GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee: Planning

Date: August 7th 2018

Address/Location: Land East Of Waterwells, Marconi Drive, Quedgeley, Gloucester

Application No: 17/00699/FUL

Ward: Quedgeley Fieldcourt

Expiry Date: 18.10.2017

Applicant: Crest Nicholson South West Ltd

Proposal: Amended Proposal for 118 dwelling units, involving revisions to site layout,

landscaping, surfacing, open space and play area.

Report by: Ron Moss

Appendices: Site Layout and Site Location Plan

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site lies towards the southern edge of Gloucester, around 6km south of the city centre. It is accessed via Marconi Drive, which borders the west of the site and links via Waterwells Drive to the main A38 southern route in to Gloucester city. Marconi Drive is a 30 mph road with pavements on both sides and street lights. To the north of the site lies Dimore brook and the industrial units of Waterwells Business Park, while to the west are further business units and a vacant site for which planning permission has been sought for the construction of a distribution warehouse with associated offices and parking. To the east are a few detached and semi-detached dwellings of traditional design and set within long gardens. The lower southern section of the site borders a new housing area known as Hunts Grove that is currently being constructed. The area to the east is then more rural in nature. The development site covers land within both Gloucester City and Stroud District and in these circumstances both Councils are required to determine applications covering the entire site, including land outside their administrative boundary.
- 1.2 The area of land is currently vacant and contains grassland with a number of scattered bushes/small trees and hedgerows. Mature trees and dense vegetation are on the northern border by Dimore Brook. There are then a line of taller trees along the southern boundary with the Hunts Grove development. The site is some 3.2 ha in area, with 2.31 ha within the jurisdiction of Gloucester City council and the rest within the boundary of Stroud. In terms of relief the site drops from south to north, by some 7- 8 metres overall. There is a footpath towards the north boundary of the site, along the southern side of Dimore Brook, identified as Public Right of Way Quedgeley Footpath 19 that then links into paths to the east.
- 1.3 The applicants originally sought full planning permission for a development of 119 residential dwellings on the site along with associated details of access, appearance, layout, scale and landscaping. This would have involved 86 of the proposed dwellings within the Gloucester boundary and 33 dwellings within the Stroud boundary. This was then revised to 84 dwellings within Gloucester and 34 within Stroud. The scheme consists of two, two and half, and three storey units providing two, three and four bedroom properties across the overall site in the form of detached, semi- detached and terraced houses and flats. Overall there would be five blocks of flats, predominantly facing Marconi Drive, but also including another block set further in to the site, adjacent to the northern boundary.

- 1.4 The two larger blocks of flats (referred to as Block 1) positioned on the Marconi Drive frontage (units 91-118) would contain four flats at ground floor and five flats on the first and second floors. All flats would be two bedroomed units apart from a single one bedroomed flat on each of the first and second floors. The 2 no. 'Block 2' blocks of flats (units 1-9 and 15-23) would also be three storey in height and contain three flats on each level (two x 2 bed units) one x 1 bed unit), while the single Block 3 building (units 64-72) that is within the Stroud section of the development contains three x 1 bed units on each of its three floors.
- 1.5 Vehicular access to the development is shown via two connections on to Marconi Drive. Two pedestrian accesses are shown linking the application site to Marconi Drive and another two link the southern Stroud Section of the site to the Hunts Grove residential development. The public footpath is to be retained along the north boundary of the site that links in to further footpaths to the north and east of the site. An area of public open space is proposed in the north eastern section of the site that would include a flood attenuation area as well as a locally equipped area of play (LEAP). Parking for the development is shown in the form of parking courts, driveways and private garages, while 16 visitor spaces are shown on the road side.
- 1.6 An Environmental Impact Assessment screening opinion was also sought by the applicants and it was determined that an Environmental Statement was not required.

2.0 **RELEVANT PLANNING HISTORY**

Application Number	Proposal	Decision	Decision Date
07/00618/OUT	Site for Class B1(office/light industrial) development (outline application) – means of access not reserved	Grant	17.2.2010
17/01364/FUL	Site to west of development site across Marconi Drive - Construction of a distribution warehouse with associated offices, parking, sustainable drainage and new access off Marconi Drive	Decision pending	

3.0 RELEVANT PLANNING POLICY

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

3.2 National guidance

National Planning Policy Framework (NPPF) 2018 and Planning Practice Guidance

3.3 **Development Plan**

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

Relevant policies from the JCS (Main Modifications) include:

SD3 – Sustainable design and construction

SD4 – Design requirements

SD6 – Landscape

SD9 – Biodiversity and geodiversity

SD10 – Residential development

SD11 – Housing mix and standards

SD12 - Affordable Housing

SD14 – Health and environmental quality

INF1 –Transport network

INF2 – Flood risk management

INF3 - Green Infrastructure

INF4 - Social and community Infrastructure

INF6-Infrastructure delivery

INF7 – Developer contributions

3.4 City of Gloucester Local Plan (Adopted 14 September 1983)

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 215 of the NPPF states that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.' The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

3.5 Emerging Development Plan Gloucester City Plan

The Gloucester City Plan ("City Plan") will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 216 of the NPPF.

It does however identify the application site as site SA13: Land east of Waterwells Business Park and indicates allocation for a residential development of up to 150 dwellings.

As site specific requirements it also requires the following :-

- Enhanced pedestrian routes to Kingsway
- Integration in to the Hunts Grove development
- Open space provision
- Equipped children's play area
- Contribution to formal sport.

3.6 Other Planning Policy Documents

Gloucester Local Plan, Second Stage Deposit 2002

Regard is also 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. The following "day-to-day" development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight: :

Policy E4 – Protecting employment land

Policy E2 of this Local Plan identifies the site as one allocated for employment use, while the extant Policy E4 seeks to protect employment land.

E.4 – Protecting Employment Land

OS.2 – Public Open Space Standard for New Residential Development

OS.3 – New housing and open space

OS.7 – New areas of Public open space

A.1 – New housing and allotments

4.0 **CONSULTATIONS**

Local Highway Authority

4.1 Following extensive consultation regarding the proposed two site accesses and site layout there have been revised plans submitted which generally provide a suitable arrangement.

- 4.2 The northern proposed site access illustrated is a priority junction onto Marconi Drive forming the northern end of the crescent road through the site to the southern priority site access junction. The visibilities splays and swept path tracking plans now show that there is sufficient space and inter visibility for safe vehicle movements and passing. The road safety audit identified a slight risk with the stagger created between the northern access and the permitted access to the extant commercial site opposite, however an exception has been accepted based on the low level of risk, inter-visibility between the junctions and low likelihood of interaction between the opposing junction movements. Tactile drop kerb crossings will be sought across the junction linking footway north and south on Marconi Drive.
- 4.3 The southern site access is an existing commercial access which the road safety audit identified due to the larger radii and widths for commercial vehicles could result in higher entry speeds and associated risks to users particularly crossing pedestrians. This has subsequently been reduced with narrowed width and radii including drop kerb crossings according to the audit recommendation. Two-way swept path tracking has been illustrated to demonstrate satisfactory vehicle movements with passing.
- 4.4 Internally the latest swept path plans illustrate that vehicles can move and pass each other adequately with adequate space and visibility. Conditions are suggested on any approval for a couple of areas to ensure no obstructions block visibility splays.
- 4.5 The parking provision illustrated on the overall plan illustrates suitable allocated and unallocated off-street and on-street parking provision for the proposed number of dwellings with 157 allocated spaces and 34 garages plus 22 visitor spaces. Committed community facilities in the locality from adjacent developments are expected to increase sustainability. Furthermore the site highway impact has been assessed and determined as not severe, so the travel plan targets are accepted in this instance.
- 4.6 Finally the public right of way footpath illustrated on the site plans shall be provided to a minimum of 2m wide and connecting pathways to the estate road.
- 4.7 Overall no objection to the proposal subject to conditions regarding visibility, sight lines, parking facilities, a construction method statement submission, fire hydrants a travel plan and road management/maintenance.

Public Rights of Way officer

4.8 The footpath EQU19, which runs along the east of Dimore Brook at the north of the site needs to be retained at a good width of 1.8 – 2.0m. It is acceptable to temporarily close this path, while construction takes place.

Highways England

4.9 Highways England are aware of capacity constraints at the Cross Keys roundabout and M5 J12, particularly at peak times. An improvement scheme has been identified for the Cross Keys roundabout, based on an already committed improvement scheme identified by the Hunts Grove – Phase 1 development proposals. The revised improvement scheme includes additional circulatory lanes and an enlarged junction, with extra entry lanes on key approaches. The scheme is required to address queue interactions between the Cross Keys roundabout and M5J12 via the B4008 which currently limits traffic from exiting J12 towards Gloucester. This scheme is to be brought forward over a shorter timescale than previously agreed for the Hunts Grove proposals by Gloucestershire County Council, with the assistance of National Productivity Infrastructure Funding (NPIF).

- 4.10 In terms of M5 J12 recent surveys show existing concerns with the southbound off slip during week day peak hours, with queues already extending in to the mainline. Highways England take the view that any development trips adding to an off slip, which then results in mainline queuing or extends an existing main line queue, and /or increases the frequency at which mainline queue occurs to be a severe safety impact. Highways England has tested M5J12 junction capacity using a fully validated and calibrated corridor model. Based on the results Highways England believe that Marconi Drive proposals would have a severe impact without the improvement scheme identified for the south bound off slip.
- 4.11 However, subject to these improvement works being a condition on any approval, then Highways England are willing to lift their holding direction and accept the planning permission being approved.
- 4.12 Highways England therefore recommend a condition requiring that no more than 40 dwellings be occupied until the improvement scheme for M5 Junction 12 and the improvement scheme identified for B4008 /A38 Cross Keys roundabout are brought in to use, while a further condition would be to appoint a travel co-ordinator to secure delivery of the travel plan.

Archaeology

4.13 This site has been subject to archaeological evaluation supported by geophysical survey. That investigation has identified no archaeological remains. The archaeologist is therefore content that significant archaeological remains are unlikely to be impacted by the proposed development.

Gloucestershire County Council Section 106 Officer

4.14 No objection subject to contributions towards pre-school, primary and secondary education, and towards library infrastructure.

Landscape Adviser

4.15

The applicant has submitted very detailed planting plans and the proposals as finally revised are considered acceptable.

Tree officer

4.16 Confirms that he is happy with the proposed tree planting, subject to planting conditions.

Ecology Adviser

- 4.17 Due to the proximity of the development to a European designated site (Cotswold Commons and Beechwoods Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), ca. 5km) and the size of the development (119 dwellings), Habitats Regulations are engaged and a Habitats Regulations Assessment (HRA) is required.
- 4.18 The ecologist in conjunction with the Stroud ecologist has screened the proposal for likely significant effects under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) on the Cotswolds Commons and Beechwoods SAC and SSSI.
- 4.19 The outcome of this screening was that the proposal would have no significant adverse effect on this designated site that might undermine the conservation objectives. Nevertheless, as a precautionary measure an Appropriate Assessment has been carried out in accordance with Regulation 63 of the Habitats Regulations which confirms there is insufficient evidence to demonstrate that the increase in recreational pressure will not impact upon the Cotswold Commons and Beechwoods SSSI and SAC.

- 4.20 With regard to the development site itself, it is considered that the site shows low potential for foraging bats, while the habitat would also not be suitable for Great Crested Newts. The site does however provide suitable nesting habitat for common bird species and precautionary working methods would need to be conditioned in a Construction Ecological Management Plan (CEMP) that should be a condition on any approval. A badger sett was also recorded in the ecology appraisal on the outside edge of the site and a 'confidential' badger mitigation and method statement has been submitted and needs to be included in the CEMP.
- 4.21 The site is also seen to include NERC section 41 priority habitats; hedgerows and rivers, therefore a landscaping scheme needs to be submitted which reflects the biodiversity enhancements including exact locations of bird and bat boxes. A final required condition on any approval is for a landscape and ecological management plan (LEMP)

Natural England

4.22 Natural England understand the narrative and conclusions set out in the HRA and concur with the findings. They do however advise that the Authority be made aware of a recent court case at the Court of Justice of the European Union in relation to the interpretation of mitigation measures at the screening stage of a Habitat Regulations Assessment.

Contaminated Land Adviser

- 4.23 The west of the site was used as a storage area for a stock pile during the construction of Marconi Drive. The stock piled material is no longer present. A historical land fill is present 55m north east of the site, but is not considered a risk to the dwellings as shown located. The site is not in a ground water source protection zone.
- 4.24 The contaminated land advisor concluded that no remedial measures nor ground gas protection measures are required and no further assessment is considered necessary.

Drainage Adviser

4.25 Raised concerns regarding the proposed drainage proposals and the lack of a maintenance strip to the Dimore Brook. Comments on the amended plans/information submitted to address these concerns will be provided as an update to the members of the Planning Committee.

Lead Local Flood Authority

- The site is within flood zone 1. No objection based upon the surface water management proposals for the site, subject to the following conditions:
 - 1) Drainage detailed design and timetable of implementation for the surface water drainage strategy to be submitted to and approved in writing by the Local Planning Authority (LPA)
 - 2) Development details of surface water attenuation /storage works shall also be submitted for approval to the LPA. The volume balance requirements should be reviewed to reflect the actual development proposal, agreed discharge rate and the extent of impermeable areas and run off to be generated.
 - 3) No development to be put in to use /occupied until a SuDs management and maintenance plan for the lifetime of the development, including adoption to be submitted to and approved in writing by the LPA.

Severn Trent Water

4.27 No objection to the proposal subject to a condition to secure appropriate foul and surface water drainage.

City Centre Improvement Officer (Environmental Protection)

4.28 No objection subject to conditions relating to sound reduction by glazing and ventilator combination at potentially worst affected facades, hours of construction, submission of a dust management plan, air quality, post completion noise testing, and details of refuse and recycling storage.

Housing Strategy and Enabling Officer

- 4.29 No objection to the proposal which is now providing 25 % affordable housing for the Gloucester City section as opposed to the original offer of 20%, which equates to an additional 4 homes, which is positive, albeit the scheme is not fully SHMA compliant in that there are no four bedroom affordable units.
- 4.30 The fact that the size standards for all of the units are well above the minimum size standard within the JCS Affordable Housing partnership guidance document is to be welcomed.
 17 category 2/adaptable homes are to be provided across the site, which is just below the 15%.that would have been preferred.

Urban Design Adviser

4.31 No objection to these proposals. The site layout creates a good block structure, with enclosure and active frontage. There is a good mix of unit types and well integrated open space and landscaping. The appearance of the house types is well balanced and modern. It is recommended that samples of material are viewed to ensure a high quality is maintained.

Open Space and Playing Pitch Adviser

4.32 No objection subject to provision and management of on-site open space and contributions to off-site indoor and outdoor sports/play facilities.

5.0 **PUBLICITY AND REPRESENTATIONS**

- 5.1 Neighbouring properties were notified and press and site notices were published. 10 letters of objection raising the following issues:
 - a) Infrastructure not in place for this level of development, while the facilities promised for the Hunts Grove residential scheme are yet to materialise No GP surgery in Kingsway or Hunts Grove putting considerable pressure on the Quedgeley surgeries. Schools and GP surgeries should be part of any future development. Crest should provide the community facilities for Hunts Grove before building more houses.
 - b) Overdevelopment of the site. The large apartment blocks along Marconi Drive would be better suited to an urban centre rather than semi- rural location.
 - c) Insufficient parking provision, including garages which residents never use, would lead to parking issues
 - d) Marconi Drive is currently the sole access for the complete Hunts Grove development and is already under pressure at peak hours. This proposal would exacerbate the problem and should not be considered until a secondary access is provided for Hunts Grove.
 - e) Loss of employment land
 - f) Not an acceptable residential environment, with a recent planning permission varying operating hours to allow 24 -7 operation of a proposed factory on vacant land on the opposite side of Marconi Drive to this proposal. This would lead to noise and disturbance.
 - g) The track which runs from Brooklyn Villas to Naas Lane is a private path not public, therefore the indicated footpath links are not achievable.
 - h) The proposal would not be in keeping with the neighbouring Brooklyn Villas.

5.2 Quedgeley Town Council made the following comments:-

- Insufficient space for the LEAP, ensure the minimum maintenance strip is incorporated in the plans.
- During the construction phase the hours of operation to be 8.00-6.00pm Monday Friday, 8.00-1.00pm Saturday and none on Sunday, Bank or Public holidays.
- Support the comments of the Environment Health comments particularly in relation to noise and 'post completion testing'.
- Subject to approval, include a mitigation section, para 10 onwards of the Environmental Noise Survey and Assessment.
- Seek considerable recreation contributions, agree with the comments of the Landscape Officer.

Seek off site contributions for the provision of floodlighting at the nearby Waterwells Sports Centre in excess of £70k.

5.3 Hardwicke Planning Group

Object to the proposal as consider it not fully compliant with the policies of the NPPF, Stroud District Council Local Plan Core Policies and the policies of the Hardwicke Neighbourhood Development Plan.

- 5.4 Their main primary concern relates to Transportation matters.
 - Parking is raised as a problem and their opinion is that the lack of dedicated parking in the Hunts Grove scheme has given rise to serious parking issues.
 - They also flag up that until a new southern access road is built, Marconi Drive will be the only access road to the Hunts Grove development and that it will carry a large amount of commercial and residential traffic.
 - The response from Highways England flagging up the potential issues with junction 12 of the M5 motorway and traffic flows through Hardwicke around the Cross Keys roundabout are also highlighted in their response.
 - Within the layout itself concerns are raised with the ability for vehicles to pass each other in places , the lack of disabled parking spaces and the ability of a refuse vehicle to access all of the site

5.5 Other concerns are outlines as follows:-

- a) The Hunts Grove residential development recognised the key characteristic of chimneys across the parish of Hardwicke, however the dwellings in this development are shown with none at all.
- b) Providing new housing at the expense of employment opportunities, while providing limited open space on current open space would be no great benefit.
- c) Low level of affordable housing provision
- d) Not really increasing permeability across the site, while a sustainable urban drainage is just a requirement.
- e) The development is outside of the Hardwicke settlement boundary making it non-compliant with Hardwicke Neighbourhood Plan Policy GEN1.
- f) No information in the proposal to indicate that the needs of the elderly , those with specific needs, minority groups or lifetime accommodation has been provided, making it contrary to Stroud Local Plan policy and Hardwicke Neighbourhood development plan
- g) No Construction Environmental Management Plan for the development.

- 5.6 100 letters have been received as well as an email from County Councillor Mark Hawthorne giving support to the application and to suggest the s106 contributions for formal sport go to Quedgeley Wanderers Football club to help provide floodlighting for an outdoor football pitch. The letters point out that Waterwells sports centre boast some of the best community facilities in Gloucestershire with sporting facilities for under 5's through to a number of adult teams, including ladies football teams and a walking football team, a total number of 22 teams and over a 1000 members. The letter states that they have a long aspiration to provide floodlights to pitch 1 to allow games to be evenly spread over the season
- 5.7 The full content of all correspondence on this application can be viewed on: http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx

6.0 **OFFICER OPINION**

Legislative background

- 6.1
 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:
 - a) the provisions of the development plan, so far as material to the application;
 - b) any local finance considerations, so far as material to the application; and
 - c) any other material considerations.
- 6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

Principle of Development

- The NPPF at Paragraph 73 requires local planning authorities to demonstrate a 5 Year Housing Land Supply against the relevant housing requirement. The JCS addresses housing supply and demand under Policies SP1 (The Need for New Development) and SP2 (Distribution of New Development) as well as within Part 7 (Monitoring and Review).
- Gloucester can currently demonstrate a five year supply of deliverable housing sites. This positive housing land supply position means that the housing policies in the Joint Core Strategy can be given full weight.
- 6.6 Policy SD10 of the JCS allows for infilling within the existing built up areas of the City Gloucester. In terms of the broad principles of development, the site is within the built up area of the City, is in a sustainable location for residential use and would contribute to housing supply.
- 6.7 It should be noted that under Policy E2 of the Gloucester Local Plan Second Stage Deposit Local Plan 2002, the site identified as Land east of Waterwells Business Park was shown allocated for employment use.

- 6.8 Policy E4 of this plan states that :-
 - Planning permission will not be granted for new development that involves the loss of employment land unless the following criteria are met:
 - 1. The land has limited potential for employment, and
 - 2. The developer is able to demonstrate that an alternative use, or mix of uses, offers greater potential benefit to the community.
- 6.9 Given the status of the Second Stage Deposit Local Plan these policies the weight to be applied to these policies is limited having regard to advice in the NPPF and Planning Practice Guidance.
- 6.10 Outline planning permission was then granted in February 2010 for Class B1 office/light industrial development with all matters reserved except access. No reserved matters were ever submitted for this application and it is no longer extant. Paragraph 22 of the National Planning Policy Framework then states that 'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose 'and that 'Land allocations should be regularly reviewed'.
- 6.11 After discussions with policy planners at Stroud District Council and through an exercise looking at the master planning and ongoing construction of the Hunts Grove residential area directly to the south, Gloucester City Council officers working on the emerging Gloucester City Plan considered that a residential allocation would be more suitable for the site. In line with the Government's NPPF, policy planners (from both Gloucester and Stroud) were keen to adhere to sound planning principles and to avoid potential land use conflicts and issues with amenity that could have resulted from an employment allocation abutting planned areas of family housing.
- Additionally, quite a considerable time had passed since there had been a valid employment use planning permission on the site. The site was therefore allocated within the Gloucester City Plan (regulation 18 stage) for residential use for up to 150 dwellings under the reference SA13 Land East of Waterwells Business Park. It should be noted that the 150 dwelling estimated capacity relates to the whole of the SA13 allocation, not just the application site.
- 6.13 In conclusion it is considered that the principle of residential development on this site is acceptable.

Design, Layout and Landscaping

6.14 The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment. Policy SD3 requires all developments to demonstrate how they contribute to the principles of sustainability, Policy SD4 sets out requirements for high quality design, Policy SD6 requires development to protect or enhance landscape character while Policy SD10 requires housing of an appropriate density, compatible with good design, the protection of heritage assets, local character and compatible with the road network.

- 6.15 Officers, along with officers from Stroud, have sought to ensure that the proposal has regard for the high quality comprehensive development of the overall area ensuring that the Gloucester and Stroud sections of the proposal combine as a single development and link appropriately with the Hunts Grove residential development that is currently being built out to the south of the site. With regard to the development site there would be no physical division between the Stroud and Gloucester sections with the two vehicular access points located in the Gloucester element, also serving the Stroud area and similar types of dwellings mixed across the site. A landscaped /grassed strip is shown proposed along the southern boundary with the Hunts Grove residential development with inter connecting pathways. It is considered that the soft landscape boundary and these connecting pathways ensure the schemes work together to provide a high quality residential environment. Overall the proposal can be seen to integrate with the Hunts Grove development as required under the Site Allocation Policy SA13 of the Gloucester City Plan.
- 6.16 The proposed development is considered to follow the sound urban design principle of perimeter block development where properties front on to areas of public realm and back on to each other's gardens. This approach is seen to create the most robust and secure arrangement, which allows for good overlooking of public areas and quieter and more private rear gardens. This approach would lead to the creation of rear parking courts as it does with this development, and it is key that these parking courts are overlooked to provide security. This proposal shows all the parking areas being overlooked. The proposal has also sought to position the larger blocks of flats along the boundary with Marconi Drive, where they would be in keeping with the larger scaled industrial and business units, both existing and proposed, that are/will be located on the opposite side of Marconi Drive. As stated by the urban design officer the appearance of the dwelling types are shown to be well balanced.
- 6.17 The originally submitted layout did raise concerns in that there was a section of housing shown along the north eastern boundary of the site that would have left a very limited width of public open space to the west and then the play area. This all appeared quite cramped and would have likely led to conflict. The proposal was however amended to show the housing removed from this area to allow a larger better quality area of open space that could be used without affecting the amenity of neighbouring occupiers and that also allowed the use of the locally equipped area of play without conflict. The original scheme also showed a mass of hard surfaced frontages for parking that gave the appearance of linear car parks, and these areas have now been reduced/broken up with soft landscaping.
- 6.18 A further concern with the original layout was the close proximity of the built form at the north east corner of the site to Dimore brook. As well as failing to provide a sufficient buffer for flood risk reasons, the green corridor for wildlife movement was extremely narrow in places and users of the public footpath would find themselves in a narrow, unattractive place between the side of buildings and the stream. This was not considered to be well designed with the proposed scheme having disregard to the stream and footpath, both of which can be considered positive features of the site. The revised proposal now shows the built form setback 8 m from the stream, which enables the stream and footpath to be positioned with in a landscaped area rather than simply squashed on to the side of the development.
- 6.19 In terms of materials, whilst the submitted drawings show details, samples of hard surfacing, boundary and external facing materials should be secured by condition to ensure the appearance of the proposed buildings would be acceptable.
- 6.20 With regard to sustainable development to meet policy SD6 of the Joint Core Strategy the applicant informs that this has been prioritised, focussing on an overall energy demand through improvements to the building fabric of the dwellings. This would build in a reduction in energy demand to achieve nearly 10% less than that required under Building regulations standards.

- 6.21 In terms of landscaping, the applicants have now submitted a comprehensive and detailed landscaping plan and the landscape officer confirms she is satisfied with the details subject to a condition for implementation.
- 6.22 In conclusion, as stated by the Urban design officer, the site layout creates is shown to create a good block structure, with enclosure and active frontage. There is a good mix of unit types and well integrated open space and landscaping. The appearance of the house types is well balanced. The proposal can also be seen to work well with the Gloucester city and Stroud district elements appearing as a single development that then would link well with Hunts Grove and the overall area. The proposed residential development would therefore accord with the NPPF, and policies SD3, 4, 6 and 10 of the JCS.

Traffic and transport

- 6.23 The NPPF requires that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network.
- 6.24 Highways England originally recommended that planning permission not be granted until further information for the Transport Assessment had been provided in relation to trip generation and assignment, along with an understanding of committed developments and capacity assessment. They were concerned at capacity constraints at the Cross Keys roundabout and M5 J12, particularly at peak times. An improvement scheme has been identified for the Cross Keys roundabout, based on an already committed improvement scheme identified by the Hunts Grove Phase 1 development proposals. The improvement scheme includes additional circulatory lanes and an enlarged junction, with extra entry lanes on key approaches. The scheme is required to address queue interactions between the Cross Keys roundabout and M5J12 via the B4008 which currently limits traffic from exiting J12 towards Gloucester. This scheme is to be brought forward over a shorter timescale than previously agreed for the Hunts Grove proposals by Gloucestershire County Council, with the assistance of National Productivity Infrastructure Funding (NPIF). The works are fully funded and looking to start in spring 2019.
- 6.25 In terms of M5 J12 recent surveys had shown existing concerns with the southbound off slip during week day peak hours, with queues already extending in to the mainline. Highways England take the view that any development trips adding to an off slip, which then results in mainline queuing or extends an existing main line queue, and /or increases the frequency at which mainline queue occurs to be a severe safety impact. Highways England has tested M5J12 junction capacity using a fully validated and calibrated corridor model. Based on the results Highways England believe that the current proposals would have a severe impact without the improvement to the south bound off slip of the M5 Motorway.
- 6.26 Further information from the applicant was provided with regard to trip generation/assignments and capacity assessments and Highways England confirm that they no longer object to the application subject to the above highway improvement works being secure by planning condition, which would also need to ensure that no more than 40 dwellings to be occupied on the site until the improvement scheme for M5 Junction 12 and the improvement scheme identified for B4008 /A38 Cross Keys roundabout are brought in to use, as well as the appointment of a travel co-ordinator to secure delivery of the travel plan.

- In terms of accessibility of the location there are footway and cycleway connections from the site via Marconi Drive to Kingsway, Waterwells and north towards Gloucester. There is a bus stop some 220m from the site with connections to Gloucester, Dursley, Wotton-under-Edge, Thornbury, Berkley and Bristol. Whilst objectors have raised concerns regarding bus service connections, the Local Highway Authority confirm that it is possible to get a bus from this stop within walking distance from the site into Gloucester in time for typical working hours. The services from the Park and Ride provide further connections although are beyond typical walking distances to bus services. Furthermore, there are a number of local amenities and employment within the vicinity within reasonable walking and cycling distance reducing reliance on private vehicle trips. As set out above, a travel plan has been submitted, the delivery of which would seek to reduce reliance on the car and any approval of planning permission would be subject to a condition for compliance with the travel plan.
- 6.28 With regard to the road layouts within the development, the Highway Authority has spent considerable time liaising with the applicant's transport consultants to obtain a layout that works in terms of junction radii, visibility splays, turning heads and safe passing between larger and smaller vehicles, be that in situations where they can directly pass one another or where one can safely wait to let the other one pass.
- On the matter of parking the parking provision illustrated on the overall plan illustrates suitable allocated and unallocated off-street and on-street parking provision for the proposed number of dwellings with 157 allocated spaces and 34 garages plus 22 visitor spaces. This is considered reasonable for a scheme of 118 dwellings, particularly where there are quite a number of flats as well as family dwellings.
- 6.30 As can be seen in the Highway Authority comments they are now satisfied that the revisions provided for the scheme now ensure that these matters are resolved, subject to the imposition of suitably worded planning conditions regarding visibility sight lines, parking facilities, a construction method statement submission, fire hydrants a travel plan and road management/maintenance.

Overall the proposal is considered to meet the National Planning Policy Framework and policy INF1 of the Joint Core Strategy.

Residential amenity

- 6.31 The NPPF states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.
- 6.32 Officers originally had concern with regard to the relationship between the dwellings numbered 25 29 located towards the east of the site and Fairfield Villa, the adjoining residential property, that proposed dwellings were too close to the boundary with the Villa and likely to unduly affect the amenities of the residents of this property. The revisions to the layout have now removed these properties from this location. This alteration also would remove the possible conflict between the play area/public open space users and the occupiers of these dwellings.

- 6.33 Another potential area of concern is the north western corner of the site where the proposed units, including two blocks of flats, are proposed to face on to the employment site on the opposite side of Marconi Drive. There is an extant planning permission for the erection of a new manufacturing and distribution centre and ancillary office granted in December 2015 that would run a 24 hour operation, however there are loading/unloading and door opening restrictions between the hours of 2300 and 0700 as well as a noise requirement to be 5dB below background noise levels at the nearest noise sensitive receptors (i.e. this residential development). A further current planning application for a distribution warehouse with ancillary offices on this site, ref: 17/01364/FUL is under consideration, however any approval would be subject to similar conditions. It is considered that these conditions would ensure a satisfactory relationship between the employment and residential uses.
- 6.34 The existing employment uses to the west are predominantly smaller scale and of less intensity, though there is the DPD warehouse operation referred to in a concern by neighbours. The Council's Environmental Protection Officer has ensured that the noise from all these existing units and the potential noise from the site with the extant planning permission have been included in the submitted noise survey and has been assessed. He is content that there would not be material harm, subject to the mitigation measures in relation to glazing and ventilator specifications identified in the applicant's noise survey.
- 6.35 With regard to amenity for proposed residents, in general, most of the properties are shown with reasonable garden depths of just under 10 metres on the shortest ones and back to back elevation distances of around 20 metres. The blocks of flats are shown with frontage setting space, but no real amenity space. Furthermore, there are some flats over garages with no amenity space. Nevertheless, there is the public open space with the development itself and some further open space nearby within Hunts Grove. On that basis, it is considered that the proposals are acceptable in this regard.
- 6.36 The development would also have a comfortable relationship with the existing dwellings in Hunts Grove in terms of overlooking with distances elevation to elevation ranging between 20 to 40m.
- 6.37 Finally, to protect amenities during the build programme, the Environmental Protection officer recommends conditions with regard to approved hours of construction and a dust management plan
- 6.38 Overall the proposal is considered to accord with paragraph 17 of the NPPF and policy SD 14 of the JCS.

Drainage and flood risk

- 6.39 The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.
- 6.40 The development site is located within Flood Zone 1, the safest of the Environment Agency designated flood zones, however due to the size of the site a flood risk assessment was submitted. The Local Lead Flood Agency have no objection to the development based upon the surface water management proposals for the site, subject to conditions to secure the design and timetable for implementation for the surface water drainage strategy, details of surface water attenuation and storage works and a SuDS management and maintenance plan.

- The Council's drainage officer had concerns with regard to the insufficient details of the attenuation area, including gradients of the sides, flow control data and discharge rates. He was also particularly concerned at the fact that development was shown encroaching within 8 metres of Dimore brook, the 8 m wide area being required for maintenance, to prevent flooding and as a wildlife corridor. The original proposal further showed the ground to be raised here. The applicants have now altered their proposal to show no built development within 8 metres of Dimore Brook (the exact position of which has now been fully confirmed after a further survey), and no ground raising here.
- The applicants have also sought to address the concerns with gradients of the attenuation area, the flow controls and discharge rates. The details now generally appear to be acceptable, subject to conditions, although the final comments from the Council's drainage officer will be reported in the update sheet.

Land contamination

- 6.43 Policy SD14 of the JCS requires that development proposals incorporate the investigation and remediation of any land contamination.
- 6.44 The west of the site was used as a storage area for a stock pile during the construction of Marconi Drive. The stock piled material is no longer present. A historical land fill is present 55m north east of the site, but it is not considered a risk to the dwellings as shown located. The site is not in a ground water source protection zone. The contaminated land advisor concluded that no remedial measures nor ground gas protection measures are required and no further assessment is considered necessary.

Ecology

- 6.45 Policy SD9 of the JCS provides that the biodiversity and geological resource of the JCS will be protected and enhanced.
- Due to the proximity of the development to a European designated site (Cotswold Commons and Beechwoods Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), ca. 5km) and the size of the development (119 dwellings), Habitats Regulations are engaged and a Habitats Regulations Assessment (HRA) is required.
- 6.47 The Council's ecological advisor, in conjunction with the Stroud ecologist, has screened the proposal for likely significant effects under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) on the Cotswolds Commons and Beechwoods SAC and SSSI.
- 6.48 The screening exercise concluded that, subject to mitigation, the proposal would have no significant adverse effect on this designated site that might undermine the conservation objectives. There remained no areas of uncertainty and no appropriate assessment is required.
- Nevertheless, Natural England have referred to a recent Court of Justice of the European Union judgment (People over Wind and Sweetman vs Coillte Teoranta). This judgement calls into question whether mitigation can be taken into account when determining whether appropriate assessment is required. It was therefore considered that an appropriate assessment should be carried out as a precautionary measure. An Appropriate Assessment has therefore been carried out in accordance with Regulation 63 of the Habitats Regulations which confirms there is insufficient evidence to demonstrate that the increase in recreational pressure would not impact upon the Cotswold Commons and Beechwoods SSSI and SAC. The Council is now required to consult with Natural England as the Statutory Nature Conservation Organisation. An update will be provided at Committee.

- 6.50 With regard to the development site itself, it is considered that the site shows low potential for foraging bats, while the habitat would also not be suitable for Great Crested Newts. The site does however provide suitable nesting habitat for common bird species and precautionary working methods would need to be conditioned in a Construction Ecological Management Plan (CEMP) that should be a condition on any approval. A badger sett was also recorded in the ecology appraisal on the outside edge of the site and a 'confidential' badger mitigation and method statement has been submitted, the recommendations of which would need to be included in the CEMP.
- 6.51 The site is also seen to include Natural Environment and Rural Communities (NERC) Act section 41 priority habitats; hedgerows and rivers, therefore a landscaping scheme is required which reflects the biodiversity enhancements including exact locations of bird and bat boxes. This can be secured by a planning condition requiring a landscape and ecological management plan (LEMP).

Affordable Housing

- 6.52 Policy SD12 (Affordable Housing) of the JCS states that-
 - 1. The JCS authorities will seek, through negotiation, for new development to deliver new affordable housing on a sliding scale approach as set out below:
 - i. Within the Strategic Allocation sites a minimum of 35% affordable housing will be sought.
 - ii. Outside of the Strategic Allocation sites, on sites of 11 dwellings or more, or sites with a maximum combined gross floor space of greater than 1000 sqm; a minimum of 20% affordable housing will be sought on developments within the Gloucester City administrative area and a minimum of 40% will be sought within the Cheltenham Borough and Tewkesbury Borough administrative areas.
- 6.53 The potential for affordable housing above the minimum requirements is identified in bullet 10 of Policy SD12 which provides that:
 - "The viability of a site may enable additional levels of affordable housing to be delivered above the requirements set out in this policy. The JCS authorities will negotiate with developers to find an appropriate balance to deliver affordable housing and infrastructure needs."
- 6.54 Officers at Gloucester and Stroud councils have negotiated with the applicant to provide the following contribution of 25% affordable housing for Gloucester and 32% for Stroud District. The original offer for Gloucester had been 20 %. The breakdown of these units is as indicated below.

Unit Type	Land within GCC	Land within SDC	Site as a whole	
	Administrative Area	Administrative Area		
Rented				
1 bed flat	3	9	12	
2 bed flat	6		6	
2 bed house	4		4	
3 bed house	3		3	
Shared Ownership				
2 bed house	3	2	5	
3 bed house	2		2	
Tenure Split	76% Rented : 24%	82% Rented : 18%	78% Rented : 22%	
	Shared Ownership	Shared Ownership	Shared Ownership	
Total	21	11	32	
Percentage of	25%	32%	27%	
overall units				

- 6.56 Gloucester City's housing officer is generally happy with the level of affordable housing, however would have liked to see some 4 bedroomed units to fully meet the Strategic Housing Market Assessment (SHMA) requirements. There are however only 3 four bedroomed dwellings within the whole of the development and they are located near the southern border of the Stroud section of the site.
- 6.57 Overall viewing the whole site as an entity, there is a good balance of small and larger units from 1 bed room flats to three bedroom family houses in the offer and the housing officers of both Gloucester City and Stroud council are satisfied with the number, mix and tenure of the affordable units being offered.

Green and Community Infrastructure

- 6.58 Policy INF6 of the JCS states that where infrastructure requirements are generated as a result of individual site proposals, new development will be served and supported by adequate and appropriate on and off site infrastructure and services. Policy INF7 then states that 'Arrangements for the direct implementation or financial contributions towards the provision of infrastructure and services required as a consequence of developmentwill be negotiated with developers before the grant of planning permission. Financial contributions will be sought through the S106 and Community Infrastructure Levy (CIL) mechanisms as appropriate'.
- 6.59 Stroud District Council have adopted CIL to obtain off site contributions for development, and they have confirmed that they are satisfied with the current levels of public open space in the area being sufficient as to not require any on site provision. Hunts Grove has an area of open space just a few metres across Marconi Drive. Affordable housing requirements are not covered by CIL, however it is proposed that Stroud and Gloucester operate separate s106 agreements covering affordable housing.
- 6.60 In light of the above, Gloucester city council and Gloucestershire county council have therefore simply sought s106 contributions to address the impacts arising from the development within the Gloucester City section of the site.

6.61 Education and libraries

The proposal would give rise to 3.86 additional pre-school places, requiring a contribution of £52,347; 12.57 additional primary school places requiring a contribution of £170,395; and 6.28 additional secondary school places requiring a contribution of £129,962. A library contribution of £16,464 is also required.

6.62 Public Open Space /Formal Play /Sport

The proposals would also give rise to the need for 0.75ha of new open space. It is recommended that 0.54ha or 72% of total requirement for POS is provided on site with off-site financial contributions as follows:-

Formal sport - £71,960 Formal Play - £24,360 General POS - £9,520 Total - £105, 840

- 6.63 Officers have further sought to clearly identify where these funds could be spent. Play improvements have been costed out for Waterwells playing field and play area showing how the formal play and general public open space contributions could be spent on play equipment and surfacing.
- 6.64 With regard to the formal sport contribution, works to improve Quedgeley Wanderers football club ground have been identified and are considered reasonable and to meet the tests for s106 contributions.
- 6.65 Furthermore in light of the fact that none of the open space would be put up for adoption and instead would be in the hands of a management company, it is suggested that the setting up, operation and responsibilities of the management company be subject to the s106 agreement.
- 6.66 It is considered that the above obligations are required to make the development acceptable in planning terms. These obligations would meet the CIL regulations tests and accord with policies INF6 and INF7 of the JCS.

Economic considerations

6.67 The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. Further, paragraph 3.1.9 of the JCS identifies that it is important to ensure that sufficient housing is made available to support the delivery of employment and job growth. In the context of the NPPF advice that 'significant weight should be placed on the need to support economic growth through the planning system', this adds some weight to the case for granting permission.

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. The proposals have been assessed against development plan policies within this report.

- 7.2 The proposed development would give rise to benefits in the form of new housing and in particular affordable housing. The scheme would also bring forward 25% affordable housing for Gloucester and 32% for Stroud, giving an overall number of 27% of units with a good range and tenure mix from single bedroomed flats to three bedroomed family dwellings in rented and shared ownership. Significant weight is also given to the economic benefits that would arise from the proposal both during and post construction.
- 7.3 The proposed development would provide for a good quality housing scheme that integrates with the neighbouring Hunts Grove residential development to the south and connects well with the overall surrounding area with links to Kingsway and beyond to the city centre. In terms of urban design the proposal has been developed on the sound urban design principle of perimeter blocks and provides a quality area of public open space long with a local play area. The scheme can therefore be seen to accord with the NPPF and policy SD4 of the Joint Core strategy in providing a good quality design.
- 7.4 In terms of transportation matters considerable work by both the applicant and officers from the County, Stroud and Gloucester along with Highway England has been carried out to ensure that both internally the scheme provides safe and easy passage of cars, cyclist and vehicles around it and that any harm to neighbouring roadways and the Strategic Road Network would be mitigated. Highways England did have considerable concerns regarding the possible impact of the proposal on both the Cross Keys roundabout and the southern slip road of Junction 12 of the M5. Resolution has been found on this matter by ensuring no more than 40 dwellings are constructed before improvements take place on the roundabout and motorway junction. The proposal therefore accords with paragraph 111 of the NPPF and policy INF1 of the JCS.
- 7.5 In terms of ecology, an Appropriate Assessment under the Habitats Regulations has been carried out which concludes that there is no evidence to demonstrate that the proposals would have an unacceptable impact on the Cotswold Beechwoods SAC, and there are no other ecological constraints to developing the site, subject to planning conditions to secure biodiversity enhancements.
- 7.6 The proposal would involve the loss of land that potentially could have been used for employment uses, however as indicated in paragraph 6.5 above, the existing residential uses directly to the south and the east meant that the site was better suited to residential development and comprises part of a draft allocation in the emerging City Plan.
- 7.7 Overall the proposal is considered to represent sustainable development and accords with the relevant JCS policies and the NPPF as set out above.

8.0 RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER

- 8.1 That planning permission is **GRANTED** subject to Natural England being satisfied with the outcome of the Appropriate Assessment under Regulation 63 of the Habitats Regulations; the following conditions; and a s106 agreement to secure the heads of terms set out in paragraph 7.2 below; and to add/vary the wording of conditions as appropriate.
- 8.2 The Heads of Terms for the S106 agreement:

Education

3.86 additional pre-school places, requiring a contribution of £52,347.12.57 additional primary school places requiring a contribution of £170,3956.28 additional secondary school places requiring a contribution of £129,962

Libraries

A library contribution of £16, 464

Public Open Space /Formal Play /Sport

Formal sport - £71,960 Formal Play - £24,360 General POS - £9,520 Total - £105, 840

Setting up, operation and responsibilities of the Site Management Company

Affordable Housing

The affordable housing offer of 25%:

Rented

1 bed flat x 3

2 bed flat x 6

2 bed house x 4

3 bed house x 3

Shared Ownership

2 bed house x 3

3 bed house x 2

Tenure split - 76% rented: 24%

Planning Conditions

Condition 1

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

Plans

Condition 2

The development hereby permitted shall be carried out in accordance with the approved drawings

Site Layout – Drg. No. P17-0346-01 Rev. R; Submitted 20/07/2018; Materials Plan – Drg. No. P17-0346-16 Rev G; Submitted 20/07/2018; Boundaries and Enclosures Plan – Drg. No. P17-0346-17 Rev. G; Submitted 20/07/2018; Refuse Strategy Plan – Drg. No. P17-0346-18 Rev. G; Submitted 20/07/2018

Refuse Strategy Plan – Drg. No. P17-0346-18 Rev. G; Submitted 20/07/2018; Parking Strategy Plan – Drg. No. P17-0346-19 Rev. G; Submitted 20/07/2018; Adoptable Areas – Drg. No. P17-0346-20 Rev. G; Submitted 20/07/2018; Affordable Housing – Drg. No. P17-0346-21 Rev. G; Submitted 20/07/2018; Apartments Pack – Drg. No. P17-0346-08 Rev. B; Submitted 23/05/2018; Site Context Plan – Drg. No. P17-0346-11; Submitted 26/06/2017; Site Location Plan – Drg. No. P17-0346-14; Submitted 26/06/2017; Local Authority Partition – Drg. No. P17-0346-15; Submitted 26/06/2017; House Pack – Drg. No. P17-0346-07 Rev. D; Submitted 06/07/2018; Adaptable Homes – Drg. No. P17-0346-28; Submitted 06/07/2018; Building Heights Plan – Drg. No. P17-0346-28 Rev. D; Submitted 06/07/2018; Land Areas Plan – Drg. No. P17-0346-27 Rev. B; Submitted 06/07/2018; Site Sections – Drg. No. P17-0346-27 Rev. B; Submitted 06/07/2018;

Landscape Proposals Sheet 1 of 5 – Drg. No. DR-0001 Rev. P9; Submitted 20/07/2018;

Landscape Proposals Sheet 2 of 5 – Drg. No. DR-0002 Rev. P8; Submitted 20/07/2018:

Landscape Proposals Sheet 3 of 5 – Drg. No. DR-0003 Rev. P8; Submitted 20/07/2018;

Landscape Proposals Sheet 4 of 5 – Drg. No. DR-0004 Rev. P8; Submitted 20/07/2018:

Landscape Proposals Sheet 5 of 5 – Drg. No. DR-0005 Rev. P8; Submitted 20/07/2018:

LEAP Proposals – Drg. No. DR-0006 Rev. P6; Submitted 20/07/2018; Surfacing Strategy – Drg. No. DR-0007 Rev. P9; Submitted 20/07/2018; Tree Pit Details – Drg. No. DR-0008 Rev. P1; Submitted 26/06/2017; Indicative Planting Palette – Drg. No. DR-0009 Rev. P1; Submitted 26/06/2017;

Drainage Strategy – Drg. No. 11816CE-3200 Rev. P7; Submitted 20/07/2018 External Levels – Drg. No. 11816CE-3300 Rev. P6; Submitted 20/07/2018; Pond Sections – Drg. No. 11816CE-3205 Rev. P3; Submitted 06/07/2018;

Visibilities Drg. No. 11816CE-3804 Rev. P9; Submitted 20/07/2018;

Swept Path Analysis – Fire Appliance Drg. No. 11816CE-3801 Rev. P9; Submitted 20/07/2018;

Swept Path Analysis – Refuse Drg. No. 11816CE-3802 Rev. P10; Submitted 20/07/2018;

Swept Path Analysis – Private Vehicle Drg. No. 11816CE-3803 Rev. P9; Submitted 20/07/2018;

Swept Path Analysis – Removals Lorry Drg. No. 11816CE-3807 Rev. P4; Submitted 20/07/2018:

Swept Path Analysis – Vehicle Passing Drg. No. 11816CE-3810 Rev. P8; Submitted 20/07/2018.

Reason

To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within the adopted Joint Core Strategy

Phasing

Condition 3

Prior to the commencement of the development a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan shall indicate the sequence and approximate timescales of the development phases including the approximate number of dwellings and the highway and drainage infrastructure for each phase.

Reason: To ensure appropriate phasing of infrastructure and in the interest of good design to accord with policy SD4 of the Joint Core Strategy.

Housing

Condition 4

The development shall provide 17 Part M category 2 adaptable homes as shown on drawing no. P17- 0346 -28.

Reason

To ensure local housing needs are met and to accord with policy SD 11 of the Joint Core strategy.

Design

Condition 5

Facing/roofing materials

No work shall start on the construction of buildings until samples of facing and roofing have been submitted to and approved in writing by the Local Planning Authority. The submission of material samples shall include a series of sample panels constructed on site, composed of the major facing materials.

The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick facing materials, as well as any joins or joint details for any cladding panels and render.

All works shall be carried out in accordance with the approved details.

Reason

To ensure a positive and well planned appearance to the development in accordance with policy SD4 of the adopted Joint Core Strategy

Condition 6

Boundary treatment

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan showing full details, including elevations, of the type of boundary treatment to be erected. The boundary treatment surrounding each dwelling hereby permitted shall be completed before occupation of that dwelling. Development shall be carried out in accordance with the approved details.

Reason

In the interests of visual amenity and to ensure dwellings have satisfactory privacy in accordance with Policy SD4 of the adopted Joint Core Strategy.

Condition 7

Hardsurfacing

The development shall not be occupied until full details of the hard surfaces within the site, including driveways, parking and turning areas, footways and patios, have been submitted to and approved in writing by the Local Planning Authority for each phase of the development. All new hard surfacing areas shall be permeable or drained to a permeable area. Each phase of the development shall not be occupied until the approved works for that phase have been carried out.

Reason

In the interests of the character and appearance of the area, having regard to Policy SD4 of the adopted Joint Core Strategy.

Environmental

Condition 8

Environmental Construction Method statement

No development shall commence on site, including site clearance, unless an Environmental Construction Method Statement ("ECMS") has been submitted to and approved in writing by the Local Planning Authority. The ECMS 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. identify measures to control the emission of dust and dirt during construction from site clearance and construction works;
- viii. provide details of the external lighting of site and security compounds; and
- ix. identify measures for the storage of waste.

The approved Statement shall be adhered to throughout the construction period and the works shall not be carried out unless in accordance with the approved ECMS.

Reason

To safeguard residential amenity, having regard to Policy SD14 of the adopted Joint Core Strategy and to reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 110 of the NPPF.

Condition 9

Noise Mitigation

The development shall be carried out in accordance with the noise mitigation measures shown in Section 12 – Mitigation of the submitted Environmental Noise Survey and Assessment by Noise.co.uk dated 29th June 2017

Reason

To safeguard the amenity of the area in accordance with policy SD14 of the Joint Core Strategy

Condition 10

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, bank or public holidays.

Reason

To safeguard the amenity of the area in accordance with policy SD14 of the Joint Core Strategy

Drainage

Condition 11

No development approved by the permission shall commence until a detailed drainage design and timetable for the implementation of the Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The detail must demonstrate the technical/feasibility of the drainage system through the use of SUDs to manage the flood risk to the site and elsewhere, and measures taken to manage the water quality for the life of the development. Development details of surface water attenuation /storage works need to be included. The volume balance requirements should be reviewed to reflect the actual development proposal, agreed discharge rate and the extent of impermeable areas and run off to be generated. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first occupied and retained for the duration

of the development.

Reason

To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding and to minimise the risk of pollution in accordance with sustainable objectives of Gloucester City Council and Central Government and policy INF2 of the adopted Joint Core Strategy.

Condition 12

No development shall be put in to use/occupied until a SUDS maintenance plan for all SUDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the approved details.

Reason

To ensure the continued operation and maintenance of drainage features serving the site and to avoid flooding, and to accord with policy INF 2 of the Joint Core Strategy

Condition 13

Prior to the commencement of the development details of the proposed foul water drainage arrangements shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first use or occupation of the development.

Reason

In order to ensure that satisfactory drainage arrangements are provided in accordance with policy INF 2 of the Joint Core Strategy

Landscaping /Public Open Space

Condition 14 Public Open Space

The public open space area as shown on drawing no. 2562-5-2-DR-0006 Rev P6 shall be provided before occupation of the 40th dwelling or within an alternative timescale which shall first be agreed in writing by the Local Planning Authority.

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with policy SD4 of the Joint Core Strategy.

Condition 15

Local Equipped Area of Play

The Local Equipped Area of Play as shown on drawing no. no. 2562-5-2-DR-0006 Rev P6 shall be provided before occupation of the 40th dwelling or within an alternative timescale which shall first be agreed in writing by the Local Planning Authority.

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with policy SD4 of the Joint Core Strategy.

Condition 16

Landscaping Implementation

The landscaping details as shown on the approved drawings (Drg. Nos. DR-0001 Rev. P9; DR-0002 Rev. P8; DR-0003 Rev. P8; DR-0004 Rev. P8 and DR-0005 Rev. P8;) shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The planting shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with policy SD4 of the Joint Core Strategy.

Tree Protection 17

No development, including demolition or site clearance, shall commence on the site and no machinery or material shall be brought onto the site for the purpose of development until full details regarding adequate measures to protect trees and hedgerows have been submitted to and approved in writing by the Local Planning Authority. This shall include:

- (a) A scale plan accurately indicating the position of protective fencing around trees and hedgerows to be retained on site and details of the protective fencing designed to specifications provided in BS5837:2005 or subsequent revisions, unless agreed in writing with the Local Planning Authority. 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) The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the Tree Protection Zone (TPZ). Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, siting 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, in the interests of the character and amenity of the area in accordance with Policy SD4 of the adopted Joint Core Strategy.

Dimore Brook Condition 18

No structures (including gates, walls and fences), storage of materials or products or raised ground levels shall be installed or constructed within the 8 metre boundary zone to the Dimore Brook identified on Drg. No P17-0346-01 Rev. R, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows in accordance with FRP.5 of the Gloucester City Council Second Deposit

Ecology

Condition 19

Construction Ecological Management Plan

No works shall take place (including ground works, vegetation clearance) until a construction ecological management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The locations and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecological or environmental professionals need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person.
- h) Details of the use of protective fences, exclusion barriers and warning signs.

The CEMP shall be based upon mitigation proposals for badgers, bats, birds and reptiles as described in the Ecological Appraisal, dated 06/2017, prepared by FPCR Environment and Design Ltd and the Report for Reptiles and Info for HRA, dated 01/09/2017, prepared by FPCR Environment and Design Ltd.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason

To safeguard biodiversity as set out by Wildlife and Countryside Act 1981 (as amended), section 11 of the National Planning Policy Framework and polices SD10 and INF4 of the JCS.

Condition 20

Landscape and Environmental Management plan

No development shall take place until a landscape and environmental management plan has been submitted to and approved in writing by the Local Planning Authority. The management plan should expand on the baselines set out in sections 4.8-4.10 of the Ecological Appraisal, dated 06/2107, prepared by FPCR Environment and Design Ltd and set out how the potential biodiversity value will be maximised to achieve the objectives of mitigation and/or ecological enhancement. It should set out any measures necessary to ensure protected species are appropriately accommodated within the operational site and to ensure that the success of the ecological features and the on- going management is regularly monitored. The development shall be carried out and retained in accordance with these approved details.

Reason

To secure biodiversity mitigation in accordance with Policy SD9 of the adopted Joint Core Strategy.

Condition 21

Biodiversity enhancements

Prior to commencement of development a biodiversity enhancement scheme, such as incorporation of permanent roost/nest features for bats and birds (as described in section 4.10 of the Ecological Appraisal, dated 06/2017, prepared by FPCR Environment and Design Ltd), shall be submitted to and approved in in writing by the Local Planning Authority. The approved scheme shall include elevation and block plans detailing the type, design, number and location of biodiversity enhancements proposed and their timescale for installation. Development shall be carried out in accordance and permanently maintained in accordance with the approved scheme.

Reason

To enhance the biodiversity of the site in accordance with Policies CSP1 and SD9 of the adopted Joint Core Strategy

Condition 22

Cotswold Beechwoods Special Area of Conservation

Details of measures to mitigate any adverse impacts on the Cotswolds Beechwoods SAC shall be submitted to and approved in writing by the Local Planning Authority before first occupation of any dwelling hereby permitted. These details shall demonstrate how the new residential occupiers will be made aware of alternative recreational areas to lessen impact on the Cotswolds Beechwoods SAC. The development shall be implemented in accordance with the details so approved.

Reason

To ensure no adverse effects on the integrity of the Cotswolds Commons and Beechwoods SAC as a result of the development. Beechwoods SAC as a result of the development.

Transportation

Condition 23

No dwelling shall be occupied until details of a travel plan co-ordinator have been submitted to and approved in writing by the Local Planning Authority. The co-ordinator shall ensure the delivery of the travel plan in conjunction with Gloucestershire County Council and the development shall be carried out and operated in accordance with this approved plan.

Reason

To ensure that the opportunities for sustainable transport modes are taken up in accordance with paragraph 111 of the NPPF. And To ensure the safe and efficient operation of the strategic road network.

Condition 24

The Travel Plan shall be implemented in accordance with the details and timetable therein regarding measures and targets, 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 paragraph 111 of the NPPF. And To ensure the safe and efficient operation of the strategic road network.

Condition 25

No more than 40 dwellings shall be brought in to use until the improvement scheme identified for M5 Junction 12 as shown in the Phil Jones Associates Drawing ref:

02644-01-1 Rev B titled 'M5 Junction 12 Interim Mitigation Scheme – General Overall Layout' has been completed and brought in to use.

Reason

To offset development traffic impacts at M5 Junction 12, to ensure the safe and efficient operation of the Strategic Road Network and to comply with policy INF1 of the Joint Core Strategy

Condition 26

No more than 40 dwellings shall be occupied until the improvement scheme identified for B4008 /A38 Cross Keys Roundabout as shown in the Amey Consulting/Gloucestershire County Council Drawing ref: C291.01 Rev P01.12 'has been completed and brought in to use.

Reason

The Cross Keys improvement scheme is necessary to mitigate the traffic impacts of the development which would otherwise cause vehicle queues to extend south on the B4008 from this junction and to conflict with the operation of junction 12 of M5.

Condition 27

The vehicular accesses hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.6m and 2.0m at the Y point above the adjacent carriageway level.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained 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 the National Planning Policy Framework paragraph 110 and Joint Core Strategy Policy INF1.

Condition 28

Notwithstanding the forward visibility splay illustrated on submitted plan 11816CE-3804 Rev P8, forward visibility splays of 18m around the corners of plots 74 and 87, 24m around the corner of plot 57 and 16m around the corner of plot 43 shall be provided and maintained thereafter for the duration of the development. The area between these forward visibility splays and the carriageway edge shall be kept clear of vertical features.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained 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 the National Planning Policy Framework paragraph 110 and Joint Core Strategy Policy INF1.

Condition 29

The internal junction emerging visibility splays from the shared drives and cul-de-

sacs illustrated on plan 11816CE-3804 Rev P8 shall be provided and maintained thereafter for the duration of the development. The area between those splays and the carriageway shall be maintained so as to provide clear visibility between 1.05m and 2.0m at the X point (at the centre of the accesses) and between 0.6m and 2.0m at the Y (the extent of splays to the carriageway edge) point above the adjacent carriageway level.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained 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 the National Planning Policy Framework paragraph 110 and Joint Core Strategy Policy INF1.

Condition 30

The emerging driveway and parking space visibility splays illustrated on plan 11816CE-3804 Rev P8 with the exception of plot 86 north shall be provided and maintained thereafter for the duration of the development. The area between those splays and the carriageway shall be maintained so as to provide clear visibility between 1.05m and 2.0m at the X point (at the centre of the accesses) and between 0.6m and 2.0m at the Y (the extent of splays to the carriageway edge) point above the adjacent carriageway level. The plot 86 emerging splay north shall be a minimum of 16m from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 16m north (Y point) shall be provided and kept clear across the same vertical plane.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained 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 the National Planning Policy Framework paragraph 110 and Joint Core Strategy Policy INF1.

Condition 31

The vehicle to pedestrian visibility splays shall be provided and maintained as generally illustrated in blue on plan 11816CE-3804 Rev P8 for site dwellings and kept clear between 600mm and 2m above carriageway level.

Reason

To reduce potential highway impact by ensuring that adequate pedestrian visibility is provided and maintained 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 the National Planning Policy Framework paragraph 110 and Joint Core Strategy policy INF1.

Condition 32

Each dwelling hereby permitted shall not be occupied until the vehicular parking facilities serving that property have been provided in accordance with the details shown on Drg. No. P17-0346-19 Rev. G, and those parking spaces shall be maintained for those purposes thereafter.

Reason

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 the NPPF paragraph 110 and Joint Core Strategy Policy INF1.

Condition 33

Prior to the occupation of any dwelling hereby permitted within a particular phase identified in the phasing plan required by condition 3 of this permission phase, the visitor parking spaces within the respective phase of development shall be provided in accordance with Drg. No. P17-0346-19 Rev. G and maintained permanently for those purposes thereafter

Reason

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 the NPPF paragraph 35 and Joint Core Strategy Policy INF1.

Condition 34

No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason

To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

Condition 35

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 15m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

Reason

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the NPPF.

Condition 36

The public right of way footpath and connecting pathways to the estate road illustrated on the site plans shall be provided and maintained to a minimum of 2m wide.

Reason

To ensure that the opportunities for sustainable modes are taken up and the development is designed to give priority to pedestrian movements and provide access to high quality public transport facilities in accordance with paragraph 110 of the NPPF and Joint Core Strategy policy INF1.

Condition 37

No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason

To ensure that safe, suitable and secure access is achieved and maintained for all people that

minimises the conflict between traffic and cyclists and pedestrians in accordance with the NPPF and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 127 of the NPPF.

Condition 38

A minimum of 1 no. Electric Vehicle (EV) 'rapid charge' point shall be provided per 10 residential dwellings. A drawing showing their locations shall be submitted to and approved in writing by the Local planning Authority. This drawing should identify the 10 dwellings to be served by this charging point and these dwellings should not be occupied until their charging point is in place. The charging points should then be retained for the duration of the development.

Reason

To ensure a sustainable development and to accord with policy SD3 and INF1 of the Joint Core Strategy

Lighting

Condition 39

The development shall not be occupied until lighting details have been submitted to and approved in writing by the Local Planning Authority. The details shall include the lighting fixtures, their location on the site/on the buildings, and the extent of illumination. The approved lighting scheme shall be implemented prior to the commencement of the use of the development for which the lighting provides illumination and maintained for the duration of the use of the development.

Reason

In the interest of good design and to accord with policy SD4 of the Joint Core Strategy

Refuse and recycling

Condition 40

The development shall not be occupied until details of a scheme for the provision of a refuse and recycling storage area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and thereafter maintained for the life of the development.

Reason

In the interests of amenity in accordance with Policy SD14 of the Joint Core Strategy

Waste minimisation

Condition 41

The development shall be carried out in full accordance with the Waste Minimisation Statement by Envision dated 3 October 2017.

Reason:

For the minimisation of waste and to accord with Policy SD4 of the Joint Core Strategy version

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: The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

Note: The applicant is advised that to discharge the maintenance condition. that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

Note: Regarding conditions for internal forward visibility and site access junction visibility splays onto the highway these shall be required to be maintained for road user purposes.

Note – You are reminded that you will need to seek a temporary closure of Footpath EQU19 while construction works takes place

Person to Contact: Ron Moss (396835)



Planning Application: | 17/00699/FUL

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Committee Date:



