

## **GLOUCESTER CITY COUNCIL**

**COMMITTEE** : **PLANNING**

**DATE** : **1<sup>ST</sup> MARCH 2016**

**ADDRESS/LOCATION** : **UNIVERSITY OF GLOUCESTERSHIRE  
OXSTALLS CAMPUS, FORMER  
DEBENHAMS PLAYING FIELD, FORMER  
BISHOPS COLLEGE, PLOCK COURT**

**APPLICATION NO. & WARD** : **15/01190/OUT  
LONGLEVENS**

**EXPIRY DATE** : **12<sup>TH</sup> JANUARY 2016**

**APPLICANT** : **UNIVERSITY OF GLOUCESTERSHIRE,  
ASPIRE SPORTS AND CULTURAL TRUST  
AND GLOUCESTER CITY COUNCIL**

**PROPOSAL** :

Outline planning application (with all matters reserved except for access) for the erection of a new 10,000sqm business school, the provision of new student accommodation (up to 200 beds) & the creation of additional car parking at the University of Gloucestershire Oxstalls Campus, Oxstalls Lane & the Debenhams Playing Field, Estcourt Road. Provision of new and improved sports facilities at Oxstalls Sports Park, Debenhams Playing Field, Oxstalls Campus & Plock Court Playing Fields, including on land currently occupied by the Former Bishops College, to include - the provision of new multi use sports hall, 2 x 3G all weather sports pitches with associated 500 seat spectator stand, floodlighting, replacement cricket pavilion & additional parking; improved vehicular access at Oxstalls Lane, Plock Court & Estcourt Road, new vehicular access at Estcourt Close, improved pedestrian & cycling connections & associated highways, landscaping & ancillary works.

**REPORT BY** : **ADAM SMITH**

**NO. OF APPENDICES** : **SITE PLAN**

### **1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The application site encompasses the existing University Campus, the 'Debenhams' playing field at the rear of Estcourt Road and Estcourt Close and the allotment site between, the north east part of the former Bishops College playing fields, the Oxstalls tennis centre, and part of Plock Court playing fields at their southern edge (linking to the allotments road at the south east and

Tewkesbury Road at the west with a thin section of the playing fields). The masterplan for the proposals also includes the remainder of the Plock Court playing fields.

- 1.2 The University's Oxstalls campus caters for sport, leisure and performing arts studies. The Growth Hub was opened in 2014 and the new performing arts centre is almost complete. As well as the teaching facilities the campus houses a student union and student residencies (from 2002), as the campus has expanded since the original application in the late 1990s. The University also has student residencies in Gloucester at Ermin Hall on Denmark Road and Upper Quay Street, and two campuses in Cheltenham. A public right of way and national cycle route 41 run east-west through the site. North of this is an all weather pitch with a bund around to the north and east sides.
- 1.3 The Estcourt Park allotments site is a roughly rectangular piece of land situated to the west of the University campus across the Wotton Brook and is accessed from a lane off Estcourt Road to the south. Across the lane to the west is the Debenhams playing field. To the north the site borders the Plock Court playing fields.
- 1.4 The Debenhams playing field is a triangular piece of land currently laid out as grass for sporting activities, also including some overgrown vegetation towards the southern corner. It borders residential properties at Estcourt Road and Estcourt Close to the south and east and Estcourt Close allotments and Plock Court playing fields to the north.
- 1.5 The former Bishops College playing fields in this application are between the Plock Court playing fields to the north and the school buildings to the south. They border the Estcourt Close allotments to the east and the tennis centre and remainder of the college playing fields to the west.
- 1.6 The tennis centre sits between the two sets of playing fields and is accessed off Tewkesbury Road and Plock Court residential road via its own access road into its car park on the west side. As well as the indoor sports facilities there is an all weather pitch and outside tennis courts on the north side.
- 1.7 Plock Court playing fields comprise a large area between Tewkesbury Road at its western end and the allotments/University campus at its south eastern end. Oxstalls Drive properties are along the north eastern edge of the fields across the brook. It includes several grass pitches, a cricket wicket and at the western end a wetland area.
- 1.8 The application is made in outline form with all matters reserved other than access. Indicative plans have been provided showing how the development might be arranged across the site. This is an important point to note – the layout is reserved for future consideration and may ultimately be altered from what is on the indicative plans. However, given the various constraints around the site, it does appear likely that if granted permission a layout on these principles is likely to be brought forward. The proposals involve three principal

components; a new business school, new student halls and the provision of new sports facilities, plus a range of associated works:

*The business school*

- 1.9 A new 10,000 sq m business school of up to three storeys is proposed. As a comparison I understand that the existing facilities at the campus amount to 10,399sq m. This is a redevelopment and expansion of the business school which would be relocated from the Park Campus in Cheltenham. The indicative plan shows this on the northern part of the existing University campus where the existing all weather pitch is. An associated car park is also proposed to the east and northeast at the edge of the site with Oxstalls Way properties with an incursion through the bund to link the building and car park. The car park would be accessed from the main University Campus to the south, crossing over the public right of way. In the amended proposals the car park here has been extended further north, with two additional car parks also added, one in the triangle of land behind the existing student halls (rear of Oxstalls Lane and Oxstalls Way), and one in the south east corner of the campus just north of Cheltenham Road.

*The student halls*

- 1.10 New student halls of up to 200 rooms and three storeys in height are proposed on the Debenhams playing field. As a comparison I understand the existing accommodation on the site provides for 175 students. The indicative plan shows these roughly centrally located on the field with associated grounds and car park to the east/south east. An access would be provided off Estcourt Road at the location of the existing vehicular access to the allotments. In the amended proposals (now that the allotments are not proposed to be sited on the adjacent land) an access road is now also proposed off Estcourt Close, turning and running along the southern part of the field at the rear of the Estcourt Road properties to the student halls car park.

*The allotments*

- 1.11 As noted, the allotments were originally proposed to be relocated to the Debenhams playing field. This proposal has been removed and the allotments will remain in their current location.

*Remainder of Debenhams playing field*

- 1.12 After the withdrawal of the allotments relocation proposal, the remainder of this field around the student halls is now to be retained as open green space, with a 7x7 football pitch shown marked out to the north of the halls.

*The sports provision*

- 1.13 Two new '3g' sports pitches, a new stand, and a new two storey sports hall are proposed on the former Bishops College playing fields. The indicative plan shows this sports complex accessed from a new road in front of the Tennis Centre between it and the all weather pitch, with a car park to the east of the tennis centre.

- 1.14 A new cricket pavilion is proposed on Plock Court fields. The indicative plan shows this near to the boundary with the former Bishops College, to the east of the outside tennis courts.
- 1.15 As well as the 7x7 football pitch on the Debenhams field as mentioned above, the amended scheme also proposes a 5x5 pitch on the campus field between the brook and Estcourt Road.

#### *Highways works*

- 1.16 A new junction arrangement is proposed at Oxstalls Lane/Cheltenham Road, although this is outside the red line of this application (other than the works to expand the campus road)
- 1.17 Alterations are proposed to the tennis centre access road, realigning the carriageway slightly to improve visibility.

#### *Amenity land, water features and landscaping*

- 1.18 Given the amended proposals keep the allotments in place, the central parkland/wetland area (and associated widened channel, and lowering of land levels to increase the floodplain) that was originally proposed here is now also removed from the scheme.
- 1.19 A wetland area is still proposed on the field north of the University's all weather pitch (or as would be, north of the business school), comprising some local lowering of ground levels, attenuation dishes and a meander feature with reed bed. An informal orbital pathway is also proposed, linking round the edge of the field up to a new bridge crossing the brook from the field into the southern end of Plock Court.
- 1.20 Works are also proposed at the existing public rights of way including lowering or removing fences and the installation of a formal north-south path between the Tewkesbury Road end of Plock Court and the campus. Associated landscaping works are also proposed including works to the brook corridor.

#### *Playing field reorganisation*

- 1.21 As part of the mitigation for the loss of playing fields, it is proposed to reorganise the pitches on Plock Court. A more intensive layout of field as variously-sized football pitches, and a cricket square, is set out in the masterplan. The 5v5 and 7v7 pitches mentioned earlier are now also added into the proposals.
- 1.22 The application is referred to the planning committee given the scale and contentious nature of the application and as an application involving the City Council and its land with objections received.

## **2.0 RELEVANT PLANNING HISTORY**

### *University campus*

- 2.1 I understand that a college was first built on the site in around 1955 and expanded in the 1960s and 1980s. Recent planning history comprises the following:

92/01833/OUT

- 2.2 Outline application for the erection of a retail store, petrol filling station, construction of car park with associated landscaping. Refused 16.02.1994 and dismissed at appeal.

98/00451/FUL

- 2.3 Demolition of existing buildings, erection of learning centre, sports, science building, provision of car parking, artificial turf pitch & ancillary landscaping. Granted subject to conditions and a s106 to secure an inter-campus bus service and restrict the access to the Oxstalls Lane junction 19.04.1999.

00/00467/OUT

- 2.4 Erection of replacement student residences comprising of 5 no. three storey blocks – for a total of 40 bedrooms (Outline application although approval of access and siting sought at this stage). Granted subject to conditions 08.08.2000.

00/00766/FUL

- 2.5 Formation of floodlit all weather sports pitch (8 no. 12m high floodlights). Granted subject to conditions 05.07.2001.

01/00244/FUL

- 2.6 Erection of replacement student residences comprising 2 no. 2 storey blocks and 5 no. 4 storey blocks and a single storey common room / offices (revised proposal). Granted subject to conditions 03.07.2001.

05/00964/FUL

- 2.7 Erection of three storey extension with a two storey link to existing academic building with landscaping and ancillary works. Granted subject to conditions and 106 to provide funds for parking survey and parking zone 17.03.2006.

06/00007/FUL

- 2.8 Erection of a two storey extension Sports Science building. Alterations to internal access road and compensatory landscaping. Granted subject to conditions 01.03.2006.

14/00882/FUL

- 2.9 Construction of new performing arts centre with link to existing building and provision of replacement car parking spaces. Granted subject to conditions 27<sup>th</sup> October 2014.

15/01162/FUL

- 2.10 Installation of mobile floodlights to grass area north of All Weather Pitch. Granted subject to conditions 29<sup>th</sup> October 2015.

*Oxstalls tennis centre*

- 97/00023/OUT
- 2.11 Outline application for construction of tennis centre and replacement changing facilities. (County Council scheme). Granted subject to conditions 21.08.97.
- 99/00174/DCC
- 2.12 Reserved matters for construction of tennis centre and replacement of existing changing facilities. Approved subject to conditions 09.06.99.
- 11/00400/DDD
- 2.13 Erection of 9 no. 10m high lighting columns to outdoor tennis courts. Granted subject to conditions 11.05.11.
- Bishops College*
- 2.14 It appears from the history as though the school dates from the mid/late 1960s. There have been several proposals to extend and alter the complex.
- 03/EDP/901/79
- 2.15 Construction of an 'all weather' recreation (football training) area incorporating floodlights and boundary fencing. Granted subject to conditions 15.09.79.
- 1924305/MLA
- 2.16 Installation of 8 no. floodlighting columns (15m high). Granted subject to conditions 10.08.93.
- 95/00138/CPO
- 2.17 Erection of sports hall. Granted subject to conditions 4<sup>th</sup> May 1995.
- 95/00222/CPO
- 2.18 Extensions to school to provide additional teaching and office accommodation. Granted subject to conditions 18<sup>th</sup> July 1995.
- 08/00143/FUL
- 2.19 Erection of a 15 metre high wind turbine with 3 x 2.28m blades. Granted subject to conditions 25<sup>th</sup> March 2008.

*Debenhams Playing field*

P/689/64

- 2.20 Outline application for use of land for the erection of 10 houses. Refused 16.12.64.

### **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.

### *Building a strong, competitive economy*

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth.

### *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.

### *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.

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

### *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 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.

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.

Great weight should be given to the asset's conservation. The more important the asset, the greater the weight. Significance can be harmed or lost through alteration or destruction of the asset or development within its setting. Any harm or loss should require clear and convincing justification.

Where substantial harm or total loss of significance of an asset would occur, applications should be refused unless it can be demonstrated that this is necessary to achieve substantial public benefits that outweigh that harm or loss or all of the following apply:

- the nature of the asset prevents all reasonable uses of the site; and
- no viable use of the asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Where a proposal will lead to less than substantial harm to the significance of a designated asset, this should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Authorities should look for opportunities for development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

#### *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 reasonably 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.

For the purposes of making decisions, the NPPF 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 NPPF. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.

#### 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). Under the terms of the NPPF, weight can be given to these policies according to their degree of consistency with the NPPF. Relevant saved policies are:

A.1a – Heights of buildings and protection of views

A.2 – Particular regard will be given to the City's heritage in terms of archaeological remains, listed buildings and conservation areas.

T4.k – Provision of car parking at private development in accordance with the Council's car parking standards

T6 – Measures will be introduced to encourage cycling

L1 – Retain public open space, provision with new development, and attempt provision where a shortfall has been identified

L1.a – Retain existing areas of public open space

L2.b – Seek to provide additional sports facilities on public open space in new developments

L5.b – Replacement provision of allotments

L6 – Maintenance of public footpath network

L6.a – Development of land crossed by a public right of way

- 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.

2002 Plan allocations

- 3.7 Public open space (Policy OS.1)  
Allotment (A.2)  
Private playing field (SR.2) – Debenhams field and University campus  
Landscape conservation area (LCA.1) – covers allotments site, west edge of campus site and Plock Court  
Floodplain (FRP.4)  
Cycle route (TR.32) – east/west across existing campus and south of allotments

3.8 2002 Plan Policies

- B.7 – Protected species  
B.8 – Non-identified sites  
B.10 – Trees and hedgerows on development sites  
LCA.1 – Development within landscape conservation areas  
FRP.1a – Development and flood risk  
FRP.3 – Obstacles in the flood plain  
FRP.5 – Maintenance of water courses  
FRP.6 – Surface water runoff  
FRP.9 – Light pollution  
FRP.10 – Noise  
FRP.11 – Pollution  
FRP.15 – Contaminated land  
BE.1 – Scale, massing and height  
BE.2 – Views and skyline  
BE.4 – Criteria of the layout, circulation and landscape of new development  
BE.5 – Community safety  
BE.6 – Access for all  
BE.7 – Architectural design  
BE.12 – Landscape schemes  
BE.21 – Safeguarding of amenity  
BE.31 – Preserving sites of archaeological interest  
BE.32 – Archaeological assessment  
BE.33 – Archaeological field evaluation  
BE.34 – Presumption in favour of preserving archaeology  
BE.36 – Preservation in situ  
BE.37 – Recording and preserving archaeology  
TR.1 – Travel plans and planning applications  
TR.2 – Travel plans – planning obligations  
TR.9 – Parking standards  
TR.10 – Parking provision below the maximum level  
TR.11 – Provision of parking for people with disabilities  
TR.12 – Cycle parking standards  
TR.31 – Road safety  
TR.32 – Protection of cycle/pedestrian routes  
TR.33 – Provision for cyclists/pedestrians  
TR.34 – Cyclist safety

TR.38 – Public footpaths  
OS.1 – Protection of public open space  
SR.2 – Playing fields and recreational open space  
SR.3 – Intensive use facilities and floodlighting  
SR.4 – Indoor sports facilities  
SR.5 – Designing for shared use  
A.2 – Protection of allotments

### Emerging Plan

- 3.9 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 20<sup>th</sup> 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, although 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.

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

- 3.10 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:

SD1 – Presumption in favour of sustainable development  
SD2 – Employment  
SD4 – Sustainable design and construction  
SD5 – Design requirements  
SD7 - Landscape  
SD9 – Historic environment  
SD10 – Biodiversity and geodiversity  
SD15 – Health and environmental quality  
INF1 – Access to the transport network  
INF2 – Safety and efficiency of the transport network  
INF3 – Flood risk management  
INF4 – Green infrastructure  
INF5 – Social and community infrastructure  
INF7 – Infrastructure delivery  
INF8 – Developer contributions

All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – [www.gloucester.gov.uk/planning](http://www.gloucester.gov.uk/planning); and Department of Community and Local Government planning policies - [www.communities.gov.uk/planningandbuilding/planning/](http://www.communities.gov.uk/planningandbuilding/planning/).

#### **4.0 CONSULTATIONS**

##### **4.1 Sport England originally objected to the application.**

Sport England also provided a separate letter at that time setting out the view of the National Governing Bodies (NGBs):

The Football Association (FA) advises that the proposal would help to address a number of issues highlighted in the draft Playing Pitch Strategy (PPS), including raising the quality of grass pitch provision at Plock Court, increasing use of pitches, additional changing rooms, provision of 3g artificial grass pitches and an improved grass pitch maintenance programme.

The FA raises several further issues around phasing the loss and provision of pitches; need for perimeter fencing; need to meet FA, FIFA and other bodies' specifications, need for a community use agreement, potential conflict between sports' demands, traffic management of access road, clarity about changing rooms facilities is needed.

The Rugby Football Union (RFU) supports the proposal, noting the current absence of a World Rugby compliant surface for community clubs (assuming a community use agreement), and that it would address over-play of existing pitches used for training as well. It also notes the need for technical compliancy.

England Hockey notes that the potential loss of the University hockey pitch creates more uncertainty about the future of hockey in the City, and that there are no obvious benefits to hockey in the proposals. It is unclear what mitigation is offered for the loss, although it notes the potential for the 3g pitches to free up training slots on the existing sand based pitch at Oxstalls, or a contribution to resurfacing other pitches in the City.

England and Wales Cricket Board (ECB) notes the loss of the Debenhams cricket pitch, and that it was last used two years ago, with the poor quality of changing facilities a contributing reason to the club folding. The provision of the pavilion at Plock Court would enhance the experience of cricketers. It does raise concerns about; lack of information about the current quality of the Plock Court square and any remedial work needed, no details of the pavilion and why it is a standalone building (including necessary standards to be met). The ECB was unable to support the proposal until further information is provided demonstrating appropriate compensation for the loss of the cricket ground.

The Lawn Tennis Association (LTA) notes that the proposals will not directly affect tennis at the site although the increase provision of facilities will potentially enhance and increase tennis participation.

Sport England subsequently provided an amended response following the submission of the amended proposals. Sport England has now withdrawn its objection, on the basis of the imposition of 5 conditions on any planning permission. If those conditions are not included, their objection would remain. The conditions are to; secure the appropriate technical specification of the artificial grass pitches; to secure the appropriate technical specification of the sports hall; to secure the appropriate technical specification of the cricket pitch; to secure a community use agreement to provide for the effective community use of the sports facilities; and to secure a management and maintenance scheme for the sports facilities.

Specifically, Sport England notes the following in its updated response:

It welcomes cricket becoming a key feature of the new hub site;

It welcomes the prioritisation of the Plock Court sand based pitch for hockey, and the loss of the current sand AGP is accepted by England Hockey, provided this commitment is delivered;

The proposals still do not meet Sport England's exception policy E4 (playing field lost would be replaced, equivalent or better in terms of quantity, quality and accessibility);

The provision of the AGPs would accommodate the usage that would be provided by natural turf pitches if the former cricket site (*Debenhams field*) was laid out for football and/or rugby;

The provision of the sports hall could possibly meet Sport England's exception policy E5 (development is for an indoor/outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field) – but for this to happen there needs to be a community use agreement and the hall needs to be designed to Sport England's technical guidance;

The car parking for the sports hall would meet Sport England exception policy E2 (development is ancillary to the principal use of the playing field and does not affect the quantity/quality of pitches).

- 4.2 The Environment Agency raises no objection.
- 4.3 The Lead Local Flood Authority (County Council) raises no objection subject to a condition to secure details of the drainage strategy. The sequential test and future management and maintenance of SuDS are not within their remit to comment on.
- 4.4 The Highway Authority raises no objection subject to conditions to securing the implementation of the Cheltenham Road/Oxstalls Lane/site access junction prior to occupation of the business school; securing of the improvement works to Plock Court access prior to construction works for the sports facilities; securing details of the access from Estcourt Close and of measures to restrict vehicular access from the allotments lane prior to occupation of the student halls; securing improvements to the public right of

way prior to the occupation of the student halls; securing details of the junction of the business school access road and the public right of way prior to the car park being used; securing details of pedestrian crossing facilities on the sports hall access road prior to use of the car park; securing pedestrian links between parts of the development; securing the Oxstalls Lane access as the sole access to the University campus; securing the new car parking for the business school, for the student halls, and for the sports facilities; and the improvements to the University campus overspill spaces; securing the new cycle spaces for the business school, for the student halls and for the sports facilities; securing on street parking surveys in relation to the phased occupation of the business school and the student halls and the requirement for mitigation should the surveys demonstrate that displaced demand from the development leads to blocked or congested streets or pavement parking; securing an event management plan prior to any community sports event; securing a construction method statement for the construction period; securing facilities for plug in low emission vehicles; and securing a Travel Plan.

- 4.5 The Highways Agency raises no objection.
- 4.6 Severn Trent Water has not commented.
- 4.7 The Civic Trust considers the amended scheme to be acceptable. It recommends strict conditions on archaeological investigations.
- 4.8 The Police Liaison Officer has raised several observations that may be summarised as follows:  
 Management, lighting and CCTV of car parks and access routes for safety and security;  
 Impacts on neighbouring plots;  
 Control and management of vehicular access;  
 Fencing and gates to create secure environment and provide designated routes through;  
 Student security;  
 Student accommodation should be to secured by design standard;  
 Control and management of access to campus to prevent crime and anti social behaviour;  
 A formal boundary should be considered along the front of the new development;  
 Planting should not restrict surveillance, assist climbing or hiding or grow over paths;  
 Use low level planting to prevent access to ground floor windows and trees should allow clear lines of sight;  
 Access to and around the spectator stand should be controlled to prevent misuse or criminal damage;  
 Use ball barriers to pitches to prevent nuisance;  
 Consider increased traffic and impact on neighbours/parking;  
 Road edging to prevent inappropriate access and parking;  
 Consider drop off locations;



Student accommodation appears to have limited parking options given potential volume of cars;  
Vehicle barriers to footpath entrances;  
Cycle stands to suitable specification and locations;

- 4.9 The Drainage Engineer notes that due to the retention of the allotments there will no longer be a restoration of the floodplain and so the provision of c.5,000m<sup>3</sup> of additional flood storage volume will no longer happen. He also notes that the proposed removal of the artificial embankment between the brook and allotments and the proposed wetland habitat will now no longer happen. Given these changes the surface water runoff from the student halls would be routed in a swale around the allotments.

From a flood risk and ecology perspective it is a great shame these works are not to be carried out, but the developer was under no obligation to include them and their removal does not jeopardise consent. Some more minor flood risk improvement works would be carried out.

He does not agree with all of the content of the sequential test submission but overall it is robust and the sequential test is passed.

Conditions are required to secure SuDS drainage details and their maintenance.

- 4.10 The City Archaeologist raises no objection subject to a condition to secure further archaeological work for parts of the site.
- 4.11 The Urban Design Officer raises no objection.
- 4.12 The Landscape Architect makes several observations.

Poor maintenance of Cheltenham Road frontage. Junction changes could reduce width of pavement/verge so could treatment of this area be included in the landscape improvements;

Querying replacement of TPO trees;

Phasing needs to ensure new pitch facilities are provided prior to loss of existing;

Sport England's current objection to loss of private playing fields is generally in line with the Council's policy position;

The Council's playing pitch strategy includes an artificial grass pitch strategy which supports the development of a multi-pitch sporting hub at Plock Court/Oxstalls Sports Park/University. This should not be at the expense of losing existing facilities and extensive mitigation would be necessary;

Just because there is current capacity at Oxstalls AGP doesn't make the loss of the University AGP acceptable. How would the agreement be tied to the consent?;

Retained parts of Debenhams field would just become amenity open space, the playing field function would be lost;

Preference to retain the two birches behind the existing students halls within the new car parking;

Planting buffer along eastern boundary of campus cannot be dense and tall growing - i.e. cannot shade out the residential gardens;  
 Queries public access to campus open space and outdoor facilities and how trespass/ASB would be dealt with;  
 Queries surfaced path across Plock Court – form, maintenance, EA consent and lighting (and costs of lighting);  
 Retention of allotments is welcomed;  
 Concerned about weakening allotment security along the stream-side boundary;  
 Queries tree management along brook;  
 Queries vehicular arrangement along the existing track at the allotments site – formalisation, general public use; any restrictions on access and how, student drop off/pick up, surfacing and parking, management of hedgerow next to the Debenhams field, lighting and costs;  
 Queries impact on business school sunken parking on TPO trees;  
 Concerns about intrusiveness of business school car parking and design needs extremely careful consideration to minimise impact;  
 The bund to north of business school should be minimised so a connection between the building and landscaping can be established;  
 Lighting design should minimise intrusion to gardens;  
 Queries any additional bunding;  
 Queries how access would be limited for the students halls access off Estcourt Road, lighting and drainage to this area and buildings;  
 Queries how to minimise intrusion of lighting and ball stop fencing for sports facilities to adjacent sites;  
 Requests clear indication of the % public use of the new 3g facilities and existing hockey AGP, and a community use agreement, to ensure public benefit;  
 Treatment of new cricket pavilion needs careful consideration and needs further detailed advice from ECB/GCB;  
 Further information requested about the artificial cricket wicket and outfield, and campus 5 a side pitches;  
 Clarification sought on securing the improvements to the Plock Court pitches and equipment bank;  
 Clarification sought of shading effect of spectator stand and hedge/tree screen to allotments;  
 Concerns about area to rear of existing student halls in terms of loss of amenity space and buffer to residential properties, and loss of trees;  
 Permeable surfacing should be used for new parking areas;  
 Queries lighting to parking areas;  
 New lighting needs to indicate effect on foraging bats and mitigation measures;  
 Habitats for protected species need to be considered.

4.13 The Tree Officer raises no objection subject to conditions to secure tree planting mitigation for the loss of existing trees, a suitable landscaping plan, and tree protection measures during construction.

4.14 The Planning Policy Department has not commented.

- 4.15 The Environmental Protection Officer raises no objection subject to securing by legal agreement the provision of an on site student management team for the student halls, the establishment of a residents' liaison group, and provision to manage taxi drop offs (\*see discussion in the Officer Opinion section of the report), plus conditions to control hours of construction, restricting burning, details of the proposed noise barrier, and details of floodlighting.
- 4.16 The Contaminated Land consultant raises no objection subject to the standard contaminated land condition requiring further staged works.
- 4.17 The Council's Streetcare Officer on waste has not commented.

## **5.0 PUBLICITY AND REPRESENTATIONS**

- 5.1 333 neighbouring properties were notified, and 3 site notices and a press notice were published.
- 5.2 309 representations have been received. The issues raised may be summarised as follows:

*Allotments (received in response to first consultation when proposal was to relocate them)*

- The allotments should remain where they are;
- It being a well used asset to the City; health benefits to tenants; breaking up of a community; visibility and educational interest;
- Offering plottolders like for like provision is not achievable - not enough space on the new site; including extension of residents' rear boundaries;
- Conflicting information about size of new site – question the available land;
- Impacts of removing/relocating allotments – condition of soil, ecology, cost, transporting items, loss of crops that cannot be located, investment made by tenants will be lost,
- Difficulties of starting plots again;
- Logistics of undertaking relocation with no delay; no proposals for managing relocation;
- The relocation of the allotments is not necessary to complete the business school and student halls; justification requires further explanation;
- The presence of allotment tenants on the current site would benefit students in terms of safety;
- Quality of soil in new location not acceptable nor is proposal to bring in topsoil;
- Contamination in proposed site; also from dog faeces; question validity of sample of current site showing contamination with lead;
- Shading of proposed allotments by proposed buildings and flawed assumptions as to the 'growing season';
- The proposed allotments would be wet;
- Roots systems of existing hedges would make some plots on new allotment site virtually unproductive for many years;
- Security of new allotment site;
- Having to walk further to reach the proposed site;

- Proposed drop off point is unacceptable – too far away from some plots; also impact on neighbouring properties from manure drop off, recycling, etc;
- A compromise could be reached with further consultation;
- Other alternatives for the allotment vehicular access are available;
- Current allotment site doesn't flood;
- Compaction of soil by machinery;
- Boundaries to adjacent residents too narrow;

Comments to the proposals with allotments retained:

- Changes to boundaries and risk to security of allotments;
- No details of use of access road, allotments parking and increased flood risk;
- Runoff proposals threaten allotments;
- Need details of control of access and parking in allotments access lane;
- Footpaths and bridges compromise security of allotments;
- Need more barriers around allotments;

#### *Amenity*

- Impacts on amenity from floodlighting and lighting to car parks,
- Impacts of proposed student halls – noise pollution, anti social behaviour, light pollution, traffic movements, overbearing, overlooking, visually intrusive, it should be sited where the landscaped park is, it should be sited on the existing campus;
- Vehicular access to student halls should be via Oxstalls Lane;
- Noise and light studies must be re-run to establish alternative solutions to the banks and trees that have been removed as mitigation measures;
- Need for an effective aural and visual barrier between student halls and houses;
- No details about landscaped screen; effects of overshadowing, structural damage and taking water from rear gardens;
- Landscape buffers are unnecessary;
- Object to route for students into city centre being through allotments behind houses;
- Total increase in student population with other development should be considered in unison;
- Alternative options should be proposed;
- Should be moved further east – outside floodzone and lessens impact on neighbours;
- Should be sited next to the business school;
- Shouldn't be sited next to the business school due to increasing impact on Oxstalls Way residents;
- Access road off Estcourt Close another intrusion on privacy, noise and light pollution, anti-social behaviour and security;
- Impacts of business school – too high at 3 storeys, light pollution, overlooking, overshadowing;
- Impact of business school car park / building site at bottom of gardens;
- Alternative sites for business school car park that would not affect homes;
- Needs to be a buffer between car park and Oxstalls Way properties;
- Air pollution, privacy, noise, light pollution;

- No information on hours of operation;
- Impacts of sports hall – too high, overbearing, traffic and noise, light pollution
- Should be positioned behind tennis centre or further back into the field;
- Will be like living in an industrial estate;
- No landscaping proposals;
- Noise and disturbance from spectator stand and pitches;
- Impacts from floodlighting, and lack of detail;
- Impacts of barriers and perimeter fencing;
- Air pollution;
- Impact of allotments and their access in close proximity to residents – structures, privacy, maintenance;
- Impact of construction traffic;
- Overshadowing of allotments by buildings and landscaping;

#### *Design, landscaping and community safety*

- Student halls out of scale, out of character with surroundings;
- Unsympathetic siting;
- Security of neighbouring properties if site opened up to public and 2000 more students;
- Shame if planting around all weather pitch is removed;
- Sections of the site will be virtually completely hidden from view;
- Concerns about density of development / inefficient use of land;
- Sports centre should have tree screening on sides facing Gambier Parry Gardens;
- No materials specified for the proposed sports centre;
- No information about building design;
- Access off Estcourt Close changes character of close and makes vulnerable in terms of security;
- Changes landscape and character of area by building on Debenhams Field;

#### *Highways*

- Increased parking on local roads, problems with parking currently from large amounts of student and staff through the day in term time, including obstructing the pavement and bus stop; measures are ineffective; impact on local businesses; parking already dangerous in surrounding areas – more yellow/white lines required; parking survey flawed; parking should be provided on Debenhams field; insufficient parking for teams using Plock Court;
- Insufficient parking proposed; all parking should be accommodated on site; University should review its rules on parking;
- How do new spaces on site relate to the demand from the new development?;
- Other provision - multi storey car park should be built, car park at campus entrance, use of green verges/recreation areas at the campus;
- If not room for enough parking on site then reduce development;
- Increasing parking provision on site will only encourage more traffic into the area and is against green policy;
- Actual number of proposed students not established;
- Increased volume of traffic and impact on junctions; junctions not sufficient;

- Mitigation measures not effective;
- Alternatives for the junction should be put forward; query a roundabout or traffic lights at the Oxstalls Lane/Cheltenham Road/University access; should construct an access/exit for campus off Estcourt Road/roundabout; need pedestrian crossing at end of Oxstalls Lane and junction, and at University end of Estcourt Road; traffic lights at Cheltenham Road junction would worsen congestion; box junction would give priority to those using campus; traffic lights would encourage use as rat run; previous introduction of temporary lights caused even greater congestion on a key transport artery; access should be proposed to Estcourt Road/Estcourt Road slip road; or from Plock Court/Tewkesbury Road;
- Students will not use public transport;
- How will University encourage cycling?;
- In hindsight it would have been better to have had the Tesco development that was proposed and objected to;
- Increased danger for those using bus stop;
- Access point for student halls; no need for pedestrian or vehicular access from Estcourt Close; exacerbation of traffic problems and parking, and difficult to access by large and emergency vehicles; unsuitable for additional vehicles;
- Use of existing vehicular access adjacent to bungalow only used for maintenance – unacceptable for general use;
- University should commit to a shuttle bus from city centre accommodation to campus;
- Access to halls should be from University site only;
- Safety issues for users of Debenhams field because of the access road;
- Need to retain access track and parking next to allotments for plotters;
- Access to current allotments (proposed to student halls) is too narrow to be safe and also a national cycle route and pedestrian right of way; access to business school across these; car park north of this may not be right location; the second existing access from Estcourt Road is also too narrow to be safe; unclear on footpath proposals;
- Plock Court access not fit for purpose; traffic impacts in Plock Court;
- Need a combined vehicular/pedestrian control system at Plock Court junction or physical measures to prevent right turn from the hospital;
- Could access through Fairmile Gardens and take Gala Club away;
- Service road to sports park should be extended to Tewkesbury Road to avoid residential cul de sac; with a traffic light controlled junction;
- Objections to controlled parking zone/residents permits proposal – insufficient information, costs borne by residents after 3 years, object to paying to park outside own home, University/Council should pay not residents, would only push problem further away, different payment arrangements should be proposed, controlled area should be extended, adverse impacts on businesses, do not want lots of signs, road marking, pay and display machines and permits to tackle a non-problem, student residents on site could buy a permit;
- Should be a controlled parking zone but residents should not have to pay; not against controlled parking if for certain times of the day e.g. 9am to 6pm); yellow lines should be all over not just a few;
- Highways proposals and impacts are unclear;

- Incentives for students to use public transport have failed; inadequate public transport along Tewkesbury Road; Cheltenham Road has no potential for bus priority route; can public transport cope with numbers?;
- Cumulative impact with residential development at Longford, Twigworth, Innsworth, Bishops College, Civil Service site;
- Provision of better links between sites not clear;
- Impact and routing of construction traffic; exacerbation of vehicular usage of Estcourt Road/Estcourt Close;
- Event Management Plan must be a condition of consent;
- Cyclists influence in traffic management issues;

### *Sports provision*

- Net loss of sports facilities;
- Reduction in size of Plock Court; object to any of Plock Court being sold or given away; general reduction in green space; intensified use of Plock Court for pitches inhibits general recreational use; destruction of Plock Court community; Plock Court too wet to provide decent cricket pitch; access to Plock Court should not be reduced; would prevent current parking provision at south east end of Plock Court for users; access should be improved with a right of way from Estcourt Road through gated entrance;
- Debenhams Playing fields should be solely for recreation purposes; this playing field used for sport and informal leisure, proposals would lose an area of local space and pitches - in increasingly short supply locally and in City; currently two cricket pitches at Debenhams playing fields so one at Plock Court is overall reduction, also reduced quality of pitch;
- New footpaths across Debenhams field could be harmful to residents, reduce sports opportunities;
- Waste of public money to remove all weather pitch after short time;
- Cannot allow when have allowed Former Civil Service Sports Club to be demolished and become an eyesore;
- New pavillion, floodlights and 500 seat stand not necessary;
- Scheme is not providing more open spaces;
- Sports provision only considered the requirements of league teams
- Outdoor gym facilities could be proposed;
- No details on size of 500 seat stand, when it would be used or noise impact;
- Requirement for additional changing room and toilet facilities for additional pitches at Plock Court;
- Will University facilities be open to the public when not in use by University?;
- No details of plans to improve pitches;
- Sport England's response does not demonstrate a full understanding and should be given no weight;

### *Ecology*

- Presence of bats in vicinity;
- Any rehousing should be done in accordance with guidelines;
- Who controls demolition of the pavilion to protect bats?;
- Removal of trees and bushes that contain wildlife;
- Impact of proposed lighting and bridges on species;
- Negative impact on ecology of wetlands/leisure park; wetland proposals bring no ecological benefit;

- Loss of habitat;
- Net loss of biodiversity;

#### *Flood risk*

- Increased flood risk;
- Should be no more building in flood plain;
- Impacts not clear;
- No benefit in lowering the site level;
- Inaccurate information – allotment does not flood/does not flood frequently – did so on one occasion in 2007 in extraordinary conditions;
- University owns land that could accommodate compensatory measures if necessary – swales on Debenhams fields, and overspill sites on the University side of the brook;
- Provision of bridges could negate flood risk works done elsewhere;
- More sense to put balancing ponds on Debenhams field – save allotments;
- No flood mitigation measures for Debenhams field;
- Proper surface water runoff management;
- Consider alongside other development in area;
- Altering flow of brook will increase flood issues;
- Flood alleviation work required to deal with business school runoff;
- Wetland proposals will exacerbate flooding;
- Swales would occasionally flood allotments;
- Should use the dry ditch next to allotments access track for excess rainwater;

#### *Consultation*

- Permission should not be granted without further, in depth, well publicised, accessible and meaningful public consultation that takes place over a longer period of time;
- More local residents should be notified directly;
- Should extend date for comments;
- Object to consultation period over Christmas;

#### *Local Plan*

- Debenhams field listed as public open space, application conflicts with the policy;
- Application fails against Policy SR2 of 2002 Second Deposit Local Plan (playing fields and recreational open space);
- Application fails against specific 2002 Plan policies – compliance is only with the general ones;
- Applicant relies on the 2002 Second Deposit Local Plan but also claims the proposals map is out of date;

#### *General*

- Needs more detailed plans;
- Development should be for the good of all Gloucester citizens; masterplan could be considerably tweaked for benefit of residents and students; wetlands/leisure park not of benefit to community;
- Growth is good and necessary but not at any cost;



- No secondary school in the area – has that been considered?; Bishops College should be allocated for secondary school education;
- A development of this scale will destroy the local neighbourhood;
- De-valuation of properties; compensation for impacts;
- Complaints made to University for years about behaviour, language, parking and noise with no action;
- Preventing residents using back gates onto adjoining fields;
- If the Committee feel constrained to grant permission then the scope and extent must be significantly scaled back;
- Failure to consider all reasonable alternatives for locating development; University should find a brownfield site; could be sited on land by Estcourt Close; Bishops College; better sited near city centre or Blackfriars, railway triangle, Ladybellegate Street, Bristol Road, Redcliffe College, or in Cheltenham, or elsewhere on campus site;
- Work has already started;
- The presence of a University in any city immediately downgrades the city;
- Oxstalls is a sports campus so what relevance has a business campus on the site;
- The medical facilities have not been given a lot of thought;
- University could lose students, not gain them – question growth figures;
- Should defer to consider with Bishops College redevelopment;
- An acceptable financial plan should be conditioned so time dependent proposals are catered for and implementation schedule;
- Cheltenham Road surgery already full – development will worsen; why not build a surgery in University grounds; impact on local infrastructure generally;
- Need to retain parking for occupants and users of the retail units at Oxstalls Parade (junction of Oxstalls Way/Oxstalls Lane) free of charge, for sustainability of businesses;
- Restrictive covenants on Debenhams field;
- Impact on residents of utilities connections;
- Should be no footpath from relocated allotments to University as no need;
- Should be no pedestrian access from Estcourt Close;
- No other material considerations to outweigh the lack of compliance with development plan;
- An application has been made to the County Council for path across the Debenhams field to be included as a Right of Way; if granted, area for allotments would be significantly reduced; planning application should not be determined until the Right of Way application is determined;
- Should discourage use of bank of stream as is dangerous;
- Increase in litter;

Comments in favour may be summarised as:

- Support in principle University's aspiration for greater presence in city as recognise economic and social benefits;
- Very much in favour of new business school – can only be good for Gloucester – will bring additional income and life to the City;
- Students park on Grafton Road during weekday mornings – they are not a problem – when lectures are over they drive away;
- Development is ok to go ahead but no controlled parking zone;

- If University grows then the City and surrounding areas will benefit in the long term;
- Support proposed alterations to the Oxstalls Lane/Cheltenham Road junction;
- Support modified access to the campus;
- Agree with permit-only parking scheme – will help with parking problems;
- Widening of tennis centre access road welcomed;
- Increase in cycle provision welcomed if it reduced on-street parking;
- Welcome decision not to relocate allotments;
- Welcome additional parking in revised proposals;
- Welcome improvements to Cheltenham Road/Oxstalls Lane junction;
- Benefits from improvements to sports facilities and community use;
- Support proposal if parking at Oxstalls Parade remains unrestricted and free;
- No city has been successfully regenerated without a key role played by its University;
- Financial benefits from new students;
- Benefits from likely investment in food and beverage outlets;
- Benefits to economy and culture of City;
- Pleased with new footpaths through Debenhams field;
- Overall gains from development far outweigh the objections so trusts consent will be granted.
- Finally it should be noted that a number of representations noted that they were not against further development in principle but raised concerns as summarised.

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

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=15/01190/OUT>

## **6.0 OFFICER OPINION**

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

- Sport and play facilities
- Economic implications
- Design
- Trees and landscaping
- Traffic and transport
- Residential amenity
- Flood risk and drainage
- Archaeology
- Ecology
- Contamination
- S 106 obligations

6.2 The proposal to relocate the allotments is now removed from the scheme. There are no proposals to change the current situation for the existing

allotments in terms of their use or operation and this includes existing parking arrangements.

- 6.3 The student bedrooms are not traditional residential units. However they would at least give some relief to housing stock that could otherwise be in demand from students. In this way they would make a modest positive contribution to addressing the pressure for housing in the City.

Sport and play facilities

- 6.4 The application involves several alterations to existing sports provision. In terms of losses:

The loss of the University's sand artificial grass pitch (replaced by the business school);

The partial loss of the Debenhams field – used for a cricket pitch and it seems at some point as a football pitch judging from the PPS and representations (replaced by the student halls and access). The Debenhams playing field is in private ownership although access is fairly unrestricted and it appears to be used for dog walking, etc and this is borne out in representations;

The loss of part of the former Bishops College playing fields (replaced by the sports hall and 3g pitches). I understand although the school is closed the fields are let out to Aspire for public use.

- 6.5 As background to the proposals the applicants note the importance of sport, obesity and healthcare implications and that across all age groups the City records the lowest sport and physical activity participation rates in the county. They also report the University's strategies and schemes for promotion of sports although the impacts are limited because of the lack of high quality facilities.

- 6.6 The proposed Sports Hub is envisaged as a single management structure with expert staff and volunteers proposing the following:

Provision for existing elite sport teams;

Elite sport development including provision for new national franchises and regional centres of excellence;

Development supported by the University's research, expertise and resources;

Open for access to the community at all times apart from those required in the day time for the University's curriculum needs.

- 6.7 Specifically the following facilities are proposed:

Improve/bring back into service;

- 6 full size grass football pitches
- 2 junior 9v9 pitches
- 3 junior 7v7 pitches
- 1 cricket pitch with a new artificial wicket and a junior artificial wicket

New facilities;

- 2 IRB/FIFA compliant 3<sup>rd</sup> generation AstroTurf pitches
- 12 court indoor sports hall with bleacher seating, 6 changing rooms and additional classroom/flexible space
- 500 seat grandstand, pitch barrier and concrete surround for spectator events
- 4 additional changing rooms
- 1 cricket pavillion (possibly a freestanding building, possibly part of the other buildings)
- 1 7x7 football pitch on the Debenhams field
- 1 5x5 football pitch on the campus field between the brook and Estcourt Road

Retention of existing tennis centre, hockey astroTurf and changing rooms.

*Mitigation for losses*

- 6.8 As background, the PPS identifies current shortfalls in football and rugby with this likely to increase in future. There is sufficient capacity within the City to accommodate current and future demand on existing cricket squares however there is a lack of access to high quality playing and ancillary facilities. Hockey demand is currently met but future demand may not be in light of potential pitch loss.

*Hockey*

- 6.9 Concerns are raised regarding the loss of the University Campus artificial grass pitch. The applicants set out that the standard of hockey provision can be maintained by transferring demand to the artificial grass pitch at Plock Court – new management provisions are proposed to ensure hockey bookings are prioritised and reserve slots for youth development. This pitch also seems to be in better condition than the University AGP that would be lost. Football bookings would in turn be transferred onto the 3g pitches. This is a key mitigation measure in respect of Sport England's concerns. A timetable has been submitted to seek to demonstrate the commitment but I consider that this would need to be secured by condition, and is proposed to be dealt with by the community use agreement.

*Cricket*

- 6.10 Concerns are raised about the loss of the Debenhams field wicket. The applicants note that the PPS indicates that there is not the demand for two cricket pitches in the area. This is also a key point in responding to Sport England's comments. The PPS notes that Plock Court cricket wicket is underused, and that it previously had 6 squares that could be reinstated and the one square is currently standard quality. The applicants explain that it is unused due to the lack of a pavilion.
- 6.11 The applicants maintain that the standard and availability of cricket facilities would be enhanced by restoring and improving the square with senior and junior artificial wickets and a new pavilion at Plock Court, and that the proposals would deliver the recommendations of the PPS. The sports hall

could also provide for indoor training. The cricket facilities would be able to be used by the University teams, local clubs or schools. The applicants are content that the Cricket Governing Body's specific requirements for the pavilion can be dealt with in the detailed design. Sport England requires the new cricket pitch to be to an appropriate technical specification, that it is managed and maintained to an agreed arrangement and that community use is secured. These are proposed as conditions.

#### *General*

- 6.12 The applicants also propose that the scheme would deliver enhancements in the following ways –
- Provision training in winter/poor weather conditions (notably this is a recommendation for rugby to protect pitches for matches);
  - Access to support facilities over and above most team's existing pitches;
  - Ability to host football 'pathway' schemes – youth levels, futsal, walking football, etc, as well as other schemes such as 'Football mash up', coach education and skills centres;
  - Flexible pitches to provide for youth football;
  - Provision for netball to focus on the City transferring from Bentham, also county and regional development programmes require a suitable home;
  - Focusing hockey on a single site, helping opportunities for progression;
  - Scope for development of a basketball franchise in the national league structure;
  - Activity within badminton pathway for example the Badminton Gloucestershire Performance Centre within a larger 12 court centre;
  - Use of 3g pitches and indoor facilities by local professional clubs;
  - Scope for collaboration between disability sports clubs and hub to act as a beacon for inclusive sports development;
  - Provision for higher education students;
  - Provision for enhanced demand from local residents.

The applicants have also now clarified the intention for a programme of pitch improvements and maintenance for Plock Court; improve the quality of pitches from poor to standard by 2020 and from standard to good by 2025 (involving scarification, aeration, overseeding, fertilising and top dressing), and subsequent enhanced maintenance based on a technical assessment of the pitches by the FA; and developing a shared equipment bank.

They have also now noted that the retained part of Debenhams field would be used for a 7 a side grass football pitch.

- 6.13 As already noted, a community use agreement is proposed to be secured by condition. Such an agreement may also be necessary to secure the agreement of the governing bodies' funding regimes. However the provisional arrangements put forward in the application are that the University would manage and use the spaces during term time (24 weeks of the year), Monday to Friday 8am to 6pm. In addition the University would retain a priority booking for the indoor and outdoor spaces from 6-9pm every Monday evening in the same period, and select Saturday and Sunday afternoon bookings for the facilities. At all other times the site would be open for use by the community.

- 6.14 In a broader sense, the location of the new (expanded) sports facilities links into existing provision and is in a suitable location for accessibility to the local population by foot and bicycle and has existing public transport routes nearby.

*3g pitch provision*

- 6.15 Specifically, the PPS identifies a potential shortfall of up to 3 3g pitches. The application would deliver 2 of the 3 3g pitches sought by the PPS. With respect to the quality of facilities that would be lost by the development of the 3g pitches, the PPS notes that Bishops College includes 2 good quality football pitches and 2 poor quality rugby pitches. The PPS prefers hub sites and sets out one hub at the north of the city with the preference for the University/Oxstalls sports site and one in the south of the city.
- 6.16 The FA and RFU both note that the proposals would help address local issues in pitch provision that the PPS highlights – e.g. provision of 3g artificial grass pitches, World Rugby compliant surface for clubs to access, addressing existing over-play of pitches in the city.

*Conclusions*

- 6.17 England Hockey now accepts the loss of the University AGP in light of the commitments, and Sport England also welcomes the cricket proposals now, which have also received the support of the Gloucestershire Cricket Board. They are content that the specification for the cricket pavilion need not be set now and it can be assessed as to its acceptability at reserved matters stage.
- 6.18 The proposed plan for the sports provision is ambitious and provision to rehouse Gloucester teams within the city, bring local and franchise teams to the city and make provision more accessible for residents would be a significant benefit. The location of the development in terms of accessibility is considered to be acceptable. The location in terms of relationship to surroundings is also considered compliant with the policy context (amenity impacts are covered in more depth later). It also proposes dual use, which is sought by Policy SR.5.
- 6.19 The more difficult aspect is the overall picture of a net loss of playing field area. The benefits arise in the context of an overall arrangement of development in this planning application, which also includes losses of existing facilities at the Debenhams field and University AGP.
- 6.20 The applicants maintain that the University's ability to secure and risk the capital investment in the sports facilities is predicated on a growth in student numbers on the overall site (the need for the business school and halls), and that the indicative layout leading to the loss of sports fields represents the only possible locations of these new developments. The proposed investment in sport will not happen unless the overall masterplan is successful. They consider that the application should be seen to fulfil Sport England's policy, but have refined their approach to present it as being an exception case given the nature of the proposals.

- 6.21 Elements of the application do not comply overall with the Sport England exception policies and the associated parts of the NPPF. Nevertheless the overall case for sports provision, now further clarified by the application in terms of their commitments to mitigation, means Sport England has removed its objection subject to conditions.
- 6.22 Sport England has a particular standing in the application process, in that if the Authority proposes to grant permission against its advice, the application would need to be referred to the Secretary of State to consider a call in Inquiry. This would include going against their requested conditions in this case. I consider the Sport England conditions should be imposed, albeit slightly amended. I have checked these alterations with Sport England and they are happy with them.
- 6.23 Subject to these, no objection is raised against Policies OS.1, SR.2, SR.4 and SR.5 of the 2002 Local Plan, Policies INF4, INF5 of JCS, and the NPPF. With the removal of the Sport England objection the requirement to refer the application to the Secretary of State is not engaged.

#### Economic implications

- 6.24 The development of a business school is a notable consideration in this respect. The University envisages that its relocation from Cheltenham would fully integrate it with an enhanced Growth Hub at the Oxstalls Campus, creating a high level of business engagement, produce more 'career ready' graduates, and gain a distinctive reputation. The development of the business school, and increased student numbers and expenditure would lead to economic benefits to the City. The University has provided a paper seeking to explain these benefits.
- 6.25 In 2012/13 the University generated £356.5mil Gross Value Added for the UK economy and supported 3,729 jobs, including £151.2mil GVA and 2,163 jobs in Gloucestershire (BiGGAR Economics report).
- 6.26 They also note its role in sustaining and enhancing the economic prosperity of the City and County by; operating as a successful business in its own right; encouraging volunteering; helping local businesses and organisations to improve their performance; developing the local workforce; and creating a vibrant and stimulating environment. In 2013/14 the University purchased £2.9million at businesses in Gloucester and their supply chain includes 70 businesses in Gloucester. In 2013/14 it is estimated that University staff spent £5million in Gloucester, students spent £7.7million and people visiting students and staff spent £0.2million.
- 6.27 The University's strategic plan places strong emphasis on supporting business growth and economic development within the locality. One of the key ways in which the University hopes to achieve this would be through the redevelopment of the Oxstalls Campus. This will help to make the University more attractive to potential students, and if this leads to an increase in student numbers that the impacts summarised would increase.

- 6.28 The Oxstalls development specifically would secure the following benefits;  
 Greater student impact on the local economy – estimated to contribute tens of millions of pounds of economic benefit annually to Gloucester and support thousands of jobs;  
 More direct investment by the University in Gloucester – significant direct capital investment, wider regeneration impacts;  
 Diversifying and strengthening the Gloucester job market – increasing employment directly and indirectly through local staff expenditure, and giving businesses in Gloucester more opportunities to recruit the staff they require;
- 6.29 The University proposes that the redevelopment is estimated to generate an additional £77.5million GVA per year for Gloucestershire by 2020/21. This translates to an additional 2,199 jobs supported within Gloucestershire a year within 5 years. The redevelopment is forecast to increase the number of students by 2,000 by 2020/21. Based on the increase in numbers the increased graduate premium is forecast to benefit Gloucestershire by over £13million by 2020/21.
- 6.30 The 2002 Second Deposit Local Plan acknowledges the importance of further education in strengthening the economy to provide a flexible, skilled and high quality workforce to meet modern industry requirements. It also notes the University's redevelopment of the Oxstalls campus, providing a facility to improve higher education access. The aspirations are also reflected in the strategic objectives of the JCS in developing the potential of the area for further economic and commercial investment.
- 6.31 In addition to the business school, the application proposals would also lead to economic benefits associated with the new sports facilities and creation of employment opportunities, both in the construction and operational phases, again supported in the JCS. The NPPF refers to placing significant weight on the need to support economic growth through the planning system.
- 6.32 The economic benefits of the application weigh in favour of the proposals.

#### Design

- 6.33 As an outline application, there are limited detailed design matters given at this stage. The indicative plans and scale parameters present the basis of a scheme – the Authority needs to be clear that there is some form of scheme within the parameters that would be acceptable in design terms.
- 6.34 The 3 storey maximum scale of the business school and student halls is clearly more than most nearby residential buildings at 2 storeys (although there are some large houses), however they are broadly in line with the existing university campus buildings (the existing halls are 4 storeys, the academic buildings are a mix of 1, 2 and 3 storeys). Taking into account the enclosed context of the campus as a separate entity, I do not consider that 3 storey development in these terms would cause harm to the character of the area. Clearly the detailed design needs careful consideration in due course. The campus AGP floodlights provide a useful comparison for the proposed business school and while it would clearly be perceived, it should sit



comfortably within the surrounded bund and its tree planting without appearing too obtrusive.

- 6.35 The scale of the proposed sports buildings is similarly considered acceptable in the context of the tennis centre and school buildings. The sports hall is shown as two storeys, this is likely to include providing for headroom to accommodate sports inside the hall, with ancillary facilities potentially over two actual floors internally.
- 6.36 The broad intention for the detailed design appears to be to tie in the palette of facing materials to the existing campus – white render, timber cladding, glazed facades and brise soleil, at least in terms of the University buildings. There is no reason to my mind why we could not secure a reasonable design for the buildings within these parameters.
- 6.37 It is likely that the sports proposals would lead to the desire for floodlighting and this is described in the proposals. There are a range of tall structures through the open area including a wind turbine and several other sets of floodlights. I do not consider they would harm the character of the area.
- 6.38 The applicants propose that the existing public right of way running between Plock Court and Oxstalls Campus be surfaced and lit to provide an enhanced link. They also propose the opening up of the east/west public footpath, and fronting the business school building onto the path, for a more well-overlooked and spacious link. These would be positive benefits from the scheme in terms of accessibility and community safety.
- 6.39 Concerns are raised about the density of development but also in opposition the scheme being inefficient use of land. Given the various constraints of the site and the existing area I consider the balance is about right and do not raise any objection in these terms. Neither do I consider that the implementation of new access points alter the character of the areas to such a degree as to warrant refusal.
- 6.40 In respect of the Police comments, detailed design and layout issues can be picked up at the reserved matter stage if granted, issues around specific product recommendations can be picked up by applicants, and the amenity and highways issues raised are address elsewhere in the report.
- 6.41 Subject to securing certain details such as the approval of materials, it is considered that the proposals comply with Policies BE.1, BE.2, BE.4, BE.5, BE.6, BE.7 of the 2002 Plan, Policies SD5 of the submission JCS and the NPPF. No objection is raised in design terms.

#### Trees and landscaping

- 6.42 There is a Tree Protection Order on the site. A Tree survey has been submitted. The siting of the buildings and landscape masterplan indicate that it is feasible to build the business school and student halls without affecting TPO trees. It is likely that one TPO tree would need to be removed at the reconfigured vehicular access off Oxstalls Lane. This is a B graded Mulberry. A second non-TPO sycamore would also need to come out.

- 6.43 The student halls would affect some other non-TPO trees and a stretch of hedgerow next to the public right of way, to create accesses. It also appears likely that the business school would require some tree removal where accessing the car park through the bund. Selective removal of vegetation at the Wotton Brook would also be undertaken as part of the enhancement works.
- 6.44 The University's landscape consultants make a series of recommendations –  
Retain all TPO trees unless their condition is poor or it is impossible to reconcile their location with the development;  
Limit car access along the right of way from Estcourt Close;  
Retain the existing screen bund in part or entirely at the business school (current artificial pitch) location and place the car park to the east of the bund. The car park should be benched into the slope and screened on its east flank to minimise intrusion;  
Add buffer planting at the northern boundary beyond the business school location;  
Combine attenuation functions with landscape and ecological enhancement of the floodplain;  
At Plock Court large scale meadow creation of grass areas that are not required for formal pitches combined with works on the brook corridor;  
At the sports centre/3g pitches planting within and around the car park and a hedge/tree screen to the north, east and south sides;  
Lowering or removing fences at the east-west right of way to provide a wider and safer corridor.
- 6.45 The Council's Tree Officer has no major concerns and considers that the scheme could improve tree cover in the area. The identified tree loss to accommodate the development can be mitigated through a suitable planting scheme. Tree protection measures during construction will also be required and are also recommended to be secured by condition.
- 6.46 The Council's Landscape Officer has raised several queries. Most of these can be addressed at the reserved matters stage if outline permission is granted. Some matters – e.g. replacement tree planting for those lost, details of buffer planting, etc need to be secured by condition.
- 6.47 With the withdrawal of the allotments relocation from the proposal, the larger retention of the existing hedgerow between the access lane and the Debenhams field is more feasible. Some incursions will be required to enhance linkages but retention of the remainder would be desirable for landscape quality and ecology.
- 6.48 The delivery of the details shown in the landscape report would represent an enhancement to the landscape of the area and this weighs in favour of the proposals, providing it is secured by condition.

#### *Landscape Conservation Area*

- 6.49 Part of the site is also covered by the Landscape Conservation Area designation in the 2002 Plan. The applicant considers that no major built development is proposed within the LCA, the central spine of the site will remain open, and that the proposals reinforce the landscape quality of the site. It appears to me however that the business school as indicatively shown would encroach into the edge of the LCA designation. The cricket pavilion is also within the LCA designation.
- 6.50 There is a tension between the 'old' LCA designation and the updated landscape evidence base which moves away from LCA allocation of land. Emerging documents will move to a criteria-based policy approach. In 2012 the JCS Authorities completed the Landscape Characterisation Assessment and Sensitivity Analysis to inform SHLAA updates in the JCS area. The application site was not explicitly considered by this report as it does not lie on the urban fringe of the City. In that document, only those areas identified as 'High' landscape sensitivity were considered outright unsuitable for development on landscape grounds.
- 6.51 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 LCA approach is not supported in the NPPF anymore. The NPPF refers to protecting and enhancing valued landscapes but the Government has been moving away from this approach towards landscape characterisation and sensitivity analysis. The evidence supporting the LCA approach is becoming increasingly old and dates from the 1990s and is superseded by the characterisation and sensitivity work undertaken for the JCS in accordance with the NPPF approach. There is a large amount of LCA designation covering many green spaces of varying type and quality within the city boundary. I consider these factors must limit the weight that can be attributed to the 2002 LCA designation.
- 6.52 The emerging analysis assesses how sensitive the landscape is to change. I have in any respect also reviewed the LCA evidence base for the 2002 Plan designation. The areas where small incursions would be made are not highly sensitive to the extent of development proposed and the scheme would not significantly harm the overall character identified here. Specifically, the pavilion would not be harmful and represents small scale development supporting the open air recreational use. The business school could have a minor negative impact, however I do not consider it merits refusal in itself, and the landscaping works suggest that the central section would be preserved, indeed the final detailed design could lead to mitigatory planting in respect of the influence of the business school building.
- 6.53 Overall no objection is raised in terms of trees and landscaping considering the relevant policy context. The business school may have a modest negative impact on the landscape character but the enhancement works would improve the area. Conditions are required to secure the measures. Subject to these the proposals are considered to comply with Policies B.10, LCA.1, BE.4 and BE.12 of the 2002 plan, Policies SD7 and INF4 of the submission JCS and the NPPF.

### Traffic and transport

- 6.54 A Transport Statement Addendum was provided alongside the amended scheme. A further set of surveys (junction turning movement counts, automated traffic counts and car parking surveys) were undertaken in October 2015 to supplement the June 2015 surveys in order to capture a higher demand period. The surveys established that the peak hour of the adjacent highway network is between 0800 and 0900hours in the morning and 1630 and 1730hours in the evening. In summary the alterations in highways terms are that the proposed junction layout at Cheltenham Road/Oxstalls Lane has been amended and 100 additional parking spaces introduced to the scheme at the University campus. These are expanded on below.

### ***Traffic generation***

- 6.55 The additional surveys indicate an increase in daily traffic recorded in October compared to June of around 6.5% for the 5 day average and 8.1% for the 7 day average.
- 6.56 Existing traffic movements at the Oxstalls campus in June indicate 78 two way movements in the AM peak and 77 in the PM peak. In October this was 138 two way movements in the AM peak and 103 in the PM peak.
- 6.57 The estimated traffic generation from the business school is 75 two way movements in the AM peak and 74 in the PM peak in the original. In the addendum this is increased to 133 in the AM peak and 99 in the PM peak.
- 6.58 The estimated generation from the student accommodation is 2 two way movements in the AM peak and 4 in the PM peak. The addendum notes that using the trips rates presented in the assessment, this could generate 60 movements in a 24 hour period, although given that access is restricted it is expected that the new accommodation would actually generate much less traffic than the trip rates suggest.
- 6.59 Existing traffic movements at Plock Court in June showed 21 two way movements at the AM peak and 96 at the PM peak. In October this was shown as 30 in the AM peak and 123 in the PM peak. The estimated generation was considered to be at the same rate as they are analogous to the existing uses with the exception of the 500 seat stand. In terms of the spectator stand the events would generate traffic either off peak during the day or at the weekends, and for 40 to 50 days over a year.
- 6.60 The single biggest impact in terms of trip generation would be the community events. These would be held around 8 times a year and at the weekend. The applicants offer that an Event Management Plan could be prepared to address the highway impacts of these.

### ***Highway impact***

- 6.61 The applicant has determined percentage increases in traffic from the development to 2020. The largest increases appear not unsurprisingly at the Oxstalls Lane campus access of 22.3% in the AM peak and 12.2% in the PM

peak. Increases at other junctions do not exceed 6.7% (Cheltenham Road/Oxstalls Lane is 5.9%). The applicants consider that increases in traffic of this magnitude would have no perceptible impact on the local highway network in terms of capacity and safety, although the Highway Authority considers a 5% increase in a congested junction to be significant and a severe impact would occur if mitigation were not sought.

- 6.62 Modelling of junction capacity indicates that the campus access junction currently operates within capacity at peak times, and would continue to operate within capacity at peak times in 2020 with and without the development.
- 6.63 The results show that the Cheltenham Road/Oxstalls Lane junction operates within capacity at peak times currently. However traffic surveys recorded some queuing on the approaches at both peaks – therefore performance is considered to be worse in reality than the modelling indicates. Traffic growth to 2020 will cause conditions to worsen and the addition of development traffic would result in the junction operating over-capacity. Measures to mitigate the impact of the development at both this junction and the site access are therefore proposed and these junction proposals are commented on below.
- 6.64 The modelling shows that the Estcourt Road/Cheltenham Road junction operates within capacity at peak times currently and would continue to do so with and without the development in 2020. Queues on Cheltenham Road east are not predicted to extend back and affect the performance of the Oxstalls Lane junction.
- 6.65 The modelling shows that the Plock Court/Tewkesbury Road junction operates within capacity currently and will continue to do so in 2020 with and without the development.
- 6.66 The Highways Agency has not objected, noting specifically that the development would not have a severe impact on the operation of the A40 (they are most interested in the Longford and Elmbridge Court roundabouts).

### ***Junction and access alterations***

#### ***Cheltenham Road/Oxstalls Lane***

- 6.67 The current campus access is via a priority T-junction with Oxstalls Lane. The Oxstalls Lane/Cheltenham Road is also a priority T-junction. Alterations to the junctions are proposed involving a traffic light system at Oxstalls Lane/Cheltenham Road and the campus/Oxstalls Lane junction to provide capacity improvements to help regulate and balance the flow of traffic. The junction would incorporate land at the south east edge of the campus so as to provide increased carriageway including a left turn lane from the west heading into Oxstalls Lane. The bus lay-by would be moved back. Equally, a right turn lane would be created from the east heading into Oxstalls Lane. When heading towards the junction on Oxstalls Lane, the southbound carriageway would split to two lanes for turning west or east onto Cheltenham Road. At the exit from the campus to Oxstalls Lane, a two lane exit would be created.

Formal pedestrian and cycle crossings would be provided on the Cheltenham Road west and Oxstalls Lane parts. The crossing on Cheltenham Road would replace the existing signal controlled crossing located just to the west of the junction. The traffic signals would have the ability to incorporate bus priority measures on Cheltenham Road.

- 6.68 Other options were considered including an improved priority junction and mini and normal roundabouts. The traffic signals are chosen as they provide sufficient capacity and better facilities for pedestrians and cyclists as well as the potential for bus priority measures in the future. It is of note that the University considers that, based on the traffic survey evidence and configuration of the site (particularly flood zoning), there is no case for a main campus access from Estcourt Road. It is also of note that in considering the application for the learning centre, sports science building, artificial pitch and car parking in 1999, the Planning Committee accepted that the cost of providing an alternative access from Estcourt Road would be prohibitive and the provision of a roundabout at the end of Oxstalls Lane would make access to the campus easier but would have a knock-on effect of creating a rat run from Innsworth and was not recommended.
- 6.69 The analysis shows that the proposed junction would operate within capacity at peak times with no significant queuing or delay, providing a significant improvement over the existing situation. Introduction of Microprocessor Optimised Vehicle Actuation (MOVA) would optimise signal timings in real time response to conditions (it is shown to reduce delays by 13%).
- 6.70 The Highway Authority has confirmed that the junction improvement works effectively limits the significant impacts of the development and satisfies Paragraph 32 of the NPPF. Therefore they are unable to require the applicant to explore other options for providing access (opportunities for access via adjacent roads were not submitted for assessment as part of the application). The proposed junction design would operate within capacity in both 2020 AM and PM peaks with the development in place.
- 6.71 The University would welcome a condition to complete the junction works prior to occupation of the development, and this is proposed by the Highway Authority in its recommendation.

#### *Plock Court*

- 6.72 The Tennis Centre and associated sports provision at Plock Court are served by the access off Tewkesbury Road, which is a priority crossroads arrangement opposite the Winfield Hospital access. There are central right turn lanes in Tewkesbury Road. It is proposed that the new sports facilities will use the same arrangements. The access road into the existing car park is proposed to be improved to accommodate the increase in traffic, comprising widening on the bends to enable a large refuse lorry and large car to pass, and upgrading of the street lighting.
- 6.73 It is of note that the applicants consider that a new road extension out from the sports centre direct to Tewkesbury Road is not necessary given the

capacity identified in the existing access road. Furthermore they consider it may not be appropriate in flood risk terms or in terms of loss of playing fields. It is not considered necessary for this application, nor are additional works to the existing roads or junctions serving this part of the site that are raised in various other representations.

#### *Student halls*

- 6.74 Access to student halls (for maintenance, emergency vehicles and disabled students/visitors) has always been shown from Estcourt Road via the existing access to the allotments but now (as introduced by the amended proposals) principally via Estcourt Close. Access to the student halls would be controlled to prevent unauthorised use. It is proposed that student drop off and collection at start and end of terms would be managed through staggered arrival times. Pedestrian and cycle accesses would be provided to link through to the main campus.
- 6.75 The accident data does not reveal a pre-existing accident problem at any junction. The proposals for the Oxstalls Lane/Cheltenham Road junction will be subject to formal road safety audits.

#### ***Parking***

##### *Parking surveys*

- 6.76 The June parking surveys indicate that maximum parking demand at the campus occurred at 10am, and it remains relatively high until mid afternoon.
- 6.77 The June on-street parking survey was undertaken within a distance of about 500m of the campus, identifying 1099 available on street spaces. The survey indicates occupancy levels are relatively low throughout the day (9.8% at 7am, 16.5% at 12, 7.6% at 7pm). The TA does acknowledge that certain roads had relatively high levels of on-street parking – e.g. Kenilworth Avenue Grafton Road, Wellsprings Road, Rydal Road, Oxstalls Lane, Oxstalls Way.
- 6.78 The October surveys of the campus parking indicated that occupancy levels were below the capacity of the permanent car park but not by a significant amount, which was taken to suggest the car park is well used through the day.
- 6.79 The October on-street parking survey again covered a 500m distance, and established in total 1041 parking spaces were available on-street within the study area at the times of the survey. Occupancy levels were recorded as 19.9% occupied at 10am (207 spaces occupied) and 20.3% occupied at 2pm (211). It should however be noted that this includes 339 spaces on Estcourt Road main carriageway, on which it is considered parking is unlikely. The exclusion of these spaces would change the results to 29.5% occupancy at 10am and 29.9% occupancy at 2pm (still considered relatively low overall).
- 6.80 It was also noted in the submission that most residential properties within the survey zone have off-street parking and therefore residents do not generally need to park vehicles on-street.

- 6.81 It is interesting from the October results that some of the roads specifically mentioned in representations see a high saturation:  
Grafton Road zone 105-123 10am – 95.8% occupation  
Grafton Road zone 105-123 2pm – 100% occupation  
Oxstalls Way zone 296-341 10am – 127.8% occupation  
Oxstalls Way zone 296-341 2pm – 127.8% occupation

*Oxstalls campus parking*

- 6.82 There are 250 permanent and allocated car park spaces on the campus and the car park is managed on a pay and display basis. Only permit holders are entitled to park on campus between 0830-1700 Monday to Friday. Staff members are eligible to purchase permits and there is a £1.50 per day charge for non permit holders. It is in the tenancy agreements of students living on campus that they cannot bring their cars onto site – monitored by security officers and parking charge notices are issued to those who do not adhere.
- 6.83 In addition there is a temporary car park at the south east corner of the campus used for overspill, providing 30 spaces (grassed with a plastic mesh). There is also some cycle parking – 13 racks at the sports centre and 27 at the student accommodation, 80 spaces in total.
- 6.84 The County Transport Plan standards set out the maximum car parking standards for higher education that indicates a maximum of 60 spaces for staff, however an assessment of car park usage and demand projection initially led to the proposal for 150 additional permanent car parking spaces, plus the upgrading of the 30 overspill car parking spaces with a grasscrete construction to make it more useable. 318 additional cycle parking spaces are proposed – covered and located in a prominent position.
- 6.85 The amended parking proposals are for a further 108 parking spaces for the University campus. This makes 258 new spaces at the campus (with the 150 spaces originally proposed in the business school car park). In these unusual circumstances this increase is welcomed. The Highway Authority considers that the proposed on site parking provision is acceptable based on the current level of parking accumulation but it is noted that the surrounding residential streets have experienced a significant increase in on street parking since the University's development; as noted above the immediate nearby streets see significant on street parking. The Highway Authority therefore considers that the impact should be determined and additional on street parking surveys obtained at an appropriate time after occupation of the business school and student halls to ascertain the impact and whether there is a significant increase in on street parking as a result of the development. If this occurs then the requirement for additional measures to restrict parking on the streets affected would be engaged.

*Student halls parking*

- 6.86 At the student halls 10 blue badge disabled spaces are proposed, and 210 cycle parking spaces.



- 6.87 According to the University, the students are prevented from having a car while in attendance. They have agreed to a condition that requires proof of the tenancy agreement stipulating this requirement.

*Allotments parking*

- 6.88 The existing parking arrangements off the access lane from Estcourt Road would be retained.

*Sports hub parking*

- 6.89 At the sports hall/pitches; there are 130 existing parking spaces at Plock Court sports centre, and 6 cycle spaces. Car parking standards for leisure uses of this scale would permit a maximum of 179 parking spaces on the basis of a 3570sq m sports hall. This would also indicate 33 spaces for the 500 seat stand.

- 6.90 120 additional car parking spaces are proposed to make 250 in total for the facilities. The applicant has sought to justify the number based on the nature of the sports uses in the hall and frequent turnover of spaces, car sharing/walking/cycling, peak times of sports events not clashing with that of the hall or those with community events, and the parking at Oxstalls campus providing additional capacity for sports events, and vice versa. This would be further promoted by the provision of better links between parts of the application site. 54 additional cycle parking spaces are also proposed.

***Additional parking matters***

*Park and ride*

- 6.91 The applicants propose that the planned provision of a park and ride facility at Elmbridge Court and the enhancement of the 94U bus service along Cheltenham Road could provide for students, staff and visitors and offer to engage as to the capacity and capability to provide for the management of trips to and from the campus. However this is not yet in place to provide mitigation.

*The CPZ proposal*

- 6.92 The University has previously stated that it would be prepared to fund the implementation of a controlled parking zone to manage and control parking demand on local roads and mitigate any potential off-site impact of the development, and offered to pay for the cost of introducing the CPZ and the operation and enforcement of it for a limited period (initially 3 years, now offered for 5 years). This idea was subject to a significant number of objections and a small level of support.
- 6.93 The University has now refined its position, remaining willing to consider the CPZ, but prior to promoting it, the University would conduct a series of parking surveys as noted above and they offer to have this imposed by condition. The University would also consider suggestions from the Highway Authority about any more appropriate mechanisms to mitigate the impact if a better solution can be found.

- 6.94 If it were to proceed, the CPZ would need to be promoted via a Traffic Regulation Order, usually involving consultation, advertisement (with objections considered through the Council) and then formally making the order if approved. Alternative solutions to the CPZ might be parking restrictions such as yellow lines, increase in parking on site, or removal of the parking charge.

*The charging regime*

- 6.95 Residents have raised concerns that the charge to park on the campus site is a disincentive for students and staff to park there, and furthermore, that the positive effect of providing additional on-site parking would be inhibited because on-street parking will continue to be preferable to paying the charge.
- 6.96 The University considers that the £1.50 charge per day is highly competitive. They also note that the funds raised are used to pay Stagecoach for the subsidised bus service and that it would be counter productive to remove the charging system, removing the subsidy and encouraging more car use and less bus use. Furthermore they note that the survey indicates that the campus parking is fully utilised at peak times, demonstrating that the charging policy is not discouraging parking use. The Highway Authority agrees with this.
- 6.97 Anecdotally, during my site visits, several residents reported that these were not 'bad' days for parking build up, and that it was worst when sports events were on. If the University AGP is removed, this particular effect may be reduced in the vicinity.

***Sustainable transport***

- 6.98 In terms of the main campus and halls, bus services run nearby with stops on Cheltenham Road to the south with the various 94 services running quite frequently to the city centre and Cheltenham.
- 6.99 The University's partnership with Stagecoach provides the inter-campus 94U service to which staff and students have access for £1.30 per journey. The University plans to increase the subsidy so that it is free.
- 6.100 In terms of Plock Court, bus services run on Tewkesbury Road also, to the town centre, Tewkesbury, Cheltenham and Maisemore/Hartpury.
- 6.101 The train station is approximately 20 minutes walk away. Overall the Highway Authority considers that the site is located in an accessible locations with good walking, cycling and public transport links.
- 6.102 In general the masterplan provides for enhanced pedestrian and cycle links through the site. It is of note however that the business school car park access would involve vehicles crossing the public right of way/Sustrans route 41. The applicants note that this will be designed to minimise the impact on pedestrians and cyclists. I have asked for some further clarity on how this would be managed. In similar terms I also asked for further clarity about dealing with pedestrian safety as a result of running the access road to the sports facilities between the front of the tennis centre and the AGP and tennis

courts. Some suggestions are made in the amended material and they refer to it being clarified at the reserved matters stage and agreed with the Highway Authority. Also the landscape report refers to the crossover to the business school being designed as pedestrian and cycle priority crossings. The covering letter suggests the solution may include speed bumps, clear signage, lighting, and use of materials. Ultimately the Highway Authority is content that the detail can be secured by condition and raise no in-principle concerns.

- 6.103 Further mitigation is also proposed in a Travel Plan to encourage travel by non car-borne modes. The University has previously established a Travel Plan. The existing data is promising and demonstrates that increasing sustainable modes of travel to the site are achievable. The Highway Authority considers the Plan to be acceptable, and it would be a living document that would be regularly updated. This would be added to and could be secured by condition.

#### *Conclusions*

- 6.104 Overall, the applicants' transport assessment concludes that the residual cumulative impact of the development would not be severe and as such is considered acceptable in the context of paragraph 32 of the NPPF.
- 6.105 The Highway Authority is satisfied that the proposed development has taken up the opportunities for sustainable transport modes to reduce the need for major transport infrastructure. Sustainable modes of travel would be encouraged through the residential travel plan in addition to the proposed links internally to provide improved access between facilities and at the new signalised junction incorporating the site access. Safe and suitable access has been adequately demonstrated in terms of capacity and highway safety and the off site improvements effectively limit the significant impact of the development. No objection is raised by the Highway Authority subject to certain conditions. The development is considered acceptable in the context of Paragraph 32 of the NPPF. Subject to the conditions, the proposals are considered to comply with Policies TR.1, TR.2, TR.9, TR.10, TR.11, TR.12, TR.31, TR.32, TR.33, TR.34 and TR.38 of the 2002 Plan taking into account the special justification for the higher level of on-site parking provided for, Policies INF1 and INF2 of the submission JCS and the NPPF.
- 6.106 It is also noted that a local residents group has applied to the County Council to establish a public right of way broadly around the perimeter of the Debenhams Playing Field. Policy TR.38 of the 2002 Plan deals with retention/diversion of public rights of way. At the time of writing this is not a public right of way. The determination of the application is likely to take 12-18 months. If the order is opposed then it is scheduled for public inquiry and this may take years. Furthermore, the development does not necessarily prevent the route proposed by the residents group, and if it were an existing PROW, it would be possible to apply to divert it, and indeed Policy TR.38 provides for this.

#### Amenity

*Student halls- physical impacts*

- 6.107 Section drawings have now been submitted showing the relationship between the new buildings and existing residential properties to assist our considerations. Proposals for landscape mitigation between the halls and residents have evidently been in and out of the proposals as they have been designed judging from residents' comments on what they saw at pre-application consultation events. This seems to have caused some confusion. At the time of the original application the allotments were to be relocated to this part of the Debenhams field and there was no landscape buffer proposed. Now that this intervening land is back to being amenity land, some planting is possible in between and is shown on the indicative plans. It may be possible to plant large trees all along this alignment, however the cost and technical requirements of delivering this suggests it could not be guaranteed, and at least in the short term it seems likely that there would be some direct visual connection between residential properties and the halls.
- 6.108 The submitted plan is indicative, however the presence of the floodzone tight to the northeast edge of the hall buildings and the obviously considered siting indicate that this is a fair reflection of what the University could pursue. The buildings are shown at around 37m from the boundaries with Estcourt Road properties and around 60m from Estcourt Close properties at their nearest points.
- 6.109 I consider that a three storey building without any mitigation at the near edge of 37m from the Estcourt Road properties would be overbearing to those properties and harm the amenities enjoyed by residents. In terms of overlooking, it is difficult to be absolutely clear at this outline stage without detailed elevations. The parameters indicate that possible overlooking would occur at a height of about 8.3m at second floor level and this has been confirmed with the applicants. Again given the proximity to Estcourt Road properties three storey accommodation that leads to this overlooking impact would be unacceptable. Tree screening might dissipate both effects slightly but not overall to an acceptable degree.
- 6.110 The question therefore is whether there is an acceptable option for development within these parameters – the reserved matters application will ultimately reveal the true extent of any overbearing and overlooking effects and would be considered again at that stage, if outline permission is granted.
- 6.111 In this respect the scheme sets 3 storey as maximum parameter. It does not preclude the option of staggering the building up and down – e.g. down to 2 storeys where closer to residents. I consider this would be the preference to mitigate the impact on residents, and the agent has confirmed that they are not averse to a staggered scheme that is not exclusively 3 storeys particularly now the removal of the allotments relocation gives some more flexibility to spread out the development (rather than going upwards), and they would accept a condition to this effect.

- 6.112 Furthermore, the Design and Access Statement seeks to respond to concerns about intrusion from the halls, such as:  
Automated blinds on timer system to windows facing houses – to deal with light spill;  
Restricted use of external areas on these sides;  
Accesses positioned away from these sides;  
Student Noise Management Plan;  
Dual aspect blocks to locate communal areas facing away from residents;  
Green buffer for privacy and some acoustic screening.
- 6.113 The University has noted in response to suggestions to move the halls building that it has considered siting it closer to the path west of the allotments and adjacent to the proposed business school, but siting it nearer to the allotments would place it in a higher risk flood zone and siting it next to the business school would make that park of the campus over-intensively developed with the risk of additional concerns from residents adjoining the campus in that vicinity.
- 6.114 At the separation involved to residents' gardens and properties, with the commitment to stagger the buildings, and with further options to refine the layout and the detailed design to ameliorate any impact, I do not consider that an objection based on the physical impacts of buildings here in terms of overlooking, overbearing or overshadowing effects could be sustained so as to outright refuse the application. Three storeys in appropriate parts of this site is acceptable – it is the detailed reserved matters stage that will be key, to stagger the buildings up to three storeys away from residential properties and further mitigate impact by well-considered design.

*Student halls – noise and disturbance*

- 6.115 A noise report has been produced for the development, however in terms of the student halls, the applicants' consultant does not consider it reasonable to assess the noise impact given the sporadic nature and behavioural considerations that influence the possible impacts. Instead, recommendations for practices have been put forward. Furthermore, a common sense approach to the design of the halls is advocated, in respect of seeking to locate potential sources of noise away from local sensitivities. The consultant's recommendation for dealing with it outside of the planning system would not however give any mechanism for the Authority to ensure compliance and relies on the goodwill of the University. The Authority does have statutory nuisance powers however it would be preferable if a mechanism can be found at the planning stage alongside Environmental Protection Officers.
- 6.116 There is an interesting recent comparison with the proposals in Cheltenham for a student accommodation scheme for over 700 students at the Pittville campus. In this regard a Management Plan was developed including three key elements of a Community Liaison Group, a late night shuttle bus and their 'Ssh' patrol scheme, secured by legal agreement. The University already runs a community liaison group for the Francis Close Hall campus. The proposed Pittville Group would meet every academic term with a remit to monitor the effectiveness of the plan and be an ongoing forum for discussion and

resolution of issues, and is made up of local community representatives, the University and halls provider, the Police and an Environmental Health Officer. The patrol scheme would be aimed at reducing anti social behavior linked to students and maintaining safety and the concept and arrangement are supported by the Police. Cheltenham Council Officers concluded that it provided a robust monitoring device for management of the site and their Committee granted permission with these measures secured by a s106 agreement. This could provide a means by which to seek to address any matters that would arise.

6.117 In terms of the management of disturbance, the University has confirmed the following;

Residential Support Advisors (RSAs) oversee the work of Residential Assistants (RAs). RAs are returning and mature students who have shown themselves to be ambassadors of positive behavior who are recruited to live in student halls. RSAs and RAs set out the expectations over noise and conduct in the first days of arrival, and maintain focus over the year, and very heavily in the first few weeks;

In partnership with Campus Security, students who are unruly or overly noisy are challenged at the time and reported to the Halls Management Team;

The advisors and management team always follow up with any students that are reported. Students agree to the terms and conditions of residence and if they break the rules they receive up to 3 warnings, and if they persist are transferred to another halls, and if they continue are evicted;

Security staff endeavour to ensure students returning to site on key student nights make a quiet and swift entry into halls;

In addition to the rules for halls of residence, students can face investigation and disciplinary procedures under the code of conduct, which again could lead to expulsion;

The University has a formal partnership agreement with the local constabulary;

Residents and surrounding neighbours would be provided with a dedicated telephone number to contact the security team.

6.118 The Environmental Protection Officer considers that the 'behavioural' influence on any potential disturbance means that the use of quantitative measures regarding noise presents practical difficulties. Securing some control by management measures is desirable and should not be unduly onerous on the applicants.

6.119 Furthermore, I consider that the University should address provision and management of taxi drop-offs. There is likely to be some demand for trips to and from the city centre for night life, and this is likely to increase in future

years. Particularly now that the allotments relocation is removed and there is direct access from Estcourt Close, late night taxi drop offs right by the residential properties would be undesirable. The establishment of a drop off point within the main campus (then walking through to the halls via improved links) would assist.

6.120 In response, the University advises that on each site they have designated taxi drop off points. At Oxstalls they should be able to develop a drop off point near to where security staff are based. They would need to ensure that the route from the drop off point in the campus is well lit, secure and simple to use. They also liaise with taxi firms and the Council licensing team in Cheltenham as to where drop-off points are and this could also be done in Gloucester.

6.121 The University has offered heads of terms for a legal agreement to address these matters that may be summarised as follows:

Establishment of Community Liaison Group including representatives of local residents, the Council, the allotments, the University, Aspire and the County Council and Police as necessary, to meet at least once every academic term, with the terms of reference being to act as an ongoing forum for discussion of issues between the University and its students and the local community and to work together to build a more unified community and to keep people up to date.

Operation of an on-site management team of Residential Assistants, Residential Support Advisors and security personnel to be maintained so long as students occupy the halls, to be deployed in various ways to ensure noise from student behavior does not cause an actionable nuisance to adjacent occupiers. The University will adhere to the Noise Management Operational Plan, and will use reasonable endeavours to abate noise nuisance advised by the Council's EHO.

A taxi drop off point within the site to be in place prior to occupation of the student bedrooms and monitoring of the taxi management through the security patrol team. Notification to be provided to licensing teams and Gloucester and Cheltenham Councils of the operation of the taxi management and other information to update all licensed taxi firms.

6.122 The University has also provided the associated Noise Management Operational Plan that includes:

Allocation of 10 rooms across the site to Residential Assistants  
University providing contact numbers and e-mail addresses to the local community for complaints/concerns about students  
Logging of complaints  
Information boards at the site boundary with contact details for complaints,  
Contact to be staffed 24 hours a day, 7 days a week  
Engaging with and supporting local residents to ensure minimum disruption

Management of issues in accordance with the University's student code of conduct and the Noise Management Operational Plan

Action against students in accordance with investigative and disciplinary procedures leading to a range of sanctions, such as the issuing of warnings, eviction from halls and expulsion

Roles of RAs and RSAs in dealing with behavioural issues

Policy on campus visitors

Continuing to work with the local constabulary

On site security 24 hours a day

Security staff regularly patrolling internally and externally each block of halls of residence particularly between 6pm and 6am

Contracts for accommodation shall include a provision that requires noise levels to be kept to a reasonable level and in particular no undue noise between 11pm and 8am

Full CCTV across the site

Visitor sign-in, and security card access

Operation of a 'preferred' taxi scheme, which advertises student-friendly taxi firms within the University

6.123 Subject to securing these arrangements with the appropriate detail, and further conditions, there is no objection from the Environmental Protection Officer. I therefore recommend that the on site management team and the management plan, the establishment and continued operation of a community liaison group, and the establishment and continued operation of a taxi drop off point are secured by a legal agreement.

6.124 No objection is raised to the student halls in terms of noise and disturbance on this basis.

#### *Business school impacts*

6.125 The business school is shown at the location of the current University AGP. This pitch was approved along with a landscaped bund wrapping around the northern and eastern sides of the pitch to mitigate the noise effects for residents. This bund rose to between 3.3 and 3.5m in height, and it has tree planting on top. If retained, the bund and trees would provide a significant mitigating effect in terms of the presence of the new building. The University has confirmed that the business school at 3 storeys equates to 12m and as noted earlier the hockey pitch floodlights present a useful comparison, they seem to relate broadly to the tree screening atop the bund. I consider that the bund and trees would provide a substantial screening effect to the north and east. It would be desirable to sit the building down as far as possible within the bund surround in terms of its impact.

6.126 The business school building is shown as around 59-80m from the residential boundaries to the east. The landscape proposals, although indicative at this stage, show the bund adapted to surround the business school building but with a cut through to the car park, with the car park bounded to east and north sides (towards neighbours' gardens) with buffer planting of about 10m width. The buffer here is considered by Officers and the University to be necessary in the interests of the amenities of neighbours – it would need to provide a



visual screen while not overshadowing gardens. The car park here has been expanded in the amended proposals, but I feel that the balance here between addressing the on-street car parking issues that are raised in many of the objections, and having the resultant additional on-site car parking in this part of the site (along with the required landscape mitigation) is about right.

- 6.127 With the landscape mitigation retained, adapted and enhanced, I do not consider that the business school at 3 storeys or the car park would be visually intrusive or overbearing such as to cause significant harm to the amenities of neighbours, nor overlook to a significant degree. The building's siting in the indicative plans means that it would not cause any significant overshadowing harm. If any of these changed at the reserved matters stage it would be open to the Authority to refuse those detailed schemes. The landscape mitigation ought to be secured by condition, and lighting to the car parks should also be carefully designed.
- 6.128 In terms of hours of use, the University has indicated that the business school philosophy is to be open 8am to 10pm, although the reality is that core hours are 8am to 5/6pm. A 44 week term is operated. They do also have summer schools. Effects of the business school use are therefore likely to be year round and all day, but dissipating use over the summer and into the evenings.
- 6.129 In this location there will also be some trade off from the effect of the existing artificial grass pitch as a neighbour to the effect of the business school and car park as a neighbour.
- 6.130 No overall objection is raised in terms of the impacts of the business school on amenity, subject to conditions.

*Sports facilities- floodlights*

- 6.131 In the vicinity of the proposed sports facilities there are existing floodlights at the Plock Court AGP, the Gala Wilton pitch and on the former Bishops College playing fields. Local roads are also street lit as is the sports centre car park.
- 6.132 A lighting impact assessment has been produced. This identifies possible light pollution from sports field lighting along with exterior lighting within the development, light spill from interior of buildings and increased sky glow. For the primary residential receptors, a potential 'moderate' adverse effect of light pollution is noted – that is, 'the development would cause a noticeable change to existing environmental conditions'. The report therefore recommends mitigation measures in terms of the design of the lighting, including designs to avoid light spill beyond the boundaries of the playing fields. It also sets out a list of recommendations to minimise impact and it is recommended that these are required by condition seeking precise details of the lighting proposed to enable full assessment and mitigation of impacts. Adverse impact should be limited if best practice is adopted and the mitigation measures are incorporated in the design for both the construction and operational phases. Conditions may control this.

- 6.133 As this is an outline planning application, without precise details of the size, style and location of any lighting, we cannot conclude precisely on its effect. However, the report indicates that the principle of including lighting is not unacceptable with sensible design of the fixtures and no Environmental Health objection is raised. Floodlights are relatively common in the local area. Furthermore, control over hours of their use would set the basic parameters for acceptability – I suggest they are turned off at 10pm latest on any day.
- 6.134 No objection is raised to the principle of floodlighting of the sports facilities subject to conditions to control their precise arrangement.

*Sports facilities - noise*

- 6.135 As noted above a noise assessment has been undertaken. The predicted effects indicate that while training on both pitches is unlikely to create noise nuisance, matches occurring on the pitches may exceed the 55dB LAeq 1 hour threshold and mitigation measures are considered to address this.
- 6.136 A 2.6m noise barrier is proposed around the southern edge. This is shown to reduce the noise levels to below the 50 dB LAeq 1 hour referred to in the WHO guidelines as desirable not to exceed.
- 6.137 With this in place it is not considered that the noise from the facilities would cause significant harm to amenities and would comply with the relevant policy context. The mitigation needs to be secured by condition.

*Sports facilities – physical impacts*

- 6.138 Some residents have also referred to the impact of the sports hall building. At the scale and separation distance I do not consider this would cause any significant harm, although the extension of the boundary planting around to the west side would appear to appease some of the concerns raised and has been agreed to by the agent.

*Impact on allotments - shading*

- 6.139 The 3g pitch stand is indicatively shown next to the Estcourt Close allotments. The detailed design would reveal precisely what effect would be caused in terms of any overshadowing of the allotment plots, but given the scale, footprint and orientation it does not seem likely that this would be fundamentally unacceptable.
- 6.140 The student halls are indicatively shown relatively close to the west of the Estcourt Park allotments and the business school close to the east. The applicants have provided a solar analysis of this building, which indicates that the shading effect is unlikely to be significant

*Construction phase impacts*

- 6.141 The construction phases may cause disturbance to local residents through noise and light pollution and a condition restricting hours of work is recommended.

*Conclusions*

- 6.142 Overall, subject to a range of conditions and the 106 agreement to secure mitigation, no objection is raised in terms of impacts on amenity and the proposals are considered to comply with Policies FRP.9, FRP.10, FRP.11, BE.21 and SR.3 of the 2002 Plan, Policy SD15 of the submission JCS and the NPPF.

Flood risk and drainage

- 6.143 The Wotton Brook runs through the site, meeting the Horsbere Brook to the northwest and on to the River Severn at Sandhurst Lane. Through the site the brook generally has heightened embankments and a straightened course – this offers a degree of flood protection to adjacent land. This seems to explain the disparities between the flood zoning and anecdotal evidence about certain areas not flooding (e.g. the allotments). Water levels in the Severn have a major influence on flood events in the site area.

- 6.144 The site is located in a mix of flood zones 1, 2, 3a and 3b.

*Existing drainage*

- 6.145 The Oxstalls Campus drains directly to the brook via surface water sewers. Surface water sewers also drain the former Bishops College.

*Flood risk and zoning for development*

- 6.146 The site is affected by two fluvial mechanisms – overtopping of the brook embankments – the Oxstalls Campus and allotments are potentially affected by this; and secondly flooding from the Severn backing up along the Plock Court playing fields (although the larger catchment of the Severn means it is likely that peak level in the brook would occur in advance of peak level in the Severn).

- 6.147 The proposed business school is considered by the applicants to be wholly within flood zone 1 and at low risk from fluvial and tidal sources, although the zoning indicates part flood zone 2, possibly based on anecdotal evidence of flooding.

- 6.148 The proposed sports centre building is within flood zone 1. However the pitches and car park are partially in flood zone 2. The pavilion is also in flood zone 3.

- 6.149 The proposed student halls are proposed in flood zone 1 in the indicative plans although flood zone 2 is close by to the east.

*Sequential approach*

- 6.150 A sequential approach has been taken to locating the built development in the areas of lowest risk. This approach to component pieces of the wider site appears to me to accord with the thrust of the policy aims and appears to accord with Inspectors' decisions.

- 6.151 However Officers consider that as the development is part in flood zone 2, a sequential test is required, and a document has now been submitted seeking to address this.

*The business school*

- 6.152 The applicants maintain that although historical flood events indicate so, this site is not partially flood zone 2. This is explained because the artificial raising of the western bank of the brook alters the natural flooding mechanisms represented in the EA model, but more specifically that historic events should not be used to classify land as flood zone 2 anyway. The Drainage Engineer has overall accepted the sequential test position.

*The replacement cricket pavilion*

- 6.153 The applicants note that such facilities are 'water-compatible development' in the guidance and are appropriate within flood zone 3. In my view this is not necessarily definitive in respect of the sequential test assessment. The notes to table 3 state that the table does not show the application of the sequential test which should be applied first.

- 6.154 Nevertheless they have undertaken a sequential test anyway given Officer feedback and look at the campus as the area of search. I consider this reasonable given the obvious operational connection to the pitches. Options for the pavilion were considered as:

Keep in existing location (inadequate parking facilities and access road)

Locate at area north of the proposed business school (not sufficient size to accommodate a cricket pitch and pavilion)

Locate elsewhere at Plock Court playing fields (flood zone 3)

Locate as proposed in application (flood zone 3 but the highest point in the vicinity, also in convenient proximity to the cricket pitch, and appropriate parking facilities)

- 6.155 There are obvious connections between the location of the cricket square and the pavilion, and I do not suggest that there are other reasonably available sites for this. There is no requirement to undertake the exception test.

*Playing pitches and sports centre parking*

- 6.156 The applicants again note that these uses are considered to be 'water compatible development'. Again however they have now undertaken a sequential test and use the Authority boundary as the area of search.

- 6.157 They consider that the components of the sports facilities must be considered together as a whole, and further that the Council's playing pitch strategy notes that the only existing site which is likely to be able to accommodate a double 3g pitch site is Plock Court/University. They therefore conclude that there are no reasonably available sites in areas of lower flood risk that can accommodate the proposed 3g pitches and car parking. There is no requirement to undertake the exception test.

- 6.158 The Authority has already considered the potential locations for 3g pitches in the PPS and although it has not gone quite to the extent of proposing this site as the only location for two pitches as suggested by the applicants, those considerations are relevant to the consideration. The new development is in connection with existing facilities, for which there are obvious benefits of

logistics, efficiency and sustainability in addition, and it is part flood zone 2. I do not suggest that there are other reasonably available sites for this.

- 6.159 The applicants also put forward wider sustainability benefits to the community that outweigh encroachment into flood zones 2/3:  
Economic – enhancement of sporting facilities leading to greater employment opportunities; encouraging regeneration.  
Environmental – Delivery of flood risk enhancements; further use of sustainable modes of transport; sustainable location.  
Social – Major new sports hub for students, staff and local community; impacts on health and wellbeing, and learning.
- 6.160 Given the evidence submitted and the circumstances of the proposals I do not propose that an objection is raised in terms of the sequential test. Even where there is no requirement to pass the exception test the proposals present wider benefits to the community and the development is shown to be safe and does not increase flood risk to the site or surrounding area.

*Proposed works*

- 6.161 The allotments site is raised by around 300mm above the natural level of the floodplain. This has reduced the capacity of the natural flood plain in this area. The artificial raising on this side of the brook has also influenced the actual flood events compared with the modelled extent. As they are now outside the proposals, it is not feasible to restore this area to natural floodplain. Works were previously proposed to re-grade this part of the site which will now not take place.
- 6.162 It is however proposed to provide additional storage to the east of the watercourse on the campus land. Excavations are proposed to form wetland depressions with an overflow to the brook. This would increase the storage potential and provide an additional treatment stage for surface water from the business school. It would reduce flood risk to the site and elsewhere, and is part of the surface water strategy.

*Surface water drainage strategy*

- 6.163 The applicants commit to the use of sustainable urban drainage systems. Attenuation based schemes are proposed for all areas of the site with surface water storage provided. Such techniques including permeable paving, swales and wetlands will all be incorporated, which will control the rate of discharge, provide storage and attenuate flows, then be released in a slow controlled manner to the brook. Given the underlying ground conditions, the achievement of an unsaturated zone below ground level is inhibited, and attenuation-based schemes are therefore proposed.
- 6.164 For the business school surface water runoff from the roof and courtyard would be directed to attenuation basins to the north outside the modelled flood plain extent. Discharge from the basins will be controlled using hydrobrake flow control devices to greenfield run off rates. Porous paving would be utilised in all access road and car park areas.

- 6.165 For the student halls surface water run off from roof areas would be directed into an attenuation basin linked to swales. Outflow will be controlled using hydrobrake flow control devices to greenfield run off rates. Sufficient storage is proposed in the attenuation basins outside the flood plain. Porous paving is also proposed in all access road and car park areas.
- 6.166 For the sports centre and pitches, surface water from roof areas will be temporarily combined with water from the pitches and stored in a sub base – discharge from which would be restricted to greenfield rates to a sewer and on to the brook. Again porous paving would be proposed in all access roads and car park areas, then into a swale and on to the sewer at greenfield rates.
- 6.167 The applicants also commit to looking at waterbutts in the detailed schemes. These measures would ensure that flood risk is not increased either to the site or elsewhere. The long term storage in the wetland environment would reduce overall discharge from the development, reducing flood risk. The University has noted that it would be responsible for maintenance of sustainable drainage for the site.
- 6.168 Subject to conditions the proposal is considered to comply with Policies FRP.1a, FRP.3, FRP.5 and FRP.6 of the 2002 Plan, Policy INF3 of JCS and the NPPF.

#### Archaeology

- 6.169 The Desk Based Assessment indicated that parts of the site had high archaeological potential and there has been a large amount of Roman archaeology identified in the area. The areas for the sports centre (Bishops College fields) and for the allotments and student halls (Debenhams field) include ridge and furrow indicating an agricultural past. Because of the relative uncertainty, intrusive evaluations were undertaken.
- 6.170 Multiple trenches were excavated across the site, which demonstrated the presence of archaeological remains of Roman, medieval and post-medieval date and other undated archaeological features. The City Archaeologist advises that the proposals are likely to conflict with archaeological remains at the proposed student halls and at the sports hall and spectator stand. The business school location is not of concern. The historic landscape of the vicinity has already seen considerable change from the residential and other buildings, and no objection is raised in this particular regard.
- 6.171 It is recommended that a further programme of archaeological excavation of all significant archaeological deposits is secured in advance of development of the sports facilities or student halls areas. Subject to this, there would be no conflict with local policies in the 2002 Plan and the JCS and the NPPF, and no objection is raised in terms of heritage matters.

#### Ecology

- 6.172 An ecology report has been submitted with the application including details of the desk study, extended Phase 1 habitat survey and protected species surveys undertaken. This concludes that the proposals will have no adverse

impacts on designated sites in the vicinity, and no increased impacts were identified as a result of the amendments. It has been reviewed in light of the amendments to the scheme.

- 6.173 No signs of badgers, great crested newts, reptiles or water voles have been recorded on the site. No otter holts or resting places were found however it is considered that otters use the brook for commuting and potentially foraging purposes.
- 6.174 Numerous trees were identified with potential to support roosting bats. Some appear to be at risk notably at the area proposed for access to the student halls. If any of the trees are to be felled then further surveys will be undertaken. Emergence surveys also identified that the existing cricket pavilion supports a small non-breeding common pipistrelle roost. Due to the low number and common species, the roost is of low conservation status. A bat license would need to be obtained prior to demolition of the building. The bat activity surveys indicate that the site is used by at least 8 species. High activity levels indicate that the Wotton Brook is an important corridor for Myotis bats. These are particularly light sensitive so a sensitive lighting scheme would be required.
- 6.175 The applicants' ecologist concludes that the ecological impacts can all be adequately mitigated for as part of the redevelopment. The ecological enhancements associated with the community park are now removed but the ecological benefits of the allotments remain in its place. The ecologist recommends wildflower meadows and wetlands with ecological enhancements, enhancement of the brook, climbing plants, bat and bird boxes/tubes/bricks and bug hotels would provide a range of high quality habitats that would benefit species including aquatic and terrestrial invertebrates, otter, birds and bats.
- 6.176 In the circumstances given identification of protected species, the Council needs to consider the 'derogation' tests in Regulation 53 of the Conservation of Habitats and Species Regulations 2010. There are no other options and there is an overriding need. The cricket pavilion is the only confirmed roost and the scheme does not necessarily require its removal (pending reserved matters applications) although it is referred to as being demolished in the ecology report. It is deteriorating and presents an unsightly blight for residential properties behind it. The redevelopment would also have significant economic benefits. If the development is implemented with the proposed safeguards it would conserve and enhance the local populations present. The long-term impact on local populations is not significant and is likely to be locally positive. The habitat creation would overall have a beneficial impact to protected species currently present on site.
- 6.177 No ecological objection is raised subject to conditions. Mitigation measures are necessary by condition including the use of lighting to be sensitive to bats, methodologies and enhancement measures. Subject to these conditions it is considered that the proposals comply with Policies B.7, B.8 and B.10 of the 2002 plan, Policy SD10 of JCS and the NPPF.

### Contamination

- 6.178 A Phase 1 Geoenvironmental Desk Study has been produced and it identified potential minor contamination sources on or close to the site. It recommends gas monitoring to be carried out at the development area and for soil and groundwater sampling for analysis and to confirm ground conditions. This is a conservative approach – the potential risk of contamination was concluded to be low to very low. Phase 2 Ground Investigations have also now been submitted. These recommended further investigative works after the removal of the all-weather pitch.
- 6.179 The Council's contaminated land consultants are satisfied that subject to the standard contaminated land condition, no objection is raised. Subject to this the proposals would comply with Policies FRP.11 and FRP.15 of the 2002 Plan, Policy SD15 of the JCS and the NPPF.

### Sustainability

- 6.180 The submitted energy report sets out that sustainable low and zero carbon technologies should be incorporated into the design to deliver lower energy demand and lower CO2 emissions. The report refers to solar thermal, photovoltaics, air source heat pumps as well as passive measures such as building orientation for solar gain, permeability, location of glazing and low energy lighting. It also refers to ground source heat pumps being considered at the detailed design stage. Biomass heating, wind turbines and combined heat and power are ruled out as unfeasible.
- 6.181 Each building will clearly have different constraints however there is a commitment from the applicant and no reason to consider that the energy saving aspirations should not be deliverable at the detailed stage. It is suggested that this is secured by condition. This would comply with Policy BE.8 of the 2002 Plan, Policy SD4 and the supporting text to INF6 of the Submission JCS, and the NPPF. Securing waste minimisation statements with reserved matters applications would comply with the aspirations of the local plans, the County waste local plan and the NPPF.

### Phasing

- 6.182 The application sets out that the scheme is proposed to be phased – Phase 1 the business school, landscape works, highways works and sports facilities and Phase 2 the student accommodation. This has been amended following discussions about the delivery of replacement sports facilities prior to loss of the University artificial grass pitch and is welcomed.
- 6.183 Practically, if granted, there would be some thought given to; securing re-provision of sports facilities in good time, practical constraints of construction, gaining suitable construction access to the more constrained parts of the site relative to activities elsewhere on the site, as well as the applicant's aspirations for timely delivery. As this requires logical consideration of several competing influences, I recommend a phasing condition is imposed. Subsequent conditions can therefore be dealt with phase by phase where relevant.



### S106 obligations

- 6.184 As noted above, it is considered necessary to secure by legal agreement the establishment of a community liaison group, an on site management team and associated management plan for the student halls and a taxi drop off facility and management. These are considered to pass the planning obligation tests in the NPPF and CIL Regulations. No other S106 contributions have been offered or considered necessary.

## **7.0 CONCLUSION**

- 7.1 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.
- 7.2 The 1983 development plan is part saved although in most respects the NPPF provides the specific up to date policy context on planning matters applicable to this case in the 1983 Plan. No objections are raised to the proposals in respect of the 1983 plan policies as they stand. No objections are raised to the proposals, subject to conditions and a legal agreement, against Policies of the 2002 City of Gloucester Second Deposit Local Plan, or the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version 2014, bearing in mind the NPPF as the most up to date position on relevant planning matters.

### *NPPF conclusions*

- 7.3 The Government's view of sustainable development is set out at paragraphs 18 to 219 of the NPPF. The application accords with its policies and presents other benefits that accord with aspirations elsewhere in the NPPF.
- 7.4 If it were sustainable development, then Paragraph 14 of the NPPF still requires the weighing of the benefits against the adverse impacts:
- 7.5 As above, the 1983 development plan policies reflect the general ongoing policy provisions in respect of certain heritage, design, sustainable transport and open space considerations but are out of date in terms of the precise policy requirements set out in the NPPF. Therefore the presumption in favour of development should be applied.
- 7.6 This means that planning permission should be granted 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.
- 7.7 Adverse impacts are considered to be successfully mitigated by conditions and a s106 agreement. There are in addition benefits from the scheme in terms of economic impacts, provision of sports facilities, ecology and landscape works. No specific policies indicate that development should be

restricted. Therefore it appears to me that assessment against the NPPF indicates that permission should be granted.

- 7.8 Overall I therefore conclude that the material considerations indicate that permission should be granted subject to conditions and a legal agreement.

## **8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER**

- 8.1 That subject to completion of a planning obligation to secure the community liaison group, on site student management team and taxi management (and also delegate to the Development Control Manager in consultation with the planning solicitor the incorporation of such additional provisions in the proposed planning obligation that may be deemed necessary by the solicitor) outline planning permission be granted subject to the following conditions:

### **Condition 1**

Approval of the details of the appearance, landscaping, layout and scale of the development (hereinafter called “the reserved matters”) shall be obtained in writing from the Local Planning Authority prior to the commencement of development on any phase (as defined and approved under the phasing condition) except as provided for by other conditions.

### **Reason**

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

### **Condition 2**

Plans and particulars of the reserved matters referred to in condition 1 above shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

### **Reason**

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

### **Condition 3**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission.

### **Reason**

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

### **Condition 4**

The development hereby permitted shall begin either before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

#### Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

#### Condition 5

This outline planning permission relates solely to the description of the development set out above and in the following application plans and documents:

#### Condition 6

The residential buildings hereby permitted (shown on the indicative plans as student accommodation on the former Debenhams Sports Field) shall only be occupied as student residential accommodation for the University of Gloucestershire (or such amended name for the same institution that may occur) and shall be used for no other purpose within Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and/or re-enacting that order with or without modification), or any change of use permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any provision equivalent to that Class in any statutory instrument revoking and/or re-enacting that order with or without modification), including any use as independent residential dwellings.

#### Reason

The Local Planning Authority wishes to have the opportunity to exercise control over any subsequent use in the interests of highway safety and the amenities of the area in accordance with Policies BE.21 and TR.31 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD15, INF1 and INF 2 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17 and 32 of the NPPF.

#### Condition 7

Scale parameters as shown on the submitted plans are maximums and should not be taken to imply that they are achievable in reserved matters proposals.

#### Reason

To clarify the terms of this permission in the interests of residential amenities and the character of the area in accordance with Policies BE.1, BE.4, BE.7, BE.21 of the City of Gloucester Second Deposit Local Plan 2002 Policy SD15 of the Joint Core Strategy Pre-Submission Document 2014 and the NPPF.

### **PHASING**

#### Condition 8

No development shall take place until a phasing scheme has been submitted to and approved in writing by the Local Planning Authority. The phasing scheme shall indicate the order and approximate timescales of site remediation, cessation of use of sports pitches, demolition works, development phases and the provision of site

accesses and associated highway works including the new junction at Cheltenham Road, drainage infrastructure and on-site landscaped areas.

#### Reason

To ensure the development is progressed in a structured fashion with due regard to design, highway safety and mitigation of the loss of sports provision, in accordance with Policies SD5, SD10, INF1, INF2, INF4 and INF5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014, Paragraphs 17, 32, 58, 74, 109 and 118 of the NPPF and Policies BE.9, B.7, B.8, SR.2 and TR.31 of the City of Gloucester Second Deposit Local Plan 2002. Receipt of details prior to commencement is necessary to enable control over the full extent of development.

#### Condition 9

Development shall proceed in accordance with the approved phasing scheme and the developer shall inform the Local Planning Authority as soon as it is practical of any proposed amendment to the approved phasing scheme. Any variation of the approved phasing scheme shall only be progressed following written approval of it from the Local Planning Authority.

#### Reason

To ensure the development is progressed in a structured fashion with due regard to design, highway safety and mitigation of the loss of sports provision, in accordance with Policies SD5, SD10, INF1, INF2, INF4 and INF5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014, Paragraphs 17, 32, 58, 74, 109 and 118 of the NPPF and Policies BE.9, B.7, B.8, SR.2 and TR.31 of the City of Gloucester Second Deposit Local Plan 2002.

## **MATERIALS**

#### Condition 10

No above-ground construction shall commence on any individual building until details or samples of all external facing materials to the building have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed only in accordance with the approved materials.

#### Reason

In the interests of the visual amenities of the area, in accordance with Policies BE.7 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD5 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17 and 58 of the National Planning Policy Framework.

#### Condition 11

No hard surfacing construction within a phase shall commence until details of the surface material finishes for the highways, footpaths, cycle ways, parking areas and all other hard surfaces within that phase have been submitted to and approved in writing by the Local Planning Authority. Details shall include a scaled layout plan

denoting the finishes, and samples of new materials. Development shall be carried out in accordance with the approved details and maintained as such thereafter.

#### Reason

In the interests of the visual amenities of the area, in accordance with Policies BE.7 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD5 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17 and 58 of the National Planning Policy Framework.

#### Condition 12

Street and open space furniture, external lighting, screen walls, fences and other means of enclosure within a Phase shall only be installed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Such details shall include scaled elevation drawings, site plans identifying their location, and materials.

#### Reason

In the interests of the visual amenities of the area, in accordance with Policies BE.7 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD5 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17 and 58 of the National Planning Policy Framework.

### **AMENITY/MITIGATION – BUSINESS SCHOOL**

#### Condition 13

Reserved matters applications including the business school or such development proposed at the site of the existing University campus artificial grass pitch shall include precise details of the retained bund (currently around the AGP), trees and enhancement of planting. This shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers, include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed, and a maintenance regime.

Such reserved matters applications shall also include details of enhanced landscape buffer/screening proposals between the proposed business school car park and neighbouring residential properties and between the building and residents. This shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers, include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed, and a maintenance regime, such as to provide a visual screen but not create a dense and tall growing canopy that would shade neighbouring gardens.

The approved measures in these respects shall be implemented in full in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner, and maintained for the duration of the use of the site.

Regards

To preserve the amenities of neighbouring residential properties in accordance with Policies BE.21 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17 of the NPPF.

#### Condition 14

Reserved matters applications including the business school or such development that takes place north of the public right of way on the University campus site shall include details of measures to maintain the security of the boundary to the adjacent allotments site. The approved measures shall be implemented concurrently with the development of this phase.

#### Reason

To ensure an appropriate treatment to this boundary in visual and functional terms in accordance with Policies BE.4 and BE.5 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD5 of the Joint Core Strategy Pre-Submission Document 2014 and the NPPF.

#### Condition 15

Reserved matters applications including the business school or such development that takes place north of the public right of way on the University campus site shall include details of any lighting to the car park, including details of their precise locations, heights, specification including any cowls, etc and a visual representation of the light spill area (lux levels). Only the approved car park lighting shall be installed.

#### Reason

To preserve the amenities of neighbouring residential properties in accordance with Policies BE.21 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD15, of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17 of the NPPF.

### **AMENITY/MITIGATION – STUDENT HALLS**

#### Condition 16

Reserved matters applications including the student halls shall include details of a landscape buffer to the area between student halls and the neighbouring residential properties houses, comprising scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers. Drawings must include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed. The landscape buffer shall be implemented in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner.

#### Reason

To preserve the amenities of neighbouring residential properties in accordance with Policies BE.21 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD15, of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17 of the NPPF.

#### Condition 17

Reserved matters applications including the student halls shall design the student halls building/s (with staggered storey heights to the building/s if necessary) to provide building/s of two storeys in height above ground at maximum at the nearest edges to the existing neighbouring residential properties at Estcourt Road.

#### Reason

To preserve the amenities of neighbouring residential properties in accordance with Policies BE.21 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD15, of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17 of the NPPF.

#### Condition 18

Reserved matters applications for the student halls shall include full details of measures to limit light, noise and other disturbance to neighbouring residents. The units within any core shall not be occupied until such approved measures have been installed in full.

#### Reason

To safeguard the amenities of the area in accordance with Policies FRP.9, FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

### **AMENITY/MITIGATION – SPORTS FACILITIES**

#### Condition 19

Any reserved matters applications including floodlighting shall include details of their precise locations, heights, specification including any cowls, etc and a visual representation of the light spill area (Lux levels), and shall accord with the requirements set out at pages 22-23 of the submitted Lighting Impact Assessment dated 18<sup>th</sup> December 2015 where relevant. Development shall be implemented only as approved and associated mitigation measures against disturbance shall be maintained for the duration of the use of the floodlighting.

#### Reason

To safeguard the amenities of the area in accordance with Policies FRP.9, FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

#### Condition 20

Reserved matters applications including external sports pitches and/or spectator stands shall include details of a noise barrier, including its precise location and appearance shown on scaled plans and technical specification to show that it meets the required standards as set out in the submitted noise report with the outline application (or such other standards that may be applicable at the time of determination of the reserved matters application). The use of the sports pitches or spectator stand shall not commence until the noise barrier has been installed to its full extent and it shall be maintained for the duration of the use of the sports pitches or spectator stands.

#### Reason

To safeguard the amenities of the area in accordance with Policies FRP.9, FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

### **LANDSCAPING**

#### Condition 21

All approved landscaping shall be implemented in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner unless the Local Planning Authority gives written consent to any variation (unless other conditions specify an alternative implementation requirement). Any trees or plants which, within a period of 5 years from the date of the completion of the landscape scheme, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

#### Reason

To ensure a satisfactory and well-planned development and to preserve and enhance the quality of the environment in accordance with Policies BE.4 and BE.12 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD5 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 58 of the National Planning Policy Framework.

#### Condition 22

Any reserved matters applications involving the loss of existing trees shall include proposals for replacement planting (which shall be at least like for like in number unless otherwise agreed to by the Local Planning Authority) which shall be shown on a scaled location plan and accompanied by a schedule denoting species and size. The replacement planting shall be implemented and maintained in accordance with the requirements of Condition 21.

#### Reason

To ensure adequate mitigation of tree cover, in the interests of the character and amenities of the area in accordance with Policies B.10 and BE.4 of the Second



Deposit City of Gloucester Local Plan (2002) and Paragraph 17 the National Planning Policy Framework.

#### Condition 23

Within each phase, no development including demolition or site clearance shall be commenced on the site or machinery or material brought onto the site for the purpose of development until full details of adequate measures to protect trees and hedgerows have been submitted to and approved in writing by the local planning authority. These shall include:

(a) Fencing. Protective fencing must be installed around trees and hedgerows to be retained on site. The protective fencing design must be to specifications provided in BS5837:2005 or subsequent revisions, unless agreed in writing with the local planning authority. A scale plan must be submitted and approved in writing by the local planning authority accurately indicating the position of protective fencing. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the local planning authority. Such fencing shall be maintained during the course of development,

(b) Tree Protection Zone (TPZ) The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the TPZ. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, citing of site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the TPZ, unless agreed in writing with the local planning authority. The TPZ shall be maintained during the course of development

#### Reason

To ensure adequate protection to existing trees which are to be retained and to retain habitat, in the interests of the character and amenities of the area and protecting biodiversity in accordance with Policies SD10 and INF 4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014, Paragraphs 17, 109 and 118 of the National Planning Policy Framework and Policies B.8, B.10 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002). Receipt of details pre-commencement is necessary to fully protect retained trees.

## ECOLOGY

#### Condition 24

No works shall be undertaken to trees identified as potential bat roosts in the submitted information until a further bat survey for them has been submitted to and approved in writing by the Local Planning Authority. Reserved matters applications shall take the results of this survey into account in their layout and design

#### Reason

The current proposals indicate no loss of trees with bat roost potential, and the supporting report notes that if any trees are proposed to be felled, further surveys will be required. The condition would secure this biodiversity mitigation in accordance with Policy B.8 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD10 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 109 and 118 of the NPPF.

#### Condition 25

No works shall be undertaken to structures or trees where there is a confirmed bat roost until a methodology for felling trees and demolition of structures has been submitted to and approved in writing by the Local Planning Authority. Felling of those trees or demolition of those structures shall proceed only in accordance with the approved methodology.

#### Reason

To secure biodiversity mitigation in accordance with Policy B.8 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD10 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 109 and 118 of the NPPF.

#### Condition 26

No development shall commence within a phase until details of the lighting specification for the construction phase and for the operation phase of the development has been submitted to and approved in writing by the Local Planning Authority. This shall include information to demonstrate that the specification minimises the impact on bats. Development shall proceed only in accordance with the approved lighting specification.

#### Reason

The surveys indicate the presence of bats and that the brook is an important corridor for bats and the lighting report acknowledges potential harm. The condition would secure biodiversity mitigation in accordance with Policy B.8 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD10 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 109 and 118 of the NPPF.

#### Condition 27

No development shall commence within a phase until a Construction Phase Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Development shall proceed only in accordance with the approved management plan.

#### Reason

To secure biodiversity mitigation in accordance with Policy B.8 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD10 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 109 and 118 of the NPPF.

#### Condition 28

No building within a Phase involving the Debenhams playing field or the University campus land north of the public right of way shall be occupied until an Ecological Management Plan, including an Aftercare Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be complied with for the duration of the use.

**Reason**

To secure biodiversity mitigation and enhancement in accordance with Policy B.8 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD10 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 109 and 118 of the NPPF.

## **ARCHAEOLOGY**

**Condition 29**

No development (including any groundworks) shall take place within areas A (the sports centre on the former Bishops College fields) or B (the student halls area on the Debenhams field) as set out in the submitted Written Scheme of Investigation for an Evaluation by Oxford Archaeology Issue 4 received by the Local Planning Authority on 8<sup>th</sup> September 2015 until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.'

**Reason**

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework and Policy BE.37 of the Gloucester Local Plan (2002 Second Stage Deposit).

## **FLOOD RISK/DRAINAGE**

**Condition 30**

No building shall be sited within the Environment Agency's designated flood zone 3 other than the cricket pavilion which shall be sited at the location shown on the submitted indicative plans (received by the Local Planning Authority on 21<sup>st</sup> December 2015) or a lower risk flood area.

**Reason**

To ensure development is sited in accordance with a sequential approach in accordance with the submitted Flood Risk Assessment and Sequential Test in accordance with the NPPF, Policy FRP.1a of the City of Gloucester Second Deposit Local Plan 2002 and Policy INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014.

**Condition 31**

The student halls shall be sited within the Environment Agency's designated flood zone 1.

**Reason**

To ensure development is sited in accordance with a sequential approach in accordance with the submitted Flood Risk Assessment and Sequential Test in accordance with the NPPF, Policy FRP.1a of the City of Gloucester Second Deposit Local Plan 2002 and Policy INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014.

**Condition 32**

No development of a phase, other than site remediation or demolition, shall commence until a comprehensive scheme for the provision of works for the disposal of foul sewage and surface water drainage that employs a Sustainable Urban Drainage System has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented to serve the development, and no buildings shall be occupied until satisfactory foul and surface water drainage facilities for these buildings are in place and operational.

**Reason**

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with Policies FRP.1a, FRP.6, FRP.11 of the City of Gloucester Second Deposit Local Plan 2002 Policy INF3 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraph 103 of the NPPF.

## **ENVIRONMENTAL HEALTH**

**Condition 33**

Construction work and the delivery of materials shall be limited to the hours of 0800 hours to 1800 hours Monday to Friday, 0800hours to 1300hours on Saturdays and no construction work or deliveries shall take place on Sundays or Bank Holidays.

**Reason**

As assumed in the submitted supporting reports and to safeguard the amenities of the area in accordance with Policies FRP.9, FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

**Condition 34**

No development within a Phase shall commence until a Construction phase management plan to deal with light, noise and other disturbance for that phase has been submitted to and approved in writing by the Local Planning Authority. This shall include the lighting requirements at 5.3.0 of the Lighting Impact Assessment dated 18<sup>th</sup> December 2015. Development of that Phase shall be undertaken only in accordance with the approved management plan.

#### Reason

To safeguard the amenities of the area in accordance with Policies FRP.9, FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

#### Condition 35

Areas of the site used for sports or recreation shall not be illuminated by floodlighting after 2200 hours on any day.

#### Reason

To safeguard the amenities of the area in accordance with Policies FRP.9, FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

#### Condition 36

The use of sports pitches shall cease by 2200hours on any day.

#### Reason

To safeguard the amenities of the area in accordance with Policies FRP.9, FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

### **SPORTS PROVISION/PLAYING PITCH MITIGATION**

#### Condition 37

The Artificial Grass Pitches (AGP) hereby permitted shall not be constructed other than in accordance with Football Association (for the football AGP) and Rugby Football Union (for the Rugby AGP) Technical Design Guidance Notes: *The FA Guide to 3G Football Turf Pitch – Design Principles* and *Artificial Grass Pitches for Rugby and Association Football* or such other guidance that may replace them.

#### Reason

To ensure the development is fit for purpose and sustainable and to ensure that the mitigation measures for the loss of existing pitches are appropriate, in accordance with Policy SR.2 of the City of Gloucester Second Deposit Local Plan 2002, Policy INF5 of the Gloucester Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014 and Paragraph 74 of the NPPF.

#### Condition 38

The sports hall hereby permitted shall not be constructed other than substantially in accordance with Sport England's Technical Design Guidance Note: *Sports Halls – Design and Layout* or such other guidance that may replace this document.

#### Reason

To ensure the development is fit for purpose and sustainable and to ensure that the mitigation measures for the loss of existing pitches are appropriate, in accordance with Policy SR.2 of the City of Gloucester Second Deposit Local Plan 2002, Policy INF5 of the Gloucester Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014 and Paragraph 74 of the NPPF.

#### Condition 39

The new cricket pitch shall be constructed and laid out in accordance with the Drawing No. 412/P01B (or such other layout plan for the pitch to be submitted to and agreed in writing by the Local Planning Authority) and with the standards and methodologies set out in the ECB's guidance note " *Recommended Guidelines for the construction, preparation and maintenance of cricket pitches and outfielders at all levels of the game*" or such other guidance that may replace this document, and shall include artificial wickets for senior and for junior matches. The pitch shall be fully implemented prior to the commencement of any development of the land known as the Debenhams Playing Field (land enclosed by properties at Estcourt Road and Estcourt Close, Estcourt Close allotments and the access lane off Estcourt Road) other than a vehicular access of no more than 5 metres distance from the existing highway.

#### Reason

To ensure the quality of pitches is satisfactory and to ensure that the mitigation measures for the loss of existing pitches are appropriate and timely, in accordance with Policy SR.2 of the City of Gloucester Second Deposit Local Plan 2002, Policy INF5 of the Gloucester Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014 and Paragraph 74 of the NPPF.

#### Condition 40

Prior to the commencement of use of any of the sports hall, artificial grass pitches, cricket pavilion or new cricket wicket a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to sports facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

#### Reason

To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to ensure that the mitigation measures for the loss of existing pitches are appropriate, in accordance with Policies SR.2 and SR.5 of the City of Gloucester Second Deposit Local Plan 2002, Policy INF5 of the Gloucester Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014 and Paragraph 74 of the NPPF.

*Informative: Guidance on preparing Community Use Agreements is available from Sport England [www.sportengland.org](http://www.sportengland.org).*

#### Condition 41

Prior to the commencement of use of any of the sports hall, artificial grass pitches or new cricket square, a Management and Maintenance Scheme for the facility (to include but not be limited to management responsibilities, a maintenance schedule, a management regime for the existing artificial pitch to prioritise sessions for hockey, enhancements of the existing Plock Court grass pitches and a timetable for their delivery, delivery of a shared equipment bank, measures to ensure the replacement of the artificial grass pitches within a specified period, and a mechanism for review) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full for the life of the development, with effect from commencement of use of the sports hall, artificial grass pitches or new cricket square.

#### Reason

To ensure that a new facilities are capable of being managed and maintained to deliver facilities which are fit for purpose, sustainable, to ensure sufficient benefit of the development to sport and to ensure that the mitigation measures for the loss of existing pitches are appropriate, in accordance with Policy SR.2 of the City of Gloucester Second Deposit Local Plan 2002, Policy INF5 of the Gloucester Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014 and Paragraph 74 of the NPPF.

#### Condition 42

The sand artificial grass pitch at the University campus shall not be dismantled until at least one of the artificial grass '3g' pitches hereby approved is constructed and fit for use and the revised management regime to prioritise hockey sessions on the existing Plock Court artificial grass pitch is operational.

#### Reason

To secure timely implementation of the mitigation measures offered to address the loss of the existing artificial grass pitch, in accordance with Policy SR.2 of the City of Gloucester Second Deposit Local Plan 2002, Policy INF5 of the Gloucester Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014 and Paragraph 74 of the NPPF.

### **CONTAMINATION**

#### Condition 43

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent

specified by the Local Planning Authority in writing until part 4 has been complied with in relation to that contamination.

### 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

### 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must accord with the provisions of the EPA 1990 in relation to the intended use of the land after remediation.

### 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The



Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to elsewhere as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

#### 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part 3.

#### 5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an appropriate time period, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

## **SUSTAINABILITY**

#### Condition 44

Within each phase no development, other than remediation, demolition or infrastructure provision, shall commence until a detailed strategy for the adoption and incorporation of sustainable development principles, including energy efficient

measures to be incorporated into the buildings, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with that strategy.

**Reason**

To support the move to a low carbon future, in accordance with Policy SD4 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 95, 96 and 97 of the NPPF.

**Condition 45**

A Waste Minimisation Statement shall be submitted as part of the reserved matters applications and shall include details of the types and volumes of construction and demolition waste likely to be generated and measures to minimise, re-use and recycle that waste, as well as measures to minimise, re-use and recycle waste within the operational period of the development included in the reserved matters application. Development shall proceed only in accordance with the approved Waste Minimisation Statement, and the measures for the operational period shall be maintained for the duration of the use unless any variation is agreed in writing by the Local Planning Authority.

**Reason**

In the interests of waste minimisation in accordance with Policy BE.4 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD4, SD5 and SD15 of the Joint Core Strategy Pre-Submission Document 2014, and Paragraphs 17 and 58 of the NPPF.

## **HIGHWAYS**

**Condition 46**

The junction improvement works at Cheltenham Road/Oxstalls Lane/Site Access shall be constructed in accordance with the approved plan 8150436/6006 Rev C before beneficial occupation of the business school.

**Reason**

To ensure that cost effective improvements are undertaken to the transport network that mitigate the significant impacts of the development in accordance with paragraph 32 of the National Planning Policy Framework

**Condition 47**

The improvement works to Plock Court access shall be constructed in accordance with approved plans 8150436/6101 before any works commence on site for the construction of the Sports Facilities.

**Reason**

To ensure safe and suitable access at the time of construction of the proposed sports facilities and to serve the proposed development thereafter in accordance with Paragraph 32 of the NPPF.

#### Condition 48

Prior to occupation of the proposed student accommodation details of the access from Estcourt Close to the student accommodation and measures to restrict vehicular access from the existing access serving the Estcourt Park allotments to the north of Estcourt Road shall be submitted to and agreed in writing by the Local Planning Authority and completed in all respects.

#### Reason

To ensure safe and suitable access to serve the proposed development and to minimise conflict between traffic, pedestrians and cyclists in accordance with Paragraph 32 and 35 of the NPPF.

#### Condition 49

Prior to occupation of the student accommodation details of the improvements to the existing public right of way serving the allotments and National Cycle Route 41 shall be submitted to and agreed in writing by the Local Planning Authority, those details once agreed shall be completed in all respects.

#### Reason

To ensure safe and suitable access to serve the proposed development and to ensure that the opportunities for sustainable modes of transport have been taken up in accordance with Paragraph 32 of the NPPF.

#### Condition 50

Prior to the car parking spaces being brought into use serving the D2 Land Use/Business School details of the junction of the internal access road serving the parking areas crossing over National Cycle Route 41 shall be submitted and approved in writing by the Local Planning Authority and once approved completed in all respects.

#### Reason

To ensure safe and suitable access to serve the proposed development and to ensure that the opportunities for sustainable modes of transport have been taken up in accordance with Paragraph 32 of the NPPF.

#### Condition 51

Prior to the car parking spaces being brought into use serving the sports hall facilities details of a scheme to provide pedestrian crossing facilities along the access road between the existing and proposed buildings of the internal access road serving the parking areas shall be submitted and approved in writing by the Local Planning Authority and once approved completed in all respects.

#### Reason

To ensure safe and suitable access to serve the proposed development and to ensure that the opportunities for sustainable modes of transport have been taken up

in accordance with Paragraph 32 of the NPPF.

#### Condition 52

Prior to occupation of the buildings that they serve, pedestrian and cycle links from the business school to the campus and student accommodation, and from sports facilities to the Oxstalls Campus shall be submitted to and agreed in writing by the Local Planning Authority and completed in all respects.

#### Reason

To secure the benefits to linkages for sustainable modes of transport between the parts of the site and community safety, in accordance with Policies BE.4, BE.5 and CS.2 of the City of Gloucester Second Deposit Local Plan 2002, Policies SD5, INF4 and INF 5 of the Joint Core Strategy Submission Document 2014 and the NPPF.

#### Condition 53

The sole means of access to the University campus to the east side of Wotton Brook other than for emergency vehicles shall be from the Oxstalls Lane junction

#### Reason

To ensure safe and suitable access to serve the proposed development in accordance with Paragraph 32 of the NPPF.

#### Condition 54

The D2 Land Use/business school building hereby permitted shall not be occupied until space has been laid out within the site for an additional 258 cars (including disabled spaces) to be parked within that phase, and for all vehicles, including emergency and maintenance, to be able to turn so as to enter and leave the site in forward gear, and such provision shall be maintained thereafter.

#### Reason

To reduce potential highway impact by ensuring that vehicles do not have to reverse to or from the public highway and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework.

#### Condition 55

The C2 Land Use/Student accommodation building hereby permitted shall not be occupied until space has been laid out within the site for 10 cars to be parked (including disabled spaces) within that phase, and for all vehicles, including emergency and maintenance, to be able to turn so as to enter and leave the site in forward gear, and such provision shall be maintained thereafter.

#### Reason

To reduce potential highway impact by ensuring that vehicles do not have to reverse to or from the public highway and to ensure that a safe, suitable and secure means of

access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework.

#### Condition 56

Use of the sports facilities hereby permitted shall not commence until space has been laid out within the site for 120 cars to be parked (including disabled spaces) within that phase, and for all vehicles, including emergency and maintenance, to be able to turn so as to enter and leave the site in forward gear, and such provision shall be maintained thereafter, unless temporary arrangements have been submitted to and approved in writing by the Local Planning Authority.

#### Reason

To reduce potential highway impact by ensuring that vehicles do not have to reverse to or from the public highway and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework.

#### Condition 57

Prior to occupation of the D2 Lane Use/Business School hereby permitted the improvements to 30 overspill parking spaces shall be completed and maintained as such thereafter.

#### Reason

To reduce potential highway impact by ensuring that vehicles do not have to reverse to or from the public highway and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework.

#### Condition 58

The development hereby permitted for the C2 Land use/Student Accommodation shall not be occupied until secure and covered cycle storage facilities for a minimum of an additional 210 bicycles within that phase has been made available in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

#### Reason

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

#### Condition 59

The development hereby permitted for the D2 Land use/Business School shall not be occupied until secure and covered cycle storage facilities for a minimum of an

additional 318 bicycles within that phase has been made available in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

#### Reason

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

#### Condition 60

The sports facilities building hereby permitted shall not be occupied until secure and covered cycle storage facilities for a minimum of an additional 54 bicycles within that phase has been made available in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

#### Reason

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

#### Condition 61

Written notification shall be provided to the Local Planning Authority of the date of first occupation of the Business School within 21 days of that first occupation.

Within 3 months of beneficial occupation of the business school a survey to establish on street parking demand generated by the use hereby permitted shall be undertaken using the same methodology and for the same study area as identified in Appendix G of the submitted transport assessment and the results shall be submitted to and agreed in writing to the Local Planning Authority;

Written notification shall be provided to the Local Planning Authority of the date of full occupation or of occupation of 10,000sq m of the Business School within 21 days of that occupation.

Within 3 months of full occupation or occupation of 10,000sqm of the Business School whichever comes first a further survey to establish on street parking demand generated by the use hereby permitted shall be undertaken using the same methodology and for the same study area as identified in Appendix G of the submitted transport assessment and the results shall be submitted to and agreed in writing to the Local Planning Authority;

Written notification shall be provided to the Local Planning Authority of the date of first occupation of the student accommodation within 21 days of that first occupation.

Within 3 months of beneficial occupation of the student accommodation a survey to establish on street parking demand generated by the use hereby permitted shall be undertaken using the same methodology and for the same study area as identified in Appendix G of the submitted transport assessment and the results shall be submitted to and agreed in writing to the Local Planning Authority;

If any of the surveys demonstrate that the displaced parking demand generated by

the development permitted leads to blocked or congested streets or pavement parking then a scheme to mitigate this impact including a timetable for implementation shall be submitted to and agreed in writing by the Local Planning Authority. Those details once approved shall be implemented in accordance with the approved timetable.

#### Reason

To assess and reduce the impact of additional on street parking on the adjacent highway in accordance with Paragraph 39 of the NPPF including the Written Statement to Parliament March 2015

#### Condition 62

Prior to any Community Sports Event taking place at the Plock Court sports facilities hereby permitted an Event Management Plan to mitigate the maximum level of impact on the transport network shall be submitted to and agreed in writing by the Local Planning Authority and the approved Event Management Plan shall be adhered to throughout the period of any such Community Sports Event.

#### Reason

To reduce the impact on the adjacent public highway from infrequent events to ensure safe and suitable access is provided from the existing highway network to the site and parking is adequately accommodated to minimise conflict between traffic, cyclists and pedestrians in accordance with Paragraph 32 and 35 of the NPPF.

#### Condition 63

No development within a Phase shall take place, including any works of demolition, until a Construction Method Statement for that Phase has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period of that Phase. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. specify measures to control the emission of dust and dirt during construction
- viii. provide a construction routing strategy

#### Reason

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with paragraph 35 of the National Planning Policy Framework.

#### Condition 64

Prior to occupation of any building within a Phase hereby permitted details of new facilities for charging plug-in and other ultra-low emission vehicles for that Phase shall be submitted to and agreed in writing by the Local Planning Authority and once approved completed in all respects.

#### Reason

To exploit the use of sustainable transport modes in accordance with Paragraph 35 of the NPPF.

#### Condition 65

Prior to occupation of any building within a Phase a Travel Plan for that Phase shall be submitted in accordance with the approved Travel Plan Framework and agreed in writing by the Local Planning Authority, setting out;

- i. objectives and targets for promoting sustainable travel,
  - ii. appointment and funding of a travel plan coordinator,
  - iii. details of an annual monitoring and review process,
  - iv. means of funding of the travel plan, and;
  - v. an implementation timetable including the responsible body for each action.
- The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

#### Reason

To ensure that the opportunities for sustainable transport modes are taken up in accordance with paragraphs 32 and 36 of the National Planning Policy Framework.

#### Condition 66

The student study bedrooms comprised in the development shall not be occupied until the wording of a clause in the tenancy agreement under which all of the study bedrooms are to be occupied restricting students resident at the premises (other than those registered disabled or other reasonable exceptions to be specified) from bringing or keeping a motor vehicle in the city has been submitted to and approved in writing by the Local Planning Authority, and the study bedrooms shall only be let on tenancies which include that clause.

#### Reason

In accordance with the applicants' stated position and to ensure that the development does not generate a level of vehicular parking that would be prejudicial to highway safety, in accordance with Policy TR.31 of the 2002 Second Deposit City of Gloucester Local Plan, Policies INF1 and INF2 of the Joint Core Strategy Pre-Submission Document 2014 and the NPPF.



#### Note

To assist in the conservation of countywide biodiversity, all species and habitat records from the ecological work commissioned by the applicant should be copied [preferably in electronic format] to the Gloucestershire Centre for Environmental Records (GCER).

#### Note

If a protected species (such as any bat, great crested newt, dormouse, badger, water vole, otter, white-clawed crayfish, reptile, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or construction work all activity which might affect the species at the locality should cease. If the discovery can be dealt with satisfactorily by the implementation of biodiversity mitigation measures already approved by Authority then these should be implemented. Otherwise a suitably qualified ecological consultant or Natural England should be contacted and the situation assessed before operations can proceed. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Protection of Badgers Act 1992. This advice note should be passed on to any persons or contractors carrying out the development/works.

#### Note

Bats are protected under the Wildlife and Countryside Act 1981 (as amended) and also the Conservation of Habitats and Species Regulations 2010 (as amended). To avoid possible prosecution under this legislation if a bat or evidence of bats using a feature on site is discovered during operations all work which might affect the species should cease and a licensed bat consultant or Natural England contacted and the situation assessed before work can proceed. This advice note should be passed on to any person or /contractors carrying out the development.

#### Note

This informative is given as a reminder to help you comply with the Wildlife & Countryside Act 1981 (as amended) and avoid possible prosecution. The Act makes it an offence to kill, injure or take any wild bird, and to intentionally remove, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy any wild bird eggs. In addition the Act states that it is an offence to intentionally or recklessly disturb any wild bird listed in Schedule 1 while it is nest building, or at (or near) a nest containing eggs or young, or disturb the dependent young of such a bird. If at any time nesting birds are observed on or close to the site then works which might affect them should cease and advice sought from a suitably qualified or experienced person. You are additionally advised that tree or shrub or hedgerow removal works should not take place between 1st March and 31st August inclusive unless a survey by a suitably qualified or experienced person to assess nesting bird activity during this period is undertaken. If it is decided on the basis of such a survey to carry out tree or shrub removal works then it should be ensured that it is done without harming nesting birds or their eggs and that this may require a suitably qualified or experienced person being in attendance. This

informative should be passed on to any persons or contractors carrying out the development.

Note

Any works in, under, over or within 8 metres of the top of bank of the Wotton Brook will also be subject to obtaining formal permission from us in the form of a flood defence consent under the Water Resources Act 1991.

Note

The site is traversed by a public right of way and this permission does not authorise additional use by motor vehicles, or obstruction, or diversion.

Note

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

Note

Further guidance on the Local Highway's Authority's requirements can be found in it's document entitles ' Manual for Gloucestershire Streets' which is available on the Council's website

Note

The design of the cricket pavilion should be prepared in liaison with Sport England and the ECB and in accordance with their guidance.

Decision: .....

Notes: .....

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Person to contact: Adam Smith  
(Tel: 396702)

**15/01190/OUT**

**University Of Gloucestershire  
Oxstalls Lane  
Gloucester  
GL2 9HW**

**Planning Committee 01.03.2016**

