

# GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	7 <sup>Th</sup> September 2021
Address/Location:	Robinswood Inn Matson Avenue Gloucester GL4 6LJ
Application No:	20/00847/OUT
Ward:	Matson & Robinswood
Applicant:	Charles Cox
Proposal:	Construction of four dwellings and six apartments.- Outline planning application with all matters reserved
Report by:	Ron Moss
Appendices:	Site location and site layout plan
Reason for a Committee Decision	Committee members should note that the reason for this planning application being brought to them for decision is due to the recommendation including a requirement for a s106 legal agreement between the applicant and the Council.

## 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located to the south east of the city centre in Matson, on the corner of Matson Avenue and Hay Hill Road. The area is residential in character and contains predominantly semi – detached and terraced dwellings as well as maisonettes and 3 storey blocks of flats.
- 1.2 The site itself is flat and was previously occupied by the Robinswood Inn, a public house that burnt down in June 2018. It is currently a vacant and derelict site.
- 1.3 The submitted planning application is an outline planning application for the construction of four dwellings and six apartments, with all matters reserved for subsequent consideration. However, a full set of illustrative drawings have been submitted showing a potential scheme.
- 1.4 These illustrative drawings show a three storey block to house 6 two bedroom apartments, two apartments on each level, fronting Matson Avenue and four 2 storey terraced dwellings fronting on to Hill Hay Road.
- 1.5 The illustrative drawings show the apartment block with a mono pitched roof sloping down to the rear, with 8 parking spaces accessed from Matson Avenue along with bin and bike provision. Amenity area for the potential occupiers is shown to the rear of the apartments.
- 1.6 The four terraced dwellings shown on the illustrative drawings would be 2 storey in height, would contain three bedrooms and are shown with parking for 1 car each. All four houses would front on to Hill Hay Road. Three of them are shown with parking on the frontage, while the dwelling identified as House 1 is shown with a space to the rear, accessed from Matson Avenue. All the dwellings are shown with rear gardens.

## 2.0 RELEVANT PLANNING HISTORY

No relevant planning history.

### 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) and Planning Practice Guidance

#### 3.3 **Development Plan**

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

Relevant policies from the JCS include:

- SP1 - The need for new development
- SP2 – Distribution of new development
- SD3 – Sustainable design and construction
- SD4 – Design requirements
- 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 219 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 Pre-Submission version of the Gloucester City Plan (City Plan) was approved for publication and submission at the Council meeting held on 26 September 2019. The hearing sessions for the examination of the City Plan concluded on 9 July 2021. On the basis of the stage of preparation that the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded limited to moderate weight in accordance with paragraph 48 of the NPPF, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given).

Relevant policies from the emerging Gloucester City Plan include: :

A1 – Effective and efficient use of land and buildings

A6 – Accessible and adaptable homes

C1 – Active design and accessibility

E2 – Biodiversity and geodiversity

E5 – Green infrastructure: Building with nature

E6 – Flooding, sustainable drainage, and wastewater

E8 – Development affecting Cotswold Beechwoods Special Area of Conservation

F1 – Materials and finishes

F2 – Landscape and planting

F3 – Community safety

F4 – Gulls

F6 – Nationally described space standards

G1 – Sustainable transport

G2 – Charging infrastructure for electric vehicles

### 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. *While there are number of policies in the 2002 Plan which are considered to accord with the NPPF and have not been superseded by the JCS, none of these are considered to be relevant to the current application.*

## 4.0 **CONSULTATIONS**

### 4.1 **Highway Authority**

No objection, subject to conditions on any approval to include submission of details of vehicular access , parking and turning facilities, EV charging facilities, and secure and covered cycle storage facilities for each dwelling on the site as well as submission of a construction management plan.

### 4.2 **Tree officer**

The submitted tree report is considered acceptable and overall, there is no objection to the proposal subject to conditions on any approval to include the submission of details of replacement tree/ hedgerow, new trees and tree/hedgerow protection measures.

### 4.3 **Archaeologist**

Content that the site is unlikely to contain significant heritage assets of archaeological interest.

#### 4.4 **Ecological Adviser**

The Shadow Habitat Regulations Assessment has been reviewed and it is concluded that no significant effects on nearby Natura 2000 sites are considered likely considering the relatively small size of the proposed development and distance of the sites from the development. There are also suitable areas of accessible green space for recreation nearer to the development than the Natura 2000 sites, which further reduce the likelihood of any recreational effects on Natura 2000 sites.

4.5 It seems unlikely that the development proposed in the form of four dwellings and six apartments would have significant effects on Natura 2000 sites and it is simply recommended that each resident is provided with a Home Owner Information Pack (HIP) detailing local walks and sites that residents can use and highlighting public transport links and bike/footpath routes to them.

#### 4.6 **Contaminated Land Adviser**

No contaminated land concerns have been identified in this area.

#### 4.7 **Drainage Adviser**

The comments of the Local Lead Flood Authority will be reported to the Planning Committee.

#### 4.8 **Environmental Protection consultant**

Properties should be constructed to ensure that internal noise levels as per BS8233:2014 can be achieved. Noise modelling indicates that background noise levels at night (23:00 - 07:00) may be elevated due to proximity to M5 and a noise impact assessment should be submitted to determine that suitable noise levels can be achieved , or to indicate the necessary mitigation measures required to do so.

#### 4.9 **Housing Strategy and Enabling Officer**

The applicant has indicated that they can provide 25% affordable housing provision, which is considered acceptable.

#### 4.10 **Economic Growth and Strategic Delivery**

The proposal is for 10 dwellings. This number of qualifying dwellings would be expected to generate an additional demand for 1.70 secondary (11-16) places. The Gloucester Secondary Planning Area is forecast to be full; therefore, Gloucestershire County Council is requesting a secondary (11-16) contribution of £32,830.40 towards the provision of these places.

### 5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 Neighbouring properties were notified, and press and site notices were published.

5.2 No letters in response have been received.

### 6.0 **OFFICER OPINION**

#### 6.1 ***Legislative background***

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.

- 6.4 It is considered that the main issues with regards to this application are as follows:

- Principle
- Design, layout and landscaping
- Affordable Housing
- Traffic and transport
- Residential amenity
- Drainage and flood risk
- Education and Community Facilities
- Economic considerations
- Planning obligations

6.5 ***Principle***

The NPPF requires local planning authorities to demonstrate a 5 Year Housing Land Supply, with an appropriate buffer, 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)

The NPPF sets out that there will be a presumption in favour of Sustainable Development. For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- I. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- II. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The NPPF clarifies that: 'out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer..).'

At the time of writing, the Council is not able to demonstrate a 5 year housing land supply.

- 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 As the site is located within the built up area of the city, the principle of development is considered to be acceptable in accordance with JCS Policy SD10, subject to assessment against other planning considerations in the remaining sections of this report.

## 6.8 ***Design, Layout and Landscaping***

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 SD4 sets out requirements for high quality design, 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. These design aspirations are also reflected in the emerging City Plan.

6.9 The application is an outline application with all matters reserved. This means that the matters of appearance, landscaping, layout and scale are to be considered at the reserved matters stage. The outline application has however been accompanied by illustrative drawings that seek to demonstrate how a proposal for a block of 6 apartments and four dwellings can be accommodated on the application site.

6.10 In terms of design, the proposed apartment block is shown 3 storeys in height with a mono pitched roof with shallow gradient sloping downwards from front to rear elevation. This would allow it to sit comfortably height wise with the neighbouring two storey dwellings/maisonettes and three storey blocks of flats. The block would obviously have a greater bulk than that of the immediate neighbouring dwellings/maisonettes, but it should be noted that the site previously had a large public house building on it, while a larger blocks of flats exist on the opposite side of Matson Avenue. There is a mix of roofscapes in the area with flat roofs and shallow pitches on neighbouring blocks of flats, and more traditional steep pitched roofs on dwellings. A mono pitched roof feature would probably be acceptable within this mix but as indicated above, this would be a matter for consideration at the reserved matter stage. The proposed dwellings are shown on the illustrative drawings to be of similar scale to the existing dwellings in the area.

6.11 In terms of layout the proposed dwellings are shown in a terrace fronting on to Hill Hay Road, while the apartment block would be 'freestanding' and facing on to Matson Avenue. All would have rear amenity areas and frontage parking, except the dwelling identified as House 1, which has parking shown to the rear. This would also be for consideration at the reserved matters stage, but the illustrative drawings show that a satisfactory lay out in character with the area could be achieved.

6.12 With regard to proposed landscaping, it would further constitute a reserved matter. The Council's tree officer has however commented that whilst there are no trees of significant value on the site, there are trees just off site to the north that could be impacted upon by the proposed apartment block. The applicant submitted a tree survey and arboricultural impact assessment and the Council's tree officer is satisfied with the conclusions of the report. He has no objection to the proposal, subject to any approval being conditioned for the tree protection measures to be put in place along with details of replacement trees for those to be removed from the site itself.

## 6.13 ***Affordable Housing***

The NPPF states that where local authorities have identified the need for affordable housing, policies should be set for meeting this need on site, unless off site provision or a financial contribution can be robustly justified. Policy SD12 of the JCS provides that a minimum of 20% affordable housing will be sought on sites of 11 or more dwellings in the Gloucester City administrative area. The supporting text at paragraph 4.13.6 explains that the policy reflects the viability of differing value areas that exist across the JCS, hence the requirement for a 40% contribution within Cheltenham and Tewkesbury but only a 20% contribution within Gloucester. However, bullet 10 of the Policy provides that the viability of the site may enable additional levels of affordable housing to be provided.

- 6.11 The applicant has confirmed that 3 affordable housing units would be provided. That would meet the requirements of SD12 and the Council's Housing Strategy and Enabling officer confirms that he is satisfied with the contribution.
- 6.12 **Traffic and transport**  
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.
- 6.13 In terms of accessibility, the application site is located within 100m of the nearest bus stops, which are situated at Matson Shops, along Matson Avenue. Buses from here run frequently between Gloucester and Matson via Robinswood. In terms of walking routes, the application site is connected via a network of footways and footpaths to nearby amenities and the wider residential area. Whilst there are no specific cycleways, the low vehicle speeds on residential roads allow for relatively safe cycling around the general area.
- 6.14 Access constitutes a reserved matter, however the Highway Authority confirm that they have no significant concerns, subject to conditions on any approval for submission of details of vehicular access, parking and turning facilities, EV charging points and secured and covered cycle storage along with a Construction Management Plan. They do also indicate that the reserved matters submission should show parking provision to accord with Manual for Gloucestershire Streets. The dwellings would therefore need to be shown with two rather than one parking space each as indicated on the illustrative drawings, however this could be achieved albeit with potentially less frontage landscaping.
- 6.14 **Residential amenity**  
Paragraph 130 (f) of the NPPF sets out that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. 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.
- 6.15 The illustrative drawings do show the apartment block extending some 8-8.5 metres beyond the rear elevation of the maisonettes 63/63a Matson Avenue, however this is with a distance of just over 8 metres between the flank elevation of the proposed apartment block and the nearest part of 63/63a. It is considered that there would be sufficient spacing distance to prevent a material loss of light to the windows in the rear elevation of 63/63a, and also as the illustrative drawings show two more frontage parking spaces than required by 'Manual for Gloucestershire streets' then there is the possibility at the reserved matters stage for the deletion of a couple of parking spaces and the building being shown moved forward slightly to improve the relationship.
- 6.16 To the rear of the indicated apartment block there would be a distance of 17 metres to the eastern site boundary, ensuring an adequate relationship with neighbouring properties to the east, while to the south there would be a distance of 12 metres from the blank flank elevation of the apartment block to the rear elevations of the terraced houses, which again is considered an acceptable distance.
- 6.17 The four proposed terraced houses as shown on the illustrated drawings would relate well to each other and would not cause harm to the amenities of neighbouring existing residential occupiers or to the amenities of the potential occupiers of the apartment block.
- 6.18 In terms of external amenity space for the potential occupiers, the dwelling houses are all shown with reasonable sized rear gardens, while a decent sized area (well over 300 square metres) is shown for the apartment block. In terms of internal floorspace, Policy F6 of the

emerging City Plan requires development proposals to meet Nationally Described Space Standards and the illustrative drawings show the dwellings just meeting the standards. An informative will be put on any approval to remind the applicant that the reserved matter submission needs to comply with these standards.

6.19 The Council's noise consultant has stated that background noise levels at night (23:00 - 07:00) may be elevated due to proximity to M5 and a noise impact assessment should be submitted to determine that suitable noise levels can be achieved, or to indicate the necessary mitigation measures required to do so. This would form a condition on any recommendation for approval.

6.20 Overall, it is considered that the illustrative drawings show that there is the potential to build 6 apartments and 4 dwellings on the site, while providing adequate amenity levels for the proposed occupiers and protecting the amenity of the existing neighbouring occupiers. Policy SD14 of the JCS and requirements of the NPPF are therefore met.

6.21 ***Drainage and flood risk***

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.

6.22 The site is in Flood Zone 1, therefore at very low risk of flooding. The comments of the Local Lead Flood Authority will be provided to members at Planning Committee.

**Ecology**

6.23 The NPPF requires development to minimise impacts on and provide net gains for biodiversity. Policy SD9 of the JCS similarly requires the protection and enhancement of biodiversity in the area. The emerging City Plan requires the conservation of biodiversity and providing net gains, and also a policy specifically restricting development that would be likely to lead directly or indirectly to an adverse effect on the integrity of the Cotswold Beechwoods Special Area of Conservation and the effects cannot be mitigated.

6.24 The Council's ecology consultant states that it seems unlikely that the development proposed in the form of four dwellings and six apartments would have significant effects on these Natura 2000 sites, however she recommends that each resident is provided with a Home Owner Information Pack (HIP) detailing local walks and sites that residents can use and highlighting public transport links and bike/footpath routes to them. This would help take the pressure off the Natura 2000 sites and could form a condition on any approval.

**Contaminated land**

6.25 The NPPF seeks to ensure that sites are suitable for the proposed use in respect of risks from contamination. Policy SD14 of the JCS requires that developments do not result in exposure to unacceptable risk from existing or potential sources of pollution, and incorporate investigation and remediation of any contamination.

6.26 The Council's contaminated land consultant confirms that no contaminated land concerns have been identified in this area.

**Waste minimisation**

6.27 The County Council Waste Core Strategy requires a waste minimisation statement. Policy SD3 of the JCS requires major developments to be accompanied by a waste minimisation



statement and expects development to incorporate the principles of waste minimisation

6.28 This is an outline application with all matters reserved. The submission of a waste minimisation statement will form a condition on any approval.

6.29 ***Education and Community Facilities***

The NPPF provides that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities Policies INF3, INF4 and INF6 of the JCS require new residential developments to provide for any additional infrastructure and community facilities required to serve the proposed development. Policies OS.2, OS.3, and OS.7 of the 2002 Plan set out the council's requirements for open space.

6.30 ***Economic considerations***

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.

6.31 ***Planning Obligations***

Planning legislation and the NPPF provide that planning obligations should only be sought where they meet all of the following tests:

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

6.32 This is reflected in Policy INF6 of the JCS which provides that where the need for additional infrastructure and services is expected, the local planning authority will seek to secure appropriate infrastructure which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. Similarly, a Section 106 agreement is the mechanism for providing affordable housing in compliance with Policy SD12. The requirements for S106 contributions arising from the proposal are set out below.

6.33 ***Affordable housing***

As set out above the proposal for affordable housing is for three dwelling units to be provided.

6.34 ***Education***

A contribution of £32,830.40 is proposed for secondary school provision, towards the provision of additional places in the Gloucester Secondary Planning Area. .

6.35 The applicant has agreed to the above contributions which will be delivered via a Section 106 agreement. It is considered that these contributions comply with NPPF requirements and CIL Regulations and would mitigate the impacts of the development. Therefore, it is considered that the proposed development makes adequate provision for infrastructure and affordable housing in accordance with Policies INF3, INF4, INF6 and SD12 of the JCS

6.32 ***Conclusion***

This application has been considered in the context of the policies and guidance referred to above. Whilst the application is an outline application with all matters reserved, therefore only seeking approval for the principal of residential development at this stage, the submitted illustrative drawings show that 6 apartments and 4 houses can be potentially accommodated on the site in a satisfactory design, with no highway safety implications, and no detrimental impact upon the amenity of any neighbours and the local area.

## 7.0 RECOMMENDATION OF THE HEAD OF PLACE

7.1 That, subject to the completion of a Section 106 agreement to provide the following:  
1) 3 affordable dwelling units ; and  
2) £32,830.40 for secondary school provision *in the Gloucester Secondary Planning Area*.

7.2 That planning permission is GRANTED subject to the following conditions;

### 7.3 **1) Outline: Time limit for submission of reserved matters**

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

#### **Reason:**

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

### 2 ) **Outline: Time limit for commencement**

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

#### **Reason:**

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

### **3)Outline: Reserved matters requiring approval**

The development for which permission is hereby granted shall not be begun before details showing the layout, scale, external appearance of the building(s), landscaping and access (hereinafter referred to as "the reserved matters") have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

#### **Reason:**

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended). The application is in outline and the reserved matters referred to are required to enable the Local Planning Authority to exercise control over these aspects of the development.

### **4) Noise Assessment**

Any application for the approval of reserved matters which includes details of the siting of any dwelling shall be accompanied by a noise assessment and where necessary , a scheme of noise attenuation measures to protect the dwelling units (internal/external amenity space). Any noise mitigation measures so identified shall be implemented prior to the first occupation of the dwellings so affected and shall be retained for the lifetime of the use.

#### **Reason:**

To safeguard the future occupiers of the dwellings and amenity of the area in accordance with Policy SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).

#### **5) Approved drawings/documents**

The development hereby permitted shall be carried out in accordance with the following approved drawing numbers./documents except where these may be modified by any other conditions attached to this permission.

Location Plan – Drawing No.1.

Proposed Site Plan – Drawing No.2

Mhp arboricultural consultants statement dated 09/07/2021 Version V1

#### **Reason:**

For the avoidance of doubt and in the interests of proper planning.

#### **6)Samples of Materials**

No work above floor plate level shall be carried out until samples of the external materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

#### **Reason:**

To ensure that materials are in keeping with the surrounding area and to provide for high quality design.

#### **7)Replacement Trees/Hedgerows -Details Required & Provision for replacement**

The trees/hedgerows to be removed shall be replaced during the first planting season following removal by trees/hedgerows of a species, size and in locations that have first been submitted to and approved in writing by the Local Planning Authority. Any replacement trees/hedgerows which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in 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 period.

#### **Reason:**

In the interests of visual amenity and the character and appearance of the area.

#### **8)Tree/Hedgerow Planting Scheme-Details Required & Provision for replacement**

Before the first use/occupation of the development hereby permitted, full details of proposed tree/hedgerow planting shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, species and sizes, planting specifications, maintenance schedule, provision for guards or other protective measures. The details shall include the tree pit design and location, type and materials to be used for

hard landscaping including specifications. All planting shall be carried out in accordance with the approved details in the first planting season following the completion or first occupation/use of the development, whichever is the sooner. The planting shall be maintained in accordance with the approved schedule of maintenance. Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason:**

To ensure adequate provision for trees/hedgerows, in the interests of visual amenity and the character and appearance of the area.

**9)Implementation of Approved Tree/Hedgerow Planting Scheme**

All planting comprised in the approved details of tree/hedgerow planting shall be carried out in the first planting season following the occupation of any building or the completion of the development, whichever is the sooner. Any trees or hedgerows, which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. If any trees or hedgerows fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year period.

**Reason:**

To ensure adequate provision for trees/hedgerows, in the interests of visual amenity and the character and appearance of the area.

**10)Submission of details for Trees/Hedgerow Protection Measures**

No development including demolition, site clearance, materials delivery or erection of site buildings, shall start on the site until measures to protect trees/hedgerows on and adjacent to the site have been installed in accordance with details that have been submitted to and approved in writing by the local planning authority. These measures shall include: 1. Temporary fencing for the protection of all retained trees/hedgerows on and adjacent to the site whose Root Protection Areas (RPA) fall within the site to be erected in accordance with BS 5837(2012) or subsequent revisions (Trees in Relation to Design, Demolition and Construction). Any alternative fencing type or position not strictly in accordance with BS 5837 (2012) shall be agreed in writing by the local planning authority prior to the start of development. The RPA is defined in BS5837(2012). 2. Construction Exclusion Zone (CEZ): The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the CEZ. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, site compounds, cabins or other temporary buildings, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the CEZ, unless agreed in writing with the local planning authority. The approved tree protection measures shall remain in place until the completion of development or unless otherwise agreed in writing with the local planning authority.

**Reason:**

To ensure adequate protection measures for existing trees/hedgerows to be retained, in

the interests of visual amenity and the character and appearance of the area.

### **11) Implementation of Approved Trees/Hedgerow Protection Measures**

The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved details before any development including demolition, site clearance, materials delivery or erection of site buildings, starts on the site. The approved tree protection measures shall remain in place until the completion of development or unless otherwise agreed in writing with the local planning authority. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within any area fenced, unless agreed in writing with the local planning authority.

#### **Reason:**

To ensure adequate protection measures for existing trees/hedgerows to be retained, in the interests of visual amenity and the character and appearance of the area

### **12) Home Information Pack – SSSI or SAC mitigation**

Prior to first occupation, a Homeowner Information Pack (HIP) setting out the location and sensitivities of the [define relevant SSSI and/or SAC] shall be submitted to and approved in writing by the local planning authority. The HIP shall include reference to the sensitivities of the sites, messages to help the new occupiers and their families enjoy informal recreation at the site and how to avoid negatively affecting it, alternative locations for recreational activities and off-road cycling and recommendations to dog owners for times of year dogs should be kept on lead when using the site (i.e. to avoid disturbance to livestock). Two copies of the HIP shall be provided to all future residents prior to occupation of each dwelling.

#### **Reason:**

In the interests of biodiversity.

### **13) Boundary Treatment**

No dwelling shall be occupied until details of the boundary fences/walls have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed and retained in accordance with these approved details for the lifetime of the development.

#### **Reason:**

To ensure adequate provision for privacy and in the interests of visual amenity.

### **14) Construction and Environmental Management Plan**

Prior to commencement of any development within a Construction (and demolition) Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include (but is not limited to):

- a. Site access/egress
- b. Staff/contractor facilities and travel arrangements
- c. Dust mitigation
- d. Noise and vibration mitigation

- e. Mitigation of the impacts of lighting proposed for the construction phase
  - f. Measures for controlling leaks and spillages, managing silt and pollutants
  - g. Plans for the disposal and recycling of waste
- Development shall take place only in accordance with the approved CEMP.

**Reason:**

To protect existing and proposed properties from the impacts of short term exposure to noise, vibration, light and dust nuisance.

**15) Construction Hours**

During the construction phase (including demolition and preparatory groundworks), no machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or dispatched 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 protect the noise climate and amenity of local residents.

**16) Surface Water Drainage**

No development shall start until a detailed design, maintenance and management strategy and timetable of implementation for the surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The submitted details must demonstrate the technical feasibility and viability of the proposed drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The scheme for the surface water drainage shall be implemented in accordance with the approved details and timetable and shall be fully operational before the development is first put in to use/occupied.

**Reason:**

To ensure the development is provided with a satisfactory means of drainage and thereby reducing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

**17) Foul drainage**

No building hereby permitted shall be occupied until details of the design, implementation, maintenance and management of foul water drainage works have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, and the drainage maintained/managed, in accordance with the approved details.

**Reason:**

To ensure development would not result in unacceptable risk of pollution or harm to the environment

**18) Refuse storage**

No dwelling shall be occupied until details of refuse bin storage facilities have been

provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall thereafter be maintained for the lifetime of the development.

**Reason:**

To ensure adequate refuse storage facilities are incorporated in the development and to ensure high quality design.

**19) Waste Minimisation**

The first reserved matters application submitted pursuant to Condition 3 shall be accompanied by details of a waste minimisation strategy for the site. Provision must include appropriate and adequate space to allow for the separate storage of recyclable waste materials. The development shall be carried out in accordance with the approved details.

**Reason**

To ensure the effective implementation of waste minimisation.

**20) Car parking/turning areas**

Details of car parking ( to include EV charging facilities for each dwelling) and turning areas shall be submitted to and approved in writing by the Local Planning Authority , then constructed and marked out ready for use , all before occupation of any of the dwellings hereby permitted and these areas shall thereafter be retained as such for the lifetime of the development.

**Reason**

To ensure adequate parking provision on site and to accord with the NPPF.

**21) Cycle parking**

Details of secure and covered cycle parking shall be submitted to and approved in writing by the Local Planning Authority , then constructed and marked out ready for use all before occupation of any of the dwellings hereby permitted and thereafter retained as such for the lifetime of the development.

**Reason**

To ensure a sustainable development and to accord with the NPPF.

**INFORMATIVE**

- 1) The applicant is reminded that the submission at the reserved matters stage needs to show all the dwellings providing internal space to meet the Nationally Described Space Standards

**Person to Contact:** Ron Moss (396835)





Planning Application: | 20/00847/OUT

Address: | Robinswood Inn Matson  
Avenue Gloucester GL4 6LJ

Committee Date: |

