

8 July 2024

<b>Committee</b>	Planning
<b>Date</b>	Tuesday, 16 July 2024
<b>Time of Meeting</b>	9:30 am
<b>Venue</b>	Tewkesbury Borough Council Offices, Severn Room

## **ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND**

### **Agenda**

#### **1. ANNOUNCEMENTS**

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (during office hours staff should proceed to their usual assembly point; outside of office hours proceed to the visitors' car park). Please do not re-enter the building unless instructed to do so.

In the event of a fire any person with a disability should be assisted in leaving the building.

#### **2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

To receive apologies for absence and advise of any substitutions.

#### **3. DECLARATIONS OF INTEREST**

Pursuant to the adoption by the Council on 24 January 2023 of the Tewkesbury Borough Council Code of Conduct, effective from 1 February 2023, as set out in Minute No. CL.72, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

Item	Page(s)
<b>4. MINUTES</b>	5 - 32
To approve the Minutes of the meeting held on 18 June 2024.	
<b>5. DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL</b>	
<b>(a) 23/00755/FUL - Roseleigh, Stoke Road, Stoke Orchard</b>	33 - 76
<b>PROPOSAL:</b> Full planning application for the erection of 126 dwellings and associated vehicular access, public open space, landscaping and other infrastructure including the demolition of the existing property known as Roseleigh along with associated outbuildings and the agricultural building located to the north of Banady Lane.	
<b>OFFICER RECOMMENDATION:</b> Delegated Permit.	
<b>(b) 23/01063/FUL - Parcel 3667, Stoke Road, Bishops Cleeve</b>	77 - 140
<b>PROPOSAL:</b> Full planning application proposing the development of seven units providing 11,421.1 M2 (GEA) of floorspace for use as industrial, workshop, warehouse, storage and distribution (use class B2, B8 and E(G)(III)) with ancillary office accommodation, new access, parking and landscaping.	
<b>OFFICER RECOMMENDATION:</b> Delegated Permit.	
<b>(c) 24/00227/APP - Land to the North East of Rudgeway Farm and South of Nightingale Way, Walton Cardiff, Tewkesbury</b>	141 - 170
<b>PROPOSAL:</b> Approval of reserved matters relating to layout, scale, appearance, and landscaping (pursuant to outline planning permission ref: 22/00834/OUT) for 238 dwellings, public open space, and associated highway infrastructure at land south east of Bluebell Road, Wheatpieces, Tewkesbury.	
<b>OFFICER RECOMMENDATION:</b> Approve.	
<b>6. CURRENT APPEALS AND APPEAL DECISIONS UPDATE</b>	171 - 172
To consider current planning and enforcement appeals and Department for Levelling Up, Housing and Communities appeal decisions.	

**DATE OF NEXT MEETING**  
**TUESDAY, 20 AUGUST 2024**

**COUNCILLORS CONSTITUTING COMMITTEE**

Councillors: M Dimond-Brown, M A Gore, S Hands (Vice-Chair), D J Harwood, M L Jordan, G C Madle, J R Mason, G M Porter (Chair), P E Smith, R J G Smith, R J E Vines, P N Workman and I Yates

**Substitution Arrangements**

The Council has a substitution procedure and any substitutions will be announced at the beginning of the meeting.

**Recording of Meetings**

In accordance with the Openness of Local Government Bodies Regulations 2014, please be aware that the proceedings of this meeting may be recorded and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Chair will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.



## TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,  
Gloucester Road, Tewkesbury on Tuesday, 18 June 2024 commencing  
at 9:30 am**

**Present:**

Chair	Councillor G M Porter
Vice Chair	Councillor S Hands

**and Councillors:**

D J Harwood, M L Jordan, G C Madle, J R Mason, P E Smith, R J G Smith, R J E Vines,  
M J Williams (Substitute for M A Gore), P N Workman and I Yates

**PL.9 ANNOUNCEMENTS**

- 9.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 9.2 The Chair gave a brief outline of the procedure for Planning Committee meetings, including public speaking.

**PL.10 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

- 10.1 Apologies for absence were received from Councillor M A Gore. Councillor M J Williams would be acting as a substitute for the meeting.

**PL.11 DECLARATIONS OF INTEREST**

- 11.1 The Committee's attention was drawn to the Tewkesbury Borough Code of Conduct which was adopted by the Council on 24 January 2023 and took effect on 1 February 2023.
- 11.2 The following declarations were made:

<b>Councillor</b>	<b>Application No./Agenda Item</b>	<b>Nature of Interest (where disclosed)</b>	<b>Declared Action in respect of Disclosure</b>
G M Porter	Item 5c – 24/00323/FUL – Bickford House, Leckhampton Lane, Shurdington.	Is a Ward Councillor for the area.  Had been involved in relation to the removal of the site from the Green Belt in his role as Chair of Shurdington Parish Council but had not had any further involvement.	Would speak and vote.

R J E Vines	Item 5b – 22/01137/OUT – Land at Badgeworth Lane, Badgeworth.	Is a Gloucestershire County Councillor for the area.  Owns land adjoining the application site.	Would not speak or vote and would leave the room for consideration of this item.
R J E Vines	Item 5c – 24/00323/FUL – Bickford House, Leckhampton Lane, Shurdington.	Is a Gloucestershire County Councillor for the area.	Would speak and vote.
M J Williams	Item 5d – 24/00299/FUL – Chestnut Barn, Barrow, Boddington.	Is a Ward Councillor for the area but had not received any correspondence or expressed an opinion in relation to the application.	Would speak and vote.

11.3 There were no further declarations made on this occasion.

## **PL.12 MINUTES**

12.1 The Minutes of the meeting held on 23 May 2024, copies of which had been circulated, were approved as a correct record and signed by the Chair.

## **PL.13 DEVELOPMENT CONTROL – APPLICATIONS TO THE BOROUGH COUNCIL**

13.1 The objections to, support for, and observations upon the various applications as referred to in Appendix 1 attached to these Minutes were presented to the Committee and duly taken into consideration by Members prior to decisions being made on those applications.

### **22/01163/FUL - Uckington Farm, The Green, Uckington**

13.2 This application was for demolition of agricultural buildings and erection of 16 dwellings, creation of access, landscaping and associated works.

13.3 The Senior Planning Officer advised that, as set out in the Additional Representations Sheet, attached at Appendix 1, an updated education contribution had been provided by Gloucestershire County Council as the previous figure had expired. Amended plans had also been submitted to provide for more traditional materials and design. The application was for demolition of existing agricultural buildings and erection of 16 dwellings with vehicular access from the west and pedestrian access to the south. The land was not currently farmed for food production with the existing land and buildings principally used for agricultural storage. The barns were considered to be in a poor state of repair. In relation to principle, the site was located within the urban fringe settlement of Uckington and a small portion of the site was outside of the settlement boundary and would be used as an open space area with orchard tree planting. In terms of the wider site layout, there would be a range of 1.5 and two storey dwellings with a mix of sizes, each with its own parking area and rear garden providing private amenity space. As mentioned, updated plans had been received to provide for a higher quality design with a more traditional design form by way of the red brick, roof materials,

contrasting brick arched heads and cills. The main area of discussion was in relation to the regional agricultural land classification maps produced by Natural England – a high level assessment produced in 2010 - which showed the site to be designated as Grade 1 agricultural land. The applicant had provided an Agricultural Land Assessment which identified that the application site comprised only 16% Grade 1 agricultural land and concluded that this failed to meet the classification and should generally be considered as Grade 3b at best. Whilst the development would result in the loss of some Grade 1 land it would be a very small amount. Following discussions and amendments, the Highway Authority had no objection to the proposal subject to conditions. In relation to amenity, there was no objection from the Environmental Health Officer subject to conditions as each dwelling met the space standards and had been sensitively designed to ensure there was no overlooking to existing properties. The scheme would provide six affordable units - three social rent and three shared ownership – equating to 37.5% affordable housing provision; a commuted sum of £60,000 would be paid via a Section 106 Agreement to bring it up to the required 40% and this had been reviewed and agreed with the Housing Strategy and Enabling Officer. The site was not within a Conservation Area but was located within the setting of a number of listed buildings to the north as well as non-designated heritage assets to the south. The Conservation Officer had reviewed the application and had no objection to the proposal. By way of financial contributions, six affordable housing units would be provided along with an offsite contribution of £60,000 for the provision of affordable housing; Cotswolds Beechwoods Special Areas of Conservation (SAC) Strategic Mitigation Contribution of £10,000; refuse and recycling provision; and an education contribution of just under £77,000. In summary, all 16 dwellings were within the settlement boundary where residential development was acceptable in principle, there would be a very small loss of Grade 1 agricultural land and six affordable units would be provided on site. On that basis, the Officer recommendation was delegated permit, subject to completion of a Section 106 Agreement.

- 13.4 The Chair invited the representative from Uckington Parish Council to address the Committee. The Parish Council representative indicated that he wanted to say a few words with regard to the materials proposed to be used in the construction of the residential units with particular reference to the walls and roofing. There was comprehensive acknowledgment and acceptance in the applicant's own documentation that these materials must complement and enhance the traditional palette found in the immediate locality and the existing built form, with due recognition to be given to the designated and non-designated assets in the immediate locality. In essence, the walls and roofing had to be in traditional red brick and clay tiling. Paragraphs 1.10 and 8.28 of the Committee report referred to the materials plan only containing an indication of the brick and tile types to be used and the necessity for this aspect to be conditioned as reflected by condition 9. Amazingly, on this fundamental point, it was only on 13 June 2024 that the 'House Types' were filed on the Planning Portal which appeared to indicate red and off-white dappled brick walls and a mix of black slate effect roofing on eight units and red tile roofing on the other eight units. The Parish Council submitted that black slates - whether authentic or of 'effect' - of which Units 4, 5 and 7 overlooked the paddock at Elton Lawn, were totally out of character and unacceptable in this locality. All units should be finished in traditional red brick walls and clay tile roofing and he questioned whether the Planning Committee had been provided with samples for consideration as to their suitability, as would be expected. As a possible acceptable example, he referred to the quality and shade of red brick walls and red / russet clay tiling at the current development across the road at Pigeon House Farm. Consequently, if this permission was to be permitted, condition 9 should be duly amended to incorporate these points.

- 13.5 The Chair invited a local resident speaking in objection to the application to address the Committee. With regard to appearance, the local resident indicated that the development had an unacceptable impact on all adjacent properties including the listed building group of Uckington Farmhouse and the Old Dairy. The impact of Plots 1 and 2 had been exacerbated by raising the pad circa 1m above natural ground level to the eaves height of the Old Dairy and the first floor of Uckington Farmhouse visually becoming 2.5 storey buildings. In addition, Plots 1 and 2 had moved closer to the listed building group, were clearly out of proportion and crammed in, both laterally and vertically, and should be removed from the plan to preserve the setting of the listed building group and avoid the significant loss of light and both visual and audio privacy. Their conversion of the dairy barn into a residence, and the later garage build, had been completely sympathetic and in keeping with the surroundings, with the planning gain of removing a large metal cowshed which had been returned to grass, and improved the setting of the listed building group. Their modern garage building had been approved by the local authority and was considered to be quite low key and around 50m away from Uckington Farmhouse – it was indistinguishable externally from a typical period building. In terms of flooding, The Green had flooded to impassable levels on several occasions and the road drains were full even more regularly. This proposal did not demonstrate that there would be no impact or runoff from the site to The Green, Leigh Brook or the existing properties, merely considering the new properties from a flood risk perspective. In respect of access and safety, there were five access points onto The Green and the fire appliance strategy clearly demonstrated areas outside the coverage zone against established standards including Plot 1 garage, all access points and the public open space. The access to agricultural land would permit a mixture of, presumably, animal and machinery movements across the public open space. In conclusion, the development lay mostly outside of the Uckington settlement boundary and hence was inappropriate; the site was not redundant as there were cows grazing and buildings were in use as they had been over many recent years; the proposal was not cohesive, had numerous issues and many more marginal considerations, so he implored Members to reject the application.
- 13.6 The Chair invited the applicant's representative to address the Planning Committee. The applicant's representative advised that, as Members would be aware, Newland Homes was a Climate Considerate Developer having achieved carbon neutral status for a second year and recently winning the WhatHouse? Award for Best Sustainable Development. It was a local house builder, providing homes within the South West, and was proud to deliver all developments as zero carbon - within the last month, it had celebrated its one hundredth zero carbon home. The site at Uckington Farm would also be zero carbon and it was understood that Newland Homes was still the only developer committed to this standard. Its carefully considered design approach included locally recognised traditional details and characteristics seen in Uckington. This ensured the site integrated well with the surrounding area and was respectful towards the Grade II listed Uckington Farmhouse, and associated buildings and curtilage listed buildings which were in close proximity. The site was located off The Green in Uckington, within the eastern part of the village, and all homes had been carefully planned to sit within the settlement boundary. The proposals delivered 16 dwellings and the Council's requirement of 40% affordable housing would be provided with six affordable homes on site and a contribution for the remaining 0.4 which would be secured via a Section 106 Agreement. A range of house sizes would be provided, from one bedroom through to larger family size homes. An area of 0.62 acres of the site had been set aside as public open space; that area contained existing orchard trees and would be enhanced with new fruit trees, as well as new tree and shrub planting, wildflower meadow areas and a play area. This, along with on-plot landscaping, had



been carefully designed by a landscape architect and featured many native species. Detailed ecology reports had been submitted as part of the application which verified the proposed enhancements provided great ecology and wildlife benefits equating to 18% biodiversity net gain for habitats and almost 23% for hedgerows. The main access to the site was taken from The Green and would provide vehicle, cycle and pedestrian access. Detailed discussions had been held with Gloucestershire County Highways and various updates had been made to the plans to ensure visibility, highway safety and tracking for all vehicles was acceptable – those details would be supported by County Highways Officers. A shared cycleway and pedestrian access would be provided to the south of the site which would connect to the A4019 Tewkesbury Road and vehicle parking and cycle storage complied with highway requirements. The site was located within Flood Zone 1 and the Flood Risk Assessment and Drainage Strategy contained details relating to the proposed Sustainable Drainage Systems (SuDs) which would use permeable paving within the driveway areas of the site. Foul water would be disposed of via the existing sewer. The development would provide substantial Community Infrastructure Levy (CIL) contributions with contributions towards local education provision, offsite affordable housing, Cotswold Beechwoods SAC and refuse and recycling.

- 13.7 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. A Member sought clarification that the points raised by the Parish Council regarding materials had been addressed by the revised plans. The Senior Planning Officer confirmed that all dwellings now had traditional red brick with weatherboard cladding removed. Further details in relation to materials, including samples, were requested via condition 9. Another Member noted that a lot of weight was being attributed to the agricultural land assessment supplied by the applicant and asked if any data was available to independently assess whether it was Grade 1 land. In response, the Senior Planning Officer advised that at present there was not; however, even if the whole site was Grade 1 agricultural land, the Inspector for the recent appeal in relation to Chestnut Farm had stated that Natural England would only consider applications of over 20 hectares or above – in this instance, only 0.16 hectares was classed as Grade 1 agricultural land. The Member went on to indicate that the application hinted there would be air source heat pumps but he did not see any details about how the energy would be supplied and asked if the District Network Operator had signed this off. The Senior Planning Officer advised that the details had been reviewed by the Environmental Health Officer who had requested the inclusion of condition 17. This required a noise assessment to be undertaken which included noise associated with heat pumps so the details of the heat pumps would be provided as part of that condition. He noted it was a spacious plot so, depending on the type of heat pump, they could be sited so as not to disturb neighbouring residents. The Member asked why there was no mention of Great Crested Newts in the ecology section of the report and the Senior Planning Officer advised that the applicant had submitted a number of ecological reports which had all been reviewed by the Council's Ecologist. The nearest Great Crested Newt had been found outside the 500m parameter so no further mitigation was required. The Member drew attention to Page No. 25, Paragraph 8.8 of the Committee report which set out that Uckington was an urban fringe settlement which represented a sustainable settlement possessing a good range of services and asked for clarification on what those were. The Senior Planning Officer explained that Uckington was defined as an urban fringe settlement in the Tewkesbury Borough Plan and, in this instance, those services were in Cheltenham, a less than 1km walk away with footpaths on both sides of the road.

- 13.8 A Member asked how affordable housing provision was assessed as, based on her calculations, there were 48 bedrooms across the whole site, only 10 of which were affordable which equated to 20%. The Development Management Team Manager (South) advised that, the affordable housing sought was based on the recommendation of the Housing Enabling Officer who reviewed the need in the community for the type and size of dwellings which were secured via Section 106. The Housing Enabling Officer had assessed this application and considered the proposed mix and size of housing appropriate to meet demand in the area. The Member raised concern that there were people who needed three or four bedroom houses and she imagined the affordable housing calculation would be based on the whole site rather than just the smaller units. The Development Management Team Manager (South) reiterated they could only rely on the professional advice of the Housing Enabling Officer who considered the mix appropriate.
- 13.9 It was proposed and seconded that authority be delegated to the Associate Director: Planning to permit the application subject to conditions, any additional/amended conditions and completion of a Section 106 Agreement to secure the requirements specified in the Section 106 obligations section of the Committee report subject to any amendment arising from ongoing discussions. With regard to affordable housing, a Member indicated that it was her understanding that the percentage was based on the number of dwellings rather than the number of bedrooms and each individual application was assessed by the Housing Enabling Officer who made a recommendation based on what was needed in the area; if there was a need for four bedroom houses, that was what would be required. Generally, a higher percentage of social rent properties were sought by the authority which she felt was a positive thing. Another Member felt a valid point had been made in terms of the calculation and suggested it was something to be discussed by the Planning Policy Reference Panel outside of this meeting. A Member asked why an offsite contribution was being requested rather than seeking an additional affordable unit and the Development Management Team Manager (South) advised that only 40% could be required - an additional dwelling would take this to 40.01% which was not policy compliant. A Member questioned whether any of the properties were accessible; 16% of the country's population were in need of support either through disability or illness and she felt that should be reflected in the planning system. The Chair suggested this was another point which could be picked up by the Planning Policy Reference Panel.
- 13.10 A Member drew attention to Page No. 36, Paragraph 9.7 of the Committee report which stated that further economic benefits would arise from the proposal both during and post construction. She noted this was included in most Committee reports for residential developments and asked what the evidence base was for this. In her view, if there was no evidence that similar developments generated economic benefits, this should not be included in reports. The Development Management Team Manager (South) advised that it was a commonly accepted fact that the construction process would have an impact on the economy through job creation as well as contributions via new residents' spend in the local area. The Member pointed out that communities such as Alderton had not benefited from residential development in the area with local shops in danger of closing and she felt reports should be reflect what was actually known rather than an assumption.
- 13.11 Upon being put to the vote, it was
- RESOLVED** That authority be **DELEGATED** to the Associate Director: Planning to **PERMIT** the application, subject to conditions, any additional/amended conditions and completion of a Section 106 Agreement to secure the requirements specified in the Section 106 obligations section of the Committee report subject to any amendment arising from ongoing discussions.

**22/01137/OUT - Land at Badgeworth Lane, Badgeworth**

- 13.12 This was an outline application for a cross-subsidy affordable/open market residential development comprising up to 50 dwellings (of which 50% would be affordable housing and a further 10% would be self/custom build), vehicular and pedestrian access, internal streets, drainage, landscaping and all other ancillary engineering works with all matters reserved except for vehicular access onto Badgeworth Lane. It was noted that Councillor R J E Vines had left the room for consideration of this item in accordance with Minute No. PL.11.2.
- 13.13 The Senior Planning Officer drew attention to the Additional Representations Sheet, attached at Appendix 1, which provided an update in relation to self-build figures. He advised that the existing site related to parcel of land off Badgeworth Lane which was currently in use for agricultural purposes. The land was enclosed by hedgerows and trees with the main front hedgerow protected by legislation. The site was located outside the settlement boundary of Shurdington within the Green Belt. In terms of the site history, the site was allocated for housing in the pre-submission version of the Tewkesbury Borough Plan and was proposed to be removed from the Green Belt. Following a review by the Inspector, the housing allocation was deleted and the land reinstated as Green Belt. The Inspector had stated that housing allocation SHU1 would significantly extend housing development along the A46, encroach into the countryside to the south of the village and breach the existing strong boundary formed by Badgeworth Lane. The necessary exceptional circumstances to justify releasing the site from the Green Belt for housing purposes were not present, therefore the Inspector did not consider the site suitable for housing. An application for an almost identical scheme had been withdrawn by the same applicant under reference 21/01286/OUT – that application was recommended for refusal with the same five refusal reasons as the current application but was withdrawn shortly before the Planning Committee meeting in June 2022. This application was considered to be inappropriate development in Green Belt terms and should only be approved in very special circumstances. The applicant had put forward their case for very special circumstances, as had been circulated to Members of the Planning Committee the previous week, and whilst the Council acknowledged there were clear benefits to the proposal, it was not considered they amounted to being truly special. The majority of the benefits were provided as a consequence or result of the development and were policy requirements such as highway works to make the scheme safe, a 40% affordable housing contribution, education contributions and Community Infrastructure Levy which was a requirement of all residential development schemes. By way of rural landscape, the scheme would introduce development that would not respond positively to, or respect, the character of the site, as such, it would be harmful to the character and appearance of the area. The development would also require the removal of 19m of hedgerow and reduction of the height of the remainder to accommodate the highway works. This hedgerow was protected under the Hedgerow Regulations Act 1997 and the Council's Tree Officer had objected to this element of the scheme. The Parish Council had also objected to the proposal but there were no objections from statutory consultees, subject to conditions that would require further information and detail to be provided via condition at the reserved matters stage. The Officer recommendation was to refuse the application due to conflict with the strategy for housing development, inappropriate development in the Green Belt, unacceptable intrusion into the rural landscape, removal of an important hedgerow under the Hedgerow Regulations and the absence of a signed Section 106 Agreement.

- 13.14 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that the application sought outline permission for the erection of 50 dwellings on a site which the Council originally allocated for housing when it submitted the current Tewkesbury Borough Plan for examination. The Council proposed to remove the site from the Green Belt as it was considered the most sustainable, and appropriate, housing site in Shurdington; whilst it remained within the Green Belt, that did not prevent Members from approving the application if they considered the package of benefits would justify it in this instance. It should be borne in mind that, with a worsening national housing crisis, an affordability emergency and dwindling delivery of new homes, there was an opportunity to deliver real benefits in Shurdington through the proposals, which included: 50% affordable housing, of which 10% would be first homes; 10% custom and self-build properties; funding and delivery of traffic lights on the A46/Badgeworth Lane junction; dedicated school parking within the site; a signalised crossing between the site and the school; footpath improvements along Badgeworth Lane; a bus stop upgrade; and, most significantly, the provision of family housing in Shurdington, providing opportunities for the village to grow sustainably. Whether these benefits comprised very special circumstances was a matter of judgement for the decision-taker – there was no right or wrong answer and each application was assessed on its own merits. The applicant had worked proactively, and patiently, with Officers to overcome concerns raised during the course of the application. Members would be aware that the Council could not currently demonstrate a five year supply of housing land and this application provided the Council with an opportunity to deliver market and affordable housing to meet its requirements, on a site which would have little impact upon the surrounding area. The site boundary aligned with the site recently approved to the north and the site was well contained by existing trees with no landscape objection being raised in relation to the application; hedgerow removal for highways reasons could be mitigated through the provision of additional planting as part of the landscaping proposals. The application represented a one-off opportunity for the village to receive a substantial package of benefits, whilst delivering market and affordable housing in the local area, and it was noted that a letter of support had been received from the Headteacher of Shurdington Primary School. In short, the proposals would not result in unacceptable harm to the Green Belt and would bring significant benefits which would outweigh any suggested impacts and he asked Members to support the application on that basis.
- 13.15 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. A Member asked where the safeguarded parking for the school would be located as it was not clear from the plan and anyone local would know that, even without the proposed 50 homes, this was not a safe road at least twice a day due to the school. The County Highways advised that the details stated there would be 16 parking spaces for the school but, as these were not shown on the plan, he could only assume they would be in the open space; there may be an assumption that parking would be displaced to the access roads but traffic regulations would be necessary to permit parking on the neighbouring roads between the access and the new signalised junction. County Highways had raised no objection to the access, but it did not necessarily follow that there would be no objection to the layout. It should be noted that the Manual for Gloucestershire Streets did not support additional school parking in the interest of encouraging people to walk and cycle to school; whilst that was not for consideration at this stage, it was an important point to acknowledge. In terms of loss of hedgerow, the proposal would also need to be considered not just in relation to the point of access but also the impact of achieving visibility splays of 90m. A Member queried whether Shurdington Parish Council had been consulted on the application and the Senior Planning Officer clarified that the application site was within Badgeworth Parish so he presumed Shurdington Parish Council would not have been consulted.

- 13.16 It was proposed and seconded that the application be refused in accordance with the Officer recommendation. A Member indicated that his concerns were in respect of parking and he echoed the comments made earlier regarding the safety of the road with Badgeworth Lane at times unpassable; there was already a considerable problem with parking and traffic issues and he did not believe the development would help in any way. A Member felt there was a lot to be said for the mix of housing being provided on site and the way the proposal had been put together and he would like to see the developer come forward with a similar proposal on more appropriate land. Upon being put to the vote, it was

**RESOLVED** That the application be **REFUSED** in accordance with the Officer recommendation.

#### **24/00323/FUL - Bickford House, Leckhampton Lane, Shurdington**

- 13.17 This application was for a part two storey and part single storey side extension following demolition of existing single storey detached double garage.
- 13.18 The Planning Officer advised that this application related to Bickford House, a detached rendered dwelling located in Shurdington. A range of trees and hedges were located along the front and side boundaries and the site was within both the Cotswolds National Landscape and Green Belt. The plans showed a double garage and boot and utility room on the ground floor and a fifth bedroom with a dressing area and ensuite on the first floor. The proposed southeast and northwest elevations showed that the proposed two storey side extension would have a hipped roof set lower than the ridge of the existing main dwelling which would protrude to the northeastern side elevation and encompass most of the area of the existing detached garage. Large, pitched roof dormer windows were proposed on either side of the roof slope and the scheme incorporated an integral garage with a large roller shutter door. The single storey element would be located to the rear of the proposed two storey side extension and would be stepped in slightly from the existing rear building line. The scheme proposed to use matching materials to the host property. A permitted development fallback position of a detached single storey outbuilding that had been put forward as 'very special circumstances'; however, as explained within the Committee report, the proposed fallback would be single storey which, by its nature, would be less visually intrusive when compared with the proposed two-storey extension. Furthermore, the fallback position was for a single storey outbuilding comprising a gym, study and workshop. Therefore, as the applicant was seeking a fifth bedroom on the second floor, it was considered that the proposed fallback was not exactly what the applicant wanted to achieve in the application and was not comparable. If the recommendation was overturned, the applicant could carry out the construction of the outbuilding as well as the proposed two storey side extension. Consequently, the very special circumstances that were necessary to justify the development did not exist. The Planning Officer advised that, when conducting her site visit, whilst she did not enter through the gates, she could see the existing garage through the trees, and it was evident that the two storey extension would fill the existing gap. The Officer recommendation was to refuse the application for the reasons outlined within the Committee report.
- 13.19 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that the applicant was seeking to provide modest additional living accommodation, as well as replacing the existing detached double garage with an integrated double garage. The existing double garage measured 52 sqm in floorspace and, following its removal, the proposed extension would only represent a 9% increase over the floorspace of the existing dwelling. In their view, this increase was modest and allowed for a fully integrated design, reducing the spread of built form across the site. The extension itself had been designed with materials to match the existing dwelling, accommodation within the roof slope and associated

reduced eaves and ridge height to soften its impact. Furthermore, it should be noted that the property retained its permitted development rights. They had demonstrated that there was a legitimate fallback position available to the applicant through the creation of a large detached outbuilding located to the rear of the property. As outlined, this would result in a 26% increase in floorspace over the existing position and would further disperse built form across the site. In their view, this fallback position would have a significantly greater impact on the Green Belt and therefore amounted to clear very special circumstances in favour of the development. Whilst the proposed 9% increase in floorspace over the existing position view clearly demonstrated the very modest nature of these proposals, a numerical calculation was only one method to assess the impact of development. They strongly suggested that the best way to consider whether this extension was proportionate and respected openness was following a site visit. This was highly pertinent in this case as, despite the Officer recommending refusal on the basis of visual harm to both the Green Belt and character and appearance of the host dwelling, the Planning Officer had advised that they did not access the site on their site visit. As could be seen from the photographs he had circulated on Friday, there was dense vegetation on the front boundary which obscured views to the front, side and rear of the property, including the existing garage. The site was also not visible from any other publicly accessible location. Respectfully, they maintained their view that the site visit undertaken by the Planning Officer would not have been sufficient to reach the visual and openness harm conclusions outlined in the Committee report. Therefore, they strongly suggested that Members defer the application to the next Planning Committee in order to undertake a site visit – they considered this to be of utmost importance in this instance. In conclusion, they considered that the proposed extensions had been appropriately designed and accorded with other similar Green Belt extensions recently approved by the Council. Through their assessment of the proposals, they considered that the openness of the Green Belt and the visual character of the dwelling would be preserved. Notwithstanding this, a clear fallback position of a less desirable permitted development scheme also existed in this instance. The applicant was today seeking the Planning Committee's support in a positive determination of this application. Alternatively, if Members continued to have concerns, they would respectfully request that a Planning Committee Site Visit be undertaken prior to determining the application with the associated deferral until the next Planning Committee in July.

- 13.20 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. A Member sought clarification as to whether the applicant's agent was correct in saying that the fallback position could go ahead and the Planning Officer confirmed that was the case. It was proposed and seconded that the application be permitted on the basis that the proposal would be an appropriate addition and the fallback position would have a more harmful impact. A Member expressed the view that she could not support the motion as this was against the Council's Green Belt policy which Members had a duty to follow. Another Member shared this view; however, he could not understand why they were in a situation whereby the fallback position would cause greater harm to the Green Belt than the proposal and he suggested this would be a good case for the Planning Policy Reference Panel to consider. A Member indicated that he was in favour of the scheme as the existing garage was separate from the house and, in his view, the Green Belt would be enhanced by its removal and replacement with an extension which was part of the residential dwelling; he noted the fallback position would mean that the garage could be demolished and rebuilt. Another Member explained that she did not normally agree with applications which went against Green Belt policy but on this occasion she felt it would be logical to grant permission, particularly given what could be built without planning permission.

- 13.21 A Member questioned whether permitted development rights would be removed should Members be minded to permit the application. The Development Management Team Manager (South) reminded Members that the National Planning Policy Framework stated that the construction of new buildings in the Green Belt should be regarded as inappropriate; one of the exceptions to this was that the extension or alteration of a building did not result in disproportionate additions over and above the size of the original building. Although there was no definition of what was proportionate within the National Planning Policy Framework or policy, in this instance the building had been significantly extended in the past and, as a result of this proposal, the cumulative floor area would increase from 73% to 108% so Members needed to ask themselves whether this was proportionate. Whilst all applications should be assessed on their own merits, in a recent appeal decision for an extension to a property in Staverton which would result in an increase to 98%, the Inspector had considered that represented a substantial increase to the size of the original building and did not meet the criteria of Paragraph 154 c of the National Planning Policy Framework. Officers generally took 50% as the tipping point to look at any material matters which may justify an increase over and above that. The fallback position was construction of an outbuilding so Members needed to consider whether a single storey building would be lesser or greater than a two storey building – Officers considered the additional mass at first floor would impact openness and the perception of openness. The applicant had stated they required a garage and first floor bedroom yet there could be a fallback position for a gym, study and workshop; if Members were minded to permit the application, permitted development rights would still exist so what had been proposed as the fallback position could continue to be built elsewhere in the plot.
- 13.22 A Member felt that the Committee needed to take care not to rewrite policy through ad-hoc decisions and raised concern about the potential precedent that might be set. The proposer of the motion pointed out that the Committee had recently permitted an application for five houses in the Green Belt and Cotswold National Landscape on a site off the A46 just around the corner. He was of the view that it was important to keep up with modern living and this proposal would be deemed acceptable in any other location outside of the Green Belt. The proposed extension would be screened by trees and was opposite a site which was being developed with 26 houses so he did not feel there would be any additional harmful impact on the Green Belt. As mentioned by the Development Management Team Manager (South) there was no definition of a disproportionate addition so this was a judgement for Members to make and he could see no issue with the proposal. The Development Management Team Manager (South) pointed out that the application for five dwellings which the Member had referred to was infilling within a village, which was one of the exceptions for development in the Green Belt, and the site for 26 houses had been removed from the Green Belt through the Tewkesbury Borough Plan. A Member asked if the Committee could remove permitted development rights and the Development Management Team Manager (South) indicated that, in his opinion, it would be unreasonable to do so in this case. The Legal Adviser explained that, whilst a condition to remove permitted development rights could be included, should Members be minded to permit the application, this would depend on the particular circumstances and whether it was considered reasonable to do so - the Officer advice in this instance was that it would be unreasonable. In response to a query, the Legal Adviser indicated that, whilst there was a right of appeal in relation to conditions, she was not aware of any precedent in terms of a challenge against a condition to remove permitted development rights; however, this would come down to the specifics of the case and whether the Inspector felt that such a condition was reasonable. A Member expressed the view there would be little benefit in removing permitted development rights as the potential addition would be behind the existing building and there would be no

resultant impact on openness. Notwithstanding this, she could not support the motion to permit the application given that it would be against the Council's Green Belt policy.

- 13.23 Upon being put to the vote, there was an equality of votes for and against, as such, the Chair exercised his casting vote and the motion to permit the application was lost. It was subsequently proposed and seconded that the application be refused in accordance with the Officer recommendation and, upon being taken to the vote, it was

**RESOLVED** That the application be **REFUSED** in accordance with the Officer recommendation.

#### **24/00299/FUL - Chestnut Barn, Barrow, Boddington**

- 13.24 This application was for erection of a new detached outbuilding for car parking and storage. The Planning Committee had visited the application site on Friday 14 June 2024.
- 13.25 The Planning Officer advised that the application related to Chestnut Barn, a detached converted barn located in Boddington. The property was set back from a single track lane which served a small number of properties in the immediate vicinity of the site. Although the barn was a non-designated heritage asset, it had undergone previous extensions and alterations which had reduced the barn-like character of the building. Permitted development rights had been removed from the property and the site was within the Green Belt. The garage would be positioned approximately 6.5m to the front of the property and would be 7m in width, 10m in length, 4m in pitch and 2.1m to the eaves. It would be constructed from plain roof tiles, a brick plinth to match the main house and oak cladding. The Officer recommendation was to refuse the application as set out in the Committee report.
- 13.26 The Chair invited the representative from Boddington Parish Council to address the Committee. The Parish Council representative advised that the application had the full support of Boddington Parish Council and he was, therefore, extremely disappointed that this support appeared to have been totally disregarded by the Planning Officer who had recommended refusal, for grounds which were unknown. He explained that Barrow was a hamlet of 24 homes and a Ministry of Defence site, spread along two lanes over half a mile. It was very rural and they were fortunate to live in an area that many chose to travel to in order to walk their dog, ride their horse and to cycle. There were large barns on the approach to Barrow from the southeast which were part of Boddington Estate followed by an impressive large whitewashed house called Barrow Court; beyond this and adjacent to Barrow Court was a large and well maintained field which was part of the grounds belonging to Chestnut Barn, which dropped down towards a copse and a lake with a distant backdrop of the Forest of Dean and the Malvern Hills. Chestnut Barn resembled a property from a Country Life article – the home and grounds were immaculate and maintained to an exceptionally high standard. The owners took great pride in the maintenance and presentation of their home and the wider community spaces. They had exceptionally good taste and everything they did to their property brought elegance, class and refinement – the provision of a carport and storage space would be further evidence of this trend. The plans were entirely in keeping with the local area and very similar to the car port and storage at 'Sundorne', thereby following a precedent that has already been set. The Parish Council considered that the building would enhance the property and the aesthetics at the front of Chestnut Barn, providing symmetry and order and he trusted that the Committee would see sense by supporting and approving the application.



- 13.27 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that the application was for a detached outbuilding within the residential curtilage of the property known as Chestnut Barn. The building would provide for two undercover car parking spaces and a small storage bay which the property did not currently have. The outbuilding would enable the applicant to store their cars under cover, rather than leave them open to the elements and where they lacked security, as well as providing some much needed outdoor storage space. As Members would know, planning policy allowed for domestic extensions and outbuildings to properties in the Green Belt providing they were not disproportionate and that they respected the openness of the Green Belt. The overarching purpose of the Green Belt in Gloucestershire was to prevent the coalescence of Cheltenham and Gloucester and, ultimately, Members needed to assess whether allowing this application would fundamentally conflict with this purpose – if it did not cause such harm, the government's expectation was that planning permission should be granted. He noted from the Committee report that the assessment of Green Belt impact had been made having regard to a volumetric calculation of percentage increase to the original house. In other cases, Officers had used footprint, or even floor space, as a basis of calculation, each of which would give a different percentage increase. In his view, using an arbitrary metric calculation to assess Green Belt impact, particularly when the method of calculation could readily change depending on what one was trying to achieve, was not representative of true Green Belt impact. Furthermore, this approach was not always appropriate when considering detached outbuildings which were, as a matter of fact, not extensions and did not appear as 'additions'. He suggested the best way for Members to consider whether the outbuilding was proportionate and respected openness would be through an 'on site' visual assessment. He understood that Members had visited the site on Friday and would therefore have a very good idea of the real impact on Green Belt and would have established whether the coalescence of Cheltenham and Gloucester was really at risk if this domestic outbuilding went ahead, or, if they shared the local view which was that it caused no Green Belt harm whatsoever. Boddington Parish Council supported the application and there were no objections from any statutory consultees or the local community - clearly, the people of Boddington did not believe that the application would cause any harm to the Green Belt. In a parish where other householders had been able to extend their properties substantially to 80, 90 and 100%, and where nearly every property benefited from garaging within its grounds, he could not see how this small addition would be a problem. Page No. 113, Paragraph 8.21 of the Committee report set out that the development was in keeping with the character of the host property and the wider area and, if that was the case, he questioned how it could then be considered disproportionate to the house. As such, he asked that Members permit the application and allow the homeowners, who were long-standing settled members of the community, to live their lives whilst benefitting from a basic domestic need – a garage.
- 13.28 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. A Member noted that the applicant's agent had referenced inconsistency in the measurement of additions and a precedent in the area and asked if there was any merit in those comments. In response, the Planning Officer advised that this application had previously been extended to the rear of the main dwelling and the previous Officer had calculated this as a volume increase rather than a floor area increase which they had considered to be more appropriate given it was a single storey property - she had followed suit with this application. In terms of other properties in Boddington she did not have that information. It was proposed and seconded that the application be permitted on the basis that the proposed extension would not result in disproportionate additions over and above the size of the original dwelling, would preserve the setting and special

character of the area and would not conflict with the five purposes of the Green Belt as set out in the National Planning Policy Framework. The proposer of the motion explained that after visiting the site and thinking about the purpose of the Green Belt, she felt the proposal would be in keeping with the existing property and its surroundings. The Planning Officer indicated that, should Members be minded to permit the application, she recommended the inclusion of conditions in relation to the commencement of development within the standard timeframe, the development being carried out in accordance with the approved plans and submission of materials samples. The proposer and seconder of the motion confirmed they were happy to include the recommended conditions.

13.29 A Member drew attention to Page No. 111, Paragraph 8.11 of the Committee report which set out that the cumulative volume increase would equate to approximately 130% and she did not see how it could be permitted on that basis. She felt that it would be dangerous to go against Green Belt policy and was of the view that the proposal would have a visual and spatial impact and there were no very special circumstances to justify that. She was sure that people buying properties in the Green Belt would be aware of restrictions on development and this property had already had one significant extension. As such, she could not support the motion to permit the application. Another Member understood why the applicants wanted to extend the building and have somewhere to put their cars – in his view it was a well-designed proposal which would have minimal impact and would fit well with the existing building. Another Member raised concern that this was against the Council's Green Belt policy which was only a few years old and he urged his fellow Councillors to think very carefully before they started to disassemble it. A Member understood the points which had been made about the reason for the application but that was not a material planning consideration and when the Committee had visited the site, he had felt the outbuilding would be overbearing and disproportionate to the rest of the building so he would be voting against the motion to permit.

13.30 A Member indicated that he failed to see how the proposal would conflict with any of the five purposes of the Green Belt as outlined at Page No. 110, Paragraph 8.2 of the Committee report. Another Member shared the view that the application would have no impact in terms of the main purpose of the Green Belt which was to prevent the coalescence of settlements. The proposer of the motion agreed that the majority of the purposes did not apply in this instance and, with regard to Paragraph 145 d) of the National Planning Policy Framework, 'to preserve the setting and special character of historic towns', there were other buildings across the road with car ports of similar design; she felt the proposed design was very attractive and would preserve the setting and special character of the hamlet given it would be in front of an existing house on a hard standing. A Member expressed the view that the professional Officers had assessed the application and come up with a recommendation - Members seemed to be suggesting their interpretation of the policy was wrong and he urged caution in going against the expert advice.

13.31 Upon being put to the vote, it was

**RESOLVED**

That the application be **PERMITTED** on the basis that that the proposed extension would not result in disproportionate additions over and above the size of the original dwelling, would preserve the setting and special character of the area and would not conflict with the five purposes of the Green Belt as set out in the National Planning Policy Framework, subject to conditions in relation to commencement of the development within the standard timeframe, the development being carried out in accordance with the submitted plans and submission of materials samples.

**PL.14 CURRENT APPEALS AND APPEAL DECISIONS UPDATE**

14.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 119-120. Members were asked to consider the current planning and enforcement appeals received and the Department for Levelling Up, Housing and Communities appeal decisions issued.

14.2 It was

**RESOLVED** That the current appeals and appeal decisions be **NOTED**.

The meeting closed at 11:17 am

## Appendix 1

**ADDITIONAL REPRESENTATIONS SHEET**

Date: 18 June 2024

The following is a list of the additional representations received since the Planning Committee Agenda was published and includes background papers received up to and including the Monday before the meeting.

A general indication of the content is given but it may be necessary to elaborate at the meeting.

Agenda Item	
5a	<p><b>22/01163/FUL - Uckington Farm, The Green, Uckington</b></p> <p><b>Updated Plans</b></p> <p><b>Since writing the Committee report, amended plans have been received (See attached drawings).</b></p> <p>The updated plans are considered to be acceptable and provide for a higher quality finish to the plots which would be more in keeping with the character of the area. The dwellings will all consist of mixed red brick, and the weatherboarding has been removed, window materials and sizes have been updated and contrasting brick arched heads and brick cills have been added.</p> <p><b>Condition 2 will be updated (to reference the revised drawings) as follows:</b></p> <p>"Location Plan 829 - DRN - 01 Rev A  Topographical Survey 22980-200-01  Site Layout P21-0510DE_01 Rev G  Building Heights P21-0510DE_02 Rev D  Land Use Plan P21-0510DE_03 Rev C  Movement Plan P21-0510DE_04 Rev D  Adoption Plan P21-0510DE_05 Rev C  External Works P21-0510DE_06 Rev D  Refuse Strategy Plan 829 - 147 Rev C  Materials Plan P21-0510DE_09 Rev D  House type WH4 - plots 1 &amp; 16  House type GT5 - plot 2  House type PL4 (DA) - plot 3  House type HT4 - plot 4  House type PB3 - plot 5 &amp; 7  House type PL4 - plots 6, 14 &amp; 15  House type 3B5P - plots 8 &amp; 9  House type 1B2P - plots 10 &amp; 11  House type 2B4P - plots 12 &amp; 12a  Single Garage Plan P21-0510_08</p>

	<p>Double Garage Plan P21-0510_08</p> <p>Illustrative Street Scene P21-0510_10 Rev C</p> <p>Highway Arrangement Plan 829 - 105 Rev F</p> <p>Proposed Site Access - Junction Layout 829 - ED - 04 Rev D</p> <p>Proposed Site Access - Junction Layout - With Tracking 829 - ED - 05 Rev C</p> <p>Proposed Site Access - Junction Layout - With Junction Visibility 829 - ED - 06 Rev C</p> <p>Drainage Layout 829 - 142 Rev E</p> <p>Swept Path Analysis 829 - 144 - 1 Rev F</p> <p>Swept Path Analysis 829 - 144 - 2 Rev C</p> <p>Swept Path Plans 829 - 144 - 3 Rev A</p> <p>Parking Allocation Plan 829 - 145 Rev C</p> <p>Flood Routing Plan 829 - 146 Rev D</p> <p>Refuse Strategy Plan 829 - 147 Rev C</p> <p>Fire Appliance Strategy Plan 829 - 148 Rev B</p> <p>Detailed Landscape Proposals 22/558/02 E"</p> <p><b>Updated Education Contribution</b></p> <p>At Paragraph 8.78 of the Committee report, the education contribution states £56,584.50 would be required for secondary schools. This figure provided by the County Council expired on 12 December 2023. The County Council has now requested an updated contribution of £76,579.84.</p> <p>The applicant has agreed to this education contribution.</p> <p><b>Notwithstanding the above, the recommendation remains as set out in the Committee report, subject to the amended condition.</b></p>
5b	<p><b>22/01137/OUT - Land At Badgeworth Lane, Badgeworth</b></p> <p><b>Update to Paragraph 8.21 of the Committee report</b></p> <p><b>There is a typing error at Paragraph 8.21 in the report which should read as follows:</b></p> <p>8.21 In terms of the proposed 10% Self-build and Custom Housebuilding properties, the most recent Self and Custom Build monitoring year runs from 31/10/2022 to 30/10/2023. The demand arising from Part 1 of the Self and Custom Build Register (Base Periods 1-5) to be met by the 30/10/2023 equates to 124 plots. 49 plots explicitly for Self and Custom Build have been permissioned as at 30/10/2023. There is therefore an outstanding shortfall of 75 plots to be carried over. The provision of 10% Self build plots would be a benefit of the proposal.</p> <p><b>A representation has been received from the applicant in support of this application and setting out their case for Very Special Circumstances.</b> The applicant circulated this directly to Members of the Planning Committee by email on Friday 14 June.</p> <p><b>Notwithstanding the above, the recommendation remains as set out in the Committee report.</b></p>

5c	<p><b>24/00323/FUL - Bickford House, Leckhampton Lane, Shurdington</b></p> <p><b>A late representation has been received from the agent and applicant which was sent to Officers and Members of the Planning Committee on Friday afternoon</b> requesting this application be deferred to the July Committee to allow a Planning Committee Site Visit. The representation repeats what was set out in the original submission to explain that, following removal of the single storey detached garage, there would be a 9% increase in floor area compared with the existing situation and repeated information submitted regarding permitted development rights relating to a single storey outbuilding.</p> <p>The agent has sets out that the Officer did not enter through the front gates to conduct the site visit and questions the assessment made regarding the harm to the Green Belt and the appearance of the host dwelling.</p> <p><b>In response to this late representation the Officer's comments are set out below:</b></p> <p>As explained within the Committee report, this is not simply a 9% increase in floor area. Within the 2009 application for a two-storey side extension it was calculated that, combined with all previous extensions, as well as the 2009 extension the floor area had already increased to 73% over and above the original, and this further increase in floor area in this current application would equate to a 108% cumulative floor area increase, which is a significant percentage above the 50% (proportional addition) which would typically be acceptable.</p> <p>As explained within the Committee report, the permitted development fallback position does not represent 'very special circumstances'. This is because the hypothetical outbuilding would be single storey which by its nature is less impactful than the large two storey side extension.</p> <p>Furthermore, the outbuilding comprises a gym, study and workshop, whereas this application is seeking a fifth bedroom on the second floor. The proposal is not, therefore, considered comparable to the development being applied for. Furthermore, if the applicant receives planning permission for the current two-storey side extension they could also then construct the outbuilding under permitted development. As such, very special circumstances are not considered to exist.</p> <p>Whilst the site was not entered, the Officer observed the site from the front gates the gates which offered an ample view in addition to aerial photos and the existing and proposed plans, allowing for an appropriate and recommendation to committee.</p> <p>To clarify, the reason for refusal is due to the extension being a cumulative disproportionate addition over and above the size of the original dwelling. This element of the Green Belt assessment can be made by calculating the increase using the submitted plans and the history of the site. Regarding the openness of the Green Belt it was evident that, due to the extensive tree and vegetation coverage to the front and sides, the two-storey extension would be relatively screened from view. It was clear that the reduction in openness and harm to the Green Belt would be limited. As also explained within the Committee report, the proposed two storey extension would be apparent in gaps between the existing trees, which would be more prominent in the winter; however, it was considered that the extension would have a limited effect on the openness of the Green Belt considering the tree and vegetation coverage.</p>
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	<p>Regarding the size and design of the two-storey extension, it is considered that the existing and proposed plans show that the two-storey extension is overly large which would have a negative impact on the character and appearance of the host dwelling and this was apparent from the site visit.</p> <p><b>Notwithstanding the above, the recommendation remains as set out in the Committee report.</b></p>
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Item No. 5a – 22/01163/FUL – Uckington Farm, The Green, Uckington



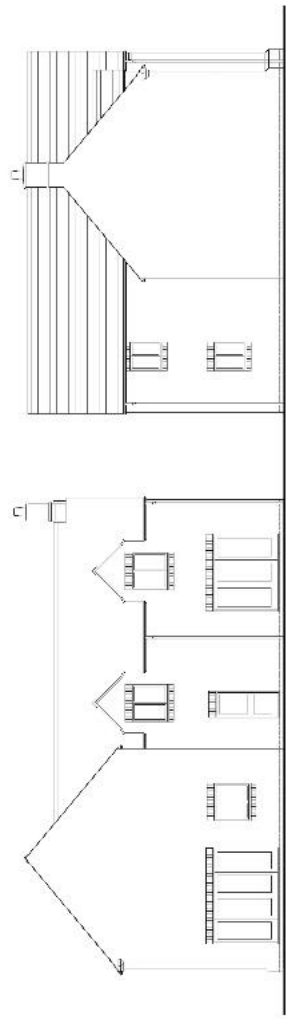


A2



Front/Side Elevation

Front Elevation



Side Elevation

Rear Elevation



First Floor Plan



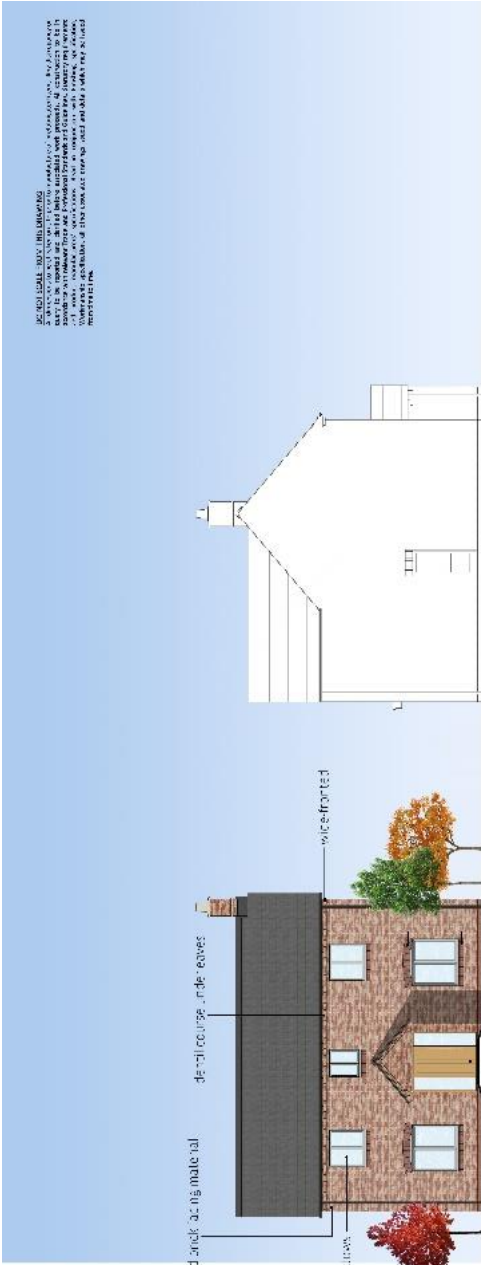
Ground Floor Plan

**Uckington Farm,**
  
**Uckington**
  
 House Type GT5 Plan and Elevation

L1009/BA2
   
**829-30**

08/2023
   
 Dec 2023

HOUSE TYPE G T 5

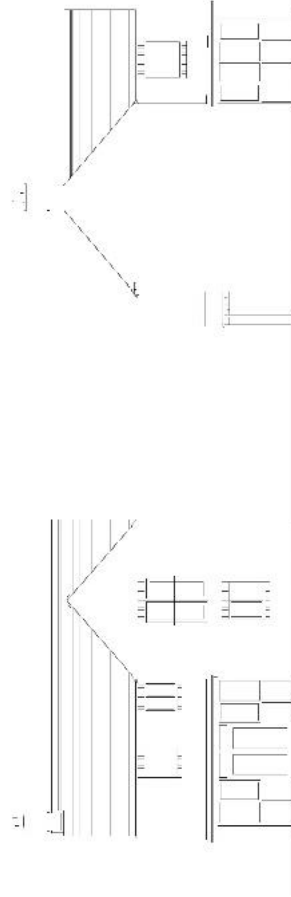


Front Elevation

Side Elevation



First Floor Plan



Rear Elevation

Side Elevation



Ground Floor Plan

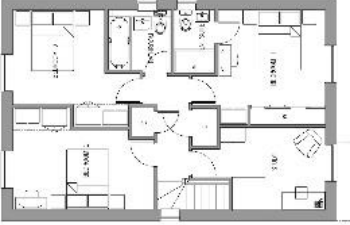
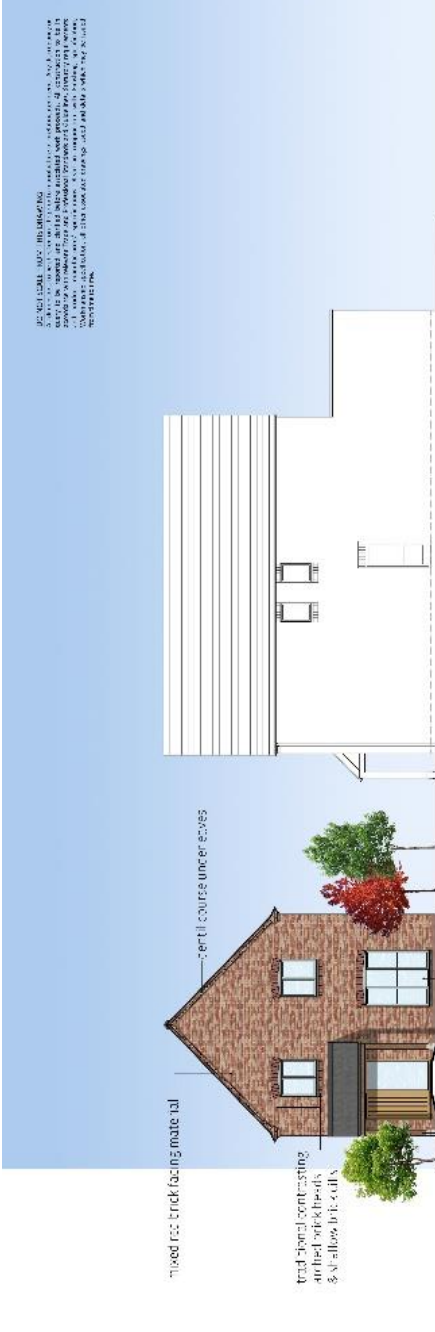


Uckington Farm,  
Uckington  
House Type HT4 Plan and Elevation

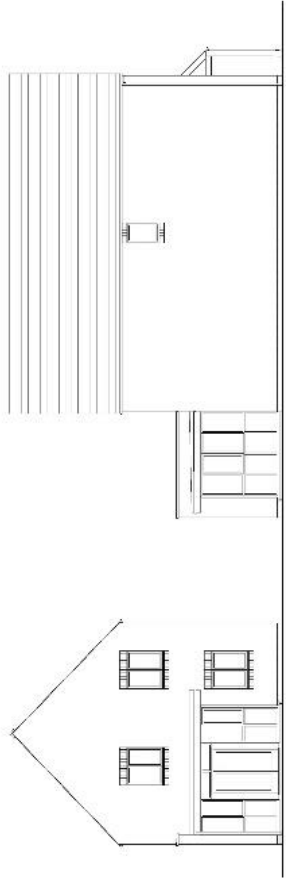
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HOUSE TYPE H T 4

A2

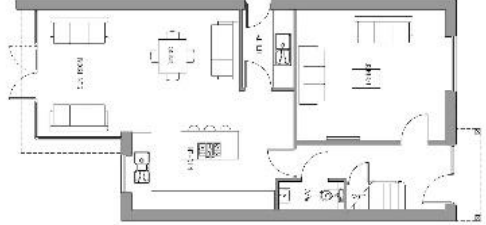


First Floor Plan



Rear Elevation

Side Elevation



Ground Floor Plan

NO.	DATE	BY	CHKD	OWNER

**Newland HOMES**

**Uckington Farm,  
Uckington**  
House Type PB3 Plan and Elevation

829-35

04.2023

HOUSE TYPE P B 3

A2



additional cladding on a third or fourth as shallow or balconies

gables finished with gable front and side surfaces

double course under eaves

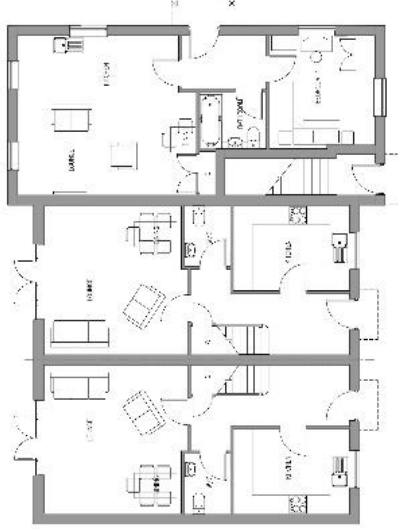
Front Elevation

Front/Side Elevation

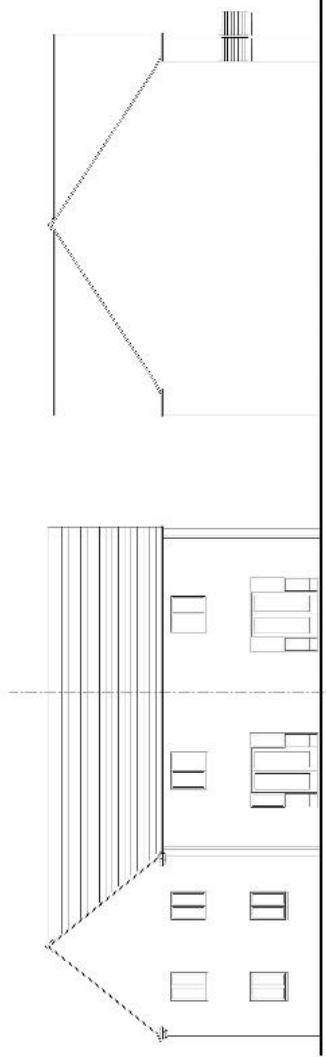
mixed red brick cladding



First Floor



Ground Floor Plan



Rear Elevation

Side Elevation

Uckington Farm,  
Uckington  
House Type 1B2P & 3B5P 93  
Plan and Elevation

Scale: 1:100  
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A2



**Newland HOMES**

Uckington Farm,  
Uckington  
House Type 2B4P Plan and Elevation

1:100 @ A2  
**829-37**  
01/2024

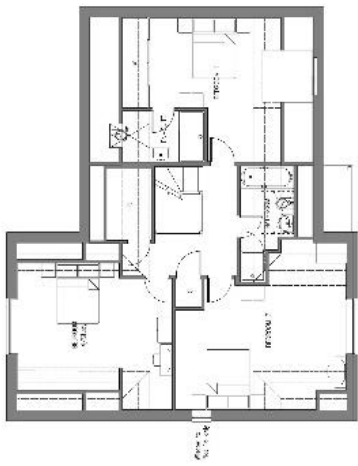
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18  
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A2

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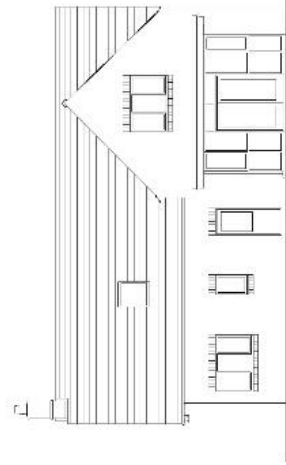
First Floor Plan

Front Elevation

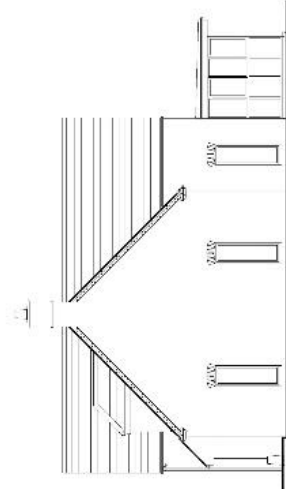
Side Elevation



Ground Floor Plan



Rear Elevation



Side Elevation

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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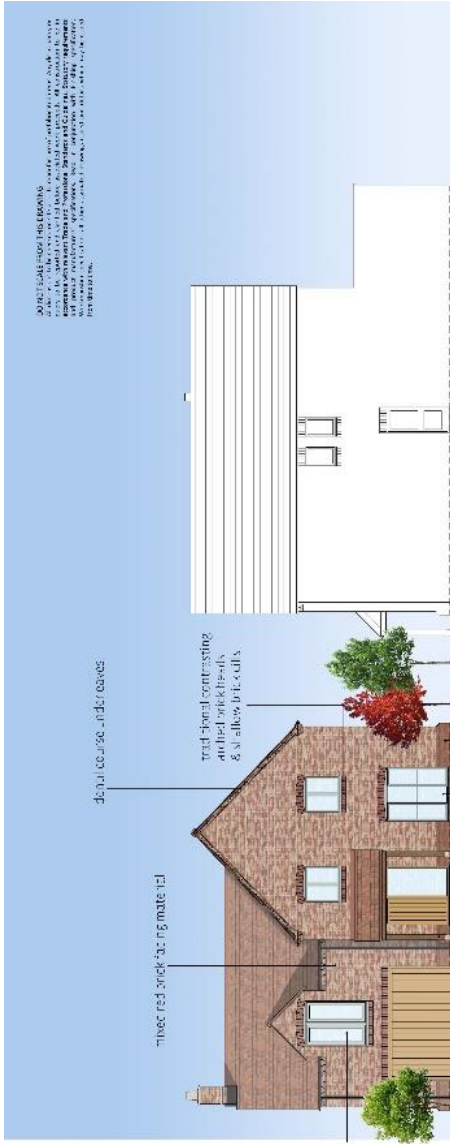
Uckington Farm,  
 Uckington  
 House Type WH4 Plan and Elevation

HOUSE TYPE WH4

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 829-31  
 2024.06

SS  
 Oct 2023  
 A  
 1/2024

A2

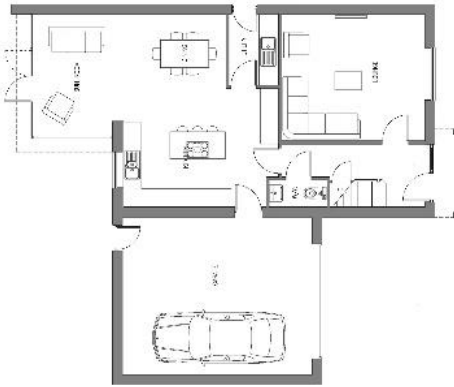


Front Elevation

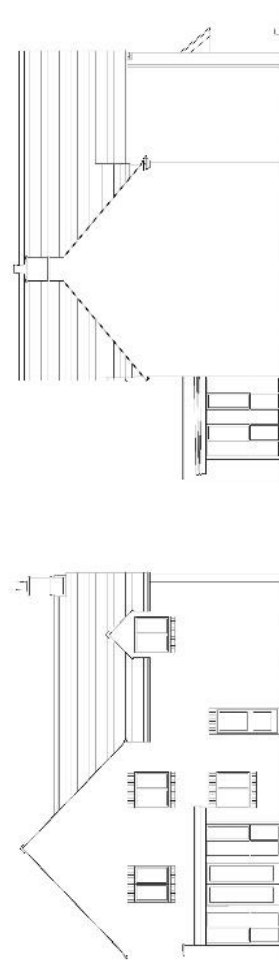
Side Elevation



First Floor Plan



Ground Floor Plan



Rear Elevation

Side Elevation



Uckington Farm,  
Uckington  
House Type PL4 Plan and Elevation

HOUSE TYPE PL 4

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100mm  
50mm  
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1:100mm  
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A2

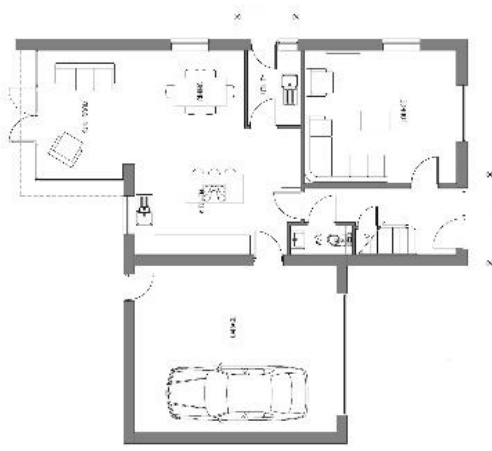


Front Elevation

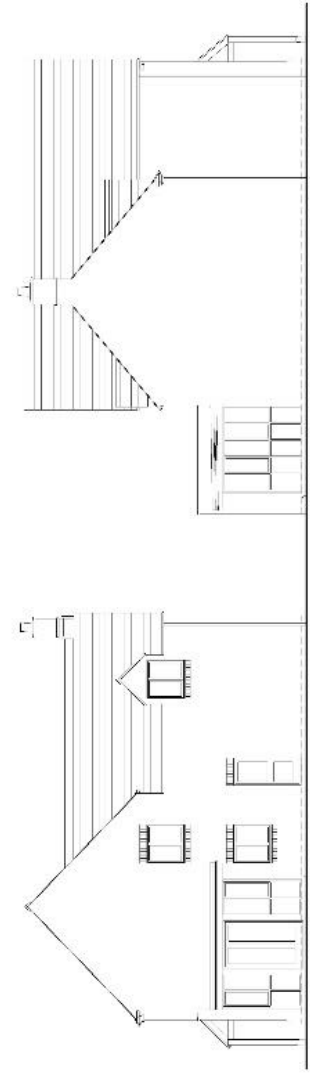
Side Elevation



First Floor Plan



Ground Floor Plan



Rear Elevation

Side Elevation

<p><b>Uckington Farm, Uckington</b> House Type PL4 DA Plan and Elevation</p>	
<p>1:1000@12 829-33</p>	<p>100mm 50mm 0mm</p>
<p>04/2023 A</p>	<p>04/2023 A</p>

HOUSE TYPE P L 4 D A



## Planning Committee

<b>Date</b>	16 July 2024
<b>Case Officer</b>	Sarah Smith
<b>Application No.</b>	23/00755/FUL
<b>Site Location</b>	Roseleigh Stoke Road Stoke Orchard
<b>Proposal</b>	Full planning application for the erection of 126 dwellings and associated vehicular access, public open space, landscaping and other infrastructure including the demolition of the existing property known as Roseleigh along with associated outbuildings and the agricultural building located to the north of Banady Lane.
<b>Ward</b>	Severn Vale North
<b>Parish</b>	Stoke Orchard and Tredington
<b>Appendices</b>	Site location plan Site layout plan Affordable housing plan House pack plans – selection X6 Streetscene elevation plan
<b>Reason for Referral to Committee</b>	Full application for the erection of 10 or more residential units
<b>Recommendation</b>	Delegated Permit subject to conditions and S106 Agreement

### Site Location



## 1. The Proposal

Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RZFWURQDJLY00>

- 1.1 The application seeks full planning permission for the erection of 126 dwellings and associated vehicular access, public open space, landscaping and other infrastructure. It also involves the demolition of the existing residential property known as Roseleigh, along with associated outbuildings and the agricultural building located to the north of Banady Lane. The application site extends to approximately 6.4 hectares of land in total.
- 1.2 The proposed site would be accessed via a single point of vehicular access from Stoke Road to the south. Secondary and tertiary routes are then located off the central spine road which would traverse from the southern entrance to the north of the site. The development comprises of predominantly two storey dwellings along with a number of bungalows.
- 1.3 The majority of public open space would be arranged around the edges of the site, with an orchard area to the south-eastern corner, Locally Equipped Area of Play (LEAP) in the north-eastern corner, and a large balancing pond and public open space in the northern end of the site. These areas of public open space would be connected for pedestrians and cyclists via a footpath which would weave around the edge of the site. The footpath would also be accessed via the ends of several cul-de-sacs, and it would join up with existing public rights of way through Banady Lane and Dean Lane; the latter route intended to be the primary pedestrian route into the wider village.
- 1.4 The proposed development comprises of a mix of 75 units of open market housing and 51 units of affordable housing (40% affordable housing); further details are set out in the relevant sections of this report. During the course of this application, the quantum of dwellings has been reduced from 136 to 126 and the site layout and access arrangements have been amended on officer advice, and in response to comments received from the Parish Council.
- 1.5 The application proposes the following mix of dwellings:
  - 75 open market dwellings:
    - 5 x 2 bedroom houses
    - 31 x 3 bedroom houses
    - 39 x 4 bedroom houses
  - 51 affordable dwellings:
    - 6 x 1 bedroom properties, inc 2 maisonettes
    - 2 x 1 bedroom houses (bungalows)
    - 19 x 2 bedroom houses
    - 4 x 2 bedroom bungalows
    - 16 x 3 bedroom houses
    - 3 x 4 bedroom houses
    - 1 x 5 bedroom houses
- 1.6 The affordable dwellings would comprise of a mix of social rented (60%) and affordable home ownership tenure (40%), with the latter including shared ownership housing.

## 2. Site Description

- 2.1** The site is located on the eastern edge of the village of Stoke Orchard. Stoke Orchard is one of twelve designated Service Villages for the purposes of the settlement hierarchy in the Joint Core Strategy (JCS) and Tewkesbury Borough Local Plan (TBLP). The site is located outside of, but immediately adjacent to, the settlement boundary of Stoke Orchard as defined by the TBLP. However, part of the site contains an existing dwelling known as Roseleigh and its garden, which is proposed to be demolished.
- 2.2** The application site comprises of two adjoining parcels, one a rectangular shaped parcel located just to the north of Stoke Road and comprising of 4.1 hectares and the other a smaller parcel to north off Banady Lane comprising of 2.3 hectares (6.4 hectares in total). The eastern continuation of a track leading from Banady Lane connects the two parcels, running through their centre.
- 2.3** The southern parcel bounds Stoke Road to the south, beyond which is the Green Belt which aims to prevent Cheltenham coalescing with settlements to its north. To its west, it bounds the Juliana Group factory and the wider built-up area of Stoke Orchard. To its north, it bounds the track leading from Banady Lane, beyond which is agricultural land. To its east is agricultural land.
- 2.4** The northern parcel of the site bounds Banady Lane and the factory site to its south, existing residential development to the west, agricultural land to the east and to the north it bounds the eastern continuation of Dean Lane, a public right of way, beyond which is agricultural land.
- 2.5** The site is relatively flat and is not subject to any landscape, heritage or ecological designations. While the land falls within Flood Zone 1 (lowest risk of flooding) as defined by the Environment Agency, the northwestern part of the site is at risk of surface water flooding. However, it is noted that there is no built form proposed within this latter area.
- 2.6** A listed building, Millers Court Barn, lies approximately 100 metres from the northwestern corner of the site. Aside from Roseleigh and its curtilage, the site comprises of Grade 3 'moderate to good' agricultural land, with an agricultural building situated in the southeast of the northern land parcel and a pond to its northwest. The site is within the zone of influence for the Cotswolds Beechwoods Special Area of Conservation (SAC).

## 3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
50/00109/FUL	Building new bedroom extension and interior alterations.	PER	23.03.1950
61/00049/OUT	Outline application for residential development.	REF	
77/00053/FUL	Alteration and extension to existing bungalow to provide a conservatory, wc, store and cloakroom.	PER	26.09.1977
19/00995/OUT	Outline application for the construction of 4no. detached dwellings with garages, access and associated infrastructure, with all matters reserved for future consideration except for access	REF	07.02.2020

#### 4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 4.1 Stoke Orchard and Tredington Parish Council** – No objection as long as any remaining unresolved issues raised by TBC/GCC are satisfactorily addressed including:
- Issues of highway safety re. street parking and refuse vehicles
  - Public transport provision including bus shelter provision and safe pedestrian access to bus stops
  - Poor footpath widths along Stoke Road carriageway which would not promote sustainable travel choices
  - Concerns regarding alternative active travel options- security, lighting and surfacing
  - Access arrangement / speed safety / traffic calming / marking / extension of 30mph stretch
  - S106 planning obligations important to the Parish have also been provided in the event that the proposed development is granted permission. The purpose of this is to provide or improve the necessary infrastructure to make the proposal acceptable; ensuring that the community needs would be met and that the benefits to the community outweigh any perceived adverse impact.
- 4.2 Gloucestershire County Highways** - No objection, subject to conditions and S106 Agreement.
- 4.3 National Highways** - No objection.
- 4.4 Gloucestershire County Council Community Infrastructure** - No objection, subject to S106 Agreement to secure library provision and educational transport.
- 4.5 Urban Design** - No fundamental objections.
- 4.6 Landscape Officer** - No objection in principle.
- 4.7 Environmental Health Officer** – No objection in principle subject to conditions including the extension of the acoustic fence around northeast corner of factory site.
- 4.8 Natural England** - No objection subject to appropriate mitigation to be secured by planning condition.
- 4.9 Ecologist** - No objection subject to conditions. A biodiversity net gain of approximately 54% for habitats and 26% for hedgerows is to be secured.
- 4.10 Historic England** – No comments.
- 4.11 Conservation Officer** - No objection.
- 4.12 Gloucestershire County Council Archaeology** – Further archaeological trial trenching and recording work has been completed and the report received. The County Archaeologist has been consulted and a formal response is awaited.
- 4.13 Environment Agency** - No objection.

- 4.14 Lead Local Flood Authority** - No objection. The area of the development falls within Flood Zone 1, with only the northern green infrastructure area within Flood Zone 2, which is acceptable. The submitted drainage strategy is suitable such that no additional conditions are recommended.
- 4.15 Severn Trent** - No objection.
- 4.16 Housing and Enabling Officer** - No objection.
- Welcomes 40% affordable housing contribution.
  - Split of 60% social rent and 40% affordable home ownership is supported.
  - Commitment to delivering Nationally Described Space Standards (NDSS) and a proportion of M4(2) Category 2 (Accessible and adaptable dwellings) and Regulation M4(3) Category 3 (Wheelchair user dwellings) is welcomed. A proportion of the units to be M4(2) and bungalows to be M4(3)- some of these latter should be for social rent.
  - Would prefer clustering up to 8 dwellings not 16.
  - Expect 31 dwellings to be delivered as social rent units (60% of affordable units) as set out in draft s106.
- 4.17 Communities Team** – Require off-site financial contributions towards community infrastructure.
- 4.18 Public Rights of Way Officer** - No objection.
- 4.19 Minerals and Waste** - No objection subject to condition.
- 4.20 Health and Safety Executive** – Standing advice offered.

## 5. Third Party Comments/Observations

Full copies of all the representation responses are available online <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 5.1** The application has been publicised through the posting of a number of site notice for a period of 21 days.
- 5.2** 24 members of the public have raised objections to the scheme. The comments are summarised as follows:
- Concerns over the ability of highways infrastructure to cope with increased traffic and impact on highway safety
  - Internal roads only meet minimum standards and will be constrained with parking, tandem drives will encourage on street parking
  - Loss of village character/ feel, disproportionate to the size of village, little social value, Density too great, greenspace limited to perimeter of site, loss of barn structure
  - Tree felling and site preparation ahead of the planning consultation resulting in greater visibility of industrial structures and light pollution
  - Air pollution from traffic
  - The health benefits of the scheme from POS is not a benefit given development would result in loss of open fields,
  - Highway improvements should be in place before construction starts, bus stops should be funded, T junction at Banady Lane is dangerous, pedestrian route into the village should be improved, speed management needed on Stoke Road, traffic survey was in 2022 when COVID restrictions were still felt and should be in term time
  - Close to boundary of houses on Wards Hay Close, impacting on privacy.
  - Impact on wildlife

- No provision has been made for self-build housing.
- Local facilities overstretched and schools inadequate to accommodate more children.
- Endorse responsibility charts and meetings with developers ahead of construction,
- Impact on the power network
- Location is not cyclable as roads unsuitable
- No ultrafast broadband or similar addressed
- Previous planning application for 4 dwellings on part of the site was refused
- Previous application ecology reports reach different conclusions
- Details of the LEAP should be provided
- Accident surveys are incorrect
- Bungalows should be included
- Foul drainage concerns and surface water flooding impacts
- Does not accord with housing policy/ is not sustainable
- Loss of privacy to Stoke House

## **6. Relevant Planning Policies and Considerations**

### **6.1 Statutory Duty**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

### **6.2 National guidance**

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

### **6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017**

- Policy SP1 (The Need for New Development)
- Policy SP2 (Distribution of New Development)
- Policy SD3 (Sustainable Design and Construction)
- Policy SD4 (Design Requirements)
- Policy SD6 (Landscape)
- Policy SD8 (Historic Environment)
- Policy SD9 (Biodiversity and Geodiversity)
- Policy SD10 (Housing Development)
- Policy SD11 (Housing Mix and Standards)
- Policy SD12 (Affordable Housing)
- Policy SD14 (Health and Environmental Quality)
- Policy INF1 (Transport Network)
- Policy INF2 (Flood Risk Management)
- Policy INF3 (Green Infrastructure)
- Policy INF4 (Social Community Infrastructure)
- Policy INF6 (Infrastructure Delivery)
- Policy INF7 (Development Contributions)

#### 6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

- Policy RES3 (New Housing Outside Settlement Boundaries)
- Policy RES5 (New Housing Development)
- Policy RES12 (Affordable Housing)
- Policy RES13 (Housing Mix)
- Policy DES1 (Housing Space Standards)
- Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features)
- Policy NAT3 (Green Infrastructure: Building with Nature)
- Policy NAT5 (Cotswolds Beechwoods)
- Policy LAN2 (Landscape Character)
- Policy ENV2 (Flood Risk and Water Management)
- Policy RCN1 (Public Outdoor Space, Sports Pitch and Sports Facility Provision)
- Policy TRAC1 (Pedestrian Accessibility)
- Policy TRAC2 (Cycle Network and Infrastructure)
- Policy TRAC3 (Bus Infrastructure)
- Policy TRAC9 (Parking Provision)

#### 6.5 Neighbourhood Plan

There is no 'made' Neighbourhood Development Plan for Stoke Orchard.

### 7. **Policy Context**

- 7.1 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.
- 7.2 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017) and the Tewkesbury Borough Plan to 2031 (June 2022) (TBLP).
- 7.3 The relevant policies are set out in the appropriate sections of this report.
- 7.4 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

### 8. **Evaluation**

#### ***Principle of development***

#### ***Conformity with the Development Plan***

- 8.1 Policy SD10 of the JCS states that within the JCS area new housing will be planned in order to deliver the scale and distribution of housing development set out in Policies SP1 and SP2. Housing development will be permitted at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans.
- 8.2 In the remainder of the rural area Policy SD10 will apply for proposals for residential development. With relevance to the application, Policy SD10 states that housing development on other sites will only be permitted where it is previously developed land in the existing built-up areas of Service Villages, or:

- It is for affordable housing on a rural exception site in accordance with Policy SD12, or;
- It is infilling within the existing built-up areas of the City of Gloucester, the Principal Urban Area of Cheltenham or Tewkesbury Borough's towns and villages except where otherwise restricted by policies within District plans, or;
- It is brought forward through Community Right to Build Orders, or;
- There are other specific exceptions / circumstances defined in district or neighbourhood plans.

8.3 Policy RES3 of the TBLP also sets out the circumstances where new housing development will be considered acceptable in principle outside of settlement boundaries.

8.4 The application site represents open countryside land in planning terms due to it lying outside of, but adjacent to the settlement boundary for Stoke Orchard as defined in the TBLP and is not allocated for housing development. The site is not previously developed land within the built-up area of the service village; is not a rural exception scheme; and does not represent 'infilling'. It has not been brought forward for development through a Community Right to Build Order. There are no policies in the existing TBLP (including Policy RES3) which allows for the type of development proposed here.

8.5 It is therefore the case that the proposed development conflicts with Policy SD10 of the JCS and Policy RES3 of the TBLP. However, for the reasons set out below, it is also the case that these policies are presently 'out of date' in light of the Council's housing land supply position. These policies cannot therefore be afforded full weight in the decision-making process. The implications for this are set out below.

Five Year Housing Supply

8.6 The NPPF requires local planning authorities to demonstrate an up-to-date five year supply of deliverable housing sites. Where local authorities cannot demonstrate a five-year supply of deliverable housing sites, paragraph 11 of the NPPF sets out that the most important policies for the determination of an application, including housing policies, contained within development plans should not be considered up-to-date.

8.7 The published Tewkesbury Borough Five Year Housing Land Supply Statement October 2023 sets out the Council's position which is that it cannot, at this time, demonstrate a five year supply of deliverable housing land. The published position is that the Council's five year supply of deliverable housing sites is 3.4 years supply of housing land. Officers consider this shortfall is significant. The Council's policies for the provision of housing are therefore out of date in accordance with footnote 8 of the NPPF.

8.8 Paragraph 11(d) of the NPPF therefore applies and states that where policies which are most important for determining the application are out of date, permission should be granted unless: i) the application of policies in the Framework that protect assets of particular importance provides a clear reason for refusing the development; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conclusions on the Principle of Development

8.9 It is a material consideration that the Council cannot demonstrate a five-year supply of deliverable housing sites, with the supply shortfall acknowledged to be significant. In this regard, Policies SP2, SD10 and RES3, which are considered the most important policies for



the determination of the application, are considered out-of-date. This does not mean that no weight is attached to these policies but that the weight to be attached is limited.

- 8.10** In the circumstances of this application, the application site is immediately adjacent to the Stoke Orchard settlement boundary which is defined as a Service Village in the JCS. Taking account of the proximity of the site to the Stoke Orchard settlement boundary, the quantum of dwellings proposed, and the relative services and facilities available to this settlement, it is not considered that the harms arising from the conflict with the spatial strategy alone amount to an adverse impact that would significantly and demonstrably outweigh the benefits of the development (considered further below), when assessed against the policies of the NPPF as a whole.

### ***Scale of Development and Social Impacts***

- 8.11** The NPPF recognises that sustainable development includes a social objective and how healthy communities can be supported. Paragraph 9 of the NPPF states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. Paragraph 83 of the NPPF states that to promote sustainable development in rural areas, housing development should be located where it will enhance or maintain the vitality of rural communities.
- 8.12** Policy SP2(5) of the JCS states that in Service Villages lower levels of development will be allocated through the TBLP and Neighbourhood Plans, proportional to their size and function, and also reflecting their proximity and accessibility to Cheltenham and Gloucester, also taking into account environmental, economic and social impacts. Policy RES5 of the TBLP also states that new housing development should be an appropriate scale having regard to the size, function and accessibility of the settlement and its character and amenity.
- 8.13** It is noted that the issue of social cohesion is one that has been considered for applications in Service Villages previously. The TBLP Housing Background Paper 2019 establishes that Stoke Orchard contained 93 dwellings at the start of the plan period in 2011 and that 236 dwellings had been delivered up to that point across the plan period.
- 8.14** However, the bulk of the previous growth at the village took place some time ago. The vast majority of this growth at the village is attributed to the development of the Former CRE site which received reserved matters approval in 2012 and was built out shortly after. This growth has been absorbed by the village and is now a well-established part of the community.
- 8.15** The development of the CRE site also brought some key community facilities to the village including a shop, community hall and recreational facilities. The applicant has asserted that the CRE development should form part of the existing baseline against which further cumulative growth should be measured, rather than the size of the village as it existed at the start of the plan period, as this is no longer representative of the existing village. Similarly, the Banady Lane development, which was granted reserved matters approval in 2015, has had some time to become established as part of the community and could potentially be considered as part of the existing baseline against which further growth should be assessed.
- 8.16** It is considered that the development would assist with supporting the viability of local services and facilities, including the village shop, community centre and bus service connecting the village with Tewkesbury and Bishops Cleeve, thus helping with their retention into the future and thereby helping to secure the social and sustainability benefits they can bring to the local community.

Stoke Orchard Parish Council has not raised any objections to the principle of the development nor its scale, subject to the resolution of highway related matters and the provision of additional community-based infrastructure.

- 8.17** In concluding on this matter, whilst the proposed development would increase the population of the village, it is not considered that this would have an adverse cumulative impact on the settlement taking into account that the previous developments during the plan period have become an established part of its community. The proposal could support the viability of existing local services and facilities thus potentially securing their retention in the long term and would provide affordable housing, green infrastructure and active travel opportunities that would also benefit the existing community subject to the satisfactory completion of S106 Agreements.
- 8.18** As such, the objectives of NPPF Paragraph 83 are considered to have been reasonably met.

### ***Access and highway safety***

- 8.19** The NPPF states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. Furthermore, development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts of development are severe. JCS Policy INF1 requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters.
- 8.20** The proposal includes a single point of vehicular access off the Stoke Road, with the proposed layout showing a network of internal primary, secondary and tertiary routes through the development, as well as public footpaths. The scheme provides for a number of traffic calming measures within the internal layout, which are sited approximately every 70 metres throughout the development, and which are designed to ensure a system that operates at a 20mph design speed. The application plans include tracking plans that demonstrate that the largest of refuse vehicles used by Tewkesbury Borough Council (a 3.5 tonne delivery vehicle) will be able to turn and manoeuvre around the site, without causing safety or congestion issues.
- 8.21** The site access, including visibility splays, road widths, and footways have all been designed in accordance with national and local transport design guidance, and will be subject to Technical Approval as part of the Section 278 process. Within the site, there is also provision of EV charging, cycle parking and wider footways. On plot car parking is provided at a policy compliant rate of at least 2 spaces per dwelling and in some cases more. However there are some examples of more remote parking for some plots which the Highways Officer has pointed out in his response.
- 8.22** The proposal also involves a series of off-site highway improvements, as well as active sustainable travel initiatives and public transport improvements partly subject to the satisfactory completion of a S106 agreement. This includes areas of road widening and re-alignment, widening of existing footpaths, provision of new footway routes and new road signage and gateway features. The proposal also involves relocating the 30mph zone beyond the access point of the proposed development, to ensure that vehicles approach the site at slower speeds that would otherwise have been the case.
- 8.23** A footpath/cyclepath link is also proposed to provide connectivity to the remainder of the village via Banady Lane, which will give future residents an opportunity to use the services and facilities that the village has to offer on foot. This is an important feature of the scheme from an accessibility and sustainability perspective.

- 8.24** The County Highway Authority has considered the application and have sought a number of design improvements and upgrades during the course of this application as part of an iterative process. They have concluded that, subject to appropriate conditions and planning obligations, the application would not have an unacceptable impact on highway safety or a severe impact on congestion. Whilst footpath widening improvements to the full extent to improve sustainable choices along Stoke Road itself have not been possible due to the available width on balance the proposed footpath/cycle link to Banady Lane would provide an acceptable alternative. There are no objections from National Highways in terms of impact on the strategic road network.
- 8.25** In terms of parking standards, the Highways Authority consider that the level of parking is sufficient, accords with the required standards and is acceptable.
- 8.26** The County Highways Authority has also requested planning obligation contributions towards public transport improvements, home to school transport, travel planning and Traffic Regulation Orders to secure the relocation of the speed limit restrictions in the area. Planning conditions can also be imposed to secure other works where necessary.
- 8.27** The full set of planning obligations required by the County Highways Authority include:
- Home to School Transport - £339,142.40
  - Public Transport - £150,000
  - Travel Plan - £50,364
  - Traffic Regulation Order for speed limit relocation - £15,000
- 8.28** It is understood that these contributions have been agreed by the County Highways Authority with the applicant and would be secured via Section 106 Agreement. They are deemed necessary as the nearest secondary schools are beyond the statutory walking and cycling distances and a contribution is required to manage the impact of the proposed housing development on the transport network. The public transport improvements are justified considering the increased strain on local bus services that will arise from the provision of additional residents using the services.
- 8.29** The proposal is therefore considered acceptable with regard to highway safety and accessibility and complies with Development Plan Policies INF1 and TRAC1, TRAC2, TRAC3 and TRAC9.

### ***Landscape and Visual impact***

- 8.30** Paragraph 180 of the NPPF sets out that the planning system should contribute to and enhance the natural and local environment by, inter alia, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.
- 8.31** JCS Policy SD6 states 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 local distinctiveness and historic character of the different landscapes and proposals are 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.

- 8.32** The application site is not located within any nationally or locally designated landscape designation. Also, it does not comprise of a 'Valued Landscape', thus the provisions of NPPF paragraph 180a do not apply. Therefore, there are no specific policies in national or local planning policy that would preclude the development of this site in principle from a landscape and visual perspective.
- 8.33** Policy RES5 bullet point 3 of the TBLP states that new housing development should, where an edge of settlement location is proposed, respect the form of the settlement and its landscape setting, not appear as an unacceptable intrusion into the countryside and retain a sense of transition between the settlement and the countryside. Policy LAN2 of the TBLP states that all development must, through sensitive design, siting, and landscaping, be appropriate to, and integrated into, their existing landscape setting.
- 8.34** The application is supported by a Landscape and Visual Impact Assessment (LVIA), which considers the impact of the proposed development on the landscape and has been reviewed by the Council's Landscape Advisor. The LVIA identifies several potential viewpoints of the application site, most of which are short-distance and localised views. It also assesses the resulting development in the context of the proposed scheme.
- 8.35** The LVIA concludes that there would be moderately negative effects on the change in land use and rural character and perceptual connectivity with the countryside in the short term, but this would reduce to neutral in the long term as the proposed planting within the site and on the boundary of the site matures. The landscape and visual impacts were considered to be relatively minor and there would be no impact on the wider setting of the Cotswolds National Landscape according to the LVAA. The LVIA also concludes that the new public open space that surrounds the site and provides for a green buffer to the development, would improve connectivity between the existing settlement and Stoke Road.
- 8.36** The Council's Landscape Advisor has reviewed the LVIA and agrees that the viewpoints are largely appropriate and concurs that the site is not unduly prominent in long-distance views. The Landscape Advisor has made some suggestions during the application process to soften the development further, and the applicant has made some of those suggested changes.
- 8.37** Officers have carefully considered the comments from the Landscape Advisor and the content of the applicant's LVIA. There would be an inevitable degree of landscape impacts from the development of the site itself and wider moderately negative effects on views from some localised vantage points. However, this is inevitable in any case where undeveloped land is replaced with built form. The alterations to the site layout and design that have been made following Officers advice, has further limited the visual impact. A full soft and hard landscaping scheme would be secured by Condition and would need to address comments raised by the Landscape Officer in relation to tree species existing and proposed on the site. The Landscape Officer has also raised issues in relation to the proposed play area and this issue is addressed later in the report.
- 8.38** Considering all the above, by virtue of the landscape and visual harm that would arise, there would be some conflict with Policy SD6 of the JCS and Policy LAN2 of the TBLP. These identified limited harms must be weighed against the need for, and benefits from, the proposed development as part of the overall planning balance, to identify whether the harm would substantially and demonstrably outweigh the benefits. In this context, officers consider that the overall landscape and visual impact of the proposal is a matter which weighs moderately against the proposals in the overall planning balance.

### ***Design and layout***

- 8.39** The NPPF sets out that the creation of high quality, beautiful and sustainable buildings and places are fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development. This is now reflected in the National Design Guide, which provides planning practice guidance for beautiful, enduring and successful places.
- 8.40** JCS Policy SD4 provides that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.
- 8.41** Criterion 6 of Policy SD10 of the JCS states that residential development should seek to achieve maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment, and the safety and convenience of the local and strategic road network.
- 8.42** The proposed residential layout is relatively uniform with a block structure of largely back-to-back units, allowing for a permeable and legible environment, as well as attractive spaces, served by active frontages, natural surveillance and streets/spaces framed by buildings. The architectural approach is generally traditional in its appearance, scale and proportions, which reflects the prevalent character of Stoke Orchard and its wider surroundings. The scheme provides for a band of public open space to the southern entrance, eastern and northern boundaries, which provide a green buffer and softens the development to some degree. It also provides for a sense of arrival to the village from the approach to the village from the east.
- 8.43** In terms of scale, the dwellings would be primarily two storeys with a mix of roof types and gable features to break up the built form. The scheme also includes a number of bungalows, which helps to reduce the apparent scale and density of built form, as well as providing a house type for which there is an identified need. In this regard, it is noted that Stoke Orchard Parish Council specifically requested that the applicant include bungalows within the scheme. This mix is supported by the Council's Housing and Enabling Officer.
- 8.44** Officers have liaised with the applicant throughout the course of the application and secured a number of design and layout changes during the consideration of the application, which respond to officer concerns. These changes have resulted in a reduction in the number of dwellings across the site from 136 to 126.
- 8.45** The latest revisions have been proposed following liaison with the Council's Urban Design Advisor which include the strengthening of the Design and Access Statement to provide further design rationale for certain aspects of the scheme, a reduction in density along the western boundary of the site and the relocation of car parking to provide a greater level of on-plot parking to the side of each plot, thus reducing the appearance of hard front parking courts. Several changes have also been made to elevational treatments.
- 8.46** It is noted that the applicant has, in some cases, chosen not to follow all the recommendations made by the Urban Design Advisor. This includes a reluctance to relocate the LEAP play area, which the applicant feels is suitably located.

- 8.47** The Urban Design Advisor has advised that the revised plans in many cases have resolved their previous concerns but there are still some areas which they feel could be amended further in order to lift the quality of the scheme, such as through the relocation of certain plots and through further elevational including fenestration changes to key plots. However, the applicant has confirmed that they are unwilling to make any further changes to the scheme at this point.
- 8.48** Overall, on balance, the layout and design approach is now considered to be acceptable. The layout would provide for active frontages and good levels of natural surveillance. The development would provide good levels of amenity space and landscaping, whilst accommodating the necessary drainage infrastructure. In terms of the proposed house types, the proposed materials reflect that of the surrounding area, and are considered acceptable subject to conditions requiring the submission of materials and detailed design.
- 8.49** In light of the above, the design of the proposal is considered acceptable and complies with the design expectations of the NPPF and JCS Policy SD4.

### ***Residential amenity***

- 8.50** Paragraph 135 of the NPPF states that applications for development should create places that are safe, inclusive and accessible which promote health and well-being, with a high standard of amenity for existing and future users. JCS policies SD4 and SD14 require development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space and the avoidance or mitigation of potential disturbances, including visual intrusion, noise, smell and pollution. Development should have no detrimental impact on the amenity of existing or future new residents or occupants.
- 8.51** Policy RES5 of the TBLP states that proposals for new housing development should, amongst other things, provide an acceptable level of amenity for future occupiers and cause no unacceptable harm to the amenity of existing dwellings.
- 8.52** The original application was accompanied by a Noise Survey due to the proximity of the site to the neighbouring Juliana Group Factory. The Noise Survey assessed the scheme against existing background noise levels and concluded that there would be an acceptable impact having regard to the guidance contained within BS:4142:2014. However, following some local concerns, and due to the proposed layout showing some housing backing on directly to the factory site, Officers requested that further noise and odour survey work be undertaken in respect of potential nuisance from the site boundaries.
- 8.53** The applicant commissioned additional Noise and Odour Survey work, which has been carried out in accordance with a methodology agreed by the Council's Environmental Health Officers. The Noise Survey identifies that unmitigated noise levels at the site boundary would be at a level that would be deemed unneighbourly and therefore mitigation is required. The Noise Survey proposes an acoustic fence along the site boundary with the Juliana Group Factory, which it says would acceptably mitigate this impact to an acceptable level in accordance with B4142:2014. Furthermore, the housing has been set back further from the boundary, thus providing larger gardens. This further mitigates any potential impact.
- 8.54** In terms of odour, the assessment concludes that there is a low risk of detectible odours at a frequency or intensity that may significantly affect amenity. It concludes that no mitigation is required in this regard. In reaching this conclusion it is noted that there is no history of odour complaint from other nearby residential properties, and the issue of odour was not raised on other previous planning applications that have directly abutted the factory.

The Council's Environmental Health Officer (EHO) has been reconsulted on the additional survey work and there is no objection in principle subject to conditions relating to the mitigation measures including the extension of the acoustic fence around northeast corner of factory site.

- 8.55** In terms of other aspects of residential amenity, the application proposes predominantly two-storey dwellings with some bungalows, but the residential properties are sited a significant distance from other nearby existing residential properties and there be no impacts in terms of overlooking, loss of outlook or overbearing impacts to existing residents. Officers have carefully considered this relationship and taking account of the separation distances and the scale of existing and proposed dwellings, it is considered that the proposal would cause no overriding harm to the amenity of existing residents.
- 8.56** With regard to the residential amenity of future residents, the site layout has been carefully considered by officers to ensure that the development can achieve acceptable levels of amenity. The separation distance between rear facing habitable room windows is at least 20 metres in all instances, and in terms of external amenity space, each dwelling would be provided with adequate garden amenity area and the internal arrangements and room sizes provide adequate amenity. In respect of the arrangement of windows, the orientation and layout is such that there would be no unacceptable overlooking between the dwellings.
- 8.57** Overall, subject to conditions, it is considered that the proposed development would result in acceptable levels of amenity for existing and future residents in accordance with JCS policies SD4 and SD14, Policy RES5 of the TBLP and the NPPF.

#### ***Housing mix and Affordable housing***

- 8.58** JCS Policy SD11 states that housing development will be required to provide an appropriate mix of dwelling sizes, types and tenures in order to contribute to mixed and balanced communities and a balanced housing market. Development should address the needs of the local area, including the needs of older people as set out in the local housing evidence base, including the most up to date Strategic Housing Market Assessment (SHMA).
- 8.59** JCS Policy SD12 sets out that on sites outside of strategic allocations, a minimum of 40% affordable housing will be sought. It follows that they should be provided on-site and should be seamlessly integrated and distributed throughout the development scheme.
- 8.60** In terms of housing mix, the proposal provides for a wide mix of 1, 2, 3, 4 and 5 bedroom properties, which includes a proportion of bungalows, as supported by the Council's Housing and Enabling Officer and Stoke Orchard Parish Council. A total of 12 bungalows are provided across the site. This will ensure that a range of properties are proposed to meet people of all ages and abilities, including housing designed for elderly people.
- 8.61** With regard to affordable housing, the application proposes 51 affordable dwellings, which equates to the required 40%. Of those, 60% are proposed to be social rented tenure and the remaining 40% being affordable home ownership (including shared ownership) properties. The housing mix is proposed as follows:
- 6 x 1 bedroom properties, inc 2 maisonettes
  - 2 x 1 bedroom bungalows
  - 19 x 2 bedroom houses
  - 4 x 2 bedroom bungalows
  - 16 x 3 bedroom houses
  - 3 x 4 bedroom houses
  - 1 x 5 bedroom house

- 8.62** The Council's Housing and Enabling Officer has confirmed his support for the quantum of affordable housing, as well as the tenure split and the proposed affordable housing mix, which is broadly in line with the mix that was originally requested.
- 8.63** In terms of the clustering of affordable housing, the application is accompanied by a plan that shows how these units will be distributed across the site. The plans shows that the affordable housing would be spread across the whole development in clusters of no more than 16 dwellings. The Housing Enabling Officer has indicated a preference for the affordable homes to be clustered into groups of no more than 8 affordable homes for the purposes of equality and good design. However, the applicant has highlighted that the Council has previously sought clusters of up to 16 homes for developments of this scale. On balance it is not considered that this layout is so harmful in this respect as to recommend refusal on such grounds taking into account the scale of the development overall.
- 8.64** The Housing Enabling Officer has also requested that a proportion of affordable units comply with M4 (3) and M4 (3) standards, which provide for level access and properties with facilities for people with limited abilities. This would typically be secured within the Section 106 Agreement and it should be noted that the applicant has indicated that they will be able to provide such properties.
- 8.65** On balance, Officers are satisfied that the affordable housing proposal, in terms of quantum, tenure split, mix and clustering would be appropriate. All properties also comply with Nationally Described Space Standards (NDSS).
- 8.66** The applicant has indicated that the affordable housing would be secured through a S106 Agreement. As such, the proposal is considered to accord with JCS Policies SD11 and SD12.

#### ***Drainage and flood risk***

- 8.67** JCS Policy INF2 states that development proposals must avoid areas at risk of flooding and must not increase the level of risk to the safety of occupiers of a site and that the risk of flooding should be minimised by providing resilience and taking into account the impacts of climate change. It also requires new development to incorporate Sustainable Urban Drainage Systems (SuDS) where appropriate to manage surface water drainage. This is reflected in Policy ENV2 of the TBLP and the NPPF.
- 8.68** The Environment Agency Flood Map shows the majority of the application site to be located within Flood Zone 1 (lowest risk of flooding), with the northern most section of the site at the Banady Lane/Dean Lane end falling within Flood Zone 2 (medium risk). Consequently, the built form of the development would all be sited within Flood Zone 1, which complies with the Sequential Test of national planning policy. The Flood Zone 2 area is given over to Green Infrastructure only, which is compatible with national policy.
- 8.69** The application is supported by a Flood Risk Assessment and Drainage Strategy. The Drainage Strategy confirms that infiltration drainage is not a viable solution for surface water disposal. It is therefore proposed to direct surface water runoff to the Dean Brook to the north following the drainage hierarchy.
- 8.70** It is proposed to introduce a new gravity stormwater system with attenuation and a controlled discharge for up to a 1 in 100 year event plus 40% climate change allowance, which will reduce the risk of flooding downstream. The proposed strategy utilises sustainable forms of drainage through the proposed inclusion of an attenuation basin to accommodate the necessary storm water storage, to be located within the north of the site. Swales will also be



incorporated providing direct drainage of highways. The water flows from the attenuation basin will mimic the existing greenfield condition of the site.

- 8.71** The LLFA raise no objection and advises that the drainage strategy identifies surface water attenuation facilities to accommodate a suitable volume of surface water to control discharge from the site to acceptable, greenfield equivalent levels.
- 8.72** In respect to foul drainage, it is proposed to direct this to a connection to a manhole chamber on Dean Lane to the west of the site. On the southern plot, given the topography of the land, the northern half is to be drained by gravity to the foul sewer on Dean Lane, with the southern half drained to the foul sewer system present in the west of this section of the site. Any connection to the existing sewer is subject to approval from the local water authority, and this is subject to separate legislative regime. The Drainage Strategy includes a maintenance scheme for the long-term management of the drainage system.
- 8.73** Whilst some 3<sup>rd</sup> party representations have referred to issues in relation to foul water drainage Severn Trent Water has been consulted and have raised no concerns over capacity of the mains network or the ability to connect to it subject to informatives.
- 8.74** In light of this, the application is considered acceptable in regard to drainage and flood risk and complies with JCS Policy INF2.

### ***Biodiversity***

- 8.75** Paragraph 186 of the NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided through locating on an alternative site with less harmful impacts, be adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. JCS Policy SD9 seeks the protection and enhancement of biodiversity and geological resources of the JCS area in order to establish and reinforce ecological networks that are resilient to current and future pressures.
- 8.76** Policy NAT1 of the TBLP states that development likely to result in the loss, deterioration or harm to features, habitats or species of importance to biodiversity, environmental quality or geological conservation, either directly or indirectly, will not be permitted unless: a) the need for, and benefits of the development clearly outweigh its likely impact on the local environment, or the nature conservation value or scientific interest of the site; b) it can be demonstrated that the development could not reasonably be located on an alternative site with less harmful impacts; and c) measures can be provided (and secured through planning conditions or legal agreements), that would avoid, mitigate against or, as a last resort, compensate for the adverse effects likely to result from development. The policy also states that proposals, where applicable, will be required to deliver a biodiversity net gain and the Reasoned Justification confirms that a minimum of 10% biodiversity net gain will be expected. Policy NAT5 of the TBLP states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the Cotswold Beechwoods Special Area of Conservation (SAC) (alone or in combination), and the effects cannot be mitigated.
- 8.77** Natural England were consulted on the application and requested that a Shadow Habitat Regulations Assessment (sHRA) be undertaken given the proximity of the site to the Cotswolds Beechwood SAC. A sHRA has since been undertaken and this meets the relevant legislative requirements. The sHRA proposes that the SAC be mitigated through the implementation of Home Information Packs (HIPs), which would be provided to all future occupants of the property to inform them of the issues surrounding the SAC, and opportunities for other recreation. Subject to this there would be no significant effects on the recreational

value of the SAC. Subject to mitigation Natural England have no objections. The Council's Ecologist has also assessed this and is satisfied with the sHRA.

- 8.78** The application is also supported by a variety of ecological species surveys. This includes surveys for bats, badgers, dormice, reptiles, great crested newts and otter. Survey work began in June 2022 and updated survey work was carried out during the winter of 2023. The survey work has found some evidence of pipistrelle bats, which is the most common type of bat, in the vicinity of the site. A lower number of lesser horseshoe bats were also recorded. It was concluded that bats can be adequately mitigated through existing hedgerows and tree retention and through new green corridors within the development and new planting.
- 8.79** Elsewhere, great crested newts were found in a nearby pond to the north-west of the site, and as such, a GCN Licence will be required with mitigation agreed with Natural England. This is to be secured through a separate legislative process. The surveys conclude that there would be no overall undue impact on ecology and protected species that could not be adequately mitigated and secured by means of planning condition.
- 8.80** As this proposal is a 'Major development' it is now also required to meet the legislative requirements of 10% mandatory Biodiversity Net Gain (BNG). The application is accompanied by a BNG assessment which shows that the scheme will result in an overall 54.19% net gain in habitat units and a net gain of 25.64% in hedgerow units within the red line boundary. The BNG policy and legislative requirements are therefore exceeded in this case.
- 8.81** The Council's Ecological Advisors have been consulted on the application and have raised no objection, subject to conditions to secure the necessary mitigation as set out in the technical reports. This mitigation would include a Construction Environmental Management Plan (CEMP) and Method Statement, a Landscape and Ecological Management Plan (LEMP) and full landscaping scheme and details of a proposed lighting strategy all to be first submitted to and approved in writing by the Council.
- 8.82** Overall, subject to the imposition of appropriate conditions, it is considered that the proposed development would be acceptable in terms of ecological and biodiversity matters and is in accordance with Policies SD9 of the JCS and NAT1 and NAT5 of the TBLP.

### ***Historic Environment***

- 8.83** Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the Council to have special regard to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest which they possess.
- 8.84** A listed building, Millers Court Barn, lies approximately 100 metres from the northwestern corner of the site, but this is a sufficient distance to ensure no adverse impacts. The Council's Conservation Officer has been consulted on the application and advises that there are no built heritage assets that would be affected by this proposal and raises no objection.
- 8.85** Paragraph 200 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. 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.

- 8.86** The application was originally accompanied by an archaeological desk-based survey. However, the County Archaeologist requested that a programme of archaeological trial trenching work be undertaken on the site prior to the determination of the application. This was deemed necessary due to there having been some records of a possible medieval moated site within the northern area of the application site, with the potential for roman and/or medieval agricultural remains in the area.
- 8.87** Following this, a geophysical survey was first undertaken, which helped to inform a Written Scheme of Investigation for a programme of trial trenching. The programme was agreed, and the trial trenching has recently taken place, with the results having been made available to the County Archaeologist.
- 8.88** The recording involved the digging of 11 trial trenches across the site. Despite the potential for archaeological remains, it is understood that the only features identified were ridge and furrow indicating earlier agricultural activity. The only archaeological finds recovered were several sherds of post-medieval and medieval pottery from the subsoil of some trenches. As such, the site is considered to have negligible archaeological potential.
- 8.89** Whilst the County Archaeologist's comments on the Archaeological Recording are awaited, given the findings it seems unlikely that there will be a requirement for any further field evaluation work and there is no archaeology present that is likely to require any preservation in situ. However an update will be provided at Committee.
- 8.90** In light of this, but subject to confirmation from the County Archaeologist, the application is considered acceptable with regard to any impact on heritage assets and archaeology.

#### ***Section 106 obligations***

- 8.91** The Community Infrastructure Levy (CIL) Regulations allow local authorities to raise funds from developers undertaking new building projects in their area. Whilst the Council does have a CIL in place, infrastructure requirements specifically related to the impact of the development will continue to be secured via a Section 106 legal agreement. The CIL regulations stipulate that, where planning obligations do not meet the tests, it is 'unlawful' for those obligations to be taken into account when determining an application.
- 8.92** 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 reasonable related in scale and kind to the development.
- 8.93** JCS Policy INF6 relates directly to infrastructure delivery and states that any infrastructure requirements generated as a result of individual site proposals and/or having regard to the cumulative impacts, should be served and supported by adequate and appropriate on/off-site infrastructure and services. The Local Planning Authority will seek to secure appropriate infrastructure, which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal.
- 8.94** Policy INF4 of the JCS requires appropriate social and community infrastructure to be delivered where development creates a need for it. JCS Policy INF7 states the arrangements for direct implementation or financial contributions towards the provision of infrastructure and services should be negotiated with developers before the grant of planning permission. Financial contributions will be sought through S106 and CIL mechanisms as appropriate.

Open Space, Outdoor Sport and Recreation and Community Facilities

- 8.95** The application site will deliver over 2 hectares of on-site public open space. An on-site Locally Equipped Area of Play (LEAP) is proposed, which will cater for young children. It is not considered that the proposed layout of the LEAP and level of equipment proposed is acceptable in its current form however then precise details can be controlled by condition and S.106.
- 8.96** The site is not of a size that would need to deliver on-site playing pitches and changing facilities, which is sought by TBLP Policy RCN1. In such circumstances, it is normal for a financial contribution to be secured in lieu of on-site provision.
- 8.97** The Council's Community Team has used the Sport England Calculator tool to seek the provision of off-site financial contributions towards certain sporting and community facilities arising from this development. The Sport England Calculator has a standard list of facilities that it seeks contributions for, and based on a population uplift, it calculates the quantum of the sums requested on a formulaic approach. The Sport England Calculator has provided the following sums:
- Playing Pitches - £43,050
  - Changing Rooms - £118,900
  - Community Centre - £61,840
  - Sport hall - £63,017
  - Astroturf pitch - £8,636
  - Bowls - £2,497
  - Swimming pools - £69,942
- 8.98** The Sport England Calculator is a nationally prescribed tool to assist local authorities in calculating the need for facilities. However, it does not provide site-specific evidence relating to the local need for specific facilities. In this regard, it lacks the robustness required to confirm compliance with the CIL Regulations tests.
- 8.99** Whilst the applicant accepts that it would be reasonable for a contribution towards community and sporting facilities to be made, the applicant has challenged the need for all of the above contributions to be provided.
- 8.100** With this in mind, the applicant has proposed the following contributions towards community and sporting facilities and pitches, which they consider to be reasonable in scale and kind to the development. These contributions are offered in lieu of the individual contributions set out by the Sport England Calculator above.
- MUGA improvements - £43,050
  - Community Centre/Village Shop/Play Area - £118,900
- 8.101** Stoke Orchard Parish Council have engaged with the Council and applicant on the need for funding for improved community and sporting facilities within their Parish. Indeed, the Parish Council has set out a list of items that they wish to receive funding for in order to meet the needs of their community going forward. This includes extending their existing MUGA, making improvements to the Community Centre, replacing the existing Community Hall flooring and lighting, soundproofing of the committee rooms, enclosing the minibus shelter, providing integrated sun shades from the main play park and a refit of the village shop to improve flow and access.

**8.102** The Parish Council have considered the applicants latest proposal above and have confirmed their support for that proposal, which they consider will go a long way to meeting the funding needs for the improvements that they wish to make.

**8.103** The Council's Communities Team and been consulted on the applicant's proposal, but to date, no firm position has been established. The Landscape Officer has also requested a contribution to be made towards allotments. An update will be provided at Planning Committee on this matter, and if necessary, it is considered that this matter could be delegated to Officers to negotiate the final community/sports facilities contribution with the applicant.

*Education, library and community provision*

**8.104** Gloucestershire County Council as Local Education Authority (LEA) has been consulted on the application and has not requested contributions towards primary and secondary school places, as their forecasts confirm that there is currently adequate capacity to accommodate the pupils arising from this development at Tredington and Bishops Cleeve Primary Schools and at Cleeve and Tewkesbury Secondary Schools. However, as set out elsewhere in this report, due to the distance of the schools from the application site, Gloucestershire County Council is seeking transport contributions towards the secondary age establishments with spare capacity rather than contributions towards providing additional places arising from this development at the closest school. This is detailed within the 'Access and Transport' section of this report and the figures are summarised below.

**8.105** In terms of libraries, Gloucestershire County Council has advised that the scheme would generate a need to improving customer access to services through refurbishment and upgrades, improvements to stock, IT and digital technology and increased services at Bishops Cleeve Library. As such a contribution of £24,696 is required to make the application acceptable in planning terms, which is a standard multiplier of £196 per dwelling.

**8.106** The applicant has confirmed that these contributions are acceptable in principle, and they are capable of being resolved through the signing of an appropriate Section 106 Agreement.

*Summary of Section 106 Contributions*

**8.107** In summary, the following package of Section 106 obligations is proposed by the applicant:

- 40% affordable housing
- On site public open space (circa 2 hectares)
- Provision of on-site LEAP
- Home to School Transport - £339,142.40
- Public Transport - £150,000
- Travel Plan - £51,048
- Traffic Regulation Order - £15,000
- Library contribution - £24,696
- MUGA/playing pitches - £43,050
- Community/changing facilities - £118,900
- Recycling/Waste bins - £9,198
- Provision of off-site highway works

**8.108** As set out above, the MUGA/playing pitch and community/changing facilities contribution is subject to further consideration by the Council's Communities Team and an update will be provided at Committee. In any event, it is considered that this matter could be delegated to

Officers to negotiate the Community facilities contribution with the applicant following the Planning Committee resolution.

- 8.109** These matters will be suitably addressed through the signing of an appropriate planning obligation and legal agreement, which would be secured following the Committee resolution and prior to the issuing of any planning permission.

## **9. Conclusion**

- 9.1** 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.
- 9.2** Whilst Stoke Orchard is a designated Service Village as defined by the JCS where some new housing development is expected to be provided, the application site lies just outside the defined settlement boundary for Stoke Orchard. The site is not allocated for housing development and there are no policies in the existing TBLP which allow for the type of development proposed here. In this respect, the proposal conflicts with Policy SD10 of the JCS and Policy RES3 of the TBLP.
- 9.3** However, on the basis that the Council cannot at this time demonstrate a five-year supply of deliverable housing sites, having a significant shortfall at 3.4 years of deliverable supply, the most important policies for determining the application are deemed to be out of date and less weight must be given to them. Paragraph 11(d) of the NPPF therefore applies.
- 9.4** Paragraph 11(d)(i) relating to protecting areas or assets of particular importance is not engaged in this case. On that basis, planning permission should be granted unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole.

### ***Benefits***

- 9.5** The delivery of 126 market and affordable housing would provide significant social and economic benefits, particularly at a time when the Council has such a significant shortfall in its 5-year housing land supply requirement and when the need for affordable housing is so great. The proposed development would make a significant contribution to the housing requirements of the Borough.
- 9.6** There would be economic benefits both during and post construction through the creation of new jobs and the support to existing local services and the local economy. This is acknowledged within the planning system to be a substantial benefit particularly weighing in favour of significant housing developments.
- 9.7** This development is also submitted as a full planning application, which would be subject to a planning condition requiring development to commence within 3 years. As such, this would allow for the delivery of housing within a reasonably short timeframe which would mean that the proposal should be able to deliver housing within 5 years and ensures that it will make a significant contribution towards the deliverable five-year housing land supply. This adds further positive weight in favour of the development.

- 9.8** There are also benefits arising directly from the proposals including the provision of a LEAP, publicly accessible open space and off-site planning obligations. This includes some off-site community contributions, where Stoke Orchard Parish Council have identified a need in order to improve their existing community infrastructure within the village. Given that these benefits are directly related to the development to make the proposal acceptable in planning terms, Officers afford these benefits significant weight.

### ***Harms***

- 9.9** Harm arises from the conflict with development plan policies relating to the distribution of housing, namely Policy SD10 of the JCS and Policy RES3 of the TBLP. However, this is tempered by Stoke Orchard's Service Village status, and it is further recognised that these policies are deemed to be out of date as the Council cannot currently demonstrate a 5-year housing supply. With this in mind, Officers afford moderate weight to this harm and the conflict with the plan-led approach.
- 9.10** Some harm also arises due to the impact of providing development on land that is presently undeveloped, which will inevitably cause a degree of landscape and visual impact. However, the land does not fall within any nationally or locally designated landscape and the Council's Landscape Advisor has not raised any fundamental in principle objections to the scheme.
- 9.11** Overall, officers consider that the landscape impact of the proposal is a matter which weighs moderately against the proposals in the planning balance.
- 9.12** The proposal would also result in the loss of Best and Most Versatile agricultural land (grade 3). This is considered to be a relatively minor harm arising from the proposal and would carry limited weight.
- 9.13** The development does not propose planning obligations contributions to some sports provision categories and allotments.

### ***Neutral***

- 9.14** The proposal is considered acceptable with regard to highway safety and accessibility. The National Highways and County Highways Authority are both satisfied that the development provides for acceptable site access, parking and sustainable transport provision, subject to the imposition of planning conditions and a Section 106 Agreement.
- 9.15** The proposal also provides an acceptable housing mix and does not have an unacceptable impact on trees or biodiversity once mitigation measures are secured and implemented. The scheme provides for a policy compliant amount of affordable housing, public open space, green Infrastructure and play provision, and subject to Planning Obligations, provides for some off-site community, public transport and educational infrastructure.
- 9.16** In design terms, the scheme is considered to be acceptable on balance and the proposal is unlikely to give rise to unacceptable impacts on residential amenity. Any such impacts can be acceptably mitigated through the use of planning conditions. The scale of the development has been found to be acceptable having regard to the size and function of the settlement and the services and facilities available to it.
- 9.17** The development would not be at an unacceptable risk of flooding and appropriate drainage infrastructure can be provided. The proposal would not have an adverse impact on designated heritage assets, and archaeological remains would not be adversely affected by this development proposal.

## Overall Conclusions

- 9.18** Whilst there is some conflict with the housing policies of the Development Plan, this is a case where the 'tilted balance' is engaged through the provisions of the NPPF. Having carefully considered all the submitted comments and representations, and reviewed the relevant policy and material planning considerations, officers consider that whilst planning harms have been identified, these harms, would not significantly and demonstrably outweigh the benefits of the proposal in the overall planning balance.
- 9.19** For these reasons officers recommend that planning permission is granted subject to appropriate conditions and planning obligations.

## 10. Recommendation

- 10.1** The 'tilted balance' as set out in the NPPF is engaged. The identified harms, would not significantly and demonstrably outweigh the benefits of the proposed development in the overall planning balance and assessment.

It is therefore recommended:

- A.** That the Associate Director of Planning is given delegated authority to **GRANT** planning permission subject to the conditions set out below, and any additional or amended conditions, and subject to completion of S106 legal agreements securing the requirements specified in the S106 Obligations section of the report (subject to any amendments arising from ongoing discussions).
- B.** In the event that the agreement has not been concluded within a twelve-week period following the Committee's resolution and where, in the opinion of the Associate Director of Planning, there are no extenuating circumstances which would justify a further extension of time, the Assistant Director of Planning has Delegated Authority to **REFUSE** planning permission for the following reason on the basis that the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming:
1. The applicant has failed to agree to planning obligations to secure the necessary affordable housing, open space and infrastructure contributions required to make the scheme acceptable and the proposal is therefore contrary to JCS Policies SD12, INF4, INF6 and INF7 and TBLP Policy RCN1.

## 11. Conditions

- 1** The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2** The development hereby permitted shall be carried out in accordance with the following documents:
- Location Plan (Dwg. PD-001 Rev A)
  - Site Layout (Dwg No.PD-004 Rev AE)
  - Storey Heights Plan (Dwg. No. PD-003 Rev C)
  - Use and Amounts Plan (Dwg. PD-005 Rev C)



- Affordable Housing Plan (Dwg. No. PD-006 Rev C)
- Parking Strategy Plan (Dwg. PD-007 Rev C)
- Refuse Strategy Plan (Dwg. PD-008 Rev C)
- Materials Layout (Dwg. PD-009 Rev D)
- Electrical Charging Points Plan (Dwg. PD-011 Rev B)
- Enclosures Plan (Dwg. Pd-037 Rev C)
- Street Scenes (Dwg No. 038- PD- 026)
- House Types Pack – March 2024 (received by the LPA on 19th April 2024)
- LEAP Proposals Plan – (Dwg. 22058.111 Rev C)
- Gate Details Plan – (Dwg. PD-FEN-001 Rev A)
- Screenwall Plan – (Dwg. PD-WAL-001 Rev A)
- Substation Plan and Elevations (Dwg. PD-012-SUB)
- Access & Visibility Plan – (Dwg No. 210824 SK01 H)
- Speed Limit Relocation & Gateway – (Dwg. No 210824 SK05-P01)
- Indicative Sensitivity Visibility & Access – (Dwg. No. 210824-SK06-P01)
- Pedestrian Crossing and Bus Stop – (Dwg. No. 210824-SK07-P02)
- Tracking Plan - 12m Rigid Bus - (Dwg. No. 210824-SP06-P02)
- Indicative Alternative Access – (Dwg. No. 210824-SK04-P01)
- Off-site Highway Works – (Dwg. No. 210824-TP-6000-P03)
- Overview Plan - (Dwg. No. TP- 8000- P01)
- Addendum Design and Access Statement by Harper Crewe – (February 2024)
- Odour Assessment by Rappor (February 2024)
- Noise Report by Rappor (March 2024)
- Transport Assessment by Rappor (July 2023)
- Residential Travel Plan by Rappor (July 2023)
- Shadow Habitat Regulations Assessment by Ecology Solutions (November 2023)
- Biodiversity Net Gain Report by Ecology Solutions (November 2023)
- Ecological Assessment by Ecology Solutions (November 2023)
- Briefing Note: Consideration of Otter by Ecology Solutions (November 2023)
- Arboricultural Survey, Impact Assessment and Protection Plan (31st October 2022)
- Phase 1 Desk Study (ground investigation) – (September 2022)
- Energy and Sustainability Strategy Statement by (September 2022)
- Flood Risk Assessment and Water Management Statement by Rappor (July 2023)

Except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans.

- 3** Notwithstanding the submitted details, prior to commencement of the development hereby permitted precise details of proposed levels, including floor slab levels and ridge heights of proposed buildings and finished ground levels relative to existing levels on the site and on adjoining land, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented strictly in accordance with the approved details.

Reason: In the interests of residential amenity

- 4** Notwithstanding the submitted details, no development shall take place until a comprehensive scheme for hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The Landscaping Scheme shall be based on the submitted Landscape Strategy Plan (drawing no. 22058.101 Rev K) and shall include details of all existing trees (including spread and species) and hedgerows on the land, and details of any to be retained, together with measures for their protection during the course of construction. The Landscaping Scheme shall also include details of

all proposed planting, including species, density, and the height and spread of trees, and details of the design, position, height and materials of all the proposed boundary treatments including the acoustic fence.

Reason: To ensure that the new development will be visually attractive in the interests of amenity.

- 5** 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 that the new development will be visually attractive in the interests of amenity.

- 6** Notwithstanding the submitted plans, no construction works above ground level of the dwellings hereby permitted shall commence until samples of the proposed external walling and roofing materials of all proposed buildings and all hard surfacing materials have been submitted to and approved in writing by the Local Planning Authority. Thereafter all such materials used in the development shall conform to the approved samples.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area in the interests of visual amenity.

- 7** Prior to commencement of the development hereby permitted, details of a Construction (and demolition) Environmental and Ecological Management Plan (CEEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The details shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Noise and vibration mitigation;
- Mitigation of the impacts of the lighting proposed for the construction phase;
- Ecological safeguards;
- Highway Condition survey;
- Methods of communicating the CEEMP Plan to staff, visitors and neighbouring residents and businesses.

Reason: To protect existing and proposed properties from the impacts of short-term exposure to noise, vibration, light and dust nuisance, the protection of any wildlife and habitat during construction phase and in the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

- 8** During the construction phase (including demolition and preparatory groundworks), no machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or dispatched from the site outside the following times:

- Monday-Friday 8.00 am-6.00pm,
  - Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.
- Reason: To protect the noise climate and amenity of local residents.

- 9** The proposed development shall be carried out fully in accordance with the drainage strategy contained within the submitted Flood Risk and Water Management Statement dated July 2023. The approved scheme for the surface water and foul drainage, together with the associated SuDS management and maintenance proposals, shall be implemented in accordance with the approved details before the development is first occupied and maintained as such thereafter.

Reason: 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.

- 10** No development shall take place until a Landscape and Ecology Management Plan (LEMP) expanding upon the measures set out in the submitted Ecological Appraisal dated November 2023 has been submitted to and approved in writing by the Local Planning Authority. It should include plans showing locations and extent of all habitats and wildlife features, and a timetable of activities. A responsible person/organisation needs to be stated and the method by which the protection of retained, enhanced and created habitats will be secured. The extent and location of removed, retained and newly created habitats presented in the LEMP should match that set out in the BNG assessment. The LEMP should demonstrate that the BNG proposed in the BNG assessment would be achieved.

Reason: In the interests of biodiversity.

- 11** Prior to the first occupation of any dwelling, a Homeowner Information Pack (HIP) setting out the location and sensitivities of the Cotswolds Beechwoods Special Area of Conservation (SAC) shall be submitted to and approved in writing by the Local Planning Authority. The HIP shall include reference to the sensitivities of the site, messages to help the new occupiers and their families enjoy informal recreation at the SAC and how to avoid negatively affecting it, alternative locations for recreational activities and off road cycling and recommendations to dog owners for times of the year dogs should be kept on the lead when using the SAC. Two copies of the HIP shall be provided to all future residents prior to the occupation of each dwelling.

Reason: To ensure that residents are made aware of the nearby recreational opportunities as well as emphasising the sensitivities of the Cotswolds Beechwoods Special Area of Conservation.

- 12** Notwithstanding the submitted details prior to the commencement of development, details of any external lighting should be submitted to and approved in writing by the Local Planning Authority. The details should clearly demonstrate that lighting would not cause excessive light pollution of the orchard and the boundary habitats.

The details should include, but not be limited to, the following:

- i) A drawing showing sensitive areas and/or dark corridor safeguarding areas;
- ii) Description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
- iii) A description of the luminosity of lights and their light colour including a lux contour map;
- iv) A drawing(s) showing the location and where appropriate the elevation of the light fixings; and
- v) Methods to control lighting control (e.g. timer operation, passive infrared sensor (PIR)).

Reason: In the interests of biodiversity, residential amenity and the minimisation of light pollution.

- 13** All external lighting should be installed in accordance with the specifications and locations set out in the approved details and maintained thereafter in accordance with these details. No additional external lighting shall be installed without the agreement in writing by the Local Planning Authority.

Reason: In the interests of biodiversity, residential amenity and the minimisation of light pollution.

- 14** The developer shall implement all recommended noise mitigation measures as detailed in the Noise Assessment by Rappor dated March 2024, full details of which shall be submitted to and approved in writing by the local planning authority prior to first occupation of the development.

Reason: To protect the noise climate and amenity of local residents.

- 15** No below or above ground development shall commence until a detailed site waste management plan or equivalent has been submitted to and approved in writing by the local planning authority. The detailed site waste management plan must identify: - the specific types and amount of waste materials forecast to be generated from the development during site preparation & demolition and construction phases; and the specific measures that will be employed for dealing with this material so as to: - minimise its creation, maximise the amount of re-use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill. In addition, the detailed site waste management plan must also set out the proposed proportions of recycled content that will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures.

- 16** No above-ground development shall commence until full details of the provision made for facilitating the management and recycling of waste generated during occupation have been submitted to and approved in writing by the local planning authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. The management of waste during occupation must be aligned with the principles of the waste hierarchy and not prejudice the local collection authority's ability to meet its waste management targets. All details shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures.

- 17** No dwelling served by the access shall be occupied until details of the access including (lines, widths, levels, gradients, street lighting, cross sections, highway trees and drainage) have been submitted to and approved in writing by the Local Planning Authority. No dwelling served by the access shall be occupied until the access has been provided in accordance with the approved details and shall be maintained thereafter for no other purpose for the life of the development.

Reason: To ensure safe and suitable access and layout.

- 18** No part of the development shall be occupied until the access roads and parking areas have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interest of highway safety.

- 19** No part of the development shall be occupied until details of the active travel links from the Eastern side of the site to Banady Lane and connecting PROW AS019 and access roads as indicated on SK03 D including (Lines, 3m min widths with 0.5m buffer either side, levels, gradients, cross sections, lighting, drainage) have been submitted to and approved in writing by the Local Planning authority. No part of the development shall be occupied until the active travel links have been provided in accordance with the approved details and shall be retained for no other purpose and open for public use for the life of the development.

Reason: In the interest of highway safety.

- 20** No part of the development shall be occupied until the East / West active travel links from the site access routes to the East / West boundaries of the site have been completed and shall be retained for no other purpose and open for public use for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

- 21** No part of the development shall be occupied until the visibility splays have been provided in accordance with the approved details and shall be retained for the life of the development. No structure or vegetation greater than 600mm shall be placed within the visibility splay.

Reason: In the interest of highway safety.

- 22** No part of the development shall be occupied until details of cycle storage including (the storage facility and 1.1m access routes from the access road) have been submitted to and approved in writing by the Local Planning authority. No part of the development shall be occupied until the cycle storage and access routes have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: To promote sustainable travel and healthy communities.

- 23** No part of the development shall be occupied until redundant accesses have been removed and the Highway made good and reinstated with full height kerbs or a reinstatement approved in writing with the Local Highway Authority.

Reason: In the interests of highway safety.

- 24** The development hereby permitted shall not be occupied until the details of the solar panels have been submitted to and approved in writing by the Local Planning Authority. The solar panels shall be installed in accordance with the details so approved.

Reason: In the interests of visual amenity.

- 25** Notwithstanding the submitted drawings full details of the proposed LEAP shall be submitted to and approved in writing by the Local Planning Authority. The LEAP shall be constructed in accordance with the approved details and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: The submitted details are not appropriate and will require further consideration in the interests of amenity.

- 26** Heat pump systems shall be designed and installed by a Microgeneration Certification Scheme (MCS) certified installer. The installation shall comply with the Microgeneration Certification Scheme planning standards (MCS 020) (which include requirements on noise). The installation documents shall be made available to the local planning authority within seven working days upon request.

Reason: To protect the noise climate and amenity of local residents.

- 27** Any contamination that is found during the course of construction of the development that was not previously identified shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

## **12. Informatives**

- 1** In accordance with the requirements of the NPPF 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 the 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** The decision is subject to Section 106 Agreements, which should be read in conjunction with the planning permission.
- 3** The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out. The drawings approved by this application are considered indicative only and will be subject to change in the process of gaining a technical approval.

Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk) allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

Drafting the Agreement  
A Monitoring Fee

Approving the highway details  
Inspecting the highway works

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

- 4** You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving advertisement and consultation of the proposal(s).

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

The LHA cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov](mailto:highwaylegalagreements@gloucestershire.gov).

The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

- 5** The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. The drawings approved by this application are considered indicative only and will be subject to change in the process of gaining a technical approval. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk). You will be required to pay fees to cover the Council's costs in undertaking the following actions:

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

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

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

- 6** All new streets must be tree lines as required in the National Planning Policy Framework. All proposed street trees must be suitable for transport corridors as defined by Trees and Design Action Group (TDAG). Details should be provided of what management systems are

to be included, this includes root protections, watering and ongoing management. Street trees are likely to be subject to a commuted sum.

- 7 The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at [Network&TrafficManagement@gloucestershire.gov.uk](mailto:Network&TrafficManagement@gloucestershire.gov.uk) before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.
- 8 Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
- 9 The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.
- 10 The proposed development will require a Travel Plan as part of the transport mitigation package (together with a Monitoring Fee and Default Payment) and the Applicant/Developer is required to enter into a legally binding Planning Obligation Agreement with the County Council to secure the Travel Plan.

Gloucestershire County Council has published guidance on how it expects travel plans to be prepared, this guidance is freely available from the County Councils website. As part of this process the applicant must register for Modeshift STARS and ensure that their targets have been uploaded so that progress on the implementation of the Travel Plan can be monitored.

Modeshift STARS Business is a nationally accredited scheme which assists in the effective delivery of travel plans, applicant can register at [www.modeshiftstars.org](http://www.modeshiftstars.org)

- 11 It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to “respecting the community” this says:

Constructors should give utmost consideration to their impact on neighbours and the public

- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression, and promoting the Code.

The CMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

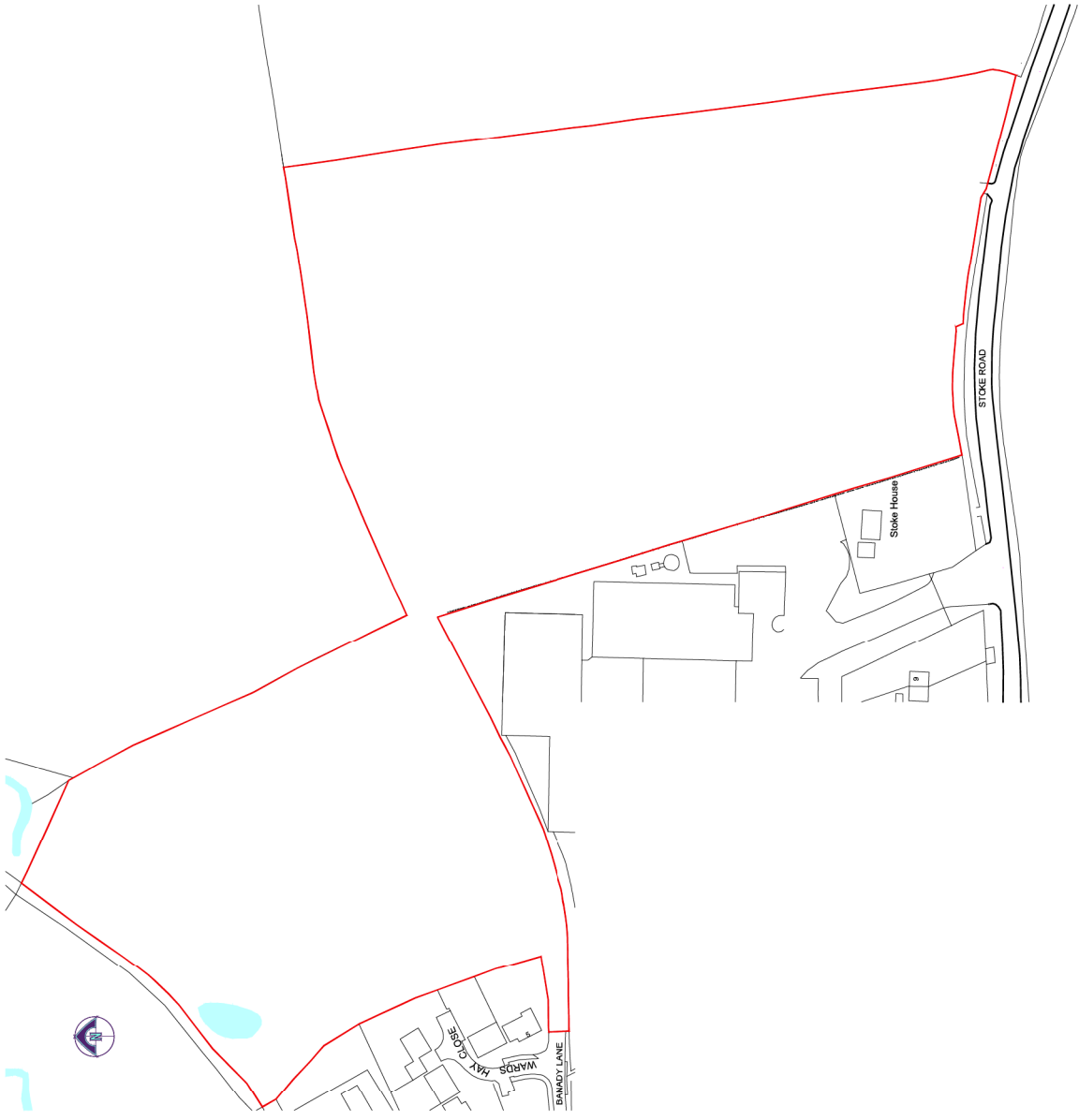


- 12** The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Before any work is commenced upon the development hereby approved representatives of Gloucestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

- 13** The development includes a retaining wall adjacent to the highway and the Applicant/Developer is required to have regard to Section 167 of the Highways Act 1980, which in some circumstances requires plans, sections and the specification of the retaining wall to be submitted to the County Council for its separate approval before works on the development can commence.

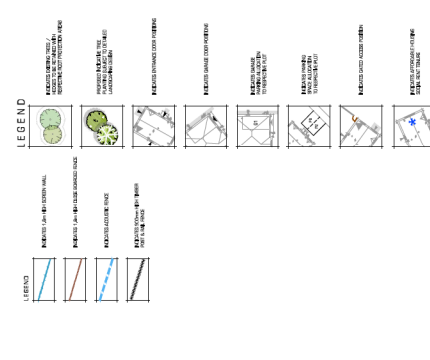




 white ridge ARCHITECTS 115-117 High Street Gloucester GL1 2AA	 HOS Highways Officers Gloucestershire	Level of Stoke Road, Slope 2/100	1:10000 A2 15/06/2023
		Location: Stoke Orchard Location: Stoke Orchard	1:10000 A2 15/06/2023

Residential Development at Stoke Orchard

HOUSING MIX			
Form Type	Ref	Count	Area (m <sup>2</sup> )
1-Bed	1	100	10,000
2-Bed	2	100	20,000
3-Bed	3	100	30,000
4-Bed	4	100	40,000
5-Bed	5	100	50,000
6-Bed	6	100	60,000
7-Bed	7	100	70,000
8-Bed	8	100	80,000
9-Bed	9	100	90,000
10-Bed	10	100	100,000
11-Bed	11	100	110,000
12-Bed	12	100	120,000
13-Bed	13	100	130,000
14-Bed	14	100	140,000
15-Bed	15	100	150,000
16-Bed	16	100	160,000
17-Bed	17	100	170,000
18-Bed	18	100	180,000
19-Bed	19	100	190,000
20-Bed	20	100	200,000
21-Bed	21	100	210,000
22-Bed	22	100	220,000
23-Bed	23	100	230,000
24-Bed	24	100	240,000
25-Bed	25	100	250,000
26-Bed	26	100	260,000
27-Bed	27	100	270,000
28-Bed	28	100	280,000
29-Bed	29	100	290,000
30-Bed	30	100	300,000



**white ridge**  
URBAN DESIGN  
PLANNING  
CONSULTANTS

**HCS**  
Housing Co-Operative  
+ CrewSpace

Site off Stoke Road,  
Stoke Orchard  
Site Layout

Scale: 1:1000  
Date: 12.AUG.2023 15:00 E A0

Project: PD-0404 AE  
Site: 12.AUG.2023 15:00 E A0

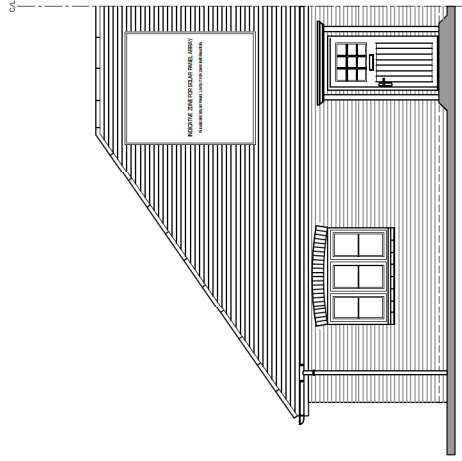


# Residential Development At Stoke Orchard

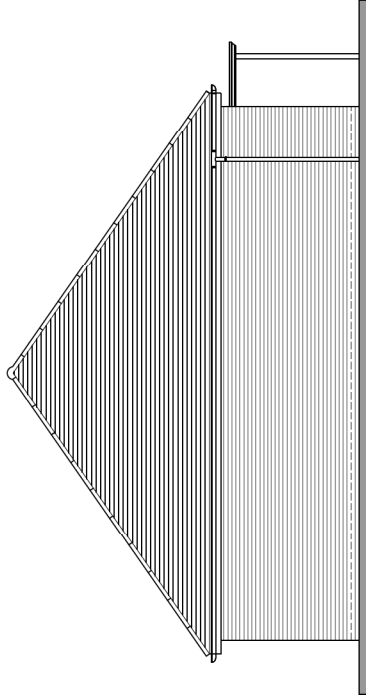


Stoke Road, Stoke Orchard

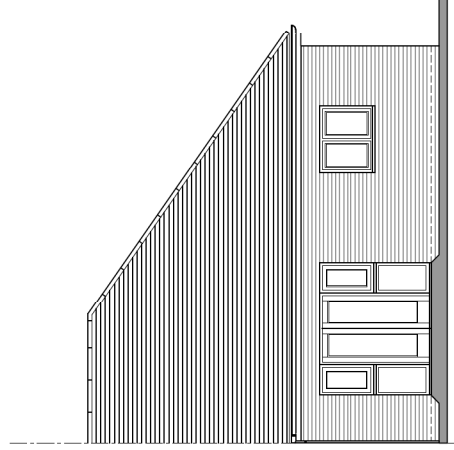
# Stoke Orchard Neighbourhood Core




FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION




**HCS**  
HarperCrew  
+ CrewSpace

**Dart - As  
Elevation**

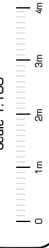
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Date: 14.06.2023  
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Procure Links

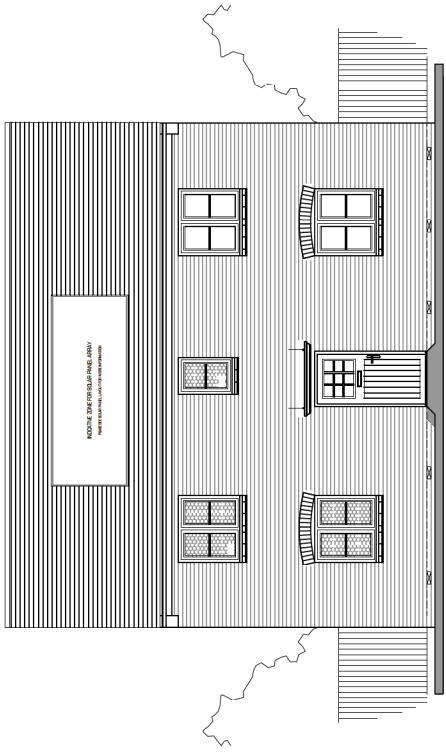


Procure Links  
Floor Plans

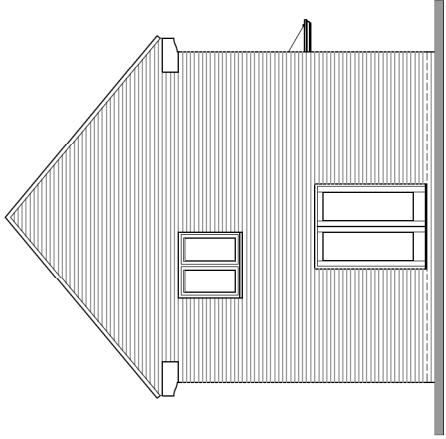
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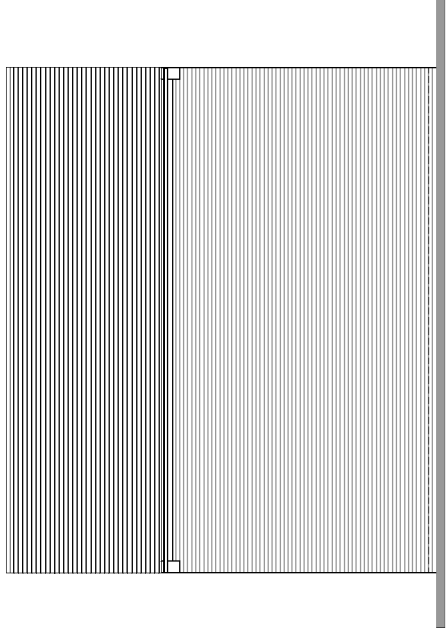
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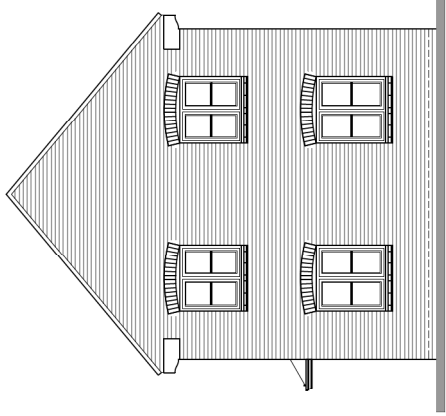
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

**HCS**  
HarperCrew  
+ CrewSpace

**Thurston - AS**  
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PD-018-THU  
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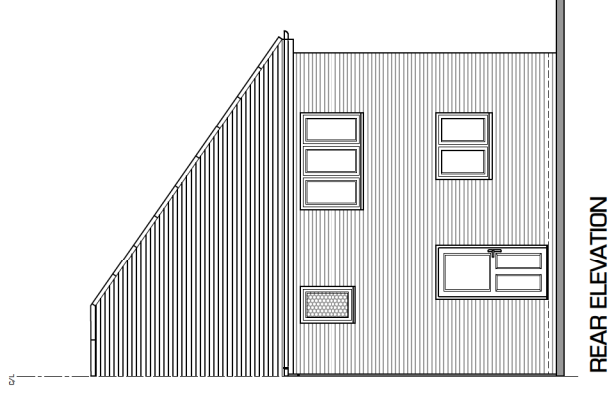
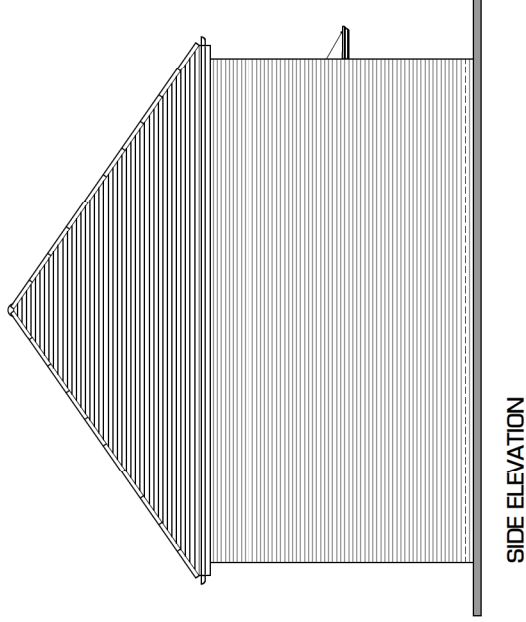
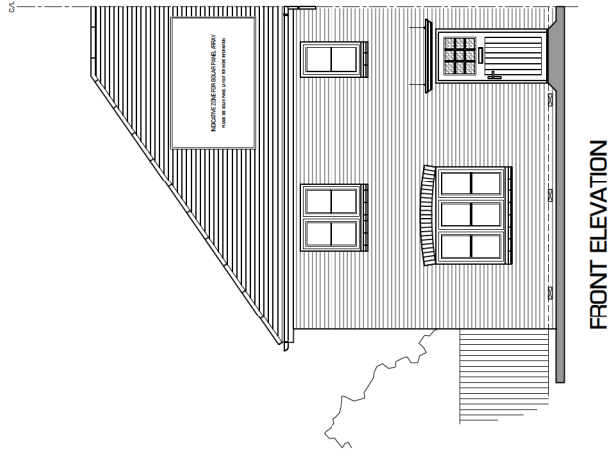
Procure Links

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10/18/THU  
Floor Plans

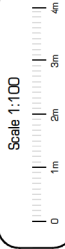
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# Stoke Orchard Neighbourhood Core



Procure Links



**HCS**  
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+ CrewSpace

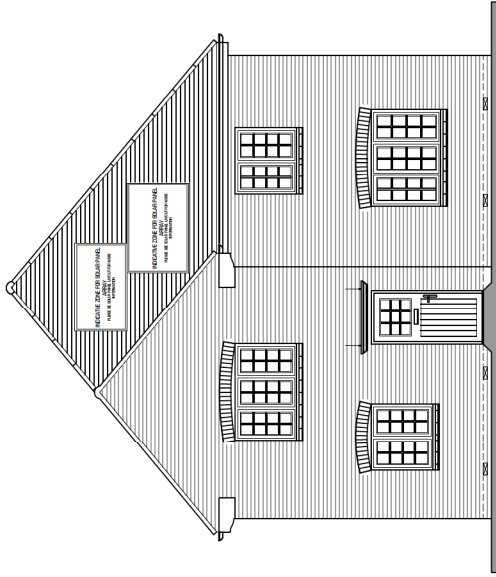
**Singer - As  
Elevation**

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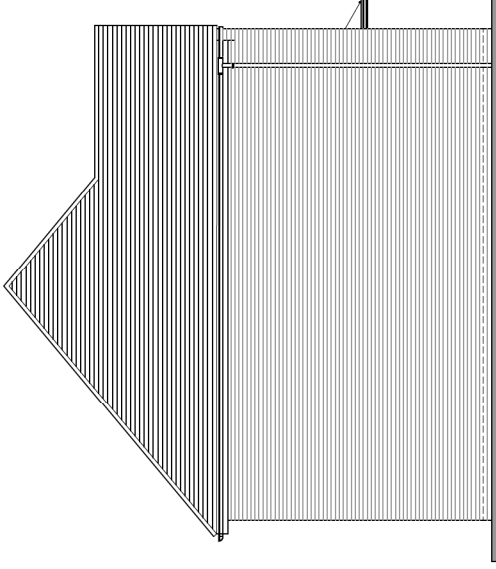
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102.6 m<sup>2</sup>



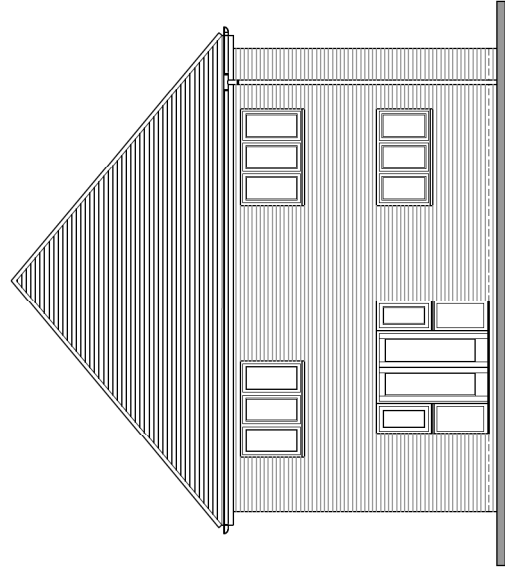
# Stoke Orchard Rural Edge



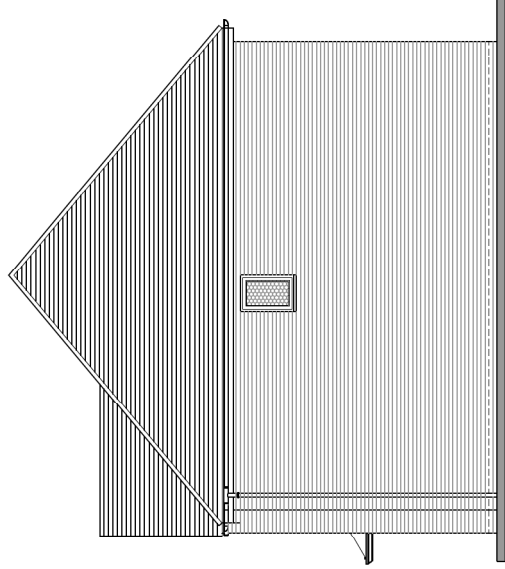
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

**HCS**  
HarperCrewie  
+ CrewSpace

**Huntley - As  
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PD-018-HUN  
Date: 14.06.2023 131.7m<sup>2</sup>  
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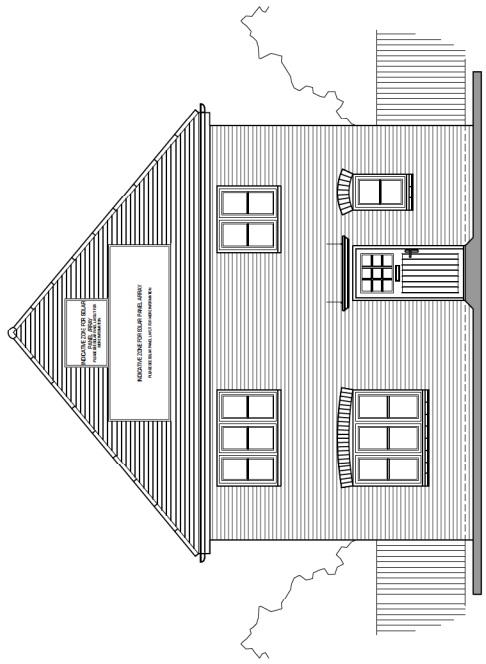
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Floor Plans

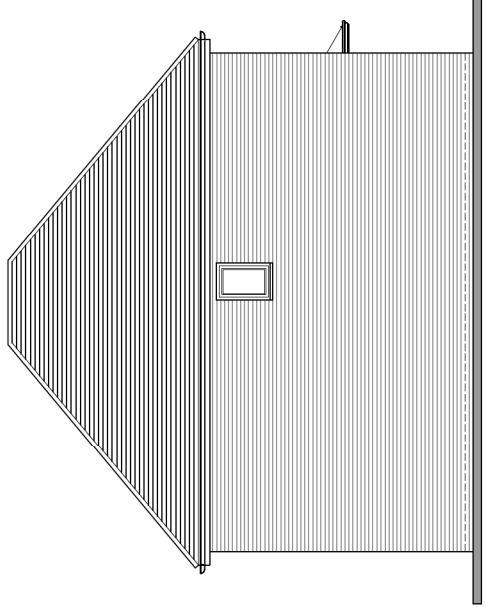
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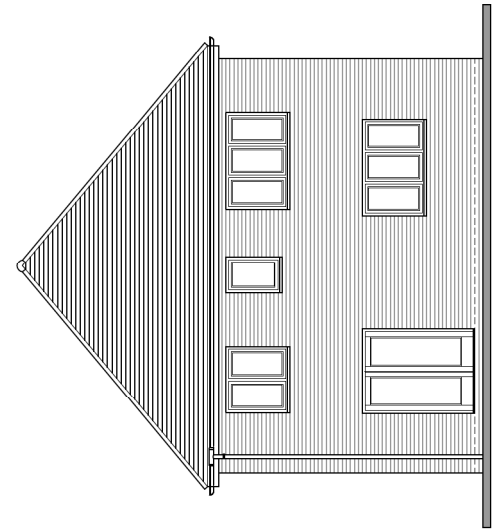
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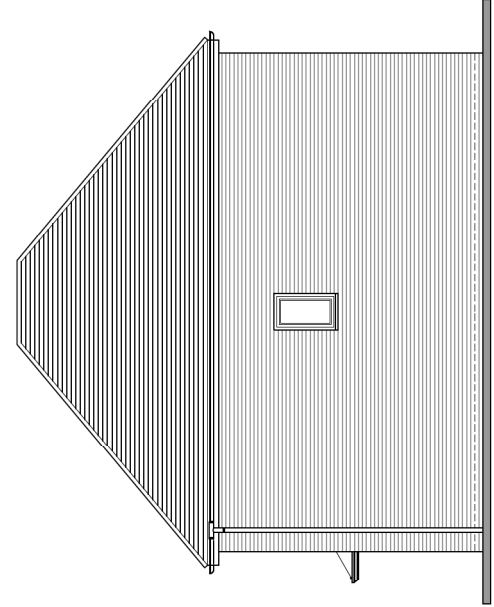
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

**HCS**  
HarperCrewie  
+ CrewSpace

Jarvis - As  
Elevation  
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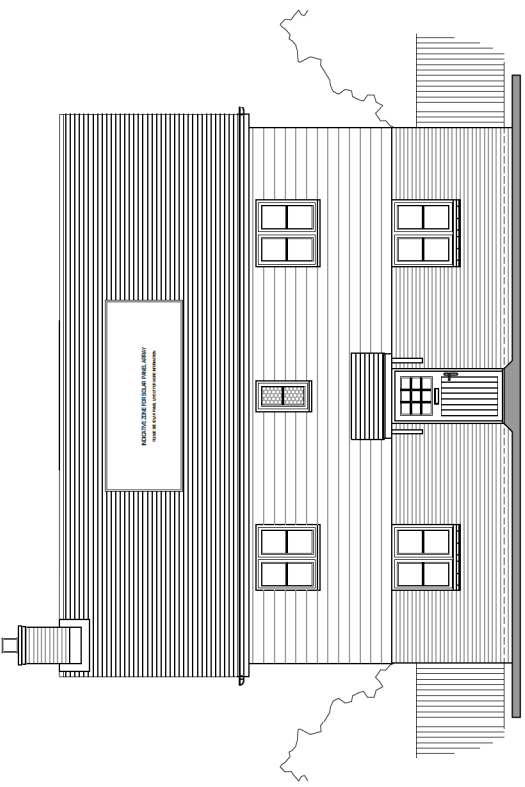
Procore Links

1  
Jarvis.asn  
Floor Plans

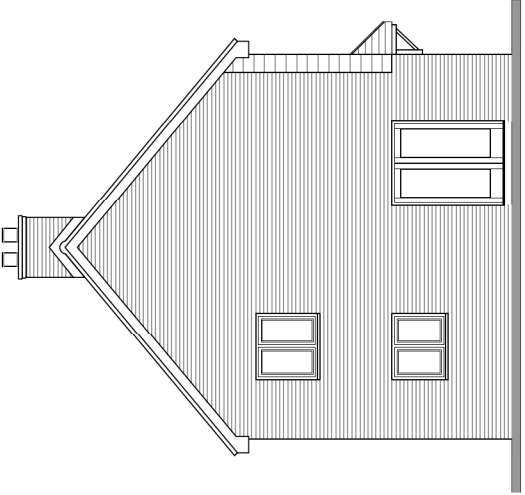
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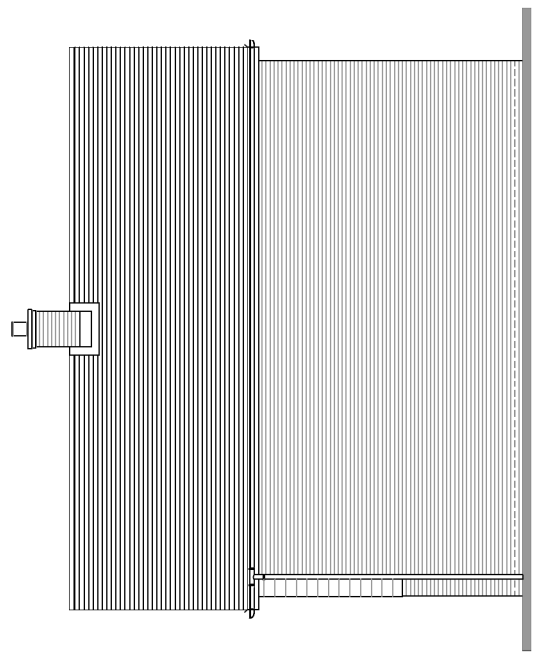
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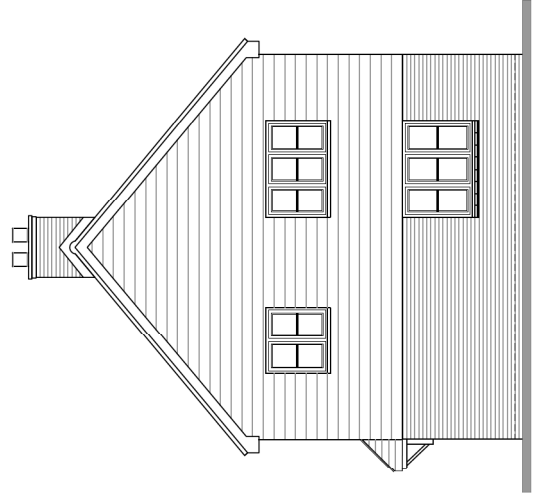
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

**HCS**  
HarperCrewie  
+ CrewSpace

**Elliot - As  
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Procore Links

1  
PROJLINK  
Floor Plans

Scale 1:100

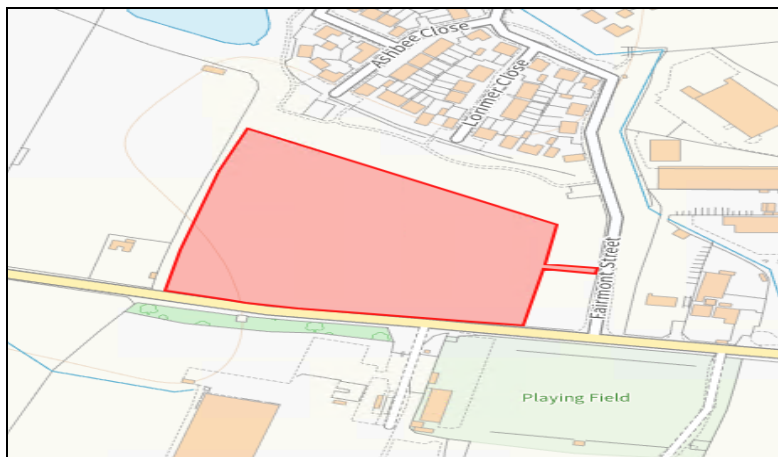
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## Planning Committee

<b>Date</b>	16 July 2024
<b>Case Officer</b>	Jonny Martin
<b>Application No.</b>	23/01063/FUL
<b>Site Location</b>	Parcel 3667, Stoke Road, Bishops Cleeve
<b>Proposal</b>	Full planning application proposing the development of seven units providing 11,421.1 M2 (GEA) of floorspace for use as industrial, workshop, warehouse, storage and distribution (use class B2, B8 and E(G)(III)) with ancillary office accommodation, new access, parking and landscaping.
<b>Ward</b>	Bishops Cleeve
<b>Parish</b>	Cleeve West
<b>Appendices</b>	<ul style="list-style-type: none"> <li>- Site Location Plan PA-01</li> <li>- Proposed Site Access Plan PA-03</li> <li>- Proposed Site Plan PA-05 Rev D</li> <li>- Unit 1 Plans as Proposed PA-07 Rev A</li> <li>- Unit 1 Sections and Elevations as Proposed PA-08 Rev A</li> <li>- Unit 2 Plans, Sections, Elevations as proposed PA-09 Rev A</li> <li>- Unit 3 Plans, Sections and Elevations as proposed PA-10</li> <li>- Unit 4 Plans, Sections and Elevations as proposed PA-11</li> <li>- Unit 5 Plans, Sections and Elevations as proposed PA-12</li> <li>- Unit 6 Plans as Proposed PA-13 Rev A</li> <li>- Unit 6 Section and Elevations as Proposed PA-14 Rev A</li> <li>- Unit 7 Plans, Section and Elevations as Proposed PA-15</li> <li>- Site Boundary Treatment Plan PA-16 Rev D</li> <li>- 2245-21-01-S5 Rev 05 - Proposed Landscape Concept</li> <li>- 2245-21-02-S5 Rev 03 - Illustrative Boundary Sections</li> <li>- CGI Views</li> <li>- Boundary Section through Unit 1</li> </ul>
<b>Reason for Referral to Committee</b>	Parish objection.
<b>Recommendation</b>	Delegated Permit subject to S106

### Site Location



## 1. The Proposal

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Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=REJZ8KQDKU200>

1.1 The application seeks full planning permission for:

*“the development of 7 units providing 11,421.1 M2 (GEA) of floorspace for use as industrial, workshop, warehouse, storage and distribution (use class B2, B8 and E(G)(III)) with ancillary office accommodation, new access, parking and landscaping.”*

1.2 The development seeks to provide 7no. individual buildings, of varying sizes, each designed with inherent flexibility to be sub-divided, configured or potentially combined to provide accommodation subject to the demands of the business market. The breakdown of each unit is as follows:

- Unit 1: 1,947.8m<sup>2</sup> + 256.5 mezz m<sup>2</sup> = 2,204.3m<sup>2</sup>
- Unit 2: 997.5m<sup>2</sup> + 250.8m<sup>2</sup> mezz = 1,248.3m<sup>2</sup>
- Unit 3: 1,147.1m<sup>2</sup> + 184.5m<sup>2</sup> mezz + 108.5m<sup>2</sup> mezz + 108.5m<sup>2</sup> mezz + 113.0m<sup>2</sup> mezz = 1,661.6m<sup>2</sup>
- Unit 4: 997.5m<sup>2</sup> + 205.8m<sup>2</sup> mezz + 205.8m<sup>2</sup> mezz = 1,409.1m<sup>2</sup>
- Unit 5: 997.5m<sup>2</sup> + 205.8m<sup>2</sup> mezz + 205.8m<sup>2</sup> mezz = 1,409.1m<sup>2</sup>
- Unit 6: 1,957.5m<sup>2</sup> + 247.7m<sup>2</sup> mezz = 2,205.2m<sup>2</sup>
- Unit 7: 855.0m<sup>2</sup> + 229.7m<sup>2</sup> mezz + 229.7m<sup>2</sup> mezz = 1,314.4m<sup>2</sup>

1.3 Units 1 & 6 would be approximately 9 metres to underside of the haunch and a maximum 13 metres in height to the ridge. Units 2,3,4,5 & 7 would be approximately 7 metres to the underside of the haunch and a maximum 10 metres in height to the ridge.

1.4 The main body of the buildings would consist of profiled cladding in dark grey at high level, with contrasting horizontally laid flat cladding panel below. The main entrance elevation would feature areas of glazing, signage would be located above the main entrance and at side elevations (Signage is subject to separate advertisement consent).

1.5 Vehicular access would be provided from a new priority junction with Stoke Road as per the outline approval, 18/00249/OUT. The new access is a dedicated access for the proposed employment land. A new estate road (primary street) would run northwards and then eastwards accessing each of the individual employment units. Pedestrian and cycle access is provided from both the existing footpath from the south, Stoke Road; and a new route to the east connecting to the proposed Retail development (by others) and residential beyond. To further promote cycle access to the site, secure cycle parking is proposed to each employment unit. The number of secure cycle spaces will be relative to the size of the unit. Cycle parking would comprise a mix of ‘Sheffield hoop’ type bicycle stands and secure cycle lock up.

1.6 102 car parking spaces would be provided across the site.

1.7 The service yard areas are self-contained and sized to reflect the requirements of each building floorspace, incorporating the required number of level access loading and dock levellers and the necessary operational manoeuvring into the design.

- 1.8** Construction waste would be controlled via a Site Waste Management Plan and the building and external levels are designed to minimise the removal of inert excavated materials. Where possible any excavated material would be re-used on site.
- 1.9** In relation to boundary treatment and internal soft landscaping, landscape buffers are provided along the northern, southern and western boundaries and comprise a mix of retained and new tree and hedgerow planting. Along the western boundary, a strip of land has been put aside for an agricultural right of way (see green hatch area on proposed site plan). By way of securing the site, the majority of the boundaries would be secured by 1.1m high treated timber post and 3 rail fence and in relation to Unit 6, a 2.4m high black colour coated paladin fencing will be installed to secure the yard area.
- 1.10** By way of reducing the impact on residential amenity, acoustic fencing would be installed adjacent to Unit 1 in the form of a 4m acoustic fence and along the northern boundary by way of a 3m acoustic fence.

#### Amendments to Original Plans

- 1.11** Through the course of the application process, a number of design changes have been made following comments from the case officer, the Parish Council and statutory consultees. The main design changes have been set out below:
- Unit 6 – The Unit has been flipped, with its yard area, pulling the unit away from the eastern boundary and in doing so, the southern boundary. The service yard has also been reduced to be in line with the front wall of Unit 6. These changes have allowed for more space to be created for planting, in particular along the eastern boundary, which is shown on the landscape concept proposals plan.
  - Additional tree planting has been added to the northern boundary, although, the landscape officer is satisfied with the planting and screening to the north.
  - Internal trees have been added where possible. No more can be added as to not compromise vehicle movement around the site.
  - Boundary sectional drawings have been provided to illustrate tree growth over 15 years. CGI images of the landscaping scheme have also been provided.
  - Updated CGI images have been provided by the architects.
  - Unit 1 – concerns in relation to Unit 1's scale and impact on the neighbouring Haydon bungalow have been addressed by increasing the landscape buffer down the western edge, this is illustrated by the landscape proposals plan as well as CGI's which will be provided. The planting mix has been updated in light of the landscape officers' comments including additional thickest planting in replace of grass. Finally, the roof of Unit 1 has been rotated, so that the lowest side of the building along the haunch is adjacent to the site boundary, thus reducing the perception of scale when viewed from the western boundary.
  - Increase in Acoustic Barrier Fence in south west corner, adjacent to Unit 1, from 3m to 4m following comments from the EHO.

## 2. Site Description

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- 2.1** The application site is rectangular in shape, occupying an area of approximately 2.53 ha. The site is located to the west of Bishops Cleeve and north of Stoke Road and forms part of a wider mixed-use development, including employment, open space, housing, rugby club and waste management centre. The northern boundary of the site adjoins the Fairmont residential development boundary and is separated by a landscape buffer. The southern boundary adjoining Stoke Road is lined with mature hedgerow that screen much of the site from Stoke Road. A footpath also runs along the southern boundary which leads into the main urban area of Bishops Cleeve.
- 2.2** Opposite to the site, to the south of Stoke Road, is the Waste Management Centre and neighbouring this to the east is the Rugby Club, including car park, club house and pitches. The eastern boundary of the site will adjoin the proposed retail development scheme. Beyond the retail development site to the east is Malvern View Business Park. The Business Park includes a range of office and industrial buildings. The western boundary adjoins a residential bungalow known as Haydon.
- 2.3** The application site is located within the defined settlement boundary of Bishops Cleeve as shown on the adopted policies map. This site is allocated as a major employment site under Policy EMP1 as the 2.24ha extension to Malvern View Business Park.
- 2.4** The site does not have any landscape or heritage constraints and the application site is located within Flood Zone 1. There are no Public Rights of Way (PROW) adjacent to the site.

## 3. Relevant Planning History

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Application Number	Proposal	Decision	Decision Date
16/00582/OUT	Outline Planning Permission for up to 265 residential dwellings (including up to 40% affordable housing), A1 convenience retail store of up to 200sqm, introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access from Stoke Road (to 15m in to the site) and associated ancillary works. All matters to be reserved with the exception of the main site access.	REF	20.12.2016
17/00002/SCO	Scoping request for proposed outline application for up to 215 residential dwellings, 2.24 ha of commercial use (Use Class B1/B2/B8), 0.2 ha of retail uses (Use Class A1), open space & landscaping & drainage & associated supporting infrastructure including access roads	DONE	18.07.2017



21/00214/APP	Approval of Reserved Matters (Scale, Layout, Appearance, Landscaping) for the residential element pursuant to outline consent 18/00249/OUT for the erection of 215 dwellings, public open space, landscaping and sustainable urban drainage scheme.	APPROV	10.09.2021
21/01329/FUL	Variation of condition 3 (Access), 21(a) (Pedestrian/cycle pathway), 21(b) (Internal footway/cycleway connection) and 21(c) (Eastbound/westbound bus stops) of planning permission 21/01024/FUL.	PER	09.02.2022

#### 4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

**Bishops Cleeve Parish Council** – Objection: The Parish Council have objected on the following five points (Summarised with full comments available on the planning website):

1. Unsuitable Development - Whereas the Council understands that this parcel of land has been earmarked for employment in the Tewkesbury Borough Plan, the Council believes this application is overbearing and out of proportion to the size of the site and its location on a narrow Class B road.
2. Lack of Noise Protection - The acoustic barriers are only positioned on the north side of the development and at 4m sit below the mezzanine level of the proposed buildings. They will offer little noise protection to the houses on the new development to the north of the site. No consideration has been given to the amenity of the residents of the bungalow, Haydon, which lies on the western curtilage of the site, with limited visual screening and no acoustic barriers to reduce the noise impact of the site.
3. Size of Development – The Parish object to the scale of the development when compared against the planning history of the site for the scheme that was granted at appeal under 18/00249/OUT. This permission granted a total of 6,880sqm and the Parish objects to the additional 4,500sqm.
4. Height Restriction – As per point 3, the Parish object to the proposal based on the scheme that was granted at appeal under 18/00249/OUT. Permission 18/00249/OUT restricted building heights to 9m.
5. Operating Times - The Parish objects to there being no stipulation of operating times and strongly supports the times stated in the Decision Notice 18/00249/OUT.

Amended plans, updated CGI's, relocation of Unit 6, updated boundary treatment and an increase in acoustic fencing has been provided by the applicant. The Parish reviewed the amended information and still maintain their objection to the scheme.

In addition to the above, the Parish note the objection from Stoke Orchard and Tredington Parish council in relation to the TRO. This element will be discussed in full within the Highways Section below.

**Landscape Officer** – following the receipt of amended plans, the landscape officer considers on balance with the re-positioning of Unit 6, to enable a stronger landscape buffer to be provided to the Stoke Rd frontage, plus the improved buffer planting to the east and west boundaries, they are satisfied that the landscape concept plan for the amended site layout will be able provide an acceptable level of screening to the scheme. Full detailed landscaping details should be provided by way of condition.

**Ecologist** – No objection subject to conditions relating to a CEMP, Ecological Mitigation and Enhancement Plan and a LEMP. In relation to BNG, the applicant will to enter into an agreement with the Environment Bank to secure 1.38 BNG units to offset the residual biodiversity impact of the site as per the BNG metric submitted (0.87 units) plus the 10% net gain target in line Policy NAT1 (0.51 units). This is considered to be acceptable and these details would be secured via a prior to commencement condition. Further analysis will be provided in the ecology section below.

**County Highways** – No objection subject to conditions and financial obligations.

**National Highways** – No objection to the development.

**Environmental Health Officer** – following the receipt of additional information and an increase to the acoustic barrier adjacent to Unit 1, The EHO raises no objection subject to conditions relating to construction hours, CEMP, Noise Mitigation, Vehicle noise restrictions, deliveries, external plant and potential contaminated land.

**Minerals and Waste Planning Authority** – Following the receipt of an updated Waste Management Statement, the County Council have no objections subject to further information being provided via a condition.

**Health and Safety Executive** – No comment to make as the application does not fall within the Consultation Distances Zone of either a Major Hazard Site or Major Accident Hazard Pipeline.

**Lead Local Flood Authority** – The LLFA has no objection to the development and the details within the submitted drainage strategy are considered to be acceptable.

**Severn Trent** – Severn Trent have reviewed the FRA and are happy to accept the foul water sewage from the development.

**Archaeology** – The development site has been checked against the County Historic Environment Record. All necessary archaeological mitigation on site has been undertaken in relation to condition 10 of permission 18/00249/OUT and post-excavation works and report production are in progress in accordance with the submitted Post-Excavation Assessment and Updated Project Design (Cotswold Archaeology, May 2023). Therefore, no further archaeological investigation or recording need be undertaken in relation to the current application and therefore no archaeological condition is required.

**Environment Agency** – No comment.

**Gloucestershire Wildlife Trust** – Comments have been received in relation to SUDs, BNG and external lighting. The Trust accepts the principle of development on the site. The comments from the Trust will be assessed in the relevant sections below, flood risk, ecology and amenity.

## **5. Third Party Comments/Observations**

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Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 5.1** The application has been publicised through the posting of a site notice for a period of 21 days. Stoke Orchard and Tredington Parish Council raise concern with the proposal in that it would significantly increase industrial/heavy goods traffic trying to access the proposed industrial estate. It should be noted in particular that a section of Stoke Road running through the centre of the village is subject to a TRO weight restriction order (03.04.1992). The Parish also raise concerns about the increase in commercial size and the impact this would have on the flood zone in Stoke Orchard.
- 5.2** Further to the above, six letters of objection have been received from neighbours raising the following concerns (summarised):
- Noise and the potential impact on the dwellings to the north of the site. The units are above the 4m acoustic barrier and would impact the sleep pattern of residents.
  - Impact the lorries would have on air pollution which would impact the local air quality and enjoyment of the surrounding natural area.
  - Impact on light pollution from the external lighting.
  - Visual impact and the development would spoil the rural aesthetic and diminish the sophisticated appearance of the estate.
  - Impact on wildlife.
  - Loss of privacy.
  - Overshadowing from the new units.
  - Impact on the surface water on site.
  - Concerns raised about the reports that have been submitted by the applicant in support of the application.
  - Residents raised concerns about the impact the development would have on the value of their homes

## **6. Relevant Planning Policies and Considerations**

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### **6.1** Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

### **6.2** National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

### **6.3** Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

- SD1 (Employment)
- SD3 (Sustainable Design and Construction)
- SD4 (Design Requirements)
- SD6 (Landscape)

- SD9 (Biodiversity)
- SD14 (Health and Environmental Quality)
- INF1 (Transport Network)
- INF2 (Flood Risk Management)
- INF3 (Green Infrastructure)

#### **6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022**

- EMP1 (Major Employment Sites)
- EMP3 (Employment Sites within settlement boundaries)
- EMP5 (New Employment Development)
- LAN2 (Landscape Character)
- NAT1 (Biodiversity)
- ENV2 (Flood Risk and Water Management)
- TRAC9 (Parking Provision)

#### **6.5 Neighbourhood Plan**

None.

### **7. Policy Context**

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- 7.1** 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.
- 7.2** The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 7.3** The relevant policies are set out in the appropriate sections of this report.
- 7.4** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2023 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

### **8. Evaluation**

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#### ***Principle of development***

- 8.1** Policy SD1 of the JCS explains how employment related development will be supported in locations allocated for employment use within the Development Plan and for the re-development of land already in employment use.
- 8.2** Policy EMP1 of the TBLP states that at Major Employment Sites, the Council will support in principle proposals for offices, research and development, light industrial, general industrial, storage and distribution development.
- 8.3** The application site is allocated as part of a Major Employment Site under Policy EMP1 for the extension to Malvern View Business Park as designated on the policies map.

- 8.4** The proposal seeks to provide 11,421.1 M2 of floorspace for use as industrial, workshop, warehouse, storage and distribution (use class B2, B8 and E(G)(III)) with ancillary office accommodation. The proposed uses are in keeping with Policy EMP1. The proposal would seek to provide approximately 70-80 jobs when all units are in operation. This is an indicative figure provided by the applicant as the end users are not known at this stage.
- 8.5** Further to the proposal being part of an allocated site, the application site has relevant planning history which is considered to be a material planning consideration.
- 8.6** Planning application 18/00249/OUT sought permission for:
- “outline planning application for the erection of up to 215 dwellings, up to 2.24ha of commercial use (B1 and B8), up to 0.2ha of retail uses (A1), with public open space, landscaping and sustainable urban drainage system including associated works and two vehicular access points from Stoke Road. All matters reserved except for means of access.”*
- 8.7** A planning appeal was lodged to the Planning Inspectorate on 24 May 2019 against the non-determination of the planning application and considered by the Council’s Planning Committee on 16 July 2019 (The planning committee recommended the application be refused).
- 8.8** The Planning Inspector allowed the appeal and outline planning permission was subsequently granted. It was agreed that two plans were submitted for illustrative purposes:
- A Development Framework Plan Drawing Number 6335-L-02\_M
  - An Illustrative Master Plan Drawing Number 6335-L-03\_D
- 8.9** In relation to the first issue *“Whether the proposal would provide an appropriate site for development having regard to the most important and up-to-date policies in the development plan and national guidance”* the Inspector concluded that:
- “In terms of the settlement strategy of the JCS, the appeal site is an appropriate location for development. Nor is there any reason to think that Bishop’s Cleeve lacks physical, environmental or social capacity to accommodate the appeal scheme. The Council plainly has no difficulty with the appeal site being developed, as it is proposed as a major employment site in the ELP. Nor is there any evidence that any infrastructure demands created by the appeal scheme need go unmet with the appropriate provision of justified contributions in a planning obligation or through the substantial CIL payment to which the site’s development would be liable.”*
- (Emphasis Added)
- 8.10** A Reserved Matters application (21/00214/APP) was approved in relation to the residential element of 18/00249/OUT and the residential development has been built out. A Reserved Matters application was never submitted for the employment element of the outline scheme. Implementation of the employment element of the scheme has now time expired. In light of this, limited weight is attributed to the outline planning history but it is still considered to be a material planning consideration.
- 8.11** Given the application site is allocated for employment land under Policy EMP1, the proposed uses are in keeping with Policy EMP1, the planning history of the site for

employment land and the site is located within the settlement boundary of Bishops Cleeve, the proposal is considered to be acceptable in principle in accordance with Policy SD1 of the JCS and EMP1 of the TBLP. However, there are other material planning considerations that need to be taken in account as set out below.

### ***Scale and Layout***

- 8.12** Policy SD4 of the JCS requires new development to be of a scale appropriate to its site and setting. Policy EMP5 of the TBP requires new employment development to be of a scale and design that is compatible with the character of the existing location and its setting.
- 8.13** The Reasoned Justification to Policy EMP5 at paragraph 4.28 states the following:
- “Determining an appropriate scale and design of development should have regard to the context of the site. For example, the Major Employment sites will generally be suitable for large scale office, industrial and warehousing uses with large car parking and servicing requirements”*
- 8.14** As a starting point, when assessing the scale of the proposed development, it should be noted that this site is allocated as a Major Employment Site under Policy EMP1 and therefore it is anticipated that development will be large in scale as set out by paragraph 4.28 of the TBP.
- 8.15** The proposal would provide 7 commercial units of varying sizes extending to 11,421sqm (GEA). Units 1 & 6 would be approximately 9 metres to underside of the haunch and a maximum 13 metres in height to the ridge. Units 2,3,4,5 & 7 will be approximately 7 metres to the underside of the haunch and a maximum 10 metres in height to the ridge.
- 8.16** In relation to the scale of buildings surrounding the site, two storey dwellings are located to the north, large scale employment buildings are located to the east within Malvern View Business Park, there is a single dwelling to the west and a large scale waste management industrial building to the south.
- 8.17** Bishops Cleeve Parish Council have objected to the scheme in relation to the size of the development (scale). Their main concern relates to the planning history under 18/00249/OUT which was granted via appeal by the Planning Inspector. Condition 6 of the appeal scheme restricted the total amount of Use Class B1/B8 floorspace to 6,880sqm. Condition 7 of the appeal scheme required the industrial buildings to have a maximum height of 9m above ground level.
- 8.18** The proposed scheme would provide an additional circa 4,500sqm of floorspace and each unit would be above 9m as set out by appeal scheme 18/00249/OUT. While planning officers do have some concern with the proposed scale in relation to the impact on the wider landscape (discussed below) the proposed scheme should be assessed on its own merits and should not be determined by conditions relating to a previous planning permission.
- 8.19** The industrial element of the appeal scheme was granted at outline stage and therefore limited information was provided to the inspector. The proposed application provides full details in relation to scale through the submission of detailed plans, elevations, sections landscaping details with boundary treatment plans, CGI's, local marketing letters, a Design and Access Statement and a Landscape and Visual Impact Appraisal.

- 8.20** Furthermore, Within paragraph 85 of the appeal decision, the inspector stated that *“conditions 6 and 8 are necessary to ensure the development would be carried out in accordance with good urban design principles and that condition 7 is necessary to determine the scope of the application and for the avoidance of doubt.”* The imposed conditions were not added to the permission to ensure the scheme would not be overbearing or out of character with the area but to define the scope of the application. The conditions relate to the outline appeal scheme only and the proposed application, although it provides industrial units, provides a new design and scale that should be assessed on its own merits.
- 8.21** As set out above, Planning Officers at the Council in tandem with the Landscape Officer raised some concerns about the scale of the development, the positioning of the Units 1 and 6 and the impact it would have on the local landscape. Full details on the impact on local landscape will be addressed within a landscape section below but it will be summarised in this section as it relates to the scale of the proposal.
- 8.22** Following the concerns raised by the planning officer, discussions took place with the applicant and their design team and amended plans were provided. The position of Unit 6 was flipped, pulling the unit away from the eastern boundary and the southern boundary. The service yard has also been reduced to be in line with the front wall of Unit 6. These changes have allowed for more space to be created for planting, in particular along the eastern boundary, which is shown on the landscape concept proposals plan. Additional tree planting has been added to the northern boundary.
- 8.23** Boundary sectional drawings have been provided to illustrate tree growth over 15 years along with CGI images to show how the proposal would be designed. In relation to Unit 1, the landscape buffer has been increased along the western edge.
- 8.24** Following the receipt of amended plans the landscape officer, on balance, is satisfied that the amendments will be able to provide an acceptable level of screening to the scheme.
- 8.25** Further to the receipt of the amended plans, Alder King have provided a marketing letter which revealed that there is very strong occupier interest from locally based companies of the proposed larger buildings in particular. At this stage, there are no specific tenants confirmed and therefore the buildings and layout have been purposefully designed to be flexible to meet the needs of businesses wishing to occupy the site.
- 8.26** Despite Planning Officers having a low degree of concern over the height of the buildings, in particular Units 1 and 6, a balancing exercise is provided at the end of this report which assesses the low degree of harm from the scale of the buildings with the economic benefits provided by the proposal.

### ***Design and Appearance***

- 8.27** Section 12 of the NPPF sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It continues by stating that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Planning decisions should, amongst other things, ensure that developments will function well and add to the overall quality of the area and should be sympathetic to the local character, including the surrounding built environment.

- 8.28** JCS Policy SD4 provides that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.
- 8.29** Policy EMP5 requires new development to be of a design which is compatible with the character of the existing location.
- 8.30** The layout of the development is considered to respect the building line established by the neighbouring industrial / commercial development, Malvern View Business Park and to provide continuity in the pattern of built form. Along Stoke Road existing hedgerows are retained and landscape zone enhanced, therefore setting the buildings (Units 6 & 7) back from the main road frontage, behind a landscaped buffer.
- 8.31** The building line to Unit 1 has been set well back (circa 45m) from the main Stoke Road frontage. This 'set back' building line helps to retain a more open aspect into site, when viewed on approach to the Bishop's Cleeve conurbation from the west and helps respect the neighbouring residential dwelling (Haydon) amenity.
- 8.32** Units 2, 3, 4 & 5, located to the north of the site, are positioned 'side on' (gable end) when viewed from the north, (from new residential development - Fairmont) to help reduce potential visual building bulk and help protect residential visual amenity. Importantly this orientation introduces significant open gaps in between the employment buildings, again this visually reduces the perceived mass of the overall development.
- 8.33** The proposed layout allows for future flexibility of unit size, car parking arrangement, servicing, so that the overall scheme can potentially be adjusted to suit specific requirements of businesses and to ensure the layout meets their requirements—subject to subsequent approvals.
- 8.34** The employment buildings follow a rectilinear form and would have an industrial style and functionality, in-keeping with their specific use and commercial context. The main body of the buildings would consist of profiled cladding in dark grey at high level, with contrasting horizontally laid flat cladding panel below. The main entrance elevation would feature areas of glazing, signage would be located above the main entrance and at side elevations (Signage is subject to separate advertisement consent).
- 8.35** The main body of neutral colours of greys and silvers are used to create a distinctive development of a clean modern style, sympathetic to the surroundings, which also offers a attractive back drop to the existing mature trees and hedgerows around the site. To add further visual interest, limited areas of colour would be provided to corner areas.
- 8.36** Materials of contrasting texture and colour would reduce the perceived scale of the proposed buildings, as well as providing visual interest, particularly to the corners of the buildings. The varying but complementary building elements would add to the quality feel of the overall development.
- 8.37** The proposed materials used would be in keeping with the existing industrial buildings at Malvern View Business Park and therefore the proposal is considered to be in accordance with Policy EMP5 of the TBLP and Policy SD4 of the JCS

### ***Landscape and Trees***



- 8.38** The NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by, inter alia, protecting and enhancing valued landscapes, and by recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem service.
- 8.39** Policy SD6 of the JCS states that development would 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 local distinctiveness and historic character of different landscapes and proposals are required to demonstrate how the development would protect 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 area.
- 8.40** Policy LAN2 of the TBP sets out that all development must, through sensitive design, siting, and landscaping, be appropriate to, and integrated into, their existing landscape setting.
- 8.41** Policy EMP5 of the TBP requires new development to ensure it is compatible with the character of the existing location and its setting paying particular regard to AONBs (National Landscapes) and Special Landscape Areas.
- 8.42** There are no landscape designations contained within the red line of the application site. The nearest PROW is located 0.5km to the east, a Special Landscape Area lies to the east of Bishops Cleeve some 2.3km away and the Cotswold National Landscape lies to the east of Bishops Cleeve some 2.7km away.
- 8.43** The existing vegetation is predominately a grass field with typical hedge boundaries including a scattering of hedge trees in the hedgerows. The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) prepared by BCA Design, a Landscape Design Statement prepared by BCA Design and various landscaping and green infrastructure plans.
- 8.44** Within the LVIA a baseline visual study has been carried out to establish the potential visibility of the site through a desk top review including the use of mapping software to generate a Zone of Theoretical Visibility (ZTV), followed by site visits and field survey work to establish the visual receptors. The visual receptors which were identified are represented by nine viewpoints. The main landscape effects of the proposed development on the application site itself would be a result of, site clearance, including the removal of grassland and topsoil strip (short term effect during construction), the creation of a new vehicle access road from Stoke Road for a access into the development site, minor changes to landform due to the creation of a development platform, construction of seven units with two varying heights, creation of new areas of hard surfacing for service yards and car parking and the planting of large areas of native woodland structure planting, with emphasis on screening and ecological enhancement.
- 8.45** The majority of the viewpoints record a Negligible Neutral result at year 15. Viewpoint 6 (taken on Stoke Road near the farm shop, looking east) records a Moderate Adverse. This is due to the proximity of the development site to the viewpoint location and a retained farm track restricts the buffer planting along this boundary. This does reduce over time to Minor Adverse as the vegetated boundary along this edge matures and establishes. Similarly, viewpoint 8 (taken on Stoke Road looking west) records a Minor Adverse result, this is due to this location having a clear line of sight to the edge of the proposed development (specifically Unit 6). The presence of Stoke Road limits any vegetation screening the corner

of the proposed Unit 6.

- 8.46** Planning Officers discussed the proposal with the Council's Landscape Officer and concerns were originally raised in relation to limited landscape buffer in relation to Unit 6, limited planting within the site and overall the proposal has the potential to negatively impact the local landscape.
- 8.47** Following the concerns raised by the planning officer, discussions took place with the applicant and their design team and amended plans were provided. The position of Unit 6 was flipped, pulling the unit away from the eastern boundary and the southern boundary. The service yard has also been reduced to be in line with the front wall of Unit 6. These changes have allowed for more space to be created for planting, in particular along the eastern boundary, which is shown on the landscape concept proposals plan. Additional tree planting has been added to the northern boundary and tree planting has been increased within the internal servicing areas.
- 8.48** The Landscape Officer requested further information in relation to Viewpoint 6 (Stoke Road looking east) and 8 (Footway on Stoke Road looking west). The applicant proposed CGIs which show the development post construction and then at 15 years post construction.
- 8.49** In relation to viewpoint 6, along the western boundary of the site there is proposed a belt of woodland edge planting, comprised of native woodland shrubs, planted on a one metre grid. Within this structure planting, 35 native trees would be planted along this edge, in a range of stock sizes including Feathered, 14-16cm and 18-20cm girth trees. Over time the canopies of these trees would grow in height and width, visually breaking up those sections of the western elevations of Units 1, 2, 6 and 7. Although these trees would reduce the completion visual effect of moderate adverse, some visual effect is likely to remain, giving a residual visual effect at year 15 of minor adverse.
- 8.50** In relation to viewpoint 8, only the top corners of the eastern elevations of Units 6 and 7 would be seen, due to the channelled nature of the view along the highway corridor, the eye is guided down Stoke Road to where the vegetation either side of the road gives way to open sky. It is in this gap, where the small sections of built form would appear. Around the Unit 6 service yard and Stoke Road frontage, there is proposed a belt of woodland edge planting, comprised of native woodland shrubs, planted on a one metre grid. Within this structure planting, 18no. extra heavy standard 18-20cm girth native trees plus 10 Feathered trees would be planted. At the south-east corner of the site and the Unit 6 service yard, two of these trees would appear in the narrow view along Stoke Road to the corners of Units 6 and 7. As these trees grow to maturity, they would conceal the built form reducing the visual effect from minor / moderate adverse at completion, down to a minor adverse residual level of effect after fifteen years.
- 8.51** In relation to fencing, the majority of the site would be bound by 1.1m high timber treated post and 3 rail fence. 2.4m high black paladin fencing would be provided to secure the service yard of Unit 6.
- 8.52** Following the receipt of amended plans which involve the re-positioning of Unit 6, to enable a stronger landscape buffer to be provided to the Stoke Rd frontage, plus the improved buffer planting to the east and west boundaries, the Landscape Officer is satisfied that the landscape concept plan for the amended site layout would be able to provide an acceptable level of screening to the scheme.

- 8.53** In relation to internal landscaping, although the internal site layout would still be heavily hard landscaped, some additional planting has been accommodated, so again, on balance, the landscape officer is satisfied that there is now adequate provision made for planting on site. Full details of the planting scheme would need to be submitted and approved via detailed planning conditions.
- 8.54** Overall, the landscape and visual effects of the proposed development are considered to be Minor Neutral. The implementation and ongoing maintenance of the landscape strategy would provide an important element of mitigation, which would help to soften and assimilate the development into the local landscape, thereby minimising the residual effects of the proposals.

*Trees*

- 8.55** The application is supported by a Tree Survey and Arboricultural Impact Assessment prepared by Westside Forestry (September 2023). The tree survey was carried out on 29th July 2023.
- 8.56** There are no TPOs within the site or immediately adjacent to the site and the site is not located within a Conservation Area.
- 8.57** The hedgerow on the frontage with Stoke Road H1, contains a variety of species; predominantly Hawthorn and English Elm with occasional Field Maple, Elder and Oak. Many sections of Elm are dying due to Dutch Elm Disease and other sections are Ivy covered. The hedgerow has not been recently maintained, having previously been managed by mechanical flail. The hedge would require removal to accommodate the proposed footpath alterations and access.
- 8.58** The Field Maple T3, is an average multi-stemmed specimen, typical of the species, notwithstanding some apical dieback. The Field Maple T3 would require removal to accommodate the proposed footpath alterations.
- 8.59** The trees T4, T5 and hedgerow H2 are off site, adjacent the westerly boundary of the site. The proposed development is outside of their respective RPAs and as such these trees and hedgerow and would be unaffected by the proposed development.
- 8.60** A comprehensive landscape scheme is proposed, to improve the species diversity, to provide screening and improve the general amenity of the locality. The retained trees would be protected from unnecessary damage during the construction process.
- 8.61** In conclusion, 1 hedgerow and 1 tree to the site frontage would be removed to facilitate the development. The application proposes an illustrative planting plan, internal tree planting and details of boundary planting to help screen the development. The proposal is considered to be acceptable by way of landscaping and the protection of trees subject to appropriate conditions.
- 8.62** The application site is allocated for industrial development as an extension to Malvern View Business Park. In light of this, the introduction of the proposed development in this location would respond positively to and respect the character of the site and its surroundings and therefore the proposal is considered to be compliant with Policy SD6 of the JCS, LAN2 and EMP5 of the TBP.

## ***Archaeology***

- 8.63** Paragraph 200 of the NPPF states 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.
- 8.64** The application is accompanied by a desk based archaeological assessment. This report has been reviewed by the County Heritage Team Leader at Gloucestershire County Council and the scheme has been checked against the County Historic Environment Record. All necessary archaeological mitigation on site has been undertaken in relation to condition 10 of permission 18/00249/OUT and post-excavation works and report production are in progress in accordance with the submitted Post-Excavation Assessment and Updated Project Design (Cotswold Archaeology, May 2023).
- 8.65** Therefore, no further archaeological investigation or recording need be undertaken in relation to the current application and therefore no archaeological condition is required.
- 8.66** In light of this, the application is considered acceptable in regard to archaeology.

## ***Residential Amenity***

- 8.67** Paragraph 191 of the NPPF 2023 states that planning decision should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 8.68** Policy SD4 of the JCS requires development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and the avoidance or mitigation of potential disturbances, including visual intrusion, noise, smell and pollution. Policy SD14 of the JCS requires new development to cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.
- 8.69** Policy EMP5 of the TBP requires new employment development to not result in unacceptable adverse impact on the amenity of neighbouring uses, particularly residential properties.
- 8.70** A number of objection letters have been received from neighbouring residents and Bishops Cleeve Parish in relation to noise. The application site has residential development to the north and west of the site boundary. The closest residential dwelling to the west is the property known as Haydon with a distance of circa 35m to the edge of Unit 1. To the north 11 Lorimer Close would have a separation distance of circa 50m to the northern elevation of Unit 3. By way of existing site context 7 Fairmont Street would have separation distance of 39m to the elevation of the existing Unit 3 at Malvern Business Park and 17 Fairmont Street would have a separation distance of 43m to the unit known as Extrusion Form Tools within Malvern Business Park.

- 8.71** The application is accompanied by a Noise Impact Assessment (NIA) prepared by Hepworth Acoustics dated October 2023. Operation of the proposed development is proposed to be 24 hours a day, 7 days a week as at this stage the eventual occupiers and users of the proposed units are not known.
- 8.72** Within the NIA a noise survey was carried out with testing carried out in two locations, one in relation to Haydon and one in relation to the Fairmont Street residences. Following the noise survey, the applicant is seeking to install 3m high acoustic fence at the northern boundary and a 3m acoustic fence adjacent to Unit 1 in order to minimise any impact on residential amenity.
- 8.73** Following discussions with the Council’s Environmental Health Officer (EHO), the acoustic barrier adjacent to Unit 1 has been increased to 4m.
- 8.74** Planning Officers and the EHO are content that the applicant has demonstrated that the scheme as proposed, incorporating noise mitigation as recommended, will ensure that any potential noise impact is controlled to a demonstrably acceptable level by way of all best practical mitigation options. As such, the applicant has demonstrated accordance with the requirements of para 191 of the NPPF which requires that “*Planning policies and decisions... should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.*”
- 8.75** The EHO has requested a number of conditions to further reduce the impact on residential amenity to neighbouring properties. Accordingly, the use of the proposed development without any restrictions on hours of operation would not give rise to a significant risk of disturbance for nearby residents. Given the planning history of the site, the site is allocated for industrial development, the proposed acoustic barriers and appropriate conditions, the proposed development is considered to be acceptable by way of impact on residential amenity in relation to noise in accordance with Paragraph 191 of the NPPF 2023, Policies SD4 and SD14 of the JCS and Policy EMP5 of the TBP.

#### *Air Quality*

- 8.76** The application is supported by an Air Quality Assessment (AQA) prepared by AAC. The application site is not located within or adjacent to any Air Quality Management Areas (AQMAs).
- 8.77** In relation to the construction phase, a dust risk assessment has been undertaken for the in accordance with IAQM (2023) guidance, as set out in Appendix A of the AQA. Following implementation of the suggested mitigation measures, the residual effects of dust and emissions from construction activities upon the local area and sensitive receptors, although adverse, would be temporary and ‘not significant.’
- 8.78** During the operational phase, the AQA indicates that the impacts associated with the proposed development would be ‘not significant’ at all modelled receptors, with concentrations remaining within their relevant air quality standards.
- 8.79** The EHO has no objection to the proposed development by way of air quality and as such the proposal is in accordance with Paragraph 191 of the NPPF 2023, Policies SD4 and SD14 of the JCS and Policy EMP5 of the TBP.

### ***Access and highway safety***

- 8.80** The NPPF sets out that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. Further, development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts of development are severe.
- 8.81** JCS Policy INF1 states that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. All proposals required to ensure safe and efficient access to the highway network.

### ***Trip Generation***

- 8.82** Planning permission was granted under 18/00249/OUT with the total amount of Use Class B1/B8 floorspace to be 6,880sqm. This type of development would attract 105 and 92 two-way vehicle trips in the AM and PM weekday peak hours, respectively, and 710 two-way daily trips across a 12-hour period. The proposal, if it was purely for B2 Use, would be expected to attract 37 and 32 two-way trips in the AM and PM weekday peak hours, respectively, and 326 daily two-way trips across a 12-hour period. The proposal, if it was purely for B8 Use, would be expected to attract 65 and 47 two-way trips in the AM and PM weekday peak hours, respectively, and 514 daily two-way trips across a 12-hour period.
- 8.83** The proposal is a combination of B2 and B8 and as such, based on a worst case scenario, the proposed development is forecast to have a net-reduction of 39 and 45 trips in the AM and PM peak hour, respectively, and a net-reduction of 196 trips across a 12-hour period from permission 18/00249/OUT.
- 8.84** An independent assessment of Trip rates undertaken by County Highways officers concluded that, the peak hour trip rates for either a B2 or B8 operation as proposed by the application may result in slightly less trips on the Highway network in the peak hours, compared to that of the approved use.

### ***HGV's***

- 8.85** Concerns have been raised by members of Bishops Cleeve Parish and Stoke Orchard Parish with regards to the increase in large vehicles. The routing of HGVs through Stoke Orchard could cause particular issues in the area given the increase in residential uses in the area, limited footways and narrow carriageways.
- 8.86** There currently exists a 17 Tonne Weight limit restriction except for access through Stoke Orchard. However, the wording of the order makes this practically impossible to enforce and in any case enforcement by the Police, given limited resources, is difficult to undertake.
- 8.87** In negotiation with the applicant it has been agreed that a contribution be provided to amend the weight limit order, this could also be potentially reduced to 7.5 tonne in accordance with other local orders such as in Pammington Road and also strictly limit access to those that need access within the roads specified in the order.
- 8.88** Additionally, a contribution towards the provision of an ANPR camera with supporting costs for maintenance and staff enforcement would be provided.
- Weight Limit Order - £10,000

- ANPR Camera, maintenance and support - £28,000

**8.89** It is considered that these measures and contribution would adequately mitigate against the impacts of the development. A condition would also be added to secure a HGV Management Plan.

#### *Access*

**8.90** The site access itself was approved under 18/00249/OUT and the applicant has subsequently entered into an agreement with Gloucestershire County Council to provide this access. At the time of writing, it is understood that a technical approval may be granted soon. **An update to the committee will be provided.**

**8.91** The new access is a dedicated access for the proposed employment land. A new estate road (primary street) would run northwards and then eastwards accessing each of the individual employment units.

#### *Public Transport*

**8.92** As part of the original approval it was identified the existing bus service was inadequate. The original approval required a contribution for public transport contribution of £887,200 towards providing the costs of increasing the frequency of the bus service between Tewkesbury and Bishop's Cleeve currently known as the "T" service. The enhanced bus service would include £187,200 for a 2 hour extension of bus service split equally over 5 years and £700,000 for an increase from an hourly to a half hourly service split equally over 5 years. Additionally, there is a bus stop shown immediately opposite the site, indicated on the site layout drawing.

#### *Parking, Cycling and Connectivity*

**8.93** The application would provide some 102 parking spaces including 21 disabled user bays and 13 parking bays with electric vehicle (EV) charging provision and 13 motorcycle spaces. The GCC approach under guidance in Manual for Gloucestershire Streets is that Commercial operators should have a good understanding of the needs of their business and will determine how land under their control could be managed. Car parking need is a subjective matter particularly in the mind of neighbours; the applicant should provide a minimum parking provision for each development along with an evidence base to demonstrate the appropriateness of the provision.

**8.94** In this case there is no identified end user and the Transport consultant has provided evidence of parking accumulation based on TRICS. For B2 this gives a peak parking accumulation of 65 spaces. For the B8 use this results in some 82 spaces.

**8.95** County Highways Officers have also undertaken an independent TRICS assessment and based on arrival and departure information the provision of 102 parking spaces, based on average data would be adequate.

**8.96** It is also important, in the interests of encouraging less single vehicle car trips and achieving carbon net zero targets, that there is not an over provision of parking.

**8.97** Pedestrian and cycle access is provided from both the existing footpath from the south, Stoke Road; and a new route to the east connecting to the proposed Retail development (by others) and residential beyond.

- 8.98** Running parallel with main estate road would be a dedicated pedestrian / cycle route through the site to the building entrances. To further promote cycle access to the site, secure cycle parking is proposed to each employment unit. The number of secure cycle spaces would be relative to the size of the unit. Cycle parking will comprise a mix of 'Sheffield hoop' type bicycle stands and secure cycle lock up. To further promote 'active travel' Cycle storage facilities have been shown indicatively and the precise details of these, their location with staff shower and locker facilities for each unit would be required, this can be conditioned.
- 8.99** Gloucestershire County Council, as Local Highway Authority (LHA) have assessed the proposed development in terms of location, access, highway impact and the LHA conclude that, based on the analysis of the information submitted, there would not be an unacceptable impact on highway safety or a severe impact on congestion and therefore there are no justifiable grounds on which an objection could be maintained.
- 8.100** The Highway Authority has not objected to the proposals and as such the scheme is considered acceptable with regards to highway safety considerations and complies with Policy INF1 of the JCS.

#### ***Drainage and flood risk***

- 8.101** Policy INF2 of the JCS seeks to minimise the risk of flooding from development and to provide resilience to flooding. ENV2 of the TBLP outlines a series of principles in order to avoid and manage the risk of flooding to and from new development.
- 8.102** The proposed development is located in Flood Zone 1 and at very low risk of flooding, which means that the site has a chance of flooding of less than 0.1% each year. The GOV.UK Surface Water Flood shows risk of surface water flooding on site to be very low, less than 0.1% chance of flooding each year.
- 8.103** The application is accompanied by a Flood Risk and Drainage Strategy (Water Management Statement) prepared by Hydrock dated 20/09/2023.
- 8.104** SUDS features would be incorporated into the drainage design, in the form of above ground pond/basin, vortex separators and petrol interceptors to ensure the effective capture, retention and treatment of hydrocarbons, silt, and metals. The surface water drainage would be designed for the 1 in 100-year, 6 hour rainfall event plus 40% allowance for climate change. The site is located within a larger 13.56-hectare site (18/00249/OUT) which was previously assessed for both surface water and foul water discharge and benefits from existing foul and surface water connections and attenuation storage in the form of a pond.
- 8.105** The Lead Local Flood Authority have reviewed the proposal and agree with the findings of the Drainage Strategy and have no objection to the proposed drainage design. A compliance condition will be added to ensure the drainage proposals are carried out in accordance with the details presented in the Drainage Strategy.
- 8.106** In relation to foul water drainage, It is proposed to discharge the foul water drainage to the existing foul laterals located along the northern boundary of the site. The foul flows from the Site have already been accounted for and a Foul Drainage Analysis was carried out as part of the residential development.
- 8.107** Severn Trent have reviewed the proposal and are happy to accept the foul sewage from



this development, as it has been accommodated within the S104. They have made it clear that the applicant would still need to submit a S106 indirect sewer connection application.

- 8.108** In light of the above, it is considered that the site is at a low risk of flooding and would not increase the risk of flooding to third parties. A compliance condition would be added to ensure the development is carried out in accordance with the approved details.

### ***Biodiversity***

- 8.109** 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, especially where this can secure measurable gains for biodiversity. Policy SD9 of the JCS seeks to protect and, wherever possible enhance biodiversity, including wildlife and habitats. Policy NAT1 of the TBLP states that development proposals that will conserve, and where possible restore and/or enhance, biodiversity will be permitted.
- 8.110** The application is supported by an Ecological Impact Assessment and Biodiversity Assessment (HarrisLamb Property Consultancy, September 2023). The ecology reports show that habitats on site include modified grassland (former cereal crop) and associated hedgerows and fences. The site has been identified as having limited habitat suitable for common reptile species, limited to boundary hedgerows which lack connectivity to the wider landscape. The mature trees within the hedgerows were assessed for their bat roosting potential. T5 is considered to have low bat roost potential and T4 was assessed as having moderate bat roost potential. It is understood that the trees are outside of the client ownership and are to be retained. No evidence of badgers including setts and latrines was observed in the site. Other protected or notable species were ruled out for assessment due to unsuitable habitats on site.
- 8.111** A number of mitigation measures have been put forward including a Reasonable Avoidance Measures (RAMs) for reptiles and amphibians. The Council's Ecologist has reviewed the submitted ecological information and has no objection with the information provided subject to further ecological information being provided by condition in relation to a Construction Environmental Management Plan (CEMP), Ecological Mitigation and Enhancement Plan and a Landscape and Ecological Management Plan (LEMP).
- 8.112** In relation to Biodiversity Net Gain (BNG), the applicant proposes to enter into an agreement with the Environment Bank to secure 1.38 BNG off site units to offset the residual biodiversity impact of the site as per the BNG metric submitted (0.87 units) plus the 10% net gain target in line Policy NAT1 (0.51 units).
- 8.113** The applicant would pay a fee to secure the units and a draft copy of the terms and conditions has been provided. The Environment Bank have confirmed that they are in discussions with the applicant to secure these units.
- 8.114** Given this is an agreement with a third party (outside TBC), the securing of the offsite BNG provision would be secured outside of a S106 and therefore a condition would be attached to any decision notice to ensure the delivery of the units. The condition would require the applicant to provide evidence which should include a management and monitoring plan that specifies how the habitat units would be created, managed and monitored for the 30 year period and financial arrangements that support the agreement. The condition would require the information to be submitted prior to the commencement of any work on site.

- 8.115** The Council's Ecologist has reviewed the BNG Metric, the information provided by the Environment Bank and provided input into the wording of the condition to ensure the BNG off site provision is provided.
- 8.116** Overall, and subject to the imposition of conditions to secure ecological mitigation strategies and BNG offsite provision, it is considered that the proposed development is acceptable in terms of ecological and biodiversity matters and is in accordance with development plan policies and the NPPF.

### ***Minerals and Waste***

- 8.117** One of the key sustainable development objectives of the NPPF is the prudent use of natural resources, including minimising waste and pollution. The NPPF also advises on the sustainable use of minerals and resources and states that policies as far as practicable should take account of the contribution that substitute or secondary and recycled materials and minerals would make to the supply of materials, before considering extraction of primary materials. It further confirms that locations of specific minerals resources of local and national significance should be safeguarded, and development avoided in such areas. Policy SD3 of the JCS, Policy WCS2 of the Gloucestershire Waste Core Strategy (GWCS) and Policy MS01 of the Minerals Local Plan for Gloucestershire (MLPG) accord with these objectives.
- 8.118** The application was originally supported by a Waste Management Statement (WMS) prepared by ESC dated 02/10/2023. The WMS has been reviewed by officers of Gloucestershire County Council Strategic Infrastructure (Minerals and Waste) Team in their capacity as Mineral and Waste Planning Authority (MWPA). The MWPA acknowledged the details submitted and requested further information in relation to the use of secondary and / or recycled aggregate in the proposed development's design and construction.
- 8.119** Following these comments an updated WMS was provided, dated 08/01/2024, which is now considered to be acceptable in principle. MWPA have requested a number of conditions to ensure a detailed site waste management plan and details on the provision of management and recycling of waste are provided. Details should also be provided in relation to waste tonnages.
- 8.120** Conditions would be attached to any permission to ensure the matter is afforded appropriate consideration accordingly.

### ***Energy and Sustainability***

- 8.121** The NPPF at section 14 deals with meeting the challenge of climate change, flooding and Coastal change seeking development which increases the use and supply of renewable and low carbon energy. Policy INF5 of the JCS supports proposals where they are designed to produce net energy savings. JCS policy SD3 requires development proposals to demonstrate how development contributes to sustainability by energy efficiency and adaptable for climate change.
- 8.122** The application is accompanied by an Energy Statement prepared by ESC dated 20/09/2023. The proposed scheme will seek to provide a sustainable building primarily through the implementation of the requirements of Approved Document Part L1A & L2A of the Building Regulations (2021). These most recent Building Regulations require a high level of thermal insulation and low air permeability to create an intrinsically low energy

building thermal envelope.

**8.123** The development is located within Bishops Cleeve, and as such is in proximity to public transport nodes, existing bus routes as well as a range of primary local amenities. These features allow for the reduction of car-based travel and transport related pollution.

**8.124** The incorporation of these sustainability measures along with the provision of EV charging points and cycle stores allow for the proposed development to be deemed sustainable whilst targeting compliance with local and national policy.

### **Section 106**

**8.125** JCS Policy INF6 relates directly to infrastructure delivery and states that any infrastructure requirements generated as a result of individual site proposals and/or having regard to the cumulative impacts, should be served and supported by adequate and appropriate on/off-site infrastructure and services. The Local Planning Authority will seek to secure appropriate infrastructure, which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. Policy INF4 of the JCS requires appropriate social and community infrastructure to be delivered where development creates a need for it. JCS Policy INF7 states the arrangements for direct implementation or financial contributions towards the provision of infrastructure and services should be negotiated with developers before the grant of planning permission. Financial contributions will be sought through S106 mechanisms as appropriate.

**8.126** Requests have been made by consultees to secure the following contributions via S106 obligations:

- Weight Limit Order - £10,000
- ANPR Camera, maintenance and support - £28,000
- Travel Plan Contribution - £5,000

**8.127** There is currently no signed agreement to secure these contribution requests, but they are capable of being resolved through the signing of an appropriate planning obligation and legal agreement. Final details of the S106 would be agreed and signed prior the decision being issued. The applicant has confirmed that they are agreeable to the contributions as set out above.

## **9. Conclusion**

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**9.1** 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.

**9.2** The application site is allocated for industrial development as identified within Policy EMP1 of the TBP and as shown on the adopted policy map. The proposed use is in keeping with those identified in Policy EMP1 and therefore as a starting point, the principle of development is acceptable.

### ***Benefits***

- 9.3** The benefits of the proposal relate to, amongst others, the provision of 11,421sqm GEA across 7 units contributing to the provision of appropriately sized buildings for occupiers seeking larger premises, creation of 70-80 jobs (through occupation and not through construction) and investment.
- 9.4** The proposal would also provide significant new boundary and tree planting and provide 1.38 BNG units to be provided off site.
- 9.5** The location of the buildings within the settlement boundary of Bishops Cleeve would provide jobs in the local area enabling people to work and live in the area in sustainable manner.

### ***Harms***

- 9.6** The proposed units are large in scale and overall the landscape and visual effects of the proposed development are considered to be Minor Neutral. The implementation and ongoing maintenance of the landscape strategy would provide an important element of mitigation, which would help to soften and assimilate the development into the local landscape, thereby minimising the residual effects of the proposals.
- 9.7** The application site is bound by residential development to the north of the site and there is one residential dwelling to the west of the site. However, suitable mitigation measures are provided by way of acoustic barriers and further noise mitigation measures to be secured via condition.
- 9.8** In light of the proposed mitigation, the harm is therefore very limited.

### ***Neutral***

- 9.9** It has been established through the submission documents that subject to the imposition of appropriate planning conditions, the development would not give rise to unacceptable impacts in terms of, design, highway safety, ecology, residential amenity and archaeology.

### ***Overall Conclusion***

- 9.10** As set out within Paragraph 8 of the NPPF, the planning system has three overarching objectives, economic, social and environmental:

**“an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural

resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

Paragraph 85 of the NPPF requires planning decisions to help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Therefore in light of 70-80 jobs being created, the site is on allocated employment land, is within the settlement boundary of Bishops Cleeve and given significant weight should be attributed to the need to support economic growth in accordance with paragraph 85 of the NPPF, on planning balance, Planning Officers consider the proposed scheme to be of an acceptable scale in accordance with Policy SD1 of the JCS, Policy EMP1 and EMP5 of the TBP and paragraph 85 of the NPPF 2023.

For these reasons officers recommend that authority be delegated to the Associate Director of Planning to **PERMIT** the application subject to appropriate conditions and planning obligations

## 10. Recommendation

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### 10.1 It is recommended:

- A. That the Associate Director of Planning is given delegated authority to **GRANT planning permission** subject to the conditions set out below, and any additional or amended conditions, and subject to completion of S106 legal agreements securing the requirements specified in the S106 Obligations section of the report subject to any amendments arising from ongoing discussions. Where the S106 agreements have not been concluded prior to the Committee, a period not exceeding twelve weeks after the date of the Committee shall be set for the completion of the obligations.
- B. In the event that the agreement has not been concluded within the twelve-week period and where, in the opinion of the Associate Director of Planning, there are no extenuating circumstances which would justify a further extension of time, the Associate Director of Planning is given Delegated Authority to REFUSE planning permission for the following reason on the basis that the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming:

*1. “The applicant has failed to agree to planning obligations to secure the necessary infrastructure contributions and affordable housing contrary to JCS Policies SD12, INF4, INF6 and INF7.”*

## 11. Conditions

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- 1 The development hereby permitted shall be begun before the expiration of three 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.

**2** The development hereby permitted shall be carried out in accordance with the following approved drawing numbers./documents except where these may be modified by any other conditions attached to this permission:

- Site Location Plan PA-01
- Existing Site Plan PA-02
- Proposed Site Access Plan PA-03
- Opportunities and Constraints PA-04 Rev B
- Proposed Site Plan PA-05 Rev D
- Green Infrastructure Plan PA-06 Rev D
- Unit 1 Plans as Proposed PA-07 Rev A
- Unit 1 Sections and Elevations as Proposed PA-08 Rev A
- Unit 2 Plans, Sections and Elevations as proposed PA-09 Rev A
- Unit 3 Plans, Sections and Elevations as proposed PA-10
- Unit 4 Plans, Sections and Elevations as proposed PA-11
- Unit 5 Plans, Sections and Elevations as proposed PA-12
- Unit 6 Plans as Proposed PA-13 Rev A
- Unit 6 Section and Elevations as Proposed PA-14 Rev A
- Unit 7 Plans, Section and Elevations as Proposed PA-15
- Site Boundary Treatment Plan PA-16 Rev D
- 2245-21-01-S5 Rev 05 - Proposed Landscape Concept
- 2245-21-02-S5 Rev 03 - Illustrative Boundary Sections
- Design and Access Statement Rev A dated 19/02/2024
- LVIA 2245-22-RP03 Rev B dated 27/02/2024

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

**3** No work shall start on the construction of any building hereby approved until details of the floor slab levels of each building, relative to each existing building on the boundary of the application site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the new buildings shall be constructed at the approved floor slab levels.

Reason: To protect the amenity of neighbouring properties and to ensure that the proposed development does not have an adverse effect on the character and appearance of the area.

**4** No development shall take place until there has been submitted to and approved by the Local Planning Authority in writing, a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development. The scheme of landscaping shall include phasing details. Details in relation to hard landscaping shall also be provided including all hard surfacing materials. The approved details shall be installed prior to the occupation of the each building as set out within the landscaping phasing plan.

Reason: In the interests of visual amenity.

**5** All planting, seeding, or turfing in the approved details of landscaping for the employment development shall be carried out in accordance with the phasing details in Condition 5. 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.

Reason: In the interests of visual amenity.

- 6** The development hereby permitted shall not be commenced within 5 metres of the root protection zone of any tree on site until all tree protection measures have been put in place as set out in the approved Tree Protection & Method Statement as detailed within the Tree Survey and Arboricultural Impact Assessment prepared by Westside Forestry Ltd dated September 2023.

Reason: In the interests of visual amenity

- 7** The refuse storage facilities for each building shown on the approved plans shall be implemented prior to the first occupation of the building hereby permitted and shall be retained thereafter for refuse storage.

Reason - To ensure adequate refuse storage facilities are incorporated in the development.

- 8** No building hereby permitted shall be occupied until the surface water drainage scheme for the entire site has been completed in accordance with the details as set out in the approved Flood Risk and Drainage Strategy (Water Management Statement) prepared by Hydrock dated 20/09/2023 reference 21-8316-FRA issue 2. The drainage scheme shall be managed and maintained thereafter in accordance with the approved management and maintenance plan submitted with the application.

Reason: To ensure development would not result in unacceptable risk of pollution or harm to the environment and to ensure the proposed development does not exacerbate flood risk and deals with surface water run-off from the site in a sustainable manner.

- 9** During the construction phase (including demolition and preparatory groundworks), no machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or dispatched from the site outside the following times:
- Monday-Friday 8.00 am-6.00pm,
  - Saturday 8.00 am-1.00 pm
  - nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the noise climate and amenity of local residents

- 10** Prior to the commencement of any development within a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include (but is not limited to):
- a. Site access/egress
  - b. Staff/contractor facilities and travel arrangements
  - c. Dust mitigation
  - d. Noise and vibration mitigation (Including whether piling or power floating is required. White noise sounders will be required for plant operating onsite to minimise noise when in operation/moving/ reversing)
  - e. Mitigation of the impacts of lighting proposed for the construction phase
  - f. Measures for controlling leaks and spillages, managing silt and pollutants
  - g. Plans for the disposal and recycling of waste including details of waste tonnages.

Development shall take place only in accordance with the approved CEMP.

Reason: To protect existing and proposed properties from the impacts of short term exposure to noise, vibration, light and dust nuisance.

- 11** No unit hereby approved shall come into use until the Acoustic Barriers as detailed on the Boundary Treatment Plan 2119/PA/16 Rev D and as shown with the Groovy Reflective Acoustic Barrier document prepared by Hales dated 20/04/2023 have been installed on site. The acoustic barriers should be retained for the lifetime of the development.

Reason: To protect the amenity of local residents.

- 12** Refrigeration units on lorries and associated trailers are to be switched off when stationary on the site (All units) during any period between 23:00-07:00.

Reason: To protect the short term noise climate and amenity of local residents.

- 13** The number of deliveries to Unit 1 shall be restricted to one delivery during any 23:00 – 07:00 period. The number of deliveries to Unit 2 shall be restricted to two deliveries during any 23:00 – 07:00 period.

Reason: To protect the amenity of local residents.

- 14** Any vehicles (Inc HGVs and Forklifts) operating on site which require a reversing sounder shall use a white noise reversing sounder. Vehicles which do not utilise a white noise sounder shall use a banksman instead of any sounder.

Reason: To protect the amenity of local residents.

- 15** All units shall keep all doors, windows and shutters closed between any 23:00-07:00 period. Except to allow access, egress, loading and unloading.

Reason: To protect the amenity of local residents.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 17** The industrial units hereby permitted shall be used for Use Class B2 (General Industrial), Use Class B8 (Storage and Distribution), Use Class E(g)(iii) (Industrial Processes) and for no other purpose (including any other purpose in Class [E] of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Each unit shall provide ancillary office space as shown on the approved floor plans.

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.



- 18** No part of the development shall be occupied until the access roads, active travel routes, parking areas, turning and loading areas have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 19** No part of the development shall be occupied until visibility splays from the site of 2.4m x 92.3m to the west and 2.4m x 120m to the east have been provided and shall be retained for no other purpose for the life of the development. No structure or vegetation greater than 600mm shall be placed within the visibility splays.

Reason: In the interests of highway safety.

- 20** The Development hereby approved shall not be brought into use until the applicant has submitted a Travel Plan in writing to the Local Planning Authority that promotes sustainable forms of travel to the development site and this has been approved in writing by the Local Planning Authority. Parking around the site from vehicles associated within the development will be monitored and a plan for mitigation implemented. The submitted details shall use Modeshift STARS Business to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details

Reason: To reduce vehicle movements and promote sustainable access.

- 21** No part of the development shall be occupied until a HGV Management Plan including (acceptable routing for large vehicles accessing the site and signage) has been submitted and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the HGV Management Plan has been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 22** No building shall be occupied until the loading, unloading and manoeuvring areas for that building have been provided in accordance with the details provided on the approved plans under condition 2. These areas shall be kept clear of all obstructions and retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

### **Building 1**

- 23** No work above floor plate level shall be carried out until samples of all external materials proposed to be used on building 1 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that materials are in keeping with the surrounding area and to provide for high quality design.

- 24** Before the first use/occupation of building 1, details of any external plant, including ventilations facilities, air conditioning equipment and their noise generation levels, and any noise attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the cumulative assessment level (excess of rating level over background level (LA90) level of sound emitted from any fixed plant or machinery associated with the development shall not exceed 0dBA. All measurements shall be made in accordance with the methodology of BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound. Only external plant in accordance with the approved details shall be provided on the site.

Reason: To ensure there is no detrimental noise effects upon the amenities of the area or nearby properties.

- 25** No below or above ground development shall commence for building 1 until a detailed site waste management plan or equivalent has been submitted to and approved in writing by the local planning authority. The detailed site waste management plan must identify: - the specific types and amount of waste materials forecast to be generated from the development during site preparation & demolition and construction phases; and the specific measures will be employed for dealing with this material so as to: - minimise its creation, maximise the amount of re-use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill. In addition, the detailed site waste management plan must also set out the proposed proportions of recycled content that will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction and adopted Minerals Local Plan for Gloucestershire Policy SR01.

- 26** Prior to the occupation of building 1 full details of the provision made for facilitating the management and recycling of waste generated during the occupation of building 1 have been submitted to and approved in writing by the local planning authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. The management of waste during the occupation of building 1 must be aligned with the principles of the waste hierarchy and not prejudice the local collection authority's ability to meet its waste management targets. All details shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction

- 27** Any external lighting/floodlighting installed on the site in relation to building 1 shall be in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. The lighting scheme proposed shall comply with the parameters of Environmental Zone of the Institute of Lighting Engineers Guidance Notes for the Reduction of Intrusive Light.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

- 28** Building 1 shall not be occupied until details of the cycle storage, shower and locker facilities have been submitted to and approved in writing by the Local Planning authority. No part of building 1 shall be occupied until the cycle storage, shower and locker facilities areas have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 29** Building 1 shall not be occupied until details of the secure powered two wheeler storage and parking areas (including details of secure ground anchor points) have been submitted to and approved in writing by the Local Planning authority. Building 1 shall not be occupied until the Powered two wheeler storage and parking areas for each building have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 30** Prior to the occupation of building 1, details of an on-site Parking Management Plan shall be submitted to and approved in writing by the Local Planning authority for that building. Details within the approved Parking Management Plan must be implemented prior to occupation and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

### **Building 2**

- 31** No work above floor plate level shall be carried out until samples of all external materials proposed to be used on building 2 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that materials are in keeping with the surrounding area and to provide for high quality design.

- 32** Before the first use/occupation of building 2, details of any external plant, including ventilations facilities, air conditioning equipment and their noise generation levels, and any noise attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the cumulative assessment level (excess of rating level over background level (LA90) level of sound emitted from any fixed plant or machinery associated with the development shall not exceed 0dBA. All measurements shall be made in accordance with the methodology of BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound. Only external plant in accordance with the approved details shall be provided on the site.

Reason: To ensure there is no detrimental noise effects upon the amenities of the area or nearby properties.

- 33** No below or above ground development shall commence for building 2 until a detailed site waste management plan or equivalent has been submitted to and approved in writing by the local planning authority. The detailed site waste management plan must identify: - the specific types and amount of waste materials forecast to be generated from the development during site preparation & demolition and construction phases; and the specific

measures will be employed for dealing with this material so as to: - minimise its creation, maximise the amount of re-use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill. In addition, the detailed site waste management plan must also set out the proposed proportions of recycled content that will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction and adopted Minerals Local Plan for Gloucestershire Policy SR01.

- 34** Prior to the occupation of building 2 full details of the provision made for facilitating the management and recycling of waste generated during the occupation of building 2 have been submitted to and approved in writing by the local planning authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. The management of waste during the occupation of building 2 must be aligned with the principles of the waste hierarchy and not prejudice the local collection authority's ability to meet its waste management targets. All details shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction

- 35** Any external lighting/floodlighting installed on the site in relation to building 2 shall be in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. The lighting scheme proposed shall comply with the parameters of Environmental Zone of the Institute of Lighting Engineers Guidance Notes for the Reduction of Intrusive Light.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

- 36** Building 2 shall not be occupied until details of the cycle storage, shower and locker facilities have been submitted to and approved in writing by the Local Planning authority. No part of building 2 shall be occupied until the cycle storage, shower and locker facilities areas have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 37** Building 2 shall not be occupied until details of the secure powered two wheeler storage and parking areas (including details of secure ground anchor points) have been submitted to and approved in writing by the Local Planning authority. Building 2 shall not be occupied until the Powered two wheeler storage and parking areas for each building have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 38** Prior to the occupation of building 2, details of an on-site Parking Management Plan shall be submitted to and approved in writing by the Local Planning authority for that building. Details within the approved Parking Management Plan must be implemented prior to occupation and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

### **Building 3**

- 39** No work above floor plate level shall be carried out until samples of all external materials proposed to be used on building 3 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that materials are in keeping with the surrounding area and to provide for high quality design.

- 40** Before the first use/occupation of building 3, details of any external plant, including ventilations facilities, air conditioning equipment and their noise generation levels, and any noise attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the cumulative assessment level (excess of rating level over background level (LA90) level of sound emitted from any fixed plant or machinery associated with the development shall not exceed 0dBA. All measurements shall be made in accordance with the methodology of BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound. Only external plant in accordance with the approved details shall be provided on the site.

Reason: To ensure there is no detrimental noise effects upon the amenities of the area or nearby properties.

- 41** No below or above ground development shall commence for building 3 until a detailed site waste management plan or equivalent has been submitted to and approved in writing by the local planning authority. The detailed site waste management plan must identify: - the specific types and amount of waste materials forecast to be generated from the development during site preparation & demolition and construction phases; and the specific measures will be employed for dealing with this material so as to: - minimise its creation, maximise the amount of re-use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill. In addition, the detailed site waste management plan must also set out the proposed proportions of recycled content that will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction and adopted Minerals Local Plan for Gloucestershire Policy SR01.

- 42** Prior to the occupation of building 3 full details of the provision made for facilitating the management and recycling of waste generated during the occupation of building 3 have been submitted to and approved in writing by the local planning authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. The management of waste during the occupation of

building 2 must be aligned with the principles of the waste hierarchy and not prejudice the local collection authority's ability to meet its waste management targets. All details shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction

- 43** Any external lighting/floodlighting installed on the site in relation to building 3 shall be in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. The lighting scheme proposed shall comply with the parameters of Environmental Zone of the Institute of Lighting Engineers Guidance Notes for the Reduction of Intrusive Light.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

- 44** Building 3 shall not be occupied until details of the cycle storage, shower and locker facilities have been submitted to and approved in writing by the Local Planning authority. No part of building 3 shall be occupied until the cycle storage, shower and locker facilities areas have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 45** Building 3 shall not be occupied until details of the secure powered two wheeler storage and parking areas (including details of secure ground anchor points) have been submitted to and approved in writing by the Local Planning authority. Building 3 shall not be occupied until the Powered two wheeler storage and parking areas for each building have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 46** Prior to the occupation of building 3, details of an on-site Parking Management Plan shall be submitted to and approved in writing by the Local Planning authority for that building. Details within the approved Parking Management Plan must be implemented prior to occupation and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

#### **Building 4**

- 47** No work above floor plate level shall be carried out until samples of all external materials proposed to be used on building 4 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that materials are in keeping with the surrounding area and to provide for high quality design.

- 48** Before the first use/occupation of building 4, details of any external plant, including ventilations facilities, air conditioning equipment and their noise generation levels, and any noise attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the cumulative assessment level (excess of rating level over background level (LA90) level of sound emitted from any fixed plant or machinery associated with the development shall not exceed 0dBA. All measurements shall be made in accordance with the methodology of BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound. Only external plant in accordance with the approved details shall be provided on the site.

Reason: To ensure there is no detrimental noise effects upon the amenities of the area or nearby properties.

- 49** No below or above ground development shall commence for building 4 until a detailed site waste management plan or equivalent has been submitted to and approved in writing by the local planning authority. The detailed site waste management plan must identify: - the specific types and amount of waste materials forecast to be generated from the development during site preparation & demolition and construction phases; and the specific measures will be employed for dealing with this material so as to: - minimise its creation, maximise the amount of re-use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill. In addition, the detailed site waste management plan must also set out the proposed proportions of recycled content that will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction and adopted Minerals Local Plan for Gloucestershire Policy SR01.

- 50** Prior to the occupation of building 4 full details of the provision made for facilitating the management and recycling of waste generated during the occupation of building 4 have been submitted to and approved in writing by the local planning authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. The management of waste during the occupation of building 4 must be aligned with the principles of the waste hierarchy and not prejudice the local collection authority's ability to meet its waste management targets. All details shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction

- 51** Any external lighting/floodlighting installed on the site in relation to building 4 shall be in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. The lighting scheme proposed shall comply with the parameters of Environmental Zone of the Institute of Lighting Engineers Guidance Notes for the Reduction of Intrusive Light.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

- 52** Building 4 shall not be occupied until details of the cycle storage, shower and locker facilities have been submitted to and approved in writing by the Local Planning authority. No part of building 4 shall be occupied until the cycle storage, shower and locker facilities areas have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 53** Building 4 shall not be occupied until details of the secure powered two wheeler storage and parking areas (including details of secure ground anchor points) have been submitted to and approved in writing by the Local Planning authority. Building 4 shall not be occupied until the Powered two wheeler storage and parking areas for each building have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 54** Prior to the occupation of building 4, details of an on-site Parking Management Plan shall be submitted to and approved in writing by the Local Planning authority for that building. Details within the approved Parking Management Plan must be implemented prior to occupation and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

### **Building 5**

- 55** No work above floor plate level shall be carried out until samples of all external materials proposed to be used on building 5 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that materials are in keeping with the surrounding area and to provide for high quality design.

- 56** Before the first use/occupation of building 5, details of any external plant, including ventilations facilities, air conditioning equipment and their noise generation levels, and any noise attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the cumulative assessment level (excess of rating level over background level (LA90) level of sound emitted from any fixed plant or machinery associated with the development shall not exceed 0dBA. All measurements shall be made in accordance with the methodology of BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound. Only external plant in accordance with the approved details shall be provided on the site.

Reason: To ensure there is no detrimental noise effects upon the amenities of the area or nearby properties.

- 57** No below or above ground development shall commence for building 5 until a detailed site waste management plan or equivalent has been submitted to and approved in writing by the local planning authority. The detailed site waste management plan must identify: - the specific types and amount of waste materials forecast to be generated from the development during site preparation & demolition and construction phases; and the specific



measures will be employed for dealing with this material so as to: - minimise its creation, maximise the amount of re-use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill. In addition, the detailed site waste management plan must also set out the proposed proportions of recycled content that will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction and adopted Minerals Local Plan for Gloucestershire Policy SR01.

- 58** Prior to the occupation of building 5 full details of the provision made for facilitating the management and recycling of waste generated during the occupation of building 5 have been submitted to and approved in writing by the local planning authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. The management of waste during the occupation of building 5 must be aligned with the principles of the waste hierarchy and not prejudice the local collection authority's ability to meet its waste management targets. All details shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction

- 59** Any external lighting/floodlighting installed on the site in relation to building 5 shall be in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. The lighting scheme proposed shall comply with the parameters of Environmental Zone of the Institute of Lighting Engineers Guidance Notes for the Reduction of Intrusive Light.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

- 60** Building 5 shall not be occupied until details of the cycle storage, shower and locker facilities have been submitted to and approved in writing by the Local Planning authority. No part of building 5 shall be occupied until the cycle storage, shower and locker facilities areas have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 61** Building 5 shall not be occupied until details of the secure powered two wheeler storage and parking areas (including details of secure ground anchor points) have been submitted to and approved in writing by the Local Planning authority. Building 5 shall not be occupied until the Powered two wheeler storage and parking areas for each building have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 62** Prior to the occupation of building 5, details of an on-site Parking Management Plan shall be submitted to and approved in writing by the Local Planning authority for that building. Details within the approved Parking Management Plan must be implemented prior to occupation and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

### **Building 6**

- 63** No work above floor plate level shall be carried out until samples of all external materials proposed to be used on building 6 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that materials are in keeping with the surrounding area and to provide for high quality design.

- 64** Before the first use/occupation of building 6, details of any external plant, including ventilations facilities, air conditioning equipment and their noise generation levels, and any noise attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the cumulative assessment level (excess of rating level over background level (LA90) level of sound emitted from any fixed plant or machinery associated with the development shall not exceed 0dBA. All measurements shall be made in accordance with the methodology of BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound. Only external plant in accordance with the approved details shall be provided on the site.

Reason: To ensure there is no detrimental noise effects upon the amenities of the area or nearby properties.

- 65** No below or above ground development shall commence for building 6 until a detailed site waste management plan or equivalent has been submitted to and approved in writing by the local planning authority. The detailed site waste management plan must identify: - the specific types and amount of waste materials forecast to be generated from the development during site preparation & demolition and construction phases; and the specific measures will be employed for dealing with this material so as to: - minimise its creation, maximise the amount of re-use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill. In addition, the detailed site waste management plan must also set out the proposed proportions of recycled content that will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction and adopted Minerals Local Plan for Gloucestershire Policy SR01.

- 66** Prior to the occupation of building 6 full details of the provision made for facilitating the management and recycling of waste generated during the occupation of building 6 have been submitted to and approved in writing by the local planning authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. The management of waste during the occupation of

building 2 must be aligned with the principles of the waste hierarchy and not prejudice the local collection authority's ability to meet its waste management targets. All details shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction

- 67** Any external lighting/floodlighting installed on the site in relation to building 6 shall be in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. The lighting scheme proposed shall comply with the parameters of Environmental Zone of the Institute of Lighting Engineers Guidance Notes for the Reduction of Intrusive Light.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

- 68** Building 6 shall not be occupied until details of the cycle storage, shower and locker facilities have been submitted to and approved in writing by the Local Planning authority. No part of building 6 shall be occupied until the cycle storage, shower and locker facilities areas have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 69** Building 6 shall not be occupied until details of the secure powered two wheeler storage and parking areas (including details of secure ground anchor points) have been submitted to and approved in writing by the Local Planning authority. Building 6 shall not be occupied until the Powered two wheeler storage and parking areas for each building have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

- 70** Prior to the occupation of building 6, details of an on-site Parking Management Plan shall be submitted to and approved in writing by the Local Planning authority for that building. Details within the approved Parking Management Plan must be implemented prior to occupation and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

### **Building 7**

- 71** No work above floor plate level shall be carried out until samples of all external materials proposed to be used on building 7 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that materials are in keeping with the surrounding area and to provide for high quality design.

**72** Before the first use/occupation of building 7, details of any external plant, including ventilations facilities, air conditioning equipment and their noise generation levels, and any noise attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the cumulative assessment level (excess of rating level over background level (LA90) level of sound emitted from any fixed plant or machinery associated with the development shall not exceed 0dBA. All measurements shall be made in accordance with the methodology of BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound. Only external plant in accordance with the approved details shall be provided on the site.

Reason: To ensure there is no detrimental noise effects upon the amenities of the area or nearby properties.

**73** No below or above ground development shall commence for building 7 until a detailed site waste management plan or equivalent has been submitted to and approved in writing by the local planning authority. The detailed site waste management plan must identify: - the specific types and amount of waste materials forecast to be generated from the development during site preparation & demolition and construction phases; and the specific measures will be employed for dealing with this material so as to: - minimise its creation, maximise the amount of re-use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill. In addition, the detailed site waste management plan must also set out the proposed proportions of recycled content that will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction and adopted Minerals Local Plan for Gloucestershire Policy SR01.

**74** Prior to the occupation of building 7 full details of the provision made for facilitating the management and recycling of waste generated during the occupation of building 7 have been submitted to and approved in writing by the local planning authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. The management of waste during the occupation of building 2 must be aligned with the principles of the waste hierarchy and not prejudice the local collection authority's ability to meet its waste management targets. All details shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction

**75** Any external lighting/floodlighting installed on the site in relation to building 7 shall be in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. The lighting scheme proposed shall comply with the parameters of Environmental Zone of the Institute of Lighting Engineers Guidance Notes for the Reduction of Intrusive Light.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

**76** Building 7 shall not be occupied until details of the cycle storage, shower and locker facilities have been submitted to and approved in writing by the Local Planning authority. No part of building 7 shall be occupied until the cycle storage, shower and locker facilities areas have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

**77** Building 7 shall not be occupied until details of the secure powered two wheeler storage and parking areas (including details of secure ground anchor points) have been submitted to and approved in writing by the Local Planning authority. Building 2 shall not be occupied until the Powered two wheeler storage and parking areas for each building have been provided in accordance with the approved details and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

**78** Prior to the occupation of building 7, details of an on-site Parking Management Plan shall be submitted to and approved in writing by the Local Planning authority for that building. Details within the approved Parking Management Plan must be implemented prior to occupation and shall be retained for no other purpose for the life of the development.

Reason: In the interests of highway safety.

## **12. Informatives**

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**1** In accordance with the requirements of the NPPF 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 the 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** For the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contact our Development Services Team (Tel: 0800 707 6600).

### **Traffic Regulation Order (TRO)**

**3** You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for statutory TRO process is not straightforward; involving advertisement and consultation of the proposal(s).

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable

it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov](mailto:highwaylegalagreements@gloucestershire.gov).

The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

### **Highway to be adopted**

- 4 The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. The drawings approved by this application are considered indicative only and will be subject to change in the process of gaining a technical approval. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk). You will be required to pay fees to cover the Councils cost's in undertaking the following actions:

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

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

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

### **Impact on the highway network during construction**

- 5 The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at

[Network&TrafficManagement@gloucestershire.gov.uk](mailto:Network&TrafficManagement@gloucestershire.gov.uk) before undertaking any work, to discuss any temporary traffic management measures required, such as footway,

Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

### **No Drainage to Discharge to Highway**

- 6 Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

### **Protection of Visibility Splays**

- 7 The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

### **Travel Plan**

- 8 The proposed development will require a Travel Plan as part of the transport mitigation package (together with a Monitoring Fee and Default Payment) and the Applicant/Developer is required to enter into a legally binding Planning Obligation Agreement with the County Council to secure the Travel Plan.

Gloucestershire County Council has published guidance on how it expects travel plans to be prepared, this guidance is freely available from the County Councils website. As part of this process the applicant must register for Modeshift STARS and ensure that their targets have been uploaded so that progress on the implementation of the Travel Plan can be monitored.

Modeshift STARS Business is a nationally accredited scheme which assists in the effective delivery of travel plans, applicant can register at [www.modeshiftstars.org](http://www.modeshiftstars.org)

### **Construction Management Plan (CMP)**

- 9 It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:  
Constructors should give utmost consideration to their impact on neighbours and the public
- Informing, respecting and showing courtesy to those affected by the work;
  - Minimising the impact of deliveries, parking and work on the public highway;
  - Contributing to and supporting the local community and economy; and
  - Working to create a positive and enduring impression, and promoting the Code.

The CMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information

shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

### **Extraordinary Maintenance**

- 10** The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Before any work is commenced upon the development hereby approved representatives of Gloucestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.



**NOTES:**  
 Drawing based on information provided by Promap.  
 Connections to other drawings are available only  
 when the drawing is opened in the Promap software.  
 Refer to figure dimensions only. Do not scale.  
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**Site Areas:**

█ Extent of planning application  
 25.272m<sup>2</sup> / 2.533a



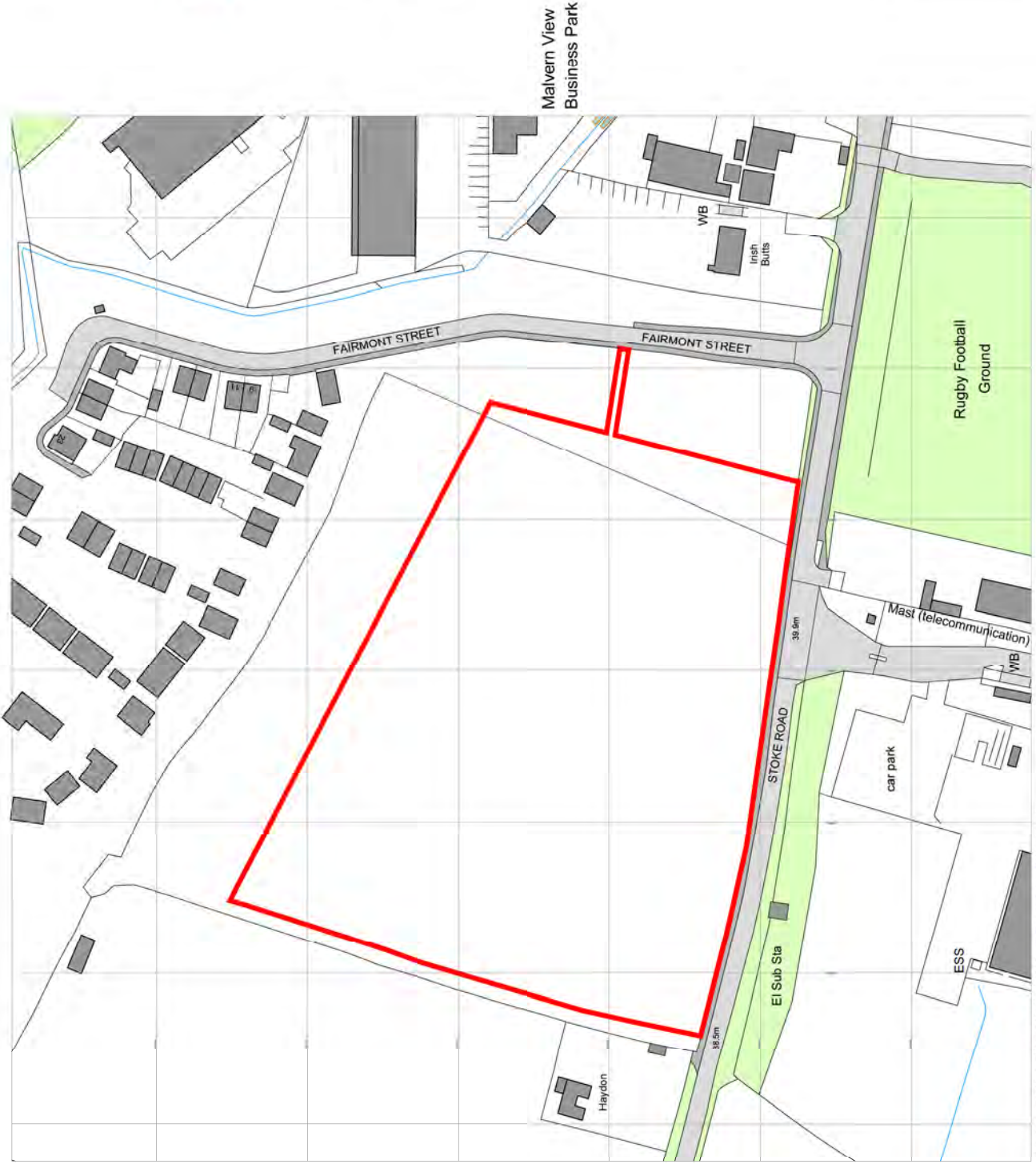
Drawing based and all information shown is based on OS  
 Promap data.

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Client	<b>Chase</b> CONTEMPORARY	Drawn	Checked
Project	Stoke Road Bishops Cleeve		
Title	Site Location Plan		
Drawn	AB	Checked	SPD
Date	07/2023	Scale	1:1000(AS)
		Drawn	Planning
		Drawn	2119/PA/01

**S R DAVIS**  
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 B15 2SR  
 T: 0121 465 3244  
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 www.sr-davis.co.uk

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**Notes:**  
 Drawing based on a full topographical survey.  
 Contours are shown at 0.5m intervals and reduced to sea level.  
 All dimensions are in metres, unless otherwise stated.  
 All rights reserved.

**Legend:**

- Extent of planning application  
25.272m<sup>2</sup> / 2.53ha / 6.25acres
- - - Water main and rising main easement  
(as advised)
- ▬ Proposed access (vehicle and pedestrian) road,  
footway and cycleway to be provided by IM  
Properties / Spireire Homes as part of approved  
SZ79 works for the wider development
- ↗ Proposed highway access from Stoke Road
- ↘ Proposed cycle / pedestrian access from  
Fairmont Street



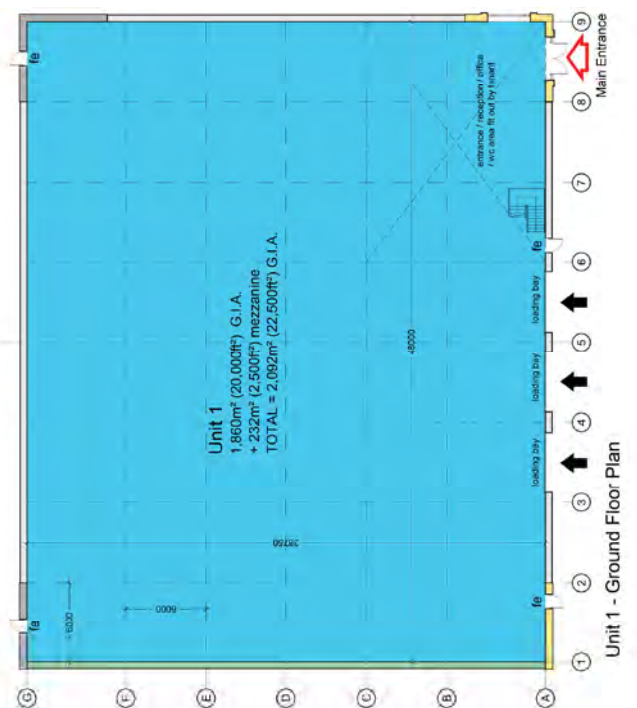
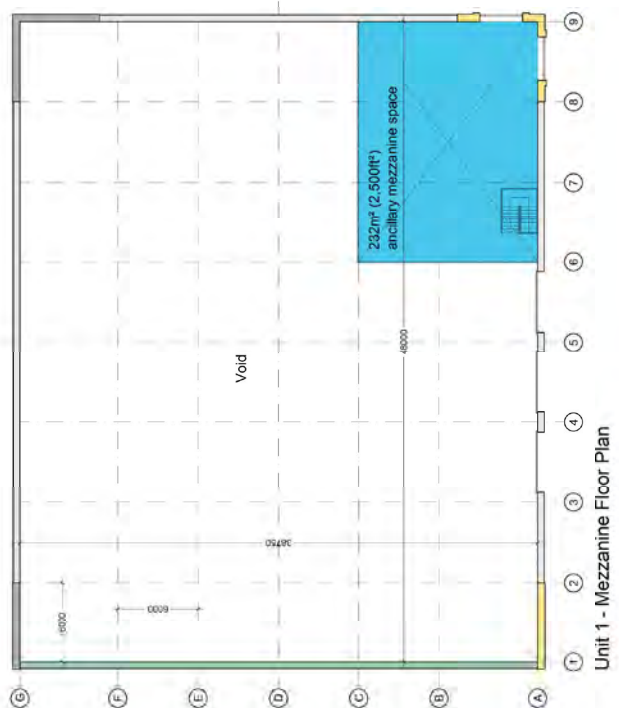
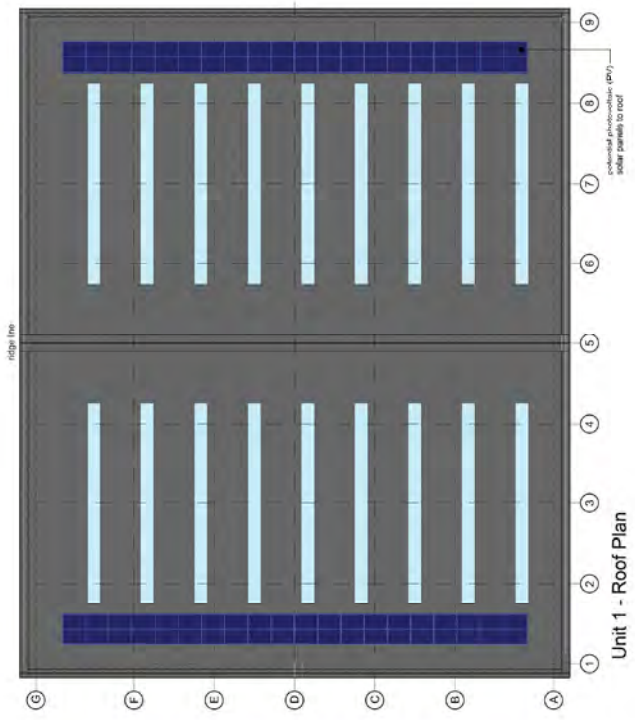
<b>S R DAVIS ARCHITECTS</b> Planning & Design 100, 101, 102, 103 104, 105, 106, 107, 108 109, 110, 111, 112, 113, 114 115, 116, 117, 118, 119, 120 121, 122, 123, 124, 125 126, 127, 128, 129, 130 131, 132, 133, 134, 135 136, 137, 138, 139, 140 141, 142, 143, 144, 145 146, 147, 148, 149, 150 151, 152, 153, 154, 155 156, 157, 158, 159, 160 161, 162, 163, 164, 165 166, 167, 168, 169, 170 171, 172, 173, 174, 175 176, 177, 178, 179, 180 181, 182, 183, 184, 185 186, 187, 188, 189, 190 191, 192, 193, 194, 195 196, 197, 198, 199, 200 201, 202, 203, 204, 205 206, 207, 208, 209, 210 211, 212, 213, 214, 215 216, 217, 218, 219, 220 221, 222, 223, 224, 225 226, 227, 228, 229, 230 231, 232, 233, 234, 235 236, 237, 238, 239, 240 241, 242, 243, 244, 245 246, 247, 248, 249, 250 251, 252, 253, 254, 255 256, 257, 258, 259, 260 261, 262, 263, 264, 265 266, 267, 268, 269, 270 271, 272, 273, 274, 275 276, 277, 278, 279, 280 281, 282, 283, 284, 285 286, 287, 288, 289, 290 291, 292, 293, 294, 295 296, 297, 298, 299, 300 301, 302, 303, 304, 305 306, 307, 308, 309, 310 311, 312, 313, 314, 315 316, 317, 318, 319, 320 321, 322, 323, 324, 325 326, 327, 328, 329, 330 331, 332, 333, 334, 335 336, 337, 338, 339, 340 341, 342, 343, 344, 345 346, 347, 348, 349, 350 351, 352, 353, 354, 355 356, 357, 358, 359, 360 361, 362, 363, 364, 365 366, 367, 368, 369, 370 371, 372, 373, 374, 375 376, 377, 378, 379, 380 381, 382, 383, 384, 385 386, 387, 388, 389, 390 391, 392, 393, 394, 395 396, 397, 398, 399, 400 401, 402, 403, 404, 405 406, 407, 408, 409, 410 411, 412, 413, 414, 415 416, 417, 418, 419, 420 421, 422, 423, 424, 425 426, 427, 428, 429, 430 431, 432, 433, 434, 435 436, 437, 438, 439, 440 441, 442, 443, 444, 445 446, 447, 448, 449, 450 451, 452, 453, 454, 455 456, 457, 458, 459, 460 461, 462, 463, 464, 465 466, 467, 468, 469, 470 471, 472, 473, 474, 475 476, 477, 478, 479, 480 481, 482, 483, 484, 485 486, 487, 488, 489, 490 491, 492, 493, 494, 495 496, 497, 498, 499, 500 501, 502, 503, 504, 505 506, 507, 508, 509, 510 511, 512, 513, 514, 515 516, 517, 518, 519, 520 521, 522, 523, 524, 525 526, 527, 528, 529, 530 531, 532, 533, 534, 535 536, 537, 538, 539, 540 541, 542, 543, 544, 545 546, 547, 548, 549, 550 551, 552, 553, 554, 555 556, 557, 558, 559, 560 561, 562, 563, 564, 565 566, 567, 568, 569, 570 571, 572, 573, 574, 575 576, 577, 578, 579, 580 581, 582, 583, 584, 585 586, 587, 588, 589, 590 591, 592, 593, 594, 595 596, 597, 598, 599, 600 601, 602, 603, 604, 605 606, 607, 608, 609, 610 611, 612, 613, 614, 615 616, 617, 618, 619, 620 621, 622, 623, 624, 625 626, 627, 628, 629, 630 631, 632, 633, 634, 635 636, 637, 638, 639, 640 641, 642, 643, 644, 645 646, 647, 648, 649, 650 651, 652, 653, 654, 655 656, 657, 658, 659, 660 661, 662, 663, 664, 665 666, 667, 668, 669, 670 671, 672, 673, 674, 675 676, 677, 678, 679, 680 681, 682, 683, 684, 685 686, 687, 688, 689, 690 691, 692, 693, 694, 695 696, 697, 698, 699, 700 701, 702, 703, 704, 705 706, 707, 708, 709, 710 711, 712, 713, 714, 715 716, 717, 718, 719, 720 721, 722, 723, 724, 725 726, 727, 728, 729, 730 731, 732, 733, 734, 735 736, 737, 738, 739, 740 741, 742, 743, 744, 745 746, 747, 748, 749, 750 751, 752, 753, 754, 755 756, 757, 758, 759, 760 761, 762, 763, 764, 765 766, 767, 768, 769, 770 771, 772, 773, 774, 775 776, 777, 778, 779, 780 781, 782, 783, 784, 785 786, 787, 788, 789, 790 791, 792, 793, 794, 795 796, 797, 798, 799, 800 801, 802, 803, 804, 805 806, 807, 808, 809, 810 811, 812, 813, 814, 815 816, 817, 818, 819, 820 821, 822, 823, 824, 825 826, 827, 828, 829, 830 831, 832, 833, 834, 835 836, 837, 838, 839, 840 841, 842, 843, 844, 845 846, 847, 848, 849, 850 851, 852, 853, 854, 855 856, 857, 858, 859, 860 861, 862, 863, 864, 865 866, 867, 868, 869, 870 871, 872, 873, 874, 875 876, 877, 878, 879, 880 881, 882, 883, 884, 885 886, 887, 888, 889, 890 891, 892, 893, 894, 895 896, 897, 898, 899, 900 901, 902, 903, 904, 905 906, 907, 908, 909, 910 911, 912, 913, 914, 915 916, 917, 918, 919, 920 921, 922, 923, 924, 925 926, 927, 928, 929, 930 931, 932, 933, 934, 935 936, 937, 938, 939, 940 941, 942, 943, 944, 945 946, 947, 948, 949, 950 951, 952, 953, 954, 955 956, 957, 958, 959, 960 961, 962, 963, 964, 965 966, 967, 968, 969, 970 971, 972, 973, 974, 975 976, 977, 978, 979, 980 981, 982, 983, 984, 985 986, 987, 988, 989, 990 991, 992, 993, 994, 995 996, 997, 998, 999, 1000	Client: <b>Chase</b> Project: <b>Stoke Road</b> Location: <b>Bishops Cleeve</b> Title: <b>Proposed Site Access Plan</b>
	Date: 01/11/23 Note: updated to Client Instructions.



**Notes:**  
 Drawing based on a full topographic survey.  
 Corrections to show dimensions and notify any discrepancies or errors to the company, immediately.  
 Work to figured dimensions only. Do not scale.  
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**Proposed Materials:**

- ① Profiled cladding including preformed corners (Colour: dark grey)
- ② Profiled cladding including preformed corners (Colour: light grey)
- ③ Flat panel cladding (Colour: feature colour to corner area)
- ④ Flat panel cladding (Colour: light grey / silver)
- ⑤ Flat panel cladding (Colour: dark grey corner area)
- ⑥ PPC aluminium framed double glazed doors / windows / skylight (Colour: dark grey)
- ⑦ Proprietary steel doorset (Colour: light or dark grey to match cladding)
- ⑧ Profiled roof cladding with proprietary rooflights (Colour: dark grey)
- ⑨ Secret fixed PPC aluminium flashings and trims (Colour: dark grey)
- ⑩ Up and over insulated sectional door (Colour: dark grey)
- ⑪ Profiled cladding including preformed corners (Colour: light green)
- ⑫ Profiled cladding including preformed corners (Colour: dark green)

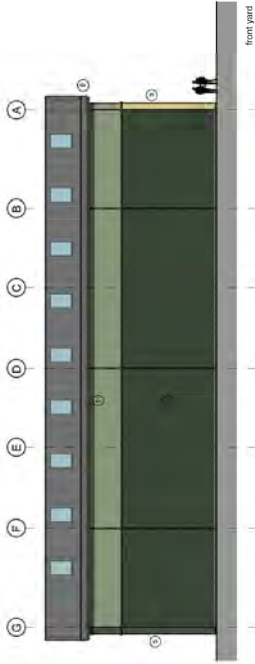


A		02/02/24	Roof construction (not to be shown)	MAF	SRD
Rev.	Date	Description	Drawn	Checked	
<p>SR DAVIS ARCHITECTS        100/102 St Albans Road        St Albans, West Yorkshire        WF10 1JF        T 01484 488234        F 01484 488232        sr.davisarchitects.co.uk</p>			<p>Project:        Stoke Road        Bishops Cleeve</p>		
<p>Unit 1        Plans As Proposed</p>			<p>Drawn: JH        Checked: SRD        Date: 07/02/24        Scale: 1:2000(A)</p>		
<p>Site: Farming</p>			<p>Doc No: 2119/PA/07        Rev: A</p>		

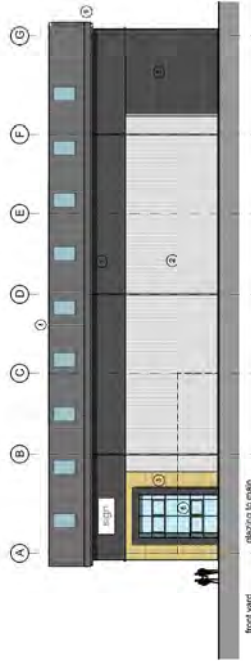
**Notes:**  
 Drawing based on a full topographical survey.  
 Corrections to show dimensions and notify any discrepancies or errors to the company, immediately.  
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**Proposed Materials:**

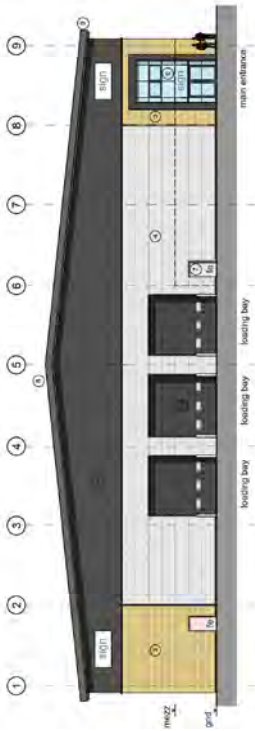
- ① Profiled cladding including preformed corners (Colour: dark grey)
- ② Profiled cladding including preformed corners (Colour: light grey)
- ③ Flat panel cladding (Colour: feature colour to corner area)
- ④ Flat panel cladding (Colour: light grey / silver)
- ⑤ Flat panel cladding (Colour: dark grey corner area)
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- ⑦ Proprietary steel covers (Colour: light or dark grey to match cladding)
- ⑧ Profiled roof cladding with proprietary rooflights (Colour: dark grey)
- ⑨ Secret fixed PPC aluminium flashings and trims (Colour: dark grey)
- ⑩ Up and over insulated sectional door (Colour: dark grey)
- ⑪ Profiled cladding including preformed corners (Colour: light green)
- ⑫ Profiled cladding including preformed corners (Colour: dark green)



**Unit 1 - West Elevation**  
(facing fields)



**Unit 1 - East Elevation**  
(facing new access road)



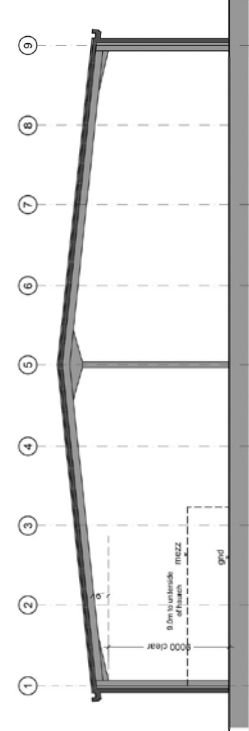
**Unit 1 - South Elevation**  
(facing Stoke Road)



**Unit 1 - North Elevation**  
(facing Unit 2)



**Key Plan (1:1250)**



**Unit 1 - Illustrative Section**

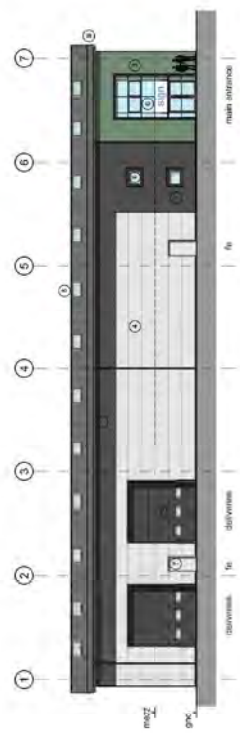
4850  
 steelwork size and design shown is  
 indicative only for Planning purposes. All  
 steelwork to be to structural engineers details.

<p><b>S R DAVIS ARCHITECTS</b>        Inspire Creativity        Elevate Ambition        Forge Success        111 York        T 01448 8234        F 01448 2222  <a href="http://www.srdavis.co.uk">www.srdavis.co.uk</a></p>		<p><b>Chase CONSTRUCTION LIMITED</b>        Project:  <b>Stoke Road        Bishops Cleeve</b>        T14        Unit 1 - Elevations &amp; Section        As Proposed</p>	
Client	Drawn	Checked	By
Rev	Date	Description	Drawn / Checked
			2119/PA/08
			A

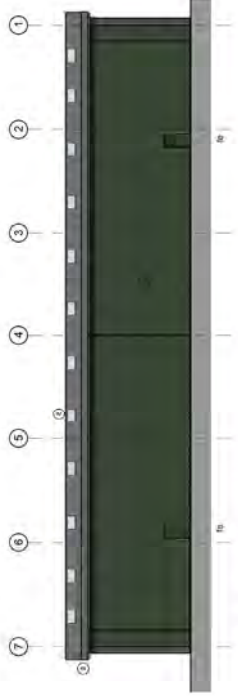
**Notes:**  
 Drawing based on a full topographical survey.  
 Corrections to show dimensions and notify any discrepancies or errors to the company, immediately.  
 Work to figured dimensions only. Do not scale.  
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**Proposed Materials:**

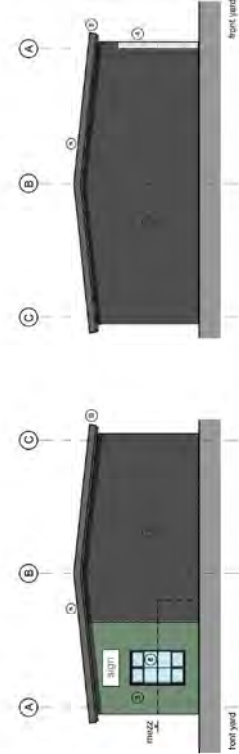
- ① Profiled cladding including preformed corners (Colour: dark grey)
- ② Profiled cladding including preformed corners (Colour: light grey)
- ③ Flat panel cladding (Colour: feature colour to corner area)
- ④ Flat panel cladding (Colour: light grey / silver)
- ⑤ Flat panel cladding (Colour: dark grey corner area)
- ⑥ PPC aluminium framed double glazed doors / windows / skylight (Colour: dark grey)
- ⑦ Proprietary steel concrete (Colour: light or dark grey to match cladding)
- ⑧ Profiled roof cladding with proprietary rooflights (Colour: dark grey)
- ⑨ Secret fixed PPC aluminium flashings and trims (Colour: dark grey)
- ⑩ Up and over insulated sectional door (Colour: dark grey)
- ⑪ Profiled cladding including preformed corners (Colour: light green)
- ⑫ Profiled cladding including preformed corners (Colour: dark green)



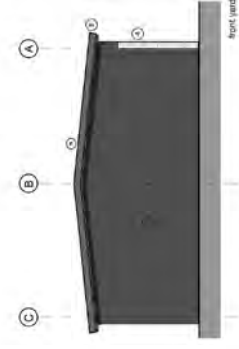
**Unit 2 - East Elevation**  
 (facing new access road)



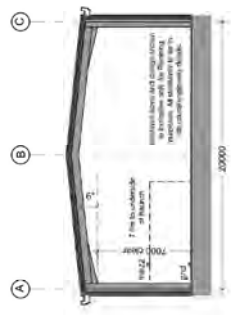
**Unit 2 - West Elevation**  
 (facing fields)



**Unit 2 - North Elevation**  
 (facing public open space)

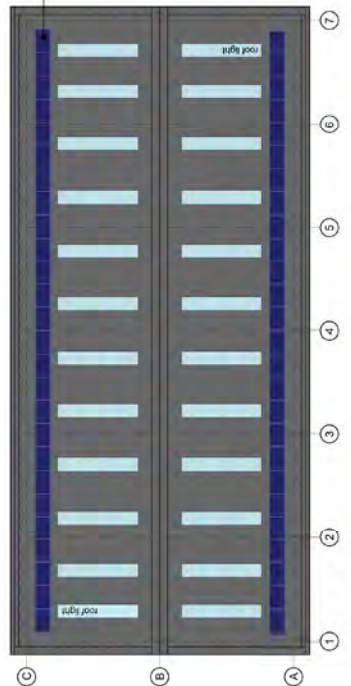


**Unit 2 - South Elevation**  
 (facing Unit 1)

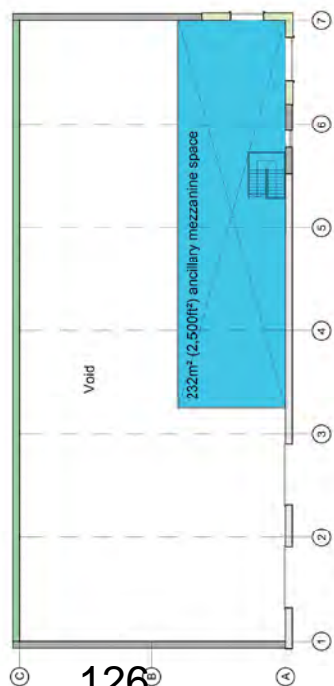


**Unit 2 - Illustrative Section**

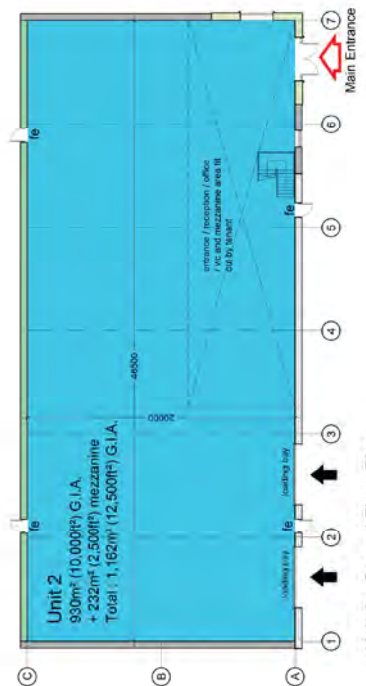
external photovoltaic (PV) solar panels to east and west facing section of roof



**Unit 2 - Roof Plan**



**Unit 2 - Mezzanine Floor Plan**



**Unit 2 - Ground Floor Plan**



**Key Plan (1:1250)**

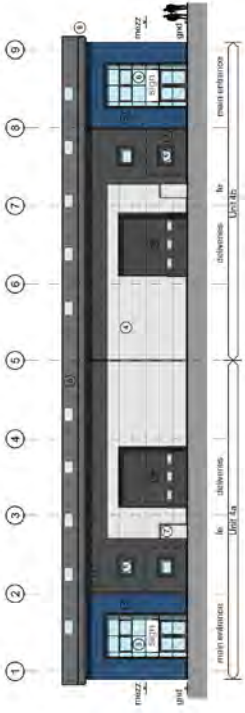
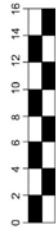
<p>S R DAVIS ARCHITECTS        100 Farmington Street        Bishopscleeve, Bristol        BS1 1JF        T 01454 481234        F 01454 481235        sr@sr-davis.co.uk</p>		<p>Client        Project        Stoke Road        Bishopscleeve</p>	
Rev	Date	Description	Drawn / Checked
<p>SR DAVIS ARCHITECTS        100 Farmington Street        Bishopscleeve, Bristol        BS1 1JF        T 01454 481234        F 01454 481235        sr@sr-davis.co.uk</p>		<p>Client        Project        Stoke Road        Bishopscleeve</p>	
Drawn	Checked	SRD	
Issue	at 2023/04/14 12:00:00		
Author	Planning		
Doc No.	2119/PA/09	Rev.	A



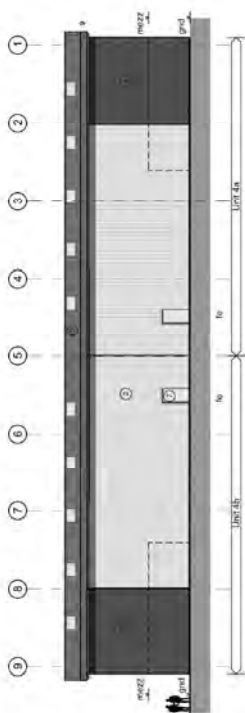
**Notes:**  
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 Corrections to show dimensions and notify any discrepancies or errors to the company, immediately.  
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**Proposed Materials:**

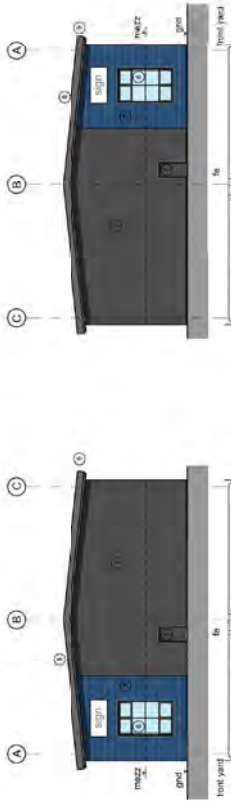
- ① Profiled cladding including preformed corners (Colour: dark grey)
- ② Profiled cladding including preformed corners (Colour: light grey)
- ③ Flat panel cladding (Colour: feature colour to corner area)
- ④ Flat panel cladding (Colour: light grey / silver)
- ⑤ Flat panel cladding (Colour: dark grey corner area)
- ⑥ PPC aluminium framed double glazed doors / windows / skylight (Colour: dark grey)
- ⑦ Proprietary steel corners (Colour: light or dark grey to match cladding)
- ⑧ Profiled roof cladding with proprietary rooflights (Colour: dark grey)
- ⑨ Secret fixed PPC aluminium flashings and trims (Colour: dark grey)
- ⑩ Up and over insulated sectional door (Colour: dark grey)



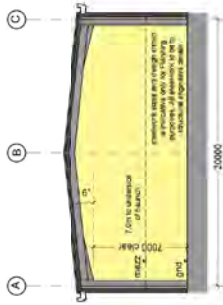
**Unit 4 - East Elevation**  
 (facing new access road)



**Unit 4 - West Elevation**  
 (facing Unit 3)



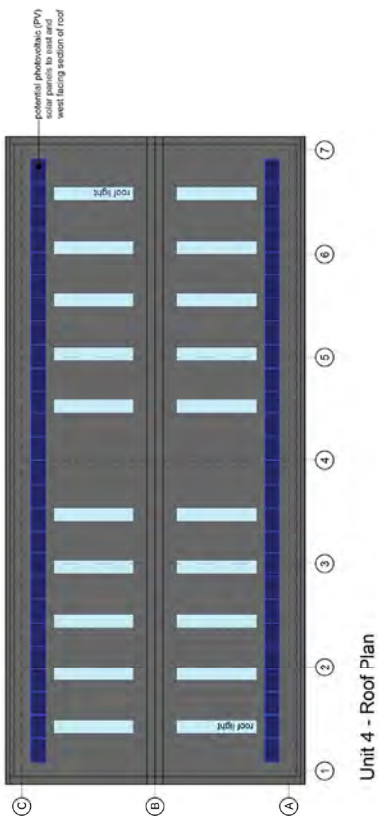
**Unit 4 - North Elevation**  
 (facing public open space)



**Unit 4 - Illustrative Section**



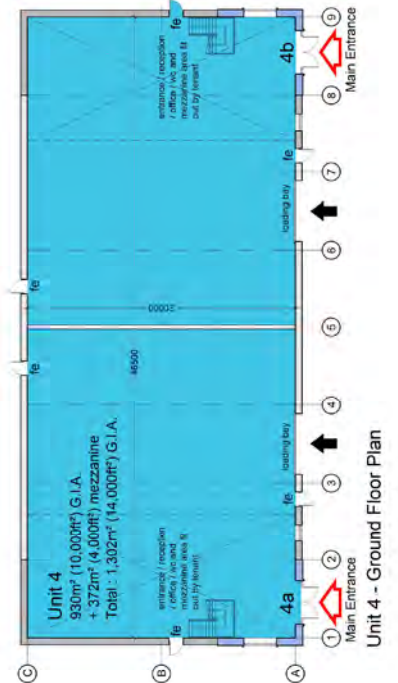
**Key Plan (1:1250)**



**Unit 4 - Roof Plan**



**Unit 4 - Mezzanine Floor Plan**



**Unit 4 - Ground Floor Plan**

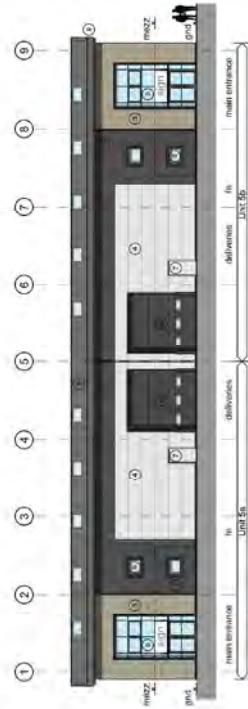
<b>S R DAVIS ARCHITECTS</b> Inspire Good Architecture for Everyone 110 York 110 York T 0114 493 8234 F 0114 493 2222 Consulting@sr-davis.co.uk	<b>Chase</b> CONSULTANTS Project Stoke Road Bishops Cleeve TEL Unit 4 - Plans, Section and Elevations As Proposed Dwg No. 2119/PA/11	Client Drawn / Checked 08/2023/SAW / 12/08/24 Status: Planning
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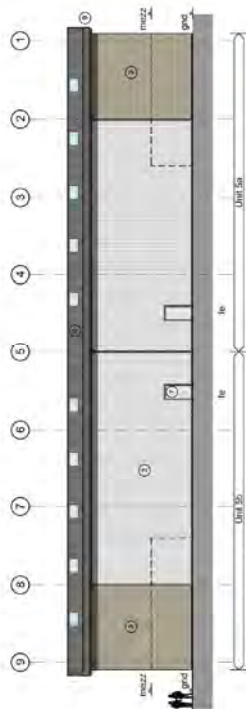
**Notes:**  
 Drawing based on a full topographic survey.  
 Corrections to show dimensions and notify any discrepancies or errors to the company, immediately.  
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**Proposed Materials:**

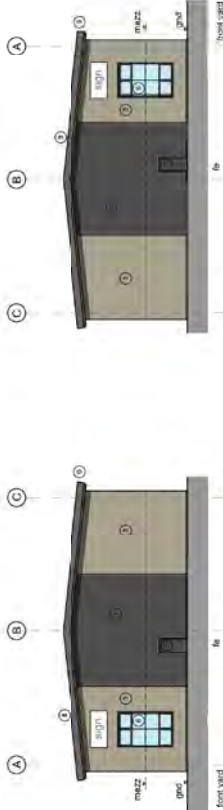
- 1) Profiled cladding including preformed corners (Colour: dark grey)
- 2) Profiled cladding including preformed corners (Colour: light grey)
- 3) Flat panel cladding (Colour: feature colour to corner area)
- 4) Flat panel cladding (Colour: light grey / silver)
- 5) Flat panel cladding (Colour: dark grey corner area)
- 6) PPC aluminium framed double glazed doors / windows / skylight (Colour: dark grey)
- 7) Proprietary steel corners (Colour: light or dark grey to match cladding)
- 8) Profiled roof cladding with proprietary rooflights (Colour: dark grey)
- 9) Secret fixed PPC aluminium flashings and trims (Colour: dark grey)
- 10) Up and over insulated sectional door (Colour: dark grey)



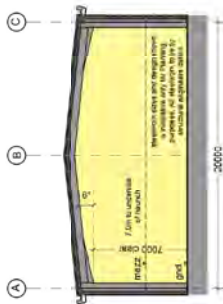
**Unit 5 - West Elevation**  
(facing Unit 4)



**Unit 5 - East Elevation**  
(facing Fairmont Street)

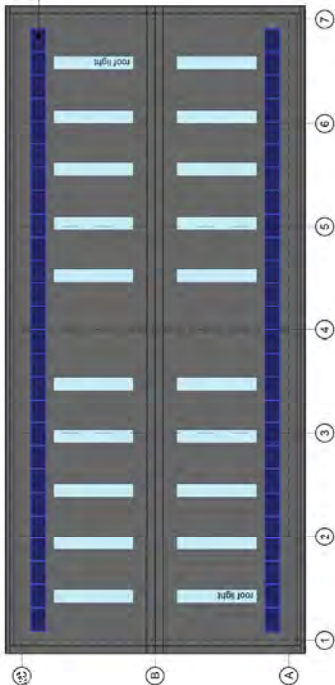


**Unit 5 - North Elevation**  
(facing public open space)



**Unit 5 - Illustrative Section**

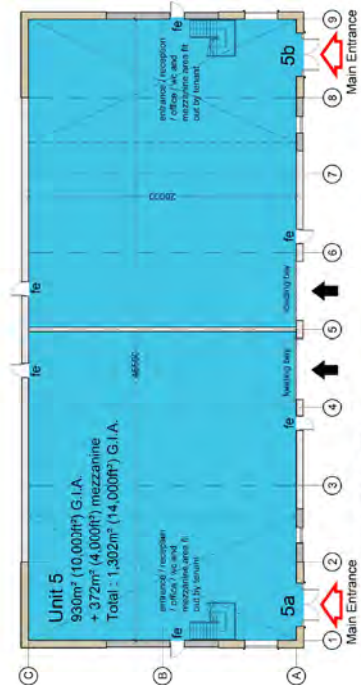
potential photovoltaic (PV) solar panels to east and west facing section of roof



**Unit 5 - Roof Plan**



**Unit 5 - Mezzanine Floor Plan**



**Unit 5 - Ground Floor Plan**



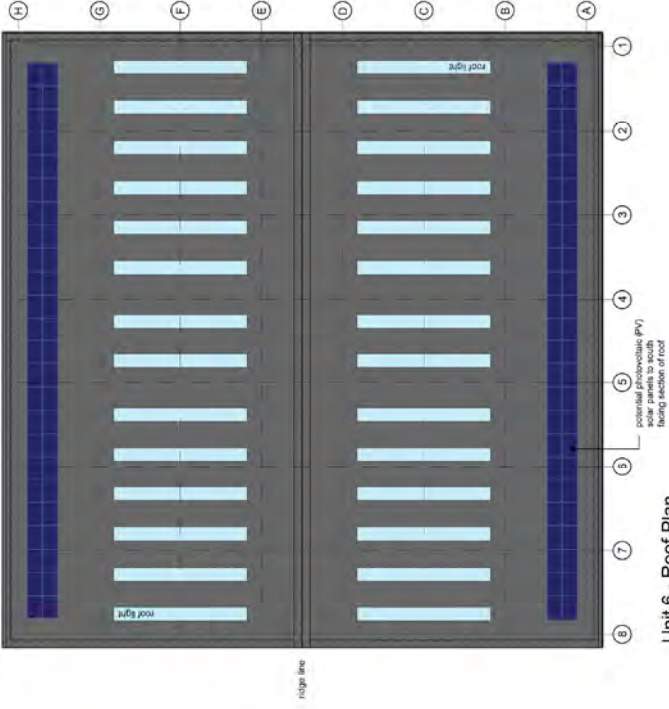
**Key Plan (1:1250)**

Client	Chase COMMERCIAL	Drawn	Checked
Project	Stoke Road Bishops Cleeve	Date	12/08/11
Architect	S R DAVIS ARCHITECTS	Scale	1:200 (wall)
Project Manager	Robynne Ho	Author	Planning
Project No.	11111111	Revision	
Unit 5 - Plans, Section and Elevations As Proposed		Drawn	1/11/12
2119/PA/12		Checked	1/11/12

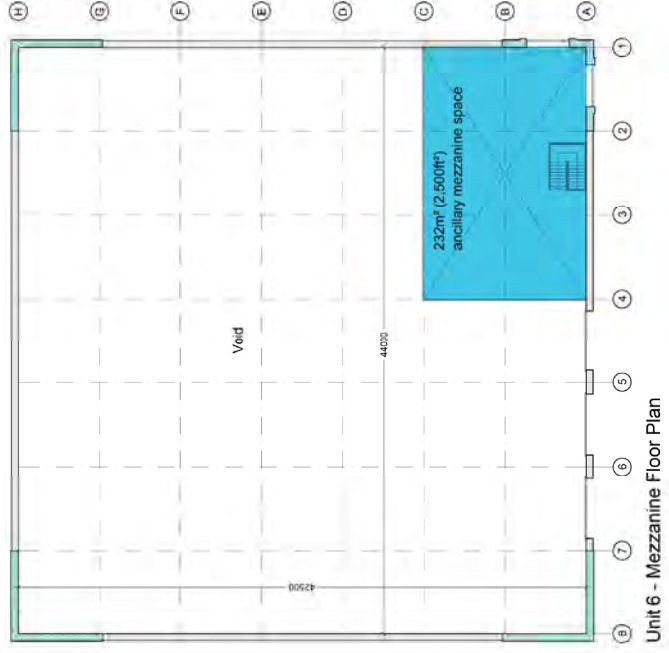
**Notes:**  
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**Proposed Materials:**

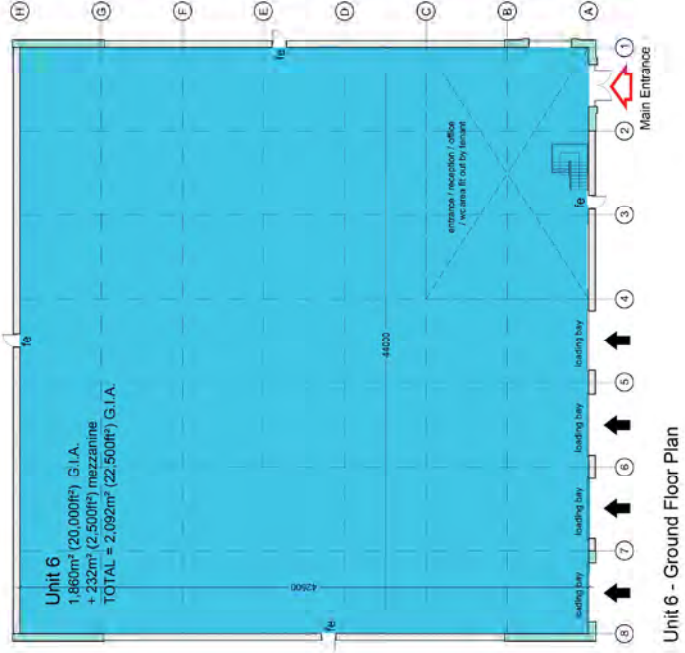
- ① Profile cladding including preformed corners (Colour: dark grey)
- ② Profile cladding including preformed corners (Colour: light grey)
- ③ Flat panel cladding (Colour: feature colour to corner area)
- ④ Flat panel cladding (Colour: light grey / silver)
- ⑤ Flat panel cladding (Colour: dark grey corner area)
- ⑥ PPC aluminium framed double glazed doors / windows / skylight (Colour: dark grey)
- ⑦ Proprietary steel doorsets (Colour: light or dark grey to match cladding)
- ⑧ Profile roof cladding with proprietary rooflights (Colour: dark grey)
- ⑨ Secret fixed PPC aluminium fascias and trims (Colour: dark grey)
- ⑩ Up and over insulated sectional door (Colour: dark grey)
- ⑪ Profile cladding including preformed corners (Colour: light green)
- ⑫ Profile cladding including preformed corners (Colour: dark green)



Unit 6 - Roof Plan



Unit 6 - Mezzanine Floor Plan



Unit 6 - Ground Floor Plan



Key Plan (1:1250)

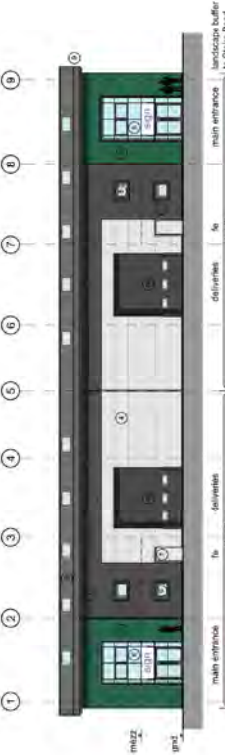
<b>S R DAVIS ARCHITECTS</b> Registered Architects No. 10 Registered Engineers No. 10 Registered Planners No. 10 111 York Road B11 1JL T 0121 493 8234 F 0121 492 2222 info@srdavis.com www.srdavis.com	Client <b>Chase</b> Project <b>Stoke Road          Bishops Cleeve</b>	MAF BRD
	Unit Function <b>Unit 6 - Plans As Proposed</b>	Drawn Checked Date Issue



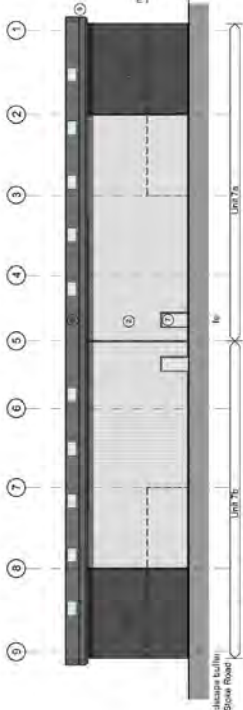
**Notes:**  
 Drawing based on a full topographic survey.  
 Corrections to show dimensions and notify any discrepancies or errors to the company, immediately.  
 Work to figured dimensions only. Do not scale.  
 © All Rights Reserved.

**Proposed Materials:**

- ① Profiled cladding including preformed corners (Colour: dark grey)
- ② Profiled cladding including preformed corners (Colour: light grey)
- ③ Flat panel cladding (Colour: feature colour to corner areas)
- ④ Flat panel cladding (Colour: light grey / silver)
- ⑤ Flat panel cladding (Colour: dark grey corner areas)
- ⑥ PPC aluminium framed double glazed doors / windows / skylight (Colour: dark grey)
- ⑦ Proprietary steel corners (Colour: light or dark grey to match cladding)
- ⑧ Profiled roof cladding with proprietary rooflights (Colour: dark grey)
- ⑨ Secret fixed PPC aluminium flashings and trims (Colour: dark grey)
- ⑩ Up and over insulated sectional door (Colour: dark grey)



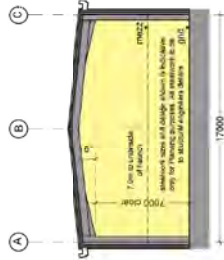
**Unit 7 - West Elevation**  
 (facing new access road)



**Unit 7 - East Elevation**  
 (facing Unit 6)



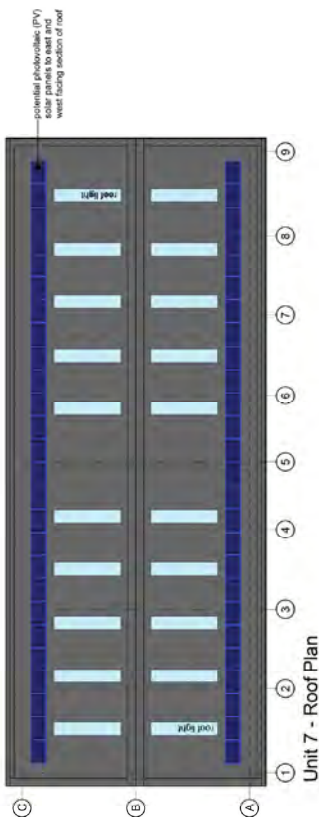
**Unit 7 - South Elevation**  
 (facing Stoke Road)



**Unit 7 - Illustrative Section**



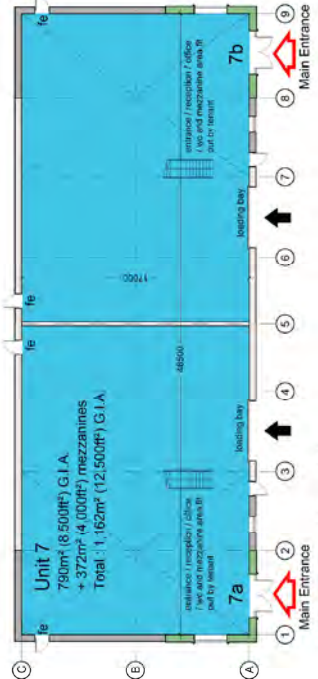
**Key Plan (1:1250)**



**Unit 7 - Roof Plan**



**Unit 7 - Mezzanine Floor Plan**



**Unit 7 - Ground Floor Plan**

Client	Chase COMMERCIAL	Drawn	Checked
Project	Stoke Road Bishops Cleeve		
Architect	S R DAVIS ARCHITECTS Incorporated in the Republic of Ireland 100, The Quadrant, Bristol, Avon, BS1 2JF, UK T: 01454 483 824 F: 01454 482 222 Consulting@sr-davis.co.uk		
Unit 7 - Plans, Section and Elevations As Proposed			
Drawn			
Checked			
Date	08/2023	Scale	1:200 (PA)
Project No.	2119/PA/15		









Illustrative Visual - details subject to change



PROPOSED COMMERCIAL DEVELOPMENT • LAND AT STOKE ROAD, BISHOP'S CLEEVE  
VIEW A







PROPOSED COMMERCIAL DEVELOPMENT • LAND AT STOKE ROAD, BISHOP'S CLEEVE  
VIEW B



PROPOSED COMMERCIAL DEVELOPMENT • LAND AT STOKE ROAD, BISHOP'S CLEEVE  
VIEW C



PROPOSED COMMERCIAL DEVELOPMENT • LAND AT STOKE ROAD, BISHOP'S CLEEVE  
VIEW D

Approximate planting  
after 10-15 years growth



Approximate planting  
after 5-10 years growth



Approximate planting  
after 1-5 years growth



Proposed Extra Heavy  
Standard Tree Planting

Proposed Mixed Species  
Native thicket

Proposed Mixed Species  
Native Hedgerow  
Neighbouring Arable  
Land

Land set aside  
for agricultural  
right of way.

4m high  
acoustic fence

39.00m  
38.00m  
37.00m  
36.00m  
35.00m

SITE  
BOUNDARY

38.00m  
37.00m  
36.00m  
35.00m

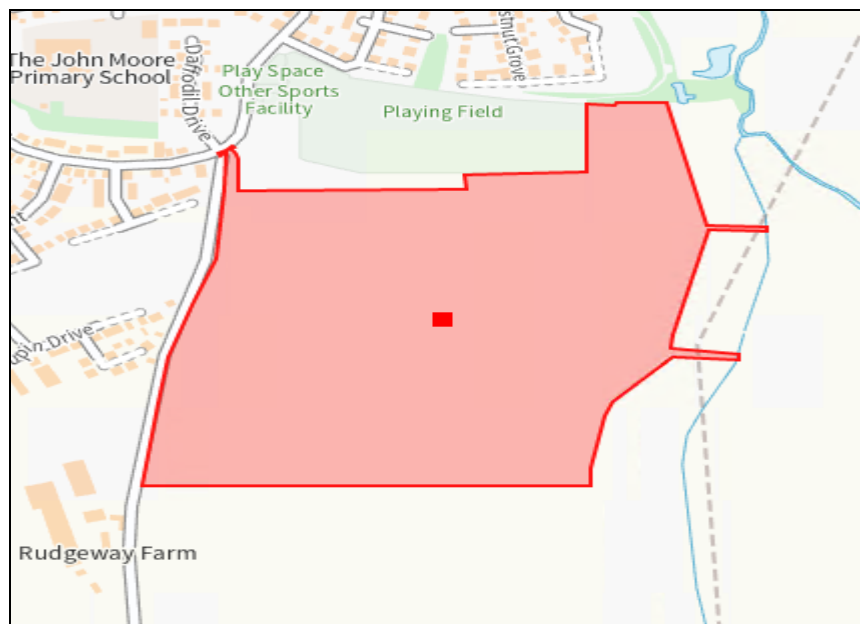
# Section through Unit 1 Service yard

SCALE 1:200

## Planning Committee

<b>Date</b>	16 July 2024
<b>Case Officer</b>	Paul Instone
<b>Application No.</b>	24/00227/APP
<b>Site Location</b>	Land To The North East Of Rudgeway Farm And South Of Nightingale Way, Walton Cardiff, Tewkesbury
<b>Proposal</b>	Approval of reserved matters relating to layout, scale, appearance, and landscaping (pursuant to outline planning permission ref: 22/00834/OUT) for 238 dwellings, public open space, and associated highway infrastructure at Land south east of Bluebell Road, Wheatpieces, Tewkesbury.
<b>Ward</b>	Isbourne
<b>Parish</b>	Ashchurch Rural/Wheatpieces
<b>Appendices</b>	WE112-SL-001L Site Layout WE112-PD-0161C Street Scene WE112-PD-060C Street Scene Sutherland House Elevation (example terrace in central character area) Lyford Buxton House Elevation (example dwelling on corner plot) Peel House Elevation (example dwelling on southern edges of development) Bellingham House Elevation (proposed bungalows)
<b>Reason for Referral to Committee</b>	Reserved Matters application for the erection of more than 20 dwellings
<b>Recommendation</b>	Approve

### Site Location



## 1. The Proposal

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Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SALR7EQDI5B00>

- 1.1 Outline planning permission (reference 22/00834/OUT) was permitted by Tewkesbury Borough Council in February 2024. The Description of Development is follows:

*'Outline planning application for the erection of up to 250 dwellings, community sports pavilion and outdoor sports pitches, as well as associated highway, drainage and green infrastructure including trim trail, outdoor play and community orchard. All matters reserved except for access.'*

- 1.2 Pursuant to the outline planning permission, the current application seeks approval for reserved matters for that part of the outline site where dwellings and associated infrastructure is proposed. A separate reserved matters application (24/00183/APP) has also been submitted for the sports pavilion, sports pitches and associated infrastructure which is to be determined through delegated authority. A summary of this application is provided below. Planning permission 24/00214/APP has already been granted by the Local Planning Authority for the approval of a 290 metre long hedgerow and post and rail fence along the eastern boundary of the site.
- 1.3 This reserved matters application proposes 238 dwellings on a 13.69 hectare site (excluding the pavilion and playing fields) with an average site wide density of 17.4 dwellings per hectare. Excluding the playing fields there would be 6.42 hectares of public open space, rising to 7.54 hectares once the playing fields are included.
- 1.4 The application has been revised during the determination of the application and revisions have been made to the plans further to comments from planning officers. The principal amendments include:
- Revisions to affordable housing clustering.
  - Amendments to Bin Collection Points.
  - Enhancements to area of open space in centre of site and improvement to pedestrian desire lines.
  - Enhanced provision of street trees and revisions to planting specifications.
  - Securing permanent wet areas into SuDS basins in the interests of biodiversity.
  - Boundary treatments revised to brick screen wall rather than fencing on principal thoroughfares.
  - Amendments to parking layouts and highway infrastructure in accordance with the requirements of the County Highways Authority.
- 1.5 The scheme would deliver 143 open market dwellings and 95 affordable dwelling (57 social rented and 38 shared ownership) which equates to 40% of the total number of dwellings.
- 1.6 In terms of open market housing, the proposals would deliver:
- 13no. 2 bedroom houses
  - 72no. 3 bedroom dwellings
  - 56no. 4 bedroom dwellings
  - 2no. 5 bedroom dwellings

**1.7** In respect to affordable housing, the following mix would be delivered:

Social Rented

- 10no. 1 bedroom
- 24no. 2 bedroom
- 20no. 3 bedroom
- 1no. 4 bedroom
- 2no. 5 bedroom

Shared Ownership

- 19no. 2 bedroom
- 19no. 3 bedroom

**1.8** The number and tenure of affordable dwellings would reflect the requirements of the S106 agreement.

## **2. Site Description**

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- 2.1** The application site comprises a relatively flat parcel of agricultural land located to the south of the existing Wheatpieces residential area and east of Tewkesbury Meadow and was previously used as agricultural land. The site comprises the majority of the land parcel which benefits from planning permission 22/00834/OUT, but excludes the north eastern corner which is to be developed as a sports pavilion/sports pitches which is subject to a separate reserved matters application (reference 24/00183/APP).
- 2.2** Directly north of the site is the approved office development for Bloor Homes Western (reference 21/00398/FUL). Jenny's Field (designated as Public Open Space) is situated beyond that, with existing residential development associated at Wheatpieces further north.
- 2.3** The western boundary of the site is defined by an existing hedgerow, with Rudgeway Lane, and the recently constructed Tewkesbury Meadow development for 261 dwellings and a new link road (Bluebell Road) located further west. The southwest boundary of the site is also defined by an existing hedgerow, with further agricultural fields beyond. The eastern and south-eastern boundaries of the site are arbitrary boundaries and are not defined. However planning permission reference 24/00214/APP has been approved for the planting of a 290 metres long native species triple staggered hedgerow along this eastern boundary which will demark the eastern boundary of the application site. This reserved matters application also proposes the planting of a native hedgerow in the eastern part of the southern boundary to provide a continuous hedgerow along the southern boundary to the site.
- 2.4** The site lies outside but adjacent to the settlement boundary to Tewkesbury, as defined in the proposals map to TBP. The site is also located within the Ashchurch Rural Neighbourhood Plan area.
- 2.5** The site lies predominantly in Flood Zone 1, a small part of the site area extends into the floodplain, but this relates to the drainage outfall and there is no development situated within this area.

**2.6** A public right of way, AWC5 bridleway, runs along the northern boundary of the site. This is proposed to be incorporated as part of the development proposal, as shown on the submitted Parameters Plan. A gas main easement runs through the north of the site in an east to west Direction. The site is not subject to any formal or informal landscape designations.

### 3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
22/00834/OUT	Outline planning application for the erection of up to 250 dwellings, community sports pavilion and outdoor sports pitches, as well as associated highway, drainage and green infrastructure including trim trail, outdoor play and community orchard. All matters reserved except for access.	PER	21.02.2024
24/00183/APP	Reserved Matters application for a community sports pavilion, playing field and associated infrastructure at the Land south east of Bluebell Road, Wheatpieces, Tewkesbury.	PENDING DECISION	
24/00039/CONDIS	Application for approval of details subject to condition 23 (programme of archaeological work) of the planning application ref number 22/00834/OUT	DISCHARGED	07.05.2024
24/00214/APP	Approval of reserved matters relating to landscaping (pursuant to outline planning permission ref:22/00834/OUT) for a new eastern boundary hedgerow and post and wire fence at Land south east of Bluebell Road, Wheatpieces, Tewkesbury.	PER	28.06.2024
24/00083/CONDIS	Application for approval of details subject to conditions 22 (foul water disposal) and 26 (external lighting) of the planning application ref number 22/00834/OUT	PENDING DECISION	

### 4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 4.1 Ashchurch Rural Parish Council** – No comment.
- 4.2 Wheatpieces Parish Council** – Support the application and no comment.
- 4.3 Tewkesbury Town Council** – No objection but consideration should be given to getting people into habit of driving below 20 mph in this development and the applicant warrants the installation of traffic calming measures along Bluebell Road and installation of a crossing next to the existing MUGA
- 4.4 Urban Design Advisor** – No objection further to revisions secured to scheme during the determination period.



- 4.5 Landscape Advisor** - No objection further to revisions secured to scheme during the determination period.
- 4.6 Housing Enabling Officer** – No objection further to amendments secured to affordable housing clustering.
- 4.7 National Highways** – No objection.
- 4.8 County Highways Authority** – No objection subject to conditions.
- 4.9 Active Travel England** – No comment refer to standing advice.
- 4.10 Public Rights of Way Officer** – No objection and no development should take place affecting the PRow prior to confirmation of the a Town and Country Planning Act PRow Diversion Order.
- 4.11 Local Lead Flood Authority** – No objection.
- 4.12 Sports England** – No comments to make on this application.
- 4.13 Natural England** – No comments to make on this application.
- 4.14 Ecology Advisors** – No objections subject to amendments being secured.
- 4.15 Environment Agency** – No objection the applicants should check the location of the pipeline with the gas operator.
- 4.16 Health and Safety Executive** – Do not advise against.
- 4.17 Environmental Health** – No objection further to clarifications from applicants.
- 4.18 Conservation Officer** – No objection.
- 4.19 Property Services** – No objection – comments provided on LEAP which have been considered by officers.
- 4.20 Severn Trent** – No objection.
- 4.21 Waste Services** – No objection further to amendments to bin collection points.

## **5. Third Party Comments/Observations**

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Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 5.1** The application has been publicised through the posting of a site notice for a period of 21 days.
- 5.2** One objection has been received.
- The application conflicts with the spatial strategy.
  - No allowance has been made for custom build plots.

## **6. Relevant Planning Policies and Considerations**

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### **6.1 Statutory Duty**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

### **6.2 National guidance**

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

### **6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017**

- Policy SP1 (The Need for New Development)
- Policy SP2 (The Distribution of New Development)
- Policy SD4 (Design Requirements)
- Policy SD6 (Landscape)
- Policy SD9 (Biodiversity and Geodiversity)
- Policy SD10 (Residential Development)
- Policy SD11 (Housing Mix and Standards)
- Policy SD12 (Affordable Housing)
- Policy SD14 (Health and Environmental Quality)
- Policy INF1 (Transport Network)
- Policy INF2 (Flood Risk and Management)
- Policy INF3 (Green Infrastructure)
- Policy INF6 (Infrastructure Contributions)

### **6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022**

- Policy RES5 (New Housing Developments)
- Policy RES12 (Affordable Housing)
- Policy RES13 (Housing Mix)
- Policy DES1 (Housing Space Standards)
- Policy HER2 (Listed Buildings)
- Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features)
- Policy LAN2 (Landscape Character)
- Policy NAT3 (Green Infrastructure: Building with Nature)
- Policy ENV2 (Flood Risk and Water Management)
- Policy HEA1 (Healthy and Active Communities)
- Policy RCN1 (Public Outdoor Space, Sports Pitch and Sports Facility Provision)
- Policy RCN2 (New Sports and Recreational Facilities)
- Policy RCN3 (Allotments & Community Gardens)
- Policy TRAC1 (Pedestrian Accessibility)
- Policy TRAC2 (Cycle Network and Infrastructure)
- Policy TRAC3 (Bus Infrastructure)
- Policy TRAC9 (Parking Provision)

**6.5** Ashchurch Rural Parish Neighbourhood Development Plan 2020-2031 (ARNDP) – Made 27<sup>th</sup> September 2022

- Policy T1 (Modal Shift for Major Development Proposals)
- Policy T2 (Road Safety for Walking and Cycling)
- Policy C1 (Community Infrastructure)
- Policy V1 (Protection of Intrinsic Value of the Countryside)
- Policy W1 (Water Management)
- Policy H2 (Design of Housing)

Other Relevant policies/legislation

- Human Rights Act 1998
- Article 8 (Right to Respect for Private and Family Life)
- The First Protocol - Article 1 (Protection of Property)
- Planning (Listed Buildings and Conservation Areas) Act 1990

**7. Policy Context**

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- 7.1** 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.
- 7.2** The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 7.3** The relevant policies are set out in the appropriate sections of this report.
- 7.4** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

**8. Evaluation**

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***Conditional Requirements***

- 8.1** The outline planning permission includes planning conditions which establish the parameters of the built form on the site and set out the information which is required to be submitted as part of reserved matters applications. These conditions are summarised below:
- 8.2** Condition 2 requires applications for approval of reserved matters to be submitted to the Local Planning Authority February 2026. All reserved matters application which are required pursuant to the outline planning permission have been submitted to the Local Planning Authority and the applicant has complied with this condition.
- 8.3** Condition 4 of the outline permission states that the development shall be carried out in in general accordance with the approved parameter plan and approved site access drawing. These plans establish the area of the built development on the site, land uses in different parts of the sites, building heights, areas of green infrastructure proposed planting and

hedgerow retention, indicative pedestrian and vehicular routes and linkages, and the gas pipeline easement. The layout and scale of the reserved matters application generally accords with these principles which are established within the outline planning permission.

- 8.4** Condition 5 of the outline permission states that no more than 250 dwellings shall be provided on the site. The reserved matters application proposes 238 dwellings and accords with the outline permission in this regard.
- 8.5** Condition 6 requires a residential design code to be submitted as part of the first reserved matters application. A residential design code has been submitted as part of this reserved matters application in accordance with the requirements of condition 6.
- 8.6** Condition 7 requires that a Market Housing Mix Statement shall be submitted as part of any reserved matters to demonstrate that the proposal would deliver a balanced housing market. A Statement has been provided by the applicant as part of the reserved matters application assessing the proposal against the Council's Local Housing Needs Assessment.
- 8.7** Conditions 8 and 9 requires details of external surfaces and levels to be submitted. These details have been included in the reserved matters application in accordance with the requirements.
- 8.8** Condition 10 requires full details of landscaping, maintenance arrangement and fencing to be submitted as part of the landscaping reserved matter application. Full details have been provided in accordance with the conditional requirements.
- 8.9** Condition 14 requires the reserved matters application to include matters relating to surface water, street trees, and details of the proposed surfacing along PROW-AWC5. The submitted Planning Engineering Layout shows details relating to the surface water strategy, street trees are shown in the landscaping proposals and details of the PROW improvement are shown on the external works drawing.
- 8.10** Condition 30 states that any reserved matters application which includes a dwelling shall be accompanied by a noise survey to identify any dwellings that would be affected by noise. A noise survey has been included in the reserved matters application in accordance with the conditional requirements.
- 8.11** There are also a number of conditions attached to the outline planning permission which are required to be discharged. Where appropriate this report gives consideration to the compliance of the reserved matters scheme with these conditional requirements within the relevant sections albeit the applicant is required to separately discharge these conditions on the outline permission.
- 8.12** The outline permission was also subject to Section 106 agreements with the Borough Council and Gloucestershire County Council. These matters also need to be taken into account when considering this reserved matters application and are also discussed where relevant in the following sections of this report.  
The application is supported by a range of technical documents including the following:
- Design Code
  - Detailed site layout, dwelling elevations and floorplans
  - Site Landscaping and Maintenance Arrangements
  - Biodiversity Net Gain Assessment
  - Slab levels plan
  - Vehicle tracking for refuse, buses and delivery vehicles

- Noise and ventilation and technical note
- Ecological Enhancements Strategy
- Energy Strategy
- Refuse collection and refuse storage plans

***Principle of development***

- 8.13** The principle of residential development at the site has been established through the grant of outline planning permission.
- 8.14** The key issues in relation to this reserved matters application are considered to be:
- Layout, appearance, scale and density;
  - House types;
  - Access, turning, parking and sustainable transport;
  - Trees, landscaping and open space;
  - Existing and future residential amenity;
  - Affordable housing; and
  - Ecology.
- 8.15** In assessing these matters it is also important to consider whether they accord with the outline consent and its supporting documents which set out the key principles governing the development of the site, namely, the approved Parameter Plans.

***Layout, appearance, scale and density***

- 8.16** The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable in communities. Policy SD4 of the JCS advises that new development should respond positively to and respect the character of the site and its surroundings, enhance local distinctiveness and the grain of the locality. Policy INF3 states that where green infrastructure assets are created, retained or replaced within a scheme they should be properly integrated into the design and contribute to local character and distinctiveness. Policy RES5 of the TLP states that proposals should be of a design and layout that respects the character, appearance and amenity of the surrounding area and is capable of being integrated within it. Policy H1 of the ARNP states that single level and bungalow developments will be supported and the housing development must be appropriate in scale and overall size and respect local character and density.
- 8.17** A Parameter Plan was approved as part of the outline permission which establishes the extent of built form, retained and proposed green infrastructure, the location of residential development, vehicular and pedestrian access points into the development and building heights. Condition 2 of the outline permission requires that the development shall be carried out in 'general accord' with this approved Parameter Plan.
- 8.18** The reserved matters application is supported by a Design Code which demonstrates that the application broadly accords with the principles of development which was established by the outline planning permission.
- 8.19** Notwithstanding this matter, planning officers have negotiated alterations to the design of the proposal during the determination of the application. Principal alterations which have been negotiated include:

- Revisions to affordable housing clustering.
- Fenestration amended on some dwellings in the interest of high quality design.
- Enhancements to area of open space in centre of site and improvement to pedestrian desire lines.
- Revisions to architectural approach in 'gateway plots'.
- Boundary treatments revised to brick screen wall rather than fencing on principal thoroughfares.
- Increased planting in green open space in northern component of site.
- Enhanced provision of street trees.

- 8.20** The Design Code which supports this application sets out the design rationale for the proposals. The proposed layout and design approach accords within the principles of the Parameter Plan which was approved at outline stage with the built form concentrated in the southern part of the site.
- 8.21** The built form of the site's context is characterised by an irregular block arrangement typical of modern residential development and echoing the wider context of Wheatpieces. The street pattern generally follows a hierarchy of a circular main route (which can accommodate buses) with secondary routes and smaller lanes to the peripheries of the development. Each of these street types has different characteristics in terms of their arrangements, carriageway widths and densities.
- 8.22** The circular main route provides a mixture of detached, semi-detached dwellings with the occasional terrace dwellings with a strong building line which is more formal in terms of building layout and landscaping. Shorter front gardens provides a strong frontage along the street with clipped hedges and street trees defining the route. Dwellings are generally two storeys with the occasion 2.5 storey dwellings at key vistas to define the street scene (e.g plots 141 & 142).
- 8.23** The edges of the development are defined by a looser lower density form of development fronted by private drives. This design approach reflects the transition between housing and surrounding open space. Dwellings are predominantly detached with parking set to the sides of dwellings aiding in the visual transition between open space and the built form. Dwellings are orientated such that they front onto the open space creating opportunities for active natural surveillance over the open space and in the interests of high quality design.
- 8.24** In terms of materials and architectural approach the house types to be used within the site reflect the house types found within the surrounding Wheatpieces development. House designs are varied with a mix of hipped, eaves and gable roof types as well as terrace, semi-detached and detached dwellings which provides interest and variety in the streetscene. Dwellings at key locations on corners are designed to 'turn the corner' to provide an active streetscene. Dwellings would be constructed primarily of red brick interspersed with the use of dwellings with red brick/chalk render and red brick/black Tudor Boarding at key vistas. For instance plots 5, 203 and 191 which form a gateway view into the site are red brick/chalk render dwellings. Officers consider this use of materials reinforces the character area typology of the built form whilst providing synergy with the surrounding context of the wider Wheatpieces development.
- 8.25** In respect to density, the average site wide density (excluding the pavilion and playing fields) is 17.4 dwellings per hectare which is relatively low. This low density of development is a result of the easement in the northern part of the site due to the gas pipeline which is provided as open space. Having regard to these constraints of the site, it is considered that

the proposal achieves the requirements of Policy SD10 criterion 6 of the JCS and achieves the maximum density compatible with good design, local amenity and the character and quality of the local environment.

- 8.26** Overall officers consider that the scale, layout and appearance of the application is acceptable and generally accords with the approved parameter plans and is of an appropriate design.

### ***Trees, Landscaping and Open Space***

- 8.27** JCS Policy SD6 seeks to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. All applications will consider the landscape and visual sensitivity of the area in which they are to be located and which they may affect. JCS Policy SD4 (iv) requires the design of open space and landscaped areas to be of a high quality design, providing a clear structure and constitute an integral and cohesive element of the design. JCS Policy INF3 states that existing green infrastructure will be protected in a manner which reflects its contribution to ecosystem services.
- 8.28** The design of the landscaped areas including the LEAP in the centre of the site have been subject to negotiations with the applicant and the layout has been amended to create a direct open linkage through the centre of the site, following the line of the existing retained hedgerow.
- 8.29** The open space within the site is in accordance with the principles and parameters of the outline application and provides 6.42 hectares of open space excluding the playing fields and 7.54 hectares of open space including the playing fields. The open space with this reserved matters application proposes an arrangement that provides recreational space/meadow to the north, a circular walk around the site on a hoggin footpath and a green corridor through the centre of the site which includes the provision of a LEAP. In the south of the site with the landscaped area there are also six natural play areas to the south of the hoggin footpath which are focussed towards use by small children and include features such as balancing posts/beams, climbing trunks, feature boulders and climbing pyramids and 1.4 metre high climbing nets. The latter two play features are located in south west and south east corner of the site where there is more green space such that they are located in excess of 15 metres from the proposed dwellings.
- 8.30** The LEAP in the centre of the site includes a range of play features including a swing, seesaw, slide and roundabout, as well as other features. The LEAP is located in excess of 20 metres from the front elevation of the nearest properties, and moreover, there is a retained intervening hedgerow screening the LEAP from the closest properties to the east. The separation distance of the LEAP from boundaries of nearby properties accords with the buffer zones in Fields in Trust Guidance and is acceptable.
- 8.31** In the south west corner of the site a community orchard is proposed comprises of 21 trees of apple, pear and plum. In the north and south west of the site are two SUDS basins, which include permanent wet areas at the request of the Council's Ecological Advisors.
- 8.32** The landscaping strategy and design approach is in accordance with the approved parameter plan and focuses on the two retained hedgerows running north/south and east/west within the site providing two green corridors within the site which will break up the massing of the development. In places new native planting will fill in the gaps in the retained hedgerow. The existing hedgerow along Rudgeway Lane is to be retained with three pedestrian access points provided to the site at locations where there are existing

gaps in the hedgerow. The existing hedgerow at the south (eastern) and west (southern) boundary is also to be retained. This application also proposed to plant a new native hedgerow along the south (eastern) boundary of the site. To the north east of the site, an additional 290 sq m of hedgerow is also proposed to enclose the site boundary which has been approved by reserved matters planning application (reference 24/00214/APP). In total the reserved matters applications pursuant to the outline permission bolster planting in 0.63km of native hedgerow, and propose 1.07km of species rich native hedgerows and 0.875km of non-native ornamental hedgerows. Whilst the proposal would result in the loss of a section of native hedgerow (to the west of plot 100) of in the order of 160 metres (as identified and in accordance with the approved parameter plan), this is considered acceptable to facilitate a layout which achieves good design principles. The application overall provides an increase in hedgerow habitat units of 51.4%. It is considered that the retention of existing hedgerows and proposed new planting will visually enclose the site boundaries and provide a buffer and transition within the built form and the wider countryside whilst also providing habitat corridors.

- 8.33** The northern area of the site will comprise of a meadow predominantly formed by wildflower planting interspersed with trees and with native woodland planting. This character area will follow the easement required for the high pressure gas main, and also provide a positive semi-rural character on arrival to the site. The meadow will be crossed by a series of footpaths including the existing Public Right of Way which will be retained and enhanced as a 3 metre wide hoggin path (subject to the granting of a PRoW Diversion order) and the inclusion of a pegasus crossing over the proposed access road.
- 8.34** Within the area of built form, planning officers have sought revisions to the proposal and secured additional trees adjacent to the streets. Any trees which adjoin the roads within the development are planted in public areas and not private ownership and the trees will be managed and maintained by a private management company thus ensuring the retention of the trees.
- 8.35** Internally within the built up part of the there are also grass verges and a mixture of amenity turf grass and ornamental planting is proposed to the front of dwellings which will create a green streetscape and high quality public realm.
- 8.36** The Council's Landscape Advisor has been consulted on the application and raises no objections and it is considered by officers that the landscaping scheme and green infrastructure would accord with Policies SD4, SD6 and INF3 of the JCS and with the landscape principles of the outline permission and approved parameter plans.

### ***Access and highway safety***

- 8.37** Policy INF1 of the JCS advises that proposals should ensure safe and efficient access to the highway network is provided for all transport modes and that the impact of development does not have a severe impact upon the highway network. Policy SD4 (vii) also requires development to be well integrated with the movement network within and beyond the development itself, ensuring links by other modes and to green infrastructure. Policy T1 of the ARNDP states that proposals for major development should achieve a shift from car-based travel by inter alia by providing new access arrangement and routes which are convenient and direct for walkers and cyclists and providing improvement to public rights of way.



- 8.38** The principle of up to 250 dwellings on this site, the acceptability of trip generation on the highway network and the site access arrangements have been considered acceptable by the Local Planning Authority by virtue of the outline planning permission. The considerations of relevance in this application relate to accessibility within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network, as well as laying out and provision of parking areas.
- 8.39** The road layout within the site is in broad accordance with the approved outline parameter plan providing a circular main street which will provide a bus route within the site with a footpath (2 metres) on one side and footpath/cycle way (3 metres) on other. There is a road hierarchy with tertiary no through routes for vehicles provided around the periphery of the site which will have shared surface treatments being semi-private in character.
- 8.40** The internal layout of the site has been revised following consultation with the Highway Authority and the latest submitted details are generally acceptable subject to details of two-way way visible swept path bus tracking details according to Manual for Gloucestershire Streets (MfGS) considering bus routes are not known.
- 8.41** The principal roads have been tracked for two way swept path refuse vehicle and estate car passing which has also been shown for the side road cul-de-sacs including turning. The position of bin collection points has also been designed in consultation with Waste Services.
- 8.42** The County Highways Authority have also advised the car parking provision for the proposed dwellings is considered sufficient and is in accordance with the Manual for Gloucestershire Streets.
- 8.43** The reserved matters application does not provide detailed plans of secure cycle storage, but these are to be provided in rear private amenity space, the details of which will be secured by planning condition.
- 8.44** In terms of pedestrian connectivity, the application shows that the existing public right of way AWC5 bridleway, which runs along the northern boundary of the site, would be enhanced to a 3 metre wide hoggin path. However, the exact details of the PRoW enhancement are required to be secured under separate legislation by a Town and County Planning Act Footpath Diversion Order.
- 8.45** As requested by Planning Committee when the outline application was considered, this reserved matters application includes a pelican crossing across the site access at the location where bridleway AWC5 crosses the site access. The details of this pelican crossing will be secured by planning condition.
- 8.46** In respect to wider pedestrian connectivity, the layout provides footpaths to Rudgeway Lane to the west and connections into Jenny's field to the north, and is considered a permeable and well-planned development which provides convenient and direct routes for walkers and cyclists.
- 8.47** Overall it is considered that the access, internal road layout and car parking provision is acceptable, accords with the approved parameters plan and also accords with Policy INF1 and Policy SD4 (vii) of JCS, as well as Policy T1 of the ARNDP.

### ***Residential amenity***

- 8.48** Policy SD4 (iii) requires that new development should enhance comfort, convenience and enjoyment through the assessment of the opportunities for light, privacy and external space, and the avoidance of mitigation of potential disturbance, including visual intrusion, noise, smell and pollution. Policy SD14 further requires that new development must cause no harm to local amenity, including the amenity of neighbouring occupiers.
- 8.49** The location of this application site and proximity of existing dwellings is such that there would be no impact on residential amenity of existing residents by reason of overlooking or visual intrusion.
- 8.50** In terms of the proposed layout itself, the dwellings would all have acceptable levels of outdoor amenity space that would not be unacceptably overlooked by adjacent units. Furthermore, there would be sufficient back-to-back distances between the proposed units, which would ensure good standards of amenity are achieved and maintained.
- 8.51** The orientation of dwelling is also outwards facing, fronting out onto the public realm in order to maximise activity, surveillance, and an attractive outlook for residents/occupiers.
- 8.52** In respect to noise, condition 33 of the outline permission requires that each reserved matters application which includes any dwellings shall be accompanied by a noise survey to identify any dwellings that would be likely to be affected by road noise from the M5. 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 Organisation Community Noise Guideline Values/BS 8233 limits and scheme of post implementation test is required to demonstrate compliance.
- 8.53** The applicant has submitted a Noise Survey/Mitigation Strategy, and the Environment Health Officer has been consulted on the application and advises that the submitted Report and specification for windows and ventilation is acceptable and post construction testing will be undertaken to support the Report as required by Condition 30.
- 8.54** Overall, it is considered that the proposed development would result in acceptable levels of amenity for future residents of the development and the nearby existing residents of Wheatpieces in accordance with the relevant JCS policies.

### ***Housing mix***

- 8.55** Condition 7 of the outline planning permission requires the number and size of open market dwellings to be provided at reserved matters stage to provide a balanced housing market. Policy SD11 of the JCS requires all new housing development to provide an appropriate mix of dwellings sizes, types and tenures in order to contribute to mixed and balanced communities and a balanced housing market. Development should address the needs of the local area and should be based on the most up to date Strategic Housing Market Assessment. Policy H1 of criterion B OF the ARNDP also states that single level and bungalow developments will be supported.
- 8.56** The Gloucestershire Local Housing Needs Assessment 2019 – Final Report and Summary (September 2020) (LHNA) provides the most up to date evidence based to inform the housing mix on residential applications. This Report states that in Tewkesbury circa 8% of new dwellings should be one bedroom properties, with 19% having two bedrooms, 49%

containing three bedrooms and 24% having four bedrooms or more.

**8.57** Taken as a whole (affordable and open market dwellings) the proposals would deliver

- 10no. 1 bedroom dwellings (4%)
- 56no. 2 bedroom dwellings (24%)
- 111no. 3 bedroom dwellings (46%)
- 61 no. 4 bedroom plus dwellings (26%)

**8.58** This mix of housing sizes is therefore in broad accordance with the most up to date evidence of the needs of the local area and complies with Policy SD11 of the JCS.

**8.59** The application also proposes 4no. three bedroom open market bungalows within the site (plots 58, 59, 130 and 131) and it is considered that the proposal complies with Policy H1 of criterion B of the ARNDP in this regard.

### ***Affordable housing***

**8.60** Policy SD12 of the JCS sets out a minimum requirement of 40% affordable housing. It follows that where possible, affordable housing should be provided on site and be seamlessly integrated and distributed throughout the development. Affordable housing must also have regard to the requirements of Policy SD11 concerning type, mix, size and tenure. The design of affordable housing should also meet required standards and be equal to that of market housing in terms of appearance, build quality and materials.

**8.61** The mix and tenure of affordable housing for this site has been agreed as part of the s106 attached to the outline permission and the proposed affordable housing mix accords with these requirements (pro-rata for 238 dwellings), delivers 40% affordable housing, and provides:

**8.62** Social Rented

- 10no. 1 bedroom
- 24no. 2 bedroom
- 20no. 3 bedroom
- 1no. 4 bedroom
- 2no. 5 bedroom

**8.63** Shared Ownership

- 19no. 2 bedroom
- 19no. 3 bedroom

**8.64** During the determination of the application, officers have negotiated with the applicants to reduce the clustering of affordable housing such that it is distributed more evenly across the development to assist the integration of the affordable housing and tenure blindness.

**8.65** Further to these amendments, it is considered that the clustering of the affordable housing is acceptable and whilst on occasion there are clusters of more than 8 dwellings as specified in the outline s106 unless agreed by the Local Planning Authority (the maximum cluster is 13), this arrangement is considered acceptable by officers.

- 8.66** The Housing Enabling Officer (HEO) has been consulted and has advised that the proposed affordable housing mix is in accordance with the s106 and the proposed clustering is acceptable.
- 8.67** It is also considered that the architectural treatment for the affordable units is similar to the open market housing and therefore they would not be distinguishable in appearance.
- 8.68** Overall it is considered that the proposed affordable housing provision is acceptable and in accordance with Policies SD11 and SD12 of the JCS.

### ***Ecology and Biodiversity***

- 8.69** 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, especially where this can secure measurable gains for biodiversity. JCS Policy SD9 seeks the protection and enhancement of the biodiversity and geological resources of the JCS area in order to establish and reinforce ecological networks that are resilient to current and future pressures. Improved community access will be encouraged so far as is compatible with the conservation of special features and interest. Policy NAT1 of the TBLP states that development proposals that will conserve, and where possible restore and/or enhance, biodiversity will be permitted. The principle of development on this site has been accepted by virtue of the outline planning permission and the proposals and approved parameter plan include the loss of arable land, modified grassland, areas of ruderal vegetation and scrub and some hedgerows.
- 8.70** The reserved matters application is supported by a Biodiversity Net Gain (BNG) Assessment which identifies the existing habitats on the site and identifies that some habitats will be retained including the areas beneath retained hedgerows. The BNG Assessment also identifies that many habitats would be created as a result of the proposed development including new modified grassland, traditional orchard, woodland, SuDs pond (including permanently wet features at the request of the Council's ecologists), and a total of 262 urban trees. The BNG Assessment identifies that the development proposals would increase onsite habitat units from 30.78 units to 43.54 units, which equates to 41.43% net gain overall.
- 8.71** A number of additional enhancements will also be provided as part of the proposed development, which will separately be secured through the discharge of condition 25 of the outline planning permission which requires that submission of a Landscape and Ecological Management Plan (LEMP) prior to the commencement of development. The LEMP will incorporate wider ecological mitigation/enhancement measures includes the provision of bat boxes providing enhanced roosting opportunities for bats and bird boxes providing enhanced nesting opportunities for birds, as well as the provision of log piles that will provide enhanced hibernation opportunities for amphibians post-development. These additional measures which will be secured via the discharge of condition 25 are not accounted for within the net gain calculation.
- 8.72** In respect to hedgerow, as set out in paragraph 8.32 above, whilst there would be some loss of hedgerows to facilitate the development, overall through the planting of new hedgerows, there would be an increase in hedgerow units from 16.86 units to 25.52 units (which equates to a 51.40% increase).
- 8.73** The BNG Assessment has been reviewed by the Council's ecological advisors who have agreed with the findings and raise no objection to the application.

- 8.74** In conclusion, it has also been demonstrated that the proposals would achieve a net gain well in excess of 10%, specifically a 41.43% increase in habitat units and a 51.40% increase in hedgerow units, which is now the minimum net gain requirement under the adoption of statutory BNG within the Environment Act. It is considered that it has been demonstrated that the reserved matters layout and landscaping proposals will achieve an overall net gain in biodiversity over the existing situation and further details and enhancements will be secured via the LEMP.
- 8.75** As such it is considered the layout, landscaping and design approach accords with the parameters of the outline planning permission and Policy SD9 of the JCS and NAT1 of the TBLP. The application is therefore acceptable in regard to ecology and biodiversity.

### ***Drainage and flood risk***

- 8.76** JCS Policy INF2 (2) (iv) requires new development to incorporate Sustainable Urban Drainage Systems (SUDS) where appropriate to manage surface water drainage. Policy INF6 also requires that the infrastructure requirements generated by a proposal are met, including by adequate on and off-site infrastructure.
- 8.77** The principle of developing the site is of course already established by the outline permission and a drainage strategy was provided as part of the outline planning application. Conditions 21 and 22 of the outline permission state that no development shall commence until details of surface water and foul drainage works respectively have been submitted to and agreed in writing by the Local Planning Authority. These submissions will include a detailed design, maintenance and management strategy for a sustainable surface water drainage system and drainage plans for the disposal of foul and surface water flows.
- 8.78** The LLFA have been consulted on the application and have raised no objection to the reserved matters application. The LLFA advise that the reserved matters application is consistent with the drainage strategy submitted with the outline application with two attenuation ponds indicated. Whilst the detailed design for surface water drainage will be submitted as a discharge of condition application it envisaged that the layout of the site allows for development in accordance with the outline drainage strategy and the layout would not be required to be altered in any material way.
- 8.79** Severn Trent have also been consulted on the application and have no objection. Whilst it is necessary for the applicant to discharge condition 22 of the outline permission, it is advised that the developer has discussed the proposals with Severn Trent and foul flows are to be pumped to the developer's adjacent sites pumping station. Additional storage will be provided at the pumping station to accommodate the additional foul flows from this proposed development.
- 8.80** As such the layout and design approach of the reserved matters application accords with the parameters of the outline planning permission and Policies INF2 and INF6 of the JCS and is considered acceptable in regard to flood risk and drainage.

### ***Energy Strategy***

- 8.81** Policy SD3 of the JCS states that development proposals will demonstrate how they contribute to the aims of sustainability by increasing energy efficiency, minimising waste and avoiding the unnecessary pollution of air, harm to the water environment, and contamination

of land or interference in other natural systems. In doing so, proposals (including changes to existing buildings) will be expected to achieve national standards.

- 8.82** The application is accompanied by an Energy Strategy which considers a range of energy efficiency measures and advises that solar photovoltaic panels will be installed on the dwellings, as well as waste water recovery systems. A fabric first approach will also be implemented reducing air leakage and employing passive and active design measures which will result in the long-term reduction in energy demand over the lifetime of the dwellings.
- 8.83** The Energy Strategy identifies that these measures will provide a 7% carbon reduction over a development built to comply with the CO<sub>2</sub> targets under the latest revision of the Building Regulations, Part L1 2021 and are considered acceptable.

### ***Heritage assets***

- 8.84** 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. The NPPF sets out that heritage assets range from sites and buildings of local historic value to those of the highest significance and that these assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. 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. Policy HEN2 of the TBLP sets out that any development within the setting of Listed Buildings, will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest.
- 8.85** In terms of built heritage, Grade II listed barns fronting onto Rudgeway Lane, Rudgeway Farmhouse are located to the south west of the site.
- 8.86** The Council's Conservation Officer has assessed the proposal and considers that the Farmhouse would not be affected by the development and raises no objection. The scale, layout and appearance of the reserved matters application is therefore considered acceptable in regard to heritage assets, with no harm arising.

### ***Sports Pavilion and Playing Fields***

- 8.87** The outline planning permission on the wider application site included the provision of a new community sports pavilion and outdoor sports pitches.
- 8.88** The s106 planning obligation attached to the outline planning permission requires that the freehold interest of these facilities be offered to Tewkesbury Football Club and in the event the Football Club do not accept the offer the facilities be offered to the Borough Council or its nominee. The s106 obligation also requires that prior to the occupation of the 25th dwelling works must commence on the sports pavilion and the playing fields and that works must reach completion prior to occupation of 100<sup>th</sup> dwelling.
- 8.89** A separate reserved matters application (reference 24/00183/APP) for the community sports pavilion and playing pitches has been submitted to Council.
- 8.90** The proposals have been evolved in consultation with Sports England, Gloucestershire Football Association and planning officers. The proposals provide a circa 545 sq m single

storey sports pavilion with a community hall, 4no. changing rooms, toilets and a kitchen area and would have 45 car parking spaces. The playing pitches are shown in a configuration which would provide four pitches being 2no. under 8's 5v5, 1no. under 10's and 1no U14's (11v11) grass football pitches. The size of the playing pitch area also provides a flexible arrangement to provide a full size pitch if required.

- 8.91** The Parish Councils do not object to planning application 24/00183/APP and under the Tewkesbury Borough Council Scheme of Delegation to Officers the application will be approved by Officers. It is Officer's intention to issue planning permission 24/00183/APP at the same time as this reserved matters application, should the Planning Committee accept the recommendation of Officers.

## **9. Conclusion**

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- 9.1** Given all of the above matters discussed, it is considered that the proposal would accord with the outline planning permission and parameters therein, and the proposed development would be acceptable in terms of access, layout, scale, appearance and landscaping.

## **10. Recommendation**

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- 10.1** The application is therefore recommended for **Approval** subject to the conditions set out below

## **11. Conditions**

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- 1** The development hereby approved shall be implemented in accordance with the following plans, documents and details:

- Location Plan FW026-PD-030C (Location Plan) Rev C
- Site Layout WE112-SL-4001 (Site Layout) Rev L
- Material Layout WE112-SL-020E (Material Layout) Rev E
- External Works WE112-SL-030E (External Works) Rev E
- Open Market – 2 bed I6\_NSS.277\_DEKKER\_RED BRICK\_GREY ROOF
- Open Market – 2 bed I6\_NSS.801\_DEKKER(3)\_RED BRICK\_GREY ROOF
- Open Market – 3 bed 16\_NSS.817\_LYFORD\_BUXTON\_RED BRICK\_GREY ROOF Rev A
- Open Market – 3 bed 16\_NSS.817\_LYFORD\_BUXTON\_RENDER\_GREY ROOF
- Open Market – 3 bed 16\_NSS.817-1\_LYFORD\_BUXTON\_RED BRICK\_GREY ROOF Rev A
- Open Market – 3 bed 16\_NSS.817-1\_LYFORD\_BUXTON\_RENDER\_GREY ROOF
- Open Market – 3 bed 301\_LAWRENCE\_CHIMNEY\_RED BRICK\_GREY ROOF
- Open Market – 3 bed 301\_LAWRENCE\_CHIMNEY\_RENDER\_GREY ROOF
- Open Market – 3 bed 301\_LAWRENCE\_RED BRICK\_GREY ROOF
- Open Market – 3 bed 301\_LAWRENCE\_RENDER\_GREY ROOF
- Open Market – 3 bed 301-1\_LAWRENCE\_CHIMNEY\_RED BRICK\_GREY ROOF
- Open Market – 3 bed 301-1\_LAWRENCE\_CHIMNEY\_RENDER\_GREY ROOF
- Open Market – 3 bed 301-1\_LAWRENCE\_RED BRICK\_GREY ROOF
- Open Market – 3 bed 301-1\_LAWRENCE\_RENDER\_GREY ROOF
- Open Market – 3 bed 303\_BELLINGHAM\_BRICK\_BROWN ROOF
- Open Market – 3 bed 303-1\_BELLINGHAM\_BRICK\_BROWN ROOF
- Open Market – 3 bed I6\_307\_WIXHAM\_RED BRICK\_GREY ROOF
- Open Market – 3 bed I6\_307\_WIXHAM\_TUDOR\_GREY ROOF
- Open Market – 3 bed I6\_307-1\_WIXHAM\_RED BRICK\_GREY ROOF

- Open Market – 3 bed I6\_307-1\_WIXHAM\_TUDOR\_GREY ROOF
- Open Market – 3 bed I6\_315SM\_MCQUEEN\_RENDER\_GREY ROOF
- Open Market – 3 bed I6\_NSS.378\_KANE\_RED BRICK\_GREY ROOF
- Open Market – 3 bed I6\_NSS.382\_HUXLEY\_RED BRICK\_BROWN ROOF
- Open Market – 3 bed I6\_NSS.382-1\_HUXLEY\_RED BRICK\_BROWN ROOF
- Open Market – 4 bed  
16\_NSS.817-1\_LYFORD\_BUXTON\_CHIMNEY\_RENDER\_GREY ROOF-1
- Open Market – 4 bed 400.PL-01 HILLCOTT\_RED BRICK\_GREY ROOF
- Open Market – 4 bed 400.PL-01 HILLCOTT\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_401\_WOLLATON\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_401-1\_WOLLATON\_RED BRICK\_GREY ROOF\_CHIMNEY
- Open Market – 4 bed I6\_412\_BEWDLEY\_CHIMNEY\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_412\_BEWDLEY\_CHIMNEY\_RENDER\_GREY ROOF
- Open Market – 4 bed I6\_412\_BEWDLEY\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_412\_BEWDLEY\_RENDER\_GREY ROOF
- Open Market – 4 bed I6\_412-1\_BEWDLEY\_CHIMNEY\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_412-1\_BEWDLEY\_CHIMNEY\_RENDER\_GREY ROOF
- Open Market – 4 bed I6\_412-1\_BEWDLEY\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_412-1\_BEWDLEY\_RENDER\_GREY ROOF
- Open Market – 4 bed I6\_476\_WYATT\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_476\_WYATT\_RED BRICK\_GREY ROOF\_CHIMNEY
- Open Market – 4 bed I6\_476-1\_WYATT\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_476-1\_WYATT\_RED BRICK\_GREY ROOF\_CHIMNEY
- Open Market – 4 bed I6\_481\_HARWOOD\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_481\_HARWOOD\_TUDOR\_GREY ROOF
- Open Market – 4 bed I6\_481-1\_HARWOOD\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_481-1\_HARWOOD\_TUDOR\_GREY ROOF
- Open Market – 4 bed I6\_482\_PEELE\_RED BRICK\_BROWN ROOF\_CHIMNEY
- Open Market – 4 bed I6\_482\_PEELE\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_485\_DAVENANT\_RED BRICK\_BROWN ROOF
- Open Market – 4 bed I6\_485-1.DAVENANT\_RED BRICK\_BROWN ROOF
- Open Market – 4 bed I6\_486\_LOCKE\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_486\_LOCKE\_RENDER\_GREY ROOF
- Open Market – 4 bed I6\_486\_LOCKE\_TUDOR\_GREY ROOF
- Open Market – 4 bed I6\_486-1\_LOCKE\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_486-1\_LOCKE\_RENDER\_GREY ROOF
- Open Market – 4 bed I6\_489\_LANGLEY\_CHIMNEY\_RED BRICK\_BROWN ROOF
- Open Market – 4 bed I6\_489\_LANGLEY\_RED BRICK\_BROWN ROOF
- Open Market – 4 bed I6\_489\_LANGLEY\_RENDER\_GREY ROOF
- Open Market – 4 bed I6\_489-1\_LANGLEY\_RENDER\_GREY ROOF
- Open Market – 4 bed I6\_496\_DAWLISH\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_496\_DAWLISH\_RENDER\_GREY ROOF
- Open Market – 4 bed I6\_496\_DAWLISH\_RENDER\_GREY ROOF\_CHIMNEY
- Open Market – 4 bed I6\_496-1\_DAWLISH\_RED BRICK\_GREY ROOF
- Open Market – 4 bed I6\_496-1\_DAWLISH\_RED BRICK\_GREY ROOF\_CHIMNEY
- Open Market – 4 bed I6\_496-1\_DAWLISH\_RENDER\_GREY ROOF\_CHIMNEY
- Open Market – 5 bed I6\_581\_MERE\_RED BRICK\_GREY ROOF
- Affordable – 1 bed M4(3)1BF01.PL-01-02-03\_S AHLBERG
- Affordable – 1 bed M4(3)1BF01-1.PL-01-02-03\_S AHLBERG
- Affordable – 2 bed I6\_NSS.2B4P.M2B4P\_SAVAGE\_SANSOM\_RED BRICK\_GREY ROOF
- Affordable – 2 bed I6\_NSS.2B4P\_SAVAGE\_RED BRICK\_GREY ROOF
- Affordable – 2 bed I6\_NSS.M2B4P\_SANSOM\_RED BRICK\_BROWN ROOF



- Affordable – 2 bed NSS.M2B4P\_SANSOM (3)\_RED BRICK\_GREY ROOF
- Affordable – 3 bed I6\_NSS.3B4P\_SISSON\_RED BRICK\_GREY ROOF (DARK)
- Affordable – 3 bed I6\_NSS.3B5P\_SASSOON\_RED BRICK\_GREY ROOF
- Affordable – 3 bed I6\_NSS.868\_SOHL\_SASSOON\_RED BRICK\_GREY ROOF REV A
- Affordable – 3 bed I6\_NSS.M3B5P\_SUTHERLAND\_RED BRICK\_GREY ROOF
- Affordable – 3 bed NSS.3B5P25\_MAXWELL\_RED BRICK\_BROWN ROOF
- Affordable – 3 bed NSS.3B5PCT + NSS.M3B5P\_SOHL\_SUTHERLAND\_RED BRICK\_BROWN ROOF REV A
- Affordable – 3 bed NSS.M3B5P\_SUTHERLAND(3)\_RED BRICK\_GREY ROOF
- Affordable – 4 bed LT0002\_SOHL\_SCURFIELD\_RED BRICK\_GREY ROOF REV A
  
- Affordable – 5 bed NSS.5B8P25\_MYNNITT
- Garage Layouts BS01.PL-01 (Brick Store)
- Garage Layouts GL01.PL-01\_BRICK
- Garage Layouts GL02.PL-01\_BRICK
- Garage Layouts GR02.PL-01\_BRICK
- Landscaping Drawing WE112-LS-002G (Site Landscaping) Rev G
- Landscaping Drawing WE112-LS-003H (Site Landscaping) Rev H
- Landscaping Drawing WE112-LS-004H (Site Landscaping) Rev H
- Landscaping Drawing WE112-LS-005H (Site Landscaping) Rev H
- Landscaping Drawing WE112-LS-006G (Site Landscaping and Specification) Rev G
- Engineering Layout WE112 -EN-005E - Planning Engineering Rev E
- Engineering Vehicle Tracking WE112 -EN-006A - Delivery Vehicle Tracking Rev A
- Engineering Vehicle Tracking WE112 -EN-007A - Bus Route Tracking Rev A
- Engineering Vehicle Tracking WE112-EN-PL-04B - Refuse Tracking - Highway Only Rev B
- Report – Noise Impact Assessment 50-928-TN2-1 - Technical Note on Noise and Ventilation - Wheatpieces Phase 4
- Obscure Glazing Schedule received 6<sup>th</sup> June 2024
- Energy Strategy Statement Wheatpieces 4 dated January 2024

Except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans.

- 2** All windows identified in the obscure Glazing Schedule received on 6th June 2024 shall be fitted with Pilkington Level 4 obscured glazing or equivalent and shall be permanently retained in that condition thereafter.

Reason: In order to protect residential amenity

- 3** The development hereby permitted shall not be occupied until the details of the solar panels have been submitted to and approved in writing by the Local Planning Authority. The solar panels shall be installed in accordance with the details so approved.

Reason: In the interests of visual amenity.

- 4** Notwithstanding submitted details, no works above the floor plate level of any dwelling shall be commenced until details of a Pegasus style crossing across the spine road along the bridleway alignment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved

details and the Pegasus style crossing shall be implemented prior to the occupation of the first dwelling and shall be maintained thereafter for the life of the development.

Reason: To ensure and maintain safe and suitable access for all users of the public right of way and site according to INF1 of the Core Strategy, PD 0.1 and 0.4 of the Local Transport Plan and paragraphs 114 and 116 of the National Planning Policy Framework.

- 5 No dwelling served by the access shall be occupied until details of the access including (lines, widths, levels, gradients, street lighting, cross sections, highway trees and drainage) have been submitted to and approved in writing by the Local Planning Authority. No dwelling served by the access shall be occupied until the access has been provided in accordance with the approved details and shall be maintained thereafter for no other purpose for the life of the development.

Reason: To ensure safe and suitable access and layout according to INF1 of the Local Plan Core Strategy, PD 0.1 and 0.4 of the Local Transport Plan plus paragraphs 114 and 116 of the National Planning Policy Framework.

- 6 Notwithstanding the submitted plans, cycle parking shall be provided with enclosed covered storage providing a cycle space per bedroom for each dwelling and bound hardstanding access paths at least 1.2 metres wide.

Reason: To enable travel choice for residents in accordance with Policy INF1 of the Joint Core Strategy.

## **12. Informatives**

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- 1 In accordance with the requirements of the NPPF 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 the 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.



Drawing No: WE12-SC001L  
 Date: 15/12/2023  
 Scale: 1:500 @ A0

Open Space

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Proposed residential development at  
**Land South of Bluebell Road, Tewkesbury**

November 2023

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- ★ Social Rent
- ★ Shared Ownership

Red stars indicate shared ownership and blue stars indicate social rent. Units marked with a red star are shared ownership and units marked with a blue star are social rent. The locations and sizes shown are indicative. Please refer to the Landmarking Strategy for details.





Indicative street scene plots 105 - 114



House Type 105-114



House Type 105-114



House Type 105-114



Indicative street scene plots 71 - 78



House Type 71-78



House Type 71-78



House Type 71-78



House Type 71-78



Indicative street scene plots 1 - 5



\*Site layout not to scale

Indicative street scenes - refer to detailed drawings  
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Indicative street scene plots 61 - 56

Plot 61 - 56 - 2 Bed 2 Bath House



Plot 56 - 2 Bed 2 Bath House



Indicative street scene plots 21 - 1

Plot 21 - 3 Bed 2 Bath House



Plot 1 - 3 Bed 2 Bath House



Plot 10 - 3 Bed 2 Bath House



Plot 11 - 3 Bed 2 Bath House



Plot 12 - 3 Bed 2 Bath House





National Space Standards	
	NSS Requirement
Ground Floor Plan	46.51m <sup>2</sup>
First Floor Plan	46.51m <sup>2</sup>
Total floor area m <sup>2</sup>	93.02m <sup>2</sup>
Total floor area ft <sup>2</sup>	1001ft <sup>2</sup>
Bedroom 1	12.82m <sup>2</sup>
Bedroom 2	11.91m <sup>2</sup>
Bedroom 3	7.73m <sup>2</sup>
Store Kitchen / Dining	1.93m <sup>2</sup>
Store Bathroom	0.56m <sup>2</sup>
Store Bedroom 3	0.77m <sup>2</sup>
<b>Built in store total</b>	<b>3.27m<sup>2</sup></b>
	2.5m <sup>2</sup>

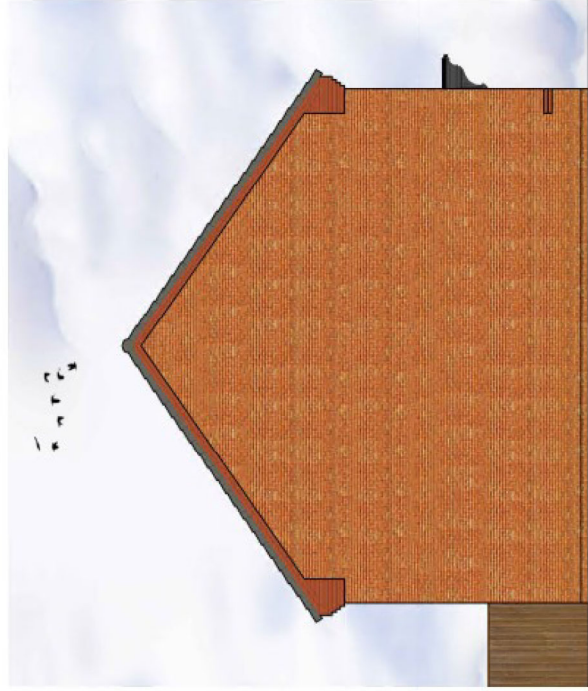
**Sutherland**  
 CLA BRICK  
 NSS.M3B5P.PL-01

DATE: APR 2023    REV:  
 SCALE: 1:100 @ A3

DRAWN: RW    93.02m<sup>2</sup>  
 CHECKED: GPM    1001ft<sup>2</sup>



CLANSS.M3B5P-1  
 SIDE ELEVATION



CLANSS.M3B5P  
 SIDE ELEVATION



CLANSS.M3B5P  
 FRONT ELEVATION  
 Refer to materials plan for individual plot finishes



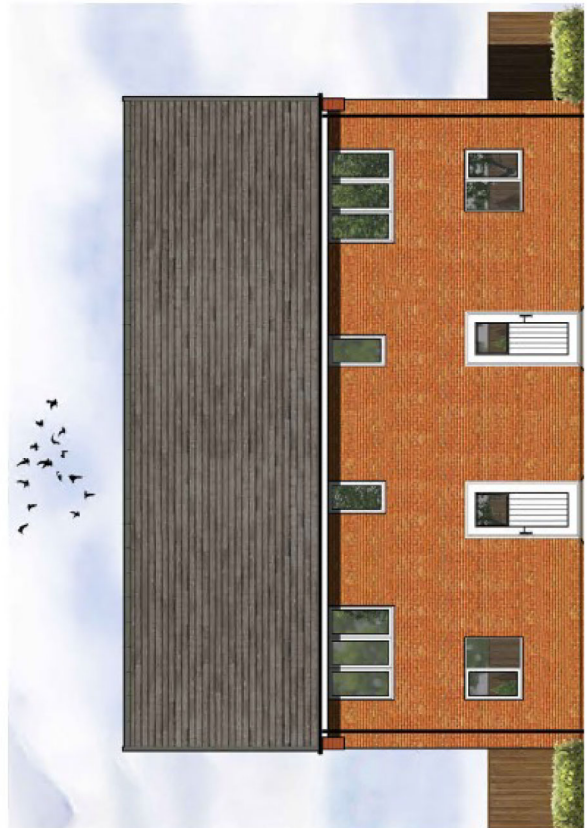
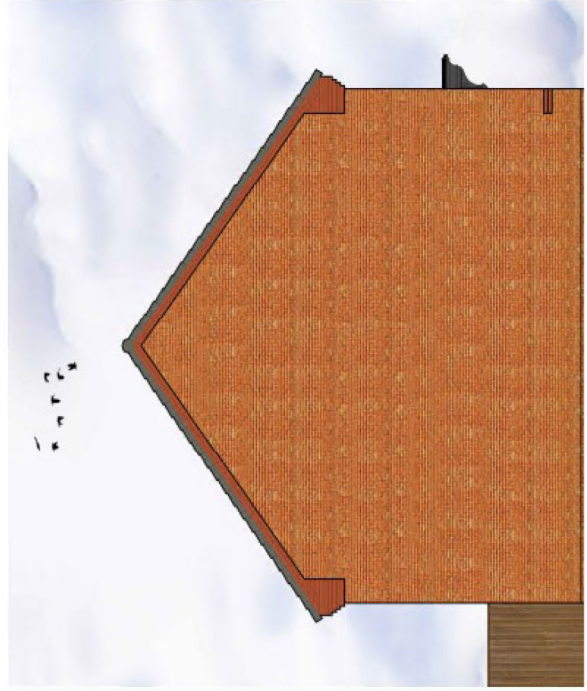
CLANSS.M3B5P  
 REAR ELEVATION



CLANSS.M3B5P-1  
SIDE ELEVATION

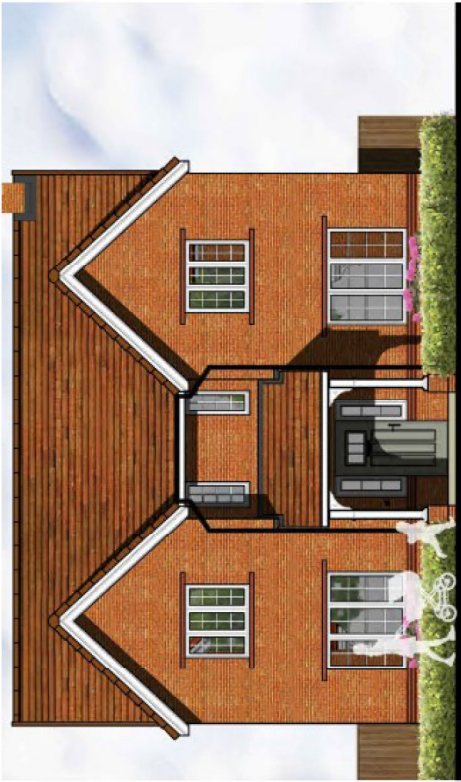


CLANSS.M3B5P  
FRONT ELEVATION  
Refer to materials plan for individual plot finishes



National Space Standards	
	NSS Requirement
Ground Floor Plan	46.51m <sup>2</sup>
First Floor Plan	46.51m <sup>2</sup>
Total floor area m <sup>2</sup>	93.02m <sup>2</sup>
Total floor area ft <sup>2</sup>	1001ft <sup>2</sup>
Bedroom 1	12.82m <sup>2</sup>
Bedroom 2	11.91m <sup>2</sup>
Bedroom 3	7.73m <sup>2</sup>
Store Kitchen / Dining	1.93m <sup>2</sup>
Store Bathroom	0.56m <sup>2</sup>
Store Bedroom 3	0.77m <sup>2</sup>
Built in store total	3.27m <sup>2</sup>
	2.5m <sup>2</sup>

**Sutherland**  
 CLA BRICK  
 NSS.M3B5P.PL-01  
 DATE: APR 2023 REV:  
 SCALE: 1:100 @ A3



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**FRONT ELEVATION**

Refer to materials plan for individual plot finishes



482

**SIDE ELEVATION**



482

**REAR ELEVATION**



482

**SIDE ELEVATION**

National Space Standards		NSS Requirement
Actual Area		
Ground Floor Plan	71.27m <sup>2</sup>	
First Floor Plan	71.27m <sup>2</sup>	
Total floor area m <sup>2</sup>	142.54m <sup>2</sup>	106.00m <sup>2</sup>
Total floor area ft <sup>2</sup>	1534ft <sup>2</sup>	1141ft <sup>2</sup>
Bedroom 1	12.93m <sup>2</sup>	11.5m <sup>2</sup>
Bedroom 2	12.97m <sup>2</sup>	11.5m <sup>2</sup>
Bedroom 3	8.48m <sup>2</sup>	7.5m <sup>2</sup>
Bedroom 4	9.41m <sup>2</sup>	7.5m <sup>2</sup>
Kitchen Store	0.66m <sup>2</sup>	
Store Landing	1.13m <sup>2</sup>	
Store Bedroom 1	0.75m <sup>2</sup>	
Store Bedroom 3	0.76m <sup>2</sup>	
Built in store total	3.31m <sup>2</sup>	3.0m <sup>2</sup>

**PEELE  
BRICK  
482.PL-01**

DATE: JAN 2023

SCALE: 1:100 @ A3

DRAWN: RW

CHECKED: GPM

REV:

144.31m<sup>2</sup>

1553ft<sup>2</sup>









**PLANNING APPEALS RECEIVED (03/06/2024 – 02/07/2024)**

<b>Appeal Start Date</b>	<b>TBC Planning Number</b>	<b>Inspectorate Number</b>	<b>Proposal</b>	<b>Site Address</b>	<b>Appeal Procedure</b>
21-June-24	23/00953/OUT	APP/G1630/W/24/3342446	Removal of glamping pods and change of use of land to enable the erection of up to 3no. bungalows together with associated development with all matters reserved except access.	Land Adjacent Lily Barn Gretton Fields Gretton	Written Representations

**PLANNING APPEALS DECIDED (03/06/2024 – 02/07/2024)**

<b>Appeal Decision Date</b>	<b>Appeal Decision</b>	<b>TBC Planning Number</b>	<b>Inspectorate Number</b>	<b>Proposal</b>	<b>Site Address</b>
04-Jun-2024	Appeal dismissed	23/00864/PIP	APP/G1630/W/24/3337894	Permission in Principle for residential development of 1 new dwelling.	Hawthorn House Main Road Minsterworth
07-Jun-2024	Split (part allowed & part dismissed)	23/00148/FUL	APP/G1630/W/24/3336604	Erection of a field shelter and change of use of part of paddock land to residential curtilage (Retrospective)	Brackenwood Lodge Church End Lane Twyning
10-Jun-2024	Appeal dismissed	21/01282/OUT	APP/G1630/W/23/3329664	Outline application for the erection of 5 dwellings with access from Green Acres, with all other matters reserved.	Land Adjacent Greenacres Hillend Twyning
14-Jun-2024	Appeal dismissed	23/00270/FUL	APP/G1630/W/24/3336867	Application for the replacement of an existing commercial building and construction of an extended vehicle parking area	The Oxstalls Teddington
25-Jun-2024	Appeal allowed planning permitted	23/00699/PIP	APP/G1630/W/24/3339901	Permission in principle for the erection of 5 no. single storey dwellings plus associated access and parking	Land Rear Of Bloxhams Orchard Ashleworth

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