



Planning Committee
18 October 2022

Application Reference	21/00686/FUL
Case Officer	Anthony Foster
Location	Crown Close, Bishops Cleeve
Development	Redevelopment of site to include demolition of existing garages/maisonettes and erection of 30 affordable dwellings with associated access, parking and landscaping.
Ward	Cleeve Grange
Parish	Bishops Cleeve
Expiry Date	24 December 2021

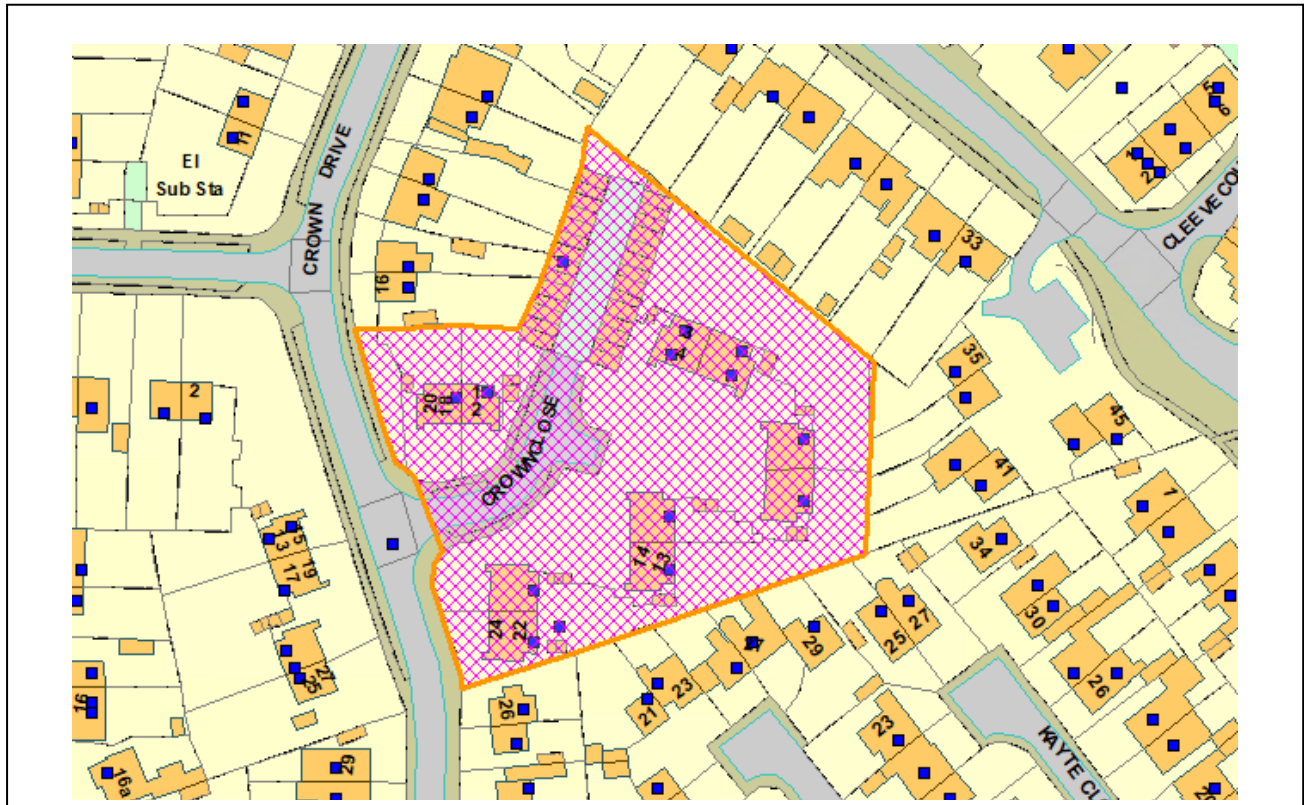
List of Appendices

Site location plan
Proposed floor plans & elevations x12
Street scene x2
Proposed landscape masterplan

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the scheme proposes the erection of 10 or more residential units.

Site Location



1. Recommendation

- 1.1 That authority be **DELEGATED to the Development Manager to PERMIT** the application subject to the receipt of no additional adverse representations, conditions and the completion of a section 106 legal agreement to secure the following:
- The provision of affordable housing in perpetuity.

2. The Proposal

- 2.1 The application is the subject of a 14 – day re-consultation period following the receipt of amended plans received 30/09/2022. Any additional representations will be reported to Committee via late representations.
- 2.2 Planning permission is sought for the redevelopment of site to include demolition of existing garages/maisonettes and erection of 30no. affordable dwellings with associated access, parking and landscaping.
- 2.3 The proposal seeks full planning permission for the demolition of the five existing units each with four flats/maisonettes in mixed tenure together with the demolition of the single-storey garages. The site currently comprises of 20 dwellings.
- 2.4 The proposed 28 dwellings are split into detached, semi-detached, terraced houses and apartment blocks and would comprise of:

House Type	Size (sqm)	Tenure	Number
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1-bed 2-person Flat	50.65 – 61.8	All Social Rent	8
2-bed 4-person Flat	75	All Social Rent	2
2-bed 4-person House	83.3 – 85.4	3no Social Rent 8no Shared Ownership	11
3-bed 5-person House	93.6 – 106.5	5no Social Rent 2no Shared Ownership	7
		Total	28

2.5 The proposal would provide for 48 off street parking spaces, 2 of which are capable of being converted to be fully DDA compliant.

2.6 The dwellings are contemporary in design and feature a mixed palette of materials comprising of two colours of bricks to create contrast through the scheme which is reflective of the area, under a zinc standing seam roof with grey fenestration.

2.7 A fully considered landscaping scheme is proposed to the public areas including the provision of a communal garden seating area for use by the residents.

3. Site Description

3.1 The application site relates to the redevelopment of 1960s housing within Bishops Cleeve set within a large housing estate. The site (0.6ha) comprises of five maisonettes set around a large flat green and two rows of pre-cast concrete single storey individual garages located on the west of the site. Crown Close does not reach all houses and the last two houses are accessible via a narrow footpath made of concrete slabs.

3.2 The site is served from an existing access that leads on to Crown Drive. Residential development surrounds the site with the rear gardens backing on to the site to the north along Crown Drive, north east along Two Hedges Road and to the South along Denley Close.

3.3 The site is not subject to any designated control.

4. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
64/00102/FUL	3 blocks of 12 one bedroom flats. 4 blocks of 16 two bedroom flats and 28 lock-up garages.	PERMIT	18.03.1964
64/00103/FUL	3 blocks of 12 one bedroom flats. 4 blocks of 16 two bedroom flats and 28 lock-up garages.	PERMIT	18.03.1964

5. Consultation Responses

5.1 The application is the subject of a 14 – day re-consultation period following the receipt of amended plans received 30 September 2022. Any additional representations will be reported to Committee via late representations.

5.2 **Bishops Cleeve Parish Council** – Supports the application.

Statutory Consultees

5.3 Gloucestershire County Council (Highways Team) – No objection.

The proposal seeks the demolition of 22 flats and 28 garages and the erection of 30 affordable dwellings. Garages are excluded from trip generation assessments as these are generally used in association with residential accommodation, and for personal storage. Presently, out of the 28 existing garages, only 4 are being rented out. Based on the outputs of the submitted TRIGS assessment, the proposal is likely to result in a net trip generation gain of 8 and 1 vehicle trips in the AM and PM peak hours, respectively. This equates to one new vehicle trip on the network every eight and 60 minutes in the AM and PM peak hours, respectively.

The NPPF is clear that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." The overall net increase in the number of vehicle trips between the lawful development and that proposed is not perceived to result in a detrimental impact on the road network.

With regards to the submitted layout, it is evident this proposal misses an opportunity to provide for a tree-lined development that addresses paragraph 131 of the National Policy, however it is clear some degree of consideration has been taken up when providing for additional trees in the proposed layout.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

The Highway Authority therefore submits a response of no objection.

5.4 Environmental Health (Air Quality) – No Objection.

No adverse comments to make with regards to air quality. Recommend that appropriate cable provision and isolation switches are installed so that future occupiers are able to easily fit the necessary socket for electrical vehicles to be charged in the garage, driveway or allocated car parking space.

5.5 Environmental Health (WRS Noise) – No Objection.

In regard to road traffic nor industrial/commercial noise with the following comments:

In order to minimise any nuisance from noise, vibration and dust emissions, during the demolition and construction phases, the applicant should refer to the WRS Best Practice Guidance (attached) and ensure its recommendations are complied with received 28 July 2021.

5.6 Lead Flood Risk Authority – No Objection.

This is a fairly simple development relying on existing drainage infrastructure discharging surface water to it at an attenuated rate. Further detail would be useful showing connectivity between permeable paving and the surface water drainage system as well as detail of the flow control chamber information required. These details can be secured by a pre-commencement condition.

5.7 Land Drainage – No comments to make as LLFA remit.

5.8 Severn Trent Water – No objection

Subject to the following conditions:

I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is 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.

Landscape Consultant- No comments received.

5.9 Tree Officer – No objection

5.10 With regards to the potential impact upon the existing trees (apart from the beech) subject to newly planted trees of appropriate species and locations to be agreed with the LPA to mitigate for the loss of the removals.

Conditions sought for the tree/hedgerow planting scheme-details required and provision for replacement, approval and implementation of trees/hedgerow protection measures, excavation or surfacing within the RPA of trees and the protection of habitats, trees in neighbouring properties.

GCC Minerals and Waste – Received 18/08/2021 – Further Information Required

5.11 It is not clear from a review of the submitted application whether the issue of waste minimisation and material resource efficiency has been afforded consideration by the applicant? This is a wholly relevant planning matter for a development of this size and scale in Gloucestershire that takes on even greater importance due to the amount of demolition anticipated with the proposal.

M&W policy officers strongly encourage the case officer to request that a sufficiently detailed Waste Minimisation Statement (WMS) is provided prior to determination. This should contain the necessary information to show how the applicant has effectively considered the management of waste at the site during the preparation (including demolition) stage; design and construction stage; and occupation stage (residential waste disposal and recycling). This is a local policy requirement specifically set out under policy WCS2 of the adopted Gloucestershire Waste Core Strategy (WCS).

Waste minimisation is also an element of adopted Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) policy SD3 (Sustainable Design and Construction). Further local guidance on waste minimisation can be found within the adopted Gloucestershire Waste Minimisation in Development Projects Supplementary Planning Document (WM-SPD).

In addition, the recently adopted Minerals Local Plan for Gloucestershire (2018 2032) actively promotes greater use of secondary and recycled aggregates with new development throughout the county. This matter is afforded local policy status through policy MS01 and its supporting text. Evidence should be presented showing how: - the minimal amount of primary aggregate minerals will be employed with the proposed redevelopment; the maximum amount of surplus minerals will be secured for either reuse on site or off-site recycling; and importantly, how alternative construction materials sourced from secondary and / or recycled aggregates more generally will be used, and to what extent they will serve as a direct replacement for conventional primary aggregates.

Further Comments Received 24/11/2021 – No Objection.

The submitted Waste Minimisation Statement demonstrates that consideration has been given to the waste minimisation and material resource efficiency with the proposal. The measures put forward by the applicant do not require any revisions at this time.

Implementation of these measures can be secured by condition.

5.12 Urban Design Officer – No Objection.

The proposals are in line with advice given at pre-application and are considered to be of a good standard of design.

5.13 Housing Enabling Officer – Comments received:

The affordable housing to be secured by s106 agreement for the entirety of the scheme and all units.

Accessibility of all ground floor units to be Cat 2-former Lifetime Homes Standard. This to include consideration of entrances to the units.

5.14 County Developer Contributions Investment Team – No comments received.

5.15 Community and Economic Development Manager- Confirms no requirement.

5.16 Building Control – no response

5.17 Third Party comments/observations

The application has been publicised through the posting of a site notice for a period of 21 days. The council received Four letters have been received in response 1 in support, 2 of objection and 1 with general comments as follows:

- Concerns with noise from construction and demolition as within residential area.
- Parking on Crown Drive is already an issue and unsure that 47 spaces for 30 house and any visitors would be sufficient. Concerned that there would be on street parking.
- Concerns with overlooking and loss of privacy
- Concerns of the appearance of the new builds in context with the surrounding residential dwellinghouses.
- Concerns with blocked drains.
- Concerns with pressures on utilities e.g. power.
- Current use of garage proposed to be demolished and concerned of implications with insurance of contents.
- Concerns with the safety of the junction with Crown Close and Crown Drive.
- Concerns with third party boundary trees which provide a level of privacy to concerned third party
- Concerns with potential damage to third party garage during demolition works.
- Concerned with that the fence boundary alongside third party garden and application site to be replaced is of the same quality.
- Concerned with the maintenance of 8ft brick wall securing the boundary of third party and application site whom would be responsible for the replacement of the wall with a 1.8m fence and maintenance of the fence going forward.
- Concerns with the security of the boundary of third-party during works.

Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>. The application has been publicised through the posting of a site notice for a period of 21 days.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

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

6.2 National guidance

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

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

- Policy SP1 (The Need for New Development)
- Policy SP2 (The Distribution of New Development)
- Policy SD3 (Sustainable Design and Construction)
- Policy SD4 (Design Requirements)
- Policy SD9 (Biodiversity and Geodiversity)
- Policy SD10 (Residential Development)
- Policy SD11 (Housing mix and Standards)
- Policy SD14 (Health and Environmental Quality)
- Policy INF1 (Transport Network)
- Policy INF2 (Flood Risk and Management)
- Policy INF3 (Green Infrastructure)

6.4 Tewkesbury Borough Plan to 2011-2031 (TBP) – Adopted 8 June 2022

- Policy RES5 (New Housing Development)
- Policy RES12 (Affordable Housing)
- Policy RES13 (Housing Mix)
- Policy DES1 (Housing Space Standards)
- Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features)
- Policy ENV2 (Flood Risk and Water Management)
- Policy TRAC1 (Pedestrian Accessibility)
- Policy TRAC2 (Cycle Network and Infrastructure)
- Policy TRAC3 (Bus Infrastructure)
- Policy TRAC9 (Parking Provision)

6.5 Neighbourhood Plan

None

7. Evaluation

The key issues for consideration are:

- Principle of Development;
- Design and Layout
- Access and Highways Safety;
- Housing Mix
- Affordable Housing
- Residential amenity
- Impact on Trees
- Drainage and Flood risk

7.1 Principle of Development

7.1.1 Key material considerations in this case include the National Planning Policy Framework (2021), Planning Practice Guidance (as amended), the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Plan 2011-2031 (June 2022) (TBP), and a number of 'made' Neighbourhood Development Plans.

7.1.2 The Joint Core Strategy (JCS) sets out the overarching strategy for growth throughout Cheltenham, Gloucester and Tewkesbury up until 2031. It has identified the objectively assessed need for Tewkesbury Borough and the spatial strategy to accommodate that level of development. The JCS identifies key locations for growth and sets out strategic policies to guide future development.

7.1.3 The latest published evidence (the Tewkesbury Borough Five Year Housing Land Supply Statement – August 2022) concludes that the Council can demonstrate a 5.90. year supply. Given this the Council considers that development plan policies are up to date

7.1.4 Policy SD2 of the JCS identifies Bishops Cleeve as a Rural services centre indicating that identified Rural service centres is where new development will be concentrated including the provision of new dwellings.

7.1.5 Furthermore, policy SD10 of the JCS supports the provision of new dwellings on previously developed land in the existing built-up areas of Tewkesbury's service villages. Policy RES2 of the JBP states that within the defined settlement boundaries of Rural Service Centres the principle of residential development is acceptable.

7.1.6 The principle of this development is therefore acceptable subject to the consideration of all other relevant policies in the Local Plan.

7.2 Design and Layout

7.2.1 The National Design Guide (NDG) addresses the question of how we recognise well-designed places, by outlining and illustrating the government priorities for well-design places in the form of ten characteristics; one of which is the context. The NDG provides that well-designed development should respond positively to the features of the site itself and the surrounding context beyond the site boundary and that well-designed new development needs to be integrated into its wider surroundings, physically, socially and visually.

7.2.2 Policy SD4 of the JCS 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.

7.2.3 Criterion 6 of Policy SD10 'Residential Development' of the JCS states the 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.

7.2.4 Policy RES5 of the emerging TBP states proposals for new housing development should 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.

7.2.5 Pre-application advice has been sought prior to the submission of this application. The Council's Urban Design Officer was consulted during pre-application discussions and an amended layout was sought. The current application reflects the pre-application advice

7.2.6 The development would comprise a mix of housing types split into detached, semi-detached, terraced houses and apartment blocks. The dwellings maximise the potential of the plot, which is currently not being utilised to its full potential. Whilst there is a gain of 8 residential units at the site, the overall density and separation distances are acceptable.

7.2.7 The proposed dwellings follow the defined existing street lines with front on street parking and landscaped areas. The corner dwellings are designed with multiple openings to avoid blank elevations and connect the proposal to the wider estate.

7.2.8 The character of the immediate surrounding area is comprised of mostly two and two-and-a-half story residential semi-detached and terrace houses. They feature garages, side and rear extensions and have pitch and hipped roofs. There are also blocks of two and three residential units pepper potted amongst the surrounding area. Generally the dwellings in the local vicinity are set back from the streets by driveways and gardens that define recessed street lines.

7.2.9 The surrounding character of the area has a mixed palette of materials with the majority in the immediate vicinity constructed of beige bricks, renders and stone with some red brick dwellings.

7.2.10 The proposed external finish and detailing to the dwellings is modern and contemporary in its design, finish and form including saw-tooth roof forms. With contrasting brick used along with and standing seam roof as a reflection to the once industrial use of the site. The proposed materials and finish seek to complement the existing character and appearance of the surrounding properties.

7.2.11 Overall, in terms of the architectural approach, this is considered acceptable. Whilst the proposed dwellings would have a more contemporary appearance, they would respect the character and appearance of the surrounding area.

7.3 Access and Highways Safety

7.3.1 The NPPF sets out 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. Policy INF1 of the JCS considers that developers provide safe and efficient access to the highway network and permission be granted only where the impact of the development is considered not to be severe. It further states that safe and efficient access to the highway network should be provided for all transport means.

7.3.2 Policy RES5 of the TBP states that proposals for new housing development should make provision for appropriate parking and access arrangements and not result in the loss or reduction of existing parking areas to the detriment of highway safety. Policy TRAC9 of the TBP states that proposals need to make provision for appropriate parking and access arrangements.

7.3.3 The application is supported by a Transport Assessment (TA) and a Travel Plan (TP). The TA establishes the suitability of the proposed increase in vehicular movements from the site utilising the existing access. The access achieved via Crown Close which forms a priority junction with Crown Drive on the western boundary of the application site will be retained to serve the proposed development. As existing the site comprises of 28 garages and 20 units. It is noted within the Transport Assessment that of the existing garages, only a few are currently occupied. It is also understood that the garages are not used for car parking to serve the development they are used for storage purposes. A visibility splay assessment has been undertaken to ensure that suitable visibility can be achieved from the site access onto the adjacent Crown Close

7.3.4 The development will also accommodate a 2m footway on both sides of the internal carriageway which tie into the existing pedestrian infrastructure on Crown Close. There are internal footways providing pedestrian access to each dwelling located within the development.

7.3.5 It is concluded that the proposed layout is suitable to accommodate servicing vehicles. A refuse vehicle, based on local standards, is able to access the site and undertake two-way working alongside a car along the estate road. Access by a fire tender is achievable in accordance with Building Regulations Part B and a delivery vehicle is able to undertake two-way working with a car, allowing access to all internal dwellings.

7.3.6 The proposal includes 48 off-street parking spaces and a single motorcycle parking spaces to serve the development.

- 7.3.7** There would be no allocated visitor parking within the development and on-street parking will be unlikely to occur based on the layout of the parking bays and internal roads. It is considered that in the event allocated bays within the site are in-use, visitors will be able to park in surrounding streets without any major inconvenience to road users.
- 7.3.8** The Local Highways Authority have been consulted on the proposal and offers no objection. The Officer notes that existing garages are excluded from trip generation assessments however based on outputs of the TRICS assessment, the proposal is likely to result in a net trip generation gain of 8 and 1 vehicle trips in the AM and PM peak hours respectively. The overall net increase in the number of vehicle trips between the lawful development and that proposed is not perceived to result in a detrimental impact on the road network.
- 7.3.9** It is considered that the proposal would provide safe and suitable access and that that there would be no unacceptable impact on highway safety or a severe impact on congestion.
- 7.3.10** Overall, it is considered that the proposal would conform with JCS Policies and the NPPF which seek to ensure new development meets the need of the area without compromising the safe and satisfactory operation of the highway network.

7.4 Housing Mix

- 7.4.1** 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.
- 7.4.2** The Gloucestershire Local Housing Needs Assessment 2019 – Final Report and Summary (September 2020) (LHNA) provides the most up to date evidence base to inform the housing mix on residential applications. This report states that in Tewkesbury 25% of new affordable housing should be one-bedroom properties, with 28% having two bedrooms, 26% containing three bedrooms and 12% having four bedrooms or more.
- 7.4.3** The application proposes 8no. 1 bed properties (29%), 13 no .2 bed properties (46%), and 7 no 3 bed properties (25%). While the proposed mix provides a greater number of 2 bed units than would be ideal, as the scheme is 100% affordable the benefit of providing an overall increase in the number of affordable units on the site is welcomed.
- 7.4.4** On balance it is considered the mix of housing proposed would be appropriate in this instance and would comply with the requirements of Policy SD11 of the JCS.

7.5 Affordable Housing

- 7.5.1** The NPPF sets out that Local Planning Authorities should set policies for meeting affordable housing need on development sites. Policies SD12 of the JCS and RES12 of the TBP require a minimum of 40% affordable housing on developments which propose 10 or more dwellings on the site. 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.

7.5.2 The applicant is a Registered provider of social housing and is proposing that all of the 28 no. units provided would be affordable housing. The proposed tenure is a mix of Social Rent and Shared ownership. 18no Units are proposed to be Socially Rented and the remaining 10no units, predominately the larger houses units, as Shared Ownership.

7.5.3 The Council's HSEO has confirmed the level of affordable housing, mix and the distribution would be acceptable.

7.5.4 Subject to the completion of a s106 securing the units affordable housing in perpetuity the proposed accords with Polices SD12 of the JCS and RES12 of the TBC.

7.6 Residential Amenity

7.6.1 In respect of the impact of the development upon residential amenity, Paragraph 130 of the NPPF specifies that planning decisions should ensure development creates places with a high standard of amenity for existing and future users.

7.6.2 Policy SD4 part iii) Amenity and Space of the JCS, considers new development should enhance comfort, convenience and enjoyment through assessment of opportunities for light, privacy and external space. Policy SD14 considers new development to cause no unacceptable harm to neighbouring occupants and result in no unacceptable levels of air, noise, water, light, soil pollution or odour.

7.6.3 Policy RES5 of the TBP states that proposals for new housing development should provide an acceptable level of amenity for future occupiers of the proposed dwellings and cause no unacceptable harm to the amenity of existing dwellings.

7.6.4 The nature of the site set amongst existing development, the north, north-eastern and south boundaries of the site are shared rear boundaries with the development surrounding the site. As such, consideration is given to ensure that the back to back separation distances are adequate together with consideration of any detrimental impact by way of overlooking and loss of light.

7.6.5 The proposed siting of Units 20 - 28 along the northern boundary of the site shared with the properties fronting onto Two Hedges Road provides a back to back separation distance in excess of 30m. This is sufficient to ensure that the amenity of both the future occupiers and existing occupiers is acceptable in terms of potential for direct inter looking of mutual windows.

7.6.6 In respect of the siting of the Units 5 – 16 along the southern shared boundary of the site shared with the properties fronting onto Denly Close would have a back-to-back separation distance in excess of circa 20m. The pattern and character of development in this area is more tightly knit with a slightly higher density of development than that o Two Hedges Road.

7.6.7 Given this existing character of the adjoining development the separation distances with the properties fronting onto Denly Close are in this instance considered sufficient to ensure that the amenity of the future occupiers is acceptable and does not result in a demonstrable impact upon the amenity of adjoining occupiers.

- 7.6.8** In respect to the adjoining occupiers at no 16 Crown Drive, the proposed scheme results in new built form being built closer to the shared boundary with no 16 Crown Drive. This proposed flank elevation maintains a distance of 8.8m between facing gable walls, set a minimum of 2.7m from the boundary.
- 7.6.9** No 16 crown Drive currently has a first floor window located in the flank elevation , however due to orientation, it is not considered to result in a detrimental impact on residential amenity. There would be no proposed window openings to the side elevation of Unit 01.
- 7.6.10** Policy SD11 of the JCS states that new housing should meet and where possible exceed appropriate minimum space standards. Emerging Policy DES1 (Housing Space Standards) of the emerging TBP requires all new residential development to meet the Government's nationally described space standards as a minimum, to ensure that high quality homes are delivered that provide a sufficient amount of internal space appropriate for occupancy of the dwelling.
- 7.6.11** The One-bedroom units are designed for two persons and range from 50.65 sqm to 61.8 sqm (GIA). The Two-bedrooms units are designed for four persons and range from 75 sqm to 85.4 sqm (GIA). Three-bedrooms are designed for five persons and range from 93.6 sqm to 106.5 sqm (GIA).
- 7.6.12** The proposed unit sizes are in accordance with the minimum space Nationally Described Space Standards.
- 7.6.13** The scheme proposes amenity space for individual houses and shared amenity space for the proposed occupiers of the flats. A fully integrated landscaping scheme is proposed to the public areas including the provision of a communal garden seating area for use by the residents.
- 7.6.14** Overall, it is considered that the scheme provides an acceptable level of amenity for the future occupiers whilst not resulting in a demonstrable impact upon the level of amenity to adjoining occupiers.
- 7.6.15** As such the proposal would accord to Policies SD4 and SD14 of the JCS together with Policy RES5 of the TBP.

7.7 Impact on Trees

- 7.7.1** Policy INF3 of with JCS provides that existing green infrastructure, including trees should be protected. Developments that impact woodlands, hedges and trees should be justified and include acceptable measures to mitigate any loss and should incorporate measures acceptable to the Local Planning Authority to mitigate the loss.
- 7.7.2** Policy NAT1 relates to biodiversity, geodiversity and important natural features and provides that development likely to result in the loss, deterioration or harm to features of environmental quality will not be permitted unless the need/benefits for development outweigh the impact.
- 7.7.3** The application is supported by a Tree Survey and an Arboricultural Impact Assessment (AIA). A total of thirteen trees and eight groups have been recorded on and immediately adjacent to the site. The most notable of these trees is the Copper Beech (T7) located adjacent to the south east corner of the site categorised as a Category B (trees of moderate quality) tree. Further notable ornamentals include Cherry plum trees (T1 and

T2) located on the north east corner of the site attributed Category B and Category C (trees of low quality) respectively and a mature Pear (T13) located in the south-west corner of the site a Category B tree.

7.7.4 The proposal requires the removal of nine trees and six groups. All the trees requiring removal are assessed as low quality and value (Category C) or are unsuitable for retention (Category U).

7.7.5 The proposed scheme retains three onsite individual trees (T1, T7 and T13) assessed as moderate value and makes provision for the protection of two groups of third-party trees (G5 – G8) within the proximity of the site boundary. The AIA provides details of tree protection measures during construction works and methods for working within the identified Root Protection Areas. Following consultation with the Council's Tree Officer, no objections are raised subject to a condition to ensure that all works are undertaken in accordance with the submitted AIA.

7.8 Drainage and Flood Risk

7.8.1 Policy INF2 of the JCS and Emerging Policy ENV2 of the PSTBLP sets out that development proposals must avoid areas at risk of flooding. Proposals must not increase the level of risk to the safety or occupiers of a site, the local community or the wider environment either on the site or elsewhere.

7.8.2 The application is supported by a drainage strategy plan, flood routing plan, storm sewer design, sewerage and utilities assessment and drainage external SUDs maintenance, relying on existing drainage infrastructure discharging surface water to it at an attenuated rate. The Flood Routing Plan shows the path that surface water will take in the event of excessive rain or a failure within the drainage system.

7.8.3 The Lead Local Flood Authority have been consulted on the proposal and seek for more information showing the connectivity between permeable paving and the surface water drainage system as well as detail of the flow control chamber. In addition it is considered given the ground has no permeability that further information is submitted to show exceedance routing. It is considered that the Drainage/External Works/SuDS Maintenance and Management plan is inadequate.

7.8.4 Further information has been requested of the Applicant and at the time of writing this report a revised Drainage Strategy and Flow Routing Plan has been received for re-consultation. In light of this, if Members are minded to approve this application, delegated authority is sought to secure suitable drainage details prior to issuing a decision notice.

8. Conclusion

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 Policy SD10 of the JCS supports housing development on previously developed land in the existing built up areas of Tewkesbury's rural service centres. The principle of this development is therefore acceptable subject to there being no other overriding harms.
- 8.3 The proposal would provide much needed affordable housing, which would provide a considerable social benefit, especially in the context of a housing land supply shortfall. The proposal would also assist in the regeneration of the area through the comprehensive redevelopment of an underused and unsightly brownfield site. The development would also deliver economic benefits throughout the construction stage and following occupation due to increased spending power in the local area.
- 8.4 The proposal would be served by a safe and suitable access and the residual cumulative impact on the highway would not be severe. The proposal would have an acceptable impact on the character and appearance of the surrounding area and would be acceptable in terms of residential amenity. The proposal would also have an acceptable impact on existing trees to be retained.
- 8.5 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 the grant of planning permission be **DELEGATED** to the Development Manager, subject to the satisfactory resolution of the outstanding matters referred to in the report, which include the subsequent plan revisions following the amendment of the site layout, completion of a Section 106 Agreement to secure the affordable housing in perpetuity and to secure suitable drainage details.

9. Recommendation

- 9.1 It is therefore recommended that authority be **DELEGATED to the Development Manager to PERMIT** the application subject to the receipt of no additional adverse representations, subject to conditions; and the completion of a section 106 legal agreement to secure the following:
- The provision of affordable housing in perpetuity.

10. Conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the following documents:

2019-894-02 - Location and Existing Site Plan
1291-D-004 Rev A - Tree Constraints Plan
2019 894 10Q - Proposed Site Plan
2019 894 11A - House type Plan 7a + 2C
2019 894 12A - House Ele type 7c + 2C
2019 894 15A - House type Plans 2a + 5
2019 894 16A - House type Ele 2a + 5
2019 894 17A - House type Plans 7b

2019 894 18A - House type Ele 7b
2019 894 19A - House type Plans 2b
2019 894 20A - House type Ele 2b
2019 894 21 - House type 11
2019 894 22 - House type 1
2019-894-25 - Site sections
2019 894 26D - Street Elevations 1
2019 894 27C - Street Elevations 2
2019 894 30 - House type 3 Plan
2019 894 31 - House type 3 Elevations
C7690-100-P4 - Drainage Strategy
CTP-20-712_SK01C - Access Visibility Assessment
CTP-20-712_SP01B - Swept Path Analysis - Refuse Vehicle
CTP-20-712_SP02B - Swept Path Analysis - Two-Way Cars
CTP-20-712_SP03B - Swept Path Analysis - Fire Tender
CTP-20-712_SP04B - Swept Path Analysis - Delivery Van
LP2231-FIR-00-ZZ-DR-L-1002_P03_colour - Landscape Masterplan

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. No below or above ground development shall commence until a detailed site waste management plan or equivalent has been submitted to and approved in writing by the local planning authority. The detailed site waste management plan must identify the specific types and amount of waste materials forecast to be generated from the development during site preparation & demolition and construction phases and 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 overall amount of waste sent to landfill. In addition, the detailed site waste management plan must clearly set out the likely proportion of recycled content that will be used in construction materials. The detailed site waste management plan shall be fully implemented.

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

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

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

- 5 No development including demolition, site clearance, materials delivery or erection of site buildings, shall start on the site until measures to protect trees/hedgerows on and adjacent to the site have been installed in accordance with the tree protection measures detailed in the Arboricultural Impact Assessment (TWC-1291-R-002 dated August 2022) and shown on drawing number TWC1291-D-004 Rev A (Tree Removal and Protection Plan).

Reason: To protect the trees to be retained.

- 6 No building or use hereby permitted shall be occupied or use commenced until the car/vehicle/motorcycle parking spaces (and turning space) shown on the approved plans drawing number 2019-894-10Q entitled 'Proposed Site Plan', 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.

- 7 The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan drawing number 2019-894-10Q and those facilities shall be maintained for the duration of the development.

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.

- 8 Before the first occupation of the development hereby permitted, full details of proposed tree/hedgerow planting shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, species and sizes, planting specifications, maintenance schedule, provision for guards or other protective measures.

Planting shall be carried out in accordance with the approved details in the first planting season during the completion or first occupation of the development, whichever is sooner. The planting shall be maintained in accordance with the approved schedule of maintenance. Any trees or plants which, within a period of five years from the completion of planting, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure adequate provision for trees/hedgerows, in the interests of visual amenity and the character and appearance of the area.

11. **Informatives**

- 1 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

- 2 The 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 carried out.

Contact the Highways Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement.

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.

- 3 The development hereby approved and any associated highway works required, are 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 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.

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

- 5 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.

- 6 No removal of trees/scrub/hedgerows shall be carried out on site between 1 March and 31 August inclusive in any year.