

TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

Committee:	Planning
Date:	21 June 2022
Site Location:	Land Off A38 Coombe Hill
Application No:	22/00194/APP
Ward:	Severn Vale North
Parish:	Leigh
Proposal:	Approval of reserved matters application for up to 95 dwellings, associated infrastructure, ancillary facilities, open space, landscaping and construction of new vehicular and pedestrian accesses.
Report by:	Paul Instone
Appendices:	Site Location Plan 100.P.1.2 Site Layout 19256 1003D Storey Heights Plan 19256 1011B Materials and Boundary Treatment Plan 19256 1010C Landscape Framework LA5279 001M Street Scenes 1, 2 & 3 19256 SS-01 A Street Scenes 4 & 5 19256 SS-02 A Petrol Filling Station Context 0181 RW 211 Apartment Elevations and Floor Plan 19256 1BFA
Recommendation:	Approve
Reason for referral to committee:	Reserved Matters application for the erection of more than 20 dwellings

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site comprises a field located to the northeast of the junction of the A4019 and A38 at Coombe Hill and measures approximately 4.9 hectares in area. (See attached location plan).
- 1.2 To the north of the site is Grange Farm and a dwelling known as Fairview, to the west of the site is petrol filling station and convenience store (PFS) and the A38, to the east is open countryside and a dwelling known as The Bellows, which fronts the A4019. The A4019 bounds the south of the site. On the opposite side of the A38 to the west, is the Swan Inn public house and recently constructed dwellings.
- 1.3 The site slopes down to the south-eastern corner and is enclosed, in part, by hedgerow and tree planting to the northern, eastern and western edges.

- 1.4** The site is included as an allocation for housing in Tewkesbury Local Plan 2011-2031 (TLP) which is expected to be adopted at time of determination of this application and Policy RES1 states that the site has an indicative capacity for 95 dwellings. Policy COO1 of the TLP which forms part of Policy RES1, identifies that the development of the site presents a place making opportunity and provides site specific policies to provide further detailed guidance on the development of the site to achieve this objective (see below).
- 1.5** Outline planning permission (reference: 20/00140/OUT) was allowed on the site at appeal in June 2021. The description of development as amended during the determination of the appeal was as follows:
- 1.6** *'Outline application for (up to 95 dwellings), associated infrastructure, ancillary facilities, open space and landscaping. Construction of a new vehicular and pedestrian access from the A38 and pedestrian access to the A4019.'*
- 1.7** Pursuant to the outline planning permission, the current application seeks approval for reserved matters for the whole of the site in respect of Layout, Scale, Appearance, Landscaping and Access (plans will be displayed at Committee). The reserved matters proposes 95 dwellings with an average site wide density of 19 units per hectare.
- 1.8** The application has been revised during determination of the application and revisions have been made to the layout and appearance of the scheme further to comments from officers.
- 1.9** The scheme would deliver 8no. one bedroom units, 22no. two bedroom units, 42no. three bedroom units, 22no. four bedroom units and 1no. five bedroom unit in a mix of apartments, bungalows, terraced, semi-detached and detached forms. With regard to affordable housing provision, a mix of one bedroom apartments, two bedroom bungalow and two, three, four and five bedroom houses, would be provided, and offered either on an affordable rent (23 units) or shared owner basis (15 units). A total of 38 affordable units would be provided, which equates to 40% of the total number of dwellings. The number and tenure of affordable dwellings would reflect the requirements of the S106 agreement.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
17/01337/OUT	Outline application for up to 40 dwellings, associated infrastructure, ancillary facilities, open space and landscaping with vehicular and pedestrian access from A38. All matters (Access, Appearance, Landscaping, Layout and Scale) reserved for future consideration.	WDN	22.07.2021
20/00140/OUT	Outline application for up to 95 dwellings,	Approved at appeal	01.06.2021

	<p>associated infrastructure, ancillary facilities, open space and landscaping. Construction of a new vehicular and pedestrian access from the A38 and pedestrian access to the A4019.</p>		
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3.0 RELEVANT POLICY

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

3.1 National guidance

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

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

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

3.3 Tewkesbury Borough Plan 2011-2031 (TLP)

- RES1 (Housing Site Allocations)
- COO1 (Land at Junction of A38/A4019, Coombe Hill)
- RES5 (New Housing Development)
- RES12 (Affordable Housing)
- RES13 (Housing Mix)
- DES1 (Housing Space Standards)
- NAT1 (Biodiversity, Geodiversity and Important Natural Features)
- ENV2 (Flood Risk and Water Management)
- TRAC1 (Pedestrian Accessibility)
- TRAC2 (Cycle Network and Infrastructure)
- TRAC3 (Bus Infrastructure)
- TRAC9 (Parking Provision)

3.4 Neighbourhood Plan

An independent examination for The Leigh Neighbourhood Plan 2020-2031 (LNP) was completed in April 2022 and the Report of the Examination of the Plan was published on 25th April 2022.

Tewkesbury Borough Council will now consider the Examiner's conclusions and recommendations and will decide whether or not it proceeds to a referendum, with or without modifications.

Relevant policies in the Emerging NLP are:

- E1 (Landscape and Countryside)
- E2 (Biodiversity)
- E3 (Historic Environment)
- H1 (Design for New Residential Development)
- H4 (Parking in New Residential Development)
- F1 (Flooding)

3.5 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

4.0 CONSULTATIONS

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

4.1 Leigh Parish Council – Concerns raised with scheme. A consultation response has only been received to the application as submitted and no comments have been received to revised proposals. The Parish's concerns to the application as submitted are summarised below:

- The access for the 95 houses is off the A38, only a few metres away from the new entrance into the new Vineyards estate and at probably the steepest gradient of the field. The Parish Council foresee many potential problems with this access point.
- The Parish are satisfied that there is no reference to street lighting on this site. This is a rural site where any form of street lighting is inappropriate and also disruptive to the nocturnal wildlife in the area.
- Extremely disappointed with the street scene designs. They not only look very basic with no originality but also fail to fulfil the promise of a 'Place Making Scheme'. These are bog standard houses from off the shelf designs that can be seen just a few miles down the road at Twigworth (and they look ugly there).
- The Developers have managed to find two properties within the whole community (Walton Grange and The Old Police House) to justify building 2.5 storey houses in very prominent sections of the site both on the A38 and A4019
- The design should be made to fit in with its surroundings, not the area fit in with their designs.
- Concerned that the green spaces, play area and pond will not be maintained sufficiently and do not wish to be burdened with this additional responsibility.
- More comprehensive landscaping could be done on the houses that face towards the A4019 which currently shows a row of unsightly 1.8 metre high fence panels highly visible from the main road. There needs to be a more open aspect as befits a rural estate together with more trees and planting in general.
- Concerned about the drainage proposals and that the proposal will increase the risk of flooding.
- More accessible units should be provided for future residents with disabilities.

- 4.2 County Highways Authority** – At the time of preparing this Committee Report requested the application is deferred. An update will be provided at Committee.
- 4.3 Highways England** – No comment on the application. The impact of the development on the Strategic Road Network was considered at outline stage.
- 4.4 Lead Local Flood Authority** – No objection.
- 4.5 Severn Trent Water** – Additional information requested on surface water and foul sewage discharge details and in particular the location of the proposed outfall for foul sewage. An update will be provided at Committee.
- 4.6 Landscape Advisor** – No objection further to the submission of revised plans.
- 4.7 Conservation Officer** – No objection: Any harm to heritage assets by the construction of a modern housing estate are likely to be outweighed by public benefits.
- 4.8 Environmental Health (Air Quality)** – No adverse comments to make.
- 4.9 Environmental Health (Noise)** – No objection subject to conditions.
- 4.10 Housing Enabling Officer** – No objection to revised scheme. The affordable housing provision is in accordance with the unilateral undertaking associated with the outline permission and it is welcomed that the scheme has been revised to include balconies on the proposed apartments.
- 4.11 County Archaeologist** – No objection. Condition no.6 iv of the outline permission requires archaeological mitigation recording in advance of development. This work is well underway. There is no need to attach a similar planning permission on this reserved matters scheme.
- 4.12 Ecological Advisor** – No objection

5.0 PUBLICITY AND REPRESENTATIONS

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. Five objections have been received to the original and revised proposals and these are summarised below.
- The generic design is highly urbanised and out of character with Coombe Hill.
 - Fitting 95 houses onto the site was always going to be difficult and as everyone feared we've ended up with tightly packed houses in straight lines which is what residents feared.
 - The emerging Neighbourhood Plan sets out the form of development that would be acceptable.
 - The open space is fragmented and largely worthless. Residents will continue to walk dogs in the surrounding countryside which will harm protected species.

- The existing hedgerows should be preserved.
- The proposals does not provide a landmark feature on the junction as required by policy COO1.
- There is no mention in the application about archaeological signage as discussed in the planning inquiry.
- The proposed recreational facilities are of no use to existing residents.
- The road will be no safer for vehicles and clearly a great deal worse for pedestrians.
- The haulage road shown in the building strategy plan off the A4019 will increase noise, pollution and dust during the construction phase and it is unacceptable.
- Concerns raised about future management of open spaces and drainage infrastructure.
- The design and access statement does not address the impact on all of the surrounding residential properties.
- The developers have not liaised with surrounding residents although they stated they would at the inquiry.
- In the revised plans the play area is too close to A38 and cars have previously rolled into this area. (Officer note: the play area has been relocated in the latest plans).
- The proposals do not include a statement feature at the A4019/A38 junction. (Officer note: a landscape feature such as a sculpture is proposed in the latest plans, the details of which will be controlled by condition).
- Concerns raised about the design and height of the play area.

6.0 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) and a number of 'made' Neighbourhood Development Plans.
- 6.3** The Tewkesbury Borough Plan 2011-2031 (TBP) was adopted at a special meeting of full Council on 8 June 2022. It is therefore now part of the Development Plan
- 6.4** The relevant policies are set out in the appropriate sections of this report.
- 6.5** 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.

7.0 ANALYSIS

Condition Requirements

- 7.1 The outline permission include planning conditions which establish the parameters of the built form on the site which. These conditions are summarised below:
- 7.2 Condition 4 of the outline permission states that the development shall be carried out in accordance with the approved the following approved plans:
- Site Plan
 - Land Use, Access and Movement Parameters Plan
 - Building Height Parameters Plan
 - Access and Junction Visibility Splay Plan
- 7.3 These plans establish the area of the built development on the site, the maximum building heights in different areas of the site, the extent of green infrastructure (to include SUDS pond and foul pumping station), a zone where the primary vehicular access point is to be located and pedestrian access linkages. The layout and scale of the reserved matters application accords with these principles which are established within the outline planning permission.
- 7.4 Condition 5 of the outline permission states that no more than 95 dwellings shall be provided on the site. This reserved matters application proposes 95 dwellings and accords with the outline permission in this regard.
- 7.5 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.
- 7.6 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.

Principle of development

- 7.7 The principle of residential development at the site has been established through the grant of outline planning permission. Policy RES1 of the TLP also allocates the site for 95 dwellings and Policy COO1 provides criteria which proposals on this site will be expected to achieve.

7.8 Policy COO1 states that the development of this site presents a place making opportunity and sets out criteria that this site will be expected to deliver. These criteria are:-

- the proposal to provide well designed, active frontages along the A38 and A4019 so to enliven the street scene and create a sense of place
- accessible public open space to be provided on site for use by the wider community
- enhanced pedestrian connectivity to be provided with Site RES1K (Land at Swan PH) and the services and public transport facilities within the village-
- the proposal to contribute to the wider green infrastructure network, deliver biodiversity net gains and mitigate against increased recreational pressures on the Coombe Hill Canal Site of Special Scientific Interest including by providing alternative natural greenspace on site
- the opportunity for a landmark feature on the prominent corner location at junction of A38 and A4019 to be explored and implemented
- the density of development to be relatively low, and the layout to be landscape led, so to respect the rural nature of the location and aid assimilation within the wider landscape
- the design and layout of development to address the relationship between the proposed dwellings and the adjacent petrol station and car wash facility, so to avoid adverse amenity impacts on future occupiers

7.9 Policy COO1 provides a framework for the development of the application site and some of these criteria are relevant to the reserved matters considerations of access, appearance, landscaping, layout and scale. Where relevant, the compliance of the proposal with the policy requirements of Policy COO1 are considered in the relevant sections of this report.

7.10 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; and
- Affordable housing
- Ecology

7.11 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

- 7.12** 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 Emerging LNP states that generic design will not be supported and Design and Access Statements should demonstrate how the locally distinctive character of the area has been accounted for using identified Positive Local Design Features. The policy also states that proposals should relate to the adjacent and nearby local character in massing, scale and use of outdoor landscaping.
- 7.13** A number of parameter plans were approved as part of the outline permission which establish the extent of built form and green infrastructure, maximum building height and access points.
- 7.14** The reserved matters application is supported by a Compliance Statement which demonstrates that the application accords with the principles of development which was established by the outline planning permission.
- 7.15** 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:
- The relocation of the pumping station from the south of the site to the north east corner and the relocation of the LEAP to the south of the site. As the application was submitted, officers had concerns that the pumping station would appear intrusive in the street scene at A38/A4019 junction and officers consider that the revised layout arrangement provides a higher quality public realm.
 - An indicative location for a landmark feature has been included on the revised layout on the corner of the A38/A4019 junction. It has been agreed with the applicant that the details of this landmark feature will be controlled by planning condition, but public art is envisaged. Policy COO1 of the TLP states that an opportunity for a landmark feature on this corner should be explored and the inclusion of this landmark feature accords with this policy criterion.
 - Concerns were raised that the attenuation basin appeared overly engineered and additional water tolerant planting has been added to its perimeter to soften its appearance.
 - The design of the apartment block to the east of the petrol filling station has been altered further to concerns raised by officers about the appearance. Alterations include the reduction of gables on the south elevation, simplification of the proposed materials and the use of stone to reflect the status of the apartment block as a focal/feature building. Balconies have also been added to the apartment block at the

request of the officers.

- Officers raised concerns that the street scene adjacent to the A38 appeared overly dense and cluttered. In response to these concerns, front facing dormers have been removed from plots facing the A38 to reduce the visual density of the built form.
- Close board fencing has been replaced with 1.8 metres boundary walls at key viewpoints including at the site entrance, the west of plots 19-20, and the corner plots 38, 46, 47 and 57. Boundary walls have also been included in the rear parking courtyard serving plots 25-30 and the entrance has been accentuated through the use of block paving and two brick pillars to improve the appearance of the area.

- 7.16** The Design and Access Statement which supports this application sets out the design rationale for the proposals. The proposed layout accords within the principles of the parameters plans which were approved at outline stage with the built form concentrated to the north west of the site with public open space located to the south and east of built form. Officers have liaised with the applicant during the determination of the application to improve the quality of this open space through the relocation of the pumping station to the north east corner of the site, the relocation of the LEAP and negotiating the inclusion of landmark feature adjacent to the A4019. The exact location and design of the landmark feature will be approved by condition but this provision has been secured in accordance with criterion 5 of Policy COO1 of the TLP.
- 7.17** In accordance with the principles secured at outline stage, there are significant areas of open space located to the south and east which provide recreational opportunities for existing and future residents including for dog walking and the public open space interconnects through the development providing linkages and footpaths to the A38 and the A4019. As such officers consider that the proposal accords with criteria 2 and 6 of Policy COO1 of the TLP and the proposal is landscape led and provides accessible open space for the existing and future residents.
- 7.18** In respect to the layout of the built form, in accordance with principles of the parameter plans the built form is concentrated in north west of the site with a simple road hierarchy with a principle access off the A38. Along the A38 a strong linear building line is proposed (as required by criterion 1 of Policy COO1) , and the density and urban form gradually gets less formal towards the south, west and north of the development where the houses are generally set behind private drives to provide a transition between built form and open space. The overall density of the area of built form excluding the public open space is 38 dwellings per hectare.
- 7.19** Due to the perimeter layout of the development, dwellings front onto the open space around the whole of development creating active frontages with parking to the sides of dwellings creating opportunities for active surveillance.
- 7.20** Internally with the site, there are two key focal spaces located centrally with the development which would help establish a sense of place and create a sense of transition between the main access and the secondary access roads. The areas of open space and planting assist with creating a transition between the more rural and urban character areas.

- 7.21** In terms of the proposed layout, further to amendments to the application as submitted, officers consider that the design approach reflects and builds upon the principles and parameters set out in the Parameter Plans. The proposal is landscape led scheme, and the layout provides a liner and active frontage adjacent to the A38 transitioning into a more rural character adjacent to the open space. The proposed layout provides a sufficient degree of separation between properties and good levels of natural surveillance. The layout is considered to be legible and has a high degree of permeability and connectivity. The proposed layout is therefore considered to be acceptable.
- 7.22** In terms of appearance and scale, the principle of the maximum height of building was approved in outline parameter plans and this reserved matters application accords with these parameters. Across the development dwellings are generally two storeys in height. The apartments to the south east of the PFS and the adjacent dwellings which provide a key focal point to the development and provide a sense of transition between the PFS (which is at a higher level) and the dwellings are 2.5 storeys. Officers raised concerns to the application as submitted regarding the appearance of the apartment block and the perceived visual bulk due to the design approach. The design of the apartment block has been amended further to these comments and the number of dormers reduced and balconies added which it is considered reduce the bulk of the built form. The material of the apartment block has also been amended to golden buff facing stone alongside the adjacent dwellings to simplify the material palette and reflect the status of the apartment block as a focal point of the development. Officers consider that this revised arrangement is acceptable and responds to the design cue of this transition area between the PFS and the area of open space.
- 7.23** Four 2.5 storey dwellings are proposed adjacent to the A38 (plots 6, 7, 12 and 13) and officers raised concerns to the application at submitted due to the front facing dormer windows on these units as it was considered that they created a dominant and cluttered street scene. In response to officer's comments, front facing dormer windows have been removed from these plots facing the A38 and rear dormers have been added to the 2.5 storey dwellings. The dwellings fronting the A38 are a mixture of mutil-red brick and chalk render on the corner buildings onto the main access which breaks up built form. In addition, the levels of the site generally fall from north to south along the A38 and it is considered the ridge lines of the dwellings respect the topography of the site and the use of materials on the A38 also respects the vernacular cues in the vicinity of the application site on the A38 which are generally a mix of red brick, orange brick and white render. As such, following the amendments secured by officers it is considered that the scale and appearance of the buildings fronting onto the A38 are acceptable.
- 7.24** Within the centre of the site there are also three 2.5 storey dwellings with front facing dormer windows at plots 43, 44, and 45. These dwellings are at a key node in the application site and are considered an appropriate scale to help define the space and 'sense of arrival' at this viewpoint. These dwellings are juxtaposed by a bungalow (plot 75) to the south west with a hedgerow to the front which acts as a transitional feature between the denser development to the north and west and the more rural built form to the south and east.

- 7.25** In regard to the use of materials across the site, multi-red brick/red brick and chalk render fronts the A38 and on the main streets, with Brunswick Farmhouse Mixture brick (lighter red) and golden buff stone facing the open space. Officers consider this use of materials reinforces the character area typology of the built form creating a transition between the more rural and urban character areas.
- 7.26** Overall officers consider that the scale, layout and appearance of the application is acceptable and accords with the approved parameter plans, the design criteria within Policy COO1 of the TLP and is of an appropriate design.

Access and highway safety

- 7.27** At the time of writing this committee report, there is a recommendation from the County Highways Authority that this application should be deferred. The County Highways Authority have concerns regarding site gradients and the requirements for Inclusive Mobility, as well as islands of private parking spaces with adopted footway behind them in front of the dwellings. This arrangement is not acceptable to the Highway Authority due to issues surrounding maintenance. The Highways Authority also would not wish to see the installation of guard rails along the A4019, albeit it has been requested that some measures should be introduced here to help ensure pedestrians (especially children) do not exit the site and enter the carriageway.
- 7.28** The applicant is in continued discussions with the Highways Authority and it is anticipated that these matters will be resolved prior to committee determination through minimal changes to the current plans.
- 7.29** An update on the County Highways Authority consultation response will therefore be provided to committee, alongside any changes that arise to the submitted plans and variations to the recommended conditions that may be required. Should there be any implications to the overall planning balance and officer recommendation as a result of the Highways Authority consultation response these will also be included in the Committee Update.

Trees, Landscaping and Open Space

- 7.30** 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.
- 7.31** The design of the landscaped areas and the specifications of planting have been subject to negotiations with the applicant which has resulted in amendments to the layout with the pumping station being re-located into the north east corner of the site and the LEAP and 'landmark feature' being located in the southern part of the site. There is also a forest camp in the north east corner.

- 7.32** The open space within the site is in accordance with the principles and parameters of the outline permission and provides 2.4 hectares of open space in an arrangement which provides recreational space to the south and east and connects to the A38 at the north of the site. A footpath runs through the site constructed of self-binding Hoggin gravel which allows for all weather access to open space, particularly for dog walking which was a requirement of the outline permission to mitigate recreational impact arising from dog walking on the Coombe Hill Canal SSSI and environs.
- 7.33** To the west of the site along the A38 to the north of the petrol filling station and immediately to the south, apart from removal to provide access to the site, existing hedgerows are to be retained and where appropriate enhanced. New areas of native hedgerow are also proposed in the south west corner of the site fronting onto the junction and a mixture of thicket and formal planting (at path entrance points) is proposed along the southern boundary. Officers consider that the perimeter planting along the A38 and A4019 will soften the appearance of the built form in the landscape whilst also establishing visual permeability into the open space to encourage its use by future residents and the wider community. Similarly on the north and east boundaries the application proposes a mixture of retained hedgerow, new native hedgerow, tree planting and thicket planting which it is considered will also provide a transition between the more formal open space and the wider countryside.
- 7.34** A woodland area is proposed in the north east corner of the site which will form part of the open space and new native trees planting is also dispersed throughout the open space including around the pumping station to provide screening which officers consider will enhance the overall quality of the open space.
- 7.35** Internally within the built up part of the site there is an area of open space with amenity grassland and tree planting. Street trees are incorporated along with grass verges and a mixture of amenity turf grass and ornamental planting is proposed to the front of dwellings (particularly those dwellings fronting onto the open space and the A38) which will create a green streetscape and high quality public realm.
- 7.36** 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.

Existing and future residential amenity

- 7.37** 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. Criterion 7 of Policy COO1 states that the design and layout of the development should address the relationship with the PFS and adjacent car wash facility, so as to avoid adverse amenity impacts on future occupiers.
- 7.38** Furthermore, condition 8(ii) of the outline permission states no development shall take place until details of mitigation measures to achieve compliance with BS8233:2014 recommended internal and external noise levels have been submitted to and approved in writing by the local planning authority.

- 7.39** In regard to existing residents, the nearest dwelling to the application site is a dwelling known as Fairview which is located to the north of the application site to the east of the A38. This dwelling is located approximately 10 metres to the north of plot 18 and is set further back from the A38. A pedestrian access is located between Fairview and Plot 18 and it is proposed to plant additional native hedgerow along the southern boundary of Fairview.
- 7.40** Officers have carefully considered this relationship and whilst it is the case the Fairview has windows in the south elevation and plot 18 has habitable room windows at ground and first floor in the north elevation it is considered that due to the staggered footprints of the dwellings, the separation distance and proposed intervening planting, the application proposal would cause no undue impact to existing residents at Fairview by reasons of overlooking, overbearing or over-dominating impact.
- 7.41** In respect to other dwellings in the vicinity of the application site, due to the separation distances of the proposed dwelling from existing dwellings, it is concluded that there would be no undue impact on the residential amenity of existing residents.
- 7.42** 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.
- 7.43** At the request of officers balconies have been included in the proposed apartment block to serve the one bedroom apartments. The balconies face towards the south and east and away from the PFS. These balconies would provide a degree of private amenity space for each apartment and access would also be available to the public open space within the development. The apartments have also been designed to front out onto the public realm in order to maximise activity, surveillance and an attractive outlook for residents/occupiers and only secondary windows serving bathrooms and kitchens face towards the PFS. In light of the above, it is considered that the apartment units would be afforded an appropriate level of residential amenity space and are therefore acceptable in this regard.
- 7.44** In regard to noise, a Noise Assessment has been submitted with the application to demonstrate the requirements of condition 8(ii) of the outline permission can be achieved. The survey which accompanies the Noise Assessment demonstrates that the main sources of noise are associated with traffic noise and noise from the operation of the PFS was considerably below the general traffic noise. To mitigate the impact of the noise sources and to meet the requirements of condition 8(ii) it is advised that within properties facing the A38 a higher specification of glazing will be installed and rooms will be fitted with acoustically treated background ventilators. The design and layout of these dwellings has further taken noise into account by positioning the dwellings alongside the A38 close together to create a barrier block to ensure noise levels within these gardens are acceptable to meet the requirements of condition 8(ii).

- 7.45** In regard to the balconies on the apartments which were requested by officers, noise impacting on the proposed balconies would be around 60dB during the daytime which is in excess of the BS8233:2014 recommended upper limit of 55dB. However, in regard to balconies, BS8233:2014 recognises that on small balconies where normal external amenity space might be limited or not available (i.e. in flats, apartment blocks, etc), the specification of noise limits is not necessarily appropriate. As such, it is considered that as the balconies are small balconies which are circa 1.3 metres deep there is no conflict with BS8233:2014 guidance and condition 8(ii) of the outline permission. Officers consider that it is preferable to have small balconies which may exceed recommended noise levels to provide residents with some amenity spaces and the inclusion of these balconies is considered beneficial to the amenity of future residents.
- 7.46** The Environmental Health officer has been consulted on the application and raises no objection to the proposed balconies or the wider scheme, subject to the imposition of a condition to secure the noise mitigation measures within the Noise Assessment.
- 7.47** Regarding the LEAP at the south of the site, the plans show that there would be a minimum distance of at least 20m between the activity zone and the habitable room façade of the nearby dwellings. This therefore complies with the Fields in Trust Guidance in this respect.
- 7.48** Overall, it is considered that subject to the imposition of appropriate conditions, the proposed development would result in acceptable levels of amenity for future residents of the development and the nearby existing residents in accordance with the relevant JCS policies. It is also considered the design avoids adverse amenity for future occupiers arising from the petrol fillings station in accordance with policy COO1 of the TLP.

Housing mix

- 7.49** Condition 6 of the outline planning permission requires the number and size of dwelling to be provided at reserved matters stage. 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.
- 7.50** 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.
- 7.51** Across the scheme as a whole, the application proposes 8no. one bedroom dwellings (8.4%), 22no. two bedroom dwellings (23.1%), 42no. three bedroom dwellings (44.2%) and 23no. four bedroom and more dwellings (24.2%).
- 7.52** 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.

Affordable housing

- 7.53** Policy SD12 of the JCS sets out that outside of the Strategic Allocations a minimum requirement of 40% affordable housing will be sought on developments. 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.
- 7.54** The provision of not less than 40% affordable housing for the site was secured at outline stage through a Section 106 Agreement. The Section 106 stipulates that 38 affordable houses are required (based on 95 units), along with the required house sizes and tenure split. It also requires the affordable housing to be indistinguishable in appearance from the open market units and each cluster of affordable housing units should not exceed 12 units and typically be in clusters of 8 to 12 units, with clusters including flats typically at the upper end of the range.

- 7.55** The proposed affordable housing mix accords with these requirements and provides:

Affordable Rented

8no. 1 bedroom flats, 1no. 2 bedroom bungalow, 6no. 2 bedroom house, 5 no. 3 bedroom house, 2no. 4 bedroom house and 1no. 5 bedroom house

Shared Ownership

8no. 2 bedroom house and 7no. 3 bedroom house

- 7.56** The Housing Enabling Officer (HEO) has been consulted and has advised that the proposed affordable housing contribution is in line with the S106 agreement in respect of mix and clustering. 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. The proposal therefore accords with the terms of the Section 106 Agreement and is acceptable in this regard.

Drainage and flood risk

- 7.57** 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. Policy F1 of the Emerging LNP requires sets out that details will be required of sustainable drainage schemes will be managed in perpetuity.

- 7.58** 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. Condition 8 of the outline planning permission states that no development shall commence until details of foul and surface water drainage have been submitted to and agreed in writing by the Local Planning Authority and this detailed design condition for surface water drainage will determine the final details. 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.
- 7.59** 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 and 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.
- 7.60** At the time of writing this committee report, Severn Trent have asked for further information on surface water and foul sewage discharge and in particular the location of the proposed outfall for foul sewage. These details are required to be submitted separately to the Local Planning Authority under the provisions of condition 8 of the outline planning permission, however the applicant has advised that the proposed outfall point for foul sewage will be located 2.4km away at the Hardwick pumping station. Whilst detailed drainage matters are for future consideration, an update will be provided at committee of Severn Trent's consultation response to these additional submissions.
- 7.61** As such, whilst an update will be provided at committee of Severn Trent's consultation response and any matters arising, as the layout of this reserved matters application is in accordance with the outline drainage strategy and the principles and parameters of the outline permission, the reserved matters application is considered acceptable in regard to drainage and flood risk. Detailed drainage information will need to be submitted separately to the Council for approval as part of a condition discharge application. This will require approval from the Council before any works commence on site.

Biodiversity and Ecology

- 7.62** 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. Criterion seven of site specific policy COO1 of the TLP states that the Council will expect development on the application site to contribute to the wider green infrastructure network, deliver biodiversity net gains and mitigate against increased recreational pressures on the Coombe Hill Canal SSSI including by providing alternative natural greenspace on site. Policy NAT1 of the TBP states that proposals will, where applicable, be required to deliver a biodiversity net gain across local and landscape scales, including designing wildlife into development proposals.

- 7.63** The principles of the number of dwellings on the site, the extent of built form and the extent of open space were approved by the outline planning permission. The S106 attached to the outline planning permission also requires a payment of £100,000 to the provision of a volunteer warden for the Gloucestershire Wildlife Trust (GWT) Nature Reserve at Coombe Hill, the payment of £54 per dwelling to fund 1 year membership of the GWT for each household and provisions for the preparation and provision of household information packs for each dwellings.
- 7.64** Officers have carefully considered the open space provisions in the reserved matters application and consider that the layout and landscaping accords with the parameters of the outline permission. Moreover, in respect to the layout of the open space provision it is considered that the access points, provision of the footpath and the varied character of the open space interspersed with SUDS ponds, woodland and pocket planting would combine to create variety of interest within the available space. As such it is considered that the layout and landscaping arrangement of the open space would provide a recreational alternative particularly for short dog walking trips, as well as providing a wider amenity function and would help mitigate against increased recreational pressure at Coombe Hill Canal SSSI.
- 7.65** In addition the applicant has provided a Biodiversity Net Gain Metric Assessment which has returned a net gain of 17.74% habitat units (an increase from 11.37 units to 13.39 units) and a net gain of 45.13% with regard to hedgerow units (an increase from 4.95 units to 7.19 units). As such net gain of at least 10% has been established.
- 7.66** The Council's ecological advisors have been consulted on the application and have reviewed the Biodiversity Net Gain Metric Assessment and advised that they do not object to the application.
- 7.67** As such it is considered the layout, landscaping and design approach accords with the parameters of the outline planning permission, policy SD9 of the JCS and policies COO1 and NAT1 of the TLP. The application is therefore acceptable in regard to ecology and biodiversity.

8.0 CONCLUSION AND RECOMMENDATION

- 8.1** Considering all of the above, the proposed development is acceptable in regards to layout, scale, appearance, and landscaping. The application accords with site specific policy COO1 of the TLP and the scheme advanced would be in accordance with the outline consent and the parameter plans approved under that permission.

As set out above, a committee update will be provided on the acceptability of the access arrangements prior to committee once a revised consultation response is received from the County Highways Authority. The committee update will also set out any changes that arise to the submitted plans and variations to the recommended conditions that may arise.

The application is therefore recommended for Approval subject to confirmation from the County Highways Authority that the access and highway safety arrangements are acceptable.

CONDITIONS:

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

- Waste Minimisation Statement February 2022 received 4th February 2022
- Location Plan 100.P.1.2 received 4th February 2022
- Site Layout 19256-1003D received 19th May 2022
- Site Layout (Coloured) 19256-1003D received 19th May 2022
- Waste, Refuse, Cycle & Parking Layout 19256-1004C received 19th May 2022
- Materials and Boundary Treatment Plan 19256-1010C received 19th May 2022
- Storey Heights Plan 19256- 1011B received 19th May 2022
- Character Area Plan 19256-1012B received 19th May 2022
- Street Scenes 1 19256-SS01A received 14th April 2022
- Street Scenes 2 19256-SS02A received 14th April 2022
- Site Sections 19256-SITSEC received 4th February 2022
- Land Use, Access & Movement Parameters Plan Site Layout Overlay 19256 1006B received 19th May 2022
- Building Heights Parameters Plan Site Layout Overlay 19256 1005B received 19th May 2022
- Apartments 19256-1BFA received 14th April 2022
- House-Type 2 Bed Bungalow - Main Street 19256-B2 received 4th February 2022
- House-Type 2 - Main Street 19256_HT2_01 received 4th February 2022
- House-Type 2 – Lanes 19256_HT2_02 received 4th February 2022
- House-Type 3 - Main Street 19256_HT3_01 received 4th February 2022
- House-Type 3 – Lanes 19256_HT3_02 received 4th February 2022
- House-Type 4 - Main Street 19256_HT4 received 4th February 2022
- House-Type 5 – Lanes 19256_HT5 received 4th February 2022
- House-Type W4025 - POS Frontage Gateway 19256_W4025_01 received 4th February 2022
- House-Type W4025 - POS Frontage 19256_W4025_02 received 4th February 2022
- House-Type W4025 - POS Frontage V2 19256_W4025_03 received 4th February 2022
- House-Type X204 - Main Street 19256_X204_01A received 14th April 2022
- House-Type X204 – Lanes 19256_X204_02A received 14th April 2022
- House-Type X305 - Main Street 19256_X305 received 4th February 2022
- House-Type X305 – Lanes 19256_X305_02 received 14th April 2022
- House-Type X307 - Main Street Gateway 19256_X307_01 received 4th February 2022
- House-Type X307 - Main Street 19256_X307_02A received 14th April 2022
- House-Type X307 – Lanes 19256_X307_03 received 4th February 2022
- House-Type X307 - POS Frontage 19256_X307_04 received 4th February 2022
- House-Type X307 Corner - Main Street Gateway 19256_X307_05 received 4th February 2022
- House-Type X307 Corner - Main Street 19256_X307_06 received 4th February 2022
- House-Type X307 Corner – Courtyard 19256_X307_07 received 4th February 2022
- House-Type X308 – Lanes 19256_X308_01 received 14th April 2022
- House-Type X308 – Courtyard 19256_X308_02 received 14th April 2022
- House-Type X309 - Main Street 19256_X309_01A received 14th April 2022
- House-Type X309 - POS Frontage 19256_X309_02A received 14th April 2022
- House-Type X309 - Main Street Alternative 19256_X309_03A received 14th April 2022
- House-Type X414 - Main Street 19256_X414_01A received 14th April 2022
- House-Type X414 – Courtyard 19256_X414_02A received 14th April 2022
- House-Type X414 - POS Frontage 19256_X414_03 received 4th February 2022
- House-Type X416_01 - Floor Plans 19256_X416 received 4th February 2022

- House-Type X416 - Elevations - POS Frontage 19256_X416_02 received 4th February 2022
- House-Type X416 - Elevations - POS Frontage V2 19256_X416_03 received 4th February 2022
- Carport Floor Plan & Elevations 19256 CARP received 4th February 2022
- Single Garage Floor Plan & Elevations 19256 GAR-01 received 4th February 2022
- Double Garage Floor Plan & Elevations 19256 GAR-02 received 4th February 2022
- Shared Double Garage Floor Plan & Elevations 19256 GAR-03 received 4th February 2022
- Build Strategy Plan 0181 Rev B received 4th February 2022
- Vehicle Charging Points Plan received 0181_210B 19th May 2022
- Petrol Filling Station Context 0181_211 received 14th April 2022
- Drive Swept Path Analysis - Refuse Vehicle 19256 – DSP01 E received 19th May 2022
- Drive Swept Path Analysis - Fire Tender 19256 - DSP02 G received 19th May 2022
- Drive Swept Path Analysis - Private Car 19256 - DSP03 E received 19th May 2022
- Drive Swept Path Analysis - Pump Station 19256 - DSP04 F received 19th May 2022
- Schematic Drainage Strategy - Layout Plan 19256 - SK101 Rev M received 19th May 2022
- Schematic Extents of Adoptable Highway 19256 - SK301 Rev C received 19th May 2022
- Schematic Adoptable Kerbing and Finishes Plan 19256 - SK401 Rev B received 19th May 2022
- Schematic Road & Drainage Longitudinal Sections (Sheet 1 of 3) 19256 - SK201 Rev A received 14th April 2022
- Schematic Road & Drainage Longitudinal Sections (Sheet 2 of 3) 19256 - SK202 Rev A received 14th April 2022
- Schematic Road & Drainage Longitudinal Sections (Sheet 3 of 3) 19256 - SK203 Rev A received 14th April 2022
- Landscape Framework LA5279 – 01M received 25th May 2022
- Detailed Planting Plan 1 of 2 LA5279 – 02J received 25th May 2022
- Detailed Planting Plan 2 of 2 LA5279 – 03I received 24th May 2022
- Play Area Plan LA5279 – 04F received 24th May 2022
- Central Node Visual April 2022 received 14th April 2022
- Courtyard Visual April 2022 received 14th April 2022
- Landscape Specification & Maintenance Plan LA5279 - LSMP – 001I received 25th May 2022
- Energy Statement February 2022 received 4th February 2022

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. No part of the development hereby permitted shall be occupied until precise details of the landmark feature as shown on approved plan 19256-1003 D have been submitted to and approved in writing by the Local Planning Authority. The approved landmark feature shall be installed no later than 12 months following the first occupation of the development, unless an alternative timescale is approved in writing by the Local Planning Authority.

Reason: To explore the opportunity for a landmark feature on the prominent corner of the A4019 and A38 in accordance with Policy COO1 of the Tewkesbury Borough Local Plan 2011-2031.

3. The development hereby permitted shall be carried out fully in accordance with the mitigation measures and recommendations within the Noise Assessment prepared by LFA Acoustic Engineers dated 12th January 2022 (Rev 1.0) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an acceptable level of residential amenity for future residents

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.