses.

7.8 Long distance views of the site from PROWs are restricted due to the existing built form, vegetation and the flat topography of the surrounding landscape. Views taken from the various PROW's around the site are partially filtered views due to the vegetation and the existing built form.

7.9 The views from the north of the site and the surrounding residential properties are considered to be more harmful whereby there would be a permanent adverse visual impact. However, it is considered that the overall harm to the landscape character and visual sensitivity of the site is mitigated by the design approach in the illustrative masterplan which includes retained and strengthened landscaping along the boundaries which would help the development become integrated into the fabric of the settlement and the wider landscape.

7.10 Overall it is considered that the site is of a low to medium landscape quality and there would be some impact on the landscape arising from the development, which is primarily at the local level. However the site is part of a Strategic Allocation and the principle of development and some associated landscape harm is already accepted. The design approach, including the positioning of built form and the inclusion of boundary landscaping would mitigate the impact of the proposal and it is considered that the landscape impact arising from the proposal is acceptable.

8.0 Accessibility and Highway Safety

8.1 Policy INF1 of the JCS requires developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. All proposals should provide for safe and efficient access to the highway network for all transport modes; encourage maximum potential use of walking, cycling and passenger transport networks to ensure that credible travel choices are provided by sustainable modes. Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be satisfactorily mitigated. Policy INF1 further requires Developers to provide transport assessments to demonstrate the impact, including cumulative impacts, of the prospective development along with travel plans where appropriate.

8.2 Section 4 of the NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. It states at paragraph 29 that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Paragraph 32 states that planning decisions should take account of whether opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure. Furthermore, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The NPPF also requires safe and suitable access to all development sites for all people.

8.3 The application site is accessed via the A38 Tewkesbury Road, which is subject to the signposted 40mph speed limit along the frontage of the site. The speed limit increases to 50mph north of the site. There is an existing, albeit relatively narrow footway which fronts the site and provides access to the nearest bus stops which provide a school bus service and regular Tewkesbury-Gloucester services.

8.4 The nearest bus stop is located approximately 400m from the site and is serviced by service 71 which runs an hourly service between Tewkesbury and Gloucester throughout the day, whilst there are also a number of school only bus services. The bus stops are considered adequate for the existing level of usage and do not require upgrading in order to accommodate the number of public transport users that would be generated by the site, however for pedestrian safety a crossing between the two stops should be provided and can be secured by way of condition. The footways along the frontage of the site are proposed to be widened to provide for a safe and suitable access to the bus stops for pedestrians. The existing bus service therefore provides the opportunity for residents of the proposed development to access high quality public

transport during peak times with scope for a modal shift away from the private motor car and onward travel.

8.5 It is proposed that the development would be served by a simple priority junction with a central pedestrian refuge island. The required Sight Stopping Distances commensurate with sign posted speed limit would require visibility splays of 120m in both directions from a 2.4m setback along the centre line of the site access. The required visibility can be achieved within land under the applicant's control and can be controlled by way of an appropriate planning condition.

8.6 Vehicle tracking of the site access has been undertaken and demonstrates that the junction radii are acceptable. In addition, the proposed 5.5m carriageway with 2m footways is considered acceptable for the site access. Moreover a separate emergency and pedestrian/cycle access point would be located to the west of the main access on the A38 along with a new pedestrian link to the Brook Lane Bridleway.

8.7 A TRICS assessment has been undertaken in order to provide the projected trip generation for the site. The proposed development would generate approximately 39 two-way vehicle trips in the AM peak hour and 38 in the PM peak hours. These would be predominantly outbound trips in the AM peak, and inbound trips in the PM peak.

8.8 Based on the Census journey to work data (2011), the proposed vehicle distribution can be determined. Based on this data all traffic is assumed to initially travel to and from the east and west of the site along the A38 with the majority of trips traveling through the A38 / Down Hatherley Lane junction or the A38/ A40 Longford Roundabout.

8.9 Due to the assignment and distribution of the development traffic and the background committed development within the local area it was requested by the Highway Authority that the following junctions were capacity assessed:

- Site access;
- A38 / Down Hatherley Lane; and
- A38 / A40 Longford Roundabout

Site Access

8.10 The results of the site access junction assessment shows that the junction operates well below practical capacity levels in current and future year scenarios (2022) with and without development traffic.

A38 / Down Hatherley Lane

8.11 The assessment indicates that the operation of the junction is shown to deteriorate to just above practical in 2022 due to background traffic. The actual impact of the proposed development is however shown to be minor. Therefore whilst the proposed development makes the operation of this junction marginally worse, the impact would be minimal.

A38 / A40 Longford Roundabout

8.12 ARCADY modelling (which is specifically designed to model the operation of roundabouts) has been undertaken to assess the operational capacity of the A38 / A40 Longford Roundabout. ARCADY results also refer to the Ratio of Flow to Capacity (RFC) and queue length predicted on each arm of the roundabout junction. An RFC of 1.00 indicates that the arm in question is operating at its theoretical capacity, whilst RFC's of 0.85 or less indicates that the arm is operating within practical capacity. The results of this junction assessment show that the roundabout operates close to capacity in 2016, with the future years (2022) the maximum RFC's are around 1.0, with some of the arms operating at capacity at 0.98/ 0.99, 1.0 and slightly above. As the RFC's fall on or just either side of 1.0 the Highways Authority have confirmed that they consider the operational capacity of the roundabout as acceptable.

Sandhurst Lane

8.13 The concerns expressed by the Parish Council that the proposals would result in additional traffic using unsuitable roads in the area of the sites, particularly via Sandhurst are noted. This matter was considered as part of the Planning Inquiry for applications 15/00749/OUT and 15/01149/OUT on the wider allocation. The Inspector's recommendations concluded that there was insufficient substantive evidence to show that the proposal would cause any significant harm to safety or the flow of traffic on these roads and this remains the case.

Mitigation

8.14 As these dwellings would contribute towards the 35,175 objectively assessed housing need as identified within the Joint Core Strategy (JCS), the Highway Authority has deemed it reasonable in terms of mitigating the residual cumulative impact generated by the development to secure a S106 contribution of £161,625 towards the DS7 mitigation strategy which was developed to address the cumulative impact of the JCS development. **An update will be provided at committee whether the applicant has agreed to enter into this obligation**

Travel Plan

8.15 In respect to a Travel Plan, the NPPF 36 states that all significant generators of traffic movements should be required to provide a Travel Plan.

8.16 The submitted Travel Plan for this application aims to reduce the dependence upon single occupancy private car travel when accessing the site and in order to do so the Travel Plan aspires to;

- Reduce the percentage of residents travelling by single occupancy private car to and from the site.
- Generate increase in the percentage of residents utilising active modes (walking/cycling), public transport and car sharing.

8.17 In order for the Travel Plan to achieve these aims a number of actions and measures would need to be implemented. The developer would be required to appoint a Travel Plan Coordinator, whose duty it is to oversee the implementation and monitoring of the Travel Plan, prior to the dwellings being occupied. However as no targets have been set within the submitted Travel Plan document, a suitably worded condition requiring a revised Travel Plan to be submitted prior to works commencing on site has been recommended.

8.18 In light of the above and subject to conditions and securing a S106 contribution towards the DS7 Strategy it is considered that the proposal is acceptable in regards to highway safety and accessibility and complies with guidance contained within the NPPF, and policies INF1 and A1 of the JCS.

9.0 Flood Risk and Drainage

9.1 Policy INF2 of the JCS seeks to prevent development that would be at risk of flooding. Proposals must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. For sites of strategic scale, the cumulative impact of the proposed development on flood risk in relation to existing settlements, communities or allocated sites must be assessed and effectively mitigated. Development should also aim to minimise the risk of flooding and provide resilience to flooding, taking into account climate change and where possible reducing overall flood risk. Where appropriate applications should be informed by a Flood Risk Assessment (FRA) and incorporate suitable Sustainable Drainage Systems (SuDS) to manage surface water drainage.

9.2 Policy A1 of the JCS states that the Strategic Allocation will be expected to deliver adequate flood risk management across the site and that detailed flood risk assessments must utilise the latest flood risk modelling information for the whole site and any other areas impacted by the development in terms of flood risk.

9.3 The NPPF states at paragraph 100 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

9.4 The site is located within Flood Zone 1 and is therefore at a low risk of flooding with less than a 1 in 1000 probability of river or sea flooding in any one year. In terms of flood risk from overland flow, during rainfall events runoff is known to pond on the site. This has been observed by a number of local residents and the Parish have objected on this basis... The site does not have a history of groundwater flooding.

9.5 The application is supported by a Flood Risk Assessment and Outline Drainage Strategy. The FRA confirms that the site would be arranged to allow reasonable level access allowing the site to be free-draining in case of local ponding at times of heavy rainfall. Floor levels of dwellings would be set as high as possible above the flood level giving regard to necessary access for the less-able.

9.6 The FRA confirms that the proposed development would not result in any reduction in flood plain storage compared to the existing situation. However, the proposed development would increase the proportion of the site covered by impermeable surfaces and would therefore generate more run off. Attenuation is

therefore required and the application proposes attenuation based SuDS with storage in the south west corner of the site.

9.7 The LLFA has confirmed that they have no objection to the application based upon the surface water management proposals however the LLFA recommends that a condition is imposed requiring a detailed design, maintenance and management strategy for the sustainable surface water drainage system prior to commencement of development. Severn Trent have also confirmed that they do not object to the application subject to the imposition of conditions requiring drainage plans for foul and surface water flows.

9.8 In light of the above, it is considered that the proposed drainage strategy complies with guidance contained within the NPPF, and policies INF2 and A1 of the JCS and that the Parish's concerns in this respect are overcome.

10.0 Heritage Assets

10.1 Section 66 of the Listed Buildings and Conservation Area Act places a statutory duty on LPAs to have special regard to the desirability of preserving the setting of listed buildings. Policy SD8 of the JCS sets out that development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment. Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place. Consideration will also be given to the contribution made by heritage assets to supporting sustainable communities and the local economy.

10.2 The NPPF sets out at Paragraph 134 that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 135 advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

10.3 The application is supported by a Built Heritage Assessment which identifies eight Grade II listed buildings within 500 metres of the site. The site itself does not contain any formally designated heritage assets. However, there are three designated Grade II listed heritage assets within 50m of the site, namely The Manor House and an 18th Century milestone on the opposite side of the A38, and Yew Tree Cottage, which lies adjacent to the north west corner of the site.

10.4 Yew Tree Cottage is located to the south of the A38 and the application site lies to the east and south of the property. Yew Tree Cottage is a timber framed cottage dating to the seventeenth century. The significance of the listed building lies primarily in its architectural form and its historic fabric character. The setting of the listed building is dominated by the A38 and there are other buildings including residential buildings in the immediate vicinity.

10.5 The application site forms part of the setting of the building but contributes little to the significance of or special interest of the asset. The indicative masterplan shows that development would be set back from the A38 in the vicinity of Yew Tree Cottage.

10.6 The Manor House is a grade II timber framed house with a thatched roof which sits on the opposite side of the A38 within its own grounds surrounded by formal hedging. These grounds form part of the setting of the house and the application site contributes little to the significance of the listed building.

10.7 Other grade II listed building along the A38 in the vicinity of the application site include Court Farm House, Barn immediately to the north of Court Farm, Twigworth Lawn, Twigworth Court, Stable Block north of Twigworth Court and the milestone. Due to the distance of these listed buildings from the application site and the presence of the A38 and intervening structures it is considered that the application would have either a nil or negligible impact on the setting of the assets.

10.8 In conclusion it is considered that the proposal would result in a low level of less than substantial harm to heritage assets.

10.9 Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, as set out in paragraph 134 of the NPPF. In this case, there are significant social and economic benefits arising from the delivery of new market and affordable housing on a site allocated for housing in the Joint Core

Strategy. Great weight is given to the desirability of preserving the heritage assets significance however in this case, given the limited harm arising from the proposals to the setting of heritage assets it is considered that the public benefits would outweigh that harm.

11.0 Affordable Housing/ Housing Mix

11.1 The NPPF sets out that LPAs should set policies for meeting affordable housing need on development sites. Policy SD12 of the JCS requires a minimum of 35% affordable housing on sites within the Strategic Allocation Sites. The application proposes the provision of a policy compliant 26 affordable units which equates to 35.1%.

11.2 The application does not detail the precise mix of houses however it says that a range of house types/sizes would be provided. The exact detail of all housing types and sizes to be constructed will form part of the Reserved Matters application however a note is suggested to inform the developer that the housing mix should be informed by the Strategic Housing Market Assessment.

11.3 Subject to a S106 Agreement to secure the affordable housing provision, the proposal is considered acceptable in this regard.

12.0 Ecology and Nature Conservation

12.1 Policy SD9 of the JCS seeks to protect and, wherever possible enhance biodiversity, including wildlife and habitats. Strategic Allocation Policy A1 also states that proposals will be expected to deliver protection to key biodiversity assets, including a new nature reserve and a green infrastructure area to support the restoration of the SSSI and improve the ecology of the area to support restoration of the SSSI, improve the ecology of the area and contribute to water quality enhancements.

12.2 The NPPF sets out, inter alia, that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments. Furthermore, planning permission should be refused for development resulting in the loss of deterioration of irreplaceable habitats.

12.3 The application has been supported with an Ecological Impact Assessment which includes an Extended Phase 1 Habitat Survey, Bat Roost Assessments and Activity Surveys, Reptile Presence/Absence Surveys and a Great Crested Newt Habitat Suitability Index Assessment and Population Size Class Assessment Survey. The appraisal notes the Innsworth Meadow Site of Special Scientific Interest (SSSI) is located approximately 0.6km to the south of the site. Natural England objected to application as submitted as insufficient information on SuDS within the site was submitted to determine potential significant effects of the development on the SSSI.

12.4 Further to this objection, additional SuDS information was provided including details of a drainage basin and further to this revision Natural England confirmed that they considered that the proposed development would not have a significant adverse impact on designated sites and raised no objection.

12.5 The site itself is dominated by poor semi-improved grassland. There are also hedgerows within the site as well as 11 built structures which formed part of the former nursery. Bat surveys were undertaken on the structures which had a moderate potential for roosting bats and no bats were seen to re-enter or emerge from any of the structures surveyed although foraging activity was noted on the site. Great Crested Newts have been identified within a dispersible range of the site although no suitable aquatic habitats are present on the site.

12.6 The Illustrative Masterplan includes landscaping planting enhancements and the provision of a new wildlife pond and new habitat creation in hedgerows would make a positive contribution to bio-diversity on site. The application also states that bat roosting and bird nesting opportunities will be included in the proposal at detailed design stage.

12.7 Following the further information submitted, Natural England have raised no objections to the proposed development, however in accordance with the recommendations of the Ecological Impact Assessment it is recommended that a condition is imposed to deliver an Ecological Mitigation and Enhancement Plan to deliver the proposed enhancement measures.

12.8 In light of the above, and subject to the imposition of conditions, there is no evidence to suggest that there are any overriding ecological constraints to the development of the site for residential purposes.

13.0 Archaeology

13.1 The NPPF states that that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate-desk based assessment and, where necessary, a field evaluation.

13.2 The wider locality is known to contain extensive archaeological remains relating to prehistoric and Roman activity and settlement. The application site has been the subject of a programme of archaeological evaluation, prompted by a previous development proposal which comprised of a programme of trial trenching.

13.3 From those investigations it is clear that a Roman agricultural landscape is present within the application site. The current application is also supported by an archaeological appraisal which confirms that significant archaeological remains are present within the proposed development area.

13.4 However, the archaeology is not of the first order of preservation, since it has undergone erosion from later ploughing with the results that all surfaces formerly associated with the remains have been removed. The County Archaeologist has been consulted on the proposal and considers that the archaeology present on site is not of the highest archaeological significance, so does not merit preservation on site. Nevertheless, while not of the highest significance, the archaeological deposits on this site have the potential to make an important contribution to understanding of the archaeology in the locality and wider region.

13.5 The County Archaeologist has confirmed that there is no objection to the principle of the development on the application site subject to a condition to secure an appropriate programme of work to excavate and record any significant archaeological remains prior to the commencement of development in order to mitigate the impact of construction works ground works required for the scheme.

13.6 In light of the above, and subject to the imposition of conditions, there is no evidence to suggest that there are any overriding archaeological constraints to the development of the site for residential purposes

14.0 Noise/Dust/Odour/Air Quality

14.1 Policy SD14 of the JCS seeks to protect health and improve environmental quality. The NPPF states at paragraph 120 that to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. In respect of air quality it advises that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMAs), and the cumulative impacts on air quality from individual sites in local areas.

14.2 Environmental Health have requested that a Noise Assessment be submitted at outline stage. However, the applicant has stated that they are aware that noise mitigation may be required but consider that until a layout is finalised to base the noise assessment on Environmental Health's concerns can be adequately covered by a condition. This is confirmed in a Noise Screening Report which is submitted in support of the application.

14.3 This is an outline application and it is considered that mitigation measures could ensure internal and external noise criteria standards are met. With this in mind, it is recommended that a condition is imposed to secure a scheme to protect the development from noise.

14.4 An Air Quality Screening Report has also been submitted with the application which reviews the current land uses surrounding the site and identifies that there will be no significant air quality, dust or odour issues associated with these land uses for future developments. The report also identifies that the background pollution concentrations at the site are below the relevant annual mean air quality objectives and that any increase in pollutant concentrations arising from the proposal will not cause any air quality objectives to be approached or exceeded at existing or proposed receptor locations. Environmental Health have been consulted on the application and raise no objection in this regard.

14.5 In conclusion there is no objection to the application in respect of noise, vibration, dust, odour and air quality subject to the imposition of appropriate planning conditions.

15.0 Community, Education and Library Provision

15.1 Saved policy RCN1 of the Local Plan requires the provision of easily accessible outdoor playing space at a standard of 2.43ha per 1000 population. The Council's adopted Playing Pitch Strategy sets out requirements for formal playing pitches. Policy INF4 of the JCS requires appropriate social and community infrastructure to be delivered where development creates a need for it. Policies INF6 and INF7 support this requirement. The NPPF sets out that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

15.2 The application does not propose any provision for sports pitches. However, the illustrative masterplan indicates a proposed children's play area and open space is shown within the development including a green corridor to the east of the proposed housing. The furthest dwelling is circa 400 metres from the children's play facility which is within the Fields in Trust standards.

15.3 With regards to playing pitches and changing facilities, as these are not being provided on site, an off-site contribution would be required. Based on Sport England figures, a 0.74 hectare adult pitch costs £85,000 and a two team changing room costs £245,000. A contribution of £22,972 would therefore be required for playing pitches and a contribution of £66,216 would be required for changing facilities.

15.4 In addition to sports pitches, demand for other sports facilities has been identified using the Sports Facility Calculator which is an interactive tool developed by Sport England. Based on 74 dwellings, demand has been identified for local sports facilities. In order to address these demands, the following contributions have been sought:

- Contribution for sports hall = £27,442
- Contribution for swimming pool = £30,197
- Contribution towards astroturf = £3,893
- Contribution towards indoor bowls = £4,830

15.5 In terms of community facilities based on calculation using the Gloucestershire Infrastructure Delivery Plan assessment formula a contribution of £33,648 is required for community buildings to serve the new population. The Community and Economic Development Manager advises that as this provision is unlikely to be on site, it is advised that this sum is used to improving facilities within Twigworth Parish.

15.6 These contributions have been requested and the applicant has agreed to them. Therefore, subject to the completion of S106 agreement to secure the provisions set out above the proposed development would be in accordance Local Plan policy RCN2 and JCS policies SA1, A1, INF4, INF6 and INF7 and the NPPF

16.0 Community, Education, Library and NHS Provision

16.1 Policy INF4 of the JCS states that where new development will create, or add to a need for community facilities, it will be fully met as on-site provision and/or as a contribution to facilities or services off-site. Policies INF6 and INF7 of the JCS support this requirement. The NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.

16.2 With regards to education, following consultation with Gloucestershire County Council, it has been confirmed that the two schools most likely to be affected by the development; namely Norton C of E Primary and Churchdown Academy have insufficient capacity to deal with the increase in pupil numbers. It is noted that the Parish echo these concerns.

16.3 It is advised that the scheme would generate a need for 5.37 additional pre-school places, 19.77 additional primary school places and 10.34 additional secondary school places. There is no forecast capacity for the additional places and in accordance with the GCC publication 'Local Developer Guide' a contribution is required for £72,850 for additional pre-school places, £268,043 for additional primary school places and £213,814 for additional secondary school places.

16.4 Gloucestershire County Council has also identified a need for contributions towards public libraries on the basis that the increased population would have an impact on resource at the local library. On the basis of GCC Local Developer Guide it is calculated that a contribution of £14,504 is required towards additional library resources.

16.5 The NHS has also advised that based on 74 houses it is assumed 162 patients which would in accordance with formula provided in their consultation response create a requirement for a contribution of £7,607.

16.6 These contributions have been requested and the applicant has agreed to them. Therefore subject to the completion of S106 agreement to secure the provisions set out above the proposed development would be in accordance JCS policies SA1, A1, INF4, INF6 and INF7 and the NPPF.

17.0 Overall Balancing Exercise and Conclusions

17.1 Section 38(6) of the Town and Country Planning Act 1990 provides that, if regard is to be had to the development plan, the determination must be made in accordance with the development plan unless other material circumstances indicate otherwise. Section 70 (2) of the Act provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

17.2 The application site forms part of the wider Strategic Allocation A1 in the JCS at Innsworth and Twigworth. The site itself is identified as an area for Housing and Related Infrastructure on the Indicative Site Layout Proposals Map A1. Policies SA1 and A1 identify provisions that applications within the Strategic Allocation will be expected to deliver.

17.3 The principle of the application is therefore considered acceptable providing the provisions of policies SA1 and A1 as well wider planning objectives and policies are met, and subject to there being no material considerations indicating that the application should be determined other than in accordance with the development plan.

Benefits

17.4 Significant weight is given to the provision of new housing, including 35.1% affordable housing, on a Strategic Allocation site which contributes towards the JCS Strategic Housing Needs. Significant weight is also given to the economic benefits that would arise from the proposal both during and post construction. The proposal would also provide contributions towards community infrastructure and highway improvements along the A38 corridor. These benefits are considered public benefits in the decision making process.

Harms

17.5 There would some impact on landscape arising from the development, which is primarily at the local level. However the site is part of a Strategic Allocation and the principle of development and some associated landscape harm is already accepted. The design approach, including the positioning of built form and the inclusion of boundary landscaping will mitigate the impact of the proposal.

17.6 The proposal would result in a low level of less than substantial harm to heritage assets. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, as set out in paragraph 134 of the NPPF. In this case, the social and economic benefits outlined above represent public benefits which would outweigh the limited harm to heritage assets.

Neutral

17.7 The design and layout of the proposed illustrative layout is considered acceptable and demonstrates that the new development would integrate with and complement its surroundings in an appropriate manner and would not prejudice the sustainable delivery of the of the wider allocation.

17.8 The proposal is acceptable in regards to highway safety and accessibility subject to conditions and securing a S106 contribution towards the DS7 Strategy.

17.9 The flood risk impacts of the proposal are found to be acceptable and there are no other environmental, amenity or ecological impacts that cannot be satisfactorily addressed by conditions. There is no evidence to suggest that there are any overriding archaeological constraints to the development of the site for residential purposes

Conclusion

17.10 The application proposes new housing on a site allocated for that purpose in the JCS. Subject to securing S106 obligations it is considered that the proposal represents sustainable development and it is therefore recommended that permission is **delegated** to the Technical Planning Manager subject to the addition of and amendments to planning conditions set out in the report and the completion of planning obligations to secure the following heads of terms:

- 35% affordable housing;
- Contribution for sports hall = £27,442
- Contribution for swimming pool = £30,197
- Contribution towards astroturf = £3,893
- Contribution towards indoor bowls = £4,830
- Contribution towards community buildings - £33,648
- Contribution towards playing pitches - £22,972
- Contribution towards changing facilities - £66,216
- Contributions towards recycling and dog waste bins/signs
- Contributions towards additional pre-school places - £72,850
- Contributions towards additional primary school places - £268,043
- Contributions towards additional secondary school places - £213,814
- Contributions towards libraries -£14,504
- Contribution towards highways works - £98,925
- Contributions towards NHS - £7,607.

Conditions and Reasons

Conditions:

- 1 The development for which permission is hereby granted shall not be begun before detailed plans thereof showing the layout, scale and appearance of the buildings and the landscaping of the site (hereinafter referred to as "the reserved matters") have been submitted to and approved by the Local Planning Authority.
- 2 Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- 4 No more than 74 dwellings shall be constructed on the site pursuant to the planning permission.
- 5 Applications for the approval of the reserved matters shall be generally in accordance with the principles and parameters described in the approved Design and Access Statement dated September 2017 and the Illustrative Masterplan CSA/3257/112 Rev C.
- 6 The reserved matters submitted pursuant to condition 1 above shall include details of existing and proposed ground levels and finished floor levels of the buildings relative to Ordnance Datum Newlyn. The development shall be carried out in accordance with the approved details.
- 7 The details of landscaping required to be submitted to and approved by the Local Planning Authority in accordance with Condition 1 above shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.
- 8 All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 9 The details submitted for the approval of reserved matters shall include a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatments

shall be completed in accordance with the approved details before the buildings are occupied.

- 10 The reserved matters submitted pursuant to condition 1 shall include samples/details of the materials proposed to be used on the external surfaces of the development. The development shall be carried out using the approved materials unless otherwise agreed in writing by the Local Planning Authority
- 11 The reserved matters submitted pursuant to condition 1 shall include details of the materials proposed to be used on the surfaces of the roads, footpaths & driveways. The development shall be carried out using the approved materials unless otherwise agreed in writing by the Local Planning Authority.
- 12 Means of vehicular access to the development hereby permitted shall be from the A38 Tewkesbury Road only.
- 13 Prior to the occupation of the first dwelling the site access and associated pedestrian dropped tactile crossing with refuge island, including footways, shall be completed in all respects in accordance with drawing ref. 4746-54-01 and shall be retained as such thereafter unless and until adopted as highway maintainable at public expense.
- 14 The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 120m distance in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.
- 15 No development shall commence until the existing hedge to the left and right of the proposed access has been cut back to provide the required visibility splays shown on approved plan ref. 4746-54-01.
- 16 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.
- 17 No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.
- 18 The details to be submitted for the approval of reserved matters shall include vehicular parking and turning facilities within the site. The buildings hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the lifetime of the development.
- 19 Notwithstanding the submitted details, the development hereby permitted shall not be occupied until a minimum of 1no. electric charging points per dwelling have been provided in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.
- 20 The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 1no. bicycles per dwelling have been provided in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.
- 21 No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.
- 22 No development shall commence on site until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided

in accordance with the scheme so approved.

- 23 No dwelling on site shall be occupied until the proposed emergency and pedestrian cycle/pedestrian access point on the A38 Tewkesbury Road and the pedestrian footway onto Brook Lane have been provided in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. Those facilities shall be maintained available for those purposes for the lifetime of the development.
- 24 No development shall commence on site until a scheme has been submitted to and approved in writing by the Local Planning Authority, for a scheme to prevent the through flow of vehicles from / to the emergency and pedestrian cycle/pedestrian access on the A38 Tewkesbury Road. The development shall be carried out in accordance with the scheme so approved.
- 25 Notwithstanding the submitted details no dwelling on site shall be occupied until pedestrian crossing improvements consisting of a dropped tactile crossing at the Orchard Park junction shall be constructed and made available for public in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.
- 26 Prior to works commencing on the development hereby permitted, details of a pedestrian crossing between the bus stops closest to the site (Bus Stop IDS: glodgaja and glodgama) shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be constructed in accordance with the approved details and made available for public use prior to the first occupation of the dwellings hereby permitted.
- 27 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. specify the intended hours of construction operations;
 - vii. specify measures to control the emission of dust and dirt during construction
- 28 No works shall commence on the development hereby permitted until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority, setting out:
- i. objectives and targets for promoting sustainable travel,
 - ii. appointment and funding of a travel plan coordinator,
 - iii. details of an annual monitoring and review process,
 - iv. means of funding of the travel plan, and;
 - v. an implementation timetable including the responsible body for each action.
 - vi.
- The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- 29 No development shall commence on site until a detailed design, maintenance and management strategy for a sustainable surface water drainage system has been submitted to and approved in writing by the Local Planning Authority. The design detail must demonstrate the technical feasibility/viability of the drainage system to manage the flood risk to the site and elsewhere, include measures to ensure water quality is protected and that these systems are managed for the life time of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is put into use or occupied.
- 30 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.
- 31 The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is

first brought into use.

- 32 No dwelling hereby approved shall be occupied until the need for foul sewerage improvements have been investigated and the resulting foul sewerage improvements have been fully implemented and completed.
- 33 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. 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 of the findings must include:
- i. a survey of the extent, scale and nature of contamination:
 - ii. an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
 - iii. an appraisal of remedial options, and proposal of the preferred option(s).
- 34 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
- 35 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 in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 33, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 34, which is subject to the approval in writing of the Local Planning Authority.
- 36 The details submitted pursuant to condition 1 shall be accompanied by a noise survey to identify any dwellings that would be likely to be affected by road noise from the A38 Tewkesbury Road. The survey shall have been undertaken by a competent person, shall include periods for daytime as 0700 to 2300 hours and night-time as 2300 to 0700 hours, and shall identify those dwellings which require noise mitigation measures. All dwellings requiring noise mitigation shall thereafter be designed so as not to exceed the noise criteria based on current figures by the World Health Authority Community Noise Guideline Values/BS8233 'good' conditions given below:
- Dwellings indoors in daytime: 35 dB LAeq,16 hours
 - Outdoor living area in day time: 55 dB LAeq,16 hours
 - Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LAm_{ax})
 - Outside bedrooms at night-time: 45 dB LAeq,8 hours (60 dB LAm_{ax})
- No dwelling requiring noise mitigation measures shall be occupied until those noise mitigation measures have been implemented and they shall be maintained as approved thereafter.
- 37 The details submitted pursuant to Condition 1 above shall include a Waste Minimisation Statement for the approval in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- 38 The details submitted pursuant to Condition 1 above shall include an Ecological Mitigation and

Enhancement Plan, for the approval in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reasons:

- 1 The application is for outline planning permission
- 2 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 3 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 4 In order to define the permission
- 5 To ensure the development is carried out in accordance with the agreed principles and parameters and to ensure that the new development will be visually attractive in the interests of good design and amenity.
- 6 In the interests of amenity and to ensure satisfactory drainage.
- 7 In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
- 8 In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
- 9 In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
- 10 To ensure a satisfactory appearance to the development in accordance with the NPPF
- 11 To ensure a satisfactory appearance to the development and to comply with the National Planning Policy Framework.
- 12 To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework.
- 13 To reduce potential highway impact by ensuring that there is a satisfactory access for pedestrians and vehicles, in accordance with paragraph 32 of The Framework.
- 14 To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.
- 15 In the interests of highway safety and to ensure compliance with paragraph 32 of the National Planning Policy Framework.
- 16 To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework.
- 17 To minimise hazards and inconvenience for users of the development by ensuring that there is a safe and suitable means of access for all people.
- 18 To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.
- 19 To ensure that the development incorporates facilitates for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 35 of the National Planning Policy Framework.
- 20 To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the

opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

- 21 To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.
- 22 To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.
- 23 To ensure that the priority is given to pedestrian and cycle movements and that a safe and secure layout that minimises conflict can be created in accordance with Paragraph 35 of the NPPF
- 24 To ensure that the priority is given to pedestrian and cycle movements and that a safe and secure layout that minimises conflict can be created in accordance with Paragraph 35 of the NPPF.
- 25 To ensure that the priority is given to pedestrian and cycle movements and that a safe and secure layout that minimises conflict can be created in accordance with Paragraph 35 of the NPPF.
- 26 To ensure that the priority is given to pedestrian and cycle movements and that a safe and secure layout that minimises conflict can be created in accordance with Paragraph 35 of the NPPF.
- 27 To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework.
- 28 To ensure that the opportunities for sustainable transport modes are taken up in accordance with paragraphs 32 and 36 of the National Planning Policy Framework.
- 29 To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.
- 30 It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework
- 31 To ensure that appropriate provision is made for foul drainage to serve the development as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
- 32 To ensure that appropriate provision is made for foul drainage to serve the development as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
- 33 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
- 34 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
- 35 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
- 36 In the interests of residential amenity

- 37 To comply with the requirements of Gloucestershire Waste Core Strategy Core Policy 02 - Waste Reduction
- 38 To comply with the requirements of the National Planning Policy Framework, , The Conservation of Habitats and Species Regulations 2010, and the Wildlife and Countryside Act 1981 (as amended)

Notes:

1 Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating details of SUDS and number of units

- 2 The applicant is advised that to discharge condition 21 that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a private managements and maintenance company confirming funding, management and maintenance regimes.
- 3 The developer will be expected to meet the full costs of supplying and installing the associated infrastructure.
- 4 The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding highway works agreement (including appropriate bond) with the County Council before commencing those works.
- 5 You are advised to contact Amey Gloucestershire 08000 514 514 to discuss whether your development will require traffic management measures on the public highway.
- 6 The proposed development will involve hedgerow/verge clearance in order to supply the required emerging visibility splays. Therefore under S142 of the Highways Act 1980, the applicant is advised to contact Amey Gloucestershire (08000 514 514) regarding a license to cultivate
- 7 This planning permission does not give any authority to the Applicant to carry out any hedge cutting works on the public highway referred to in Condition 4). The hedge cutting must be carried out by either the owner of the hedge or the Local Highway Authority under S154 of The Highway Act 1980. S154 requires the Local Highway Authority to serve Notice on the owner of the hedge and the owner has the right to appeal the Notice to the Magistrates Court.
- 8 The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the Responsibility of the Environment Agency
- 9 Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.
- 10 The housing mix contained within the reserved matters submitted pursuant to condition 1 of this permission will be expected to have regard to the most recent Strategic Housing Market Assessment.

18.0 Update

The application was deferred at Planning Committee on 3 July 2018 in order to seek further information and clarification in respect of flooding - including the impact on neighbouring properties including if the proposed sustainable drainage systems were to fail, highways, education,

connectivity, archaeology of the site, and to assess whether the proposal accords with Strategic Allocation Policy A1 and SA1 of the Joint Core Strategy.

In regards to potential conflicts with Strategic Allocation Policies A1 and SA1, the Committee raised concerns whether planning permission on the application site at this time would prejudice the delivery of a sustainable comprehensive scheme across developable area of the entire allocation taking into account the full development and infrastructure needs of the wider allocation.

Following the Committee the applicants have provided a letter responding to concerns which is provided in full in the Committee Schedule. In summary the letters states that:

- *The proposal allows a comprehensive scheme to be delivered on the Policy A1 Innsworth & Twigworth strategic allocation in accordance with SA1: criteria 5. The vast majority, a combined total of 2025 dwellings, of the A1 allocation already has consent, having been allowed on two appeals by the Secretary of State. Therefore the outline parameters and masterplans produced by that applicant, have been fixed by those consents. We have submitted a comprehensive masterplan, CSA/3257/110 Rev B, to show how our scheme for 74 dwellings sits with the Hitchin proposals for 725 dwelling on its "Twigworth" northern parcel. The masterplan clearly shows that the existing Orchard Park development blocks any direct linkages/relationship with the Hitchin parcel to our western and southern boundaries.*
- *The landowner to the east, between our proposal and Brook Lane, was approached by us but did not want to be part of our plans. Indeed it is not clear whether he intends to develop his land at all. Therefore the proposals were accompanied by a comprehensive masterplan that demonstrates how the development integrates with its surroundings and as it is effectively "land locked" by other land uses it cannot possibly prejudice the sustainable delivery of the entire A1 allocation.*
- *The proposal provides for its own development and infrastructure needs in line with the requests made by statutory consultees and it is entirely appropriate that these can be dealt with by condition or S106 Agreement. There is a clear onus within SA1: criteria 5, for the local authority to be flexible when it comes to comprehensive masterplanning.*
- *There is no objection on design grounds. The application, whilst in outline with design to be a reserved matter, was accompanied by a Development Framework Plan, Design and Access Statement (DAS) and as outlined above, a comprehensive masterplan. There are no grounds to refuse the application on design grounds, indeed, as reported in the committee report the Council's urban design officer stated that, "The parameter and illustrative material submitted with the design and access statement are well thought through and the layout responds well to the constraints of the site and achieves a good quality of design.*
- *There is no objection to the application subject to a condition requiring detailed drainage design. Such an approach is entirely normal on an outline application when the final layout is subject to reserved matters. The application was accompanied by a Flood Risk Assessment & Outline Drainage Strategy (June 2017). The Environment Agency, Lead Local Flood Authority and Severn Trent Water were all consulted about flood risk. As a result of feedback and discussion an updated report was submitted (Sept 2017) in order to address concerns raised by the LLFA. The FRA was considered robust but they requested further detail on the strategy for surface water run-off generated from the proposed development. The strategy for surface water has been agreed, subject to a condition requiring its detailed design. It involves attenuation/storage within the site boundary and its discharge at controlled (greenfield equivalent rates) rates back into the existing drain on Tewkesbury Road.*
- *There is no objection on highways grounds subject to conditions and a S106 Agreement contribution towards improvements along the A38 identified through the course of the JCS. The application was accompanied by a Transport Assessment (June 2017), it was prepared by a specialist transportation consultancy, Stirling Maynard. Highways England and Gloucestershire County Council were consulted. The proposed access and visibility splays to Tewkesbury Road are designed to normal acceptable standards. As a result of feedback from Gloucestershire County Council further modelling work relating to the A38/A40 Longford roundabout was supplied and agreed.*

- *The application makes the appropriate contributions to social infrastructure as requested by statutory consultees and the Council, and is therefore fully in accordance with Policy INF7 - Developer Contributions. There is no requirement in planning law or policy for all infrastructure to be in place before a house is built, indeed if such an approach was to be adopted by the Council then bullet 2 of Policy INF7, which deals with viability assessments, would be increasingly triggered.*

The letter also sets out a timescale for the delivery of housing projecting that the requirement for pupil spaces would not be identified until February 2021, with the full requirement identified for February 2022.

ADDITIONAL CONSULTATIONS AND REPRESENTATIONS

COUNTY ARCHAEOLOGIST

Further to the Planning Committee the County Archaeologist was requested to consider the potential loss of the ridge and furrow earthworks and advised that the ridge-and-furrow earthworks are of low archaeological significance, because they are comprised of plough-soils. Wider systems of ridge-and-furrow can provide useful information about medieval and later arable practices, so such earthworks are not without some historical value. However, the fact that the earthworks in question are recorded on the County Historic Environment Record means in my view that even though they would be removed by development their significance will be preserved in the form of a record.

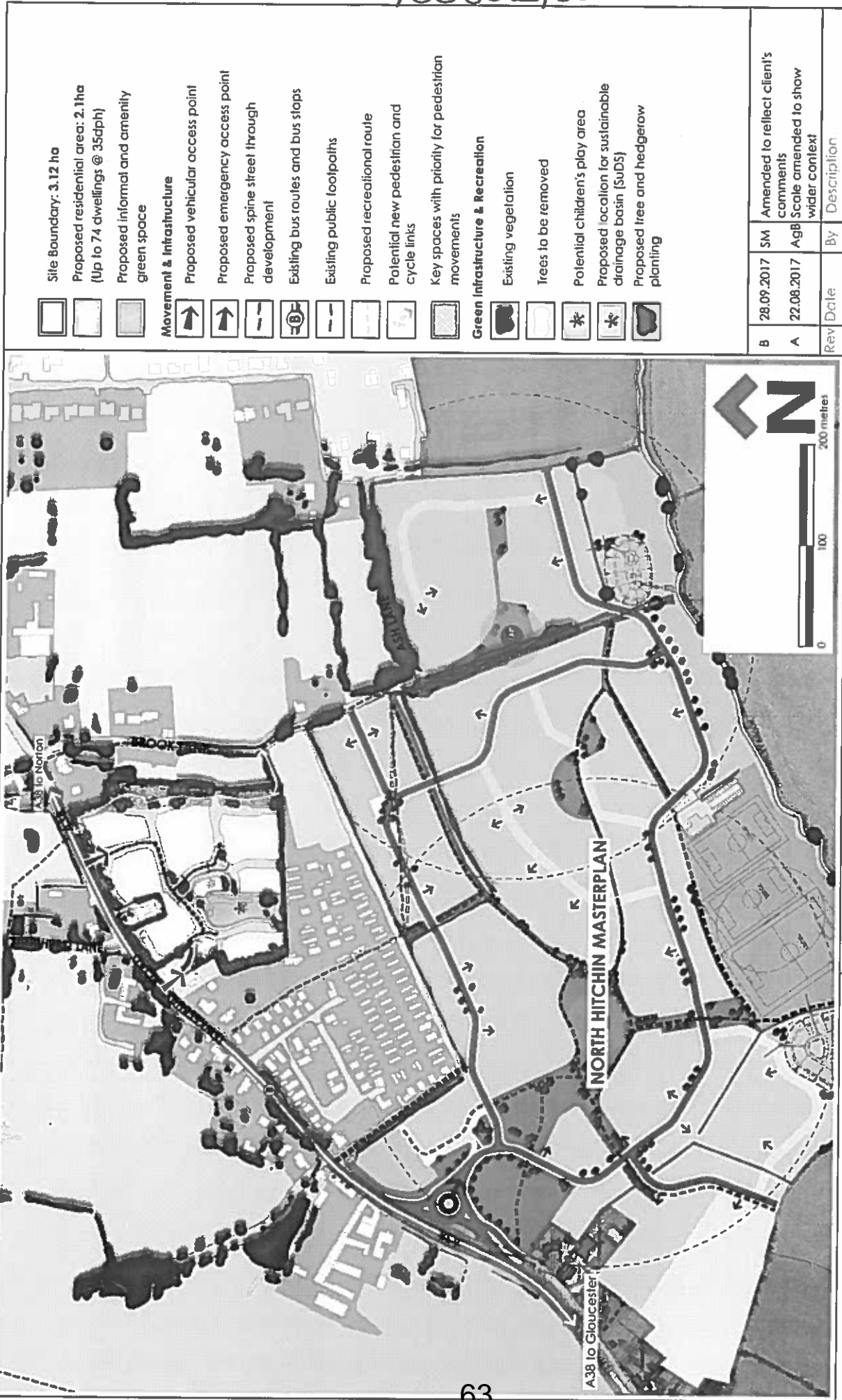
COUNTY HIGHWAYS

Further to the Committee resolution to defer the application the County Highways Authority have confirmed that the S106 contribution that is required is £98,925 which would contribute to the DS7 mitigation Strategy which was developed to address the cumulative impact of the JCS development.

4 additional objections have been received from LOCAL RESIDENTS since the 3rd July Planning Committee which generally repeat those already contained in the consultations and representations section above. In addition it has been stated that the occupants of Yew Tree Cottage have a legal right of access via the proposed emergency /cycle/pedestrian access. The Highway Authority have requested a Through Route Prevention Scheme for this access which would be untenable for the occupants of Yew Tree Cottage as they would be unable to gain vehicular access.

RECOMMENDATION Delegated Permit

17/00800/F1



- Site Boundary: 3.12 ha
- Proposed residential area: 2.1ha (Up to 74 dwellings @ 35dph)
- Proposed informal and amenity green space
- Movement & Infrastructure**
- Proposed vehicular access point
- Proposed emergency access point
- Proposed spine street through development
- Existing bus routes and bus stops
- Existing public footpaths
- Proposed recreational route
- Potential new pedestrian and cycle links
- Key spaces with priority for pedestrian movements
- Green Infrastructure & Recreation**
- Existing vegetation
- Trees to be removed
- Potential children's play area
- Proposed location for sustainable drainage basin (SuDS)
- Proposed tree and hedgerow planting

B	28.09.2017	SM	Amended to reflect client's comments
A	22.08.2017	AgB	Scale amended to show wider context
Rev	Date	By	Description
Scale 1:5000 @ A4			
Drawn SCM			
Date April 2017			
Checked RR			
Drawing No. CSA/3257/110			
Rev B			

Project Tewkesbury Road, Twigworth
 Title Development Framework Plan & North Hitchin Masterplan
 Client Gladman Developments Ltd

Dixes Barn, High Street,
 Ashwell, Hertfordshire SG7 5NT
 01462 743647
 ashwell@csaenvironmental.co.uk
 csa@environmental.co.uk



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175/a 63

17/00852/OUT



CSA
UNIT 17/00852/OUT

1. SITE PLAN
2. LAYOUT PLAN
3. LANDSCAPE PLAN
4. PAVING PLAN
5. FLOOD RISK ASSESSMENT
6. DRAINAGE PLAN
7. LIGHTING PLAN
8. FURNITURE PLAN
9. SIGNAGE PLAN
10. OTHER

Author: [Name]
Date: [Date]
Scale: 1:500
Drawing No: [Number]

- Site boundary
- Proposed residential development
- Existing vegetation
- Proposed public open space (to include new landscaping and tree planting)
- Proposed children's play area (to include new landscaping, tree planting and furniture)
- Proposed new vehicle parking
- Proposed location for sustainable storage bins (SUDS)
- Proposed emergency access & pedestrian/cycle routes
- Proposed new pedestrian routes
- Proposed new vehicular routes
- Existing footpath
- Existing boundary

64
175/b



17/00852/OUT



Mr P Instone
Planning Officer
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11 July 2018
By email only

Dear Paul

17/00852/OUT Yew Tree Farm, Twigworth

I write further to the planning Committee on the 3 July 2018 at which the above planning application was deferred by Members.

We are extremely disappointed that a site allocated in the adopted Joint Core Strategy (JCS), with no technical objections from officers or statutory consultees, has been delayed from determination. There are no substantive grounds for Members to refuse the application and the negative manner in which they discussed the application and actively sought reasons for refusal against the clear advice of officers was extremely worrying. We do thank officers and the Chair for the clear and correct balance they brought to the discussions.

In accordance with the Framework, Members should be reminded that they should positively seek opportunities to meet the development needs of the area, particularly at a time when the JCS does not identify sufficient sites to meet the full housing requirement of the Borough and those in need of housing face paying eight times their income to purchase a property.

The application complies with the Strategic Allocation policies SA1 and A1, along with INF6 and INF7 relating to infrastructure delivery and developer contributions.

Turning to specific elements of the policies. Our proposal allows a comprehensive scheme to be delivered on the Policy A1 Innsworth & Twigworth strategic allocation in accordance with SA1: criteria 5. The vast majority, a combined total of 2025 dwellings, of the A1 allocation already has consent, having been allowed on two appeals by the Secretary of State. Therefore the outline parameters and masterplans produced by that applicant, Hitchin, have been fixed by those consents. We have submitted a comprehensive masterplan, CSA/3257/110 Rev B, to show how our scheme for 74 dwellings sits with the Hitchin proposals for 725 dwelling on its "Twigworth" northern parcel. The masterplan clearly shows that the existing Orchard Park development blocks any direct linkages/relationship with the Hitchin parcel to our western and southern boundaries. Furthermore, the landowner to the east, between our proposal and Brook Lane, was approached by us but did not want to be part of our plans. Indeed it is not clear whether he intends to develop his land at all.

Therefore the proposals were accompanied by a comprehensive masterplan that demonstrates how the development integrates with its surroundings and as it is effectively "land locked" by other land uses it cannot possibly prejudice the sustainable delivery of the entire A1 allocation. The proposal provides for its own development and infrastructure needs in line with the requests made by statutory consultees and it is entirely appropriate that these can be dealt with by condition or S106 Agreement. There is a clear onus within SA1: criteria 5, for the local authority to be flexible when it comes to comprehensive masterplanning but such an approach was lacking at the Planning Committee.

Directors: D J Gladman BA, R J Gladman M.C.S.P., S.M.P., J M S Shepherd BSc, CEng, M.I.E.E., G K Edwards DipTP, MRTPI

VAT Registration No. 677 6792 63

Registered Address: Gladman House, Alexandria Way, Congleton Business Park, Congleton, Cheshire, CW12 1LB, Registration No. 3341567

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175/C

There are no reasons within Policy A1, i to xvi, that constitute a reason to refuse the present application however, Members sought to use the following issues as a basis to refuse the application: design; flooding; highways, and; social infrastructure.

Design

There is no objection on design grounds. The application, whilst in outline with design to be a reserved matter, was accompanied by a Development Framework Plan, Design and Access Statement (DAS) and as outlined above, a comprehensive masterplan. There on no grounds to refuse the application on design grounds, indeed, as reported in the committee report the Council's urban design officer stated that,

*"The parameter and illustrative material submitted with the design and access statement are **well thought through** and the layout **responds well to the constraints** of the site and **achieves a good quality of design.**"*

Flooding

There is no objection to the application subject to a condition requiring detailed drainage design. Such an approach is entirely normal on an outline application when the final layout is subject to reserved matters.

The application was accompanied by a Flood Risk Assessment & Outline Drainage Strategy (June 2017), it was prepared by a professional environmental consultancy, LK Consult Ltd. The Environment Agency, Gloucestershire County Council (the Lead Local Flood Authority (LLFA) and Severn Trent Water were all consulted about flood risk. As a result of feedback and discussion an updated report was submitted (Sept 2017) in order to address concerns raised by the LLFA. The FRA was considered robust but they requested further detail on the strategy for surface water run-off generated from the proposed development. The strategy for surface water has been agreed, subject to a condition requiring its detailed design. It involves attenuation/storage within the site boundary and its discharge at controlled (greenfield equivalent rates) rates back into the existing drain on Tewkesbury Road.

Highways

There is no objection on highways grounds subject to conditions and a S106 Agreement contribution towards improvements along the A38 identified through the course of the JCS.

The application was accompanied by a Transport Assessment (June 2017), it was prepared by a specialist transportation consultancy, Stirling Maynard. Highways England and Gloucestershire County Council were consulted. The proposed access and visibility splays to Tewkesbury Road are designed to normal acceptable standards. As a result of feedback from Gloucestershire County Council further modelling work relating to the A38/A40 Longford roundabout was supplied and agreed.

Reference was made by a Member to the site being used as an access to the wider strategic allocation , this, in planning terms, is irrelevant in relation to the application before them. Setting aside the fact that we have spent a considerable amount of time and money pursuing the application proposal, for the record there has been no discussion with Orchard Park (who's land you would have to go through) or Hitchin about such a link.

Social Infrastructure

The application makes the appropriate contributions to social infrastructure as requested by statutory consultees and the Council, and is therefore fully in accordance with Policy INF7 – Developer Contributions. There is no requirement in planning law or policy for all infrastructure to be in place before a house is built, indeed if such an approach was to be adopted by the Council then bullet 2 of Policy INF7, which deals with viability assessments, would be increasingly triggered.

Finally, it is worth considering the timeline for the development to properly understand when houses and future occupiers arrive, particularly when considering education need. The following is considered to be a realistic timeline should planning be granted at the August planning committee:

Date	Cumulative time (months)	Stage	Pupils (based on GCC multiplier)
Aug 2017		Outline application submitted	
Aug 2018	12	Outline approved	
Aug 2019	24	12 months for marketing the site and overlap with reserved matters submission & approval	
Feb 2020	30	6 months for construction and 1 st occupation	
Feb 2021	42	37 dwellings completed (24 market: 13 affordable)	Pre: 3 Primary: 10 Second: 5
Feb 2022	54	37 dwellings completed (24 market: 13 affordable)	Pre: 2 Primary: 10 Second: 5

I trust the above is sufficient for the Council Members to determine the application positively at the 31 July planning committee.

Yours sincerely

Tim Booth
Planning Director

18/00522/FUL

43 Evesham Road, Bishops Cleeve, Cheltenham

ITEM 3

Valid 01.06.2018

First floor extension over existing garage to provide additional living accommodation.

Grid Ref 395687 228217

Parish Bishops Cleeve

Ward Cleeve St Michaels

RECOMMENDATION Permit

Policies and Constraints

Joint Core Strategy (2017) (JCS) - Policy SD4

Tewkesbury Borough Local Plan to 2011(TBLP) - March 2006 - Policy HOU8

National Planning Policy Framework 2012

Planning Practice Guidance

Human Rights Act 1998 - Article 8 (right to Respect for Private and Family Life)

The First Protocol, Article 1 (Protection of Property)

Consultations and Representations

Parish Council - Object. The proposed extension is not subservient to the main dwelling by virtue of its width and height. It is suggested that a storey and a half extension, with roof-light or dormer, would be more appropriate and achieve the same level of accommodation, reflecting advice in the NPPF regarding good quality design.

Local residents - none

Planning Officers Comments: Mrs Sarah Barnes

1.0 Application Site

1.1 This application relates to 43 Evesham Road, a detached brick dwelling located in Bishops Cleeve (**site location plan attached**).

2.0 Current application

2.1 The current application is for the erection of a first floor extension over the existing garage (**plans attached**). It would provide a bedroom, a bathroom and an ensuite.

3.0 Recent History

3.1 In 2009 permission was granted for the 'demolition of existing garage and rear lean-to. Erection of a two storey rear extension, a single storey rear extension and replacement garage. New canopied porch projection to entrance.' This has been built.

4.0 Policy Context

4.1 One of the NPPF's core principles is to ensure a good standard of amenity for all existing and future occupants of land and buildings. Section 7 of the NPPF 2012 also makes it clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF 2012 also makes it clear that obviously poor designs should be refused. Policy SD4 of the JCS closely reflects this advice. Policy HOU8 of the TBLP supports the principle of residential extensions subject to satisfying certain design criteria. It sets out that extensions to existing dwellings will be permitted provided they respect the character, scale and proportions of the existing dwelling and do not have an unacceptable impact on adjacent property and residential amenity. This policy is considered consistent with the framework and as such should be given due weight according to paragraph 215 of Annex 1 of the framework.

5.0 Analysis

Design, Size and Residential amenity

5.1 The Parish Council have raised concerns about the proposal and consider that the proposed extension would not be subservient to the main dwelling by virtue of its width and height. It is suggested that a storey and a half extension with roof lights or a dormer would be appropriate and would achieve the same level of accommodation. The Parish Council's concerns are noted, however, it is not considered that the design of the host dwelling would suit such an extension. The proposal in this case would have a lower ridge line than the main dwelling and it would also be marginally set back from the front of the dwelling so it considered to read as subservient. Revised plans were however requested to improve the fenestration on the front of the dwelling. Revised plans were received on the 11th July 2018 (**plans attached**) showing two evenly spaced windows on the front of the extension rather than one window. Overall, it is considered that the proposal would be of an appropriate size and design in keeping with the character and appearance of the property.

5.2 With regards to residential amenity, the impact of the proposal upon neighbouring properties has therefore carefully been assessed and it is considered that there would not be an undue impact upon their amenity in accordance with Policy HOU8 of the Local Plan.

6.0 Conclusion

6.1 Overall, it is considered that the proposal would not be harmful to the appearance of the existing dwelling nor the street scene and it would not result in an unacceptable loss of residential amenity to neighbouring dwellings. The proposal (as revised) would also be of an acceptable size and design. It would therefore accord with Policy HOU8 of the Local Plan, the Joint Core Strategy and the NPPF 2012. The application is therefore recommended for **permission**.

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 The external materials of the proposed extension shall match as near as possible the materials of the existing dwelling.
- 3 The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Site plan, block plan, existing elevations / floor plans received by the Local Planning Authority on the 22nd May 2018 and the revised proposed elevations/ proposed floor plans received by the Local Planning Authority on the 11th July 2018.

Reasons:

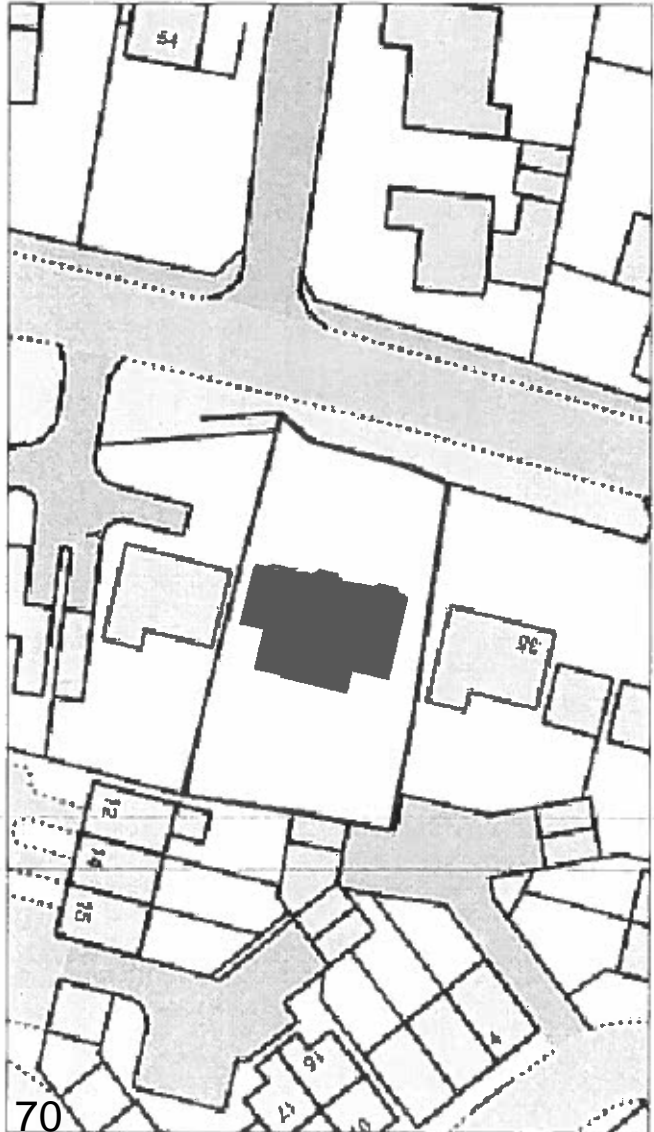
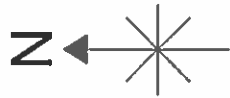
- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that the extension is in keeping with the existing building.
- 3 To define the terms and extent of the permission.

Note:

Statement of Positive and Proactive Engagement


In accordance with the requirements of the NPPF the Local Planning Authority has worked with the applicant in a positive and proactive manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area by negotiating design.

18/00522/Full



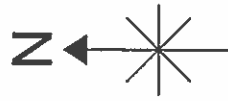
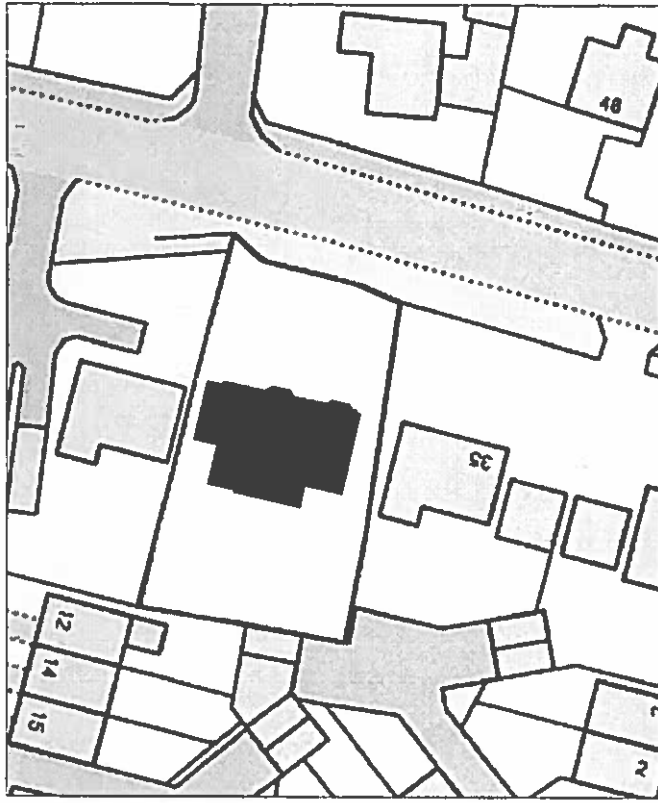
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	Scale @ A3: 1/12500		
	Date: 21.05.18		
	Dwg No: RR-007		

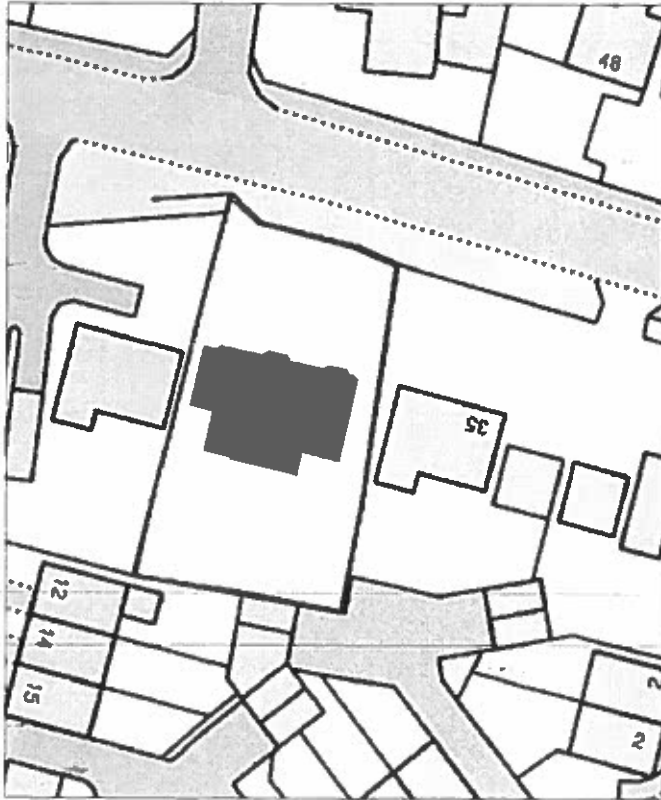

H.A. Planning
67 Clevevmount Road
Cheltenham,
Gloucester
GL52 3HD
07500 555495


18/00522/FULL

Existing Block Plan 1:500

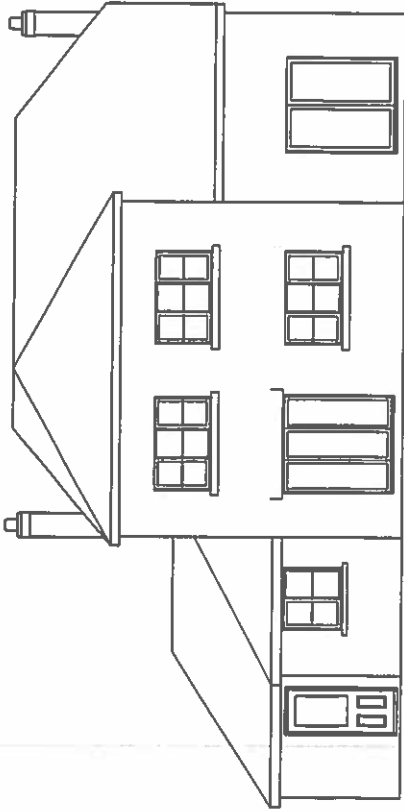


Proposed Block Plan 1:500

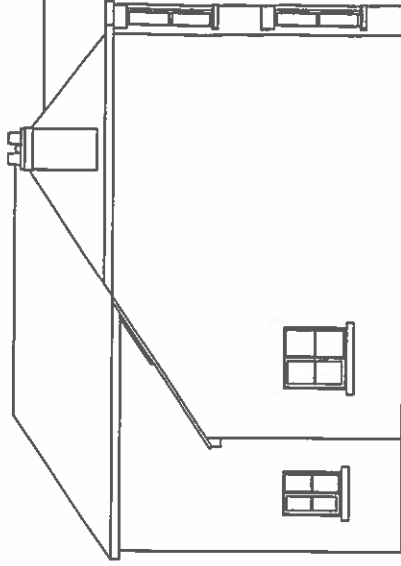


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Drawn: RR	Scale @ A3: 1:12500
Date: 22.05.18	Dwg No: RR-008
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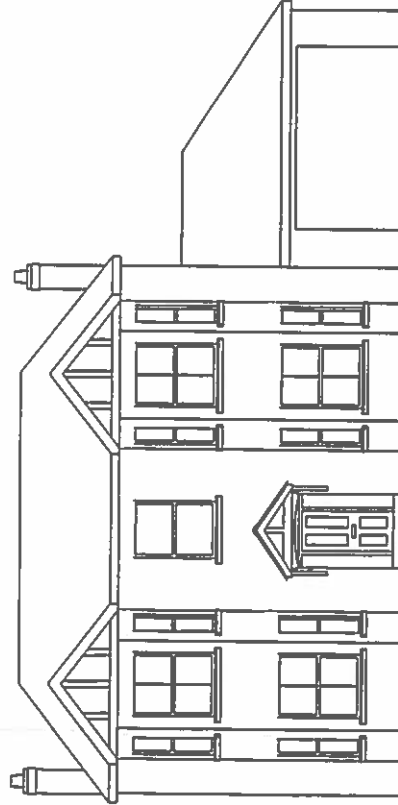
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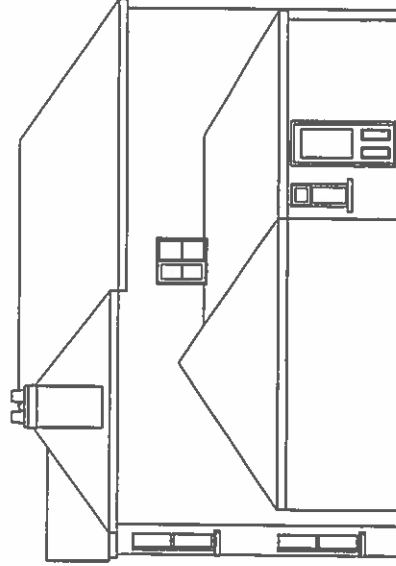
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



H.A. Planning
67 Clevevmount Road
Cheltenham,
Gloucester
GL52 3HD
07500 555495

Client:

Description:
Existing Elevations

Drawn: RR

Job: 900503

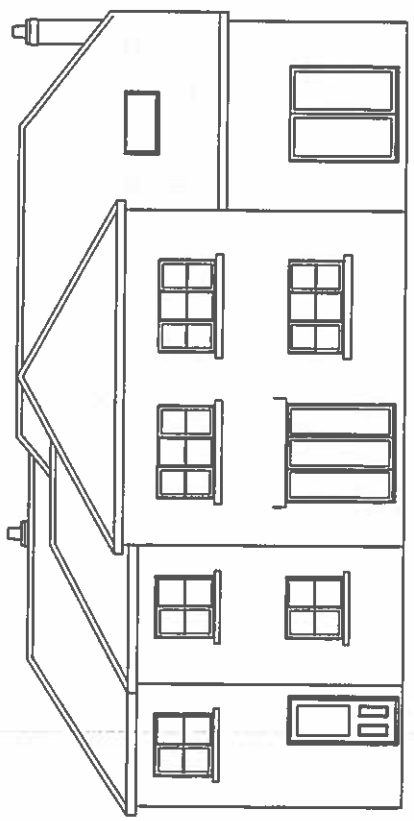
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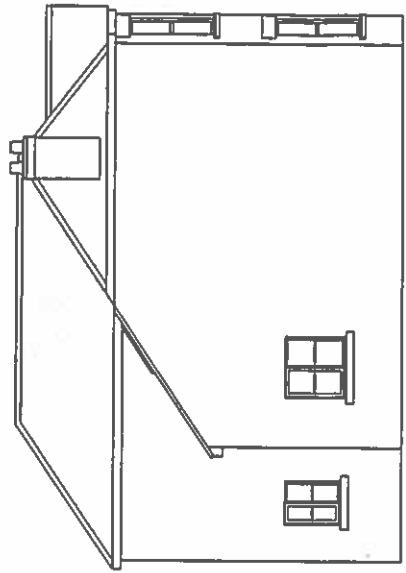
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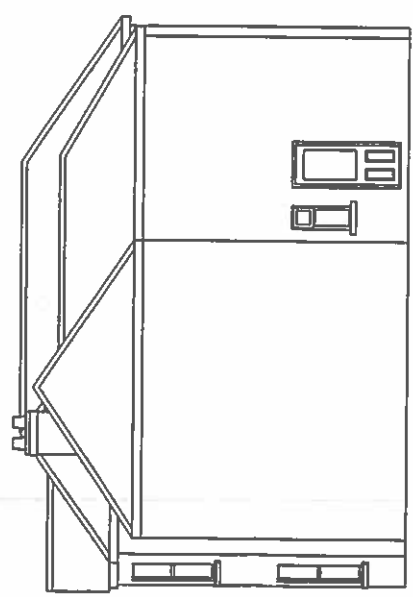
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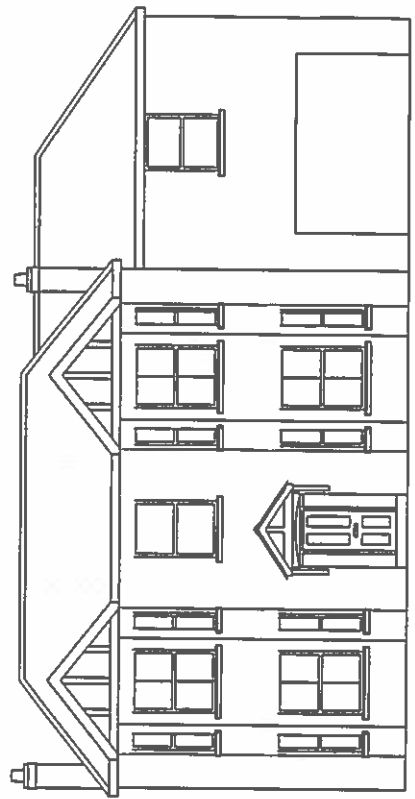
WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



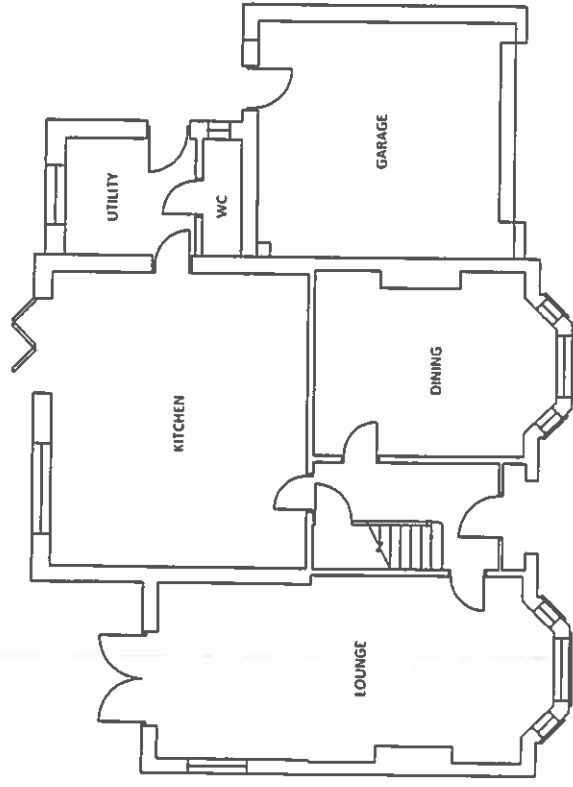
EAST ELEVATION



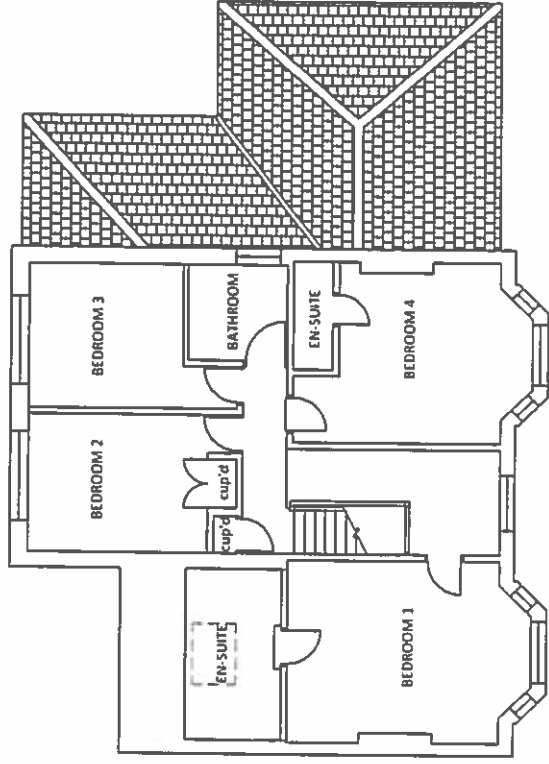
H.A. Planning
67 Clevevmount Road
Cheltenham,
Gloucester
GL52 3HD
07500 555495

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Drawn: RR	Job: 900503
Scale @ A3: 1:100	Date: 11.05.18
Dwg No: RR-005	

18/00522/rel



GROUND FLOOR PLAN



FIRST FLOOR PLAN

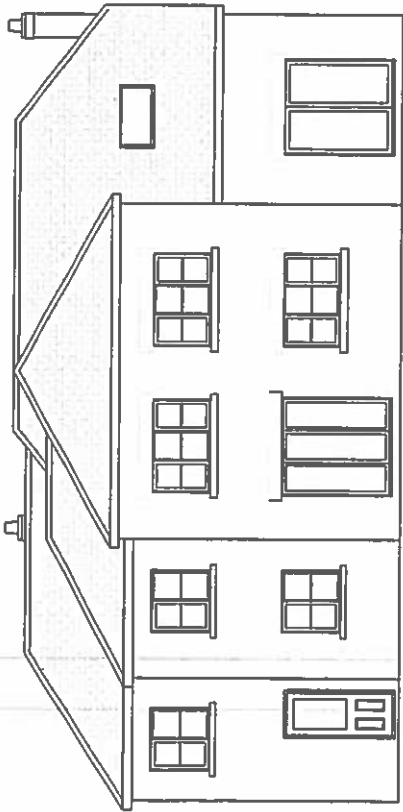


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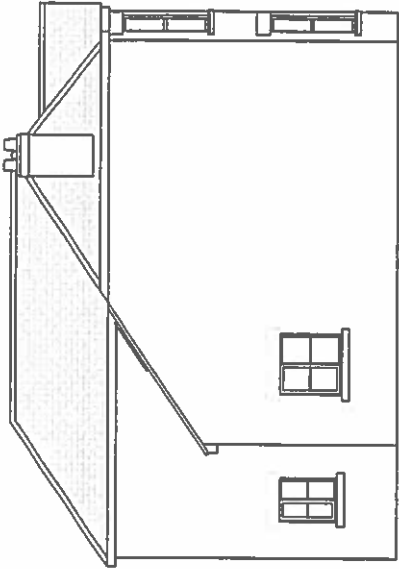
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Drawn: RR	Job: 900503
Scale @ A3: 1:100	
Date: 11.05.18	
Dwg No: RR-001	

74 m/e

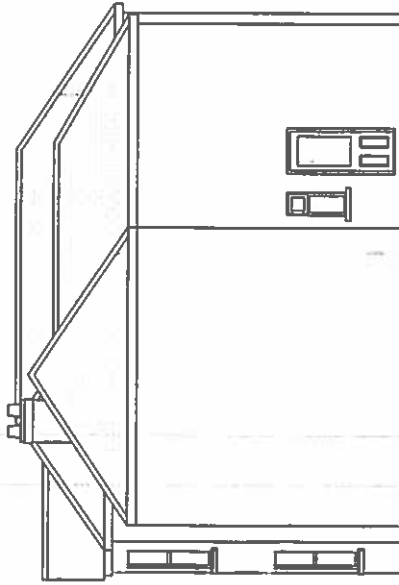
Revised Plans
18/00522/FULL



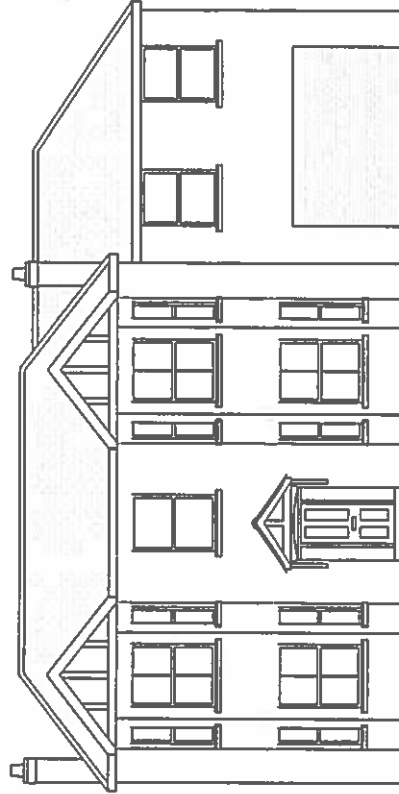
WEST ELEVATION




SOUTH ELEVATION



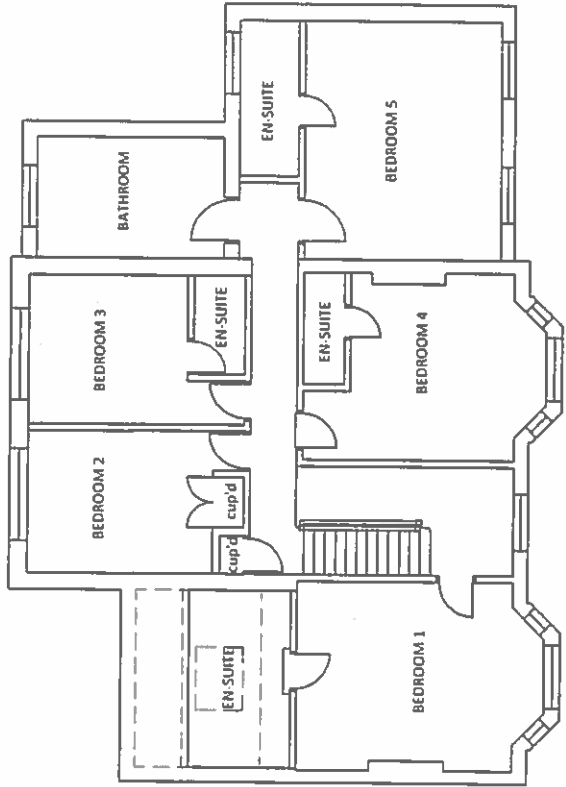
NORTH ELEVATION



EAST ELEVATION

	
H.A. Planning 67 Clevevmount Road Cheltenham, Gloucester GL52 3HD 07500 555495	
Client:	Description: Proposed Elevations
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Scale @ A3: 1:100	Date: 09.07.18
Dwg No: RR-005	

Revised plans
18/00522/fed



FIRST FLOOR PLAN

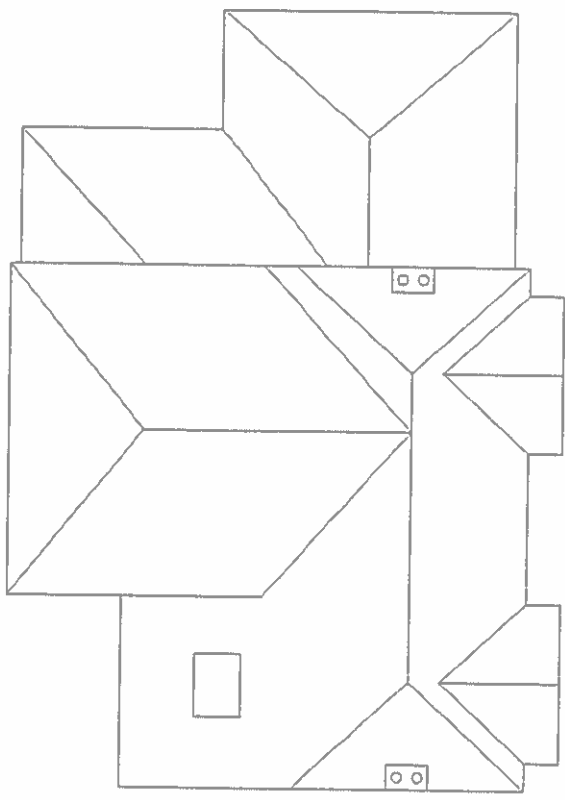
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H.A. Planning
67 Clevevmount Road
Cheltenham,
Gloucester
GL52 3HD
07500 555495

Client:	Description: Proposed First Floor Plan
Drawn: RR	Job: 900503
Scale @ A3: 1:100	Date: 08/01/18
Dwg No: RR-006	

18/00.522/FUL



ROOF PLAN

133/h



H.A. Planning
67 Cleevemount Road
Cheltenham,
Gloucester
GL52 3HD
07500 555495

Client:	Description: Proposed floor plan
Drawn: RR	Job: 900603
Scale @ A3: 1:100	
Date: 11.05.18	
Dwg No: RR-003	

18/00449/FUL

Land On The East Side Of, Broadway Road, Stanway ITEM 4

Valid 05.05.2018

Erection of a 4 bay steel framed hay storage barn open on one side
(Revised scheme to 17/00758/FUL)

Grid Ref 404879 232972

Parish Stanway

Ward Winchcombe

RECOMMENDATION Refuse

Policies and Constraints

National Planning Policy Framework; 2012 (NPPF)

Planning Practice Guidance

The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy; 2017 (JCS) - policies SD4, SD6, SD7, SD14, INF1

Tewkesbury Borough Local Plan to 2011; March 2006 (TBLP) - policy AGR5

Flood and Water Management Supplementary Planning Document

Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)

The First Protocol, Article 1 (Protection of Property)

Cotswolds Area of Outstanding Natural Beauty (AONB)

Classified Highway - B4632

Consultations and Representations

Stanway Parish Council - no comments received.

Local Highway Authority - no objection subject to conditions.

Environmental Health Officer - no adverse comments.

1 letter of objection has been received within the 21 day statutory consultation period. The main points raised relate to:

- Adverse impact on the landscape - As the location of the proposed agricultural building is the same as the previous application, ALL the same issues remain. Significant weight should be given to the fact that the proposed agricultural building would be in an Area of Outstanding Natural Beauty.

Councillor Mason has requested Committee determination to assess the impact on the surrounding area.

Planning Officers Comments: Emma Dee

1.0 Application Site

1.1 The application site comprises a parcel of land (covering an area of approximately 0.14 hectares) towards the north-western corner of a larger cultivated, open agricultural field, located on the eastern side of Broadway Road (B4632) (See **Location Plan and Block Plan**). Immediately to the north of the site is another agricultural field. The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) as defined by the Tewkesbury Borough Local Plan (TBLP) Proposals Map.

2.0 Relevant Planning History

2.1 A planning application proposing the erection of a 4 bay steel framed agricultural barn on land on the east side of Broadway Road, Stanway, was refused on 15th September 2017 (reference 17/00758/FUL). The building as proposed would have been 24.4 metres wide and 12.2 metres deep, 4.6 metres in height to eaves and 5.5 metres in height to ridge (See '**Proposed Block Plan**' and '**Proposed Barn Plan and Elevations**' as refused under application reference 17/00758/FUL). The reason for refusal was as follows:

1. The proposed development, by reason of its size, scale and prominent location, would have a harmful impact on the visual amenity of the locality, and would fail to conserve the landscape and scenic beauty of the Cotswolds Area of Outstanding Natural Beauty. As such the proposed development is contrary to Policy AGR5 of the Tewkesbury Borough Local Plan to 2011 (March 2006), Policies SD7 and SD8 of The Proposed Main Modifications version of the Joint Core Strategy (2017) and the principles of the National Planning Policy Framework (2012).

2.2 Planning application reference 17/01078/FUL, for the erection of 6 no. dwellings with associated vehicular access was permitted in April 2018. That application was by the same applicant and the development would result in the loss of an existing building on the applicant's land.

2.3 Planning permission (reference 16/01025/FUL) was permitted in May 2018 for the erection of an agricultural building for the keeping of livestock (sheep) and for the associated storage of hay, feed and farming equipment, at Wellington Meadows, Toddington. That site is approximately 1.5 miles to the west of the current application site. The proposal was a three bay open-fronted building with a footprint of 60 square metres (10 metres by 6 metres).

3.0 Current Application

3.1 The application seeks planning permission for the erection of a 4 bay steel framed agricultural barn (18.5 metres wide and 12.2 metres deep) on the eastern side of Broadway Road, Stanway, towards the north-western corner of an agricultural field and set back approximately 10 metres from the adjacent highway (See **Proposed Block Plans and Proposed Barn Plan & Elevations**) . There are some existing trees between this part of the highway and the proposed building.

3.2 The proposed agricultural steel frame building would be designed with 150mm thick pre-cast concrete stockwall panels 2.4 metres high and Tanalised treated Yorkshire boarding vertical cladding above this on its northern, southern and western elevations. The eastern elevation of the building would be open. The building would be designed with a dual-pitched roof measuring 4.6 metres in height to eaves and 5.5 metres in height to ridge and it would have a profile 6 natural green fibre cement sheet roof covering.

3.3 There is an existing agricultural access immediately to the north of the proposed building which would be utilised for the proposed barn. The application proposes the provision of an associated concrete vehicular access track and concrete apron to the northern and eastern sides of the proposed barn, to allow farm vehicles to access the proposed barn from the Broadway Road. The submitted application makes the case that the use of concrete for the surfacing material of the access track is necessary in order to accommodate the weight of farm vehicles.

3.4 The proposed barn and access would be sited in the same location as previously proposed under refused planning application reference 17/00758/FUL. The main amendment to this scheme is a reduction in the width of the proposed barn; from 24.4 metres to 18.5 metres. The submitted Planning Statement also advises that new additional hedgerow planting would be provided along the full extent of the barn to aid with screening, which would comprise of double staggered rows of native species. The application suggests that the precise details of this could be secured by condition.

4.0 Policy Context

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

4.2 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin both plan-making and decision-taking. These principles are that planning should, inter alia, take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it, and contribute to conserving and enhancing the natural environment.

4.3 Section 3 of the NPPF seeks to support a prosperous rural economy and business and enterprise of all types in rural areas, including, inter alia, through well-designed new buildings. Section 11 of the NPPF specifies that the planning system should contribute to and enhance the natural and local environment by,

inter alia, protecting and enhancing valued landscapes. Paragraph 115 of the NPPF specifies that great weight should be given to conserving landscape and scenic beauty in AONBs which, along with National Parks and the Broads, have the highest status of protection in relation to landscape and scenic beauty.

4.4 Policy SD7 (The Cotswolds AONB) of the JCS specifies that all development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. It specifies that proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan.

4.5 Saved Policy AGR5 of the TBLP specifies that proposals for the erection of agricultural buildings will be permitted provided that:-

1. The proposed development is well sited in relation to existing buildings, ancillary structures and works and landscape features in order to minimise adverse impact on the visual amenity of the locality paying particular regard to areas of outstanding natural beauty, special landscape areas and the landscape protection zone.
2. The proposed development is sympathetically designed in terms of height, mass materials, colour and landscaping where appropriate.
3. Adequate operational access is available for vehicles, machinery and stock.
4. Where appropriate suitable provision is made for the disposal of all waste products without risk of water pollution.

5.0 Analysis

Impact on Character and Appearance of Area

5.1 The extent of land owned by the applicant in this part of the village is outlined in blue on the submitted site location plan, which amounts to approximately 9 hectares of agricultural land. A supporting statement has been submitted with the application, which advises that the proposed barn would be in the lowest point in the north-western portion of this field and that it would be largely screened behind mature trees and hedge lines along the Broadway Road. It makes the case that the proposed barn would be located on the part of the field which would be least visually prominent from wider viewpoints and furthest away from residential properties, in order to minimise the impact of livestock on residential amenity in terms of odour levels, loss of light, outlook and increased risk of vermin.

5.2 It is considered that the proposed amendments to the development proposed under application reference 17/00758/FUL, to reduce the width of the building from 24.4 metres to 18.5 metres and to provide some landscaping along the extent of the building at a lower level along Broadway Road, would not overcome the reasons for refusal for this application. As noted within the delegated report for application reference 17/00758/FUL, whilst there are some trees along the eastern boundary of Broadway Road at the point where the proposed building would be located, there is only low level vegetation along the eastern boundary of Broadway Road to the south of the site.

5.3 Consequently there are likely to be clear views of the proposed building when travelling north along Broadway Road from the roundabout to the south where the B4077 meets the B4632, particularly in the winter months. Even if some planting was proposed adjacent to and parallel with the southern side elevation of the proposed building for the purpose of providing some screening, it is considered that this, in itself, would appear incongruous and would adversely accentuate and draw attention to the proposed building and associated access road and apron.

5.4 The proposed building, associated concrete access track and apron would be remotely located, and would therefore be contrary to the first criteria of saved Policy AGR5 of the TBLP which requires agricultural buildings to be well sited in relation to existing buildings, ancillary structures and works and landscape features in order to minimise adverse impact on the visual amenity. This criteria of Policy AGR5 specifies that particular regard should be paid to, inter alia, AONBs. By virtue of the scale of the proposed agricultural barn, its remote location, its close proximity to the highway and the clear views afforded of it from the B4632, and given the engineered appearance of the proposed concrete access track and apron, it is considered that the proposed development would have an adverse visual impact on the landscape, and would fail to conserve the landscape and scenic beauty of the AONB.

5.5 As noted above, application reference 16/01025/FUL, for the erection of an agricultural building in the centre of a field at Wellington Meadows, Toddington, was permitted to meet the applicant's needs. In that case, whilst the site was heavily constrained, the applicant had demonstrated that there were no sequentially preferable sites for the agricultural building in flood risk terms. This included an assessment of other land

within the applicant's ownership at the current application site, located within flood zone 1. The applicants flood risk assessment stated that *"Reducing the size of the building [on land to the east of Broadway Road, Stanway] will ultimately not overcome the harm caused by virtue of its 'siting'"*. The current proposal to erect a new agricultural building on this area of land would therefore be in conflict with the applicant's own reasoning provided within the Sequential Report for the Wellington Meadows application and no further justification has been provided as to why additional storage is required over and above the building permitted at that site.

5.6 In light of the above it is not considered that the proposals have addressed the reason for refusal of the previous, albeit larger, scheme. The proposed development would therefore be contrary to policy AGR5 of the TBLP, policies SD6 and SD7 of the JCS and the principles of the NPPF. This is given great weight in the consideration of this application.

Other Matters

5.7 By virtue of the scale and form of the proposed building, its proposed use, and its proximity to the nearest residential premises, it is considered that there would be no significant adverse impact on occupiers of nearby premises in terms of overshadowing, overbearing impact or loss of privacy.

5.8 The proposed building would be served by an existing field access and it is not considered that the proposal to site a building on the land would have a material impact on highway safety.

5.9 The site is located within Flood Zone 1 (low risk) as defined by the Environment Agency's most up-to-date flood risk maps. The development is therefore unlikely to be at risk of flooding or cause significant risk of flooding to third party property.

6.0 Overall balancing exercise and conclusions

6.1 The application would result in (albeit very limited) job creation during construction and would support the needs of an agricultural enterprise. These are matters that weigh in favour of the proposal.

6.2 However it is considered that the entirety of the harm that has been identified, in terms of the adverse visual impact on the landscape and on the visual attractiveness and scenic beauty of the AONB, is not clearly outweighed by the benefits of the development. Great weight should be attached to conserving AONBs in the decision making process. It is concluded that the proposed development would fail to overcome the reasons for refusal given for application reference 17/00758/FUL, and that it would be contrary to saved policy AGR5 of the TBLP, policies SD6 and SD7 of the JCS and the principles of the NPPF. The application is therefore recommended for **refusal**.

RECOMMENDATION Refuse

Reason:

The proposed development would have an adverse impact on the visual amenity of the locality, and would fail to conserve the landscape and scenic beauty of the Cotswolds Area of Outstanding Natural Beauty. As such the proposed development is contrary to Policy AGR5 of the Tewkesbury Borough Local Plan to 2011 (March 2006), Policies SD6 and SD7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) and the principles of the National Planning Policy Framework (2012).

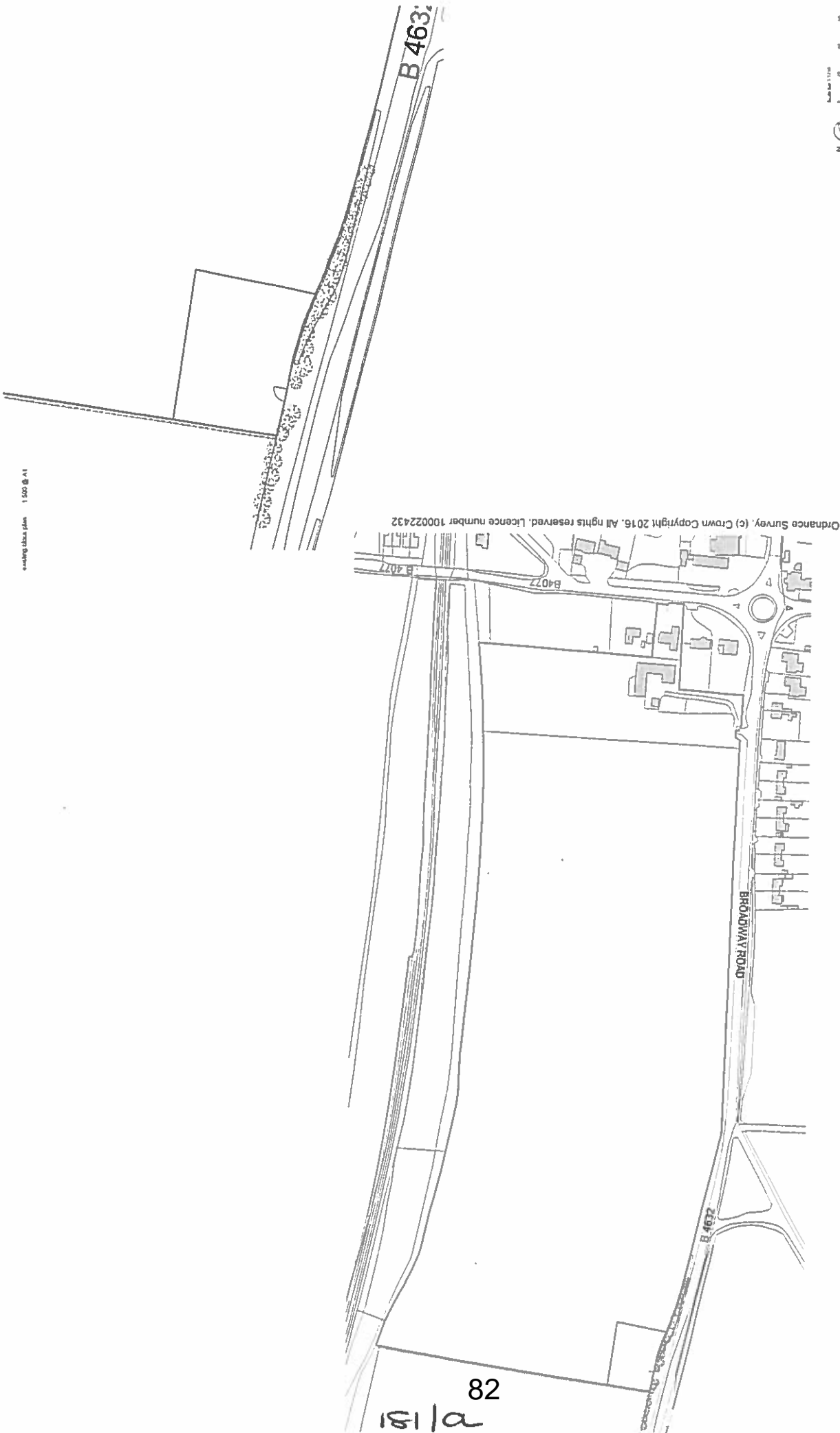
Note:

Statement of Positive and Proactive Engagement

In accordance with the requirements of the National Planning Policy Framework (2012) the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding. However, as a consequence of the clear conflict with relevant Development Plan Policies no direct negotiation during the consideration of the application has taken place.

18/00469/FUL

existing site plan 1:500 @ A1



1:1250 @ A1

N

Scale: 1:1250 @ A1

Date: July 2016

Drawn by: PL001 A

Project	Brookley Road Slabbes, Tuddington
Scale:	1:1250 @ A1
Date:	July 2016
Drawn by:	PL001 A

Site Location Plan	Block
Client:	
Drawn by:	PL
Checked:	PL
Job number:	16.30.003

1:500 @ A1

REV A to C: 15.11.2017
New plans substituted

1: This drawing is limited in scope to the information provided on this sheet. It is not to be used for any other purpose without the prior written consent of the architect.

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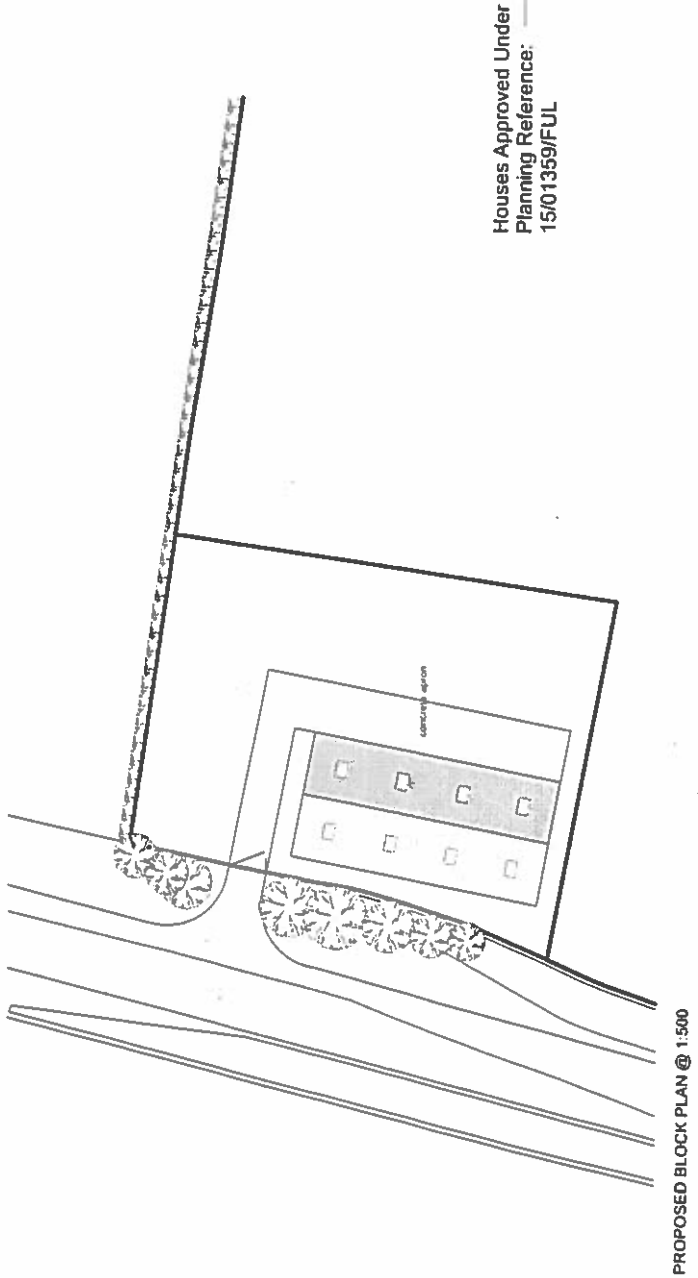
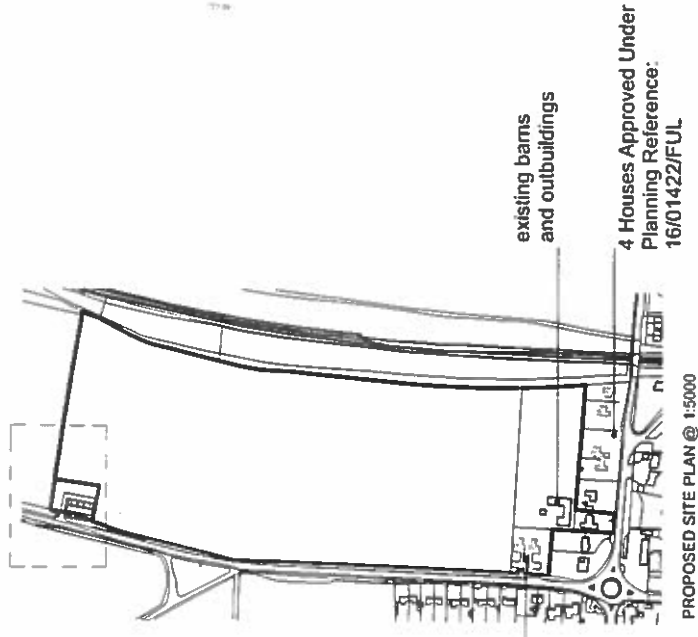
- Preliminary
- Feasibility
- Planning
- Building Regulations
- Tender
- Construction Issue
- As Built

1:1250 @ A1

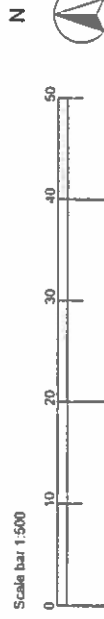
coombes everitt architects limited
Unit No. 1, The Old Dairy
Rushley Lane
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181/a 82


18/CO449/FUL



PROPOSED BLOCK PLAN AS REFUSED
UNDER APPLICATION REFERENCE 17/00758/FUL

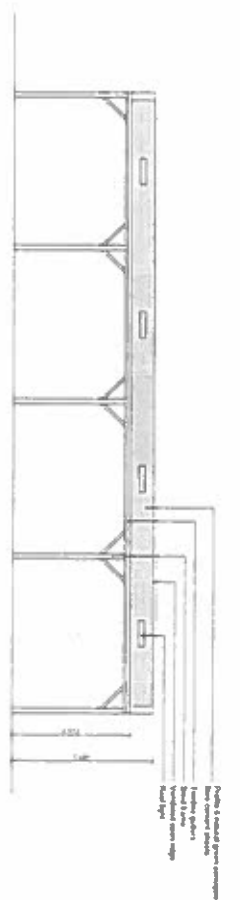


18/1/83

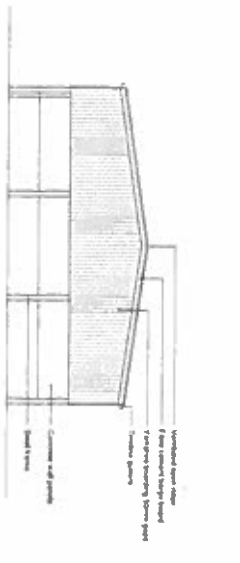
<p>COOMBES : eventit architects limited Unit No. 1, The Old Dairy Rushley Lane Winchcombe Gloucestershire GL54 5JE t: 01242 807727 f: 0845 5575833 e: info@co-architects.co.uk www.co-architects.co.uk</p>	<p><input type="checkbox"/> Preliminary <input type="checkbox"/> Feasibility <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Building Regulations <input type="checkbox"/> Tender <input type="checkbox"/> Construction Issue <input type="checkbox"/> As Built</p>	<p>RIBA Chartered Practice </p>	<p>1. This drawing and content is copyright © of coombes eventit architects limited 2. Do not scale drawing all dimensions to be checked on site prior to construction and any discrepancies reported to contract administrator</p>	<p>REV A - 1c - 23.08.2017 concrete apron and detail added</p>	<p>Drawing title: Proposed Block Plan Client: _____ Drawn by: JR Checked: TC Job number: 16.30.003</p> <p>Project: Broadway Road Stables, Toddington Scale: 1:500, 1:5000 @ A3 Date: July 2017 Draw no. FL003 A</p>
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coombes eventit architects

18/00469/FUL



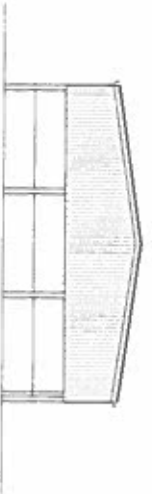
Elevation A @ 1:100



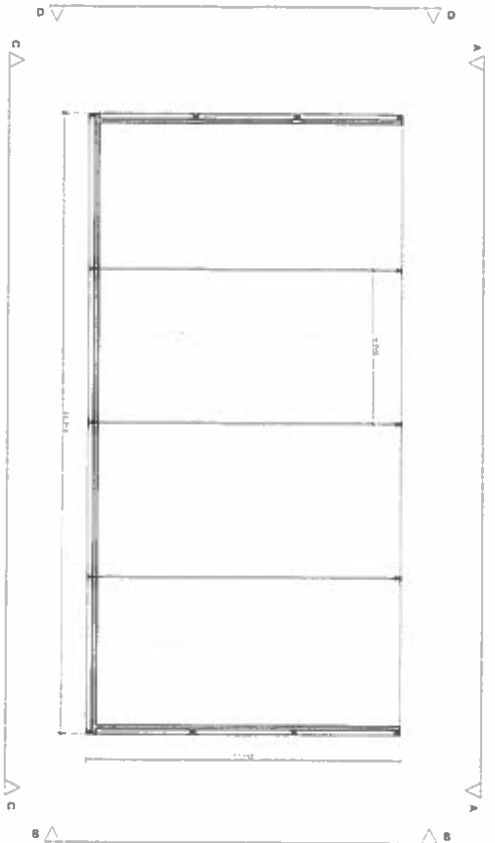
Elevation B @ 1:100



Elevation C @ 1:100



Elevation D @ 1:100

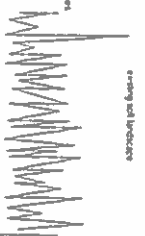


PROPOSED BARN PLAN
AND ELEVATIONS AS
REFERENCE
17/00758/FUL

TYPICAL SECTION REF: 18/013

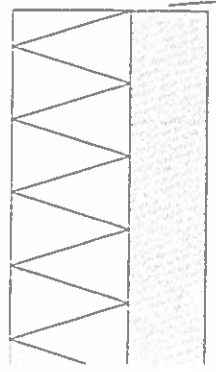


Specifications
 Sheet frame: Designed to BS 5502 (data 2 specification)
 Roof: Profile 6 natural green fibre cement sheet open ridge - barge boards to eaves and
 Vertical cladding: Tensided treated 1000mm Dowlog 50mm gaps
 Walls: 150mm thick pre-cast concrete blocks and panels 2400mm high
 Floor: 150mm thick C15 concrete, tamped finish
 Rain water: 2 lines of 200mm Trenches /trapezoid gutters with 150mm dia. PVC downpipes



ridge and landscape

new concrete girth on landscape below ground
to soil penetration at perimeter



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- Preliminary
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- Planning
- Building Regulations
- Tender
- Construction Issue
- As Built

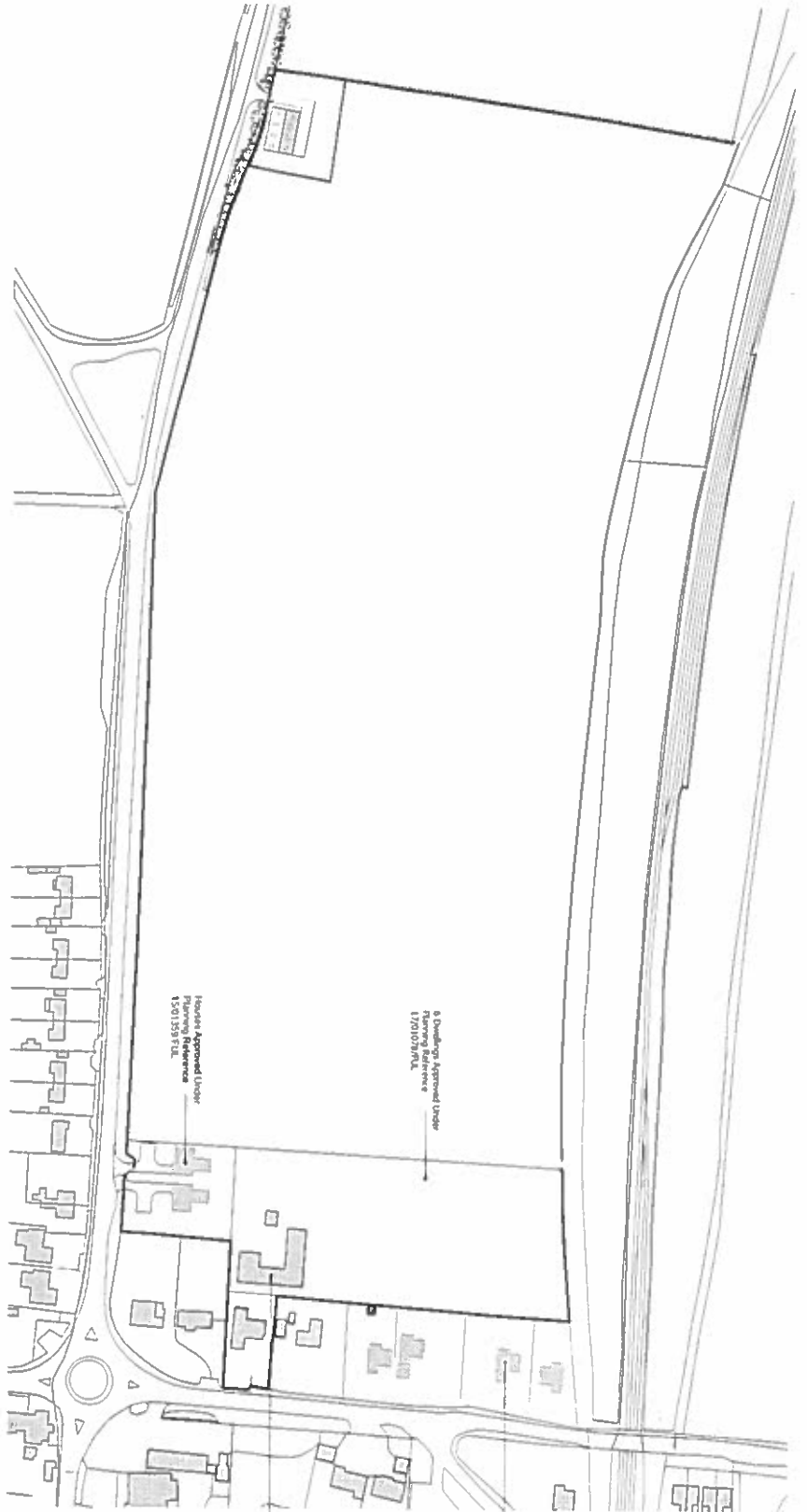
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REV A: 17/03/2017
 complete elevations and final details

Drawing title	Proposed Barn Plan - Elevations	Project	Brookway Road Stables, Toddington
Client		Scale	1:100 @ A1
Drawn by	JR	Date	Mar 2017
Checked	TC	Draw no	PL004 A
Job number	16_20_003		

18/00449/12



Proposed floor plan 1:1000 @ A1

coombes : event architects limited
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- Tender
- Construction Issue
- At Scale

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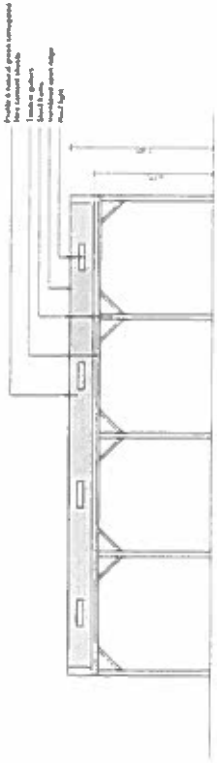
REV A, K - 15.11.2011
 See plan for details

Drawing title Proposed Bus Plan
Client
Drawn by JM
Checked by JE
Job number 15_20_003

Project Bus stop by Road Suddles
Scale 1:1000 @ A1
Date July 2011
Draw no P1.002 A

85
 18/0

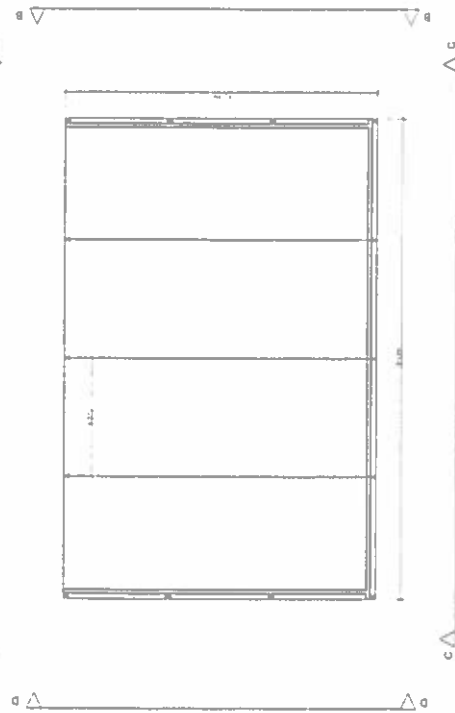
18/00449/FU



Elevation A @ 1:100



Elevation C @ 1:100



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Unit No. 1, The Old Dairy

10 Perry Lane
Widcombe, Leamington Spa
CV34 5JF

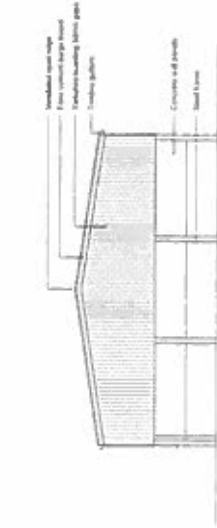
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- Preliminary
- Feasibility
- Planning
- Building Regulations
- Tender
- Construction Phase
- As Built

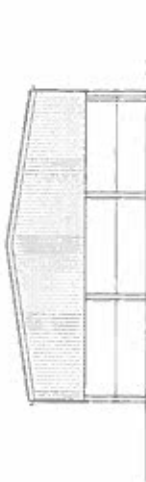
1. The design of this building is subject to the approval of the Local Planning Authority.
2. The design of this building is subject to the approval of the Local Planning Authority.



REV: A - 23.06.2017
REV: B - 13.10.2017
Length of beam reduced (subsequent planning officers comments)



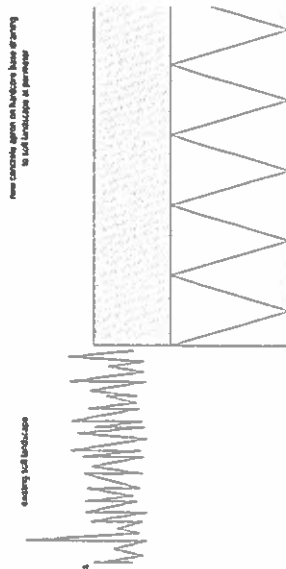
Elevation B @ 1:100



Elevation D @ 1:100

Specifications

- Steel frame: Designed to BS 5502 class 2 specification
- Roof: Profile 6 natural green fibre cement sheet open ridge - barge boards to eaves and vertical cladding - 7 finished teak or 100mm boarding 40mm gaps
- Walls: 150mm thick pre-cast concrete blockwork panels 2400mm high
- Floor: 150mm thick pre-cast concrete blockwork panels 2400mm high
- Rain water: 2 lines of 200mm Tritone finished gutters with 150mm dia. PVC downpipes



TYPICAL SECTION @ 1:5



Project	Broadway Road Stables, Tooting
Scale:	1:100 @ A1
Date:	July 2017
Drawing no.	PL004 6

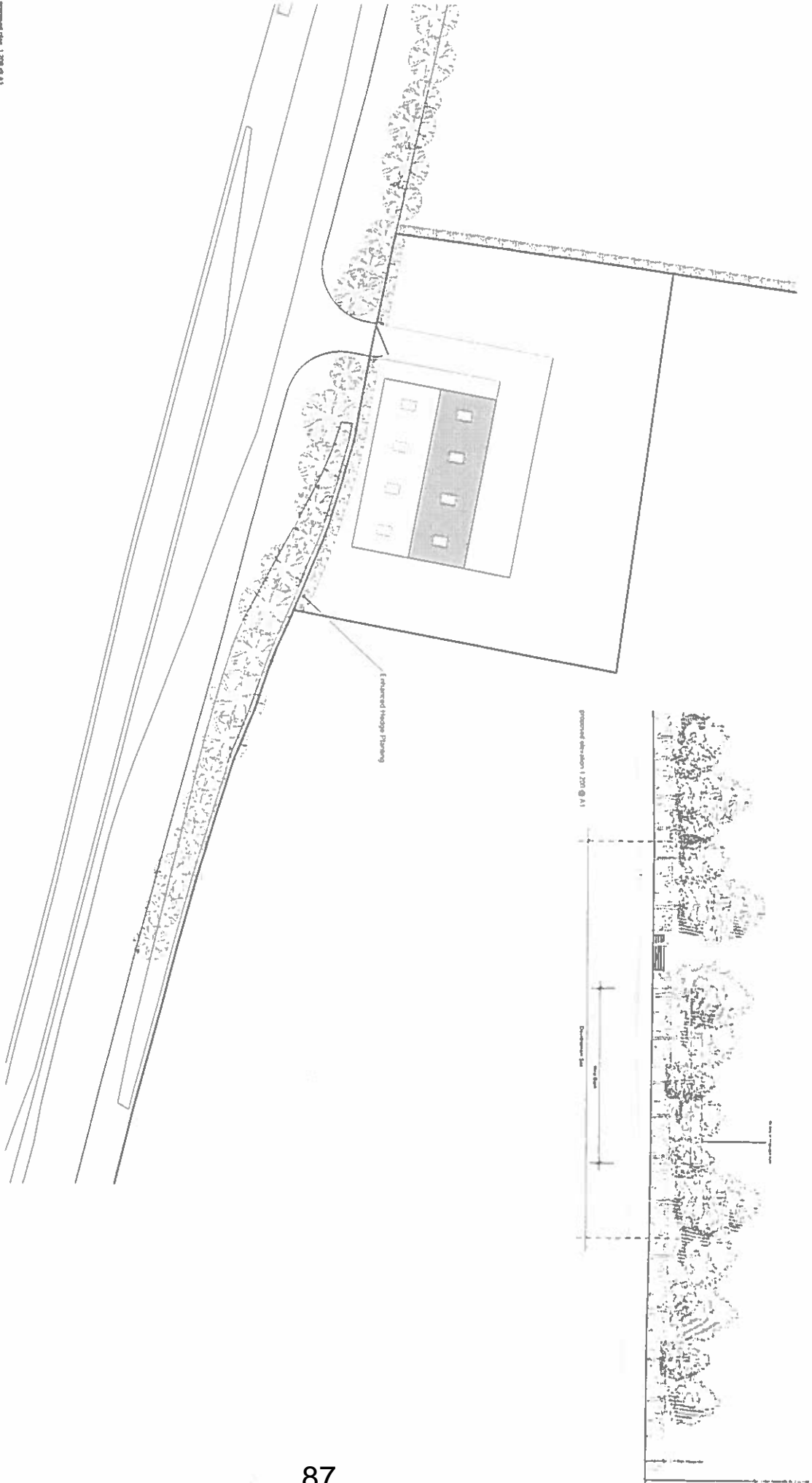
Drawing title	Proposed Barn Plans & Elevations
Client:	JR
Drawn by:	Unacad TC
Job number:	16.30.003

coombes eventit architects

181/e

18/004491/F2

Proposed plan 1:200 @ A1



Proposed elevation 1:200 @ A1

Proposed plan

Scale bar

181 87 / f

COOMBS : EVERETT ARCHITECTS LIMITED
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- Preliminary
- Feasibility
- Planning
- Building Regulations
- Tender
- Construction Issue
- As Built

This drawing is intended as a guide to the proposed works and does not constitute a contract. It is the responsibility of the client to ensure that the proposed works are carried out in accordance with the relevant building regulations and other applicable laws.

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REG. NO. 61188 (2017)
 REG. NO. 61188 (2017)
 REG. NO. 61188 (2017)
 REG. NO. 61188 (2017)
 REG. NO. 61188 (2017)
 REG. NO. 61188 (2017)

Drawing title: Proposed Block Plan		Project: Rusbury Road Station, Tringdon	
Client:		Scale:	1:200 @ A1
Drawn by: JH	Checked: JE	Date:	14/7/2016
Job Number: 16_30_003		Draw no:	PL003 C

18/00512/FUL

1 Abbey Court, Gloucester Road, Tewkesbury

ITEM 5

Valid 30.05.2018

Replacement of ground floor and one first floor timber window with aluminium windows. Replace front door with new timber door.
Installation of new service flue and extract vent.

Grid Ref 388931 232447

Parish Tewkesbury

Ward Tewkesbury Town With

Milton

RECOMMENDATION Permit

Policies and Constraints

National Planning Policy Framework; 2012 (NPPF)

Planning Practice Guidance

The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy; 2017 (JCS) - SD4

Tewkesbury Borough Local Plan to 2011; March 2006 (TBLP) - HEN2, HOU8

Planning (Listed Buildings and Conservation Area) Act 1990

Flood and Water Management Supplementary Planning Document

Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)

The First Protocol, Article 1 (Protection of Property)

Tewkesbury Conservation Area

Article 4 Direction Boundary

Flood Zones 2 & 3

Consultations and Representations

Tewkesbury Town Council - Objects to the proposed development on the following grounds:

- The use of aluminium windows in this location within the conservation area is inappropriate.

Local residents - No representations received

The application has been publicised through the posting of a site notice and no letters of representation have been received in the 21 day statutory consultation period or since.

Planning Officers Comments: Mr James Lloyd

1.0 Application Site

1.1 This application relates to no.1 Abbey Court in Tewkesbury, located within a series of 6 modern dwellings constructed in an eclectic pseudo historic style.

1.2 The property is located within the Tewkesbury Conservation Area and is subject to restriction of permitted development rights due to an Article 4 Direction. **see site location plan.**

2.0 Relevant Planning History

2.1 There is an extensive amount of planning history for this site, the most recent and relevant to this application are as follows;

07/01394/FUL - Erection of replacement conservatory - Permitted 2007

11/00773/FUL - Proposed replacement of existing first and second floor timber windows with powder coated aluminium windows - Permitted 2011

3.0 Current Application

3.1 The current application seeks full planning permission for the replacement of the front door, create a French window opening on the ground floor of the rear elevation and to fit painted aluminium bi-fold doors. The proposal also includes the replacement of all other timber storm casement windows on the rear elevation with painted aluminium storm casement windows. The scheme also proposes the installation of new service flue and extract vent. (see attached plans for all details).

4.0 Policy Context

4.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of The Town and Country Planning Act 1990. Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which "indicate otherwise". Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other materials considerations."

4.2 The development plan comprises the Joint Core Strategy (JCS) (2017) and saved policies in the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP).

4.3 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework.

4.4 The relevant policies are set out in the appropriate sections of this report.

5.0 Analysis

5.1 The main issues to be considered are the impact upon the surrounding heritage assets and whether the proposal would have an acceptable impact upon neighbouring resident's amenity.

Impact of Heritage Assets & Existing Building

5.2 Policy SD8 of the JCS and Policy HEN2 of the TBLP reflects the general duty of the Planning (Listed Buildings and Conservation Area) Act 1990, to pay special attention to S66 (1) and S72 of the Act, amongst other matters, to have special regard to the setting of Listed Buildings and Conservation Areas. Any decisions relating to listed buildings and their settings and Conservation Areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as satisfying the relevant policies within the Framework and Local Plan.

5.3 The application property is a modern end of terraced dwelling on a block of other residential properties. The property is in a prominent position at the entrance to Tewkesbury town centre, on its south western side. The properties at Abbey Court have been constructed using red facing bricks, red hanging tiles, brown roof tiles and brown timber/powder coated aluminium windows and doors.

5.4 Whilst the site is located within the Conservation Area and within close proximity to listed buildings the Conservation Officer has advised the following:

"1 Abbey Court is one of a series of 6 modern dwellings constructed in an eclectic pseudo historic style and is not considered to fully reflect the historic character of the conservation area. The conservation area appraisal for Tewkesbury features this development with the following caption: 'Some of the housing developments from the latter half of the twentieth century have also cut across burgage plots and do not respect their contexts either in scale, massing, siting or materials'. The buildings were constructed with timber storm casement windows painted brown"

5.5 The Conservation officer also advises that the buildings are not historic and the existing fitted windows are also not historic in nature. This is also considered the case for the front door and the bi-fold windows. With this in mind the Conservation Officer concludes that the replacement of the timber windows and bi-fold doors with aluminium of a similar pattern would not be detrimental to the character and appearance of the conservation area, subject to the detailed design and confirmation of colour (all of which could be controlled by way of condition).

5.6 The details for the installation of new service flue and extract vent are also considered acceptable.

5.7 Notwithstanding the Town Council's concerns regarding the use of aluminium as a material, given the age of Abbey Court, materials on nearby buildings and design/colour of the windows proposed, it is considered that the proposed development would have an acceptable impact on the Conservation Area and existing building.

Impact on Residential Amenity

5.8 Policies HOU8 and SD4 also state that development will only be permitted if the proposal does not have an unacceptable impact on adjacent property in terms of bulk, massing, size and overlooking.

5.9 The replacement windows and doors would be located in the same position as the existing. It is therefore judged that there would be no significant adverse effect on adjoining occupiers in terms of loss of privacy or overlooking.

Impact on Flood Zones

5.10 Whilst the property is located within Floodzones 2 and 3 as defined by the Environment Agency, it is not considered that the nature of the proposal would have any impact upon flooding in this area.

6.0 Conclusion & Recommendation

6.1 Whilst the Town Council's comments have been considered the proposed scheme would be in accordance with the relevant policies of the adopted development plan, and it is therefore recommended that planning permission is granted subject to conditions.

RECOMMENDATION Permit

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with approved drawings; "Site Location Plan", "Block Plan", "Proposed Elevations" received by the Local Planning Authority on 18th May 2018, "Proposed Window Casement Details", Bi-fold Door Details", "Kitchen Extract & Boiler Flue Details" received by the Local Planning Authority on 30th May 2018, "SF55 Technical Manual" and "Proposed Replacement Windows Details" received by the Local Planning Authority on 12th July 2018 and any other conditions attached to this permission.
- 3 The proposed windows shall be "Van Dyke Brown" BS 08B 29 (RAL 8014) and shall be implemented in accordance with the details submitted to the Local Planning Authority on the 12th July 2018 and shall thereafter be maintained as such.

Reasons:

- 1 To comply with the requirements 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 To ensure that the development is carried out in accordance with the approved plans.
- 3 To preserve and enhance the character and appearance of the Conservation Area in which this development is located.

Notes:

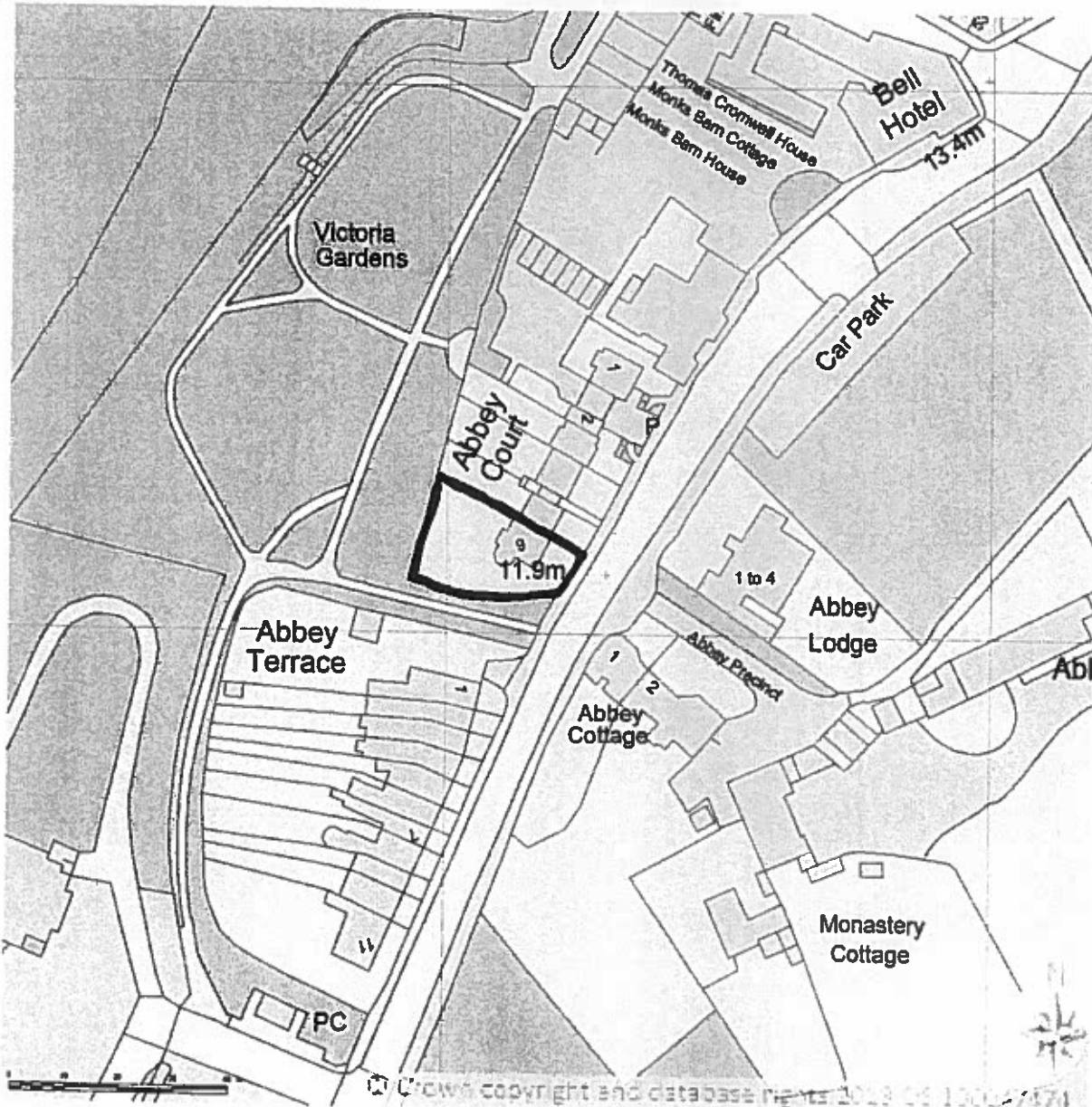
- 1 **Statement of Positive and Proactive Engagement**
In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.
- 2 This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.

18/00512/FUL

Streetwise



SITE LOCATION PLAN
AREA 4 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 388919, 232414



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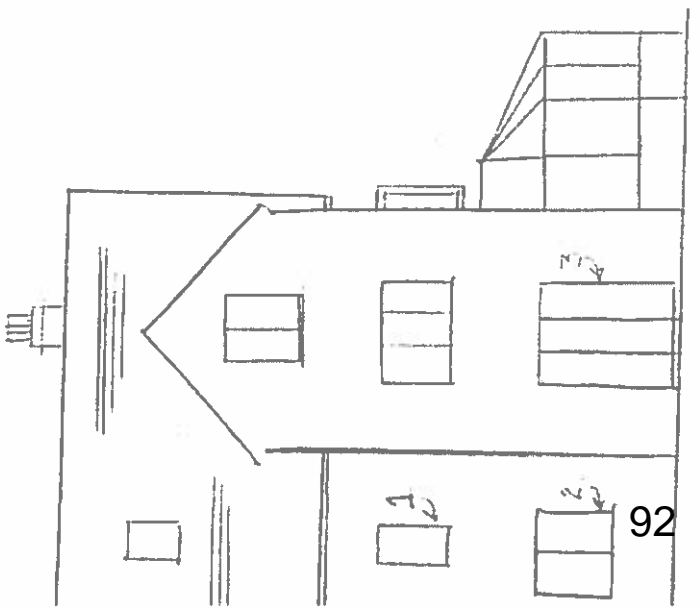
TEWKESBURY BOROUGH COUNCIL OPERATIONS	
Officer
Scanned
Rec d	18 MAY 2018
Ack d
Ans d
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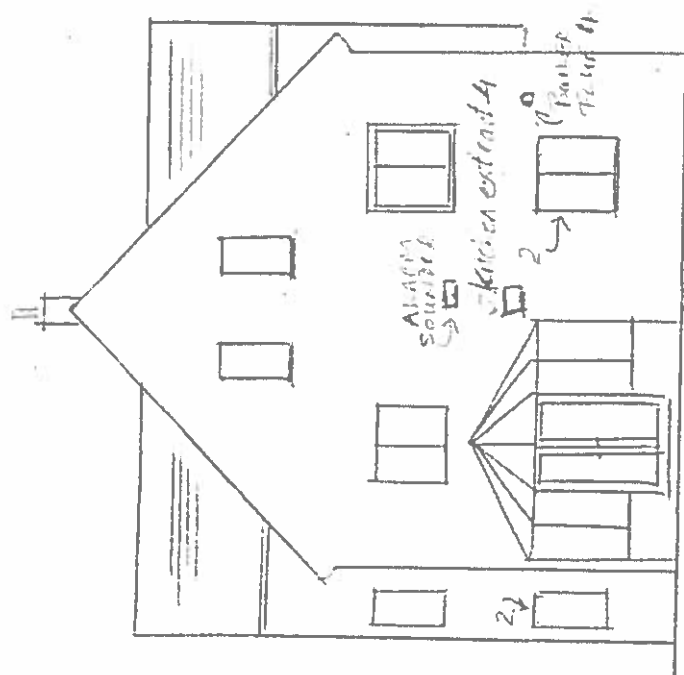
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18/00512/F2.

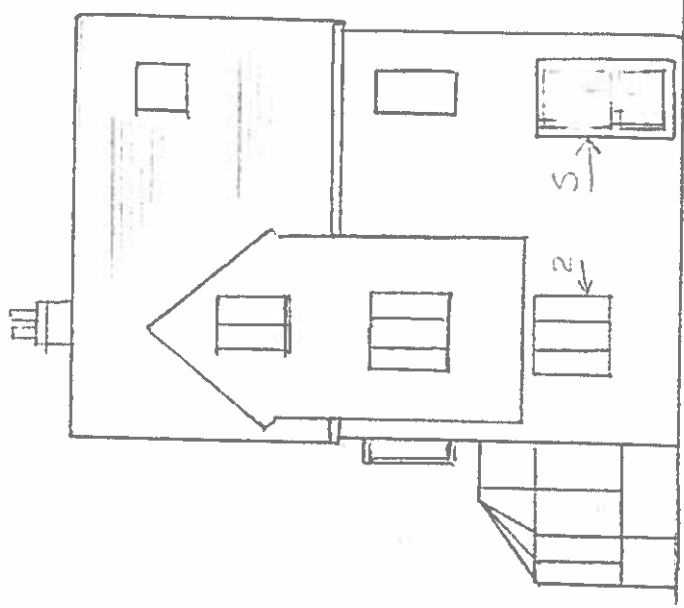


REAR ELEVATION - WEST

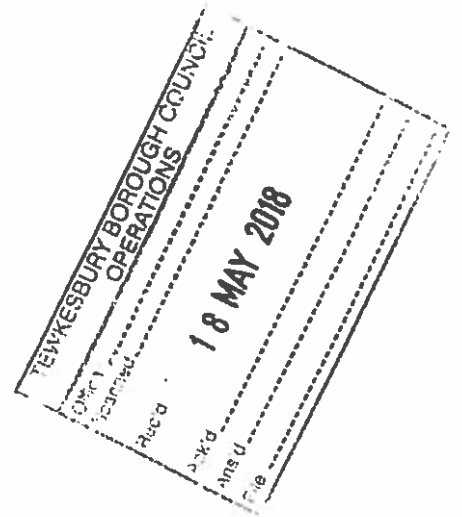
184/6



SIDE ELEVATION - SOUTH



FRONT ELEVATION - EAST



1 ABBEY COURT GLOUCESTER RD	
TEWKESBURY	
PROPOSED ELEVATIONS	
1:100	MAY 2018

BOROUGH COUNCILLORS FOR THE RESPECTIVE WARDS 2015-2019

Ward	Parishes or Wards of	Councillors	Ward	Parishes or Wards of	Councillors
Ashchurch with Walton Cardiff	Ashchurch Rural Wheatpieces	B C J Hesketh H C McLain	Hucclecote	Hucclecote	G F Blackwell
Badgeworth	Badgeworth Boddington Great Witcombe Staverton	R J E Vines	Innsworth with Down Hatherley	Down Hatherley Innsworth	G J Bocking
Brockworth	Glebe Ward Horsbere Ward Moorfield Ward Westfield Ward	R Furolo R M Hatton H A E Turbyfield	Isbourne	Buckland Dumbleton Snowhill Stanton Teddington Toddington	J H Evetts
Churchdown Brookfield	Brookfield Ward	R Bishop D T Foyle	Northway	Northway	P A Godwin E J MacTiernan
Churchdown St John's	St John's Ward	K J Berry A J Evans P E Stokes	Oxenton Hill	Gotherington Oxenton Stoke Orchard and Tredington	M A Gore
Cleeve Grange	Cleeve Grange	S E Hillier-Richardson	Shurdington	Shurdington	P D Surman
Cleeve Hill	Prescott Southam Woodmancote	M Dean A Hollaway	Tewkesbury Newtown	Tewkesbury Newtown	V D Smith
Cleeve St Michael's	Cleeve St Michael's	R D East A S Reece	Tewkesbury Prior's Park	Tewkesbury (Prior's Park) Ward	K J Cromwell J Greening
Cleeve West	Cleeve West	R A Bird R E Garnham	Tewkesbury Town with Mitton	Tewkesbury Town with Mitton Ward	M G Sztymiak P N Workman
Coombe Hill	Deerhurst Elmstone Hardwicke Leigh Longford Norton Sandhurst Twigworth Uckington	D J Waters M J Williams	Twyning	Tewkesbury (Mythe Ward) Twyning	T A Spencer
Highnam with Haw Bridge	Ashleworth Chaceley Forthampton Hasfield Highnam Maisemore Minsterworth Tirley	P W Awford D M M Davies	Winchcombe	Alderton Gretton Hawling Stanway Sudeley Winchcombe	R E Allen J E Day J R Mason

20 October 2017

Please destroy previous lists.