

## TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

<b>Committee:</b>	Planning
<b>Date:</b>	17 August 2021
<b>Site Location:</b>	Henley Bank Kennels Mill Lane Brockworth
<b>Application No:</b>	21/00007/FUL
<b>Ward:</b>	Brockworth East
<b>Parish:</b>	Brockworth
<b>Proposal:</b>	Demolition of existing buildings and erection of 16 affordable homes and associated infrastructure.
<b>Report by:</b>	Paul Instone
<b>Appendices:</b>	Site location plan Proposed Site Plan Apartment Block Elevations (Front and Side) Apartment Block Elevations (Rear and Side) Floor Plans Apartment Block Plots 1-14 and 16 Street Scene Plot 1 Street Scene Plot 1 Landscape Strategy
<b>Recommendation:</b>	Permit

### 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site comprises a broadly rectangular parcel of land located to the north of Mill Lane, Brockworth. The site extends to 0.45 ha and a residential dwelling is located in the southern part of the site and kennels in the northern part. The rear of the site operates as a kennels and cattery.
- 1.2 The site falls within the boundary of the Strategic Allocation A3 'North Brockworth' as allocated within the Joint Core Strategy and defined in the JCS Proposals map and is part of a much wider site which is allocated for approximately 1,500 dwellings, employment land, community facilities and green infrastructure. The site itself is allocated for housing and related infrastructure on the JCS Strategic Policies Map.
- 1.3 Land to the east of the site (Phase 1 Perrybrook) was granted reserved matters approval (ref 19/00537/APP) in January 2020 for the erection of 135 dwellings with associated public open space and infrastructure. The approved scheme which is currently being implemented will provide a SuDS basin and area of landscaping to the east and north of the application site alongside a Local Equipped Area of Play (LEAP). To the west of the site is the access road serving community sports facilities including a Multi-Use Games Area (MUGA) and sports pitches which were granted approval (ref: 18/00410/APP) in September 2018. These community facilities are partially implemented. To the south of the site beyond Mill Lane is Henley Bank High School.

- 1.4 The site is located in Flood Zone 1.
- 1.5 The application is submitted in full and has been amended following concerns raised by officers about the design approach. The application proposes 16 affordable homes with a single point of vehicular access/egress off Mill Lane. The application proposes the following mix of houses which has been agreed with the Council's Housing Enabling Officer.
- 3 x 1 bedroom flats – Affordable Rent
  - 3 x 3 bedroom house – Affordable Rent
  - 1 x 4 bedroom – Affordable Rent house
  - 1 x 2 bedroom house – Shared Ownership
  - 2 x 3 bedroom house – Shared Ownership
  - 3 x 1 bedroom flats – Social Rent
  - 1 x 2 bedroom house – Social Rent
  - 1 x 3 bedroom house – Social Rent
  - 1 x 4 bedroom house – Social Rent
- 1.6 The applicant advises that the scheme would be managed by a registered housing provider and the proposed layout proposes ten semi-detached houses which would be located in the southern and northern part of the site and a three storey apartment block in the north west corner which would accommodate the six flats.

## 2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
12/01256/OUT  (Red line surrounds but does not include application site)	Outline application for a mixed-use development of up to 1,500 dwelling, including extra care housing, community facilities including A1, A2, A3, A4 and A5 local retail shops (totalling 2,500m <sup>2</sup> ), B1/B8 employment uses (totalling 22,000m <sup>2</sup> ), D1 health facilities and formal and informal public open space (including means of access).	ALLOWED AT APPEAL	31.02.2016
18/00410/APP (land to the west)	Approval of landscaping, layout, scale and external appearance of the formal sports area (excluding the Changing Room Facilities and associated car parking).	PERMIT	07.09.2018
19/00537/APP (land to the east)	Approval of Reserved Matters (Appearance, Landscape, Layout and Scale) for Phase 1 of outline planning permission 12/01256/OUT for the erection of 135 dwellings with associated public open space and infrastructure.	APPROVE	03.01.2020

### 3.0 RELEVANT POLICY

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

#### **National guidance**

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

#### **Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) - December 2017**

- 4.3 Policies: SP1, SP2, SD3, SD4, SD6, SD8, SD9, SD10, SD11, SD12, SD14, INF1, INF2, INF3, INF4, INF6, INF7, SA1, A4

#### **Tewkesbury Borough Local Plan to 2011 - March 2006 (TBLP)**

- 4.4 Policy RCN11

#### **Tewkesbury Borough Plan 2011-2031 Pre-Submission Version (October 2019)**

- 4.5 Policies RES2, RES3, RES5, RES12, RES13, DES1, NAT1, NAT3, ENV2, RCN1, RCN2, TRAC1, TRAC2, TRAC3, TRAC9

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

- 4.7 The First Protocol, Article 1 (Protection of Property)

### 4.0 CONSULTATIONS

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

- 4.8 **Brockworth Parish Council** – Object due to over development of the site, poor layout and design of properties, saturation of affordable housing provision and poor connectivity to the adjoining development. The Council are also concerned about highways safety with the entrance in close proximity to the entrance of the school and adjacent sports facilities, potential conflicts with other vulnerable road users, poor visibility splays and overall layout and level of parking provision on the site.
- 4.9 **Urban Design Officer** – No objection to the amended proposal
- 4.10 Highways England – No objection
- 4.11 **County Highways Authority** – No objection subject to conditions and financial obligations
- 4.12 **Ecology Advisor** – No objection providing the landscaping and other ecological enhancement to be carried out as per the landscaping strategy and as outlined in the ecology report and submit to a LEMP and CEMP. There is a positive net gain for the development
- 4.13 **Natural England** – No objection subject to appropriate mitigation being secured
- 4.14 Housing Enabling Officer – No objection
- 4.15 **Severn Trent** – No objection subject to conditions

- 4.16 **Environmental Health Officer** - No objection subject to conditions
- 4.17 **Lead Local Flood Authority** – No objection to the proposed drainage strategy with this application, it is detailed enough that there will be no benefit in applying drainage condition to any consent granted against this application.
- 4.18 **Conservation Officer** – No objection subject to conditions
- 4.19 **County Archaeologist** – No objection there is a low risk that archaeological remains will be adversely affected by this development proposal. No archaeological investigation or recording need be undertaken in connection with this scheme
- 4.20 **County Minerals and Waste** – No objection subject to conditions
- 4.21 **Gloucestershire County Council Community Infrastructure** – S106 requests for Pre-School and Secondary School provision (the comments are currently being re-visited).

## **5 PUBLICITY AND REPRESENTATIONS**

The application has been publicised through the posting of a site notice for a period of 21 days and/or the neighbour notification scheme. No comments have been received.

## **6 POLICY CONTEXT**

- 6.1 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.
- 6.2 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 6.3 The Tewkesbury Borough Plan (TBP) has reached an advanced stage. The Examination in Public was held in February/March 2021 and the Inspector's post hearings Main Modifications letter was received on 16th June 2021. In this letter the Inspector provided his current view as to what modifications are required to make the Plan 'sound'. Those policies in the Pre-submission version of the TBP which are not listed as requiring main modifications may now attract more weight in the consideration of applications, with those policies which do in the Inspector's view require main modifications attracting less weight depending on the extent of the changes required. The TBP remains an emerging plan and the weight that may be attributed to individual policies will still be subject to the extent to which there are unresolved objections (the less significant the unresolved objections, the greater the weight that may be given) and the degree of consistency with the NPPF (the closer the policies to those in the NPPF the greater the weight that may be given).
- 6.4 The relevant policies are set out in the appropriate sections of this report.

## **7 ANALYSIS**

### **Principle of Development**

- 7.1 Policy SP2 sets out the distribution of new development. To contribute towards the housing needs of the JCS area, including Gloucester City, the JCS allocated Strategic Allocations including with relevance to this application, Strategic Allocation A3 North Brockworth.
- 7.2 Policy SA1 of the JCS sets out the Strategic Allocations Policy and states that new development will be provided in Strategic Allocations in order to deliver the scale and distribution of development set out in policies SP1 and SP2.
- 7.3 Policy SA1 sets out that new development will be provided in Strategic Allocations in order to deliver the scale and distribution of development required in Policy SP2. Development proposals should enable a comprehensive scheme to be delivered across the developable area within each Strategic Allocation. Developers must ensure that the sites provide an appropriate scale and mix of uses, in suitable locations, to create sustainable developments that support and complement the role of existing settlements and communities. Proposals must be accompanied by a comprehensive masterplan for the entire Strategic Allocation demonstrating how new development will integrate with and complement its surroundings in an appropriate manner.
- 7.4 Policy A3 of the JCS provides policy on Strategic Allocation A3, of which the application site forms part of, and sets that the whole Strategic Allocation is expected to deliver approximately 1500 homes, 3 hectares of employment land as well as community uses and green infrastructure. The site itself is allocated for housing and related infrastructure on the JCS Strategic Policies Map.
- 7.5 The application site did not form part of outline planning permission (ref: 12/01256/OUT) for a mixed-use development of the wider Strategic Allocation and has therefore not formed part of the subsequent masterplan and phasing plans which have been approved for the Strategic Allocation. However, given the characteristics of the application site and that it is located at the edge of the Strategic Allocation with its own vehicular access, the proposals do demonstrate that the new development will integrate with and complement its surroundings in an appropriate manner, having regard to the permitted land uses and the comprehensive masterplan for the wider site.
- 7.6 The site is identified for housing and related infrastructure on the JCS Strategic Policies Map and the proposal provides an appropriate scale and land use, in a suitable location within the Strategic Allocation. The principle of the application is therefore considered acceptable subject to all other material considerations and the application of policies in the Development Plan.

### **Five Year Housing Supply**

- 7.7 As set out in the latest Tewkesbury Borough Five Year Housing Land Supply Statement published in December 2020, the Council can demonstrate a 4.35 year supply of deliverable housing sites. On the basis therefore that the Council cannot at this time demonstrate a five year supply of deliverable housing land, the Council's policies for the provision of housing should not be considered up-to-date in accordance with footnote 7 of the NPPF and in accordance with paragraph 11 of the NPPF the presumption in favour of sustainable development (the 'tilted balance') applies. The presumption is therefore that permission should be granted unless policies for protecting assets of particular importance provides a clear reason for refusing the development or any adverse impacts of permitting the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This will be assessed below.
- 7.8 Members will be aware of the recent appeal decision at Ashmead Drive in which the Inspector concluded that the Council can demonstrate a 1.82 year supply. This is principally because the Council includes advanced delivery (or 'oversupply') against annual housing requirements

in its five-year supply calculations. Appeal decisions are not binding precedents, however. Officers consider that, on the context of the plan-led system, it is wrong not to take into account houses that have already been delivered during the plan period, essentially ahead of schedule, and which meet the needs being planned for in the area. Officer's advice is therefore that a 4.35 year supply can be demonstrated at this time.

- 7.9 Nevertheless, as set out above, as the Council cannot demonstrate a five year supply of deliverable housing sites, the presumption in favour of sustainable development is engaged in this case.

## **Design and Layout**

- 7.10 The NPPF sets out that the creation of high quality, beautiful and sustainable buildings and places 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.
- 7.11 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. 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.
- 7.12 Policy RES5 of the Emerging TBP states proposals for new housing development should, inter alia, be of a design and layout that respects the character, appearance and amenity of the surrounding area and is capable of being well integrated within it and be of an appropriate scale having regard to the size, function and accessibility of the settlement and its character and amenity, unless otherwise directed by policies within the Development Plan.
- 7.13 The application has been amended during the determination of the application and the fenestration of the apartment block has amended and additional landscaping is proposed to the south of the site adjacent to Mill Lane further to comments from officers.
- 7.14 The application site is a linear parcel of land and officers consider the layout responds to the site constraints and achieves a density of development which is compatible with good design which equates to 32 dwellings per hectare.
- 7.15 The application proposes the erection of dwellings in the western and northern parts of the site and the orientation is such that the principal elevations face either to the west or the south to establish a street pattern around the new access road off Mill Lane. Plot 1 would be the most visible dwelling from Mill Lane and further to comments from officers, the side elevation of this dwelling has been amended to provide a more active frontage which would contribute to the character of the streetscene. An area of landscaping is also proposed to the south of Plot 1 which would also contribute to the streetscape. Pedestrian linkages have also been provided in the proposal to allow pedestrian access to the recreational facilities and open space to the west and east.
- 7.16 The dwellings would be two storey semi-detached units with individual pitched roofs and the material palette of the dwellings would comprise of red brick with blue/black fibre cement slate roofs. The three storey apartment block to the rear of the site is proposed to be constructed of

the same materials, but the fenestration of the rear elevation contains cladding which it is considered will break up the visual mass of the structure when viewed from the west.

- 7.17 The application proposes tree planting to the east of the access road including Pear Trees, and Birch and an Oak Tree is proposed adjacent to Mill Lane. The dwellings fronting the internal road would also have small front gardens where additional planting is proposed. Officers consider that the planting would create an attractive streetscene once the planting has matured.
- 7.18 Whilst the concerns of the Parish are noted the Urban Design Officer raises no objection to the application proposals. Overall officers consider that the proposal responds positively to, and respects the character of ,the site and its surroundings, and addresses the emerging urban structure and grain of the locality in terms of layout, landscaping, mass, form and materials.
- 7.19 In light of the above, the design of the proposal is considered acceptable.

### **Residential Amenity**

- 7.20 Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments 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. Development should have no detrimental impact on the amenity of existing or new residents or occupants.
- 7.21 Emerging Policy RES5 of the Emerging TBP states that proposals for new housing development should, inter alia, provide an acceptable level of amenity for future occupiers of the proposed dwellings and cause no unacceptable harm to the amenity of existing dwellings.
- 7.22 There are no existing or proposed dwellings in the proximity of the site which would be impacted upon by the proposed development.
- 7.23 In regard to the residential amenity of future residents, the site layout has carefully been considered by officers to ensure that the development can achieve acceptable levels of amenity for the proposed new dwellings. In terms of external amenity space, each house would be provided with adequate garden amenity area and the internal arrangements and room sizes provide adequate amenity, In terms of the arrangement of windows, the orientation and layout is such that there would be no unacceptable overlooking between the proposed dwellings, subject to the imposition of a planning condition requiring the installation in perpetuity of obscure glazing within the first floor side facing windows of Plot 2 which serves an en-suite and within the side facing windows of plots 3-8 which serve stairways.
- 7.24 In regard to the apartment block, six one bedroom flats are proposed and each flat would have a bedroom, living room, kitchen and bathroom with a bath and these flats would extend to a Gross External Area of approximately 46 sq m exceeding the 39 sq m nationally described space standard.
- 7.25 In regard to the wider area, the nearest dwellings are located approximately 19 metres from the MUGA which is proposed to be constructed to the west and this relationship is considered acceptable given the separation distance.
- 7.26 Overall, subject to the imposition of conditions, it is considered that the proposed development would result in acceptable levels of amenity for future residents in accordance with JCS policies and the NPPF and would not impact on the amenity of existing and future residents located outside of the site.

## **Housing Mix and Affordable Housing**

- 7.27 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).
- 7.28 JCS Policy SD12 sets out that within the Strategic Allocations, a minimum of 35% 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.
- 7.29 The scheme is for entirely affordable homes and the housing mix and tenure is set out in paragraph 1.5 above. The mix and tenure have been agreed in consultation with the Council's Housing Enabling Officer and is considered acceptable and in accordance with the needs of the local area.
- 7.30 The applicant has advised that the affordable housing would be secured through a S106 Agreement, albeit there is currently no signed planning obligation. In light of the Council's housing land supply position, the provision of affordable housing which meets the needs of the local area should be seen as a significant benefit in the planning balance.

## **Access and Highway Safety**

- 7.31 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. 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.
- 7.32 The application site is located within Strategic Allocation A3 North Brockworth and in proximity to existing and proposed services and is considered a sustainable location for development with access to education, employment and community facilities. The proposal is therefore considered to be consistent with the accessibility related provisions of the relevant transport policies.
- 7.33 The application proposes a new priority junction from Mill Lane to access the site with visibility splays of 43 metres in each direction and the County Highways Authority have confirmed that this is acceptable. The carriageway and footway widths are also consistent with the Manual for Gloucestershire Streets Guidance enabling sufficient space for vehicle manoeuvring. Overall, it is considered that the layout is designed to appropriately accommodate all movements.
- 7.34 In terms of trip generation, the Highways Authority advise that the proposed residential use will generate in the AM peak 9 vehicle movements and in the PM peak 9 vehicle movements and it is advised that this is acceptable and would not have an unacceptable impact on congestion.
- 7.35 A total of 28 parking spaces for residents and 3 visitor parking bays will be provided through a mixture of driveway parking and a parking court. The Highways Authority have advised that this amount of car parking is acceptable and also in accordance with the Manual for Gloucestershire Streets Guidance

7.36 Based on a pro-rata contribution relating to the adjacent outline planning permission 12/01256/OUT, the Highways Authority have advised that the following planning obligations would be required. The Highways Authority consider that the obligations meet all relevant tests.

- £12,000 - sustainable Transport contribution.
- £2,060 - Residential Travel Plan Contribution.
- £1,627 - Residential Travel Plan Deposit.
- £107 - Residential Travel Plan Monitoring Fee

7.37 The Highways Authority conclude that subject to planning conditions and S106 obligations, the application would not have an unacceptable impact on highway safety or a severe impact on congestion. It is also considered the proposal is consistent with the accessibility related provisions of the relevant transport policies. The proposal is therefore considered acceptable in regard to highway safety and accessibility, subject to the completion of a planning obligation.

## **Ecology**

7.38 Paragraph 180 of the NPPF states if significant harm to biodiversity resulting from a development cannot be avoided through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

7.39 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.

7.40 Policy NAT5 of the Emerging TBP 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.

7.41 In regard to wider impacts, at the request of Natural England the application is supported by a Habitats Regulations Assessment (including appropriate assessment) (HRA) to address the increase in recreational pressure on the Cotswold Beechwoods SAC. The HRA concludes that the development will not have any measurable adverse effect on the integrity of the Cotswold Beechwoods SAC, in view of its objectives, with or without other projects or plans.

7.42 Natural England have reviewed this HRA and have confirmed that they have no objection to application, subject to the appropriate mitigation being secured to minimise adverse effects and make the development acceptable. These mitigation measures comprise of a Home Information Pack being provided for future residents providing information on recreation opportunities within the area and advising residents of the sensitivities of local and designated

sites. Therefore, subject to the imposition of appropriate conditions the wider ecological impacts of the proposal are considered acceptable.

- 7.43 In regard to the site itself, the application is supported by a Preliminary Ecological Appraisal which identified that the buildings which are to be demolished have either a very-low negligible or low negligible potential for roosting bats. All trees within the development area were also considered to have either a low or negligible potential for roosting bats, albeit the group of trees to the north of the site were assessed as having moderate to high potential.
- 7.44 The proposal would result in loss of hedgerows and trees within the site however the majority of this hedgerow is species poor and actively managed. However, the hedgerows provide valuable habitat for wildlife and mitigation/compensation is required.
- 7.45 The Council's Ecological advisors have been consulted on the application and have advised that positive net gain for the development has been demonstrated providing the landscaping and other ecological enhancement set out in the landscaping strategy and the Preliminary Ecological Appraisal are implemented. It is also advised that a Construction Ecological Management Plan (CEMP) and a Landscape Ecological Management Plan (LEMP) is required prior to the commencement of development to demonstrate how wildlife will be protected.
- 7.46 In conclusion, the Council's Ecological Advisor and Natural England raise no objection to the application subject to the imposition of conditions. It is therefore considered that application is acceptable in regard to ecological impacts.

### **Drainage and Flood Risk**

- 7.47 JCS Policy INF2 advises 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 climate change. This is reflected in Policy ENV2 of the Emerging TBP and the NPPF.
- 7.48 The site lies in Flood Zone 1 (lowest risk of flooding) as defined by the Environment Agency's most up-to-date flood risk maps, which comprises land assessed as having a less than 1 in 1000 annual probability of river or sea flooding (0.1%).
- 7.49 The application is supported by a Drainage Strategy which advises that site infiltration testing has demonstrated infiltration is not viable. The application therefore proposes a method of surface water management whereby surface water runoff shall be collected through gravity-fed gutters and downpipes for the proposed buildings and discharged to the ditch along the southern site boundary, with upstream storage provided within an attenuation device beneath the parking area. Small areas of hard landscaping around the building perimeter, and the rear patio area shall drain onto adjacent grassland.
- 7.50 The Lead Local Flood Authority have been consulted on the application and raise no objection and Severn Trent raise no objection subject to the imposition of conditions. As such, subject to the imposition of conditions, it is considered that the proposal is acceptable in regard to flood risk and drainage.

### **Heritage Assets**

- 7.51 Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 7.52 Policy SD8 of the JCS states that development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment. The policy also states that: Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.
- 7.53 The Council's Conservation Officer has been consulted on the application and advises that the existing cottage is not a listed building, it is shown on 1884 maps and appears in style to be late 19th Century. It was labelled as Henley Farm and later Henley Bank farm before becoming kennels. No historic assessment of the building has been submitted however the building is a detached Victorian dwelling of standard formal design with slate roof and sash windows. Given the architectural interest of the building and its history as an isolated farmhouse, the Conservation Officer consider the building is of sufficient local interest to be considered a non-designated heritage asset for the purposes of this application. Nevertheless, in this case the significance of this heritage asset is low.
- 7.54 In determining planning applications involving non-designated heritage assets, paragraph 203 of the NPPF requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset
- 7.55 In this case the significance of the heritage asset is low and it would be difficult to develop this plot effectively whilst retaining the building. As such it is considered that the demolition of this building would be acceptable in order to facilitate the provision of new homes.
- 7.56 As such the Conservation Officer raises no objection subject to a programme of archaeological building recording work, including a Written Scheme of Investigation, being undertaken
- 7.57 As such, whilst the loss of the historic building is considered regrettable, given the characteristics of the building, this harm is minor and does not give rise to a reason for refusal in regard to relevant heritage policies.

## **Archaeology**

- 7.58 Paragraph 194 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.
- 7.59 The County Archaeologist has been consulted on the application and has checked the proposed development site against the County Historic Environment Record and no previous archaeological investigation at the location is indicated. However the areas both to the east and west have been subject to geophysical survey and archaeological trial trenching in relation to previous development proposals, both of which were entirely negative, apart from evidence for the ploughed out remains of ridge and furrow earthworks, in the vicinity of the current application red line.
- 7.60 As such the officer advises that there is a low risk that archaeological remains will be adversely affected by this development proposal and it is recommended that no archaeological investigation or recording need be undertaken in connection with this scheme.
- 7.61 In light of this, the application is considered acceptable in regard to archaeology

## **Community Infrastructure Levy/Section 106 obligations**

7.62 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 are sought, they must comply with the tests set out in the CIL regulations. Where planning obligations do not meet the tests, it is 'unlawful' for those obligations to be taken into account when determining an application.

7.63 These tests are as follows:

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

7.64 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 and CIL mechanisms as appropriate

## **Open Space, Outdoor Recreation and Sports Facilities**

7.65 The NPPF sets out that planning decisions should aim to achieve healthy inclusive and safe communities including promoting social interaction and creating healthy, inclusive communities. Planning decisions should enable and support healthy lifestyles including through the provision of safe and accessible green infrastructure and sports facilities.

7.66 JCS Policy INF4 provides where new residential will create or add to, a need for community facilities, it will be fully met as on site provision and/or as a contribution to facilities or services off-site. JCS Policies INF6 and INF7 support this requirement. Saved Local Plan Policy RCN1 requires the provision of easily accessible outdoor playing space at a standard of 2.43ha per 1000 population on sites of 10 dwellings or more

7.67 The Council's Communities Team have been consulted on the application and advise that in this instance no S106 for this site for open accessible play space is required, given that the site is solely an affordable homes development and that there is accessible play provision within the vicinity of the site within the wider Perrybrook development.

## **Education, Library Contributions and Other Contributions**

7.68 Gloucestershire County Council (GCC) have been consulted on the application, but at the time of writing the requested contributions need to be reviewed by GCC in light of their Interim Position Statement on Pupil Product Ratios from New Housing Developments (June 2021). However, at the time of writing this Report in order to mitigate the impact of the development GCC have advised the following.

- **£45,273** towards the provision of Early Years places to support children arising from this proposal. **An update on the requested contribution will be provided at Committee.**
- **£38,980** towards secondary school places. **An update on the requested contribution will be provided at Committee.**

7.69 There is no library contribution required for this development as the total number of proposed dwellings falls below the number that constitutes a library requirement.

7.70 A contribution of £73 per dwelling, which equates to £1,168 based on 16 dwellings, towards recycling and waste bin facilities is also required.

7.71 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.

## **8 CONCLUSION AND RECOMMENDATION**

8.1 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.

8.2 On the basis the Council cannot at this time demonstrate a five year supply of deliverable housing land, the Council's policies for the supply of housing are out of date. In accordance with paragraph 11 of the NPPF, the presumption in favour of sustainable development indicates that permission should be granted unless policies for protecting areas of assets of particular importance in the NPPF provide a clear reason for refusing the development proposed, or any adverse impacts of permitting the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. There are no clear reasons for refusal arising from NPPF policies for the protection of areas or assets of particular importance in this case and therefore, it is clear that the decision-making process for the determination of this application is to assess whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

### **Benefits**

8.3 The development would contribute towards the supply of affordable housing and help meet the objectively assessed need for housing in the Borough in an area where the principle of housing development is considered acceptable. This is of particular relevance given the fact that the Council cannot currently demonstrate a deliverable supply of housing and therefore weighs significantly in favour of the application. This is given significant weight given that the proposal is entirely for affordable housing.

8.4 Moderate weight is given to the economic benefits that would arise from the proposal both during and post construction, including the economic benefits arising from additional residents supporting local businesses.

### **Harms**

8.5 The proposal would result in the loss of a non-designated historic dwelling, and whilst its loss is regrettable, this loss is considered a minor harm.

## Neutral

- 8.6 It has been established through the submission documents, subject to the imposition of appropriate planning conditions and planning obligations, that the development would not give rise to unacceptable impacts in relation to, archaeology, ecology, flood risk and drainage, highway safety, residential amenity and design.

## Conclusion

- 8.7 Taking account of all the material considerations and the weight to be attributed to each one, it is considered, the identified harm would not significantly and demonstrably outweigh the benefits in the overall planning balance.
- 8.8 It is therefore considered that the proposed development would constitute sustainable development in the context of the NPPF as a whole and it is therefore recommended that planning permission is **PERMITTED** subject to the conditions set out below and the **completion of appropriate planning obligations.**

## CONDITIONS:

1. The works hereby permitted shall be begun before the expiration of five 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 approved documents:

- CS-20029 003 Rev PL3 Proposed Block Plan
- CS-20029 006 Rev PL3 Plots 9-14 Floor Plans
- CS-20029-007 Rev PL3 Plots 9-14 Elevations Front and Side
- CS-20029 008 Rev PL4 Plots 9-14 Elevations Rear and Side
- CS-20029 009 Rev PL2 Plots 15-16 Floor Plans
- CS-20029-010 Rev PL3 Plots 15-16 Elevations
- CS-20029-011 Rev PL2 Plots 5,6,7 and 8 Floor Plans
- CS-20029-012 Rev PL3 Plots 5-6 Elevations
- CS-20029-013 Rev PL3 Plots 7-8 Elevations
- CS-20029-014 Rev PL3 Plots 1-2 Floor Plans
- CS-20029-015 Rev PL3 Plots 1-2 Elevations
- CS-20029-016 Rev PL2 Plots 3-4 Floor Plans
- CS-20029-017 Rev PL3 Plots 3-4 Elevations
- CS-20029-018 Rev PL3 Plots 1-14 and 16 Street Scene
- CS-20029-019 Rev PL3 Street Scene Plot 1
- 20198.101 Rev A Landscape Strategy
- CZ0016-ATP-DR-TP-001 Rev P01 General Arrangement Site Access

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, no development shall be undertaken above DPC level until the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels and ridge levels of the proposed dwelling hereby approved have been

submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of residential and visual amenity

4. Notwithstanding the submitted details, no works above DPC level shall take place until samples of the external building and external surface materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure a satisfactory appearance to the development.

5. All planting comprised in the approved 20198.101 Rev A Landscape Strategy shall be carried out in the first planting season following the occupation of any building or the completion of the development, whichever is the sooner. Any trees or hedgerows, which within a period of 5 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. If any trees or hedgerows fail more than once, they shall continue to be replaced on an annual basis until the end of the 5 year period.

Reason: In the interests of visual amenity and biodiversity

6. Prior to the occupation of the dwellings hereby permitted, details of all walls, fencing and other means of enclosure shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the dwellings hereby permitted.

Reason: To provide adequate privacy and an acceptable external appearance

7. The side facing first floor windows in plots 3-8 which serve stairways and the first floor side facing window in plot 2 which serves an en-suite shall be fitted with obscure glazing (minimum Pilkington Level 4 or equivalent) prior to occupation of the dwelling. The windows shall thereafter be retained as such and not altered without the prior consent of the Local Planning Authority.

Reason: In the interests of privacy and residential amenity

8. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:
  - 4 hour emergency contact number;
  - Hours of operation;
  - 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);
  - Routes for construction traffic;
  - Locations for loading/unloading and storage of plant, waste and construction materials;
  - Method of preventing mud being carried onto the highway;
  - Measures to protect vulnerable road users (cyclists and pedestrians)
  - Any necessary temporary traffic management measures;
  - Arrangements for turning vehicles;
  - Arrangements to receive abnormal loads or unusually large vehicles;
  - Methods of communicating the Construction Management Plan to staff, visitors and

neighbouring residents and businesses.

Reason: 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.

9. No building or use hereby permitted shall be occupied or use commenced until details of arrangements for the future management and maintenance of proposed highway not put forward for adoption within the site has been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users.

10. No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking spaces (and turning space) including bin collection points shown on the approved plans drawing number 003 rev PL3, has been completed and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development. Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard

11. No building or use hereby permitted shall be occupied or use commenced until the means of vehicular access including tactile crossing points have been broadly constructed and completed in accordance with the approved plan CZ0016-ATP-DR-TP-001 Rev P01 and the said means of vehicular access shall thereafter be retained for access purposes only for the lifetime of the development.

Reason: To ensure that the vehicular access point is safe.

12. The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 2 bicycles per dwelling has been made available in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with the National Planning Policy Framework.

13. The development hereby permitted shall not be first occupied until the proposed dwellings have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities.

14. Development shall not begin until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the

near side edge of the adjoining carriageway, {measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of the land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety.

15. The vehicular access hereby permitted shall not be brought into use until all existing vehicular accesses to the site (other than that intended to serve the development) have been permanently closed in accordance with the approved plan C20016-ATP-DR-TP-001 rev P01.

Reason: In the interests of highway safety.

16. No development shall take place above DPC level until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

17. Prior to occupation of each dwelling hereby permitted, a Homeowner Information Pack setting out the location and sensitivities of the Cotswold Beechwoods Special Area of Conservation and Cotswold Commons & Beechwoods Site of Special Scientific Interest shall be submitted to and approved in writing by the Local Planning Authority and thereafter two copies of the approved information pack shall be issued to each new residential occupier prior to the occupation of each respective new dwelling hereby permitted. The Homeowner Information Pack shall include reference to the sensitivities of these sites, messages to help the new homeowners and their families enjoy informal recreation at these sites and how to avoid negatively affecting them, alternative locations for recreational activities and off road cycling, and recommendations to dog owners for times of the year dogs should be kept on lead when using sensitive sites (i.e. to avoid disturbance to nesting birds).

Reason: To ensure no adverse effects on the integrity of the Cotswold Beechwoods Special Area of Conservation and Cotswold Commons & Beechwoods Site of Special Scientific Interest as a result of the development.

18. Work shall not start on the development hereby permitted until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall expand on the mitigation measures outlined and recommended in the Preliminary Ecological Appraisal with Preliminary Bat Roost Assessment prepared by Focus Environmental Consultants dated November 2020. The CEMP shall include, but will not limited to, precautionary measures to protect bats, birds, Great Crested Newts, hedgehogs and nesting birds. The development shall be implemented fully in accordance with the approved CEMP.

Reason: To protect biodiversity and protected species. This condition is required to be pre-commencement as there is potential for impact on wildlife upon completion of development.

19. Work shall not start on the development hereby permitted until a Landscape Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall expand on the mitigation measures outlined and recommended in the Preliminary Ecological Appraisal with Preliminary Bat Roost Assessment prepared by Focus Environmental Consultants dated November 2020 prepared by Focus Environmental Consultants dated November 2020. The LEMP must be applicable for a minimum period of five

years and include a monitoring regime to ensure habitats establish well and animal shelters remain in good state. The development shall be implemented fully in accordance with the approved LEMP.

Reason: To protect biodiversity and protected species. This condition is required to be pre-commencement as there is potential for impact on wildlife upon completion of development

20. Prior to the commencement of development, a full specification for the protection of retained trees to the north of the application site shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the tree roots and their canopies will be protected during construction. This condition is required to be pre-commencement as there is potential for impact on trees upon commencement of development.

21. Prior to the installation of any external lighting for the development hereby permitted details of the lighting shall be submitted to and approved in writing by the Local Planning Authority. This lighting scheme shall show contour plans highlighting lux levels, to demonstrate that all bat foraging corridors and roosting features are kept dark. The development hereby permitted shall not be carried out otherwise than in accordance with the approved lighting details and the approved lighting details shall thereafter be retained for the lifetime of the development.

Reason: To protect biodiversity and protected species and in the interests of residential amenity.

22. No demolition/development of the existing cottage shall take place until a programme of archaeological building recording work including a Written Scheme of Investigation followed by a final report has been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of an assessment of the affected cottage which is to be recorded to a standard equivalent to a Level 2 (descriptive record) as specified by Historic England in its publication Understanding Historic Buildings: A Guide to Good Recording Practice (2016).

Reason: In the interests of the historic environment. This condition is required to be pre-commencement as archaeological building recording work is required prior to the loss of the non-designated heritage asset.

23. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The site shall be remediated in accordance with the approved measures before development begins.

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

24. No below or above ground development shall commence until a detailed site waste management plan has been submitted to and approved in writing by the Local Planning Authority. The site waste management plan must identify the type and amount waste materials expected to be generated from the development during site preparation and construction phases and set out what 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 amount sent to landfill. In addition, the site waste management plan must clearly set out the proportion of recycled content that will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2-Waste Reduction; adopted Minerals Local Plan for Gloucestershire Policy SR01 and paragraph 8 of the National Planning Policy for Waste.

25. 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. All details shall be fully implemented as approved.

Reason: To ensure the effective implementation of waste minimisation in accordance with Gloucestershire Waste Core Strategy: Core Policy WCS2 - Waste Reduction; and paragraph 8 of the National Planning Policy for Waste

## **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 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 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.
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. Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylcalagrecmcnts@glouccstcrshirc.gov.uk](mailto:highwaylcalagrecmcnts@glouccstcrshirc.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:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. 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. The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

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

- i. Drafting the Agreement
- ii. Set up costs
- iii. Approving the highway details
- iv. 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.

5. 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 CEMP should clearly identify how the principle 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.

CEMP can include but is not limited to:

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site;
  - Deliveries, waste, cranes, equipment, plant, works, visitors;
  - Size of construction vehicles;
  - The use of a consolidation operation or scheme for the delivery of materials and goods;
  - Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
  - Programming;
  - Waste management;
  - Construction methodology;
  - Shared deliveries;
  - Car sharing;
  - Travel planning;
  - Local workforce;
  - Parking facilities for staff and visitors;
  - On-site facilities;
  - A scheme to encourage the use of public transport and cycling;
  
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residual roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Location for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Highway Condition survey;
- Method of preventing mud being carried onto the highway; and
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.