



**Gloucester
City Council**

Planning Committee

Meeting: Tuesday, 15th December 2015 at 6.00 pm in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP

Membership:	Cllrs. Taylor (Chair), Lewis (Vice-Chair), Hilton, McLellan, Smith, Hobbs, Hanman, Williams, Brown, Dee, Toleman, Chatterton and Etheridge
Contact:	Tony Wisdom Democratic Services Officer 01452 396158 anthony.wisdom@gloucester.gov.uk

AGENDA

1.	APOLOGIES To receive any apologies for absence.
2.	DECLARATIONS OF INTEREST To receive from Members, declarations of the existence of any disclosable pecuniary, or non-pecuniary, interests and the nature of those interests in relation to any agenda item. Please see Agenda Notes.
3.	LATE MATERIAL Please note that any late material relating to the applications below will be published on the Council's website as a supplement in the late afternoon of the day of the meeting.
4.	LAND AT WINNEYCROFT FARM, CORNCROFT LANE - 14/01063/OUT (Pages 7 - 86) Application for determination Contact: Development Control – tel: (01452) 396783
5.	LAND AT GLOUCESTER BUS STATION, MARKET PARADE - 15/01142/FUL (Pages 87 - 104) Application for determination Contact: Development Control – tel: (01452) 396783
6.	DATE OF NEXT MEETING Tuesday, 12 January 2016 at 6.00pm.

J. R. McGinty

Jon McGinty
Managing Director

Date of Publication: Monday, 7 December 2015

NOTES

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area. For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and (b) either – i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with

whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

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For further details and enquiries about this meeting please contact Anthony Wisdom, 01452 396158, anthony.wisdom@gloucester.gov.uk.

For general enquiries about Gloucester City Council’s meetings please contact Democratic Services, 01452 396126, democratic.services@gloucester.gov.uk.

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HUMAN RIGHTS

In compiling the recommendations on the following reports we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any affected properties. In particular, regard has been had to Article 8 of the ECHR (Right to respect for private and family life, home and correspondence); Article 1 of the First Protocol (Right to the use and enjoyment of property) and the requirement to ensure that any interference with the right in this Article is both in accordance with the law and proportionate. A balance needs to be drawn between the right to develop land in accordance with planning permission and the rights under Article 8 and also Article 1 of the First Protocol of adjacent occupiers. On assessing the issues raised by the applications no particular matters, other than those referred to in the reports, warrant any different action to that recommended.

EQUALITY ACT 2010

In considering this matter, full consideration has been given to the need to comply with the Public Sector Equality Duty under the Equality Act 2010 and in particular to the obligation to not only take steps to stop discrimination, but also to the promotion of equality, including the promotion of equality of opportunity and the promotion of good relations. An equality impact assessment has been carried out and it is considered that the Council has fully complied with the legal requirements.

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GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	DECEMBER 15 2015
ADDRESS/LOCATION	:	LAND AT WINNYCROFT LANE, MATSON, GLOUCESTER
APPLICATION NO. & WARD	:	14/01063/OUT MATSON AND ROBINSWOOD
EXPIRY DATE	:	29TH DECEMBER 2014
APPLICANT	:	BARWOOD DEVELOPMENT SECURITIES LTD
PROPOSAL	:	OUTLINE APPLICATION FOR THE ERECTION OF UP TO 420 DWELLINGS AND COMMUNITY SPACE/BUILDING, AS WELL AS ASSOCIATED LANDSCAPING, PUBLIC OPEN SPACE, ACCESS, DRAINAGE, INFRASTRUCTURE, EARTHWORKS AND OTHE ANCILLARY ENABLING WORKS.
REPORT BY	:	JOANN MENEAUD
NO. OF APPENDICES	:	1. SITE PLAN 2. ILLUSTRATIVE MASTER PLAN 3.LETTER FROM GLOUCESTERSHIRE CONSTABULARY.

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is of irregular shape and comprises 20 hectares of agricultural land, formerly part of Winneycroft farm. It is located to the eastern side of Winneycroft Lane and runs eastward to the M5 motorway.
- 1.2 The northern tip of the site sits across Winneycroft Lane from the open space to the front of the flats at 20 Winneycroft Lane. The boundary of the site then runs along the road and in a southerly direction to opposite 60 Winneycroft Lane and just before the junction with Sneedhams Road. From here the site boundary runs along hedgerow lines to the fields to the rear of the residential properties The Chalet and The Villa on Winneycroft Lane and down to the motorway to the far tip of the southern boundary. The eastern boundary then runs adjacent to the M5 motorway and adjacent to the foot bridge over the M5. The site does not include the Winneycroft farm house and courtyard

buildings or the fields immediately surrounding the buildings, as this northern boundary is set back, to the south of the farm complex.

- 1.3 The application is submitted in outline and proposes the erection of up to 420 dwellings. All matters are reserved for future consideration with the exception of the means of access. The main access into the site would be via a new roundabout located opposite the flats 32 and 34 Winnycroft Lane. An additional access is proposed as a new junction opposite houses at 50 – 60 Winnycroft Lane.
- 1.4 A master plan is included within the application which details the proposed means of access and the areas of to be developed by housing, open space, sports pitches, allotments and community orchard. A copy of this plan is attached to assist members in their understanding and familiarity with the proposals. The detailed proposals are fully explained within the officer opinion section of this report.
- 1.5 The proposal has been the subject of formal screening under the Environmental Impact Regulations with the Council concluding that the proposal does comprise “Schedule 2” development but that it was not likely to result in significant environmental effects and therefore formal Environmental Impact Assessment was not required.
- 1.6 Whilst the proposal is not considered to require a formal Environmental Impact Assessment it does raise many issues that require careful consideration and assessment.
- 1.7 The application is supported by numerous documents and supporting information including the following:
 - Illustrative Master plan
 - Landscape Master plan
 - Planning Statement including Draft Heads of Terms
 - Statement of Community Involvement
 - Access Drawing
 - Air Quality Assessment
 - Geophysical Survey
 - Archaeological Evaluation
 - Arboriculture Baseline Assessment
 - Design and Access Statement
 - Ecological Assessment
 - Environment Risk Assessment
 - Flood Risk Assessment and Drainage Strategy
 - Heritage Setting Assessment
 - Landscape and Visual Impact Assessment
 - Noise Assessment
 - Utilities Assessment/Foul Water Service Constraints Plan
 - Socio-Economic Report
 - Topographical Survey
 - Transport Assessment

- Travel Plan
- Waste Statement

2.0 RELEVANT PLANNING HISTORY

- 2.1 There are no previous planning applications relating to this site.
- 2.2 However Members should also note that we are also considering another outline application for residential development (up to 210 dwellings) on land to the north and east of this site. This other application includes land immediately around Winneycroft Farm (but does not include the house or buildings associated with the farm itself) and running along the boundary with Corncroft Lane and Winneycroft Lane and to the motorway to the east. I understand that the land was originally part of the original land holding associated with Winneycroft Farm but is now in two different ownerships.
- 2.3 For ease of reference and to prevent confusion between the two applications, this application for up to 420 dwellings on the bigger land parcel is informally known as Big Winney and the adjoining site with the smaller land parcel is known as Mini Winney. I shall make reference to these informal names within the report to provide clarity where necessary.

3.0 PLANNING POLICIES

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

Central Government Guidance - National Planning Policy Framework

- 3.2 This is the latest Government statement of planning policy and is a material consideration that should be given significant weight in determining this application.

Decision-making

The NPPF does not alter the requirement for applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

In assessing and determining applications, Authorities should apply the presumption in favour of sustainable development.

For decision-making, this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent, or relevant policies are out of date, granting planning permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or
- specific policies in the NPPF indicate development should be restricted.

Authorities should look for solutions rather than problems and decision-takers should seek to approve applications for sustainable development where possible.

Core planning principles

Planning should:

- Be genuinely plan-led;
- Be a creative exercise in ways to enhance and improve places;
- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- Secure high quality design and a good standard of amenity;
- Take account of the different roles and character of different areas;
- Support the transition to a low carbon future, take account of flood risk and encourage the use of renewable resources;
- Contribute to conserving and enhancing the natural environment and reducing pollution;
- Encourage the effective use of land by reusing brownfield land;
- Promote mixed use developments;
- Conserve heritage assets in a manner appropriate to their significance;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;
- Take account of and support local strategies to improve health, social and cultural wellbeing and deliver sufficient community and cultural facilities and services to meet local needs.

The NPPF is topic based on a similar basis to the previous PPGs and PPSs:

Promoting sustainable transport

Seeks to ensure developments generating significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Decisions should take account of whether;

- The opportunities for sustainable transport modes have been taken up;
- Safe and suitable access to the site can be achieved for all people;
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented on transport grounds whether the residual cumulative impacts of development are severe.

Delivering a wide choice of high quality homes

To boost significantly the supply of housing, Authorities should

- Use their evidence base to ensure that their Local Plan meets the full objectively assessed needs to market and affordable housing in the housing market area, as far as is consistent with the policies set out in the NPPF;
- Identify and update annually a supply of specific deliverable site sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5%;

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the Authority cannot demonstrate a five year supply of deliverable housing sites.

Requiring good design

Emphasis is retained on good design, seeking to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development, respond to local character and history while not discouraging innovation, ensure safe and accessible environments, and are visually attractive as a result of good architecture and appropriate landscaping. Permission should be refused for development of poor design that fails to take opportunities for improving areas.

Promoting healthy communities

Encourages the involvement of all sections of the community. Decisions should aim to achieve places which promote;

- Opportunities for meetings between members of the community who might not otherwise come into contact;
- Safe and accessible environments;
- Clear and legible routes, high quality public space that encourage use.

Decisions should also;

- Plan positively for shared space, community facilities and other local services;
- Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

The importance of access to high quality open spaces is also emphasised.

Meeting the challenge of climate change, flooding and coastal change

Seeks to secure reductions in greenhouse gas emissions, supporting the delivery of renewable and low carbon energy and associated infrastructure.

In terms of flooding, authorities should direct development away from high flood risk areas, but where development is necessary, make it safe without increasing flood risk elsewhere. The use of sustainable drainage systems is encouraged.

Conserving and enhancing the natural environment

Sets out that the planning system should contribute to and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes, geological conservation interests and soils;
- Recognising the wider benefits of ecosystem services;
- Minimising impacts on biodiversity and providing net gains where possible;
- Prevention of unacceptable risks or adverse affects by pollution;

Authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight.

Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, Local Planning Authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

Authorities should aim to conserve and enhance biodiversity by applying the following principles;

- If significant harm cannot be avoided, mitigated or compensated for, refuse permission;
- Opportunities to incorporate biodiversity in and around developments should be encouraged;
- Refuse permission for development resulting in the loss or deterioration of irreplaceable habitats unless the need for and benefits of the development clearly outweigh the loss.

Developments should be prevented from contributing to or being put at unacceptable risk from soil, air, water or noise pollution, remediate and mitigate land where appropriate, and limit the impact of light pollution.

Conserving and enhancing the historic environment

Retains the general approach to protect and enhance heritage assets, and to require applicants to assess the significance of assets affected by development proposals, including any contribution made by their setting.

An appropriate desk-based assessment and where necessary a field evaluation is required where an application site includes or has the potential to include assets with archaeological interest.

Authorities should identify and assess the particular significance of any heritage asset that may be affected taking account of the available evidence and expertise.

In determining applications, Authorities should take account of;

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;

- the desirability of new development making a positive contribution to local character and distinctiveness.

Planning obligations and conditions

Planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonable related in scale and kind to the development.

Planning conditions should only be imposed where they are

- Necessary;
- Relevant to planning and to the development to be permitted;
- Enforceable;
- Precise; and
- Reasonable in all other respects.

The National Planning Practice Guidance has also been published to accompany and in part expand on the National Planning Policy Framework.

The Development Plan

3.3 Section 38 of the Planning and Compulsory Purchase Act 2004 has established that - “The development plan is

(a) The regional spatial strategy for the region in which the area is situated, and

(b) The development plan documents (taken as a whole) which have been adopted or approved in relation to that area.

If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy that is contained in the last document to be adopted, approved or published (as the case may be). If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

Local Plan

3.4 The statutory development plan for Gloucester remains the City of Gloucester Local Plan (Adopted 1983 and partially saved until the Local Development Framework is adopted) however this document does not actually include the application site – as at that time the site was not within the administrative boundary of Gloucester but within Stroud District Council .

3.5 Subsequent to the 1983 plan there has also been the City of Gloucester (Pre-1991 Boundary Extension) Interim Adoption Copy October 1996), and City of Gloucester First Stage Deposit Local Plan (June 2001).

3.6 Regard must also be had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. This cannot be saved as it is not a formally adopted plan, however with it

being adopted for development control purposes it is still judged to be a material consideration. Appeal reference APP/U1620/A/07/2046996 dated 18th March 2008 confirms the degree of weight that may be afforded to the 2002 Revised Deposit Draft Local Plan. It is considered that particular weight may be afforded to those policies that attracted a limited number of, or no objections during the consultation stages. In his decision the Inspector stated the following;

“Although the local plan is not part of the development plan it has been adopted for development control purposes and I give considerable weight to it having regard to the amount of public consultation that it underwent...”

2002 Plan Policies

B.6 – Prime Biodiversity Area

B.10 – Trees and hedgerows on development sites

LCA.1 – Development within landscape conservation areas

FRP.1a – Flood risk

FRP.6 – Surface water run-off

FRP.10 – Noise

FRP.11 – Pollution

FRP.15 – Contaminated land

BE.1 – Scale, massing and height

BE.2 – Views and skyline

BE.4 – Criteria for the layout, circulation and landscape of new development

BE.5 – Community safety

BE.6 – Access for all

BE.7 – Architectural design

BE.8 – Energy efficient development

BE.9 – Design criteria for large commercial development

BE.12 – Landscape schemes

BE.15 – Provision of open space in major development

BE.17 – Design criteria for large scale residential development

BE.18 – Vehicular circulation and parking in new residential development

BE.21 – Safeguarding of amenity

BE.31 – Preserving sites of archaeological interest

BE.32 – Archaeological assessment

BE.34 – Presumption in favour of preserving archaeology

BE.36 – Preservation in situ

BE.37 – Recording and preserving archaeology

TR.9 – Parking standards

TR.31 – Road safety

TR.33 – Providing for cyclists/pedestrians

H.4 – Housing proposals on unallocated sites

H.7 – Housing density and layout

H.8 – Housing mix

H.15 – The provision of affordable housing

H.16 – Affordable housing mix, design and layout

H.18 – Lifetime homes

OS.2 – Public open space standard for new residential development

OS.3 – New housing and public open space

OS.4 – Design of public open space
OS.5 – Maintenance payments for public open space
CS.11 – Developer contributions for education

3.7 In terms of the emerging local plan, the Council is preparing a Joint Core Strategy with Cheltenham and Tewkesbury Councils. The submitted JCS dated November 2014 is currently in the progress of being considered by a Planning Inspector through the Examination in Public process. While the JCS policies listed are relevant not all have been heard by the Inspector at this point in time.

3.8 The following policies are of relevance and the plan is subject to representations through the consultation which affects the weight that can be attributed to the policies:

SP1 - The Need for New Development
SP2 – Distribution of new development
SD1 – Presumption in favour of sustainable development
SD4 – Sustainable design and construction
SD5 – Design requirements
SD7 – Landscape
SD9 – Historic environment
SD10 – Biodiversity and geodiversity
SD11 – Residential development
SD12 – Housing mix and standards
SD13 – Affordable housing
SD15 – Health and environmental quality
INF1 – Access to the transport network
INF2 – Safety and efficiency of the transport network
INF3 – Flood risk management
INF 4 – Green infrastructure
INF5 – Social and community infrastructure
INF7 – Infrastructure delivery
INF8 – Developer contributions

3.9 In addition to the Joint Core Strategy, the Council is preparing its local City Plan.

3.10 Policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

Policy Officer

The Planning Policy Officer emphasises that the Authority needs to continue to identify sites for housing development, particularly to meet the City's needs in the longer term, and that it is committed to ensuring that the requirement to maintain a five year plus 5% housing land supply, as required by the NPPF, is

met. It is noted that in principle, and subject to the site bringing forward suitable sustainable development, the site will help to ensure that the City maintains a healthy housing land supply and delivers more affordable homes and improves linkages and connectivity to green infrastructure. The Officer also considers that the development would provide the opportunity to address some of the weaknesses in the ward that were identified in the ward profile as well as providing the opportunity to deliver upstream flood storage betterment within the Sud Brook catchment.

City Archaeology Officer

The proposed development site has been subject to an archaeological evaluation (trial trenching). This has identified a late Iron Age and Roman settlement in the south of the site. A concentration of Roman pottery has also been identified in the centre of the site – indicating that further Roman period archaeological remains maybe present. In light of the above I advise that a condition requiring a programme of archaeological work be attached to any planning permission which may be granted for this development

This condition will provide for further archaeological evaluation (trial trenching) in the centre of the site. This condition will also provide for a programme of archaeological excavation of all significant archaeological deposits in advance of the proposed development, with provision for community engagement and the appropriate archiving and public dissemination of findings.

Contaminated Land Adviser

I have reviewed the 'Phase 1 Env Risk assessment' dated September 2014 provided in support of the application. I can confirm WRS concur with the conclusions of the study which indicates site intrusive site investigation is required to confirm the findings of the study. WRS recommend the standard contaminated land condition is applied to the development should permission be granted to ensure necessary further works are undertaken.

Urban Design Officer

While both of the Winneycroft applications are separate in many ways, there are clear and logical relationships between them, notably the physical vehicular and pedestrian/cycle links, which are necessary to form a permeable and usable urban extension, which would allow free and easy movement within the wider area.

As I have noted in my comments on the adjacent site application (reference 14/01470/OUT), there are fundamental master-planning considerations which ideally should have been set out in a joint plan covering both sites. Principally, this masterplan should cover issues such as connections, noise attenuation, block layouts and landscaping features.

Noise issues - One of the more significant issues affecting both of the Winneycroft Farm sites is the impact on future residents from the noise generated by the constant use of the M5 Motorway.

Rather than pull back the development line away from the M5, which could in theory help to reduce the noise impact on future residents, on balance, it seems sensible to keep a building line as shown on the submitted layout plans. This allows a limited but usable depth of open space, which combined

with a noise bund and fence, will reduce the overall noise levels and provide an environment which would be acceptable for at least a section of the population to use for extended periods. This allows the orchard and allotments to be provided in that area.

Following a site visit today to review plans for this site and to check noise levels, I am confident that the submitted noise report does broadly reflect the site conditions. There is a slight doubt concerning the effectiveness of the submitted vignette for blocks 11 and 12, in terms of noise attenuation. I believe the precise layout has not been tested to the same level as the blocks within the adjoining site and there is also a different approach here. Just based on the form of the blocks, including exposed side garden fences, gaps between houses above ground floor and access roads which cut through the blocks (at 90 degrees to the line of the M5), it does seem as though this is a looser form of development which could suffer from noise impacts.

However, the conclusion of the noise report was that with appropriate measures, the blocks most affected by noise can be designed in such a way as to meet the necessary guidelines.

Site access & circulation - The creation of the main access roundabout into the development is a logical approach and I have no objections to this. The roundabout could also serve to slow traffic speeds along Winnycroft Lane. The secondary site access further along the lane to the south will create a circular route through the site and allow more efficient access to the southern part of the site.

Landscape and open space - Generally, the illustrative masterplan shows a layout and style of development which sits comfortably within the landscape and which makes good use of existing landscape features.

The landscape features, such as a range of retained trees, the central ribbon park, wetland area, community growing areas and informal green areas, will really make a significant positive contribution to the character of the new development.

The relative land use areas shows a positive balance of types, with the residential at 10.73 Ha and the combination of open spaces, sports & recreation and the landscaped bund at more than 9 Ha. This type of ratio is extremely rare and will result in a very positive environment.

The existence of the sports area and community growing areas along the SE boundary with the M5 also helps to soften the boundary of the site and makes good use of these more marginal spaces. The one query I would have though relates to the growing of food for human consumption right next to the motorway, taking into account airborne pollution such as gases and particulates. Apart from this issue, the combination of these areas and the noise bund will give a reason for many more people to activate these spaces and could lead to more people starting to explore the areas to the south of the motorway.

Housing densities and vignettes

The submitted sketch vignettes were requested in order to show how a typical block would accommodate numbers of dwellings at a low, medium and higher range of densities.

Block 2 – higher density – 69 dwellings @ 53 d/ha
Block 11&12 – medium density – 18 & 23 dwellings @ 36 d/ha
Block 17&18 – medium and low density – 26 & 21 dwellings @ 42 d/ha & 30 d/ha

I'm satisfied that each example layout reflects the proposed densities and that the numbers can generally be achieved within the proposed layout. The only caveats to this relate to the final positions of the connections between the two application sites. The applicant for this site has not shown the two sites overlaid, but a plan has been submitted by the adjacent applicant which clearly shows the relationship between the two sites.

Connections across both of the sites - For example, Block 18 will only function well if it stays at the shape and dimensions proposed in the blocks plans and vignette. This conflicts with the connections into the adjacent area and will lead to two dead end roads to the NW and SE of the block which do not connect anywhere. Moving the road which is shown to the NW of the block further north would be the only way to properly allow a functional block of houses and allow a connection to the adjacent site. This however does not necessarily connect well and could have an impact on the existing mature tree near the boundary.

The next possible connection to the SE also does not line up with the road system in the adjacent site. In fact, only 1 road is shown as connecting between the two sites. This isn't necessarily an issue which this applicant should be dealing with, it should be a joint decision by both applicants to consciously develop a plan which forms a suitable connections network. There are pretty clear wider connections issues and a single connection across the two major sites is not acceptable.

Style and character areas - While this general element is reserved, the final character and style of the new residential area is very important to consider. I'm pleased to see that section 4.10 'development character and appearance' within the design statement, sets out some guidelines on character areas. This is a very useful and logical approach to this site and relates well to the distinct elements. I would seek to base the detailed design for the site on this approach but add that I will be seeking a varying style of architecture across the varying character areas, which may include varying facing materials, massing, roof materials and detailing. This is the only acceptable approach when considering the total numbers of units and the area involved.

Summary

Having considered the issues and the submitted information, I would not raise an objection to the application and would support the general approach to development on this site. The focus on landscape and natural elements is very clear and will really improve the overall appearance and functioning of the wider area.

County Highway Authority Manager

Raise no objection objection to the completion of highway works and with conditions. The full comments are set out within the highway section of the report.

Highways Agency

Following our request for further and clarification the applicant has now provided further information to enable us to consider the impact of the proposal upon the strategic road network (srn).

The proposals are identified to place a maximum of 25 two way trips on the A40 during the busiest evening peak hour period, with the proposals having a lesser impact on all other srn junctions during the weekday peak hour periods. Whilst the proposals have a small impact on a series of junctions, we do not consider the proposals to have a severe traffic impact on any particular junction.

Housing and Strategy Manager

“This site represents a significant opportunity to meet the need for Affordable Housing in the City although the 15% contribution recommended by the Council’s consultant is some way short of what is required to meet this need. The applicant has suggested a range of house types and a suitable tenure mix between Affordable Rent and Shared Ownership although this is based on a 10% contribution. Whilst Government Policy shifts to a focus on home ownership there is a substantial need for rented accommodation in the City and a failure to meet this need will have adverse impacts on both the “housing Register” and increase pressure on the Private Rented Sector. Again the range of house types is vitally important given the impact of the spare room subsidy both on new and existing tenants. The emerging Joint Core Strategy addresses this issue in Policy SD12 that: “promotes an appropriate housing mix and standards in residential development. An appropriate mix of dwelling sizes, types and tenures and should meet the needs of the local area, including older people”. In relation to provision it is expected that it should be on site and no robust justification for off-site has been provided. The diversion of an on-site contribution may again be detrimental to the overall supply of affordable housing in the City if no net gain of housing is achieved and again this would impact on the ability to meet housing need in the City. It is expected that the contribution will also ensure the delivery of homes that are both adaptable and adapted to meet the needs for older and disabled households. It is also of vital importance that any S106 agreement shall ensure that the quality in terms of design and size of the units ”

Severn Trent Water

No objection to the proposal subject to a condition requiring a drainage scheme to be agreed prior to the commencement of development.

English Heritage

Advice - We note that the application area lies in proximity to a number of highly-graded, designated heritage assets, including:

- The Scheduled Monument known as ‘Moated site at Sneedham's Green, 220m north east of Green Farm’ (National Heritage List ref. 1019399); and
- the Church of St Leonard (listed at Grade II*; NHL ref. 1154810), together with a number of monuments listed at Grades II* and II.

We have closely examined the documentation submitted with the application – including the Heritage Setting Assessment and the Landscape and Visual Impact Assessment – together with our records of heritage assets in this locality, and have undertaken a site visit. We have also considered the application in the light of relevant guidance, including that published by ourselves (2011 The Setting of Heritage Assets) and that offered in paragraphs 13 and 17 of the DCLG Planning Practice Guide ‘Conserving and enhancing the historic environment’

In our view the application would not present serious harm to the setting (and thereby the significance) of the highly-graded assets noted above and thus we do not wish to raise any objection on this occasion.

We note the comments made by the Gloucester City Council Principal Conservation and Design Officer (Ms C Lewis, memo of 25.11.14) regarding the impact of the proposals to the setting of the Winnycroft Farm complex that incorporates three buildings listed at Grade II and would encourage all parties to work together to mitigate impacts to this important group of historic buildings.

Recommendation We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

Civic Trust *(Please note that these comments relate to this application and to the application on the adjoining site)*

The panel's main concern is the protection of the grade 2 listed Winnycroft Farm, its outbuildings and setting in an historic orchard. To this end the panel objects to the vehicle access to the site which crosses the orchard and to its associated houses in areas M and N. The panel was pleased to see that the two applications are now being considered together and sees no reason why “Mini Winny” cannot be served by the indicated access further west off Winnycroft lane. The Tree Preservation Order proposals are noted and stringent archaeological conditions need to be applied to an area which could contain Roman farms. The balancing ponds will be a major feature of the site but details of their treatment and landscaping seem to be sparse at this stage. The noise, air pollution and visual intrusion from the M5 on houses to the south of the site will be intense. Planning conditions should specify special noise reduction measures.

Ramblers Association

On behalf of the Gloucester Group of the Ramblers Association I wish to object to the proposed development of land south of Winnycroft Farm and situated between Winnycroft Lane, Corncroft Lane and the M5, the proposed development being for 420 houses. This is a green field site crossed by numerous public rights of way. The paths are used for recreational purposes by local residents and others. There is also a link via a footbridge over the M5 providing access towards the Cotswold escarpment. In addition FP EUL22

which crosses the site forms part of the Glevum Way. This is a 25 mile circular route around the City of Gloucester. It was created almost 20 years ago using existing public rights of way. It was designed to be walked as a long distance path, or in stages accessed by public transport. The Way is used by locals and visiting walking groups. The route is also used as a basis for some charity walks/runs. Development on these fields will lead to a loss of Public Rights of Way and the urbanisation of the Glevum Way which will detract from its rural nature.

Stroud District Council

Stroud District Council does not object to the proposed development, but has concerns on the following points which should be addressed as part of the application.

The site is for a substantial development close to the Cotswolds Commons and Beechwoods Special Area of Conservation (SAC). As the determining authority you should ensure that you undertake an appropriate assessment under the Conservation of Habitats and Species Regulations to establish whether the development would result in damage to the SAC resulting from recreational impacts or air quality. If damage would result there must be appropriate mitigation measures proposed and agreed to mitigate these effects.

You should ensure that there is adequate capacity for additional traffic on the local road network within Stroud District and also that there is capacity for additional traffic on the strategic road network e.g. junction 13 of the M5.

The site is large and close to the AONB. There must be appropriate landscape assessment to demonstrate that the development would have no unacceptable impact on the views into and out of the AONB.

There appears to be a watercourse running through the site. The Flood Risk Assessment must show that the development of this site would not result in additional risk of flooding on adjacent land over and above that which currently exists.

Council for the Protection of Rural England Gloucestershire

The location is a sensitive one affecting the setting of the Cotswolds AONB and we wish to endorse the response of the Cotswolds Conservation Board.

The location was clearly recognised by the City Council as sensitive in landscape terms by its inclusion on the proposals map of the Second Deposit Draft of the Council's Local Plan 2002 as a Landscape Conservation Area. Landscape Conservation Areas were defined as "areas of open space which have been assessed as containing inherent landscape value and/or provide green space and natural breaks in the urban environment."

The land was assessed in the work for the Council "Landscape Analysis of Potential Development Sites" by WSP (15 November 2013). WSP concluded that there were strong visual links with the AONB but there was an opportunity for development to the north east of the site where the link with the AONB and common land are not as direct.

The site is only separated from the AONB by the width of the M5 motorway, which is predominantly in cutting as it passes the site. As the Conservation Board notes, the landscape character of the site shares many of the features of the nearby AONB – grazing land, mature hedgerows and mature trees,

both in hedgerows and standing alone; and there are clear views of the Cotswold escarpment from the boundaries of the site and the extensive network of rights of way across the site lead into the AONB across the motorway.

Accordingly, if development is to be permitted at this location, it should be restricted to that part of the site close to Corncroft Lane, maintaining a wide buffer between any development and the M5 and AONB beyond.

Cotswolds Conservation Board

1. The Cotswolds Area of Outstanding Natural Beauty was designated in 1966, and the designated area was extended in 1990. The primary purpose of designation is the conservation and enhancement of the natural beauty of the area.

2. The Cotswolds Conservation Board ('the Board') was established by Parliament in 2004.

Under the provisions of Section 87, Countryside and Rights of Way Act 2000), the Board has two statutory purposes:

- a) to conserve and enhance the natural beauty of the AONB; and
- b) To increase the understanding and enjoyment of the special qualities of the AONB.

In fulfilling these roles, the Board has a duty to seek to foster the economic and social well being of people living in the AONB

3. The Board notes that development as proposed would interfere with views of the Cotswolds AONB.

4. In determining appeal Ref APP/G1630/A/12/2183317 at Greeton Road Winchcombe the Inspector gave consideration to the issue of "setting" of a protected area. The Inspector noted that the proposed development would interrupt views of the AONB and that this represented "significant harm" to the setting of the AONB, contrary to development plan policy. A copy of the decision notice is attached.

5. The Winchcombe case was determined in favour of the applicant primarily due to the lack of a five year housing supply in Tewkesbury Borough as a whole. However paragraph 14 of the NPPF which provides a presumption in favour of sustainable development, is caveated by footnote 9 to that paragraph. This indicates that where other policies in the NPPF restrict development, such as that for AONBs, then the presumption need not apply.

6. The Board would therefore wish the Council to consider carefully if the harm identified to the setting of the AONB is sufficient to refuse consent for this proposal.

7. The Cotswolds AONB Management Plan 2013-18 is a statutory plan¹. Planning Practice Guidance states that 'National Parks and Areas of Outstanding Natural Beauty management plans may also be material considerations in making decisions on individual planning applications, where they raise relevant issues.' (Paragraph: 004 Reference ID: 8-004-20140306).

8. The Guidance also states:

'Section 11A(2) of the National Parks and Access to the Countryside Act 1949, Section 17A of the Norfolk and Suffolk Broads Act 1988 and Section 85 of the Countryside and Rights of Way Act 2000 requires that 'in exercising or performing any functions in relation to, or so as to affect, land'

in National Parks and Areas of Outstanding Natural Beauty, relevant authorities 'shall have regard' to their purposes. A list of the public bodies and persons covered under "relevant authorities" is found in Defra guidance on the 'have regard' duty. Natural England has published good practice guidance on the 'have regard' duty.

This duty is particularly important to the delivery of the statutory purposes of protected areas. The duty applies to all local planning authorities, not just national park authorities. The duty is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas.'

9. Landscape policies in the Management Plan are

LP1: The key characteristics, principal elements, and special qualities (including tranquillity), which form the natural beauty of the Cotswolds landscape are conserved and where possible enhanced.

LP2: Development proposals and changes in land use and management, both within and outside the AONB, take account of guidance and advice published by the Board.

10. A 'special quality' of the Cotswolds AONB identified in the Management Plan is: 'the Cotswold escarpment, including views to and from it'.

11. The Board has published a Position Statement on Development in the setting of the AONB.² This states:

The Board considers the setting of the Cotswolds AONB to be the area within which development and land management proposals, by virtue of their nature, size, scale, siting materials or design can be considered to have an impact, positive or negative, on the landscape, scenic beauty and special qualities of the Cotswolds AONB.

The Board will expect local authorities to be mindful of both the possible positive and negative impacts of a development within the setting of the AONB on the natural beauty and special qualities of the AONB when determining planning applications, and seek the views of the Board when significant impacts are anticipated.'

12. The site is only separated from the AONB by the width of the M5 motorway, which is predominantly in cutting as it passes the site.

13. The landscape character of the site shares many of the features of the nearby AONB – grazing land, mature hedgerows and mature trees, both in hedgerows and standing alone.

14. There are clear views of the Cotswold escarpment from the boundaries of the site and the extensive network of rights of way across the site lead into the AONB across the motorway.

15. A landscape analysis of the site was undertaken by the Council in November 2013 as part of developing the evidence base for the Joint Core Strategy.³ The application site forms a substantial part of a larger area described as 'Site 1, Winneycroft Farm'. The outcome of the analysis is shown in Appendix B of that report. This clearly shows that whilst some of Site 1 could be suitable for development, a substantial area, including much of the application site is 'not suitable for development.' This is the area closest to the AONB.

16. The Board strongly concurs with this analysis. Development of the area closest to the M5 would substantially interfere with views of the scarp slope

from numerous public viewpoints, and break the visual connection between the landscape of the AONB and the similar landscape to the west of the M5.

17. In view of the above the Board would object to development of the whole site as proposed in the application, but would accept development on the smaller area as identified in the Council's report.

Upton St Leonards Parish Council

Object to the proposals for the following reasons:

1. It is understood that Gloucester City Council has prepared development plans for the local authority including the identification of sufficient sites for residential development to meet identified need, including a supply adequate to meet needs for the next 5 years. There is therefore no reason to over-ride existing planning policies which indicate this site being retained as open countryside.

2. Parts of this site are very near to the M5 carriageway and will be affected by noise and air pollution with development very close to the motorway also being adversely affected by light pollution and spray in certain conditions. Where other sites, not so affected, are readily available for development, it is not sound planning to direct, or allow development in areas where residents will suffer long term problems that cannot be effectively mitigated.

This is not surmise but the experience of Upton residents already affected by these problems. In particular, attention is drawn to the limitations of noise mitigation relying on noise barriers or building orientation. From experience the enjoyment of gardens and formal and informal open spaces is severely compromised close to the carriageway and noise barriers of the type used on the M5 in Upton and Abbeydale do very little to ameliorate this. If development in the form proposed is contemplated, it is strongly recommended that planners / councillors should visit existing areas of housing close to the motorway to experience existing conditions and residents reactions.

3. The site is adjacent to AONB in a very sensitive location visually. Upton Lane forms a well defined development boundary where Gloucester City comes closest to the Cotswold Scarp edge. Upton PC believe that it is vitally important that further residential encroachment at this visually critical point is resisted. The M5 services near to this location were approved for exceptional reasons. Even so the sensitivity of the area was recognised by the need to introduce extensive landscaping and 'green' roofs over the main structures to ensure that views from the Cotswold Scarp and from Robinswood Hill were not adversely affected.

4. Road access to the site will need considerable upgrading if development of this scale is contemplated. It is not believed that the proposals as submitted adequately cater for this.

For the above reasons Upton St Leonards Parish Council asks that the Application be refused.

Brookthorpe with Whaddon Parish Council

Brookthorpe with Whaddon Parish Council wish to register their strong objections to the proposals. Unfortunately it seems that Brookthorpe with

Whaddon Parish Council is not one of your statutory consultees although we have shared boundaries, and any such development would have a detrimental effect to our parishioners.

When examining this application it would appear that there are the following grounds for refusing such an application.

1. It is understood that the Secretary of State has already accepted the five year supply of housing that Gloucester City Council has prepared, and is contained within the new Local Development Plan. The Local Authority has already allocated sufficient sites for residential development to meet the need that has been identified. The delivery of the five year supply does not rely upon residential development at Winnycroft Farm to meet the identified need; consequently there can be no reason to over-ride the existing planning policies, which indicate that this site should be retained as open countryside.

2. Parts of this site are very near to the M5 carriageway and will be significantly affected by both noise and air pollution. Any development that takes place very close to the motorway will also be adversely affected by light pollution and spray in certain conditions. This is not mere supposition, but is the very real experience of Upton residents that already live close to the M5 motorway, their enjoyment of private gardens, and open spaces is severely compromised close to the carriageway. The existing noise barriers that are used along this stretch of the M5 in Upton, and Abbeydale do very little to ameliorate the problems. Attention is drawn to the limitations of existing mitigation measures, which rely on noise barriers or building orientation, and if development in the form proposed is contemplated it is strongly recommended that planners and councillors should visit the existing areas of housing close to the motorway, to experience for themselves the conditions that residents must endure.

When there are other sites that are not so affected are available for development, it is not sound planning policy to direct, or allow development in areas where residents will suffer from long term pollution problems that cannot be effectively mitigated. Recent government research has warned of the long term effects that highways pollution has upon residents, particularly children, and has specifically warned against public buildings; education and healthcare facilities being built close to busy roads. The same concerns must be considered when locating homes.

3. The site is adjacent to the Area of Outstanding Natural Beauty (AONB), and Upton Lane forms a well-defined development boundary where Gloucester City comes closest to the Cotswold Scarp. Brookthorpe with Whaddon PC believe that it is vitally important that further residential encroachment at this visually critical point is resisted. Whilst it has been claimed that the M5 services near to this location warranted approval for exceptional reasons, the same argument cannot be offered for housing in this location. The open countryside that comprises Winnycroft Farm is a vital 'green lung' in this location, where the M5 comes very close to the Escarpment, and the residential settlements of Upton and Matson. Further residential development in this location cannot be simply mitigated by introducing extensive landscaping, and 'green' roofs over the structures, to ensure that views from the Cotswold Scarp, and from Robinswood Hill are not adversely affected. Whilst such strategies were used for the new M5 motorway services, it

should be acknowledged that this proved necessary only because the area is recognised as exceptionally sensitive.

4. Road access to the site will need to be upgraded considerably if development of this scale is contemplated. Brookthorpe with Whaddon PC is already working closely with Gloucestershire Highways and Police, to address the existing and significant road safety concerns on Upton Lane. The outline nature of these proposals gives the Parish Council no comfort that highways safety has been adequately considered.

For all of the above reasons, Brookthorpe with Whaddon Parish Council asks that the application be refused.

Gloucestershire Gateway Trust

I do not wish to express a view on the principal of the development rather I would like to comment on 2 elements should it proceed.

Firstly to avoid Matson becoming an isolated island of social housing it is essential that this development supports the micro economy in Matson and Robinswood. Post build the most effective way to generate sustainable long term benefit in this micro economy is to ensure that the main paths and routes from this development encourage the flow of people and vehicles into Matson and towards the main community shops on the Matson precinct. The key to doing this will be to provide a short link road of approximately 20 metres between Matson Avenue and Winneycroft Lane to allow the no 1 bus to Matson to go to the new Winneycroft development and turn there rather than at the top of Matson Ave. This would provide the key link between Matson and the new development. Provision of other bus services to the Winneycroft development (such as 13) will leave the new community completely detached from Matson and not making any significant long term contribution to the local economy. The sustainability of the Matson micro economy depends on this new development making a fair and sustainable contribution to the local economy. Otherwise Matson will wither on the vine in the coming years. Connecting the Matson bus service to the Winneycroft development is the critical missing link in the developments proposals.

Secondly if this development proceeds it is also essential that its s106 contribution is appropriate to the scale of development and is directed towards the key community organisations such as GL Communities, Together In Matson, Glos Wildlife Trust and Play Gloucestershire who deliver essential services, support and activities in the Matson and Robinswood community.

Matson and Robinswood Community Partnership

At the September meeting of the Community Partnership it was agreed to write to all concerned regarding the development of possibly 700 houses on two sites on Winneycroft Farm land.

While we regret the loss of farmland we appreciate the need for more homes and have been in close contact with the developers trying to achieve the best provision possible. Both developers have been very open and constructive.

One of our core aims has been to integrate the new development with the Matson estate encouraging use of the bus route, schools, shops, Library, Churches and doctors etc. The side roads Caledonian Road and Birchall Avenue are totally inadequate for the task and we recommend a short link road between Matson Avenue and Winnycroft Lane in front of GCH Housing Block 20. The construction of such a road would alleviate the bottleneck of Corncroft Lane and Painswick Road a major concern of people living in St Leonards Park. We recommend that the cost of the road be met from Section 106 monies fulfilling a requirement that the local infrastructure be enhanced.

Regarding the bus services we believe that the new estates be best served by an extension of the Number 1 bus with its 10 minute service and access provision to all the Matson and Robinswood services and the City Centre. The Number 13 bus will not achieve this.

The sustainability of the Matson micro economy is dependant on the new housing making a much needed contribution to the local community and in addition s106 monies should be directed to support existing community organisations.

Crime Prevention Design Advisor for Gloucestershire Constabulary

In my capacity as Crime Prevention Design Advisor for Gloucestershire Constabulary I would like to comment on the material considerations of the planning application specifically relating to designing out crime.

I would like to draw your attention to the PDF document attached to the carrying email which relates to the following comments. See annex A as below, referring to your Planning Authority's planning policy

It is recommended that the development is built to meet Secured by Design standards. Secured by Design (SBD) is a police initiative owned by the Association of Chief Police Officers (ACPO), to encourage the building industry to adopt crime prevention measures in the design of developments. It aims to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment, where communities can thrive. Research conducted by Secured by Design has proven that SBD developments are half as likely to be burgled, have two times less vehicle crime and show a reduction of 25% in criminal damage, thereby increasing the sustainability of a development.

Developer Obligations

Please be aware that these representations are prepared by Gloucestershire Constabulary Crime Prevention Design Advisor to address Crime Prevention through Gloucestershire Constabulary Crime through Environmental Design (CPTED) and the 7 Attributes of Safer Places. A separate representation may be submitted by the Constabulary Estate's Department to seek developer obligations towards Police infrastructure through Section 106 and the Community Infrastructure Levy.

Gloucestershire Constabulary's Crime Prevention Design Advisors are more than happy to work with the Council and assist the developers with further advice to create a safe and secure development, and when required assist with the Secured By Design accreditation.

Annex A - Planning Policy

Gloucester City Council's Supplementary Planning Document "Designing Safer Places" which provides guidance and offers "Good design is fundamental in creating usable, sustainable, attractive places and communities that are pleasant to be in. Taking into account community safety and how the users of the environment will behave and feel in a particular place is a key element of good design. This includes doing the utmost to ensure the safety of the community by using good design to reduce the opportunities for crime and to create positive places where people are safe and feel safe."

Gloucestershire Constabulary

Gloucestershire Constabulary have requested a financial contribution of £142,196.23 to deal with the additional demands on the police arising from this development. Given the length of the comments (24 pages) the letter is attached to this report as an appendix.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 Neighbouring properties have been notified of the application by letter. Site and Press Notices have also been published. Some additional consultation has been undertaken to ensure that the application has been advertised correctly and this has necessitated a further period of consultation

5.2 The matters raised in representations received at the time of writing the report are summarised as follows:

- This will be the thin end of the wedge for further development spreading into Sneedhams Green and beyond to the motorway.
- Will put pressure on the local amenities – doctors, schools and roads.
- Too large a housing proposal.
- Additional traffic will cause further problems on already congested road.
- The junction at Painswick Road is already dangerous with many accidents over the years. This should be controlled by traffic lights (even if during the peak times) together with a pedestrian crossing.
- Traffic calming will be required along the lane.
- There are always lots of parked cars on the lane making it impossible for two cars to pass. This is particularly dangerous at the bend in front of the flats when you can not see beyond the parked cars and have to move onto the wrong side of the road.
- Improvements to the highway should be undertaken before any housing is considered.
How will the traffic cope when people are riding horses, sheep roaming all across the road, cyclists, joggers and school children all using the lane frequently.
- Have previously raised concerns about rainwater and flooding.

- We have seen an increase in traffic along the lane since the new M5 services
- This development will totally change the rural feel of the road.
- it will have an impact on our privacy, by introducing the opportunity for people to overlook our property, particularly our back garden
- Development should take place on brownfield sites not green belt or green field sites otherwise all our green and pleasant land will be gone.
- Has already been plenty of development in the local area.
- Will adversely affect wildlife and their habitats.
- This land may have Civil War archaeologist interest.
- An extended bus service would be nice but where and how with the road widths as they are.

A Petition from the Residents of St Leonards Park has been received containing 60 signatures and raising the following issues:

- St Leonards Park is a small family estate on the edge of the countryside. Residents are wholeheartedly opposed to building on this virgin pasture land when other brown areas of land within the city could be used for housing.
- The safety and welfare of our children, grandchildren and our elderly residents is paramount. The volume of traffic will rise and the likelihood of accidents will increase.
- We are all very much aware of the accidents on Painswick Road which appear to be a regular occurrence, thankfully with no fatalities.
- The proposed plans do not indicate how the problems of increased traffic, lack of amenities, schools, gp surgeries, parks and play areas will be dealt with.

The full content of all correspondence on this application can be inspected online at the following link or at Herbert Warehouse, The Docks, Gloucester, prior to the Committee meeting.

<http://glcstrplnng12.co.uk/online-applications/simpleSearchResults.do;jsessionid=A12EAF13294E63C05D376C55BC5B3872?action=firstPage>

6.0 OFFICER OPINION

6.1 As referred to earlier in the report, the proposal is not considered to require a formal Environmental Impact Assessment however it does raise many issues that require careful consideration and assessment.

6.2 Therefore the application is supported by numerous documents and supporting information including the following:

- Illustrative Master plan

- Landscape Master plan
- Planning Statement including Draft Heads of Terms
- Statement of Community Involvement
- Access Drawing
- Air Quality Assessment
- Geophysical Survey
- Archaeological Evaluation
- Arboriculture Baseline Assessment
- Design and Access Statement
- Ecological Assessment
- Environment Risk Assessment
- Flood Risk Assessment and Drainage Strategy
- Heritage Setting Assessment
- Landscape and Visual Impact Assessment
- Noise Assessment
- Utilities Assessment/Foul Water Service Constraints Plan
- Socio-Economic Report
- Topographical Survey
- Transport Assessment
- Travel Plan
- Waste Statement

6.3 It is considered that the main issues with regard to this application are as follows:

- Delivery of housing / allocation position
- Landscape and visual impact
- Heritage issues
- Noise assessment
- Urban design and character of the area
- Residential amenity
- Drainage
- Ecology
- Traffic and transport
- Open space and soft landscaping
- S106 contributions

NPPF decision making

6.4 The NPPF should be given significant weight in decision making as the most up to date national planning policy and in the absence of a recent formally adopted Local Plan. Paragraph 14 of the NPPF sets out what the presumption in favour of sustainable development means for decision taking. This is not an adopted development plan allocation or otherwise directly supported in an adopted development. As such the NPPF instruction is to grant permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in (the NPPF) taken as a whole; or

- Specific policies in (the NPPF) indicate development should be restricted.

Delivery of housing / allocation position

NPPF

- 6.5 The NPPF policy on housing is framed around increasing the supply of housing. The Authority is under a duty to maintain a 5 year supply of housing. Paragraph 47 of the NPPF states (extract):

“To boost significantly the supply of housing, Local Planning Authorities should:

- *Use their evidence base to ensure that their Local Plan meet the full objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework ...*
- *identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% ...”*

- 6.6 If the Council fails to demonstrate its 5 year supply it risks losing appeals if it refuses housing schemes. Paragraph 49 of the NPPF states

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.”

Local policy

- 6.7 The site is not included in the 1983 adopted Local Plan as at that time it was located within the Stroud District Council administrative area.
- 6.8 After the local government boundary review the site was brought within the City boundary and in the 2002 second Deposit Local Plan the site was identified within the Landscape Conservation Area. This designation was continued in the August 2006 Preferred Options LDF Site Allocations document, as part of the LDF.
- 6.9 There is a tension between the 2002/2006 Landscape Conservation Area designation and the need in the emerging JCS/City Plan to deliver houses in the city, coupled with an updated landscape evidence base which moves away from Landscape Conservation Area designation.
- 6.10 The JCS Submission document (November 2014) identifies an Objectively Assessed Need for the JCS area of 30,500 dwellings for the period 2011-2031 with the Gloucester component being 11,300.
- 6.11 The application site is not a JCS allocation, which are larger scale ‘strategic’ allocations. It is however a component of the JCS figures for housing delivery

and the site is included in the emerging City Plan capacity calculations and is a potential City Plan allocation.

- 6.12 Each JCS authority undertook a Strategic Assessment of Land Availability (SALA) in 2013 which superseded earlier similar studies. This found the site suitable, available and deliverable for development within 5 years, although with a smaller capacity than that sought by the current application. This was due to the our assessment discounting a large area for flood betterment works and considering less of the site developable due to potential landscape impact. It should be noted that the SALA is predominantly a desk based assessment of capacity.
- 6.13 The site was originally submitted to the Strategic Housing Land Availability assessment (SHLAA) in March 2012, prior to that it had been identified as a “JCS peripheral officer identified site” in the December 2011 SHLAA, where it was identified as unsuitable for development for landscape constraint reasons.
- 6.14 In 2012 the JCS Authorities completed the Landscape Characterisation Assessment and Sensitivity Analysis. This became the landscape evidence base against which sites were considered for the 2012 SHLAA updates in the JCS area with all peripheral locations around the urban parts of the JCS area being considered by the study. The application site was considered by this report as it lies on the urban fringe of the City. Only those areas identified as “high” landscape sensitivity were considered outright unsuitable for development on landscape grounds. On this basis the site changed from being unsuitable for development in the 2011 SHLAA to suitable for development in the 2012 SHLAA. Within the City area, only Robinswood Hill is considered to be of “high” landscape sensitivity.
- 6.15 In 2013 consultants WSP provided evidence to support preparation of the City Plan looking in greater detail at potential development sites on the edge of the City and within the urban area that had landscape issues to consider. This is commented on in further detail in the ‘Landscape’ section of this report. The WSP report found that part of the site had development potential. The site was identified as a development opportunity site in the City Plan Sites Consultation (Summer 2013), referred to as MR2.
- 6.16 The WSP Report also informed the 2013 SALA, whose findings were used to inform the potential City Plan capacity figure for the JCS. This is how the site appears in the JCS and City Plan figures/potential allocations.
- 6.17 The JCS Housing Background Update Paper (4/12/15) identifies that the City no longer has 5 year plus 5% housing land supply as required by the NPPF.
- 6.18 This updated Housing Background paper has been provided at the Inspectors request. When reviewing the delivery of all sites for the update paper the applicant took the view that the site could not contribute to the Citys five year supply. The site has therefore been shown in the City Plan potential delivery

trajectory for the JCS as contributing to housing supply for the City from year six onwards.

- 6.19 The applicant has subsequently confirmed that should planning permission be forthcoming in the near future that it would be reasonable to consider that the site should start delivering towards the end of the first five year period, given the need to undertake ground work and secure reserved matters consents, and that some housing supply from the site therefore could be counted towards the five year housing land supply calculation, possibly in years four and five.
- 6.20 The site is not currently allocated and is not brown field land. It is a green field site, located on the edge of the built up area of the city. The site has been assessed and is not defined within the “high “ category in terms of either Landscape Character or Landscape Sensitivity according to the JCS evidence base and therefore has been considered as suitable for development in the first five years through the SALA and taken forward as potential housing allocation through the City Plan process.
- 6.21 Owing to delays in the processing of the JCS and therefore progressing the City Plan it is becoming necessary to consider applications on potential City Plan sites prior to them being formally considered by an Inspector through the development plan process as City Plan allocations.

Conclusions

- 6.22 Significant weight must be given to the NPPF, and the duty for Councils to maintain the delivery of housing. While the City Plan has not progressed to a formal submission, the most recent evidence base indicates that the site is able to contribute to the City’s five year housing land supply which needs to be maintained.

Agricultural use of the site

- 6.23 The site is currently in agricultural use and used for grazing.
- 6.24 The NPPF guidance is to take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, Authorities should seek to use areas of poor quality land in preference to that of a higher quality.
- 6.25 Policy SD15 of the JCS requires that new development must take into account the quality and versatility of any agricultural land affected by proposals, recognising that the best agricultural land is a finite resource.
- 6.26 There is a system for measuring the quality of agricultural land. The site is classified as the lowest quality of land and therefore would not result in an unacceptable loss of the best agricultural land, and I do not consider a defensible objection to the loss of agricultural land could be sustained.

Design, layout, density and compatibility with the local area.

- 6.27 The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment. Additionally development should provide for a mix of housing to create mixed and balanced communities and this principle is promoted within JCS policy SD12. Additionally policy SD11 requires housing of an appropriate density, compatible with good design, the protection of heritage assets, local character and compatible with the road network. Additional design requirements for new development are set down with policy SD5.
- 6.28 In the 2002 Plan policies including BE1, BE4, BE5, BE6, BE7, BE12, BE13, BE17, BE18, BE21, TR9, TR31,ST7, H7, H8, seek to ensure that new housing development are of good design that is in keeping with its surroundings and follow accepted urban design principles in relation to scale, external appearance, layout, amenity and community safety.
- 6.29 In looking at the built form of the local surroundings I consider that there are four distinct areas with their own particular character and building designs. The housing along Corncroft Lane between the junction of Painswick Road and Haycroft Drive comprises detached red brick houses, set back from the road with curtilage parking and generally open frontages. Visually, this is at contrast to the older parts of Matson, with their distinctive painted and render finish, mixture of two storey houses and three storey flat blocks. Between these two areas are the small number predominantly single storey properties rising up to Birchall Avenue, which are set well back from the road and with long front gardens. Further south along Winneycroft Lane, house locations are more sporadic and designs more individual with the properties sat in generous plots and this area has a very spacious and rural feel. Sneedhams Road forms a very defined physical and visual barrier between the built edge of the housing development and the countryside to the south.
- 6.30 Whilst the application is submitted in outline, with just the means of access to be considered at this stage, we need to assess whether the site can accommodate the quantum of residential development, comprising the 420 dwellings, that are proposed.
- 6.31 Details of the principles of the design and layout for the new development are set down in the supporting documents The whole site comprises 20 has of land and this is split into approximately just over 11 has to be developed for the residential development and roads and just under 9 has of land comprising open space, sports facilities and drainage. This is a very low ratio of gross to net developable area for the whole site and comprises “over” provision of open space compared to our standards
- 6.32 The applicant has stated that whilst a final mix of dwellings has not yet been determined it is intended that this would comprise two, three and four bedroom family homes. Reference is also made to development of between two and three storeys with three storey apartment blocks within the higher density area adjacent to Winneycroft Lane.

- 6.33 An illustrative density range plan has been submitted to demonstrate how the site could be developed. The proposed developable areas have been split into blocks with indicative numbers and densities for each block. Additionally some initial sketches have been submitted to demonstrate how the development blocks may be designed. .
- 6.34 High density development, between 45 and 60dpha, is proposed within the main block adjacent to Winnycroft Lane, with low density development 25 -35 dpha, to the to the north eastern boundary adjacent to the Mini Winney site and also to the southern part of the site adjacent to the fields closest to the scheduled ancient monument. The remaining areas are proposed as medium density 35-45 dpha. The overall density across the area of land to be developed by housing equates to 39dpha, but across the whole site this drops to 20.7 dpha and reflects the high proportion of open area.
- 6.35 On this basis I consider that the site can adequately accommodate 420 dwellings and that with the variety of building forms and designs in the immediate surroundings, a development of this size and scale should integrate into the existing area.
- 6.36 Detailed matters including scale, layout and external appearance of the new housing, together with parking provision will all need careful consideration at the reserved matters stage. It will be essential that the housing closest to Winnycroft Lane provides an active frontage to the road and that regard is given to the height and massing of buildings at the higher levels of the site, to ensure that they do not appear overly dominant in the street scene and/or in longer views.
- Residential amenity
- 6.37 Policy SD15 within the JCS is an overarching policy seeking to support the health and well being of local communities and requires that new development does not result in unacceptable harm to the amenity of neighbouring occupants.
- 6.38 The housing polices within the 2002 plan referred to above and specifically policy BE21 seek to ensure that new developments are acceptable in terms of impacts upon the amenity of neighbouring residents.
- 6.39 The proposed development site lies to the other side Winnycroft Lane from the existing residential properties. The master plan also details that the proposed housing fronting onto Winnycroft Lane will be set back from the road. It is also clear that the existing properties are sat at a higher level than the application site and are generally at varying set back distances from the road.
- 6.40 In these terms I consider that the built form of the new development would have an acceptable relationship with the existing properties located along the frontage to Winnycroft Lane.

- 6.41 Additionally the site is of sufficient distance away from Winnycroft Farm buildings and the houses to the south west boundary fronting onto Winnycroft Lane, such that the amenity impacts arising from the physical built form would not arise.
- 6.42 The outlook from the existing properties will undoubtedly change and local residents will also be aware of the additional traffic arising from the development. The properties located closest to the new access points at the roundabout and road junction will also experience some affects from vehicles entering and leaving the development. Overall I do not consider that these issues raise amenity impacts to a degree that would warrant the application unacceptable on these grounds.
- 6.43 Conditions would be required to control the impacts upon residents arising through the construction period to limit working hours and the timing of deliveries, the requirement for wheel washing together with parking for construction workers within the development site.

Noise

- 6.44 The site is affected by noise from traffic travelling along the M5 and to a lesser extent by traffic noise from Winnycroft Lane. In accordance with guidance within the NPPF and the Noise Policy Statement for England, noise is a material consideration and decisions should ensure that noise does not create significant adverse impacts upon health and quality of life.
- 6.45 Policy FRP10 within the 2002 Plan states that planning permission should only be granted for developments in noisy locations where adequate mitigation, to reduce the noise levels, can be provided Policy SD15 within the JCS is an overarching policy seeking to support the health and well being of local communities and requires consideration of noise issues.
- 6.45 The applicant has undertaken a noise assessment and proposed mitigation measures to deal with the high levels of noise across the site.
- 6.46 The initial noise monitoring was undertaken at a time when 50mph speed restrictions were in place on the M5 motorway and whilst the modelling was able to predict levels without the restriction in place, we requested that further measurements be taken to ensure that the evidence was robust and accurate. There was also some concern that the results from the noise measurements from this site and the adjoining land at Mini Winney did not correlate with each other along the boundary of the two sites, as would be expected.
- 6.47 Therefore additional noise monitoring was undertaken over a 24 hour period in June, at three locations across the site: at the western boundary with Winnycroft Lane, close to the eastern boundary with the M5 and in the centre of the site midway between these two site boundaries.
- 6.48 Please note that the levels I refer to are LAeq which put simply comprise the average level of sound over the assessment period, which in this case is one

hour, and takes account of the maximum and minimum levels recorded within that hour.

- 6.49 The greatest levels of noise are understandably at the point closest to the M5 with 70.5 dba the highest laeq. The levels reduce with distance to the motorway to the central part of the site and then increase slightly from this, up towards Winneycroft Lane due to traffic noise from the road.
- 6.50 At the motorway monitoring position, noise levels are at their lowest, just under 61, between midnight and 5 am, are fairly constant at 66/67 between 11am and 4pm, rising to a peak of just above 70 between 7am and 9am.
- 6.51 At the Winneycroft Lane monitoring position, noise levels are at their lowest within the 49/50 range between 1am and 5am, are fairly constant at 59 dba between 9am and 3pm with levels above 61 between 8am and 9am and between 4pm and 6pm.
- 6.52 The World Health Organisation Guidelines for Community Noise set out health-based guideline values for community noise, including recommended noise level values for the onset of sleep disturbance, annoyance and speech interference for the general population. Guideline values are provided for outdoor living areas, living rooms and bedrooms, for both continuous noise and discrete noise events
- a. Living rooms (daytime) LAeq,16hour 35dB(A);
 - b. Bedrooms(daytime) LAeq, 16hour 35dB(A);
 - c. Bedrooms(night-time) LAeq, 16hour 30dB(A);
 - d. Bedrooms (night-time) LAFmax 42dB(A);
 - e. Bedrooms external (night-time) LAeq,8hour 55dB(A); and
 - f. Gardens LAeq, 16hour 50dB(A) lower limit and 55 dB(A) upper limit.
- 6.53 To comply with these guidelines noise mitigation together with careful building design and orientation, across the site will be required. The properties closest to the M5 may require habitable rooms being located on the elevations which do not face the motorway to ensure that future residents have a satisfactory living environment. This is as a result of the façade facing the M5 potentially being subject to unacceptable levels of noise.
- 6.54 Furthermore the applicant is proposing the erection of a noise bund along the eastern boundary with the M5. This would comprise a 3 metre high bund and a 3.5 metre high acoustically treated fence. The bund and acoustic fence will result in a reduction in noise levels across the site closest to the M5 but for areas further away, additional mitigation in terms of close board fencing, orientation of buildings/gardens, the provision of suitable attenuated glazing and ventilation systems will be required to achieve recommended internal and external noise levels.
- 6.56 Additionally, it should also be recognized that the non residential elements of the scheme including the sports pitches and allotments closest to the M5 will experience high levels of noise. It should be noted however, that there are no

specified noise level limits for allotments or playing pitches although, adequate speech intelligibility between players will be key. The sound level of conversational speech is approximately 60dB(A). As a general rule, speech would need to be approximately 10dB above the noise level to be adequately intelligible. Therefore voices may need to be raised to be heard at times, which is not considered to be above and beyond usual behaviour at any sports pitches.

- 6.57 The exact details of the bund, fencing and mitigation measures will be required by condition and further sample testing, once the dwellings are completed, will be required to ensure the efficiency of the noise mitigation measures.

Air quality

- 6.58 The NPPF requires Local Authorities to fully consider the impacts of a development upon air quality in the local area and upon any designated air quality management areas. Policy FRP 11 of the 2002 Plan states that development of housing will not be permitted where it would be adversely affected by existing pollution uses. Policy SD15 within the JCS is an overarching policy seeking to support the health and well being of local communities and requires consideration of pollution including air quality

- 6.59 The air quality report has identified the two main areas for scrutiny, these being the existing air quality on the development site having regard to M5 traffic and the impact that 420 dwellings (and subsequently the traffic that will generate) will have on one of our existing Air Quality Management Areas (AQMA) at Painswick Road. The report satisfactorily deals with the issue of air quality on the development site and it is agreed that given the free flow of traffic at this location of M5 and its efficient dispersal, residents would not be subjected to unacceptable levels of air quality. Furthermore the traffic generated by the development has been identified as having a negligible impact on the Painswick Road AQMA.

Open space proposals

- 6.60 The NPPF recognises the importance of good quality open spaces and that opportunities for sport and recreation can improve the well being of communities. It states that provision should be based upon an assessment of existing facilities and identification of specific needs.
- 6.61 Policies INF4 and 5 of the JCS require that full consideration is given to the provision of open space, that proposals should contribute positively towards green infrastructure and that it is provided in a phased manner way with new development. Any loss of natural features should be justified and mitigation provided.
- 6.62 Within the 2002 plan, policy A1 requires the provision or financial contribution to new allotment facilities, policies OS3, OS4 and OS5 require open space, sport and recreational facilities to be provided, set criteria for their design and require appropriate future maintenance and management.

- 6.63 The application proposes a variety of open space, play areas and sports facilities. It includes a sport and recreation park, a ribbon park, a wetland park, allotments, community orchard and small areas of informal open space. For ease of reference the proposed master plan is attached to this report which details these proposed areas.
- 6.64 The sports facilities are to be located at the southern tip of the site and include the provision of a full size football pitch, junior pitch, a multi use games area and a Neighbourhood Area of Equipped Play. To the north of the pitches and close to the footbridge that runs over the motorway, a community building providing changing facilities and a small hall together with parking is proposed. This building would also provide for some storage for the allotments and joint use of toilet facilities. Further to the north east and along the eastern boundary adjacent to the motorway the allotments and community orchard are proposed. The size of the allotments has been increased since the original submission now proposing 2,000.sqm. These would be secured through the S106 agreement and the detail of the provision and requirements are currently being discussed.
- 6.65 The wetland park area is to be located within the northern part of the site and encompasses the existing stream. It would surround the main block of residential development adjacent to Winnycroft Lane at this point. It would also accommodate the four attenuation ponds being provided as part of the drainage scheme and a play area. The park will retain many of the established trees and will provide an enhanced setting to the stream. In addition to its important function as part of the drainage scheme, the area will be of ecological benefit, creating new and diverse habitats as well as providing an attractive setting to the new housing.
- 6.66 The ribbon park is proposed to link the sports pitches to the south with the wetland park area to the north. It is a linear area running north to south and also acts as a green buffer to the two areas of residential development proposed on either side.
- 6.67 Overall the scheme proposes a higher amount of open space than is required by policy and as such a substantial benefit in terms of open space provision and green linkages to the wider area would arise.
- 6.68 Commuted sums for the maintenance of the open space by the Council or management by an external company would need to be secured in a s106 agreement. The delivery of such a substantial area of public open space would be a significant benefit from the development for both new and existing residents.

Landscape and visual impact

- 6.69 As already noted, the site was identified as a Landscape Conservation Area in the 2002 Plan and this was proposed to be continued in the 2006 LDF Preferred Options designations.

Policy LCA.1 from the 2002 plan states:

Development will not be permitted that would detract from the particular landscape qualities and character of Landscape Conservation Areas unless there are exceptional circumstances. Open air recreational uses and small-scale development required to support them, agricultural development and renewable energy proposals may be acceptable provided they are sensitively located, designed and landscaped.

JCS policy SD7 states:

- 1. Development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being*
- 2. Proposals will have regard to the local distinctiveness and historic character of the differing landscapes in the JCS area, drawing, as appropriate, upon existing Landscape Character Assessments and the Landscape Character and Sensitivity Analysis. They will be required to demonstrate how the development will protect or enhance landscape character and avoid detrimental effects on types, patterns and features which make a significant contribution to the character, history and setting of a settlement or area.*
- 3. All applications for development will consider the landscape and visual sensitivity of the area in which they are to be located or which they may affect. Planning applications will be supported by a Landscape and Visual Impact Assessment where, at the discretion of the Local Planning Authority, one is required. Proposals for appropriate mitigation and enhancement measures should also accompany applications.*

- 6.70 Other related policies within the 2002 Plan include BE12 and 13 which require a landscape strategy for new development and policy BE2 which requires that proposals respect important views
- 6.71 The NPPF sets out that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 6.72 The approach of designating landscape conservation areas is not supported in the NPPF any more. The NPPF stresses the importance of protecting and enhancing valued landscapes and moves towards more specific landscape characterisation and sensitivity analysis. Indeed this approach was adopted for the assessment of sites for the JCS, where this site and other urban fringe sites were subject to a landscape characterisation and sensitivity study.
- 6.73 The site formed part of a wider area of land that was assessed. The wider site included the whole area of land running between the M5 and Winneycroft Lane, to the point where the road elevates above the motorway and additionally the land between Winneycroft Lane and Matson Lane to the west. The analysis of the character of the area is as follows:

This area is classed as Settled Unwooded Vale, although it can appear as highly treed locally owing to tree lined field boundaries, remnant orchard trees and close proximity to the wooded landscape of Robinswood Hill and the AONB. Field pattern is quite irregular, with medium to small sized fields of unimproved pasture bound by structurally diverse hedge/tree boundaries and post and wire fence. Field pattern, with the exception of the dissection in the east caused by the M5, is unaltered from the 1884 OS map. Indeed the road that borders the area to the west and north, moated site, Winnycroft Farm, and a single remnant orchard are all present as 1884 features. Significant urban expansion of Matson in the west, and the M5 located on the higher ground in the east, are large scale detractors in an otherwise very rural environment, and impact upon views and tranquility. Furthermore, within the area the dilapidated state of the Winnycroft Farm sheds/shelters, the overly mature state of some boundaries, and occasional dilapidated fence (including a short section of much degraded high security fencing by Winnycroft Farm) give the area a poorly maintained, and somewhat unkempt, character. However, the rough grass; textural scrub and tree boundaries; old orchard and narrow and sporadically vegetated stream are likely to support significant biodiversity. The pasture becomes somewhat more improved and expansive in the very south of the area, and subsequently more in keeping with the character of the landscape south of Robinswood Hill. Although a very contained landscape, the area can be accessed by a number of public footpaths that cross the site and link with adjacent areas.

- 6.74 The sensitivity analysis gave five landscape classifications ranging from low to high. It identified the site as being of medium sensitivity – which is defined as “key characteristics of landscape are vulnerable to change and/or have value as a landscape resource”.

Its assessment of the site is as follows:

“a small compartment physically contained by landform to the east, west and south by housing in the north. Furthermore the M5 which is visually prominent in its immediate vicinity, creates a loud boundary to the south east. The area is visually associated with the AONB landscape and a pedestrian foot bridge provides amenity access across the M5, linking the two areas. Public footpaths also link with Robinswood Hill, although housing does, in part, interrupt the visual continuity between the landscape compartments.

Land use is entirely pastoral and landscape features such as well established features such as well established dense hedgerows, mature trees and stream (supporting willows) are present, giving the area a well vegetated appearance, remnant orchard and a small field pattern add to the attractiveness. However, low levels of maintenance have led to a dishevelled appearance in places and the degradation of some features including the dilapidated Winnycroft farm buildings.

- 6.75 In 2013 WSP undertook a further landscape analysis of potential development sites. Again this involved a larger site than just the application site but this time excluded the land between Matson Lane and Winnycroft Lane.

- 6.76 This analysis concludes that development on part of the site would not be entirely detrimental to the surrounding landscape character and visual amenity and suggests development on the north eastern part of the site. Alternatively it suggests a second option of developing the site as a whole with a comprehensive master plan with the important landscape features to be retained.
- 6.77 It recommends low density development with open space areas to be within the development, the retention of hedgerows and trees, strengthening of hedegrows and further landscaping to soften the impact of views from the AONB and Robinswood Hill.

Land to the east of the application site, to the other side of the M5 boundary forms part of the designated Cotswolds Area of Outstanding Natural Beauty. The AONB is described as “an outstanding landscape whose distinctive character and natural beauty are so precious that it is in the nation’s interest to safeguard them. Such land is protected by the Countryside and Rights of way Act 2000. The Act places a statutory duty on relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land in the AONB.

- 6.78 The Cotswold AONB has an adopted management plan (2013) which sets down the vision for the AONB together with policies for its management and mechanisms for review. Of particular relevance to this proposal is policy LP 2 which states that “development proposals and changes in land use and management, both within and outside the AONB, take account of guidance and advice published by the board”
- 6.79 The applicant has undertaken a full landscape and visual impact assessment of the proposals for the site. The assessment considers the value of site features, topography and also the visibility of the site from various viewpoints. The appraisal concludes that the visual effects of the proposed development on the AONB are considered to be “moderate” and would not undermine the primary objectives of the AONB management plan.
- 6.80 There have been a number of concerns raised by consultees in relation to the impact of the development upon the landscape character of the area and specifically the AONB including CPRE and adjoining Parish Councils. Additionally the Cotswolds Conservation Board, who are the body responsible for the management of the Cotswolds AONB, object to the development as proposed within this application. They conclude that whilst some of the site may be suitable for development, a substantial area, including much of the application site is not suitable for development. They consider that “the development of the area closest to the M5 would substantially interfere with views of the scarp slope from numerous public viewpoints and break the visual connection between the landscape of the AONB and the similar landscape to the west of the M5”.

- 6.81 At the pre application stage, concerns were raised with the applicant regarding the extent of the land to be developed. Particular concern was raised regarding built development on the southern parcel of land comprising the area to the south of the motorway footbridge. In our view development on this part of the site would visually interrupt the views from the Cotswold scarp across to Robinswood Hill. The applicant has sought to address these concerns in developing the master plan. The sensitive southern part of the site will accommodate the proposed sports pitches thereby retaining an open and undeveloped character.
- 6.82 Winnycroft Lane clearly acts as a defined and hard boundary between the urban built up area of the city and the more rural character of the site and the wider area between Winnycroft Lane and the motorway. The motorway itself also acts as a hard and defined boundary and clearly impacts upon the character and appearance of the area.
- 6.83 In my opinion, views from Robinswood Hill Country Park across to the site are fairly limited by the vegetation and the land form and there are also limited clear views from the golf course. There are some views into the site from the houses set up on the elevated part of Painswick Road to the east, from Winnycroft Lane and from surrounding houses. Views from traffic along the M5 are also limited as at this point as the motorway is in a cutting before it elevates and passes over Painswick Road.
- 6.84 I consider that in wider views and from public vantage points there is limited visibility of the site. It is also considered that with the new development, the views from the higher footpaths within the AONB at a higher level across to Robinswood Hill will be maintained as the new development will be seen against the backdrop of Matson. Views in the shorter distance will be more affected such as from Winnycroft Lane, from surrounding residential properties and from within the site itself. Again in many views the new development would be seen against the backdrop of the existing houses and blocks of flats. Furthermore, from the south, views would be screened by the existing tree belt.
- In my opinion there are a number of factors that will limit the impact of the development in landscape terms and ensure that the character as identified in the landscape studies are not overly compromised or adversely affected. The overall density of the proposals is low with a high proportion of land to be used for open space. Most of the trees on site are to be retained and there will be strengthening and improvement to the hedgerows to the boundaries of the site. The existing stream is to be enhanced and will be set within an open and green setting and together the various open spaces will form green corridors through the site. New planting across the site and the provision of the new orchard area will all help soften the appearance of the development. The southern end of the site has been deliberately proposed for the provision of the sports facilities This part of the site is considered the most sensitive in terms of views from the AONB and to keep this area open and in effect a buffer between the new built form and the adjacent fields helps reduce the overall impact. In this respect I conclude that the proposed development is acceptable in landscape impact terms and should not have a harmful impact upon the Cotswolds AONB.

Ecology and trees

- 6.85 Guidance in the NPPF seeks to conserve and enhance the natural environment, promote biodiversity and protect wildlife. Similarly Policies B7 and B.8 of the 2002 Plan and SD10 of the JCS which encourage development to contribute positively to biodiversity and policy B10 requires the retention of important trees and hedgerows and compensatory replacement when this is not possible.
- 6.86 There is tree preservation order across the site (which also includes the adjoining site) that covers a total of 22 oaks, one ash and one field maple, with 16 being on the application site.
- 6.87 The applicant has carried out a full arboricultural assessment of this site which identifies 41 individual trees, 15 groups of trees and 21 areas of hedgerow. The report details the species, height, condition and value of each item and identifies a range of trees including oaks, field maple, ash and willows.
- 6.88 There are a group of 7 oaks (with one field maple) located towards the southern part of the site that are to be retained and will form an attractive enclosure to the sports area and will screen the built development from the south . Additionally the five mature oaks located close to Winneycroft Lane are to be retained within the proposed open space areas and will enhance the attractiveness and setting of these areas. The remaining protected oaks dotted across the site are also to be retained within proposed open space and amenity areas, an approach which gives appropriate space to the tree.
- 6.89 The submitted details propose the removal of 5 individual trees comprising a bird cherry, an elm, a hawthorn, a crack willow and an oak. None of the trees to be removed are within the Tree Preservation Order and there is no objection in principle to their removal given their value and/or condition. The oak to be removed has been identified as one of a number of trees with bat roosting potential, however it is described as 90% dead and for safety reasons should be felled given that it would be located in the area proposed for a childrens play area. This would be subject to a separate application for request for felling and would need to be subject an updated bat survey at that time. If bats are found to be using the tree then a a separate license would be required.
- 6.90 The applicant has undertaken an extended Phase 1 habitat survey to assess the ecology of the site and subsequent further detailed Phase 2 surveys relating to breeding birds, bats, badgers, great crested newts and a grassland botanical survey.

In summary the reports identify;

- There are no statutory or non statutory ecological designations within the application site.
- Ecological constraints and issues have informed and influenced the design of the master plan.

- The majority of the site is intensively grazed semi improved pasture of little intrinsic value.
- The stream, semi improved neutral grassland, hedgerows and mature trees comprise the most valuable habitats on the site.
- All of the existing hedgerows that run across the site, forming the old field boundaries are to be removed however they are generally in poor condition and of limited ecological value. The hedges to the perimeter boundaries of the site are generally to be retained.
- Surveys have identified populations of breeding birds, foraging/commuting bats with potential roosting in trees and badger setts and activity.
- There are no ponds on the site suitable for great crested newts however they have been identified in ponds within 500m of the site.

6.91 From the survey information it is clear that the bats are commuting and foraging along the stream and the hedgerow network, most of these hedges that lie within the site are to be removed. The new development would provide a number of green corridors and wedges and these should provide acceptable alternative foraging and commuting routes for the bats. Where lighting is required for these areas it must be designed to be bat sensitive and avoid light spillage upwards.

Some of the trees across the site have been identified as having high bat roosting potential, however during the bat activity surveys, no evidence of emergence or entry was recorded and I refer to the oak to be removed earlier in the report.

I accept the conclusions of the report that the development will have some impact upon the existing habitats. I also agree that as the majority of the site comprises semi improved pasture that it does have limited ecological value and whilst a significant proportion of hedgerows are to be removed the boundary hedgerows will be strengthened and improved.

In terms of the overall impact upon bat species we need to be clear that the three derogation tests have been addressed. The first concerns the overriding public interest - 11,800 homes have to be built in Gloucester up until 2031. This site is required to help deliver this figure. We have already identified that the development of the site is acceptable for housing and would assist in meeting the Councils housing supply. Given the tight urban boundary of Gloucester, there are few if any sites that can deliver this number of houses within that timeframe. Additionally as the site is only used for foraging and commuting and because linear features are either protected or compensated for then it will not have any material impact upon the conservation status of any bat species.

6.92 The most important ecological components on the site, namely the ancient trees and the stream corridor are to be retained and the latter enhanced. Also the proposal includes measures to enhance biodiversity and provide ecological benefits and these include new hedgerow, tree and landscape planting; the creation of a new orchard area, the enhancement of the stream and stream corridor and new wetland features as part of the drainage

proposals. Such areas will provide new habitats of greater ecological potential than the existing pasture. The applicant also suggests a condition requiring the submission of an ecological management plan which would include the following an update survey of affected habitats immediately prior to the commencement of development, measures to protect the badgers and their setts (which will require a separate licence from Natural England in any case), increase bat roosting potential, a wildlife sensitive lighting scheme, bird boxes, management of hedges and detailed measures to protect species, trees and landscape features throughout the period of construction.

- 6.93 Further conditions will require a scheme for new hedgerow planting and improved hedgerows to the boundaries of the site, tree protection measures including fencing and root protection zones, tree felling to be undertaken in the presence of a licensed bat ecologist and outside of the bird nesting season. With these safeguards in place it is considered that the application accords with the general principles of the guidance and policies in place.

Public footpaths

- 6.94 The NPPF states that planning policies should protect and enhance public rights of way and access and opportunities should be sought to improve facilities.

The 2002 Plan through policy TR38 seeks to ensure that new proposals make satisfactory provision for the retention or diversion of public rights of way.

JCS policy SD5 promotes well designed development with layouts that are easy to navigate, have links to green infrastructure and legible routes linking in with wider connections.

There are a number of footpaths crossing the site including the Glevum Way. The footpaths provide access to the motorway foot bridge and across the site to the adjoining Mini Winney site and to the land to the south accessed from Winnycroft lane. Supporting information states that diversions to these designated routes will be required. New routes would be proposed through the open spaces, alongside the allotments to access the footbridge and across into the Mini Winney site.

- 6.95 The applicant states that the improved footpath connections across the site would facilitate pedestrian movements from the neighbouring housing through the development site and into the countryside to the south and to the AONB to the other side of the motorway. The provision of better and more legible routes was a particular matter raised in the community engagement undertaken prior to the submission of the application.

The Ramblers Association have objected to the application on the grounds that development on these fields would lead to a loss of public rights of way and would urbanise the Glevum Way.

- 6.96 Any proposed diversion of the public rights of way would be subject to a formal diversion order and it will be important to ensure that new routes link in with routes running up to the boundaries of the site. I do not agree with the view of the Ramblers Association as the open space network will encompass new footpaths providing clearer and more legible routes across the site and this

together with the new road accesses will create greater permeability and a choice of formal routes through the development.

Flooding and drainage

- 6.97 The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy FRP1a of the 2002 Plan also promotes the risk based approach and policy FRP6 requires the provision of appropriate surface water disposal.

Policy INF 3 of the JCS follows the principles set down within the NPPF in relation to applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.

- 6.98 The entire site lies within Flood zone 1, which is the lowest risk zone with a less than 1 in 1000 annual probability of flooding. A stream runs west to east across the top third of the site and the Environment Agency's surface water mapping shows some risk of surface water flooding along this watercourse.

The proposal is considered acceptable in terms of flood risk at the site and as the site is in Flood Zone 1, a Sequential test does not need to be undertaken.

- 6.99 The developer has carried out some additional hydraulic modelling along the watercourse. This shows some out of bank flooding for the 100 year and 1000 year events, and largely reflects the EA's surface water flood map. This flooding is restricted to a tight corridor along the watercourse and does not come close to the proposed development areas as shown on the indicative plans.

- 6.100 The application includes a drainage strategy for the site incorporating a suds system. The drainage strategy plan identifies three catchment areas from the residential development, served by four attenuation ponds and a number of swales. The applicant has also provided percolation tests for the site. It is accepted that the soil is not sufficiently permeable to allow infiltration techniques to work. It is proposed to connect the surface water drainage from the new development into the Sud Brook. There are a number of flooding hotspots along the Sud Brook downstream of the development site, and a high level of control is therefore required for surface water runoff.

Together the ponds would allow for over 6,000sqm of storage and the applicant is proposing to limit the surface water runoff rate to the Qbar value (2.52 l/s/ha or 16.1 l/s for the whole site). The ponds would provide sufficient storage for the 1 in 100 year flood event plus a 30% allowance for climate change as is the required standard. The proposed peak runoff rate and attenuation volumes are deemed acceptable as a general principle.

The detailed design of the ponds will require careful consideration to ensure that they look as natural as possible. In order to achieve this, they should be irregular, and unsymmetrical, in plan-view, straight edges should be avoided and there should be variation in the angle of slope of the sides with a maximum gradient 1 in 3). As they comprise a large area of the overall of the public open space, in the northern section, it is important that they are multi-use and can be enjoyed by dog walkers, children playing games etc. This should be eminently achievable given that the basins will only contain significant volumes of water on an infrequent basis (but small volumes on a regular basis). A meandering stream should be incorporated into each basin, between the inlet and outlet to ensure that for small rainfall events the majority of each basin remains dry.

- 6.101 Some concern is raised at the initial positioning of a foul pumping station to serve the development. This does raise a number of issues including the need for a pumping station compared to the use of a gravity system and this decision will ultimately be dependent on technical and capacity issues and subject to advice from Severn Trent Water. The fact that the station would require vehicular access and needs to be sited 15 metres away from dwellings will also impact upon the potential areas that it can be sited. The applicant has stated that the station can be designed without a building and just as a fenced area protecting the engineering equipment. It will be important to ensure that the appearance of the station does not detract from the open nature and character of the adjoining open space. Therefore should a pumping station be considered necessary a condition is proposed to require details of its location, design and screening.
- 6.102 A condition would be necessary to require detailed drainage proposals across the site together with full design details of the ponds that accord with the general principles set down within the submitted drainage strategy.

Archaeology and heritage assets

- 6.103 The NPPF requires that in determining applications, Authorities should take account of;
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
 - the desirability of new development making a positive contribution to local character and distinctiveness.

Policies BE31, 32, 33, 34, 36 and 37 of the 2002 plan lay down the criteria for assessing sites with archaeological interest, together with the requirements for site evaluation and recording. Policy BE23 seeks to ensure that development does not adversely affect the setting of listed buildings. JCS Policy SD9 stresses the importance of heritage assets and their contribution to local character and identity. Furthermore the policy requires that heritage

assets and their settings are conserved and enhances as appropriate to their significance.

6.104 The local area has significant archaeological interest. The moated site at Sneedhams Green lies approximately 100 metres south west of the southern boundary of this site. It is formally designated as a Scheduled Ancient Monument and it is believed that the moat dates back to the 13 or 14th century.

Previous archaeological work in the local area has identified evidence of a Roman farmstead (dating to the 1st century AD) and a later villa (dating to the 2nd to 3rd centuries AD) ,together with 2nd to 3rd century Roman Pottery.

6.105 In this context an evaluation of the application site has already been undertaken with the excavation of 47 trenches, spread across the land but with a particular concentration at the southern part of the site closest to the SAM.

The evaluation has identified archaeological features, predominantly of late Iron Age/early Roman date, within the proposed development area. The finds comprised predominantly pieces of pottery, fired clay and bricks which would indicate occupation dating from the mid/late first century through to the second century.

Evidence of ridge and furrow and land drains suggest that the site was of an agricultural character during mediaeval times and beyond.

6.106 Further archaeological work will need to be undertaken, and this can be dealt with by condition. This condition will provide for further archaeological evaluation (trial trenching) in the centre of the site. This condition will also provide for a programme of archaeological excavation of all significant archaeological deposits in advance of the proposed development, with provision for community engagement and the appropriate archiving and public dissemination of findings.

6.107 S106 contributions

Education and libraries

The County Council seeks a contribution to education on the following basis:

Primary school requirements – at the rate of £11,692 per primary pupil (420 dwellings would result in a total contribution of £1,227,660). Payable six months after the commencement of the development.

Secondary school requirements – at the rate of £17,832 per secondary pupil (420 dwellings would result in a total contribution of £1,123,416). Payable six months after the commencement of the development.

Pre-school requirements – at a rate of £11,692 per preschool pupil (420 dwellings would result in a total contribution of £343,745). Payable six months after the commencement of the development.

The total contribution required for education for 420 dwellings and assuming no one bedroom dwellings would be £2,694,821.

The County Council also seeks a contribution to library services on basis of £196 per qualifying dwelling (420 dwellings would result in a total contribution of £82,320).

Sports community building

A building is proposed to serve the playing pitches to provide changing accommodation, toilets, storage and a small “hall” together with associated car parking. The applicant has agreed to the provision of a building costing up to £250,000 for this.

Open space

This includes the provision of the allotments, community, orchard, parks, play areas and sports pitches. The S106 agreement would secure their timely provision on site on a phased basis and require future maintenance either through an external management company or through adoption by the City Council, subject to agreement to pay maintenance sums.

Highway associated works

The County Council have requested a sum of £86,280 for the implementation of a travel plan.

Works are required to the Corncroft Lane/Painswick Road junction to provide a right hand turn lane, amount to £104,709 – however this may reduce depending on when the adjoining site at Winneycroft is developed, as costs for this would be shared proportionately between the two sites.

Additionally there is a requirement for works to the Norbury Avenue junction which amount to £81,505. This is not actually set down within the S106 but is dealt with by a condition but is obviously an additional cost to the developer.

Linkages with the adjoining Mini Winney site.

Provision to include footpath linkages with the adjoining site along the north eastern boundary of the site.

Employment opportunities

The applicant is proposing a local employment and training initiative to promote opportunities for local residents and local companies. This will be set down within the S106 and follows similar principles to that used employed in the s106 relating to the development of the new M5 services

All of the above matters are agreed in principle between ourselves and the by the applicant and a draft 106 agreement is now well advanced.

Gloucestershire Constabulary

Gloucestershire Constabulary has requested a financial contribution of £142,196.32. The applicant has advised that they do not consider that this request is justified and also refer to the issue of viability. Members will be updated in more detail on this matter.

Affordable Housing.

Unfortunately the provision of affordable housing is not yet agreed between ourselves and the applicant.

The NPPF states that where Local authorities have identified the need for affordable housing, polices should be set for meeting this need on site, unless off site provision or a financial contribution can be robustly justified. It also states that local authorities should identify the size, type and tenure of housing that is required, by reflecting local demand.

Polices H15 and H16 set out the requirements for affordable housing within the 2002 plan. They require an overall target of 40% affordable housing (subject to site and market conditions), generally provided on site but in exceptional circumstances off site provision may be acceptable. The affordable housing should be provided across the development site and provide a range of house sizes to meet local need.

Policy SD13 of the JCS relates to the provision of affordable housing, policy INF 7 relates to infrastructure delivery and policy INF8 advises on viability. For completeness the policies are detailed in full below.

Policy SD13

1. *The JCS local authorities will seek through negotiation to deliver new affordable housing as follows:*
 - i. *On sites of 5-9 residential units (or covering 0.2 hectares or more of land), 20% affordable housing will be sought*
 - ii. *On sites of 10 or more residential units (or covering 0.4 hectares or more of land), 40% affordable housing will be sought.*
2. *For the purpose of this policy, residential units are dwelling houses (use class C3) and also any self-contained units of accommodation within a residential institution (use class C2). Where a development site has been divided into parts, or is being delivered in phases, the site will be considered as a whole for the purpose of determining the appropriate affordable housing requirement.*
3. *Where possible, affordable housing should be provided on-site and should be seamlessly integrated and distributed throughout the development scheme. On sites where it is not possible to deliver all affordable housing as on-site provision, the residual requirement should be provided through acceptable alternative mechanisms (such as off-site provision or financial contributions). Further guidance on acceptable mechanisms may be provided in District plans.*

4. *Affordable housing must also have regard to meeting the requirements of Policy SD12 concerning type, mix, size and tenure of residential development.*
5. *The design of affordable housing should meet required standards and be equal to that of market housing in terms of appearance, build quality and materials.*
6. *Provision should be made to ensure that housing will remain at an affordable price for future eligible households, or that subsidy will be recycled for alternative affordable housing provision.*

Rural exception sites

7. *In certain circumstances, where there is clear evidence of a local housing need that cannot be met elsewhere, affordable housing will be permitted on rural exception sites. A rural exception site must be within, or on the edge of, a rural settlement. It should be of a small scale and well related to the settlement both functionally and in terms of design.*

Viability

8. *Where there is an issue relating to the viability of development that impacts on delivery of the full affordable housing requirement, developers should consider:*
 - i. *Varying the housing mix and design of the scheme in order to reduce costs whilst having regard to the requirements of other policies in the plan, particularly Policy SD5, and the objective of creating a balanced housing market*
 - ii. *Securing public subsidy or other commuted sums to assist delivery of affordable housing*
9. *If a development cannot deliver the full affordable housing requirement then a viability assessment in accordance with Policy INF7 will be required.*

Policy INF7: Infrastructure Delivery

1. *Where need is generated as a result of individual site proposals and/or as a consequence of cumulative impact, new development will be served and supported by adequate and appropriate on- and/or off-site infrastructure and services. In identifying infrastructure requirements, development proposals will also demonstrate that full regard has given, where appropriate, to implementing the requirements of the Joint Core Strategy Infrastructure Delivery Plan.*
2. *Where need for additional infrastructure and services and/or impacts on existing infrastructure and services is expected to arise, the local planning authority will seek to secure appropriate and proportionate infrastructure provision in respect of:*
 - i. *Affordable housing*
 - ii. *Climate change mitigation/adaptation*
 - iii. *Community facilities*
 - iv. *Early Years and Education*

- v. *Health and well-being facilities*
- vi. *The highway network, traffic management, sustainable transport and disabled people's access*
- vii. *Protection of cultural and heritage assets and the potential for their enhancement*
- viii. *Protection of environmental assets and the potential for their enhancement*
- ix. *Provision of Green Infrastructure including open space*
- x. *Public realm, and*
- xi. *Safety and security including emergency services*

This list is neither exhaustive nor are its elements mutually exclusive.

3. *Priority for provision will be assessed both on a site-by-site basis and having regard to the mitigation of cumulative impact, together with implementation of the JCS Infrastructure Delivery Plan.*
4. *Planning permission will be granted only where sufficient provision has been made for infrastructure and services (together with their continued maintenance) to meet the needs of new development and/or which are required to mitigate the impact of new development upon existing communities. Infrastructure and services must be provided in line with an agreed, phased timescale and in accordance with other requirements of this Plan.*

Policy INF8: Developer Contributions

1. *Arrangements for direct implementation or financial contributions towards the provision of infrastructure and services required as a consequence of development, including its wider cumulative impact, and provision where appropriate for its maintenance, will be negotiated with developers before the grant of planning permission.*
2. *Where, having regard to the on- and/or off-site provision of infrastructure, there is concern relating to the viability of the development, an independent viability assessment, funded by the developer and in proportion with the scale, nature and/or context of the proposal, will be required to accompany planning applications. The submitted assessment and its methodology may be independently appraised.*

In accordance with policies where a policy compliant level of affordable housing can not be provided, the applicant has undertaken a viability assessment of the proposed development. The assessment considers scenarios with different levels of affordable housing (70% affordable rented and 30% shared ownership).

- 40% affordable housing - £11.5 million deficit
- 30% affordable housing - £8.5 million deficit
- 20% affordable housing - £5.8 million deficit
- 10% affordable housing - £3.1 million deficit
- 0% affordable housing £0.5 million deficit.

The report concludes that “all the above scenarios show viability deficits therefore technically the scheme can not support any affordable housing”.

However notwithstanding the results of their assessment, the applicant has stated that they “are potentially minded to accept an impact upon a normal rate of developer return and work with the council to achieve a 10% provision of affordable housing and may also look to achieve some of this as an off site contribution”. At the time of writing the report the applicant had confirmed that 10% affordable housing would be provided on site. For 420 dwellings, which would be the maximum number of houses to be agreed under this application, this equates to 42 dwellings. At this stage we do not have any details of the mix of tenures or range of house types that the affordable housing scheme would comprise.

We have appointed an external consultant to advise us on the applicant's viability report. His view is that the development of the site would be viable in providing 15% affordable housing – thereby an increase of 21 dwellings from 42 (at 10%) to a total of 63 dwellings. The applicant has since advised that in their view 15% is not achievable.

Our consultant has highlighted a number of areas that in his view affect the overall viability of the site:

- The price of the land to be paid to the owner – which should realistically reflect the planning requirements arising from the development of the site.
- Some of the financial costs put forward in the report and in particular the interest rates.
- The floor areas proposed for the new dwellings are larger than those currently being sold by the national house builders but this is not reflected in the expected sales prices.
- The expected level of profit by the applicant, on the basis of a risk/reward ratio and then the expected level of profit by the subsequent developer, once the land is sold on
- The extent of the gross developable area of the site and high proportion of the site that is to be used for open space and sports provision.
- High level of other S106 costs required ie education contributions, highway works, sports building etc.

The Planning Practice Guidance requires local authorities to be flexible in seeking planning obligations where an applicant is able to demonstrate that they would cause a development to not be viable.

There are other cases across the City where schemes have satisfactorily demonstrated that the development of the site would not be viable with 40% affordable housing. In those circumstances we have come to an agreement on a lower figure and in some cases we have also agreed a review mechanism to enable viability to be re-assessed. There is no reason to take a different approach with this application.

However as previously stated the applicant is proposing only 10% affordable housing and has also stated that a review mechanism would not be acceptable to them. I consider that with such a large number of dwellings and expected build rates, over a five year period, a review mechanism is essential.

The advice from our consultant is that 15% affordable is achievable and therefore I propose to include the requirement for 15% affordable housing within the s106 agreement.

7.0 CONCLUSION

- 7.1 The application requires a careful balancing of a range of often competing issues. The need to find sites to deliver housing requires difficult decisions to be made about sites that previously might have been ruled out of consideration, because there was any form of restrictive designation and because other less sensitive sites were alternatives.
- 7.2 The identification of the site as a Landscape Conservation Area allocation within the 2002 plan would indicate that a new housing development should be resisted. However the weight that can be given to this policy, given the dated approach and emerging JCS policy, is limited. Additionally with the need to continue an ongoing 5 year supply of housing, other sites must come into consideration for development, in order to preserve areas of the highest sensitivity from development.
- 7.3 As with any new development there will be some impacts arising from it. All impacts have to be assessed against the need for providing housing to meet predicted demand and the mitigation or design solutions proposed to reduce those impacts. The site is on the urban edge and is in a sustainable location with good access to public transport, shops and community facilities in Matson.
- 7.4 It is clear from the applicant submissions that they have sought to maximise existing landscape features on the site. A small proportion of trees are to be removed but the great majority, and those of highest quality are to be retained. The high proportion of land to be utilised as open space will create attractive areas, adding to the opportunities for participation in sport and recreation in the local area. Additionally the open areas will provide more diverse habitats in ecological terms and provide and attractive setting to the new housing.
- 7.5 Additionally the high proportion of open space to developable area, together with the overall design approach of setting lower density development to the most sensitive boundaries, will help to soften the introduction of the built form onto this agricultural land. Furthermore this approach along the southern part of the site together with the open nature of the pitches will help integrate this part of the development with the adjacent fields. Further landscaping along these boundaries, together with the network of green spaces and corridors

proposed, will further soften views from outside of the site including to and from the designated Cotswolds AONB.

- 7.6 The scale of the proposed development of up to 420 houses should be satisfactorily accommodated on the site and integrate well with the local surroundings. Existing and new residents will benefit from the open space, allotments, play areas, and new sports pitches and community building. However residents will experience additional traffic along the local road network and obviously those immediately surrounding the site will have a very different outlook from their properties.
- 7.7 The Highway Authority are satisfied that with the road improvements required, including the provision of a right hand turn facility on Painswick Road, the traffic arising from the development can be safely accommodated onto the local highway network. Similarly the Highways Agency raise no objection in terms of the impact of the proposals upon the strategic road network.
- 7.8 The site is subject to high levels of noise from the M5 and to a lesser extent from traffic along Winneycroft Lane. The applicant has demonstrated that with adequate mitigation the noise levels for the new dwellings can meet the WHO guidelines. The motorway will always have some impact upon the site and this will be noticed more within the areas or adjacent open space, allotments and sports pitches. . Planting to the noise bund will help screen the visual impact of vehicles travelling along the motorway as well as providing further visual screening to the site when viewed in shorter views from the east.
- 7.9 The development is also considered acceptable in terms of the setting of surrounding listed buildings and the Scheduled Ancient Monument.
- 7.10 The scheme provides a significant number of financial contributions however there is a notable shortfall in terms of the proposed affordable housing provision. It is accepted that the development of the site raises viability issues and as such the overall “package” of contributions should be seen in that context. However on the basis of the information with the Council, and the consultants advice, I consider it reasonable to require 15% affordable housing and a review mechanism to be included in the section 106 agreement. I consider.
- 7.11 Overall I consider that the principle of development is acceptable and that subject to appropriate conditions and the completion of a s106 agreement securing the required level of affordable housing that outline planning permission should be granted.

RECOMMENDATION OF THE DEVELOPMENT CONTROL MANAGER

- 8.0 That subject to no new material planning considerations being raised within the consultation period, that outline planning permission is granted subject to the completion of a section 106 agreement to secure the requested planning

obligations together with the provision of 15% affordable housing and a review mechanism for the re-assessment of the viability of the scheme.

A fully detailed list of conditions will be provided within the late material report.

Decision:

Notes:

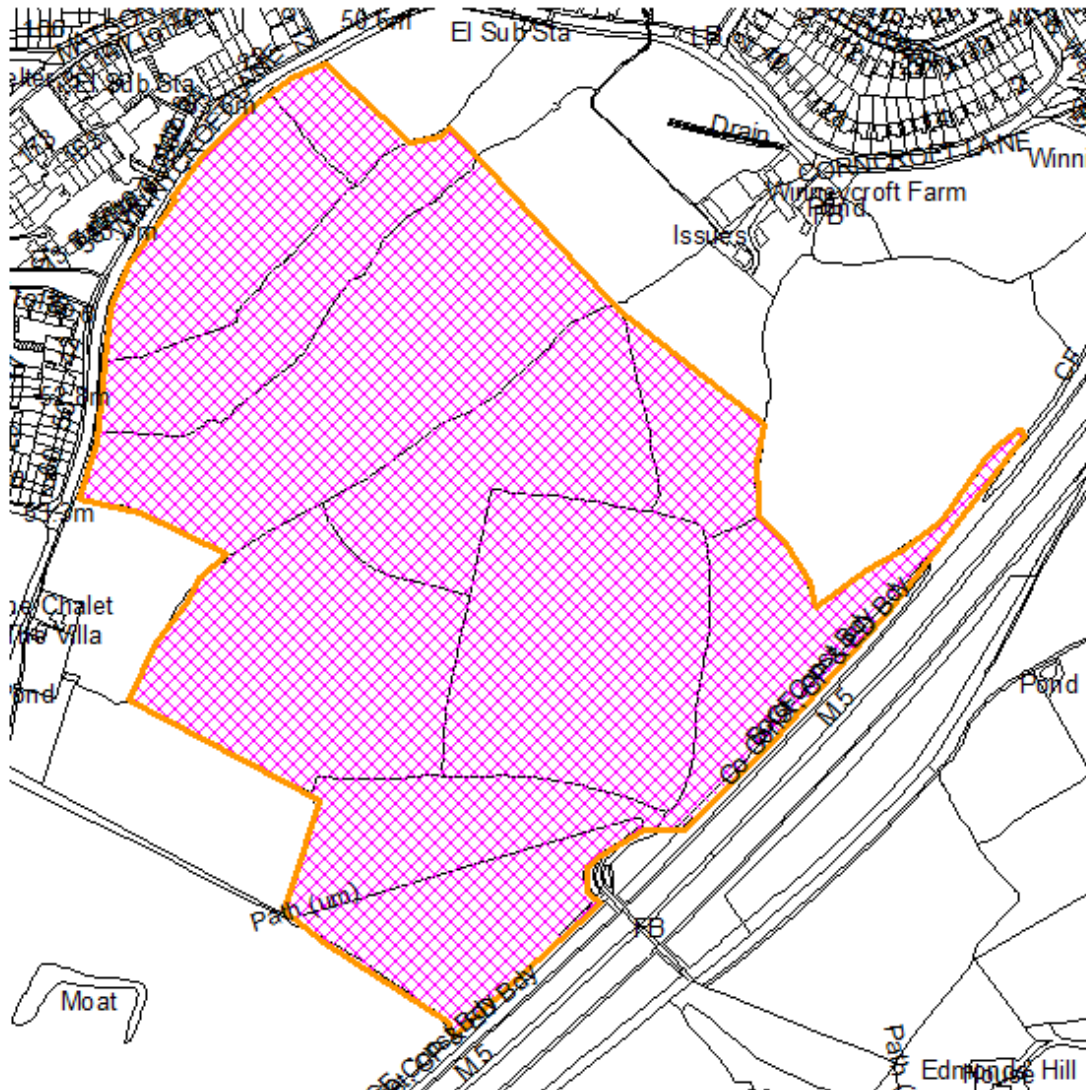
Person to contact: Joann Meneaud
(Tel: 396787)

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14/01063/OUT

Land South Of Winnycroft Farm
Corncroft Lane
Gloucester
GL4 6BX

Planning Committee 15.12.2015



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- Legend
- Site boundary
 - Residential
 - Public Open Space
 - Existing Trees and Hedges
 - Proposed Trees
 - Existing Hedgerows
 - ⬠ Community Building
 - Key Pedestrian Connections
 - Existing Public Rights of Way
 - Community Orchard
 - ⬠ Local Area of Equipped Children's Play
 - ⬠ Neighbourhood Area of Equipped Children's
 - ⬠ Multi-Use Games Area
 - Existing Water Course
 - Surface Water Attenuation Basins
 - Proposed Swale
 - 1m Contours
 - Community Allotments
 - ✱ Key Building
 - Key Space / Shared Surface

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Dear Joann

**RE: Planning Application – Land at Winnycroft Farm Matson 420 units
Ref 14/01063/OUT**

I write on behalf the Office of the Police and Crime Commissioner for Gloucestershire (OPCC Gloucestershire) and Gloucestershire Constabulary in connection with the above planning application for the erection of up to 420 dwellings and community space / building as well as associated landscaping, public open space, access, drainage, infrastructure, earthworks and other ancillary enabling works on land South Of Winnycroft Farm, Corncroft Lane Gloucester GL4 6BX.

This proposed development will impact on local policing provided by the Constabulary and will require mitigations to OPCC Gloucestershire's capital facilities.

To address these points, this letter sets out a request for an appropriate level of developer contribution with supporting information to justify how the requested developer contribution has been arrived at in line with relevant planning guidance.

A total policing contribution of £142,196.32 is requested in this instance.

The nature of the development

The application seeks to build on land at the southerly boundary of Gloucester City between Winneycroft Lane to the North and the M5 motorway to the south. The application is for 420 family homes and associated infrastructure on what is currently open land.

Current levels of local Policing demand

Policing is a 24/7 service resourced to respond and deploy on an "on demand" and "equal access" basis and is wholly dependent on a range of facilities for staff to deliver this. Calls and deployments via our Tri Service control room are monitored and can give an indication of the level of services in different areas such as the 52,700 households in the Gloucester local policing area.

In 2013 we dealt with 67,796 emergency calls across the County and 311,270 non emergency calls. In the Gloucester local policing area (LPA) 43,156 calls were handled 8,055 emergency calls and 35,101 non emergency calls.

The Gloucester local policing area dealt with 9,964 crimes and 8,691 incidents of Anti Social Behaviour in 2013.

Perhaps a further demonstration of response to demand is the regular patrolling of the locality and local community contact maintained by the Neighbourhood Policing teams located at Barton Street Police Station.

Current levels of deployment and infrastructures to Gloucester District.

Staff delivering Policing to the locality are spread across the following functions:

- 232 in the Gloucester LPA providing Neighbourhood Policing and emergency responses to the Gloucester District.
- 26 staff in the Tri Service Control Centre at Waterwells delivering additional response Policing and LPA contact management.
- 75 staff in delivery teams mainly at our sites at Waterwells and the Operations centre at Bamfurlong - criminal justice including courts case management and prisoner detention and processing, control centre/contact management, Intelligence research, operations planning, dogs and firearms, special branch, forensic, road policing, workshops, information technology and communications, child protection team and in regional/major crime working.

77 staff, in organisational support functions, at Police HQ and our training unit at Waterwells providing finance, human resources, welfare, estates, training and top level management of the Force.

24 police staff are employed to provide direct support to policing the Gloucester LPA.

Because of the integrated nature of Policing - there no longer being one local police station serving all the local need - all these functions will be called upon to deliver Policing to the proposed development. Across our 434 staff equivalent

employed to deliver Policing to the Gloucester local policing area. Policing an existing development of this size would occupy the time of 3.45 existing members of Police staff. Staffing levels are under constant review to ensure that minimum numbers are deployed to meet existing levels of Policing demand. This has the benefit of saving costs, but as a result there is no additional capacity to extend existing staffing to cover additional development of the scale proposed.

Where additional development is proposed we will seek to deploy additional staffing and additional infrastructures at the same level that is required to deliver Policing to the locality. It would be complacent not to do this because additional pressure will be put on existing staff and our capital infrastructures and this will seriously undermine our ability to meet the Policing needs of this development and maintain the current level of Policing across the Gloucester local policing area. The impacts of the development are so significant that they cannot be met without additional staff deployed at a level consistent with current Policing of the locality.

Personal equipment for staff comprising workstations, protective equipment, uniforms and bespoke training in the use of these. In general we retain this equipment when existing staff leave and are replaced however additional staff will require additional equipment. There are practical limits to the extent to which existing equipment can be re used eg with uniforms or where technology has moved on.

Police vehicles of varying types and functions covering existing patterns of development and community demand. The 415 vehicle fully equipped fleet is kept at a level to meet existing patterns of demand from the County with reductions made whenever possible. Vehicles are used by staff on patrol, deployed to deal with emergency responses and for follow up of recorded crimes eg by Scene of Crimes Officers. There is no capacity in this deployment for increases to meet the demands of growth.

Police National Database The availability and interrogation with hardware costs to ensure our current capacity costs an average of £165,420 pa. It

costs an additional £5,000 to replace the servers every 5 years. The system will require additional capacity as the County expands. Planned capacity is the number of hits and associated data storage and interrogation that the current system is capable of accommodating and is established each time hardware is added.

Control room telephony We employ 156 staff to take and deploy responses to calls across the County. The control centre is maintained to capacity use and there are particular times when our telephony system runs close to overload due to the sheer number of calls at peak points of Policing demand. e.g. at weekends and evenings

Automated Number Plate Recognition (ANPR) is an essential tool in the management and investigation of crime, from crime prevention & reduction to the protection of our national security. The County of Gloucestershire has had ANPR technology since 2006 in Gloucester City. This technology assists the Constabulary in being able to detect and deter crime by enabling actions to be taken against those who may be involved in criminality using motor vehicles on the counties road networks.

Automatic Number Plate Recognition (ANPR) technology is used to help detect, deter and disrupt criminality at a local, force, regional and national level. Searches of ANPR data can confirm whether vehicles associated with a known criminal has been in the area at the time of a crime and can dramatically speed up investigations.

All the ANPR cameras are fed into a back Office facility which is monitored 24 hours a day by the Force control room.

Policing points are already functioning across the county. These are established where partners offer premises at a reduced or nil cost and are used to cover the existing pattern and size of development in that location. They need to be equipped and where additional development is proposed with increases in demand for this deployment we seek developer contributions for equipment and local crime initiatives.

Premises sufficient to accommodate the staff and services outlined above in Gloucester local policing area and beyond and particularly at Police Headquarters, Waterwells. The Force has an active estates review function minimising our premises need to meet existing Policing demand. We just can't afford to have buildings under used and will dispose of these wherever necessary using receipts to re invest where there are known difficulties. Our asset management programme identifies and costs the requirement to refurbish, extend and replace premises. It does not take into account the predicted growth of some 90,000 houses in the next 10 to 20 years.

Other capital infrastructures such as mobile data, upgrades to IT and data recording also require additional funding.

Why we seek Contributions

A primary issue for Gloucestershire Police is to ensure that new development of this scale makes adequate provision for the future Policing needs that it will generate. Like some other public services our primary funding is insufficient to be able to add capital infrastructures to support major new development when and wherever this occurs. Further there are no bespoke capital funding regimes, eg like Building Schools for the Future or the Health Lift, to provide capital re investment in our facilities. We fund capital infrastructures by borrowing. However, in a service where 90% of our budget is staffing related, our capital programme can only be used to overcome pressing issues with our existing facilities eg the new custody facility, technological replacements and upgrades or to re provide essential facilities like vehicles once these can no longer be used. This situation has been recognised by the Association of Chief Police Officers nationally for some time and there are public statements which explain our particular funding difficulties.

Faced with unprecedented levels of growth being proposed across our county Gloucestershire Police have resolved to seek developer contributions to ensure that existing levels of service can be maintained as this growth takes place. We are a regular and constant participant in the statutory Planning process evidencing the impact of growth through work with local Councils in their Plan making, preparation of guidance, preparations for CIL and the consideration of individual Planning applications including attendance at appeals. Police nationally encourage this approach to offset the impact of growth on the Police service.

The Policing impact of 420 additional houses at the site.

The proposed development will increase the population of this settlement by at least 1008 people. It is a fact that 420 new houses will bring additional Policing demands and particularly as there is no Policing demand from what is currently open fields. I do not doubt that there will be a corresponding increase in crime and demand from new residents for Policing services across a wide spectrum of support and intervention as they go about their daily lives at the site, in the town and across the County.

Empirical data indicates the direct and additional impacts of the development on local Policing that will be manifested in demand and responses in the following areas-

- At least 344 additional calls and responses per year via our control centre.
- Attendance to at least an additional 64 emergency events as a result of the proposed development each year.
- At least 280 non emergency events to follow up with public contact as a result of the proposed development each year.
- 79 additional recorded crimes as a result of the development per year based on LPA crime and household data. In addition at least 69 recorded anti social behaviour incidents each year as a result of the development.
- The demand for increased patrol cover.
- Additional demand for access to beat staff from the Gloucester Local Policing units.

- Additional Policing cover and interventions in all the areas described when considering staffing and functions above and for additional accommodation from which to deliver these.

Planning Policy justifications for a Policing contribution

National Policy

The National Policy position to support our request exists in NPPF. Securing sufficient facilities and services to meet local needs is a Core Planning Principle [para 17]. Planning is to deliver facilities and services that communities need [para 70] and Supplementary Planning documents can assist applicants in this. Plan policies should deliver the provision of security infrastructure and other local facilities [para 156]. Plan policy and decision making should be seamless [para 186]. Infrastructure Planning should accompany development planning by LPAs [177] who should work collaboratively with infrastructure Providers [162]. NPPF seeks healthy and inclusive environments where crime and disorder and the fear of crime do not undermine the quality of life [69].

The key statutory tests for the use of Section 106 Agreements are set out in R122(2) of the CIL regulations 2010 and echoed in paragraph 204 of the NPPF March 2012. This regulation introduced into law three tests for planning obligations. Obligations should be:-

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development

These tests are applied below to all elements of the policing contributions request set out in this letter.

Local Policy

The adopted Local Plan for Gloucester City remains the saved policies of the 1983 Gloucester City Local Plan, but this historic plan will shortly be superseded by the emerging Joint Core Strategy and in due course the Gloucester City Plan.

Although the Joint Core Strategy is not yet adopted, it has reached an advanced stage in its preparation and is expected to be submitted to Government in mid November 2014, following which it will carry significant weight.

The Joint Core Strategy Pre-Submission Document June 2014 policy on infrastructure delivery policy INF 7 includes safety and security including emergency services at paragraph 2. xi:-

"1. Where need is generated as a result of individual site proposals and/or as a consequence of cumulative impact, new development will be served and supported by adequate and appropriate on- and/or off-site infrastructure and services. In identifying infrastructure requirements, development proposals will also demonstrate that full regard has been given, where appropriate, to implementing the requirements of the Joint Core Strategy Infrastructure Delivery Plan.

2. Where need for additional infrastructure and services and/or impacts on existing infrastructure and services is expected to arise, the local planning authority will seek to secure appropriate and proportionate infrastructure provision in respect of:

- i. Affordable housing*
- ii. Climate change mitigation/adaptation*
- iii. Community facilities*
- iv. Early Years and Education*
- v. Health and well-being facilities*
- vi. The highway network, traffic management, sustainable transport and disabled people's access*
- vii. Protection of cultural and heritage assets and the potential for their enhancement*
- viii. Protection of environmental assets and the potential for their enhancement*
- ix. Provision of Green Infrastructure including open space*
- x. Public realm, and*

xi. Safety and security including emergency services.

This list is neither exhaustive nor are its elements mutually exclusive.

3. Priority for provision will be assessed both on a site-by-site basis and having regard to the mitigation of cumulative impact, together with implementation of the JCS Infrastructure Delivery Plan.”

The Police and Crime Commissioner for Gloucestershire has participated fully in the Joint Core Strategy Infrastructure Delivery Plan process, having submitted representations at all consultation stages to ARUP. This is resulted in the inclusion of our infrastructure requirements in the Joint Core Strategy Infrastructure Delivery Plan main report issued in October 2013 and Executive Summary June 2014.

The Police and Crime Commissioner for Gloucestershire has also made representations on the emerging Gloucester City Plan during all consultation stages, but it is at a less advanced stage of preparation than the Joint Core Strategy.

Developer Obligations towards Police Infrastructure

On the basis that an increase in population arising from the development proposals would impact on the ability of the Police to deliver an effective and efficient service, it is reasonable that developers contribute towards mitigating these impacts via Planning Obligations. In the Association of Chief Police Officers guidance from Ian Dove QC infrastructure is defined :-

“The first point to note is that “infrastructure” is not a narrowly defined term. Section 216 of the Planning Act 2008 provides a list of “infrastructure” but is clear that that list is non-exhaustive. That fact is demonstrated by the use of the word “includes” prior to the list being set out. In my view there is no difficulty in the proposition that contributions towards Police infrastructure can be within the definition of infrastructure for the purposes of the 2008 Act. In policy terms this is reinforced by the reference to security infrastructure in paragraph 156 of the National Planning Policy Framework.

Furthermore infrastructure is of course not limited to buildings. In the context of the police’s infrastructure the kind of items which could be included have been provided in my instructions and includes equipment such as vehicles and

bicycles, communications technology and surveillance infrastructure such as CCTV equipment.”

Planning Precedents

In our Force area we have a precedent set in the recent application for planning on land at Perrybrook, Brockworth.

Paragraph 17.17 states that

“the scheme would make provision for a safe lockable office/room for the police service to use at Brockworth. In light of that commitment the applicants are happy to either make provision for such a facility or make the financial contribution requested by Gloucestershire Constabulary. It is considered that such an obligation would be CIL compliant and could be secured by way of a Section 106 agreement.”

In other Force areas precedents have been set by the rulings of planning inspectors. I have consulted with colleagues in other Forces and have the following examples:-

Land South of Hallbrook Primary School 111 dwellings

Application Ref 12/04597/OUT Appeal Ref APP/F2415/A/12/2183653

The Secretary of State overturned the Inspectors decision to allow an appeal but agreed with the Inspector that a police contribution as part of a package of S106 contributions were necessary to make the proposal acceptable in planning terms and accord with the 2010 CIL regulations 122 tests and the paragraph 204 NPPF tests.

Appeal A – land East of Springwell Lane, Whetstone 150 dwellings

Appeal A: APP/T2405/A/13/2193758

The Inspector was satisfied that the Police contribution was necessary to make the development acceptable in planning terms.

Ashby de la Zouche, South of Moira Road – 69 dwellings

Appeal Ref: APP/G2435/A/13/2192131

£24,903 towards the costs of policing the development – the Inspector found that this complied with paragraph 203 of the NPPF and met the test of regulation 122 CIL regulations 2010.

Land North of Bill Crane Way, Whetstone – 150 dwellings

Appeal Ref: APP/F2415/A/12/2179844

A unilateral undertaking including a policing contribution. The Inspector found that the policing contribution of £426 per dwelling was necessary to make the development acceptable in planning terms, even though additional staff, accommodation, vehicles and equipment were not for the exclusive use of the development.

Rearsby Roses, East Goscote – 60 dwellings

Appeal Ref: APP/X2410/A/12/2187470

£25,000 policing contribution found to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind.

Melton Road, Barrow upon Soar 300 dwellings

APPLICATION REF: P/10/1518/2

The Secretary of State's decision supporting the Inspector's decision to grant planning permission and a policing contribution of £177,255. The Inspector and the Secretary of State endorsed that this request for a policing contribution of £590 per dwelling met the CIL tests. Please note paragraphs 291 and 292 of the Inspector's report.

Seine Lane/Forest Road, Enderby 244 dwellings

Appeal Ref: APP/T2405/A/13/2200867

Appeal dismissed application for maximum of 200 homes, but policing contribution met CIL tests.

Mount Sorrel Lane, Rothsey 250 dwellings (as reduced)

Appeal ref: P/12/2005/2 and P/12/2456/2

Appeal A – 250 dwellings. The Secretary of State's decision agreed with the Inspector's recommendation to allow an appeal. Both confirmed that the unilateral S106 agreement including a policing contribution of £106,978 (£427 per dwelling) met CIL regulation 122 tests

Rugby Radio site – urban extension of 6200 homes plus a significant amount of other related development. Planning committee resolution 8th January 2014. Resolution to grant planning permission subject to draft S106 heads of terms including a policing contribution of £1,237,000, with a Safer Neighbourhood Team office contribution of £500,000.

Copies of all of the above are attached as appendices

The Police contribution request

A total contribution request of **£142, 196.32** is sought to mitigate the additional impacts of this development because our existing infrastructures do not have the capacity to meet these and because, like some other services, we do not have the funding ability to respond to growth proposed. We anticipate using rate revenues to pay for staff salaries and our day to day routine additional costs (eg call charges on telephony and Airwaves, vehicle maintenance and so on).

Police expect to agree a programme to procure these additional facilities and have no difficulty including this as a clause in a legal agreement. We are committed to procure these items subject to the contribution sought. Contributions are only sought that are related in scale and kind to the development and so some infrastructures will not be entirely funded as a result. Police will pay the remaining amount if no other developers contribute towards Policing in the Gloucester area. This will mean that funds will have to be diverted away from other areas of deployment whilst seeking to maintain our priority as far as front line Policing is concerned.

As a further justification of our request, we confirm that the contribution will be used wholly to meet the direct impacts of this development and wholly in delivering Policing to it. Without the development in place it is reasonable to

forecast the impacts it will generate using information about the known Policing demands of comparable local development. We believe the Framework encourages this and there is no more reliable comparators than those used in this request.

The development should make provision to mitigate the direct and additional Policing impacts it will generate and cannot depend on the Police to just absorb these within existing facilities with limited capacities and where Police have no flexibility in our funding to do this. This has been the situation since 2010 when Gloucestershire Police started to seek contributions. It is not forced by current spending reductions although strictures across the public sector re-enforce the need to ensure developments mitigate the direct additional impacts they cause.

Because of the very serious implications for Policing of major developments, like this one, Police nationally have taken advice about the best way to proceed in the transition period prior to the CIL regime. As a result Gloucestershire Police no longer make requests based on a formula but solely in relation to the development under consideration; its direct impacts on Policing and the necessary mitigations that it should provide.

What follows is a detailed explanation of Methodologies used to calculate the contribution and our application of the NPPF tests to justify each part.

Mitigation of impacts and methodologies identified by Gloucestershire Police

Baseline background. At October 2012 total floor space occupied by the Force to deliver Policing to this County was 32409 m2. We employed 1,199 police officers and 132 PCSOs and 633 police staff to do this.

Existing households in the County (2011 census) 52,700 (2009/10) in Gloucester local policing area (LPA).

204 police officers and 28 PCSOs delivered policing services in Gloucester LPA.

24 police staff supported delivery of policing services to the Gloucester LPA.

Households to staff for Gloucester is 122:1
Floorspace to staff Forcewide is 16.78 m2.

Equipping staff.

Additional staff needed to Police the development will require additional equipment.

For a Police Officer the additional equipment items are uniform £898, Workstation £1186, IPLDP probationers induction training £5854. Uniformed officers work in shifts where workstations can be shared and as a result start up cost will be £8422 per uniformed officer.

For other staff the additional equipment items are workstation £1853 and training £300, total £2153.

The average cost of employing and equipping a new member of police staff is £3688.

Because the development is forecast to generate the need to employ 3.45 additional members of staff the contribution for equipment should be **£20,895** from this new development. (Based the average cost of equipping a member of staff - 8422+3688 -: 2 X 3.45)

The Force could not have officers attending this development with less than adequate equipment with un-necessary risks to themselves and occupiers served.

Is the contribution necessary to make the development acceptable in planning terms?

Crime and community safety are Planning considerations and the Councils Core Strategy content further demonstrates this. The Framework identifies the need to achieve security in new development and makes provisions to deliver this through the planning system. Deployment of equipped staff is fundamental to delivering community safety and mitigating crime.

Is it directly related to the development?

The Policing demands of this development are identified and Police mitigation of these can only be delivered by adequately equipped staff.

Is the contribution fairly and reasonably related in scale and kind to the development?

This is a residential development and the Policing demands it will generate are known by comparison with local residential development. Demand and mitigations have been determined by the scale of the development.

Police vehicles In managing and responding to crime a number of different vehicles can be deployed ranging GRV patrol cars, unmarked general support vehicles, Public Service Unit vans and minibuses, scientific [eg SOCO] vehicles, pursuit vehicles - 4x4 and high speed, motorcycles and so on. Current fleet deployment to the Gloucester area is 38 vehicles serving 52,700 existing households. The average equipped cost of a vehicle is £17,300. We replace vehicles on average every 4 years and although there is some resale value it is minimal. Based on this existing level of deployment to the locality we forecast additional demands as a result of this application.

38 units (vehicles at value £657,400

Existing households Gloucester 52,700 = £12.15 per H hold

In relation to this particular development additional vehicle costs to deliver Policing and meet community safety needs will be **£5,104**. This will be required when the cycle of replacement in the Gloucester area and the building of the new development coincide. Impact of the development without the contribution will be pressure to spread existing transport more thinly. Residents of the new development and their representatives will expect the same degree of cover as elsewhere in the locality and existing residents will expect existing cover to be maintained and not reduced as a result of the new development.

Is the contribution necessary to make the development acceptable in planning terms?

Use of vehicles is fundamental to deliver community safety and address crime especially at Neighbourhood level.

Is it directly related to the development?

Fleet deployment is related to the known Policing demands of comparable development in the locality. The direct demand from the new development can be accurately forecast. Delivering Policing direct to this development will not be possible without additional vehicles to do so.

Is the contribution fairly and reasonably related in scale and kind to the development?

This is a residential development and the Police vehicle demands it will generate are known by comparison with deployment to other local residential development. Level of demand and mitigations have been determined by the scale of the development and demonstrate only a proportion of a vehicles' time will be spent policing it. We do not therefore seek the cost of a whole vehicle.

Police Database capacity. This is a secured stand alone information source integrating a variety of data nationally and allowing this to be compared over time in relation to individuals and locations. Additional hits as a result of the development to access existing crime information and add more crime data to be accessed by more staff generate a need to add capacity to this system.

Dedicated hardware is used with our contribution to this at £165,420 per annum. In addition, local servers are replaced every 5 years at £5k

To serve the existing households in the Gloucester district costs £0.53 per household per year. An additional 420 houses equates to £221 per annum

We require a one off cost of **£221** to increase capacity. Failure to increase PND capacity in step with growth the subject of this application will directly impact the capacity of the Force to rapidly access and respond to crime information.

Is the contribution necessary to make the development acceptable in planning terms?

Deployment to adequately deliver community safety will not be met where this is prejudiced by insufficient capacity in the Police PND system.

Is it directly related to the development?

The additional demands of this development in relation to this infrastructure have been identified as have mitigations.

Is the contribution fairly and reasonably related in scale and kind to the development?

This is a residential development and the Policing demands it will generate, in terms of PND use, are known by comparison with other local residential development. The development is not built and this is a reasonable way to forecast this impact. Demand and mitigations have been determined by the scale of the development.

Control Room telephony Police control room call handling equipment is used to capacity at peak times. Our call handling centre at Waterwells directs all calls and deploys resources to respond and continue monitoring. We know the capacity of the technology and the calls it currently handles [fixed around minimum times with callers] and will be expected to handle as a result of the new development. In order to deal with all our calls across the County telephony, lines and licenses are required at a total cost of £ 22,530 per year. This currently cost 8 p per household.

The proposed 420 additional houses in the Local Policing Area are forecast to generate 344 additional calls per year. We request a one off contribution of **£35.32** to pay for additional lines and licences.

There will be a call handling impact and delays in response times if we attempt to serve this development with our current telephony systems.

Is the contribution necessary to make the development acceptable in planning terms?

Crime and community safety are Planning considerations and the Councils Core Strategy content further demonstrates this. NPPF identifies need to achieve security in new development and makes provisions to deliver this through the planning system. These considerations will not be met where Policing delivery is prejudiced by insufficient telephony capacity to take calls and deploy responses in good time.

Is it directly related to the development?

The additional demands of this development in relation to this infrastructure have been identified as have mitigations.

Is the contribution fairly and reasonably related in scale and kind to the development?

This is a residential development and the Policing demands it will generate, in terms of use of control room telephony, are known by comparison with other local residential development. Demand and mitigations have been determined by the scale of the development.

ANPR CCTV Deployment These cameras are server linked to identify number plates of vehicles in use for crime. Recent public consultation saw significant support for the extension of this intelligence led solution to counter both local and travelling criminality impacting on the communities of Gloucestershire. There are plans to extend coverage of this technology initially in to Cheltenham and subsequently throughout the county.

Expansion of this system should be considered in conjunction with any new or planned development, enabling the Constabulary to put the right resource at the right place against the right risk and providing the opportunity for detections to become less resource intensive.

We will install these as resources permit however our financially constrained programme makes no provision for the impacts of additional areas of housing.

Unit cost is £9,000 which includes installation and APN links. There will be an annual running cost £2,484 per year for data from O2 and our managed provider Wireless logic.

The cameras at the following positions would be covered under this section 106 application.

- B 4073 Painswick Road/Upton Hill

A contribution of **£11,484** is requested.

Is the contribution necessary to make the development acceptable in planning terms?

Deployment of CCTV technologies significantly increases detection and deterrence with reduced need for staff presence and particularly contributes towards achieving community safety at neighbourhood level. This will be prejudiced where new development places additional demands on existing deployment without mitigation and the ability of these technologies to deliver safety is undermined where new development adds network gaps.

Is it directly related to the development?

The additional demands of this development in relation to this infrastructure have been identified as have mitigations. The nature of the development and its size and location in relation to the existing settlement and camera deployment are a direct consideration in these technologies.

Is the contribution fairly and reasonably related in scale and kind to the development?

This is a residential development and the Policing demands it will generate, in terms of additional crime and vehicle movements, are known by comparison with other similar residential development in the locality. Demand and mitigations have been determined by the scale of the development.

Premises Within the Gloucester local policing areas Neighbourhood Policing is delivered from premises at Bearland and Barton Street. 3.45 additional members

of staff will need to be accommodated to serve the development. Occupation of local and Force wide premises is maintained to capacity. Premises cost is amount of floorspace per staff member (15.6m²) x number of staff generated by the development (3.45) x Build and build cost (£1,900m²) giving a total of **£102,037** from this development. The latter is the build cost in use by Force Estates and has been externally verified by consultants.

This will be a contribution towards the building works required to upgrade our response facility. Gloucestershire Police own the freeholds of these buildings and have in house expertise able to deliver property projects.

In relation to premises our Asset Management Strategy proposals maximize the use of our estate and some premises require refurbishment and upgrade. This programme does not take into account the predicted growth and our requirements across the County to deliver policing as demand increases. It is estimated that some 90,000 new dwellings will be built over the next 10 to 20 years.

Clearly we will be unable to fund any required growth without contributions and our future provision of infrastructure will be severely restricted.

Our infrastructure requirements were made clear in the Joint Core Strategy IDP main report issued in October 2013.

Is the contribution necessary to make the development acceptable in planning terms?

Crime and community safety are Planning considerations and accommodating staff in the optimum location to serve the development is essential if this is to be achieved.

Is it directly related to the development?

The additional staffing needs the development will generate have been established by reference to existing local deployment reflecting the actual Policing demands and crime patterns of the locality. In a similar vein the premises requirements that result from the need to accommodate additional staff at these levels is known. A direct relationship between the development,

additional staffing and accommodation is demonstrated and it is appropriate to mitigate this through the planning system.

Is the contribution fairly and reasonably related in scale and kind to the development?

This is a residential development and the accommodation needs of staff delivering Policing to meet local demands of development of this nature are known. It is based on the scale and kind of residential development.

Additional Equipment for policing point serving the locality. This new development will increase the demand for local accessibility to Policing. Police are delivering policing points to existing communities and have a model for these reflected in current provision to serve existing residents from Parish Council offices, libraries and similar premises. The provision room in a community hub is requested and in addition a contribution of £2000 to equip it with the necessary mobile information technology functionality.

In association with this policing point Police expect to meet the demand for additional local crime initiatives as a result of new development. We have restricted funds to deliver crime prevention initiatives to existing and new development which pays for equipment such as Smartwater kits(fluid, sprays, detectors) or signage for local occupiers to use. We request that the developer contribute £1 per new unit towards the cost of these initiatives. A smartwater kit for example costs £16.

Is the contribution necessary to make the development acceptable in planning terms?

Crime and community safety are Planning considerations and ensuring accessibility for the public to Policing is important to community safety, combating and reducing crime and the fear of crime.

Is it directly related to the development?

The use of a room in the community hub as a local policing point and a proportionate contribution towards equipment there is sought.

Is the contribution fairly and reasonably related in scale and kind to the development?

This is a residential development and accessibility to beat Policing for residents is an increasing part of the service. More policing points are being provided to existing communities but there is no capacity to extend these to cover additional areas of housing. The contribution is based on the scale and kind of residential development and is proportional.

SUMMARY OF CONTRIBUTION REQUESTED

Start up equipment	£ 20,895
Vehicles	£ 5,104
PND additions	£ 221
Additional call handling	£ 35.32
ANPR	£ 11,484
Additional premises	£ 102,037
Policing point equipment	£ 2,420
Total	£ 142,196.32

Conclusion

Without the necessary contribution the development will be unacceptable in planning terms and permission should not be granted as indicated in NPPF Guidance. The lack of capacity in existing infrastructure to accommodate the population growth and associated demands occasioned by the development means that it is necessary for the developer of the site to provide a contribution so the situation might be remedied. The request is directly related to the development and the direct Policing impacts it will generate based on an examination of demand levels in the parish, settlement, adjacent areas and existing Policing demands and deployment in relation to this. The request is wholly related to the scale and kind of the application development.

I am happy to provide a phased payment approach to the contributions on the understanding that our total funding request is agreed under the S106 terms when planning permission is granted. However I am unable to estimate when funding will be required until we have established the phasing of your build. Therefore I believe this needs to be discussed and I would welcome the opportunity to meet with you to clarify any of the issues of developer contributions towards necessary Police infrastructure prior to determination of the planning application.

I would be grateful if you could contact me as soon as possible following receipt of the letter, but in the meantime should you have any queries, please do not hesitate to contact me.

Secured By Design

Please be aware that these representations are prepared on behalf of the Office of the Police and Crime Commissioner for Gloucestershire to seek developer obligations towards Police infrastructure. Separate representations may be submitted by the Crime Prevention Design Adviser Mark Murphy in respect of crime prevention environmental design/compliance with Secured By Design principles.

Without prejudice to any other obligation imposed upon it, it shall be the duty of each local authority to exercise its various functions with due regard to the likely effect of those functions on, and the need to do all that it reasonably can, to prevent crime and disorder in its area: Section 17(1) of the Crime and Disorder Act 1998.

The Police service have produced a guide called "Design and Access Statements how to use them to prevent crime" and it can be accessed at this weblink.

<http://www.securedbydesign.com/pdfs/Design%20and%20Access%20Statements%20-%20How%20to%20use%20them.pdf>



14-04-08 3-in-1
Mountsorrel Lane Cha



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Rugby Radio Station
- Excerpt.pdf



perrybrook PDS
MASTER.pdf



Mandy Gibbs

Facilities and Environmental Manager MILM
Gloucestershire Constabulary

Police Headquarters, 1 Waterwells Drive, Quedgeley GL2 2AN



CC Mark Murphy

GLOUCESTER CITY COUNCIL

COMMITTEE	:	PLANNING
DATE	:	15th DECEMBER 2015
ADDRESS/LOCATION	:	LAND AT GLOUCESTER BUS STATION, MARKET PARADE, GLOUCESTER
APPLICATION NO. & WARD	:	15/01142/FUL (WESTGATE WARD)
EXPIRY DATE	:	18 NOVEMBER 2015
APPLICANT	:	GLOUCESTER CITY COUNCIL
PROPOSAL	:	Demolition of buildings, tree removal and redevelopment of site to provide a new bus station, highways and access works, landscaping and associated infrastructure works including provision of emergency staircase on existing NCP car park
REPORT BY	:	JON SUTCLIFFE
NO. OF APPENDICES	:	1. SITE LOCATION PLAN

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is currently made up of part of a vacant office block known as Grosvenor House, the existing bus station administration offices, public toilets, a cafe and former office block, Bentinck House. In addition the implementation of the new site will include the relocation of the entrance to the multi-story NCP car park to the north-east and includes further areas beyond the bus station site where highways works are proposed. The scheme will comprise Phase 1 of the much wider Kings Quarter redevelopment scheme which will also include a further phase of highways works. The proposed bus station will comprise of an admin building, a café, an internal concourse, an external covered bus standing area, the bus forecourt and external entrance areas.
- 1.2 The application site is located adjacent to the southern side of the existing city centre bus station to the east of the city centre. The site is bordered to the east and south by Bruton Way and to the south and west by Station Road. Market Parade runs to the north of the existing bus station. The total application area is approximately 1.94 hectares and includes areas for highways works off site. In addition the implementation of the scheme will affect the entrance to the multi-story car park to the north-east of the site. The

site is broadly level throughout. The land is partially located within flood zone 2. It lies adjacent to, but not within, Conservations Areas. .

- 1.3 Whilst the urban centre of the site is largely clear of significant vegetation and trees, there are trees within the south west corner of the site and two large trees located at either end of Bruton Way within the highways works. Further street trees are located on Station Road and Market Parade. The site falls within an area identified for mixed use allocation within the 2002 Gloucester Local Plan, and is identified as a bus and rail interchange.
- 1.4 The area is typically characterised by 1960's / 70s buildings which includes Grosvenor house, the old bus station office and public toilets and Bentinck House. The area directly to the north will form part of the wider Kings Quarter redevelopment scheme which is to be delivered in later phases. The bus station scheme and highways works within the application are seen as Phase 1 of that wider redevelopment. To the south of the site across Bruton Way is a 5 storey office building, to the west is the core city centre, to the north east is a hotel and to the south east is the city centre railway station.
- 1.5 The station to be delivered within phase 1 will accommodate "Drive in Reverse Out" facilities for local bus services and a further stand for national coaches, plus further stops in Station Road. The development objectives are to deliver a functional and yet 'architecturally stunning' bus station; maximise efficiency of vehicle manoeuvrability; ensure full DDA compliance, especially considering access for the blind; provide a small travel information centre and office, public toilets and a kiosk type retail offer together with a café area and staff facilities; provide an enclosed concourse with sufficient seating and waiting areas for passengers; and create a two phase construction with the ability to connect with the future Kings Quarter development. Vehicular access for buses and coaches to the bus station would be via new access arrangements from Bruton Way. A number of cycle stands will be provided in order to encourage sustainable transport movements both to and from the station. In regards to pedestrians the area will have safe crossing points throughout. For people accessing the area by car the site will have drop off bays for both taxis and cars.
- 1.6 The proposals include a series of off-site highways works along Bruton Way, a reconfigured junction to the south from Station Road, and alterations to the exit from the NCP car park to the north as well as widening works proposed on Station Road/Market Parade. These highways works are designed to form 'phase 1' of a wider package of highways works which will be required to serve the wider Kings Quarter development.
- 1.7 In terms of detail, the proposed bus station building is approximately 8.7m at the highest point of its roof. The structure has a supporting column which is relatively slender in profile, and projects to around 14.2m in height. By comparison, the existing Bentinck House is around 21m in height, and Twyver House is around 16m in height. The roof covers the passenger concourse, which is enclosed by a full height glazed screen. At the south-western area of the concourse is the proposed admin building which incorporates passenger

facilities such as toilets and a cafe. Staff facilities and accommodation are at first floor level.

- 1.8 The vehicular entrance to the Bus Station is positioned in the west of the site from Bruton Way directly to the east of the junction with Market Parade and Station Road. For buses travelling from the east along Bruton Way, a right turn into the Bus Station will be facilitated by removing a section of the central reservation. Bruton Way eastbound is restricted to bus-only operation, removing conflict with general traffic and allowing easier movement for buses to turn in and out of the forecourt. Two exit points will filter buses onto Bruton Way eastbound. From the Bus Station, buses travel eastbound to meet a signalised junction with the A430 Bruton Way / Station Approach.
- 1.9 The key elements of the Highways Scheme required to deliver the proposed Gloucester Bus Station can be summarised as follows:
- Existing NCP car park access closed, with the currently gated access on Market Parade opened, and a left-out egress created on the A430 Bruton Way. It will be necessary to remove the bus only restriction for the section of Market Parade between the NCP access and the A430, and Spread Eagle Road.
 - Alterations to the A430/Bruton Way/Station Approach junction to include widened footway on the north side of the junction, Bruton Way eastbound changes to bus-only, reverse of the pedestrian crossing stagger over the north arm, and the creation of a new staggered TOUCAN crossing over the west arm.
 - Shared use pedestrian and cycle route along south of Bruton Way.
 - The Bruton Way/Market Parade junction will be changed from a roundabout to a priority T-junction. The central refuge island will enable pedestrians with pushchairs, wheel chairs or bicycles to wait safely.
 - Lengthening of the bus stop on the northbound carriageway of Market Parade directly to the south of Clarence Street to provide for an additional bus, with a total capacity of three.
 - Provision of a four bay taxi drop off facility on Market Parade directly to the west of the proposed Bus Station. This will improve taxi accessibility.
 - Localised road widening on Market Parade to better accommodate two-way bus movements.
 - Provision of a new zebra crossing linking with the route between bus and rail stations and Kings Square.
 - Creation of a new junction with the A430 at the south end of Bruton Way to mitigate the closure of Bruton Way eastbound to general traffic.
- 1.10 The proposal has been 'screened' to assess whether it was necessary for the application to be subject to Environmental Impact Assessment and be accompanied by an Environmental Statement. The screening opinion concluded that this was not necessary.
- 1.11 The application has been brought to Committee because the applicant is the Council and objections have been received to the proposal.

2.0 RELEVANT PLANNING HISTORY

2.1 None.

3.0 PLANNING POLICIES

3.1 The statutory development plan for Gloucester remains the 1983 City of Gloucester Local Plan. Regard is also had to the policies contained within the 2002 Revised Deposit Draft Local Plan which was subject to two comprehensive periods of public consultation and adopted by the Council for development control purposes. The National Planning Policy Framework has been published and is also a material consideration.

3.2 For the purposes of making decisions, the National Planning Policy Framework sets out that, policies in a Local Plan should not be considered out of date where they were adopted prior to the publication of the National Planning Policy Framework. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the National Planning Policy Framework.

3.3 The policies within the 1983 and the 2002 Local Plan remain therefore a material consideration where they are consistent with the National Planning Policy Framework.

3.4 From the Second Stage Deposit Plan the following policies are the most relevant:

Policy B.10 (Trees and hedgerows on Development sites)
Policy BE.1 (Scale Massing and Height)
Policy BE.2 (Views and Skyline)
Policy BE.5 (Community Safety)
Policy BE.6 (Access for all)
Policy BE.7 (Architectural Design)
Policy BE.21 (Safeguarding of Amenity)
Policy BE.31 (Preserving sites of archaeological interest)
Policy BE.32 (Archaeological assessment)
Policy BE.33 (Archaeological field evaluation)
Policy BE.34 (Presumption in favour of preserving Archaeology)
Policy BE.36 (Preservation in situ)
Policy BE.37 (Protecting and Preserving Archaeology)
Policy FRP.1a (Development and flood risk)
Policy FRP.6 (Surface water run off)
Policy FRP.10 (Noise)
Policy FRP.11 (Pollution)
Policy FRP.15 (Contaminated land)
Policy S.4 (The bus station site)
Policy ST.4 (Reducing travel by car and promoting other means of travel)
Policy TR.22 (Enhancing the bus and rail interchange)
Policy TR.31 (Road safety)

Policy TR.32 (Protection of cycle/pedestrian routes)
Policy TR.33 (Providing for cyclists/pedestrians)
Policy TR.41 (Railway station)

- 3.5 In terms of the emerging local plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and NPPG and are a material consideration. The weight to be attached to them is limited; the Plan has not yet been the subject of independent scrutiny and does not have development plan status. The Examination in Public has been ongoing since May 2015. In addition to the Joint Core Strategy, the Council is preparing its local City Plan which is taking forward the policy framework contained within the City Council's Local Development Framework Documents which reached Preferred Options stage in 2006.
- 3.6 On adoption, the Joint Core Strategy, City Plan and any Neighbourhood Plans will provide a revised planning policy framework for the Council. In the interim period, weight can be attached to relevant policies in the emerging plans according to
- The stage of preparation of the emerging plan
 - The extent to which there are unresolved objections to relevant policies; and
 - The degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework.
- 3.7 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

Conservation Officer – Comments that the site lies adjacent to Conservation Areas but is not within one. It is in a prominent gateway location and provides an opportunity to create a high quality contemporary landmark building. Raises no objection to the demolition works. The scheme should utilize high quality and locally distinctive materials. Raises concerns over the loss of trees which will impact on the character of the area. Recommends conditions to be attached to any permission,

City Archaeologist – Trial trenching has shown that remains of Roman date survive at depth beneath the site, and also potential for medieval date remains. Requests conditions be attached to any permission.

Urban Design Officer – Recommends that permission be granted. Provides detailed comments on design issues and the relationship of the bus station

with future redevelopment schemes. Raises concerns about loss of trees. Requests conditions to cover details of materials to be used.

Civic Trust – Planning permission should be refused. The proposed new bus station has been shoe horned onto a site which is much too small to serve the long term needs of a growing city where bus travel will become increasingly important. It will also mean the destruction of four very large, mature plane trees (and two other trees). The panel regrets the opportunity has not been taken to improve pedestrian access to the city centre on the railway station-bus station-city centre axis. Rather, it has been made worse by creating increased traffic circulation around the existing bus station area with two new accesses to Bruton Way. Pedestrians approaching from the railway station/hospital direction, still have to cross a very busy dual carriageway and negotiate an obstructive bund which visually isolates the proposed building. The panel likes the design concept of the proposed building, but is concerned that the quality of materials and finishes has been diminished. There appear to be no anti seagull/pigeon measures. The success of this vital building will depend on who owns it, manages it and polices it . All these issues need to be addressed if it is not to inherit the reputation of the present bus station as an unpleasant place to be

Environment Agency – Raise no objections to the application

Contaminated Land Advisors – Recommends standard land contamination investigation conditions are attached to any permission.

Tree Officer – The application requires the removal of seven trees in total, four of these are mature London Plane trees of significant amenity and historical value and it is the removal of these that I am particularly disappointed about. I cannot therefore support this application because I do not believe these trees and the others to be removed have been adequately considered for retention within the scheme from an early stage. I am not placing the importance of these trees above the development of a new bus station but I feel tree retention and new development are not, and should not be mutually exclusive. There are challenges involved in retaining mature trees in new developments but it is achievable.

County Highways – Satisfied the proposed development provides safe and suitable access to serve the both the Bus Station and existing commercial and residential uses and that amendments to the existing highway resulting in a redistribution of traffic in the immediate area are acceptable. Highlights additional highway works that are considered to be complimentary to the proposed scheme but are not considered to meet the test of a planning condition as necessary to make the development acceptable. Recommends a condition relating to the phasing of highway works.

Severn Trent Water – Raise no objections subject to conditions.

Environmental Planning – Comments awaited

Lead Local Flood Authority – Raise no objection subject to a condition.

Drainage Engineer - Raises no objection subject to a condition

Environmental Protection – Confirms the noise assessment of demolition works is acceptable, and confirms lighting is likely to be acceptable. Recommends approval subject to conditions.

Stagecoach West - Comments awaited

Gloucestershire Constabulary Crime Prevention Design Advisor – Provides a number of detailed comments intended to improve security and reduce the fear of crime in this new gateway to the City.

Network Rail – Raise no objections subject to conditions

Gloucester Chamber of Trade & Commerce - Comments awaited

Historic England – Do not wish to object to the application.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 The application has been publicised through neighbour notification, press and site notices. Representations have been received from 5 persons. The following issues are raised-

- Object to removal of plane trees which should be preserved as they cut pollution, improve climate and public health
- Detailed comments provided from a community engagement officer for Guide Dogs related to design details
- Concern about cycle route in front of Twyver House in terms of risk of collisions with pedestrians
- Should consider a crossing on Station Road adjacent to Twyver House
- 'Keep clear' markings needed at exit from Twyver House car park
- Noise and dust issues from demolition and construction
- Timing of lights at Station Road/Bruton Way junction
- Object as does not comply with the NPPF as it ignores local distinctiveness as it ignores the natural environment, primarily, four mature London Plane trees which were planted over 100 years ago.
- Trees could live another 200 years, and with maintenance and sympathetic development would continue to be an asset to air quality and the amenity of the bus station.
- I understand that these are civic trees, planted by the local council, and therefore one might expect them to be owned, protected and championed by the same planning authority.
- These trees have a large amount of mature canopy, and any claim that small replacement trees will compensate is offensive and dishonest. The council should not ignore or devalue its existing environmental assets, or locally distinctive features.

- Creation of 2 new entry points (Bruton way Car park, and proposed new exit by ASDA, creates further choke points for traffic in area that already gets congested.
- Access to Kingswalk car park, more difficult Station Road is not suitable for volume traffic. Dangerous junction with Bedford street.
- Building itself is not in keeping with the rest of the city. Is another glass/steel ugly building which does not draw on the history of the city. This building can be seen in any number of other cities.
- Access to Land registry Car park more dangerous, and will be more difficult for users. Current plans will create huge tailbacks.
- Bus fumes which currently onto car park will now be directed at Land Registry along with noise of reversing tones on buses.
- Badly designed plan. Project as designed will cause further traffic delays and pollution in the area. Will drive residents out of the town.

5.2 The full content of all correspondence on this application can be inspected at Herbert Warehouse, The Docks, Gloucester, or via the following link, prior to the Committee meeting:

<http://glcstrplnng12.co.uk/online-applications/simpleSearchResults.do;jsessionid=A83E9FA355BE188966CCEFF249D27589?action=firstPage>

6.0 OFFICER OPINION

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 This application seeks permission for a new bus station facility which will be the first phase of a wider regeneration to the nearby adjacent area. It raises a number of issues to be considered, and these can be referred to under the following headings

- Principle of the development
- Archaeology & historic environment
- Flood issues
- Amenity impacts
- Trees
- Highways
- Design & appearance

Principle of the development

- 6.3 The 2002 Local Plan identified this area of the City as within an area identified for mixed use development and is identified as a bus and rail interchange. Clearly this proposal is for an enhanced and modern bus station facility, in close proximity to the railway station. It will provide a much enhanced environment for passengers, and will be in clear sight of the railway station, which should encourage interchange between the two facilities. This was encouraged by Policy TR.23 of the Local Plan. As this development is intended as phase one of a wider regeneration of adjoining sites, which is in line with the mixed use allocation of the Local Plan, the principle of this proposal is in line with long standing ambitions for this area of the city. The principle of this proposal is therefore considered to be in accordance with policies S.4 & TR.23 in the 2002 Local Plan.

Archaeology & historic environment

- 6.4 The application has been accompanied by data from archaeological assessments that have been undertaken. These advise that there are likely to be Roman remains under the site, and a possibility of medieval remains in the wider area. The City Archaeologist has advised that suitable conditions are attached to any permission that may be granted, to prevent damage to significant heritage assets. Subject to such conditions, the proposal accords with national planning policy and policies BE.31, BE.32, BE.33, BE.34, BE.36 & BE.37 of the 2002 Local Plan.
- 6.5 While the application site is not within a Conservation Area, it does lie adjacent to Conservation Areas. The details of the design of the scheme are addressed later in this report, but it is considered that the proposals will not have any adverse effect on adjoining Conservation Areas, and are therefore acceptable in terms of their impact on these heritage assets. The Conservation Officer has raised no objections to the proposal.

Flood issues

- 6.6 Parts of the application site lie within Flood Zone 2. In accordance with national planning policy, a Sequential Test has been submitted. Because of the nature of the development, being a bus station to serve the city centre, and the policy principle of improving linkages between bus and rail stations to increase connectivity, the search area for the test was able to be quite limited. The sequential test exercise confirmed there were no suitable alternative sites at lesser risk of flooding, and consequently it is considered that the sequential test has been passed. This type of development is classed as 'less vulnerable' and is considered appropriate in Flood Zone 2. In addition, a flood risk assessment was undertaken, and this illustrates that the development would not be unacceptable. The proposal is therefore considered to accord with Policies FRP.1a and FRP.6 of the 2002 Local Plan.

Amenity Impacts

- 6.7 In terms of amenity impacts, the proposal's elements of demolition, construction and subsequent operation could all have impacts in terms of potential noise, dust and disturbance. These will vary from short-term and temporary impacts (principally from demolition and construction phases), to more continuous impacts during the subsequent operational phase.
- 6.8 The location of the development is in a city centre, and consequently is predominantly a commercial area rather than being mainly residential. With the limited number of residential properties nearby, there are generally less-sensitive receptors to the site. Those that do exist in close proximity, for example the Station Hotel, are located in locations with relatively high existing noise levels from traffic on the A430. While there will undoubtedly be additional disturbance during the demolition and construction phases, this can be limited with careful work practices. The Environmental Health officer has not raised objections to the proposals provided that conditions are attached to any permission. These will require for example submission of a Construction Management Plan which will require details of measures to mitigate and reduce the impacts. With this in place it is considered that no significant amenity impacts are likely to arise, and as such the development is considered acceptable.
- 6.9 In terms of future operational impacts, while the relocation of the bus station from its current location means direct impacts of vehicles will be moved, they are likely to be of a similar scale and nature to those already arising from the existing bus station, which are not considered to have a significant adverse effect. As such it is not considered that overall the application will have any significant adverse effects on amenity, and as such is considered to be in accordance with policies BE.10, BE.11 and BE.21 of the 2002 Local Plan.

Trees

- 6.10 This proposal will impact upon existing trees. The Tree Officer notes that the application requires the removal of seven trees in total, and considers that four of these are mature London Plane trees of significant amenity and historical value. He is disappointed about the removal of these trees. Three of these Plane trees are at least 100 years old. They are in a very good overall condition, and provide significant amenity and environmental benefits in the locality. In addition these trees are of significant cultural and historic importance, being planted to provide shelter for livestock when the site was the city's cattle market from the nineteenth century up until the mid twentieth century. The Tree Officer therefore cannot support this application as he does not believe these trees and the others to be removed have been adequately considered for retention within the scheme from an early stage. The Conservation Officer and Urban Design Officer also raise concerns about the loss of these trees.
- 6.11 The Tree Officer considers Gloucester city centre is a city lacking in mature tree cover in comparison to similar sized settlements such as Worcester, or Cheltenham. The removal of these trees would take away a significant percentage of an already dwindling and small number of mature trees in the

city centre. If future development schemes focused upon the phase 2 of the Kings Quarter development also results in mature removal this will act to further compound this loss. The environmental and economic benefits of mature trees in urban areas are numerous and well documented. In addition to provision of shade and shelter from sun, wind & rain, reducing runoff etc, studies have shown urban areas with trees are more attractive to shoppers and will therefore have spin off economic gains for the area.

- 6.12 He also considers that the proposed new tree planting to mitigate for the loss of these trees is inadequate, and that the proposed planting of four Lime cultivars that will not grow to the same size and stature of the existing Plane trees is clearly not adequate mitigation.
- 6.13 It is clear therefore that the Tree Officer considers that a scheme could have been prepared which could have considered retention of the trees more carefully and perhaps led to proposals which did not involve the removal of the trees. The London Plane trees are clearly of significance and value in the city centre. The loss of these trees is therefore a negative impact of the proposal. However, while the Tree Officer does suggest he considers a scheme may be designed to retain the trees, it is the current scheme which has to be determined. In doing this, it is noted that the trees are not subject to TPO's, and are not in a Conservation Area, and as such do not have any specific statutory protection. It is noted also that the Tree Officer states that he does not place the importance of these trees above the development of a new bus station but feels tree retention and new development are not, and should not be mutually exclusive, there are challenges involved in retaining mature trees in new developments but it is achievable.

The loss of the trees is part of this proposal. It is a negative impact of the proposal, and is in conflict with Policy B.10 of the 2002 Local Plan. This weighs against the proposal.

Highways

- 6.14 The Highways Engineer has provided a detailed response to this application. Key elements of that response will be summarised in this section of the report.
- 6.15 An analysis of the personal injury collision data (PIA) for a 5 year period between the 1st January 2010 and 31st December 2014 has been undertaken. The study area encompasses Gloucester Bus Station and includes Bruton Way from its junction with Market Parade to the proposed junction Station Road. A total of 38 PIA's were reported in the 5 year period with 1 fatality, 5 serious and the remaining 32 classified as slight. This is a summary of the PIA's at the following junctions:-
- Market Parade/Bruton Way 2 slight
 - Bruton Way A430/Bruton Way/Station Approach 1 fatal, 1 serious, 11 slight
 - Bruton Way A430/Metz Way 5 slight
 - Bruton Way A430 South 2 slight
 - Station Road 1 serious, 3 slight
 - Junction Bruton Way/Market Parade/Station Road 3 slight

Junction Market Parade/Clarence Street 2 serious, 7 slight

The accidents that have occurred have been due to user error and not due to the layout of the highway network. Although PIA's have occurred there is no clear pattern or trend which would be exacerbated by the proposed changes.

- 6.16 The new Bus Station does not propose to provide additional bus services instead to provide an enhanced facility although the access will change from Market Parade to Bruton Way. This will re-distribute bus flows although there will be no changes to where the current services operate from along either Market Parade or the Bus Station itself.
- 6.17 Pedestrian access to the site is focused on existing desire lines between the Bus Station, Railway Station, Kings Square and the City Centre. The entrances to the Concourse are located to the east and west along these desire lines and Phase 2 may incorporate another access to the north for Phase 2 of Kings Quarter. An NMU Audit context report has been carried out to identify the ways in which NMU's will travel to the site. There are barriers to pedestrians accessing the forecourt to reduce the likelihood of pedestrian/vehicle conflict. The central island on Bruton Way will also provide a barrier and guide for pedestrians to move away from the forecourt through landscaping. Access through the Concourse between 00:00 hours and 05:00 hours is likely to be undesirable and so the east-west route between the Rail Station and Market Parade will be retained for when the route through the Bus Station is not available, desirable or under construction. The pedestrian crossing across Bruton Way (A430) towards the Railway Station will be widened to improve facilities and capacity. The stagger crossing will also be reversed to better align the crossing with the desire line. The footway on the north eastern corner will be widened to reduce the pinch point. At the western end of Bruton Way the existing dropped kerb crossing will be improved to provide for a new pedestrian desire line between the Bus Station and areas to the south. The junction of Station Road and Bruton Way will change from a roundabout to a priority T junction which will bring the crossing closer to the junction and the pedestrian refuge will provide a minimum width of 2mx2m width to facilitate safe crossing.
- 6.18 A new pedestrian crossing at the eastern end of Bruton Way will be provided in the form of a TOUCAN crossing to create an improved route to the Bus Station for pedestrians travelling north-south along the A430 Bruton Way along the new desire line created by re-aligning the Bus Station. Pedestrian crossing facilities on Market Parade will be rationalised with a new zebra crossing provided to best meet the pedestrian desire line between bus and rail stations and Kings Square. Safe crossing will be facilitated in other locations as necessary through the use of dropped kerbs and tactile paving.
- 6.19 Cycle parking will be provided in two cycle zone using Sheffield Stands directly outside the eastern and western entrances and have been located on desire lines but not creating a barrier to pedestrian movement. There will be 10 cycle spaces to the west and 16 cycle spaces to the east this will be an increase of 16 spaces over that already existing.

- 6.20 In addition to the existing taxi rank on Market Parade which will be retained with spaces for 6 taxis a pick up/drop off bay is also proposed as a complimentary facility for the Market Parade taxi rank outside the Bus Station entrance.
- 6.21 The current access to the Multi-Storey Car Park (MSCP) onto Bruton Way adjacent to the A430 Bruton Way will need to be closed to allow the Bus Station development. Temporary access to the MSCP will be allowed from an existing but currently gated access on Market Parade. Egress will be left-out only directly onto the A430 Bruton Way. A 2.4m x 54m visibility splay is shown which is acceptable based on local evidence from Gloucestershire County Council (Annual Speed Monitoring Report 1998-2006 that indicates the 85 percentile speeds for 30mph highway is 34mph). This access has been designed to accommodate the swept path of a large transit van. Market Parade is currently restricted to bus and delivery access only. This restriction will be relaxed on Spread Eagle Road and Market Parade to the east of the MSCP access to facilitate access.
- 6.22 Servicing will be undertaken directly from Market Parade using the taxi lay-by. As this will primarily be used to drop off passengers, or for specially booked pick-up at pre-determined times, this space will be available for refuse vehicles to use without disruption to traffic on Market Parade. Bins will be taken from the bin store within the western hub at the time of the bin collection. There will be no requirement for refuse vehicles to enter the forecourt.
- 6.23 Overall the Highways Engineer concludes that no objections be raised to the development subject to conditions. Consequently, the proposal is considered to accord with national and local policy requirements, as set out in policies ST.4, TR.22, TR.31, TR.32, TR.33 & TR.41 of the 2002 Local Plan.

Design and appearance

- 6.24 The intention of the scheme is to provide a new landmark transport hub, which will improve pedestrian links to the railway station and city centre, and also integrate with the proposed redevelopment of Kings Quarter. The main feature of the proposal is a canopy over the main concourse and bus forecourt, in a design influenced by an aeroplane wing, with a single supporting mast. In addition to the single mast which extends above canopy level, there are also canopy supports below it which are metal columns topped with splayed wooden supports. The canopy is one of three main elements of the proposal, the others being the concourse and the 'hub' which contains passenger and staff facilities.
- 6.25 The three elements will each have a different character in terms of materials, with the main concourse being a glazed structure, the hub being clad with local stone, while the canopy will have a timber soffit. In addition there would be timber 'fins' which will form a wall at the eastern end of the development.

- 6.26 It is considered that the proposed bus station will provide a significant new structure of strong appearance, in an area which is currently characterised by poor quality modernist style developments. It will have a positive impact as the first stage of the regeneration of the city centre area, and as such will have significant benefits.
- 6.27 Concerns have been raised about the design and appearance of the facility, including from the Civic Trust. The design has altered during the pre-application consultation process, and it is apparent that the Civic Trust and also the Urban Design Officer feel that some of the changed elements perhaps have a detrimental effect. However, while any scheme is generally capable of being further improved, the scheme as proposed has to be judged on its merits.
- 6.28 Detailed comments have also been provided by the Urban Design Officer relating to some of the detailed design elements of the scheme. As full details of these elements will need to be submitted for future approval, it is hoped that these elements can be amended during that process.
- 6.29 The Police Design Advisor has provided detailed comments on the scheme in relation to issues which may impact on crime prevention. Many of these matters raised relate to site management issues, although a number are detailed design comments on individual elements of the scheme. As specific details of a number of matters are to be requested to be submitted via planning conditions, it is likely that the points raised by the Police regarding these matters can be addressed through that process. This approach can also deal with detailed comments raised by a representative of Guide Dogs. The proposal is therefore considered to be in accordance with Policy BE.5 of the 2002 Local Plan.
- 6.30 Policy BE.1 of the 2002 Local Plan makes reference to scale, massing and height of buildings. The height of the proposed bus station will be lower than nearby existing buildings, so in that context is acceptable. The character of the building is however very different from that of the existing locality, which is in accord with the Policy's reference to landmark buildings. The proposal is unlikely to affect important views, particularly of the Cathedral, any more than the current buildings in the locality, so is in accord with Policy BE.2 of the 2002 Local Plan.
- 6.31 The proposals have been designed to maximise accessibility to the bus station in relation to full compliance with the Disability Discrimination Act. This accords with Policy BE.6 of the 2002 Local Plan.
- 6.32 Overall in terms of architectural design, it is acknowledged that this can be a very subjective matter. In assessing this application, consideration has been given to the differing views and comments received from consultees and representations. It is clear that the proposed bus station will be radically different from the existing one, and also from the current buildings in the vicinity of the site. It is considered that the design of the bus station is significantly more positive than the present buildings, and will create a notable

building. Importantly, it will become the first phase of a wider redevelopment of this area of the city, and as such is to be welcomed. It is considered that the proposal complies with Policy BE.7 of the 2002 Local Plan.

CONCLUSIONS

- 6.33 This application is for a development which will create a significantly upgraded bus station and interchange with the railway station. It is intended that its location will encourage easier interchange between the two transport modes. The demolition works proposed are of buildings which currently add little positive impact to the area, and therefore the loss of those buildings is also to be welcomed. The proposed building is of a notable design, and will significantly enhance this area of the city centre, forming the first phase of a future redevelopment. The proposed highway alterations to enable improved access to the site are considered acceptable.
- 6.34 The proposal does however mean the loss of some significant trees. While this has been raised by consultees and also individual representations, and will undoubtedly have a negative effect, it needs to be balanced against the benefits of the scheme, and in carrying out that exercise it is considered that the benefits do outweigh the unfortunate loss of the trees.
- 6.35 The proposals are considered to comply with national planning policy and with the policies set out in section 3.4 of this report, and accordingly it is recommended that permission be granted subject to conditions.

7.0 **RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER**

That planning permission be granted subject to the following conditions: relating to the following matters:

[A full detailed list of conditions will be provided in Late Information prior to Committee]

Statement of Positive and Proactive Engagement

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

Decision:

Notes:

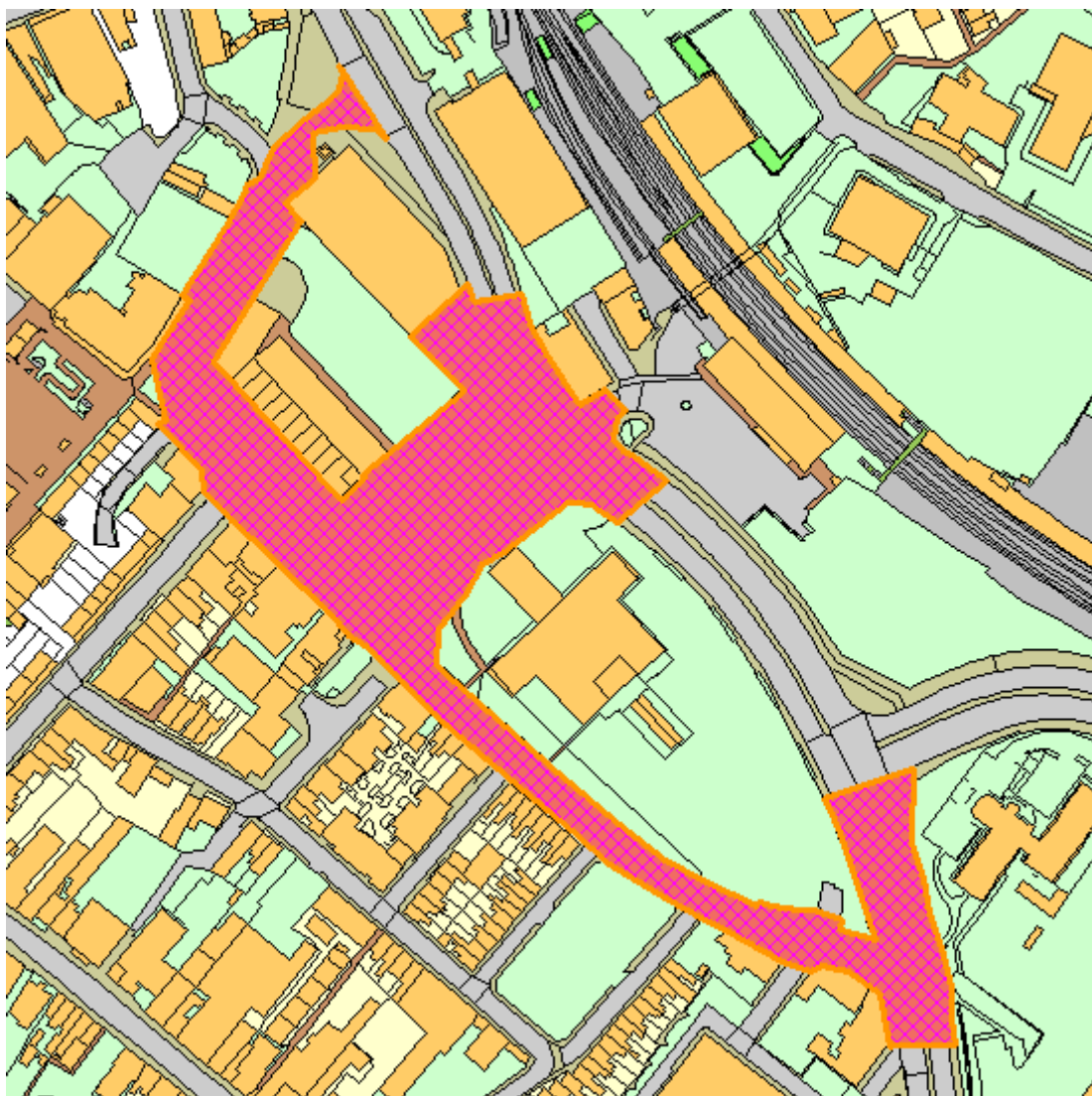
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Person to contact:
Jon Sutcliffe (Tel: 396783.)

15/01142/FUL

**Land At Gloucester Bus Station
Market Parade
Gloucester**

Planning Committee 15.12.2015



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