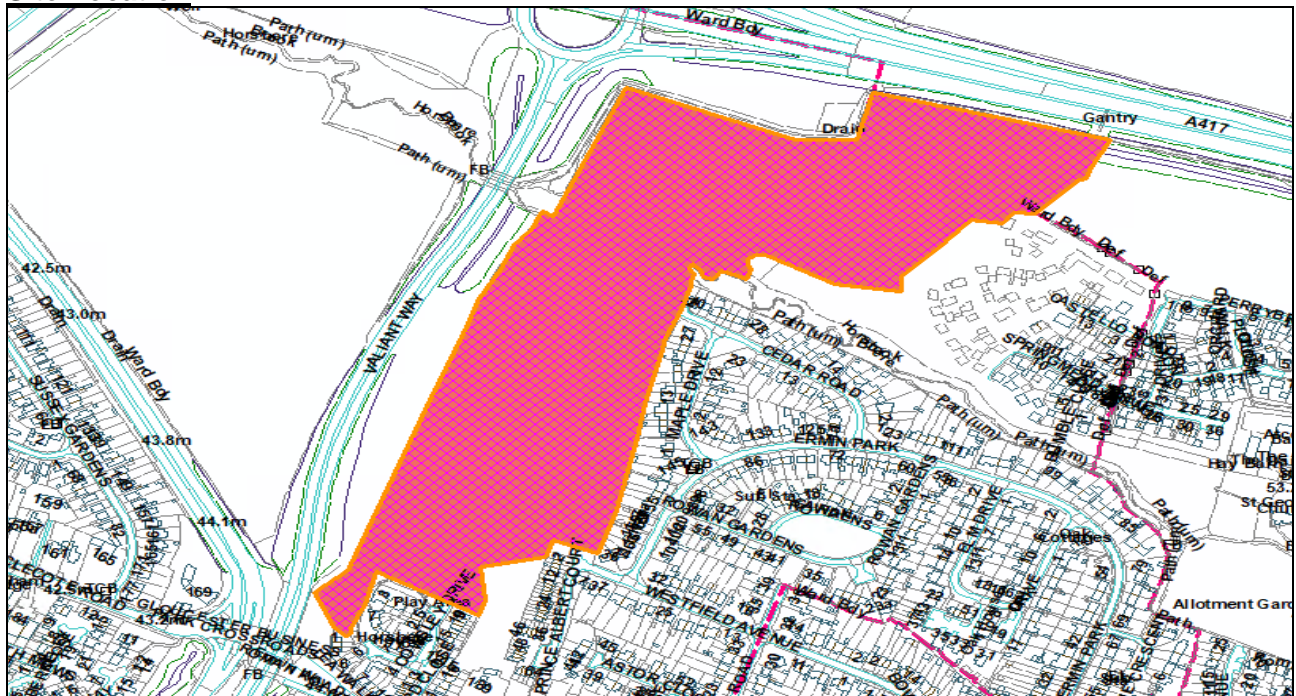


Planning Committee

Date	21 March 2023
Case Officer	James Lloyd
Application No.	22/00251/APP
Site Location	Phases 4 And 6, Land At Perrybrook, North Brockworth
Proposal	Approval of reserved matters (appearance, landscape, layout, scale) for Phases 4 and 6 comprising development of new homes, landscaping, open space and associated works pursuant to outline permission 12/01256/OUT.
Ward	Brockworth West
Parish	Brockworth
Appendices	Site Location Plan Concept Master Plan Amended Phasing Plan Proposed Site Layout Whole Proposed Site Layout Phase 6 Proposed Site Layout Phase 4 Storey Heights Plan Affordable Housing Plan Street Scene Drawings House Types x7
Reason for Referral to Committee	Reserved Matters application for the erection of more than 20 dwellings
Recommendation	Approve

Site Location



PLANNING COMMITTEE UPDATE – 21 MARCH 2023

This application was deferred at February Planning Committee to see whether several concerns raised during the meeting could be addressed. The relevant issues for deferral can be summarised as construction traffic, and design issues relating to further detail and consideration of neighbouring residential amenity to the east; the retained landscape buffer to the eastern boundary; the footpath redirection and connectivity to surrounding areas.

Since the application was considered by Planning Committee in February, the applicant has submitted revised and additional supporting information to address the matters raised. This information is presented below.

Construction Traffic

Concerns had been raised with regard to the impact of construction traffic from the development upon existing residential amenity around Brockworth.

The matter of construction traffic was considered during the determination of the original Outline Permission (12/01256/OUT). This resulted in the imposition of condition 27 which required no development to take place until a construction environmental management plan ('CEMP') was approved. A CEMP for the development on 15 February 2017. Any development permitted is required to accord with the details set out within the approved CEMP. There is no requirement for additional information on this matter to be submitted with each new Reserved Matters application.

Notwithstanding this the applicant for the current application has advised the following:

Initial access into Phase 4 would be via the Linden development to the east of Phase 4. Access has been provided to the boundary by Linden and there are contractual obligations placed on Linden which ensure that Crest have free access rights over their development roads at all times. Crest would seek to place wheel-washing facilities at the junction between Phase 4 and the Linden site to ensure that any vehicles leaving the Crest development would not track mud or debris through the Linden site and out onto the highway network.

The Access through Linden land would remain the only access into the Crest site until the roundabout on Valiant Way is available. Access into the Phase 6 land, and ultimately into Phase 4 once the bridge over Horsbere Brook has been completed, would be via a new 4-arm roundabout on Valiant Way. This roundabout was approved in principle at the Outline Planning stage and S278 detailed design drawings are currently progressing, and discussions are ongoing with Gloucestershire County Council Highways. Technical Approval is expected in the next 3 months, after which the S278 Agreement can be drafted and ultimately signed. It is currently targeted that roundabout construction works will commence in September / October 2023 with completion in March / April 2024, subject to approvals.

As soon as the roundabout and bridge over Horsbere Brook is operational, construction traffic would start to access the development via Valiant Way and the construction traffic route through the Linden site would be closed up. Crest would ensure that wheel-washing facilities are placed at this access point to ensure that no mud is tracked onto Valiant Way.

Given that the details of construction management have already been approved via the Outline Consent and the subsequent Condition Discharge, these details cannot be reconsidered as part of the current Reserved Matters application. Notwithstanding this, Officers can confirm that the proposals set out above are in line with the consented Outline Permission and the details submitted to discharge condition 27 of the Outline Permission.

Eastern Boundary and Landscape Buffer

Questions were raised at the Committee around the treatment of the eastern boundary of Phase 6, specifically the landscape buffer and distances between the existing housing and proposed development.

The landscaping buffer between the proposed dwellings on the eastern edge of Phase 4 and those along Ermin Park has been increased throughout the course of the application, alongside existing tree/hedge belts that would be retained. The distances between neighbouring properties are set out in more detail in the sections below.

Residential Amenity – Proposed Plots 353,354 & 355

Questions were raised at the Committee regarding the distances from plot 355 to the existing residential property along Maple Drive and the treatment of the landscaping adjacent to the intervening boundary. The submitted plans highlighted that the side gable of plot 355 would face the rear garden of the dwelling at Maple Drive. Whilst Officers had assessed the impacts of this relationship between the two properties (where a distance of 11 metres is generally deemed acceptable for side-to-rear relationships) the applicant has sought to improve this relationship even further, relocating the footprint of plots 353,354 & 355 to move plot 355 further away from the boundary. A layout drawing has been provided below to demonstrate the changes.



This revision to the plot layouts has resulted in a separation distance of approximately 19 metres between plot 355 and the rear of the neighbouring (existing) dwelling. It is considered this change is a further improvement, creating a better relationship with adjoining dwellings and this relationship remains acceptable.

Impact Upon Neighbouring Residents Along Ermin Park

Objections to the application have been received from residents of the neighbouring properties along Ermin Park. At the previous Committee meeting concerns were raised by a local resident that the side elevation of one of the proposed new dwellings would be located alongside their rear boundary, which could potentially create an overbearing impact into their rear garden.

Upon further investigation, it appears that the local resident was viewing a superseded set of layout drawings and had not had sight of the most up to date layout. The applicant had already amended the layout to change the relationship of the proposed dwellings, on the eastern edge of the development, to the existing residential properties off Ermin Park. This had resulted in back-to-back garden relationships in the scheme that was reported to Planning Committee in February, as shown in the layout drawings below.

Historic Plan



Submitted Application Plan



The applicant has also provided details of distances between the proposed dwellings on the eastern edge and those along Ermin Park. The back-to-back distances range from approximately 18m to 38m, with an intervening landscape buffer, between the two boundaries. Where a window-to-window relationship occurs, it is generally accepted that a separation distance of 21m should be maintained at first floor level. Whilst there are a couple of distances just below 21m, these occur where there is either an oblique relationship/view or it has been measured from a single storey height extension.

Given the additional information submitted, officers remain of the view that the layout of the proposed new dwellings causes no undue harm upon the residential amenity of the neighbouring properties and is acceptable in planning terms.

Trees

As detailed in the Committee report in February, there are some trees within the site that benefit from Tree Preservation Orders (TPOs). The application for outline permission granted the removal of trees that are in poor condition. The current proposals retain as many protected trees as possible, and specifically T11, an English Oak which is in good condition. The scheme also proposes the removal of T8, a category U tree, defined as fully dead, and a T10, category C tree, with a lot of this tree being dead.

Throughout the application process the Council's Tree Officer has worked to amend the scheme to ensure that the trees to be retained are protected. This has included removing parking spaces to protect the roots of the TPO tree. Whilst the loss of the two trees is regrettable, these are in poor condition, or are already dead, and the Tree Officer has accepted the loss of these as part of the proposal. The proposals are therefore acceptable in planning terms.

Redirection of the Footpath

There are two footpaths across the site – EBW2 Brockworth Footpath 2 (through phase 4) & EHU23 Hucclecote Footpath 23 (north phase 6). For clarity, both footpaths are to be retained. Footpath EBW2 is proposed to have a minor diversion to account for the proposed new bridge. The plan below highlights the existing location as square dashes and the new proposed route in circular dashes.



The requirement to redirect part of footpath EBW2 is due to the need to accommodate the main spine road that will connect the site from the new Valiant Way roundabout into the wider site. The broad location of this spine road was agreed at outline stage and given the direction of travel of footpath EBW2, it is inevitable that the road would need to cross this footpath.

The footpath would run directly underneath the proposed new bridge. The applicant has advised that in order to retain the current direction of travel for the footpath the bridge would need to be able to achieve head height clearance. To achieve this, the bridge would need to have a large span, at a higher level than the road and would also require a central support. This approach is unlikely to achieve support from the Environment Agency and would create a much larger structure resulting in a loss of further open space. The outline permission also sought to achieve a clear span structure in this location.

As a result of this, the application proposes to provide a modest redirection of the footpath (as shown on the plan above) as keeping the footpath on its existing line would result in a far more intrusive bridge design; the need for additional earth works in and around the brook; and the loss of more open space. The footpath diversion is therefore a practical and appropriate response in the circumstances.

As can be seen from the plan above, the play area is not in the attenuation pond.

Connectivity to the South

Questions were raised regarding the connectivity to the south of the site and towards the Tesco site and beyond. The applicant advises that the pathway in the far southwestern corner of Phase 4 will link to a pedestrian/cycle bridge to be delivered over Valiant Way. This will provide the main link between Phase 6 and Phase 7 and a direct route between the development areas either side of Valiant Way to the Whittle Square district centre, and to Gloucester Business Park. It is a requirement of a condition that the bridge is provided and is subject to a live planning application.

Cycling

As presented to the meeting in February, the scheme has been designed in line with the Gloucestershire Manual for Streets guidance and has been assessed in detail by the highway authority and officers. This confirms that the highways provisions and links to the wider sustainable travel network (as referenced in the above section of this update) provide appropriate cycling infrastructure for the proposals. The developer has also provided cycle storage facilities for properties that do not benefit for garaging.

Conclusion and Recommendation

The applicant has provided clarity, additional information and an amended plan in response to the issues raised by Members when deferring the application. As a result of this, revisions to the site layout along the eastern edge of Phase 4 has resulted in an increased distance between the development and existing neighbouring properties along Maple Drive.

Considering the further information provided, Officers conclude that the proposals accord with the outline consent and related parameters, and the proposed reserved matters details would be acceptable in terms of access, layout, scale, appearance and landscaping.

The recommendation of the application therefore remains as **Approval** subject to the conditions set out at the end of this report.

Amended Drawings and Conditions

As a result of the updated layout revised drawings have been submitted. These have been updated at the end of this report and will be available as part of the Officer presentation. As a consequence, the proposed conditions reflect the new drawing numbers associated with the changes.

PREVIOUS REPORT TO PLANNING COMMITTEE – 21 FEBRUARY 2023

1. The Proposal

Full application details are available to view online at:

[22/00251/APP | Approval of reserved matters \(Appearance, Landscape, Layout, Scale\) for Phases 4 and 6, comprising development of new homes, landscape, open space and associated works pursuant to outline permission 12/01256/OUT. | Phases 4 And 6 Land At Perrybrook North Brockworth \(teWKesbury.gov.uk\)](#)

- 1.1 Outline planning permission (reference: 12/01256/OUT) was granted by the Secretary of State for Communities and Local Government (as was) in March 2016. The description of development was as follows:

- 1.2** *'Outline application for a mixed-use development of up to 1,500 dwelling, including extra care housing, community facilities including A1, A2, A3, A4 and A5 local retail shops (totalling 2,500m²), B1/B8 employment uses (totalling 22,000m²), D1 health facilities and formal and informal public open space (including means of access)'*
- 1.3** The current Reserved Matters application represents the whole of Phases 4 and 6 as defined on the Revised Phasing Plan (see attached Revised Phasing Plan) and is located to the West of Phase 3 and East of Phase 7. This application seeks to deliver 435 dwellings over two Phases; 226 dwellings in Phase 4 and 209 in Phase 6, with an average density of 33 units per hectare.
- 1.4** The scheme would deliver 32no. one bedroom units, 112no. two bedroom units, 197no. three bedroom units, 78no. four bedroom units and 16no. five bedroom units in a mix of apartments, terraced, semi-detached and detached forms. With regard to affordable housing provision, a mix of apartments and houses, would be provided, and offered either on an affordable rent (78 units (52%)) or intermediate basis (71 units (48%)). A total of 149 affordable units would be provided, which equates to 34% of the total number of dwellings. The number and tenure of affordable dwellings would reflect the requirements of the S106 agreement. The accompanying Compliance Statement advises that this provides a broad mix of homes and house types offering choice and flexibility to future residents.
- 1.5** A comprehensive Sustainable Drainage System (SuDS) has been approved for the wider development site. In accordance with Condition 8 of the outline consent and a detailed Drainage Strategy and SuDs Management Plan for this phase has been submitted. The proposed surface water drainage has been designed to convey the surface water from each plot, through a gravity sewer system to an attenuation basin in the western area of the site.
- 1.6** The application documents include a Statement of Compliance (Letter); an Arboricultural Survey, Impact Assessment and Protection Plan; a Drainage Strategy and SuDs Management Plan; a Highway Infrastructure Road Safety Audit; Landscape Maintenance and Management Plans and an Environmental Noise Survey, Design Compliance Statement and Affordable Housing Statement.

2. Site Description

- 2.1** The outline application site relates to approximately 76.65 hectares of land located immediately north of the settlements of Brockworth and Hucclecote, known as 'Perrybrook' and referred to as 'the wider development site' throughout this report.
- 2.2** The wider development site is bounded on three sides by major roads; the M5 motorway, the A417 Brockworth bypass and the A46 Shurdington Road. The southern boundary of the site is formed by Mill Lane from its junction with the A46 in the east to the Horsbere Brook. The north and south orientation of Valliant Way and Court Road serve to divide the site into three distinct parcels. A network of Public Rights of Ways (PROW) also crosses the land as well as a significant number of mature trees, some of which are covered by Tree Preservation Orders (TPO).
- 2.3** The banks of the Horsbere Brook, immediately to the south of the site, fall within Flood Zone 3 as defined by the Environment Agency's most up-to-date flood risk maps, but otherwise the land is designated as being within Flood Zone 1.

2.4 The listed Manorial complex of Brockworth Court is located just outside the site (but enveloped by it) to the south, which includes a Grade I listed church, a grade II* listed Manor House and Tythe barn and some other grade II listed structures. A poorly maintained Perry Pear Orchard is located along the eastern boundary of the development, along Shurdington Road.

Reserved Matters Site Description

2.5 The current reserved matters application relates to Phases 4 & 6 of the wider development site (see the approved phasing plan).

2.6 Phases 4 & 6 lie to the western edge of the wider development site and are the penultimate phases of the wider scheme. Access would be gained via the eastern boundary through phase 3 and along the western boundary via the new roundabout at Valiant Way. The remaining parcel (phase 7) would also be served from this roundabout located to the west. The northern boundary of the site is defined by the embankment to the A417. A public right of way (PRoW) crosses the site and there are several TPO trees within the site.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
12/01256/OUT	Outline application for a mixed-use development of up to 1,500 dwelling, including extra care housing, community facilities including A1, A2, A3, A4 and A5 local retail shops (totalling 2,500m ²), B1/B8 employment uses (totalling 22,000m ²), D1 health facilities and formal and informal public open space (including means of access).	SOSPER	31.03.2016
18/00109/APP	Approval of Reserved Matters (appearance, layout, landscaping and scale) comprising Phase 3 of Outline planning permission 12/01256/OUT for the erection of 225 no. dwellings with public open space, play area, and associated infrastructure, and including the discharge of Outline Conditions (as amended) 2 (reserved matters time limit), 5 (design compliance), 8 (surface water drainage strategy - all phases), 9 (floor levels - flood risk), 10 (sewage disposal - phase 3), 12 (trees), 24 (noise assessment - phase 3) and 28 (waste minimisation).	APPROV	23.05.2019
18/00410/APP	Approval of landscaping, layout, scale and external appearance of the formal sports area (excluding the Changing Room Facilities and associated car parking).	PER	07.09.2018
18/00864/APP	Approval of Reserved Matters (appearance, landscaping, layout and scale) comprising Phase 5 and Phase 2 (in part) of Outline planning permission 12/01256/OUT for the erection of 240 no. dwellings with public open space, play area, and associated infrastructure.	APPROV	16.08.2019

19/00537/APP	Approval of Reserved Matters (Appearance, Landscape, Layout and Scale) for Phase 1 of outline planning permission 12/01256/OUT for the erection of 135 dwellings with associated public open space and infrastructure.	APPROV	03.01.2020
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4. Consultation Responses

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

4.1 Brockworth Parish Council – Objection – Reasons are summarised below;

- Concern regarding lack of single storey dwellings.
- Affordable housing is not peppered-potted around the phases.
- Ideally keep the PROW and not re-direct it.
- The visitor parking in the development is not considered sufficient for needs.
- Concerns about large vehicle movements around the estate when cars inevitably park on roadways, and access for emergency services on estate roads.
- The critical issue with this phase is ensuring that the connectivity towards the village centre, Gloucester, Cheltenham and importantly Churchdown is developed.
- Cycle routes must be given more consideration. More cycle paths are needed including a cycle route to be provided along the spine road to provide a safe route to schools.
- Travel planning and sustainable travel options should be enhanced significantly.
- The proposed location and design of the highways access into the development from a new roundabout on Valiant Way needs clarification.
- The Parish Council would like confirmation on the build order and the plans for construction traffic.
- No evidence of any noise impact assessment about mitigating noise from the dual carriageways for residents close to those areas.
- There is a distinct lack of pedestrian connectivity to the existing community.
- The amount of usable public open space is distinctly lacking from the designs of the area.
- We would like to see the protection and retention of as many trees as possible within the development site.

4.2 Hucclecote Parish Council - Hucclecote Parish Council has no comments to make, it supports the observations and concerns made by Brockworth Parish Council.

4.3 County Highways Authority – No objection subject to conditions.

4.4 Lead Local Flood Authority – No objection.

4.5 Environmental Health Officer (Noise) – No objection subject to conditions.

4.6 Housing Enabling Officer – No objection – the application complies with the S106 agreement of the outline permission.

4.7 Tree Officer – No objection – subject to conditions.

4.8 Environment Agency – No objection.

- 4.9 County Minerals & Waste** – No objection.
- 4.10 County Archaeologist** – No objection.
- 4.11 Severn Trent Water** – No objection.
- 4.12 Highways England** – No objection – Subject to the LPA being satisfied regarding noise matters.
- 4.13 Landscape Advisor** – No objection, subject to conditions.
- 4.14 Public Rights of Way Officer** – A footpath diversion order will be required.
- 4.15 TBC Asset Management (Play Spaces)** – No objection.

5. Third Party Comments/Observations

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

- 5.1** The application has been publicised through the posting of a site notice for a period of 21 days. 6 no. representations have been received from local residents (summarised);
- There is now no access or path to walk to the Horsbere River and wooded area.
 - There is no link between Prince Albert court/Ermin Way/Westfield Avenue, creating a bottle neck at the proposed roundabout.
 - There is no provision for amenities such as doctors or pharmacies. Where is the new school for the increase in children?
 - There seems to be insufficient parking for the number of houses.
 - The construction of two storey houses will block this daylight and therefore have a significant impact on the Residential Amenity that is currently enjoyed by 157A Ermin Park.
 - There are two mature oak trees on the field behind my house at the moment. It seems that only one of these will be preserved.
 - I object to the fact that the proposals on the whole are very over-developed.
 - All the new houses should be 2 storey or less.
 - The children's play area needs to be re-sited nearer to houses and car parking.
 - Lack of landscape buffer between development and houses on Ermin Park.
 - Overlooking issues to houses along Ermin Park.
 - No allowance has been made for the provision of self and custom housing plots.

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 Development)
- Policy SP2 (Distribution of New Development)
- Policy SD3 (Sustainable Design and Construction)
- Policy SD4 (Design Requirements)
- Policy SD6 (Landscape)
- Policy SD8 (Historic Environment)
- Policy SD9 (Biodiversity and Geodiversity)
- Policy SD10 (Housing Development)
- Policy SD11 (Housing Mix and Standards)
- Policy SD12 (Affordable Housing)
- Policy SD14 (Health and Environmental Quality)
- Policy INF1 (Transport Network)
- Policy INF2 (Flood Risk Management)
- Policy INF3 (Green Infrastructure)
- Policy INF6 (Infrastructure Delivery)
- Policy A3 (North Brockworth)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – 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 LAN2 (Landscape Character)
- Policy NAT3 (Green Infrastructure: Building with Nature)
- 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. Policy Context

- 7.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 7.2** The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), 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

Conditional Requirement

8.1 The outline permission included conditions which required submission of information relating to the whole development with the first RMA. Other conditions required further information to be submitted with each phase of reserved matters. These conditions are summarised below:

- Condition 5 - Requires that all reserved matters and details required to be submitted pursuant to condition 1 shall be broadly in accordance with the principles and parameters described and identified in the Illustrative Masterplan, the Conceptual Masterplan and the Design and Access Statement. The applicant has submitted a compliance statement with this application to demonstrate how the scheme complies with the Design and Access Statement and Masterplan documents.
- Condition 8 - Requires surface water drainage details to be submitted for consideration. The Hydraulic Modelling Tech Note drawings and calculations prepared by Stantec have been submitted with the reserved matters application.
- Condition 9 - Requires all floor levels of all properties to be set at a minimum of 600mm above the modelled 1 in 100 year flood level, including an allowance for climate change at the appropriate locations along the Horsbere Brook. These details have been submitted with the reserved matters application.
- Condition 12 - Requires information on Trees and Landscaping. These details have been submitted with the reserved matters application. Tree specifications/conditions, tree loss and retention plans and protection measures are provided.
- Condition 28 - Requires details of the proposed design and location of recycling and refuse storage arrangements within that phase. These details have been submitted with the reserved matters application. Pegasus drawings reference DRWG: P21-1950_13 (see housetype pack) show the facilities required in association with the apartment buildings. All facilities required for the houses will be within the individual plots. Refuse Strategy Plans (Ref: DRWG: P21-1950_15 SHEETS 1 & 2) provide further detail of refuse.
- Condition 19 - States that Phases 4 and 6 of the development cannot be occupied until a scheme of works broadly in accordance with the following plans has been submitted and approved:
 - (i) Valiant Way normal roundabout highway works as shown on plan no. 60007-TA-006 rev D; and,
 - (ii) The cycle/footway works shown on plan no. 60007-TA-013.

A detailed scheme has been devised in respect of (i) and a discharge of condition has been submitted (22/00088/CONDIS) and is pending consideration. Item (ii) is being delivered by developers of Phase 7 and details will be submitted in due course. The route of the cycle lane within Phase 6 is shown within the scheme but

may be subject to change as a result of detailed design in respect of condition 19 requirements.

- Condition 23 - Requires a written scheme of investigation for the relevant phase. These details have been submitted with the reserved matters application.
- Condition 24 - Requires that no development shall take place within any phase of the development until a Noise Assessment has been carried out by a suitably qualified person. The Noise Assessment shall particularly address the likely effects of road noise and noise from the Henley Bank Kennels on any proposed residential areas within the site. It shall provide details of measures to mitigate and minimise any identified adverse noise effects within those areas. It shall also specify measures to protect any individual properties as required. These details have been submitted with the reserved matters application.

8.2 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 application and are also discussed where relevant in the following sections of this report.

Principle of development

8.3 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 Phases 4 & 6 reserved matters in respect of access, layout, appearance, landscaping and scale of the development.

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

- Planning Compliance Statement
- Arboricultural Impact Assessment
- Tree Protection Plans
- Noise Impact Assessment
- 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
- House Type Plans

8.5 In assessing these matters, it is also important to consider whether they accord with the principles and parameters described and identified in the Illustrative Masterplan, the Conceptual and the Design and Access Statement all approved at Outline Stage through condition 5.

Layout, appearance, scale and density

- 8.6** 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.
- 8.7** As mentioned above an 'Illustrative' and 'Conceptual' Masterplan layout was agreed as part of the outline consent. A number of important principles of good design and appropriate parameters were established during the determination of the outline consent, which were encapsulated in a detailed Design and Access Statement (DAS). The vision outlined in the DAS was for a development that respected its wider context and worked within the surrounding landscape. The DAS envisages a series of inter-connecting, locally distinctive and walkable neighbourhoods with fragmented edges abutting open space and set within a strong green framework linking to natural and heritage assets. As set out above, it is a conditional requirement that all reserved matters shall be broadly in accordance with the principles and parameters described and identified in the Masterplans and the DAS.
- 8.8** In addition, Condition 5 of the outline consent requires a statement to be submitted with each reserved matters to ensure the design quality and design parameters set out at outline stage are adhered to in the detailed design. A Statement of Compliance (SoC) has been submitted with this application which summarises the key areas of compliance with the design principles of the outline consent.
- 8.9** The proposals for both Phases 4 & 6 include a balance between developed and undeveloped areas with a scale of development that would be reflective of northern Brockworth, albeit in a denser form of development.
- 8.10** Access arrangements have been designed reflecting the DAS access principles which are to provide a clear hierarchy of routes and public spaces to enable safe navigation and movement through the site to include a network comprising a Primary Road through the site to link with adjoining development, as well as a Secondary Road through the central part of the site, lined by larger more spacious plots which in turn provide access to Tertiary Roads and a more intimate scale of development. The proposed layout is consistent with that set out in the original masterplan and serves to define the different character areas of 'Village Streets', 'Village Marginal' and Rural Edge character areas. Furthermore, the development would retain existing footpath connectivity as well as providing additional walking routes and connections through the public open space network.
- 8.11** The layout as proposed provides a rational approach with clearly defined character areas providing legibility, so the different character zones as well as appropriate transitions in terms of house type design and layout, respond appropriately to the principles set out in the DAS which requires the development to be designed into distinct residential zones, relating to their general character in terms of scale, size and density.

- 8.12** The DAS sets out that the scale of the development in these character areas would be between one and two and a half storeys high. The majority of dwellings on the site would be two storeys high with a number of two and a half storey properties located along the main streets which are considered appropriate to the more spacious setting. It is noted that six apartment blocks rising to three storeys in height are located to the western and north western corner edge of the development. These blocks would be relatively constrained and abutted by attached 2 storey properties which serve to provide a visual transition to the street and are considered acceptable in terms of their design and context.
- 8.13** Concerns were raised with regards to elements of the originally submitted design and a revised layout has been submitted which adds better permeability to the southern part of the site through green spaces, reduction in frontage parking, addition of more street trees and improve the rhythm of dwellings along the spine road. Changes have substantially improved appearance of the scheme and the layout is considered to be broadly in accordance with the approved DAS and Masterplan.

Access and highway safety

- 8.14** 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.
- 8.15** In support of the application a number of technical plans have been submitted, these include swept path analysis plans, road contour plans, traffic management plan and parking strategy plans. The County Highway Authority (CHA) reviewed the initial scheme advanced and commented that the details submitted provided insufficient information to demonstrate safe and suitable layout and access arrangements. Revised plans have been received, reviewed, and agreed by the CHA.
- 8.16** Given the above amendments, officers now consider that the road layout, block sizes and pedestrian links generally accord with what is shown in the 'Illustrative' and 'Conceptual' Masterplan layout and DAS. 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.
- 8.17** Street trees have been provided in accordance with the requirements of paragraph 131 of the NPPF, and this is considered acceptable and a large proportion of the streets have grass verges enhancing the quality of the street scene.
- 8.18** In regard to car parking, the County Highways Authority is satisfied that the development meets the car parking standards within the Addendum to Manual for Gloucestershire Streets (October 2021). 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. Where properties don't benefit from a garage, separate cycle storage units are provided within rear gardens.

- 8.19** Overall it considered that the access, internal road layout and car parking provision is acceptable and accords with the 'Illustrative' and 'Conceptual' Masterplan layout and DAS, Policy INF1 of the JCS and the NPPF.

Trees, Landscaping and Open Space

- 8.20** 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.
- 8.21** The principle of the development in the open countryside adjacent to Brockworth, which is not subject to any landscape designation, has been established through the outline consent and the allocation of the site for housing in the JCS. Nevertheless, the site must be carefully designed to ensure its successful integration with Brockworth, the surrounding landscape and the other phases of the development.
- 8.22** The DAS and Masterplan approved through the outline consent developed a landscape strategy which includes, amongst other things, the retention of natural features of importance which would be linked by open spaces; strategic landscaping along the northern edge of the site and within new areas of open space along the brook; a network of swales along some roads and within open space; strategic corridors and 'green fingers' of open space; specimen structural tree planting along principal streets and play areas to provide opportunities to incorporate informal areas of play.
- 8.23** The landscape approach proposed for this phase seeks to retain, protect and enhance the landscape strategy as approved in the DAS and Masterplan of the outline consent. The Council's Landscape Advisor (LA) reviewed the initial and first revised scheme and identified a small number of shortcomings with the landscape approach.
- 8.24** The application site contains a number of green infrastructure corridors, including a corridor which lies centrally through the site along the existing PROW and along the Horsbere Brook. These features are retained and would link into open spaces such as the new NEAP. The proposal would provide informal recreational space as well as a buffer to the proposed built development. The open space would accommodate new routes and connections for walking as well as a children's play area (NEAP). The proposal seeks to maintain existing trees and hedges where possible, which would be integrated into the scheme. Furthermore, the proposal would include significant additional tree planting within the public open space and within plots as well as along the buffer zones adjacent to existing development.
- 8.25** The existing footpath that runs east to west across the site, in between Phases 4 and 6 would need to be re-directed slightly to accommodate a road bridge that would connect the new phases together. This re-direction would cross the road but would link back up to the existing footpath, which would I turn lead to the public open space. This redirection would be subject to a separate footpath diversion order which has not yet been submitted.

- 8.26** The Council's Landscape Advisor (LA) reviewed the initial submitted scheme and provided detailed comments that identified a number of shortcomings with the proposed landscape approach. The applicant has sought to address these matters through the submission of revised plans. The LA has subsequently confirmed that the majority of her concerns have now been addressed. It is considered that the proposed landscaping plans are generally acceptable and would provide an acceptable balance between formal and informal spaces.
- 8.27** The application has been informed by a Tree Quality report which includes details of protection during construction, which satisfied the requirements of Condition 12 of the outline permission. The Council's Tree Officer has reviewed the report and raised no objections to the detail within it.
- 8.28** Given the above it is therefore considered that the proposed landscaping and public open spaces within proposed Phases 4 & 6 would provide a suitable scheme which would be broadly in accordance with the principles of the landscape strategy set out in the approved DAS and Illustrative Masterplan of the outline consent.

Existing and future residential amenity

- 8.29** 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.
- 8.30** The application site is set adjacent to the existing residential development at on the eastern and southern boundaries, Phase 4 abuts Maple Drive, Ermin Park, Cowsley Drive and Bulford Close. The design of the layout of the site has been carefully considered to ensure the development should not cause any undue harm upon the residential amenity of the neighbouring properties.
- 8.31** The distances and relationship between the proposed dwellings have been assessed. Where the dwellings are to be sited back-to-back a distance of at least 21 metres (first floor window to window) would be maintained. This distance is reduced accordingly where dwellings face onto each other at oblique angles which is acceptable as direct overlooking of rear elevations is reduced.
- 8.32** The DAS and Illustrative Masterplan of the outline consent seek to maintain a green buffer between the new dwellings on the eastern edge of Phase 4 and the existing properties along Maple Drive and Ermin Park. The submitted landscape details demonstrate that this buffer can be achieved and includes a range of trees and native shrub planting.
- 8.33** In terms of the proposed internal layout itself, the dwellings on both Phases 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.

- 8.34** Further to the above, the amenity of future residents of the development was considered as part of the outline consent, particularly with regards to the proximity of the site to the A417. Accordingly, Condition 24 of the outline consent requires that each reserved matters application which includes dwellings is to be accompanied by a Noise Assessment to identify any dwellings that would be likely to be affected by road noise. A Noise Assessment has been submitted in support of the application and the Environmental Health Officer (EHO) has been consulted in respect of the current scheme.
- 8.35** Highways England originally raised an objection as the submitted Noise Assessment demonstrated that the noise levels in private outdoor spaces (gardens) from the A417 would exceed those set out within the Environmental Impact Assessment at outline stage and would exceed WHO standards expected for daytime levels. This position was supported by the Council's Environmental Health Officer (EHO). As a result of this the applicants have revised the layout of the areas affected, namely the dwellings located along the northern boundaries of Phase 6.
- 8.36** A new Noise Assessment was undertaken with the new layout and demonstrated that these levels could be reduced with the change in layout. The Council's EHO has been reconsulted and now considers the newly submitted Noise Assessment and layout to be satisfactory in terms of the methodology used and the conclusions reached and advises that the noise levels within Phases 4 & 6 would now comply with condition 24, therefore the EHO is satisfied that condition 24 can be discharged/approved for this phase of the development.
- 8.37** It is therefore considered the proposed development would result in acceptable levels of amenity being maintained for the existing residents and secured for future residents of the development.

Affordable housing

- 8.38** 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.
- 8.39** The S106 agreement associated with the outline planning permission (dated 16 September 2015) required submission of an Affordable Housing Scheme (AHS) to be approved prior to the first reserved matters application. The Affordable Housing Scheme (Whole Site) (AHSWS) on behalf of ERLP2 and the Society of Merchant Venturers (September 2016 v2) has been approved pursuant to this requirement.
- 8.40** The phasing plan approved with the outline permission sets out indicative capacities for each of the phases. Phases 4 & 6 were expected to deliver a total of 435 dwellings, with Phase 4 delivering 245 and Phase 6 190 dwellings respectively. A deviation from this has been brought forward through this application, Phase 4 would now deliver 226 new homes and Phase 6 would deliver 209. Collectively the proposals would still deliver the 435 dwellings expected across the phases.

8.41 The Affordable Housing Scheme (AHS) for the wider development site identifies that no more than 40% affordable housing shall be provided across the whole site and the number of dwellings that this equates to per phase of development. Of the 600 total affordable housing units 425 will be 'General Affordable Housing' and 175 will be 'Extra Care Affordable Housing.'

8.42 The Affordable Homes 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:

Phase 4

Affordable Rent

- 16 x 1-bedroom flats
- 12 x 2-bedroom dwellings
- 7 x 3-bedroom dwellings
- 2 x 4-bedroom dwellings

Intermediate Housing

- 16 x 2-bedroom flats
- 18 x 2-bedroom dwellings
- 13 x 3-bedroom dwellings

Phase 6

Affordable Rent

- 16 x 1-bedroom flats
- 6 x 2-bedroom flats
- 10 x 2-bedroom dwellings
- 8 x 3-bedroom dwellings
- 1 x 4-bedroom dwellings

Intermediate Housing

- 10 x 2-bedroom dwellings
- 14 x 3-bedroom dwellings

8.43 The proposed combined provision across the reserved matters submission accords with the total requirement across the two phases (34%) effectively 149 out of 435 units. Phases 4 & 6 are not required to deliver any extra care provision.

8.44 The AHSSW and S106 also require 16 of the affordable homes to be built to Lifetime Home Standards. Following the Government's 2015 'housing standards review' Lifetime Homes standards were replaced by the optional building regulations standard M4(2). The scheme provides a total of 49 homes to meet M4(2) standard.

- 8.45** In respect to clustering, the affordable housing would not exceed the maximum grouping of 25 units set out within the draft clustering plan for each phase, and in many cases provides lower numbers within the clusters proposed. It is considered that the proposed affordable units would also be tenure blind and are equal to that of market housing in terms of appearance and materials.
- 8.46** The Housing Enabling Officer has been consulted on the application and has advised that the proposed affordable housing provisions for Phases 4 & 6 are in line with the S106 agreement and it is considered that the proposed affordable housing provision and arrangement is acceptable.

Foul and Surface Water Drainage

- 8.47** 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.
- 8.48** 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 scheme in order to demonstrate how the site-specific drainage infrastructure would accord with the whole site drainage strategy.
- 8.49** Condition 8 of the outline consent required the first reserved matters application submitted in respect to the whole site to include a surface water drainage strategy for the entire site. This was submitted and approved as part of the reserved matters for phase 3. The condition also requires a detailed surface water drainage strategy to be submitted as part of any subsequent reserved matters application for that specific phase. A Drainage Strategy and SuDS Management Plan accompanies the application.
- 8.50** The lead Local Flood Authority (LLFA), Severn Trent and the Environment Agency have all considered the submitted strategy and raise no objection to the approval of reserved matters, in accordance with the engineering plans and management plans submitted.

9. Conclusion

- 9.1** Considering the details discussed above, it is concluded that the proposal would accord with the outline consent and parameters therein and the proposed development would be acceptable in terms of access, layout, scale, appearance and landscaping.

10. Recommendation

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

11. Conditions

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

Layout Plans

SITE LOCATION PLAN (PHASE 4&6) - P21-1950_04-1 REV C
SITE LAYOUT NORTH - P21-1950_09-1 REV P
SITE LAYOUT SOUTH - P21-1950_09-2 REV P
SITE LAYOUT COMPOSITE - P21-1950_09-3 REV P
MATERIALS PLAN NORTH - P21-1950_12-1 REVE
MATERIALS PLAN SOUTH - P21-1950_12-2 REV E
MATERIALS PLAN - P21-1950_12 REV E
REFUSE STRATEGY NORTH - P21-1950_15-1 REV E
REFUSE STRATEGY SOUTH - P21-1950_15-2 REV E
PARKING STRATEGY NORTH - P21-1950_16-1 REV E
PARKING STRATEGY SOUTH - P21-1950_16-2 REV E
BUILDING HEIGHTS PLAN - P21-1950_17 REV E
POS PLAN - P21-1950_18 REV E
MOVEMENT PLAN - P21-1950_19 REV E
Illustrative Streetscenes - P21-1950_20 REV A
AFFORDABLE HOUSING PLAN - P21-1950_20 REV E
CHARACTER AREAS PLAN - P21-1950_21 REV E
Design Compliance Statement - P19-1950_30 REV C

Housetype Drawings

HOUSE PACK - Part1 - P21-1950_13 REV H
HOUSE PACK - Part2 - P21-1950_13 REV H

Landscape Plans

Landscape General Arrangement - 3030-5-2-DR-5000 REV P6
Planting Plan 1 of 16 - 3030-5-2-DR-5001 REV P5
Planting Plan 2 of 16 - 3030-5-2-DR-5002 REV P4
Planting Plan 3 of 16 - 3030-5-2-DR-5003 REV P4
Planting Plan 4 of 16 - 3030-5-2-DR-5004 REV P4
Planting Plan 5 of 16 - 3030-5-2-DR-5005 REV P4
Planting Plan 6 of 16 - 3030-5-2-DR-5006 REV P4
Planting Plan 7 of 16 - 3030-5-2-DR-5007 REV P4
Planting Plan 8 of 16 - 3030-5-2-DR-5008 REV P5
Planting Plan 9 of 16 - 3030-5-2-DR-5009 REV P4
Planting Plan 10 of 16 - 3030-5-2-DR-5010 REV P4
Planting Plan 11 of 16 - 3030-5-2-DR-5100 REV P5
Planting Plan 12 of 16 - 3030-5-2-DR-5101 REV P4
Planting Plan 13 of 16 - 3030-5-2-DR-5501 REV P4
Planting Plan 14 of 16 - 3030-5-2-DR-5701 REV P4
Planting Plan 15 of 16 - 3030-5-2-DR-5702 REV P5
Planting Plan 16 of 16 - 3030-5-2-DR-5703 REV P6
Landscape Layout - NEAP - 3030-5-2-DR-5017 REV P5
Landscape Layout – Northern Bund - 3030-5-2-DR-50018 REV P5
South-eastern Boundary Landscape Buffer - 3030-5-2-DR 2019 REV P1

Hard Surfaces, Furniture and Boundary Treatments – 1 of 4 - 3030-5-2-DR-5101 REV P4
Hard Surfaces, Furniture and Boundary Treatments – 2 of 4 - 3030-5-2-DR-5102 REV P5
Hard Surfaces, Furniture and Boundary Treatments – 3 of 4 - 3030-5-2-DR-5103 REV P5
Hard Surfaces, Furniture and Boundary Treatments – 4 of 4 - 3030-5-2-DR-5104 REV P5
Typical Tree Planting Detail - 3030-5-2-DR-5501 REV P1

Engineering Plans

Acoustic Barrier Sheet 1 of 2 PB-STN-HAC-OS-SK-CH-0101 P02
Acoustic Barrier Sheet 2 of 2 PB-STN-HAC-OS-SK-CH-0102 P02
Technical Note: Response to National Highways comments re Noise Bund
General Arrangement - PB-STN-HAC-OS-DR-CH-0101 REV P04
General Arrangement - PB-STN-HAC-OS-DR-CH-0102 REV P04
Swept Path Analysis - PB-STN-HAC-OS-DR-CH-0121 REV P05
Swept Path Analysis - PB-STN-HAC-OS-DR-CH-0122 REV P04
Fire Tender Swept Path Analysis - PB-STN-HAC-OS-DR-CH-0123 REV P03
Fire Tender Swept Path Analysis - PB-STN-HAC-OS-DR-CH-0124 REV P03
Swept Path Analysis Bus Route - PB-STN-HAC-OS-DR-CH-0125 REV P01
Road Contours and FFL Plan - PB-STN-HAC-OS-DR-CH-0151 REV P04
Road Contours and FFL Plan - PB-STN-HAC-OS-DR-CH-0152 REV P04
Long Sections - PB-STN-HAC-OS-DR-CH-0161 REV P02
Long Sections - PB-STN-HAC-OS-DR-CH-0162 REV P02
Long Sections - PB-STN-HAC-OS-DR-CH-0163 REV P02
Long Sections - PB-STN-HAC-OS-DR-CH-0164 REV P02
Long Sections - PB-STN-HAC-OS-DR-CH-0165 REV P02
Street Lighting Plan - PB-STN-HAC-OS-DR-CH-1301REV P04
Street Lighting Plan - PB-STN-HAC-OS-DR-CH-1302 REV P04
Acoustic Barrier - PB-STN-HAC-OS-SK-CH-0101 REV P03
Acoustic Barrier - PB-STN-HAC-OS-SK-CH-0102 REV P03
Drainage Layout - PB-STN-HDG-OS-DR-CH-0501 REV P05
Drainage Layout - PB-STN-HDG-OS-DR-CH-0502 REV P05
Lighting Design Calculations
TN001 - Hydraulic Modelling Tech Note
Horsbere Brook Crossing Details - PB-STN-SBR-HBC-DR-CB-0001 REV P02

Reports

Affordable Housing Statement
Environmental Noise Survey – Noise.co.uk / 18.01.23
Arboricultural Method Statement
Ecology Update Report - DJC / 18.02.22

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 The Development hereby approved shall not be occupied until the access, parking and turning facilities that that individual building to the nearest public highway has been provided as shown on drawings 'PB-STN-HAC-OS-DR-CH-0101 P04' and 'PB-STN-HAC-OS-DR-CH-0102 P04'.

Reason: To ensure conformity with submitted details.

- 3 Notwithstanding the development hereby approved, prior to the commencement of development details of all of the attenuation basins landscaping, including; provisions of knee rails around its edge of the basin, the introduction of tree planting and native scrub within the basin, the provision of timber post and rail fence to the top of the headwall, and the cladding of the headwalls in stone 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.

- 4 The development hereby permitted shall be carried out in accordance with the measures detailed within the noise report dated 18th January 2023 by noise.co.uk and shall be implemented in full both internally and externally.

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

- 5 Where excavations or surface treatments are proposed within the root protection areas (RPA) of retained tree T11, full details shall be submitted to and approved in writing by the local planning authority before any development starts. The RPA is defined in BS5837:2012. Details shall include the proposed locations of excavations and/or surface treatments, proposed methods & specifications of excavations and/or surface treatments and any post excavation remedial works. All excavations or surface treatments shall be carried out in accordance with the approved details.

Reason: To prevent damage to or loss of trees

- 6 Notwithstanding the development hereby approved and prior to the commencement of above ground 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.

12. Informatives

- 1 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.
- 2 The decision is to be read in conjunction with planning permission 12/01256/OUT including the associated S106 legal agreements.

- 3** The developer is advised that all pre-commencement conditions on outline approval ref: 12/01256/OUT shall be submitted to the LPA and approved in writing, prior to commencement of the development hereby approved.
- 4** The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.
- 5** Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

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

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.
- 6** The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.
- 7** All new streets must be tree lined as required in the National Planning Policy Framework. All proposed street trees must be suitable for transport corridors as defined by Trees and Design Action Group (TDAG). Details should be provided of what management systems are to be included, this includes root protections, watering and ongoing management. Street trees are likely to be subject to a commuted sum.
- 8** There is a public right of way running through the site, the applicant will be required to contact the PROW team to arrange for an official diversion, if the applicant cannot guarantee the safety of the path users during the construction phase then they must apply to the PROW department on 08000 514514 or highways@gloucestershire.gov.uk to arrange a temporary closure of the right of way for the duration of any works.
- 9** We advise you to seek your own independent legal advice on the use of the public right of way for vehicular traffic.
- 10** The site is traversed by a public right of way and this permission does not authorise additional use by motor vehicles, or obstruction, or diversion.
- 11** The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk 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.

- 12** Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway. Construction Management Plan (CMP)
- 13** 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.
- 14** 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. 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.