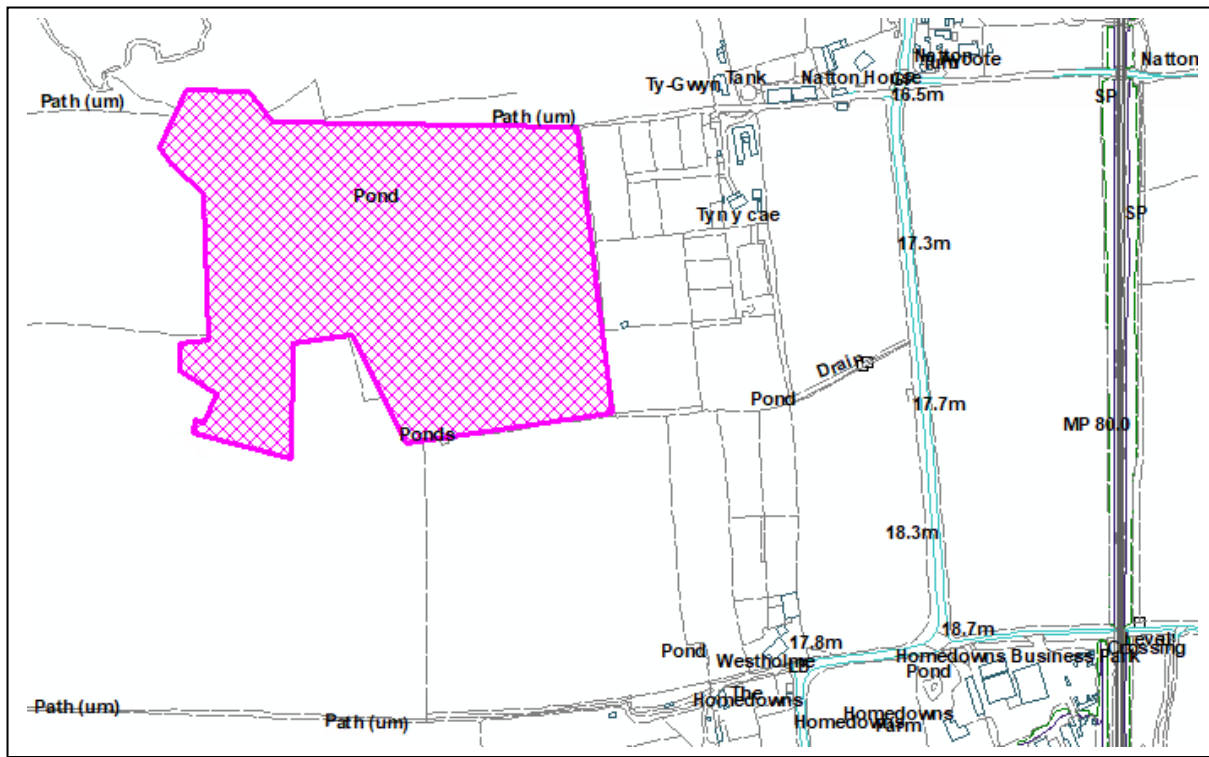


## Planning Committee

|   |  |
|---|--|
| <b>Date</b>                             | 20 December 2022   |
| <b>Case Officer</b>                     | Catherine Ashby  |
| <b>Application No.</b>                  | 21/01551/APP   |
| <b>Site Location</b>                    | Land At Fiddington   |
| <b>Proposal</b>                         | Reserved matters application for Phase 2 (parcel H1) for access, appearance, landscaping, layout and scale for the erection of 114 dwellings (use class C3) pursuant to outline permission 17/00520/OUT.   |
| <b>Ward</b>                             | Isbourne   |
| <b>Parish</b>                           | Ashchurch Rural  |
| <b>Appendices</b>                       | Fiddington Outline Location Plan<br>Outline Phasing Plan<br>Site Location Plan<br>Proposed Site Layout Plan<br>Proposed Storey Heights Plan<br>Proposed Affordable Housing Plan<br>Illustrative Street Scene 1<br>Illustrative Street Scene 2<br>Illustrative Street Scene 3<br>Apartment Elevations x 2<br>Town House Elevations<br>House Type Elevations – 2-bed x 2<br>House Type Elevations – 3-bed x 2<br>House Type Elevations – 4-bed x 2 |
| <b>Reason for Referral to Committee</b> | Reserved Matters application for the erection of more than 20 dwellings  |
| <b>Recommendation</b>                   | Delegated Approve  |

### Site Location



## 1. The Proposal

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Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R4KSMGQDIEI00>

- 1.1 Outline planning permission (reference 17/00520/OUT) was granted by the Secretary of State for Housing, Communities and Local Government (as was) in January 2020 following a non-determination appeal. The description of development was as follows:
- 1.2 *Residential development (up to 850 dwellings), a primary school, local centre (comprising up to 2,000 m<sup>2</sup> gross internal floor area) (A1, A2, A3, A4, A5 and D1 uses) with no single A1 comparison unit exceeding 500 m<sup>2</sup> gross internal floor area, supporting infrastructure, utilities, ancillary facilities, open space, landscaping, play areas, recreational facilities (including changing facilities and parking), demolition of existing buildings, new access to the A46(T) and Fiddington Lane into the site.*
- 1.3 The current application for the wider 'Fiddington 1' development seeks reserved matters approval for Layout, Scale, Appearance, Landscaping and Access on the first phase of residential development defined on the approved phasing plan. The phase covers 3.78 hectares and would deliver 114 dwellings with an average density of 44 units per hectare. This falls slightly below the maximum figure identified on the phasing plan, which is 118 dwellings. The reduction of four units is a consequence of negotiations and amendments to the scheme.
- 1.4 The scheme would provide 23 one-bedroom units, 32 two-bedroom units, 44 three-bedroom units and 15 four-bedroom units in a mix of apartments, terraced, semi-detached and detached properties. A total of 39 affordable units would be provided, which equates to 34.2% of the total number of dwellings in this phase and contributes to the 35% of affordable housing secured across the wider site. The number and tenure of affordable dwellings would reflect the requirements of the S106 agreement and approved Affordable Housing Plan for the whole site. The affordable properties would provide a mix of one and two bed apartments, and two and three bed terraces and semi-detached dwellings, offered on an affordable rent or an intermediate basis.

## 2. Site Description

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- 2.1 The outline permission relates to the land known as 'Fiddington 1' located to the east of Tewkesbury and south of the residential and industrial development of Northway and Ashchurch. The outline permission extends to an area of approximately 55.15 hectares comprising arable fields, with two improved grassland fields in the southeast of the application site, defined by a mixture of hedgerows. There is a small copse in the northeast of the application site and areas of hardstanding off the A46 and a minor road. There are three small existing ponds within the site, two wet ditches and the Tirl Brook which runs through the site.
- 2.2 Immediately adjoining the site to the north is the strategic allocation 'Policy A5 Ashchurch', some 14 hectares designated for employment land, as outlined in the Joint Core Strategy (JCS) (2017). Planning permission has been granted for a garden centre and retail outlet centre (planning refs. 13/01003/OUT and 17/01203/FUL) which are under construction. North of the allocated site is the A46 which runs in a west/east direction, with Ashchurch Industrial Estate and the Northway residential estate lying beyond.

**2.3** A network of public rights of ways (PROW) crosses the outline site, including Ashchurch Footpath 8 running east/west through the southern part of the site.

**2.4** To the north and west of the application site is an area of green infrastructure forming the setting to the Tirl Brook and future Phase 4 of the development, which will comprise a mix of residential development, formal play and recreational facilities. To the south is future Phase 3 which would include the local centre and residential development. Vehicular access would be from a spine road running south through the site from the recently formed access off the A46, serving the commercial site to the north and the residential scheme. The spine road is Phase 1 of the development for which the reserved matters have been recently approved (reference 21/01488/APP). To the eastern boundary is a small collection of commercial properties and a single dwelling.

### 3. Relevant Planning History

| Application Number | Proposal  | Decision | Decision Date |
|--------------------|---|----------|---------------|
| 90T/8635/01/01     | Outline application for residential development, general industrial use(B2), storage distribution use(B8), school, neighbourhood centre, realignment of the Tirl Brook & associated landscaping, public open space, together with associated road improvements  | DISMIS   | 17.03.1993    |
| 16/00009/SCR       | EIA Screening Opinion Request Under Regulation 5.   | EIAR     | 04.10.2016    |
| 16/00002/SCO       | EIA Scoping Opinion Request Under Regulation 13 - Scoping Opinion request for residential development (up to 900 dwellings), potential site for primary school, local centre ancillary facilities, open space, landscaping and infrastructure works. Construction of vehicular accesses from A46 and Fiddington Lane  | DONE     | 04.10.2016    |
| 17/00520/OUT       | Residential development (up to 850 dwellings), a primary school, local centre (comprising up to 2,000 sq m gross internal floor area (A1, A2, A3, A4, A5 and D1 uses) with no single A1 comparison unit exceeding 500 sq m gross internal area), supporting infrastructure, utilities, ancillary facilities, open space, landscaping, play areas, recreational facilities (including changing facilities and parking). Demolition of existing buildings. New primary access points from the A46(T) and Fiddington Lane defined as: Western Access point from A46(T) up to 153 metres measured from the southern edge of the carriageway of the A46(T) into the site, Eastern Access point from Fiddington Lane (via A46(T)) up to 50 metres measured from the western edge of the carriageway of Fiddington Lane into the site. | APPAPR   | 22.01.2020    |

|              |   |         |            |
|--------------|---|---------|------------|
| 21/01488/APP | Reserved matters application for the spine road infrastructure pursuant to application 17/00520/OUT.  | APPROV  | 31.10.2022 |
| 22/00439/APP | Reserved matters application for parcel H2 for appearance, landscaping, layout and scale for the erection of 215 no. Dwellings and associated works and infrastructure pursuant to outline permission 17/00520/OUT. | Pending |            |
| 22/01016/APP | Reserved matters application for the spine road infrastructure pursuant to application 17/00520/OUT (resubmission of 21/01488/APP)  | WDN     | 01.11.2022 |

#### **4. Consultation Responses**

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

- 4.1 Ashchurch Rural Parish Council – No comment.
- 4.2 Northway Parish Council – No response.
- 4.3 County Highways Authority – No objection.
- 4.4 Lead Local Flood Authority – No objection.
- 4.5 Urban Design Officer – No objection.
- 4.6 Environmental Health Officer (Noise) – No objection.
- 4.7 Housing Enabling Officer – No objection – the application complies with the S106 agreement of the outline permission.
- 4.8 Landscape Adviser – No objection, subject to clarification of landscaping details around the LEAP play area.
- 4.9 Tree Officer – No objection.
- 4.10 Environment Agency – Response awaited
- 4.11 Severn Trent Water – Response awaited

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

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

- 5.1 The application has been publicised through the posting of site notices for a period of 21 days. Following the receipt of revised plans site notices were re-posted in May 2022 for a further 14 days.

**5.2** One representation has been received making general comments which are summarised as follows:

- Queried why the application had been submitted by a different branch of Persimmon Homes to the remainder of the site.
- The public right of way should remain open and safely managed by the applicant through the build process.

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

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### **6.1** Statutory Duty

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

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

### **6.2** National guidance

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

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

- 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)

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

- Policy 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)

### **6.5** Neighbourhood Plan

**Ashchurch Rural Parish Neighbourhood Development Plan 2020-2031 – Made**

## **September 2022**

- T1: Modal shift for major development proposals
- T2: Road safety for walking and cycling
- C1: Community Infrastructure
- H1: Housing in Rural Areas
- H2: Design of Housing in the countryside and Fiddington, Pamington and Walton Cardiff
- V1: Protection of the intrinsic value of the countryside
- W1: Water management

### **6.6 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)

## **7. Policy Context**

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

**7.2** The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.

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

**7.4** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

## **8. Evaluation**

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### **8.1 *Conditional Requirements***

**8.1.1** The outline permission included conditions which required submission of information relating to the whole development with the first, or prior to, the first reserved matters application. Other conditions required further information to be submitted for each phase of reserved matters. The conditions are summarised below:

- Condition 6 - Prior to or as part of the first reserved matters application a Phasing Plan for the whole site shall be submitted to the local planning authority for approval in writing. The phasing plan has been approved (ref 21/00137/CONDIS).
- Condition 8 - Site Wide Masterplan Document (SWMD). This has been submitted ref: 20/00082/CONDIS and approved. Submissions for the approval of the reserved matters shall accord with the approved SWMD, unless otherwise agreed in writing. The applicant has submitted a compliance statement with this application to demonstrate how the scheme complies with the SWMD.
- Condition 9 - The first reserved matters application submitted pursuant to Condition 1

is required to be accompanied by details of a recycling strategy for the entire site (850 dwellings), including waste storage. It has become apparent that this condition cannot practicably be discharged on an entire site wide basis but needs to be discharged by phase or part phase. The applicant is in the process of preparing a non-material amendment application to amend Condition 9 accordingly. The condition should be separately discharged prior to commencement of the development of this phase. The waste details have however been submitted with these reserved matters.

- Condition 10 – The reserved matters of any phase shall include details in respect of existing trees, retained trees, work to retained trees, alterations of existing ground levels and tree protection. These details have been submitted with the reserved matters application.
- Condition 11 – The reserved matters of any phase shall include details of the size, species and positions or density of all trees, hedgerows and other landscaping trees to be planted. These details have been submitted with the reserved matters application.
- Condition 23 - The details to be submitted for the approval of reserved matters for each phase (or part phase) of development pursuant to Condition 1 shall include vehicular parking and turning and loading/ unloading facilities within the phase (or part phase). These details have been submitted as part of the reserved matters application.
- Condition 26 - The reserved matters application for each phase submitted pursuant to Condition 1 shall include details of the proposed arrangements for future management and maintenance of the proposed streets within that phase or part of a phase. These details have been submitted as part of the reserved matters application.
- Condition 29 – As amended by non-material application reference 22/01138/NMA a detailed surface water drainage strategy for each phase of development is to be submitted to and approved in writing by the Local Planning Authority prior to, or accompanying, each reserved matters application for a phase or part phase pursuant to Condition 1. This information has been submitted with the reserved matters application.
- Condition 36 – The reserved matters application for each phase shall be accompanied by a Noise Assessment for the Local Planning Authority's approval. This information has been submitted with the reserved matters application.
- Condition 42 - The first reserved matters application for any given phase (or part phase) submitted pursuant to Condition 1 to include the submission of a Housing Mix Statement or written approval setting out how an appropriate mix of dwelling sizes, types and tenures will be provided in that phase to contribute to a mixed and balanced housing market to address the needs of the local area. These details have been submitted with the reserved matters application.

**8.1.2** The applicant also submitted information for the discharge of a number of other conditions but has been advised that these cannot be discharged through the reserved matters and a separate application has been made accordingly (Condition 14: Green Infrastructure and Biodiversity delivery scheme, Condition 15: Landscape and Ecological Management Plan, Condition 27: Construction Method Statement).

**8.1.3** 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 these reserved matters and are discussed where relevant in the following sections of this report.

**8.1.4** The application is supported by a range of technical documents including the following:

- Design/Planning Compliance Statement
- Housing Mix Statement
- Tree Survey and Protection
- Future Streets Management Statement
- Noise Assessment and Mitigation Statement
- Proposed Drainage Strategy Plan and Finish Floor Levels Plan
- Materials, Boundary Treatments and Storey Height Plans
- Proposed Street Adoption Plan and Refuse Vehicle Tracking Plan
- Proposed parking/cycle storage and refuse storage/collection plans
- Proposed Landscaping/planting Plans
- Affordable Housing Layout plan
- Sustainability (Waste and Recycling) Statement
- House Type Plans

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

**8.2.1** The principle of residential development at the site has been established through the grant of outline planning permission. This application relates to the approval of the Phase 2 reserved matters in respect of access, layout, appearance, landscaping and scale of the development.

**8.2.2** 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 highway safety;
- Trees, landscaping and open space;
- Existing and future residential amenity;
- Affordable Housing;
- Housing Mix; and
- Surface Water and Foul Drainage

**8.2.3** In assessing these matters it is also important to consider whether they accord with the Outline and the approved Parameter Plans and Site Wide Masterplan Document (SWMD).

## **8.3** *Layout, appearance, scale and density*

**8.3.1** 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 TBLP 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 H2 of the ARPNDP states that planning applications for new residential development will be expected to take



account of nearby architectural features, building materials, massing and boundary treatments and should conform with neighbouring built character whilst avoiding urbanising features that are inappropriate within the countryside.

**8.3.2** A number of parameter plans were approved as part of the outline consent (reference 17/00520/OUT), relating to Land Use; Building Heights; Access and Movement and Green Infrastructure. Further, Condition 8 of the outline permission required the preparation of the approved Site Wide Masterplan Document (SWMD) which provides a set of Design Principles, including:

- The principles of determining the mix of land uses and community facilities;
- The principles for determining the design, form, heights and general arrangement of external architectural features of buildings with distinctive character areas;
- The principles of the hierarchy for roads and public spaces;
- Potential arrangements for car parking;
- The principles for the design of the public realm;
- The principles for the laying out of the green infrastructure including the access, location and general arrangements of sports pitches and play areas; and
- The principles for the enhancement of biodiversity through retaining existing green infrastructure, buffer and creation of attenuation ponds.

**8.3.3** As such, the SWMD encapsulates and embeds a number of important principles of good design and appropriate parameters and establishes a 'template' for the various phases of development within the site. All reserved matters applications are required to be in accordance with the approved SWMD.

**8.3.4** The application has been supported by a Compliance Statement (CS) to demonstrate the scheme's design compliance with the SWMD. The CS sets out the Design parameters, Design Principles, Appearance and Character, the three character areas, Materials Palette and Parking Strategy and how these align with the overarching parameters secured within the SWMD.

**8.3.5** Officers have assessed the CS and during the determination of the application have negotiated amendments to the scheme including: amendments to house type elevations and proposed materials, amendments of house types to successfully address the street scene/ open spaces, amendments to the apartment blocks elevations including addition of balconies, amendments to boundary treatments, strengthening of tree, hedgerow and bulb planting, amendments to the layout and landscaping of LAP and LEAP play areas. Further to securing the amendments to the application, officers consider that the design approach reflects and builds upon the principles and parameters set out in the Parameter Plans agreed at outline stage and the SWMD.

**8.3.6** The current application site is located within three separate character areas defined in the SWMD. A plan of the Character Areas will be displayed at Committee. Most of the site is in the Neighbourhood Core Character Area, with the area either side of the main spine road falling into the Main Street Character Area and the peripheral area on the edge of the parcel calling with the Tirl Brook and Landscape Edge Character Area. The SWMD also shows two areas of open space within this phase; the area to the northwest contains an attenuation pond and a LAP play area, the area to the south contains a LEAP. The SWMD also shows natural green corridors running east/west through the site and along the western boundary. These provide retained hedgerows and trees, ecological corridors and enhance the pedestrian networks within the wider site, and incorporate an existing, retained public right of way that runs through one corridor. These features have been

incorporated into the layout and negotiations have taken place during the consideration of the reserved matters application which have increased planting in some areas.

- 8.3.7** The centre of the site, either side of the main spine road, is defined in the SWMD as the Main Street Character Area which in the context of the wider site is the main entrance to the residential development from the commercial development to the north. It would also adjoin the Community Hub Character Area to the south. The area is characterised by medium to high density development of 40-50 dwellings per hectare. The built form should follow a formal development pattern, with perimeter blocks and occasional courtyard mews to accommodate apartments and continuous terraces. It should be predominantly 2-storeys in height with the use of 2.5 to 3-storeys around prominent areas and focal points. A formal architectural style should be used to provide a suitable backdrop, e.g., town houses that use a vertical rhythm and references to local vernacular. The area should display a generous use of street trees, verges and planting within front gardens. Boundary treatments should be typically short frontages with shrubbery and formal hedging.
- 8.3.8** Within the Main Street Character Area the application proposes a higher density of residential development with an average of 54 dwellings per hectare. The main street has been designed following a formal block pattern with occasional rear courtyards to accommodate the two 3-storey apartment blocks which provide a focal point either side of the spine road at the site entrance. A two storey, flat-over-garage is attached to the southern elevations of both apartment blocks and frames the access into the rear parking courtyards. South of the apartment blocks is a run of 3 storey terraced dwellings with a vertical emphasis, dropping down to 2.5-storey semi-detached dwellings and then 2-storey detached dwellings on the southern corner plots. Dwellings are set back from the footpath edges and have modest front gardens which are defined, in the most part, with formal railings and hedging/ shrubs to provide a defensible space off the main street. The apartment and dwelling designs are gabled in form with traditional detailing and mainly constructed of brick with red and slate tile roofs. Render is used in corner plot locations to provide a focal point and to break up the mass of the apartment blocks. Along the western side of the spine road a 2-metre verge is proposed with street tree planting. At the southern end of the character area the development loosens a little around an area of a pocket park incorporating a LAP play area, with the semi-detached 2.5 – 2-storey dwellings set back behind it, which creates opportunities for active surveillance over the open space. Parking is set to the sides of dwellings except the apartments which is accommodated in rear parking courtyards. Overall officers consider that the design approach in the Main Street Character Area accords with the general design principles of the SWMD.
- 8.3.9** Most of the site is located within the Neighbourhoods Core Character Area within the SWMD. The SWMD states that these areas should incorporate a broad range of building densities (35-40 dwellings per hectare) with building heights that are predominantly 2 storeys and a traditional architectural style. The built form should be a tighter development pattern with a mix of dwelling types, from detached to terraced, with short setbacks from the highway and a mix of front garden depths, which should incorporate hedgerows and shrub planting to soften the streetscape. A variety of parking typologies can be incorporated. The road types are secondary streets, with pedestrian prioritised streets and private lanes. This character area is replicated across a large proportion of the entire site.
- 8.3.10** The application proposes dwellings predominantly two storeys in height. A mix of traditional house types are proposed including detached, semi-detached and terraces. The house designs are predominantly of a gabled design with traditional detailing and would be mainly constructed of brick with red tile and slate effect roofs. Render, in whole or part, is used in corner plot locations to provide a focal point and is considered an appropriate

design response. In most locations dwellings are set back from and directly address public open space/ green corridors to provide natural surveillance, including to a LEAP and Public Right of Way along the southern boundary. Parking is a mix of side and frontage parking. Access is via secondary streets and some private drives, with street trees incorporated into front gardens where possible. The application proposes an average density of 39 dwellings per hectare within this character area which accords with the SWMD. Overall officers consider that the design approach in the Neighbourhood Core Area accords with the general design principles of the SWMD.

- 8.3.11** The Tirl Brook and Landscaped Edge Character Area relates to the rural fringes of the site adjacent to existing green infrastructure. In this area development should be a lower density (30-35 dwellings per hectare) and display an informal development pattern with a looser edge to assimilate development into the green corridors. Built form should be traditional architectural styles, predominantly 2-storey, larger more detached dwellings with medium setbacks from the highway to allow for low level planting in front gardens. There should be a generous use of soft informal landscaping in this area.
- 8.3.12** The Tirl Brook and Landscaped Edge Character Area is located on the northern and western edges of the parcel. Within the area the application proposes a lower density of 34 dwellings per hectare. Dwellings are large, detached houses interspersed with some semi-detached. Parking is a mix of integral garage parking, front parking and to the sides of dwellings. Access is mainly via private drives off the main street. The dwellings are of traditional architectural style and predominantly brick with limited use of render. Dwellings would be set back from the street with larger front gardens which would provide a more semi-rural character and transition between the built form and the adjacent green infrastructure. This transition is assisted by green verges, street trees and planting in the public open space sited in front of the dwellings. Overall officers consider that the design approach in the Tirl Brook and Landscaped Edge Character Area accords with the general design principles of the SWMD.
- 8.3.13** The only matter that has not be addressed to the satisfaction of officers is the proposed palette of materials. Officers accept the principle of the use of a palette of brick and render facing materials, and a red tile and slate effect roofing tile. However, the red tile and slate effect roofing materials proposed by the applicant are not considered to be of an acceptable quality. This is the first phase of development on a strategic scale site of 850 dwellings and it is therefore imperative that a high quality palette of materials is used that sets the standard for the rest of the development. Officers propose this matter be resolved by attaching a condition to the permission to enable an acceptable palette of materials to be agreed. A condition requiring the submission of details in respect of the construction/ materials of the proposed apartment balconies is also considered necessary in the interest of the appearance of the development.
- 8.3.14** Overall officers consider that the scale, layout and appearance of the application is acceptable and accords with the approved SWMD and is of an appropriate design, accepting that further details will be required as set out and these details can be secured by planning conditions attached to a reserved matters approval.

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

- 8.4.1** Policy INF1 of the JCS advises that proposals should ensure safe and efficient access to the highway network is provided for all transport modes and that the impact of development does not have a severe impact upon the highway network. Policy SD4 (vii) also requires development to be well integrated with the movement network within and

beyond the development itself, ensuring links by other modes and to green infrastructure.

- 8.4.2** The Highway Authority has assessed the scheme and sought amendments including: improved junction design and wider radii/visibility splays, pedestrian crossings to provide clear pedestrian priority, improved vehicle crossover points to avoid severance of the active travel corridor, improved cycle parking and access arrangements for mid-terrace plots, provision of additional street trees on the secondary roads off the spine road, and the incorporation of a gateway feature.
- 8.4.3** Vehicular access to the phase is obtained via the A46 and the new north/south spine road into the development, which incorporates a segregated pedestrian and cycle access on its western side. Secondary streets provide vehicular and pedestrian accesses off the spine road into the application site, which lead onto several tertiary private drives, with a design speed of 20 mph. Junction visibility and forward visibility is demonstrated throughout the layout. Vehicle tracking information has been provided, which demonstrates a refuse vehicle can safely navigate the proposed internal roads. Appropriate visibility splays are provided for each access. An east/west pedestrian access across the parcel via an existing public right of way is incorporated into a green corridor through the site. The proposed streets within the parcel will be put forward for adoption by the Local Highway Authority. The Highway Authority is satisfied with the proposed internal layout.
- 8.4.4** Officers consider that the road layout, block sizes and pedestrian links generally accord with what is shown in the SWMD. Furthermore, the proposal accords with the relevant design principles for street design and frontage design described in the different character areas. This allows for direct access to all units for both pedestrians and vehicles. The routes are all well-lit with good levels of natural surveillance.
- 8.4.5** Street trees have been provided in accordance with the requirements of paragraph 131 of the NPPF, and this is considered acceptable. Some grass verges are evident which would enhance the quality of the street scene. A number of bin collection points are shown on the plans and the waste collection arrangements are acceptable.
- 8.4.6** In regard to car parking, the majority of units have on-site car parking provisions which is integrated into the development such that the parking does not dominate the street scene. Areas of car parking within the public realm are also overlooked reducing the risk of crime. One-bedroom apartments have an average of 1 parking space, two-bedroom houses and apartments have an average of 1 parking space, three-bedroom houses an average of 2 spaces and four-bedroom houses an average of 3 spaces. The Highway Authority has been consulted on the application and has raised no objection.
- 8.4.7** The Highway Authority require the provision of a Gateway Feature at the entrance to the development to signify the transition into the residential environment from the commercial development and start of speed restraint measures. This has been agreed in principle by the applicant, but the details are not yet resolved. A condition is proposed to enable the details of the Gateway Feature to be agreed.
- 8.4.8** Overall if it considered that the access, internal road layout and car parking provision is acceptable and accords with the SWMD, Policy INF1 of the JCS and the NPPF, subject to minor revisions being made to the plans as set out above.

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

- 8.5.1** JCS Policy SD6 seeks to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. All applications will consider the landscape and visual sensitivity of the area in which they are to be located and which they may affect. JCS Policy SD4 (iv) requires the design of open space and landscaped areas to be of a high quality design, providing a clear structure and constitute an integral and cohesive element of the design. JCS Policy INF3 states that existing green infrastructure will be protected in a manner which reflects its contribution to ecosystem services.
- 8.5.2** The Parameter Plans and Landscape Mitigation Plan approved through the outline permission, and subsequent approval of the SWMD, detail a strong network of existing and proposed green infrastructure across the wider site, with the creation of vegetated routes which retain existing hedgerows to form corridors connecting the developed areas of the site with the natural landscape.
- 8.5.3** The Landscape Strategy embedded within the SWMD seeks to create a multifunctional network of open spaces and green corridors permeating through the new development, linking existing features and surrounding areas of open space and the countryside. The SWMD details that landscape assets will be incorporated into the development, including, but not limited to, hedgerows, trees, grassland, proposed street trees (using Sustainable Urban Tree Planting Systems), existing ponds, balancing/attenuation ponds, sports pitches, natural play areas, community allotments and footpath and cycle ways. The design approach taken within the SWMD seeks to build upon the site's assets, landscape character and local context and respond to the issues of ecology, access, landscape and surface water management in an integrated way to create a multi-functional landscape. Key linear habitats and associated features are to be retained and strengthened to maintain a comprehensive green and blue network across the site, including a substantial east/west multifunctional, active green corridor.
- 8.5.4** The applicant has submitted a suite of information in support of the application to demonstrate compliance with the SWMD. The information includes: design compliance statement, soft landscape proposals, hard landscape proposals, specifications for proposed planting, tree survey schedule, tree removal and retention plans and tree works schedules.
- 8.5.5** In accordance with the SWMD the application site would contain a wider east/west green corridor/landscape edge, where hedgerows are retained and pedestrian access via an existing public right of way to be maintained. Informal landscape edges to the east and north would also be provided which integrate the site with adjacent, existing green infrastructure. Two nodes of public open space would be provided: to the northwest an area accommodating a LAP play area and an attenuation basin, and a LEAP play area to the south, adjacent to the public right of way. A pocket park containing a LAP play area would also be located adjacent to the spine road, providing a green focal point in the streetscape. There are not a large number of existing trees in this part of the site, but they would largely be retained and tree planting is proposed throughout the site. Internally within the application site, in accordance with the principles of the SWMD, street trees are incorporated, along with new hedge and shrub planting to the frontages of dwellings across the development, creating a green streetscape and high-quality public realm.

- 8.5.6** Negotiations have taken place during the determination of this application between the Council's Landscape Advisor and the applicant resulting in the following amendments and improvements to the scheme: an increase in the number of street trees in accordance with NPPF Paragraph 131; amendment of planting within the landscape edges to ensure that it is more open, reflective of the adjacent countryside character and views from the new properties towards the wider public open space are not obscured; provision of a safe crossing point over the spine road for pedestrians using the east/west public right of way; increased tree planting around the LEAP and an accessible surfaced route running through it, and improvement of play equipment in LAP1 to provide more play value. Improvements to the attenuation basin have also been sought: the provision of a knee rail around its edge so that it remains more accessible within the wider public open space; the introduction of tree planting and native scrub within the basin so that there is not a stark edge to the basin (this would not reduce the capabilities of the basin), the provision of timber post and rail fence to the top of the headwall to enhance the natural look of the open space, and the cladding of the headwalls in stone to integrate them into the natural context. These amendments are all considered acceptable.
- 8.5.7** The Tree Officer has also been consulted and is satisfied with the proposed tree/ hedge retention and protection measures.
- 8.5.8** An issue has also been identified between the integration of the LEAP plan and the planting plan in relation to planting and enclosures. The applicant is revising these details and amendments are awaited. The Landscape Advisor will be reconsulted on the submitted amendments. **An update will be provided at committee.**
- 8.5.9** Subject to the outstanding details being submitted and the Council's Landscape Advisor being satisfied with the amendments, 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 overarching landscape principles of the SWMD.

## **8.6** *Existing and future residential amenity*

- 8.6.1** Policy SD4 (iii) requires that new development should enhance comfort, convenience and enjoyment through the assessment of the opportunities for light, privacy and external space, and the avoidance of mitigation of potential disturbance, including visual intrusion, noise, smell and pollution. Policy SD14 further requires that new development must cause no harm to local amenity, including the amenity of neighbouring occupiers.
- 8.6.2** The layout and proximity of the phase to the existing communities of Ashchurch and Fiddington and the other phases of the development is such that there would be no undue impact on the residential amenity of existing residents, or residents within other phases. There is one existing dwelling at closer proximity to the east of the site, but it is considered that the layout, separation distance and intervening landscape screening is such that there would be no significant impacts on the occupiers.
- 8.6.3** In terms of the proposed layout itself, the dwellings would all have acceptable levels of outdoor amenity space that would not be unacceptably overlooked by adjacent units. Furthermore, there would be sufficient back-to-back distances between the proposed units, which would ensure good standards of amenity are achieved and maintained.

- 8.6.4** In addition, at the request of officers, private balconies have been added to the apartment units to provide a degree of private amenity space for each. Wider access would also be available to the public open space within the development. Apartments have also been designed to front out onto the public realm to maximise activity, surveillance, and an attractive outlook for residents/occupiers. Considering 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.
- 8.6.5** Condition 36 of the outline consent requires each reserved matters application which includes dwellings to be accompanied by a noise survey to ensure that noise levels within dwellings and enclosed outdoor amenity spaces do not exceed industry limits. A Noise Assessment has been submitted in support of the application. It recommends mitigation measures (acoustic glazing/trickle ventilation and acoustic boundaries) in specific locations within the development. The Environmental Health Officer (EHO) has been consulted in respect of the current scheme and considers the submitted Noise Assessment to be satisfactory in terms of the methodology used and the conclusions reached and advises that the noise levels within the development will comply with the limits proposed in condition 36 without any specific noise mitigation measures. Therefore, the EHO is satisfied that condition 36 can be approved for this phase of the development.
- 8.6.6** Overall, it is considered that the proposed development would result in acceptable levels of amenity for future residents of the development and the nearby existing/future residents in accordance with the relevant JCS policies.

## **8.7 *Affordable housing***

- 8.7.1** Policy SD12 of the JCS sets out a minimum requirement of 40% affordable housing within the Strategic Allocation sites. It follows that where possible, affordable housing should be provided on site and be seamlessly integrated and distributed throughout the development. Affordable housing must also have regard to the requirements of Policy SD11 concerning type, mix, size and tenure. The design of affordable housing should also meet required standards and be equal to that of market housing in terms of appearance, build quality and materials.
- 8.7.2** In allowing the appeal the subject of the outline consent (ref: 17/00520/OUT) the Planning Inspector agreed with the appellant that the only reason the site was not included as a Strategic Allocation in the JCS were the concerns regarding the effect of the proposal on the strategic and local highway network, which were considered resolved through the appeal. He therefore agreed with the JCS Inspector's conclusion that it is fair and reasonable to regard the site in the same light as a Strategic Allocation, and to allow the lower level of 35% affordable housing.
- 8.7.3** Condition 7 of the outline approval required a Phasing Plan to be submitted for the whole site, either prior to or as part of the first reserved matters application. The submitted Phasing Plan includes details of the approximate number of market and affordable dwellings for each phase.
- 8.7.4** The S106 attached to the outline permission sets out the scale and mix of affordable houses which are required across the whole site. The S106 states that:
- Sixty percent of the Affordable Units shall be provided as Affordable Rented Units and the remaining shall be provided as Affordable Housing for Sale Units.
  - Affordable Housing Units to be generally indistinguishable in appearance from the Open

#### Market Units.

- The Affordable Housing Units must not be in groups of (i) more than 12 Units where they comprise a mix of houses and flats, and (ii) more than 12 units where they comprise houses only.
- An Affordable Housing Plan (Whole Site) for the entire outline site is to be submitted prior to submitting the first application of reserved matters – the affordable housing information detailed on the approved phasing plan (Condition 6) satisfies this requirement.
- An Affordable Housing Plan (Phase) to be submitted prior to the reserved matters application in each Phase. The Affordable Homes Key Plan submitted with the reserved matters application satisfies this requirement.

**8.7.5** The Affordable Homes Key Plan confirms that the mix of affordable housing meets the requirements of the S106 and Phasing Plan and sets out the following schedule of accommodation:

#### Affordable Rent (24 units – 60%)

- 12 x 1-bedroom flat
- 6 x 2-bedroom flat
- 5 x 2-bedroom house
- 1 x 3-bed house

#### Affordable Housing for Sale (15 units – 40%)

- 11 x 2-bedroom house
- 4 x 3-bed house

**8.7.6** The provision of 39 affordable units in this phase represents 34.2% of the total dwellings proposed. It is considered that the proposed affordable units would be tenure blind and are equal to that of market housing in terms of appearance, build quality and materials.

**8.7.7** In respect to clustering, this phase delivers a proportion of 1 and 2-bedroom affordable units, which are being provided within blocks of apartments. However no single apartment block exceeds 9 units, being below the 12-unit threshold. Similarly, the affordable individual houses are in small clusters of between 3 and 7 units. It is considered that the clustering is acceptable and in accordance with the provisions of the S106 agreement.

**8.7.8** The Housing Enabling Officer (HEO) has been consulted and advises that the proposed affordable housing provision is in line with the S106 agreement and it is considered that the proposed affordable housing provision and arrangement is acceptable.

### **8.8 *Housing Mix***

**8.8.1** 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. 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. Condition 42 of the outline consent requires the submission of a Housing Mix Statement with each reserved matters phase to ensure that an appropriate housing mix is secured in accordance with Policy SD11.



- 8.8.2** 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 the new market dwelling mix should be: 3% one-bed, 13% two-bed, 54% three-bed and 29% four-bed or more.
- 8.8.3** The applicant has submitted a Housing Mix Statement in support of the application, but this is based on the former version of the Local Housing Needs Assessment. Updated figures have since been provided based on the current LHNA. The application proposes the following market housing mix: 11 one-bed: 14.6%, 10 two-bed 13.3%, 39 three-bed: 52.0% and 15 four-bed: 13.2%. The mix is broadly in accordance with the LHNA in respect of the two and three bed dwellings, but the mix is skewed in favour of more one-bed units and fewer four-bed units. The applicant explains that due to the taller apartments and town houses that are required to front the spine road in the Main Street Character Area there is an increased number of smaller scale units in this phase. It is not possible to site the four-bed units here, but these numbers can be made up in future housing phases.
- 8.8.4** Based on the submitted information it is considered that the housing mix is broadly in compliance with Policy SD11, having regard to the SWMD requirements for this phase of the development, and is, on balance, acceptable.

## **8.9 *Foul and Surface Water Drainage***

- 8.9.1** JCS Policy INF2 (2) (iv) requires new development to incorporate Sustainable Urban Drainage Systems (SUDS) where appropriate to manage surface water drainage. Policy INF6 also requires that the infrastructure requirements generated by a proposal are met, including by adequate on and off-site infrastructure.
- 8.9.2** The principle of developing the site is established by the outline consent which includes an approved overarching drainage strategy for the whole site. A drainage strategy plan has been submitted as part of the current Phase 2 scheme in order to demonstrate how the site-specific drainage infrastructure would accord with the whole site drainage strategy.
- 8.9.3** Condition 29 of the outline permission (as amended by non-material application reference 22/01138/NMA) requires a detailed surface water drainage strategy for each phase of development in respect of each reserved matters application to be submitted for approval in writing by the LPA. The current application for the Phase 2 scheme seeks to demonstrate how the proposal would fully accord with the approved site wide outline surface water drainage strategy. The Lead Local Flood Authority have been consulted on the application and raise no objection as the Drainage Strategy Plan would be suitable as part of the overall drainage strategy further to Condition 29 of the outline consent.
- 8.9.4** The following conditions were attached to the outline consent at the request of the Environment Agency (EA):
- Condition 31 requires that no development for a phase or part phase within the floodplain, as defined by the 1:100 + 35% climate change flood extent within the approved outline drainage strategy, shall be commenced until a scheme for the provision and implementation of compensatory flood storage works has been submitted and approved. As the application is entirely within Flood Zone 1 it falls outside of the floodplain so the development would appear to comply with this condition.

- Condition 33 requires that there must be no new buildings, structures or raised ground levels within 8 metres of the top of any bank of any watercourses unless otherwise agreed. The EAs response is awaited on this matter.
- Condition 34 also requires that floor levels for all properties to be set a minimum of 600mm above the modelled 1% flood level including a 35% allowance for climate change as set out in the approved outline drainage strategy. The EAs response is awaited on this matter.

**8.9.5** The Planning Inspector who allowed the appeal for the outline consent did not attach any conditions requiring the foul drainage arrangements to be confirmed through the reserved matters. However, the applicant's foul drainage strategy should accord with the drainage strategy approved through the outline consent. The response of Severn Trent Water on this matter is anticipated.

**8.9.6** At the time of writing this Committee Report, the response of the Environment Agency on Conditions 31, 33 and 34, and the response of Severn Trent Water in respect of the foul sewerage arrangements is awaited. **An update will be provided at committee** regarding whether these details accord with the approved outline drainage strategy and conditions of the outline planning permission.

## **9. Conclusion**

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**9.1** Considering all of the above, subject to the outstanding landscaping details being submitted and the Council's Landscape Advisor being satisfied with the amendments, and subject to the response of the Environment Agency and Severn Trent Water on the drainage strategy and conditions, the proposed development is considered acceptable in regard to access, layout, scale, appearance, and landscaping. The scheme advanced would be in accordance with the outline consent, the Parameter Plans and the SWMD approved under that consent.

**9.2** As set out above, a committee update will be provided once consultation responses are received from the Landscape Adviser, Environment Agency and Severn Trent Water. The committee update will also set out any changes that arise to the submitted plans and variations to the recommended conditions that may arise.

## **10. Recommendation**

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**10.1** The application is therefore recommended for **Delegated Approval** subject to confirmation from the Council's Landscape Adviser, Environment Agency and Severn Trent Water that the amendments to the scheme are acceptable, together with any consequential minor revisions to plan numbers and conditions that may arise.

## **11. Conditions**

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

### **Layout Plans**

- Planning Layout 100\_00 Rev U
- Location Plan 101 received 23.12.21
- Storey Heights Layout 103-1 Rev E
- Affordable Homes Key Plan 104-1 Rev E d
- Fire Hydrant and Adoptable Highway Plan 105-1 Rev E
- External Works, Refuse and Cycle Storage Plan 106-1 Rev C
- Proposed Lighting Column Locations 110 Rev C
- Fences and Enclosures Details Sheet 115 Rev B
- Fiddington Lap 1 / 2204.33527
- Fiddington Lap 2 / 2204.33535
- Fiddington Leap / 2204.33539 Dated 08/11/22

### **Housetype Drawings**

- Alnmouth 120.2 Rev B
- Alnmouth 120.3 Rev B
- FOG 121 Rev A
- Danbury 122.1 Rev A
- Danbury 122.2 Rev A
- Danbury 122.3
- Deepdale 123 Rev A
- Glenmore 124.1 Rev B
- Glenmore 124.2 Rev B
- Sherwood 125.1 Rev C
- Sherwood 125.2 Rev A
- Sherwood 125.3 Rev B
- Sherwood 125.4 Rev A
- Charnwood 126 Rev A
- Barnwood 127.1 Rev A
- Barnwood 127.3 Rev B
- Barnwood 127.4 Rev B
- Saunton 128 Rev A
- Ashdown 129.1 Rev A
- Ashdown Corner 129.2 Rev B
- Rivington 130.2 Rev C
- Rivington 130.3 Rev C
- Burnham 131.1 Rev D
- Burnham 131.2 Rev A
- Selwood 132.1 Rev C
- Selwood 132.3 Rev C
- Apartment 140.1 Rev B
- Apartment 140.2 Rev B
- Apartment 140.3 Rev B
- Apartment 140.4 Rev B
- Apartment 140.5 Rev B
- Apartment 140.6 Rev B

- Apartment 140.7 Rev B
- Apartment 140.8 Rev B
- 2 Bed Affordable 141.1 / A
- 2 Bed Affordable 141.2 / A
- 3 Bed Affordable 142.1 / A
- 3 Bed Affordable 142.2 / A
- Garages 150

### **Landscape Plans**

- Detailed On-plot Softworks Plan Sheet 1 of 4 0005 Rev P09
- Detailed On-plot Softworks Plan Sheet 2 of 4 0006 Rev P09
- Detailed On-plot Softworks Plan Sheet 3 of 4 0007 Rev P09
- Detailed On-plot Softworks Plan Sheet 4 of 4 0008 Rev P07
- POS Softworks Plan Sheet 1 of 2 0009 Rev P11
- POS Softworks Plan Sheet 2 of 2 0010 Rev P11
- Tree Protection Plan JH.210669.TPP1 Rev A, received 05.12.22
- Tree Protection Plan JH.210669.TPP2 received 23.12.22

### **Engineering Plans**

- Finished Floor Levels 0511 P03
- Drainage Strategy for Planning 0512 P03
- Visibility Splays for Planning 0513 P03
- Swept-Path Analysis Fire Appliance 0514 P03
- Swept-Path Analysis Refuse Vehicle Sheet 1 0515 P03
- Swept-Path Analysis Refuse Vehicle Sheet 2 0516 P03
- Attenuation Pond Sections 0675 P02
- Pond 4 Headwall Details 601\_PHSV\_SK001 Rev B received 07.12.22

### **Reports**

- Future Streets Management Statement received 23.12.21
- Noise Impact Assessment, Approved Residential Development at Parcel H1 – Fiddington, Tewkesbury, prepared by Hepworth Acoustics December 2021 received 23.12.21

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** Prior to the occupation of each individual building, the access, parking and turning facilities for each building shall first be provided as shown on drawing Planning Layout 100\_00 RevU.

Reason: To ensure conformity with submitted details.

- 3 Notwithstanding the development hereby approved, the development shall not be occupied until sheltered, secure and accessible bicycle parking has been provided for each building in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.

Reason: To promote sustainable travel and healthy communities

- 4 Notwithstanding the development hereby approved, prior to the commencement of development details and samples of all proposed external materials to be used (walls, roofs, hard landscaping, boundary walls, retaining walls, headwalls) shall first be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved.

Reason: In the interests of the appearance of the development and wider visual amenity.

- 5 Notwithstanding the development hereby approved, prior to the commencement of development details of all external balconies, including Juliet balconies, comprising materials, elevations, and sections, at no less than 1:20 scale, shall first be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved.

Reason: In the interests of the appearance of the development and wider visual amenity

- 6 Prior to the occupation of any dwelling hereby approved a scheme for the provision of a Gateway Feature at the entrance to the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, inter alia, the appointment and subsequent collaboration of an artist with the local community to inform the design process, detailed elevations, materials, landscaping and a timescale for delivery. The proposed Gateway Feature shall be implemented prior to the occupation of the 100<sup>th</sup> dwelling hereby approved.

Reason: To identify the transition into the residential environment and the start of speed restraint measures, in the interests of design quality, the public realm and highway safety.

## **12. Informatives**

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- 1 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.
- 2 The decision is to be read in conjunction with planning permission 17/00520/OUT including the associated S106 legal agreements.
- 3 The developer is advised that all pre-commencement conditions on outline approval ref: 17/00520/OUT shall be submitted to the Local Planning Authority and approved in writing, prior to commencement of the development hereby approved.