

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee: | Planning

Date: | 7th November 2023

Address/Location: | White City Adventure Playground, Northfield Road, Gloucester

Application No: | 22/00833/FUL

Ward: | Matson, Robinswood & White City

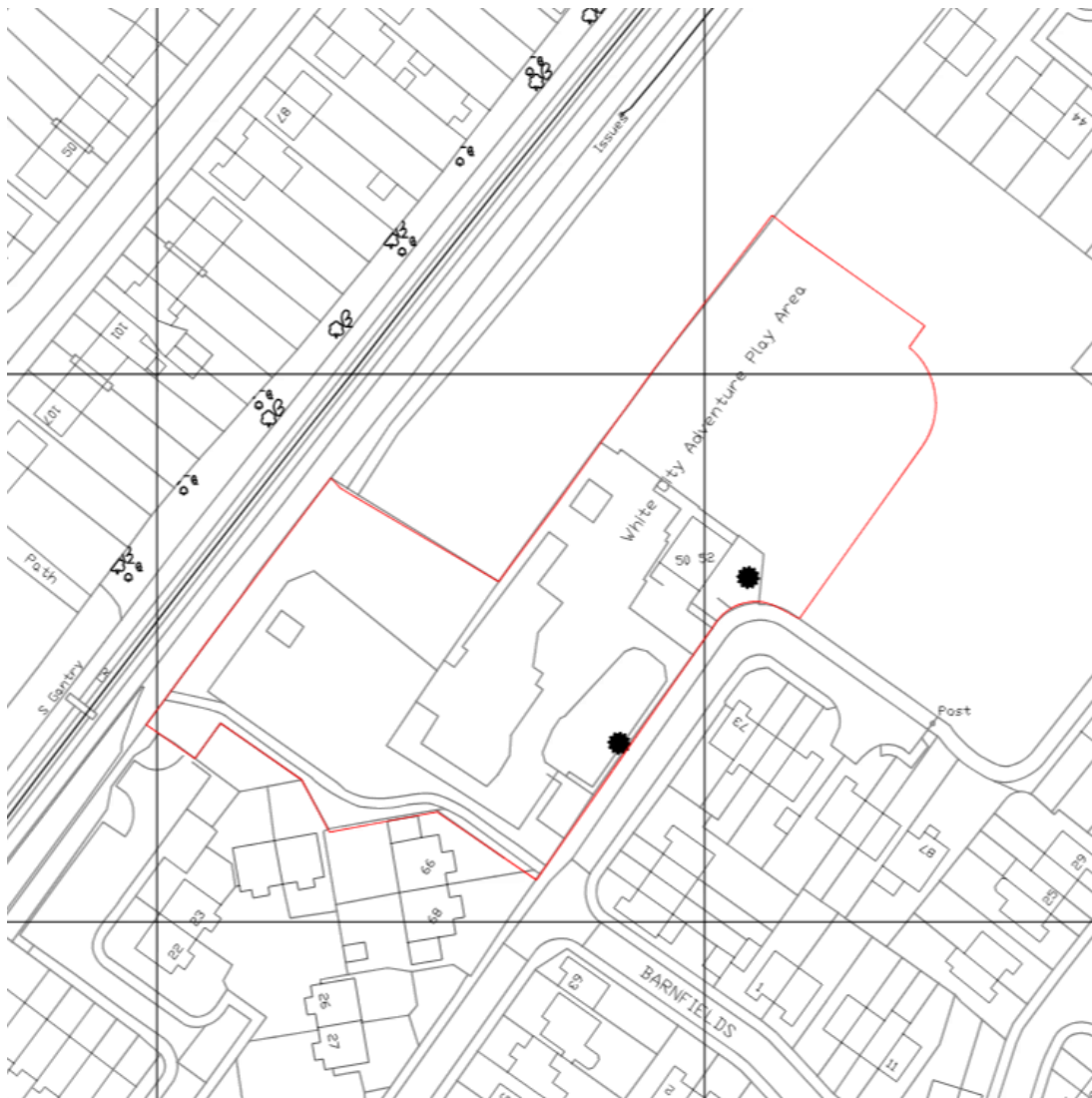
Expiry Date: | 10.12.22

Applicant: | The White City Community and Recreation CIO

Proposal: | Proposed demolition of existing venture playground building and construction of new community and recreation centre with associated external works, multi use games area, new play area, car park and associated vehicular access, and formation of vehicular access at Dickens Close (amended scheme pursuant to ref. 21/00298/FUL)

Report by: | Adam Smith

Appendices: | Site location plan (below)
Site layout plan (appended at end of report)



1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site comprises land off Northfield Road, involving the existing play area and buildings, and part of the existing grass field to the north east. To the north and north west of the site are allotments and the railway line, beyond which are residential properties. To the south west of the site and to the south east across Northfield Road are residential properties. To the north east is the remainder of the grass field, and residential properties beyond this. The site is generally flat, with localised levels differences across it.
- 1.2 The proposal is for a new community centre and a range of associated facilities. A previous application for a similar scheme but with a larger building was granted by the Council in September 2021. This new application is a revision to that scheme and is similar in many respects. The main changes are the main building is now smaller, and a Multi Use Games Area (MUGA) is now proposed at the rear of the site where a second, smaller 'Venture' building was located in the previous approved scheme. The main building would be sited broadly in the middle of the site and is proposed on a smaller footprint than the approved scheme. A new access road would be formed from the corner of Northfield Road into the field to serve a car park to the north east of the proposed main building, which is in the same arrangement as the approved scheme. A new play area would be constructed at the south western part of the site broadly as per the approved scheme. The MUGA would be sited at the western edge of the site backing onto the railway line with an acoustic fence to part of its perimeter.
- 1.3 The main community centre building would be two storeys in height, with part flat roof, part pitched roof. It would include two halls (a main hall and a secondary one for a playgroup), with an events room and café/bar, kitchen and their 'Venture' room at ground floor, and the main hall, IT and meeting rooms at first floor. The maximum height of the building would be approximately 9.1 m. The main facing materials would be timber cladding to the walls with a blue brickwork base, and a standing seam roof with photo voltaic panels, again this is all as per the approved scheme. The MUGA is proposed at 18m by 38m and proposed to be used for football, basketball, tennis and netball.
- 1.4 New boundary treatments are proposed; to the south 750mm galvanised steel railings along the edge of the play area, immediately north of the east-west running existing path; to the east boundary onto Northfield Road 750mm and 900mm galvanised steel railings and gates in front of the play area and building; 2.2m galvanised steel railings and gates to the south west corner and the proposed access there; to the western railway boundary the retention of the existing 2.35m security fence; and retention of the chain link fence to the allotment boundary. A new gated access point is proposed through to Dickens Close as per the approved scheme, in part to provide a vehicular egress point for delivery vehicles visiting the adjacent allotments. The fence to the MUGA would be a 2m tall acoustic fence. The existing path that runs east-west along the south west of the site is again retained. (I understand that this path used to link to a pedestrian railway crossing that was closed off – there is a footbridge further south – but is still used by Network Rail for maintenance access).
- 1.5 The play area would again be situated at the south east part of the site and is described in more detail in the residential amenity analysis below. New tree planting is proposed around the car park. External seating is proposed to the front along Northfield Road. External lighting is proposed to the building and the surrounding paths and car park. Some levels changes are proposed; e.g. around the building levels would be c.0.8 to 1.2m higher at the rear next to the allotments.
- 1.6 The intention of the community group is that the scheme would be used for a range of services and activities including;

Meeting place, sports, job hunting, benefits advice;
Classes;
Community play;
Cultural and social events;
Safe space for children to meet;
Drop in centre;
Health clinics;
Advice sessions;
Surgeries with Councillors, police, housing landlords, etc;
Education classes;
Arts and cultural activities;
Childcare;
Café;
Office space and IT facilities;
Hire options for training, conferences and meetings;
New and improved playground for the Venture.

Opening hours for the community and recreation centre are proposed as Monday to Saturday 7am to 10pm; Sundays 8am to 9pm, excluding bank holidays. The adventure playground would have open access, but supervised after school 3:30pm to 6pm and during school holidays 10:30am to 3:30pm at which times the Venture facility would be open. The MUGA would have specific opening times (commented on further below).

1.7 The application is referred to the Committee because Council land is involved and one objection has been received.

2.0 **RELEVANT PLANNING HISTORY**

21/00298/FUL

Construction of Community and Recreation Centre, Adventure Playground building with associated external works, new play area, car park and associated vehicular access, and formation of vehicular access at Dickens Close. Granted following Planning Committee decision 13/9/21.

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
SD8 – Historic Environment
SD9 – Biodiversity and geodiversity
SD14 – Health and environmental quality

INF1 – Transport network
INF2 – Flood risk management
INF3 – Green Infrastructure
INF4 – Social and community Infrastructure

3.4 **Gloucester City Plan**

Gloucester City Plan (“City Plan”) was adopted in January 2023 and will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City.

Relevant policies include:

A1 – Effective and efficient use of land and buildings
C1 – Active design and accessibility
C3 – Public open space, playing fields and sports facilities
C5 – Air quality
D1 – Historic environment
E1 – Biodiversity and geodiversity
E3 – Green/blue infrastructure
E4 – Flooding, sustainable drainage, and wastewater
E7 – Trees, woodlands and hedgerows
F1 – Materials and finishes
F2 – Landscape and planting
F3 – Community safety
G1 – Sustainable transport and parking
G2 – Cycling
G3 – Walking
Allocation Policy SA17 – White City Community facility

3.5 **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 (existing policies) 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.

3.6 **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:

SR2 – Playing fields and recreational open space

3.7 **Supplementary Planning Guidance/Documents**

SuDS Design Guide 2013
Interim Adoption Designing Safer Places SPD 2008
Waste Minimisation in Development Projects 2006

All policies can be viewed at the relevant website address:- national policies:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Gloucester City policies:

4.0 **CONSULTATIONS**

- 4.1 The **Highway Authority** raises no objection subject to conditions to secure electric vehicle charging, a construction management plan, provision of the parking and of the means of access prior to occupation, provision of the cycle storage, provision of motorcycle parking, provision of a give way marking on the access road, ensuring means of access is completed pre-occupation, and controlling use of the Dickens Close access.
- 4.2 The **Planning Policy Team** previously noted on the earlier application that the site is a proposed allocation in the City Plan (now adopted) and there is in-principle support for the application. No objection was raised in terms of potential conflict with the Blackbridge scheme which has since received planning permission.
- 4.3 **Sport England** raises no objection on the basis of the provision of the MUGA, in the context of the informal use of and unusual size of the field being partially lost, and with the provision of smaller rooms within the proposed community building that can be used for informal physical activity.
- 4.4 The **Public Open Space consultant** initially made recommendations regarding pedestrian access, the MUGA enclosure and the play equipment. Following amendments and discussions on the scheme the consultant raises no objections, subject to conditions if needed to approve final play area specifications.
- 4.5 **The Tree Officer** raises no object to the loss of trees with suitable mitigation, subject to conditions to secure approval of planting details, implementation, tree protection measures, works in the root protection areas of trees, and timings for vegetation removal.
- 4.6 The **Contaminated Land Consultant** recommends a reduced version of the contaminated land condition and a further condition in relation to importation of soils.
- 4.7 The **Drainage consultant** raises no objection subject to a condition to secure approval of the detailed drainage design to a specified surface water discharge rate.
- 4.8 **The Environmental Health consultant** initially recommended that further information be provided in relation to the noise impacts of the MUGA. The consultant has now reviewed the additional noise report and 2m acoustic fence proposal and recommends that it is acceptable, and along with the original conditions relating to plant for the building the proposal is acceptable. A Construction and Environment Management Plan should also be secured by condition, and also the building specification to secure the noise mitigation properties, and possibly hours of opening and the lighting plan.
- 4.9 The **Lead Local Flood Authority** raises no objection.
- 4.10 The **City Archaeologist** raises no objection.
- 4.11 **Severn Trent Water** raises no objection subject to conditions to secure details of surface and foul drainage.
- 4.12 **The County Council Minerals and Waste Team** has not commented but on the previous application they sought further information on waste minimisation, and raised no objection in terms of potential minerals sterilisation.

4.13 **Network Rail** raises no objection in principle but raised asset protection comments on fencing, drainage and open space/play area boundaries, which they strongly recommend the applicant actions if permission is granted. (It is noted that in the previous application they raised a series of asset protection issues and subsequently confirmed that application details were acceptable to them).

5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 99 neighbouring properties were notified directly and press and site notices were also published.

5.2 One representation has been received raising anti social behaviour associated with the playground, and increased congestion.

5.3 The full content of all correspondence on this application can be viewed on:
[Search Planning Applications - Gloucester City Council](#)

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 It is considered that the main issues with regard to this application are as follows. Many of these issues reflect the same analysis as in the approved application but it is included for completeness. In relation to the historic environment no heritage assets are considered to be affected, the City Archaeologist raises no objection, and this matter is not considered further.

- Principle (including the loss of part of the field)
- Design, layout and landscaping
- Traffic and transport
- Residential amenity / environmental health
- Drainage and flood risk
- Land contamination
- Ecology
- Sustainability
- Waste minimisation
- Minerals
- Economic considerations

6.4 **Principle**

The NPPF requires decisions to give substantial weight to the value of using suitable brownfield land within settlements for identified needs. Decisions should support development that makes efficient use of land. To provide the social, recreational and cultural facilities and services the community needs, decisions should plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments; should support strategies to improve health social and cultural well being for all sections of the community; guard against the unnecessary loss of valued facilities and services, and ensure that established facilities and services are able to develop and modernise, and are retained for the benefit of the community. The NPPF requires decisions to aim to achieve healthy, inclusive and safe places which promote social interaction, and enable and support healthy lifestyles.

- 6.5 The NPPF sets out the importance of access to high quality open spaces and opportunities for sport and physical activity. It sets out that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

- 6.6 JCS Policy SP2 seeks to focus development in the JCS area at Gloucester and Cheltenham. Policy INF4 deals with social and community infrastructure and sets out that proposals to develop land or buildings currently or previously in use as a community facility need to demonstrate, including evidence of engagement with relevant local community groups and partner organisations, why the facility is no longer required and, as appropriate, how, when and where suitable local replacement facilities will be provided. It furthermore sets out, in relation to new community infrastructure that these should be centrally located to the population it serves and be easily accessible on foot and bicycle, and to have the potential to be well served by public transport. Flexible, multifunctional facilities are encouraged.

- 6.7 City Plan Policy C3 protects existing public open spaces, playing fields and built sports facilities from redevelopment for alternative uses in whole or part unless it can be demonstrated that any of the criteria are met, which relate to; excess of provision and no current or planned future demand for it; replacement by equivalent or better quality alternative provision in an appropriate location to the community; ancillary development that would enhance existing facilities and not prejudice ongoing use; or it affects land not suitable or incapable of forming an effective part of the open space and would not prejudice ongoing use of the remainder. It also notes that proposals to provide new built sports facilities will be supported where they deliver the aims and recommendations of the Open Space, Playing Pitch and Built Sports Facilities Strategies.

- 6.8 The Second Deposit Local Plan 2002 Policy SR2 opposes development proposals which involve the loss of playing fields, formal and informal recreational open space and their ancillary facilities unless it can be demonstrated that any of the criteria are met, which relate to: the redevelopment of a small part will secure the retention and improvements of the sports and recreation facilities; alternative provision of equivalent or better standard is made available, a clear long term excess of sports pitch and public open space can be shown to exist; or the proposed development is for an indoor sports facility, which would provide sufficient community benefit to outweigh the loss.

6.9 **Community considerations**

There is no policy test of 'need' for the development proposed, however the City Plan allocation acknowledges an identified need for a community facility in this area, and the applicant has submitted a report setting out their perception of local need, including;

- Deprived community, factors likely to be magnified by Covid 19;
- Pro-active community seeking better outcomes for themselves;
- Lack of major investment in recent years;
- The Venture is the only community asset in White City; no other recreational or social support services locally;
- No community space to meet or enjoy activities;
- No community sports facilities in the White City area;
- Pressure on existing facilities such as schools and retirement housing to accommodate events and activities;
- Lack of spaces to accommodate health clinics and mobile services that used to exist locally;
- Lack of sports facilities;
- Lack of access to support, information and advice;
- Lack of affordable childcare;
- Strong local support for the project.

6.10 The locality is scored poorly in various indices of deprivation and the applicant has set out the loss of a range of community assets over time but also the success and popularity of the existing venture playground. It reports a significant need for additional sports and recreation facilities, and for contact points for information, support and advice. The need for the facility is already acknowledged in the development plan and addressing the above needs would be a significant public benefit arising from the development. The proposals would be likely to have significant benefits to the community in providing a range of enhanced opportunities for play, education, socialising and exercise. This weighs in favour of granting permission.

6.11 **Location of the community facility**

Policy INF4 of the JCS requires community infrastructure to be centrally located to the population it serves and be easily accessible on foot and bicycle, with the potential to be well served by public transport and the application demonstrates that this would be the case. The proposal would provide for the flexible, multi functional community infrastructure encouraged by Policy INF4.

6.12 The site is partially previously-developed land and partially a grass field. The site is in part allocated in the City Plan (SA20). This allocation relates to broadly the southern half of the proposed site and is for a community facility. The policy notes the identified need for a new community facility in the area to replace that lost on the St Aldates Church site. The policy requires the proposal to deliver for the needs of the community and complement the Blackbridge Sports and Community hub (allocation SA06). The detailed requirements of the allocation policy SA20 are referred to in subsequent sections. There is therefore in-principle support for a facility on the site. However the application proposals extend beyond this allocation boundary and need to be considered in the context of the loss of the field that would be caused, which is not considered in the allocation policy, and is addressed in the following section.

6.13 **Partial loss of field**

The development would in part be constructed on the site of the existing play area and community building. This would be broadly the site of the proposed new buildings and play area. The car park however would extend into the existing grass field to the north. Sport England is a key consultee in this context.

- 6.14 It is not apparent that the field has formal pitch markings and as Sport England have noted, the slightly unusual size does not conform to recognised pitch dimensions. The field is not recorded in the Council's Playing Pitch Strategy as a formal sports pitch and is recorded in the Council's Open Space Strategy as an amenity space of low site quality and biodiversity value but high community value. There are very few similar spaces nearby. The Strategy recommends that the site should be prioritised for improvement and investment, to update existing facilities or provide new features. The Council's Built Indoor Facilities Strategy needs assessment refers to the application project specifically as a future development. It notes the likely benefits of expanding accessibility of sports provision to the local community who may otherwise not be able to access it. The Built Facilities Strategy also recommends the identification of ongoing investment requirements to protect and improve existing sports facilities, especially in the south of the city, ensure daytime access to indoor sports, notes a shortfall of sports hall provision, and supports development that may assist in increasing sport and physical activity in the wider community.
- 6.15 The City Plan allocation policy requires the proposal to facilitate better use of the existing open space. This was written based on an allocation not extending onto the field. In so far as the proposal could provide supporting facilities (refreshment facilities, meeting space) and potentially attracting more usage, it could facilitate better use of the remaining part, however clearly it would substantially reduce the amount of space remaining.
- 6.16 Given the reduced size of the building now applied for, the scheme is no longer able to offer the full range of facilities as in the previous scheme; most notably the sports hall is omitted. This is relevant to revisiting the conclusions on the previous scheme because the hall would have been primarily for sports/recreation (in particular 5 a side football likely for 60% of the usage). The Council's previous assessment was that this would go some way to replicating the 'kick-about' function of the grass field, along with badminton and other sports such as indoor bowls and boot camps. The application no longer lists sporting activities for the (now-smaller) hall although possibly some health and fitness classes or other smaller scale physical activities may be held. Therefore the planning judgement on this trade-off of part-loss of the field vs. new sports provision is different in the new application.
- 6.17 There is however a Multi Use Game Area (MUGA) now proposed. The new MUGA is evidently proposed to replicate the activities indicated for the former hall to some degree and is proposed to accommodate football, basketball, tennis and netball. Sport England has advised that the Football Foundation is promoting MUGAs or Playzones as they consider them an entry level into the sport. It is therefore considered that the proposal still includes a broad replication of the 'kick-about' function of the part of the field that would be lost to the proposed car park. I understand it would also still be possible to lay out two under 7s or 8s pitches on the remainder of the field if desired. Sport England raises no objection in the context of these proposals. It is therefore considered that the application complies with the exception criteria whereby the proposal would be of sufficient benefit to sports development as to outweigh the detriment caused by the loss of the field.
- 6.18 The Open Space Assessment from the first application has been submitted again, arguing that the loss is mitigated by the potential to expand the play area in future, tree planting and landscaping, and that this also allows for the loss of some of the open space to a car park, while the field not being in current use for a pitch demonstrates that there are other open spaces available and this open space will not be impacted by the proposed development. It is worth stating again for clarity that Officers do not agree with the analysis in this open space assessment and it is not the basis for accepting the partial loss of the field. As above it has been agreed with Sport England that given the specific other provision in the scheme, that the loss of part of the field is acceptable. Given this mitigation proposal it is recommended that a condition is used to secure the MUGA provision relative to the loss of the field.

- 6.19 In this context it is considered that the proposal meets the various exceptions set out in the above policies by delivering sports and recreational benefits to outweigh the harm caused by the partial loss of the field.
- 6.20 In terms of the relative loss of the play equipment area (2262sqm to 2060sqm), the submission indicates a more extensive provision of play equipment than currently, while it would also be expected from the design and proposed use that the new community centre would provide an increase in children's sport and play opportunities in an alternative manner. In this context it is considered that the significant community benefits likely to accrue from the scheme would outweigh the reduction in the physical extent of the play area. Nevertheless, in order to seek to maintain continuity of provision it is recommended that a condition be imposed to secure the re-provision of the play area as early as possible to ensure that there is not a wholesale loss of play area facilities for the community, and seek to secure as close to ongoing continuity of the play provision as possible.
- 6.21 In terms of the City Plan policy test of co-ordinating the proposal with the Blackbridge scheme, the situation has moved on since the Council approved the previous application, with the Blackbridge scheme now having planning permission, which was not affected by this scheme. The applicant's community need statement set out that they are in close contact with the Blackbridge project to maximise benefits and avoid duplication, and I understand that there is some overlap with trustees of the projects. Overall as with the approved application it is not considered that the proposal and Blackbridge will compete; the Blackbridge scheme now has planning permission, regeneration in the Podsmead area may lead to increased interest for Blackbridge; both schemes respond to a local need and there is likely to be less enthusiasm from local people to travel outside of the local area for the facilities being proposed in this application.
- 6.22 Overall, the proposal is considered acceptable in relation to the various loss and re-provision of local facilities, would be within the built up area of the City on a partially brownfield site in a sustainable location, and as a community facility would be well related to the community it would serve. The proposal complies with the above policy context.
- 6.23 ***Design, layout and landscaping***
The NPPF states that good design is a key aspect of sustainable development, and sets out criteria for decision making including ensuring that developments will function well and add to the overall quality of the area, are visually attractive, sympathetic to local character and history while not preventing or discouraging appropriate innovation or change, establish/maintain a strong sense of place, optimise the potential of the site to accommodate an appropriate amount and mix of development, and create safe, inclusive accessible places.
- 6.24 JCS Policy SD4 sets out requirements for high quality design, including responding positively to and respecting the character of the site and surroundings, and being of a scale and materials appropriate to the site and setting. Design should establish a strong sense of place and have appropriate regard to the historic environment. Policy INF3 requires development to positively contribute to green infrastructure, also setting out that proposals that would impact on trees will need to include a justification for why this cannot be avoided and should incorporate mitigation for the loss.

- 6.25 Policy A1 of the City Plan requires overall improvements to the built and natural environment, preserving the character of the area and appearance of the streetscene, and appropriate bin storage. Policy C1 requires development to meet the highest possible standards of accessible and inclusive design. Policy E7 requires biodiversity net gain on site (or a suitable alternative) if there is unavoidable significant adverse impact on trees, woodland or hedgerows, and tree protection measures during development. Policy F1 requires high quality architectural detailing, external materials and finishes that are locally distinctive, and developments to make a positive contribution to the character and appearance of the locality. Innovative modern materials will be encouraged where they strongly compliment local distinctiveness. Policy F2 requires hard surfacing, boundary treatments and planting to be appropriate to the location, and incorporate existing natural features where possible, and ensure adequate space for trees to mature. Policy F3 requires development to be designed to ensure that community safety is a fundamental principle. The City Plan allocation policy SA17 requires buildings to respond to the residential setting and character of the area and be domestic in scale.
- 6.26 The proposed siting of the main building would help create some built street frontage, which is a positive step from earlier draft iterations of the scheme. It would also create more activity in the locality and improve natural surveillance of the area in terms of designing out crime. Furthermore, lighting is proposed to the circulation areas. In terms of access to the buildings, the application confirms that the scheme is fully compliant with Part M of the Building Regulations.
- 6.27 The surroundings comprise of single and two storey residential properties. Given the proposed uses of the building it is not realistic to achieve a directly comparable form to the residential buildings in the locality. The scale and design of the amended proposal are similar to the approved scheme, but on a smaller footprint. The proposed main building is two storeys, and although the maximum roof height is likely to be higher than the residential buildings in the vicinity, given the siting, separation, and the sloped roof declining out to the street frontage, this is unlikely to be so strikingly different as to cause significant harm to the streetscene and character of the area and this is supported by the submitted elevations and sections. Overall, the building would be noticeably different to its surrounding buildings in footprint and form, however it is set away from these properties, with a declining roof slope towards the road, and the overall design and scale would not make it appear significantly overbearing within the streetscene.
- 6.28 A timber cladding is proposed as the main facing material to the walls. Most of the properties in the locality have a red/orange brick, with some render detailing. The timber cladding would not therefor be a direct match, however it would not be obtrusive and with the use of a good quality timber could help blend the building into its immediate backdrop of the playing field, allotments and tree line along the railway.

- 6.29 The boundary treatment to the southern boundary has been rationalized in amended plans to omit the proposal for an additional 1.8m close boarded fence which was of concern, so that now the existing boundary treatment is to be retained and a 750mm metal railing is proposed to the north side of the east-west running path at the edge of the play area. This should serve to enclose the play area without being obtrusive in the street, affect the outlook from the neighbouring properties, nor risk creating a no-mans land between two boundary treatments. The 2m tall acoustic fence to the MUGA is in an undesirable location from a purely design standpoint, in that it would put a substantial solid barrier in the way of views to the MUGA from the road and play area. In this set back position this large blank fence is less harmful visually, though I do have some concerns from a safety and security perspective and designing out anti social behaviour. I do acknowledge however that there is limit scope to site the MUGA elsewhere on the site, it is desirable to have it from an access to sports and exercise perspective, and the fence is needed to protect neighbours from excessive noise. In this regard the management of the MUGA use is key to controlling any misuse or safety issues, and with this in place, on balance, it is considered that the undesirable scale and siting of the fence can be accepted.
- 6.30 *Landscaping*
The trees proposed for removal are not of significant value and the Tree Officer is content that these can be removed, subject to suitable new planting as mitigation. Tree planting is proposed alongside the car park and access, along the southern path and immediately south of the proposed building. The planting proposals should be secured by condition, and would be to the benefit of the local environment and would help to soften the appearance of the development. Further conditions are required to protect retained trees during construction and control certain times of the vegetation works to protect habitat. Towards the western boundary no landscaping is proposed; the applicant has confirmed that the existing would be tidied up. The landscaping has also been updated to reflect the biodiversity net gain proposals at the south of the site.
- 6.31 *Public access*
The path at the south west edge of the site is not a Public Right of Way, and is now proposed to be retained in the scheme. While it no longer provides a through route over the railway it would provide connectivity around the site and I understand provides Network Rail the ability to access more easily. Its retention would also serve to give some more relief between the residential boundaries and the play area.
- 6.32 Overall, subject to conditions the proposal would comply with the above policy context.
- 6.33 ***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 and sets out that permission will be granted only where the impact of development is not considered to be severe. Policy G1 of the City Plan sets out the approach to vehicle and cycle parking. Policy G3 supports development that protects and enhances convenient, safe and pleasant walking environments, and improvement of walking routes to sustainable transport hubs. Proposals that disrupt walking desire lines, reduce the pedestrian legibility or reduce pedestrian connectivity will not generally be supported. Policy A1 requires adequate off-street parking, access, and covered and secure cycle storage.

- 6.34 The submitted Transport Assessment been considered by the Highway Authority. Northfield Road connects to the A38 Finlay Road to the south which provides a key north south link and access to trunk roads. Access and egress with Finlay Road at the closest point via Selwyn Road is available northbound only. Further south there is a northbound and southbound access off Finlay Road via Elmira Road. Given the surrounding pedestrian and cyclist accessibility and proposed usage of the building, walking and cycling are viable alternative means of accessing the site. Three bus stops are in the vicinity to the south served by the frequent service route 7 linking to the city centre. It is considered to be a sustainable location and not solely reliant on car travel.
- 6.35 40 parking spaces are proposed, 4 for disabled users. A car parking accumulation assessment was undertaken using TRICS, and showed a maximum of 23, so it is likely to operate within capacity. 16 enclosed cycle spaces are proposed. The Highway Authority agrees that sufficient parking for cars and cycles is proposed, and seeks provision of motorcycle spaces, which could be secured by condition. Electric vehicle provision is now covered by Building Regulations, but the other Highway Authority requests can be covered by conditions as with the previous permission.
- 6.36 The Highway Authority has agreed that the applicant's TRICS analysis is robust, having undertaken their own analysis, and there is no evidence to demonstrate that this section of highway is not operating in a safe manner. The analysis, based on the net change in traffic between the existing and proposed facilities, shows an increase in two-way movements during peak hours of 16 vehicles in the AM peak, and 23 vehicles in the PM peak.
- 6.37 While raising no objection in principle, Network Rail set out their requirements for protecting their operational land and while they do not request conditions the matters they raise are considered here. Retention of the existing 2.35m security fence would deal with their requirement for a fence along the boundary, which the applicant has confirmed would remain. The attenuation tank beneath the MUGA is outside Network Rail's required separation zone. In terms of impact of the proposed lighting on rail infrastructure, there are trees along the boundary which could provide screening, however they would die back in winter even if retained. The new application is accompanied by a new study of light to the rail lines. The maximum glare rating (which has reduced from the previous design) is in the 'unnoticeable' range albeit at the higher end. The applicant's lighting designer considers this acceptable and there is no objection from Network Rail. Furthermore this is calculated on a free field basis; in reality the trees and other vegetation, and the fence along this boundary would have a further screening effect for part or all of the year. The applicant has confirmed that no landscaping works are proposed at the railway boundary; only tidying of the existing. In addition the lights proposed are all downlighters along this edge of the site.

- 6.38 The site boundary includes a vehicle-sized gate at the south west corner of the adjacent allotments. The applicant advised that the current arrangement for allotment deliveries is that a land rover with trailer enters the allotments from the north end off Bibury Road and currently turns within the application site in the unused area at the rear of the current play area, and this appears to be borne out by the track through the grass that is evident in aerial views of the site. The application scheme would prevent this manoeuvre from occurring. As with the approved scheme the plan is now that the vehicle would exit the allotments and drive across the site (behind the MUGA) to exit through the new proposed opening to Dickens Close. The Highway Authority raises no objection subject to a condition to secure details of restricting use of the accesses to an entry/exit only arrangement. The applicant has advised that the Dickens Close gates would be controlled for the protection of the children using the play area. As there is no current access here, this heightened management of the access does not worsen the existing permeability of the site. The restriction of the Northfield Road access to a similar 'entry/exit-only' arrangement, sought in the first application comments, would not work as this is the only means of entry and exit to the car park, as opposed to a through-route which is the case with the allotments access. Furthermore the Highway Authority has not recommended that such a measure is necessary to protect highway safety.
- 6.39 In conclusion, subject to conditions, the proposal would not cause an unacceptable impact on highway safety or a severe impact on congestion, and would comply with the above policy context.
- 6.40 ***Residential amenity / environmental health***
The NPPF seeks to ensure that developments provide a high standard of amenity for existing and future users. The NPPF sets out that decisions should ensure development is appropriate for its location taking into account effects of pollution on health and living conditions, and should mitigate and reduce to a minimum adverse impacts from noise, and avoid noise giving rise to significant adverse impacts on health and quality of life. It also requires planning decisions to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants.
- 6.41 Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants. It also requires development to cause no unacceptable levels of pollution with respect to national and EU limit values. Policy C5 of the City Plan requires major developments to demonstrate compliance with certain standards for air pollutants. It also seeks to avoid building configurations that inhibit pollution dispersal, minimise public exposure to pollution sources, use green infrastructure to absorb pollutants, provide infrastructure that promotes transport modes with low air quality impacts, and control dust and emissions from construction operation and demolition.
- 6.42 The City Plan allocation policy SA17 sets out site specific requirements and opportunities including giving careful consideration to the impact on the adjacent bungalows, and that development should be set away and set down from these properties. Also to consider the site access position, hours of operation and scale of development to preserve amenity, noting particularly the properties opposite the site.
- 6.43 Impacts of the buildings:
The nearest neighbouring residential properties are across Northfield Road to the south east, and adjacent to the site at Northfield Road and Dickens Close to the south west. Beyond the playing field to the north east there are also residential properties off Hazleton Close and Stow Close.

- 6.44 The main building would be approximately 15m from the residential properties that are side-on, across Northfield Road, no. 73 being the nearest. The only windows facing these properties would be at ground floor. Given this and the separation, no harmful overlooking would be caused. Given the sloping roof on the road side and therefore the declining scale of building at its near side to these neighbours (approximately 2.6m high at the outer edge), it would not be overbearing to these properties or cause a significant loss of light or overshadowing effect.
- 6.45 Given the reduced footprint of the building, the building would be farther from the front of the houses that face towards the site on Northfield Road, further south (no. 71 being the closest). The separation is approximately 27m at closest, and on a diagonal relationship rather than directly opposite. Given this relationship similar conclusions apply and it is considered that resident's living conditions would be preserved. While there is a first floor window in the south side elevation of the building, it is even farther away, c.35m, and given the relationship, angle and separation no significant harm from overlooking would occur. Similarly to above, the building would not cause harm by overbearing, overshadowing or loss of light impacts to these properties.
- 6.46 The building would be approximately 43m from the frontage of the bungalow plot (no. 66 Northfield Road) to the south facing diagonally towards the site, and 46m from the bungalow itself. It would be approximately 50m from the bungalow's rear garden at an angle (the back of the bungalow faces diagonally away from the site). While the building would clearly be perceived from the front of this neighbouring property, given the scale, separation and relationship to the front of the bungalow, it would not cause significant harm by an overbearing effect or loss of light. It would be to the south west of the building and no overshadowing would occur. The ground and first floor side windows in the building would face towards this property but not cause significant harm to privacy given the relationship and distance.
- 6.47 The building would be approximately 54m from the rear garden of the bungalow behind no. 66 (25 Dickens Close). The separation, relationship, scale and position of windows are such that no harm would be caused by overlooking, overshadowing, loss of light or overbearing effects.
- 6.48 The main building is sufficiently far from all other properties in the vicinity that at the scale proposed it would not cause harm to the amenities of residents. The 2m fencing to the MUGA would be separated from the nearby gardens and not considered to be harmful given its scale.
- 6.49 Impacts of the building use:
The opening hours of the main building are proposed as Monday to Saturday 7am to 10pm, Sundays 8am to 9pm. If the basic level of noise mitigation from the building can be agreed, these hours are considered reasonable in terms of local amenity and could be secured by condition. Beyond this, the applicants also seek allowance for up to 11 instances per year when opening until 11pm for parties/weddings hire. In the approved application an occasional allowance to 11pm with a limit of 6 per calendar year was given. It seems likely that occasional later usage might be acceptable at weekends, but this is a residential area and the management of such activities would be key to minimising impact. It is therefore recommended that a management plan to be applied to any activities occurring later than 10pm is secured by condition.

- 6.50 An Acoustic Report has been submitted. In terms of activities at the centre a key potential impact is likely to be that from music associated with events, exercise classes, etc. The report sets out that there is no primary business plan to accommodate late loud events. Provision of mechanical ventilation would allow windows to be kept closed to limit noise emission. Noise impact from plant at the building is also considered. The calculations in the report are based on having triple glazed windows, and windows being closed (the report notes with windows open the noise levels would be exceeded) so it is recommended that the building specification be secured by condition. With the building specification set out, a noise limit of 95-97dBa is predicted, with the report referring to the lowest level of music likely for an event being around 90dBa, and 95-100 for live bands or other performance. In addition, while reduced from the approved scheme, the proposals are still on a larger scale than the existing facility and a commensurate increase in comings and goings and associated noise is likely. It is suggested that with the building specification secured by condition, a times of use condition limiting to 10pm closure in general, and a management proposal for post-10pm events, this would be reasonable measures to seek to preserve the amenities of the area. It is noted that the Council also has statutory nuisance powers if excessive noise and disturbance occurred. In terms of plant associated with the building the report sets out that the proposals can be designed to meet the noise limits and it is recommended that a condition is imposed to set a level for plant. Overall it is not considered that the use of the building would cause a demonstrable significant adverse impact on amenities in the locality.
- 6.51 *Impacts of use of the external areas*
In terms of the play area there is an existing effect associated with the current play area. The retention of the east-west path at the southern edge gives some relief from the nearby rear gardens. While the specification of the full play area is not set out the applicant has now provided the specification of the two main items shown at the southern part of the site. The main part of the pirate ship would be up to 3m in height although the platform sections are lower at c.2m. Given the siting to the front of properties and at a separation of around 16m to the closest point of the nearest dwellings, it is not considered that this would cause significant harm to privacy. The zipwire merited more consideration given the need for a raised platform and being angled towards the rears of the nearby dwellings. The specifications now submitted show the high point of the platform at 88cm high, and with a separation of around 7m at the closest point to the gardens to the south (which have their own boundary walls/fence) even if the zip wire is laid out with the platform at the south end it is not considered likely to cause significant harm to privacy of neighbours. It should be noted that the agent has latterly suggested the platform would run north to south, although it was raised by the POS consultant about having the end of the run at the north end away from residents, given the noise from the stop mechanism at the end of the run, before the direction and the scale of the platform were known. A condition to secure details of the final play equipment details would give some scope to refine this if needed.
- 6.52 In terms of the concerns raised about anti social behaviour associated with the play area, it seems unlikely that the proposal would cause an identifiable material increase in this issue beyond what already exists. Notwithstanding the benefits the play area provides to the community it is not considered reasonable to seek to refuse permission for something that is already there and which would not create any materially different impacts.

6.53 External lighting is proposed, including 4 m column mounted lights to the car park and access road, 2.3m column mounted lights to the access behind the MUGA adjacent to the railway line boundary, and various wall mounted lights. The lighting report shows the light spill declining to the low level of 1lux well away from any of the residential property boundaries. Furthermore this is in the context of there already being streetlighting along the road. Given the level of impact a condition to require the switching off of the lights after closure of the building has not been proposed currently (and may well be done anyway by the operator to save cost), but it could serve to ensure minimal additional impact if considered necessary by the Committee. No lights are proposed to the MUGA, and the lights along the adjacent access road would have minimal spill onto the MUGA.

6.54 *Use of the MUGA*

Day to day use of the MUGA would be managed. The applicant intends to hire it out so it would operate more like a small sports pitch than a typical 'open' MUGA for all public. They intend to use it for football and basketball mainly so there is likely to be associated 'banging' noises from the balls hitting the ground and perimeter that could cause disturbance. As no lighting is proposed directly, late evening summer and evening in winter use is not likely and the applicant has confirmed this. The applicant intends to operate it such that when the adventure playground is supervised it will be open for children and young people to use at their play sessions, outside of these times it will be locked and will only be available to hire via the Community Centre.

The applicant has now confirmed that the specific hours of use would be:

Spring/summer:

Mon-Fri;

9am to 3pm – hire by public

4pm to 6pm – use by Venture team as part of their activity session at the playground

7pm to 9pm – hire by public

Sat and Sun;

9am to 9pm – hire by public

Autumn/Winter:

Mon-Fri;

9am to 3pm – hire by public

4pm to 6pm – use by Venture team as part of their activity session at the playground

Sat and Sun;

9am to 4pm – hire by public

- 6.55 Following advice from the Council's environmental health consultant, the applicant has produced a technical note considering noise from the MUGA. Overall with an acoustic barrier protecting dwellings in Dickens Close, noise levels can meet the proposed Sport England limit in respect of general sport noise and maximum noise (from the ball banging on the boards). This barrier would be to the south and east edge of the MUGA and would be a 2m tall timber fence which more than meets the density specification required. The Council's environmental health consultant has reviewed this and recommends that it is acceptable. Implementation of the noise fence should be secured by condition to ensure this mitigation for neighbours' living conditions. Because the MUGA noise study and the proposed mitigation is based on parameters including its daytime only use, these hours should be secured by condition. It is noted that this barrier and its location are not ideal for natural surveillance in so far as it would obscure part of the pitch, however protecting the amenity of neighbours for noise is considered a high priority and the usage is shown to be either private hire by the public or directly managed sessions by the applicant, so this should serve to control potential misuse. The POS Consultant has the same view, and has noted that the operators could always add artwork/lay panels to the acoustic fence later to make it more part of the play space and make it a less harsh barrier.
- 6.56 An Air Quality Assessment has been submitted, which concludes that impacts from traffic increase would be negligible and not lead to any exceedances of air quality objectives or limit values, including the Painswick Road Air Quality Management Area. It also sets out that given the proposed layout and nature of usage (and notwithstanding the established existing community use of the site), there would be no significant effects from train engines given the adjacent railway line or road traffic emissions. No mitigation measures are proposed for the use. Notwithstanding the overall acceptability, the proposed electric vehicle charging points, cycle parking and use of air source heat pumps would all aid in minimising air quality impacts associated with the development.
- 6.57 Overall, subject to conditions the proposal complies with the above policy context.
- 6.58 ***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. Policy E4 of the City Plan sets out a similar approach to making development safe, avoiding an increase in flood risk, the sequential and exception tests, requiring Sustainable Drainage Systems, incorporating climate change considerations, facilitating benefits to watercourses and floodplains, and maintaining a buffer strip for maintenance and ecology.
- 6.59 The site is in Flood Zone 1, the lowest risk. There are no concerns about fluvial flood risk, however surface water flood maps show a significant surface water flooding route through the site. The applicant has submitted a proposal for a swale to intercept any surface water flows around the building and mimic the existing flow route, and the Drainage Officer is content with this.

- 6.60 A drainage strategy and layout have been submitted. This proposes a connection to the existing public sewer on site, with proposed hardstanding permeable paving with attenuation beneath, and attenuation crates beneath the MUGA with an outfall to the Dickens Close sewer. These facilities provide attenuation to allow discharge to the public sewers at a controlled rate. The surface water discharge rates have been reduced following the Drainage Officer's comments and his advice is that the revised details are acceptable in principle subject to a condition to secure approval of the detailed surface water design to an overall outfall of 1.1 l/s. Any surface water from vehicular areas needs to meet the standards in CIRIA C753; the permeable paving proposed will address this. A new foul connection to the public system is also proposed. The applicant has addressed previous concerns about existing surface water flooding routes by proposing the swale and levels adjustments to create a flow route, which mimics the existing flow paths as indicated on the surface water mapping. This would only discharge surface water flows in extreme events. Proposed entrances would be protected by paving falling towards the swale. This is an existing situation and any such surface water flows would otherwise behave in the same way as existing, although the Drainage Officer suggests that the majority is likely to be intercepted by the permeable paving before it reaches the channel. As such there is no worsening of the existing situation and the building would be protected. Subject to conditions the proposal complies with the above policy context.
- 6.61 **Land contamination**
The NPPF requires decisions to enhance the environment by remediating and mitigating contaminated land where appropriate, and ensure that a site is suitable for the proposed use taking account of ground conditions and any risks, and that after remediation as a minimum the land should not be capable of being determined as contaminated land. Responsibility for securing a safe development rests with the developer/landowner. Policy SD14 of the JCS requires that development does not result in exposure to unacceptable risk from existing or potential sources of pollution, and incorporate as appropriate the investigation and remediation of any contamination.
- 6.62 The submitted Geotechnical Report considers that contamination is not a significant risk. A subsequent Phase 2 Report was submitted with the approved application although has not been provided this time, which set out the site investigation work and recommendations including importing clean sub and topsoil. No specific remediation was considered necessary other than a watching brief due to the amount of made ground at the site and the potential need for clean soils. It is not considered that the conditions will have changed, and the necessary measures can be secured by a reduced version of the standard contaminated land condition relating to any unexpected contamination being found during works, and a condition to control importation of soils. Subject to these the proposal would comply with the above policy context.
- 6.63 **Ecology**
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. City Plan Policy E1 requires the conservation of biodiversity and providing net gains. Policy E7 requires biodiversity net gain on site (or a suitable alternative) if there is unavoidable significant adverse impact on trees, woodland or hedgerows. Policy E3 requires development to contribute to the provision, protection and enhancement of the Green/Blue Infrastructure Network.
- 6.64 City Plan allocation policy SA17 sets out requirements and opportunities of retention of some brownfield land adjacent to the railway and/or basic enhancements such as trees, hedges and planting for pollinators. It also notes that bird and reptiles surveys are not required but the timing of removal of vegetation needs to be carefully considered for these species.

- 6.65 An ecological report was previously undertaken and enhancement opportunities were suggested and it concluded that providing the recommendations are implemented, the development should have no long-term impacts on key protected species present or potentially present at the site. A preliminary roost assessment and preliminary ecological appraisal update has been submitted with the new application, which set out that the affected habitats are of negligible or 'site' level ecological importance. It is recommended that building works and vegetation removal take place outside of the bird nesting season or an ecologist undertake a prior check and supervise. Compensation and enhancement measures are proposed which include planting, bird/bat boxes, hedgehog fencing and a habitat pile. These measures can be secured by condition for biodiversity enhancement.
- 6.66 *Bat survey and mitigation*
The bat survey from the previous application was out of date and the preliminary roost assessment indicated that bat presence was possible, so the applicant has now submitted an updated bat emergence survey. This sets out that the main building closest to the road is a confirmed day roost for a single common pipistrelle bat, while the site and adjacent rail line have foraging value for bats. The works will therefore require a license from Natural England. Mitigation is proposed in the form of a pre-works bat inspection, provision of bat roosting tiles and bat boxes and sensitive lighting. The Council's ecological advisor raises no issue with the survey, but considers that further details of the bat mitigation is needed prior to determination to be able to adequately assess the impact on this protected species. As above, the applicant has already provided an indication of options for this mitigation so the outstanding action is to clarify these. In my opinion this is unlikely to be an in-principle issue for the application and could be completed in due course. If and when this mitigation is clarified and agreed, it should be secured by condition. The advisor also recommends biodiversity enhancement measures are secured, which is to be done pursuant to a condition. The bat survey confirms its limited validity for a 12 month period. It is therefore suggested that if permission is granted it is given a one year period for implementation by condition so that the terms on which the permission was granted remain reliable.
- 6.67 *Biodiversity net gain*
The submitted biodiversity net gain report sets out that the proposed habitat retention, enhancement and restoration measures proposed are to retain boundary scrub, create modified grassland and ornamental shrub planting, create wildflower grassland, create climbing plants and additional tree planting, which should be of benefit to the species identified as using/likely to use the site. The site habitats currently total 0.74ha (2.51 biodiversity units) while the proposals would total 0.74ha of site habitats and generate 3.01 biodiversity units. The net gain is 19.82%. The proposals also include hedgerow in the car park area enabling 0.19 hedgerow biodiversity units, which is 100% net gain. The target figure for net gain coming through in new legislation is 10%. The City Plan policy E1 requires developments to provide net gain appropriate to the ecological network while not setting a target, being in advance of the legislation. As such the applicant's proposals for biodiversity net gain would comply with the local policy context and exceed the forthcoming national target levels. The measures should be secured by condition.
- 6.68 Overall subject to conditions the proposal would largely comply with the above policy context, with the exception of the bat mitigation, which remains unresolved at the time of writing.

6.69 ***Sustainability***

The NPPF supports the transition to a low carbon future and contributing to reductions in greenhouse gas emissions. It expects developments to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. Policy SD3 of the JCS requires all developments to demonstrate how they contribute to the principles of sustainability by increasing energy efficiency. Proposals will be expected to achieve national standards. Part G of the City plan sets out at paragraph 4.7.6 that applications will be expected to demonstrate that all reasonable techniques have been used to adapt to and mitigate the effects of climate change, and strongly encourages all applications to supply an Energy Statement. The Plan strongly encourages energy efficient measures.

6.70 The Design and Access Statement sets out the intention is to invest in a 'Passivhaus' standard sustainable building, proposing to achieve an operational net zero energy cost for the building using renewable technologies, with the building being designed to meet the Passivhaus certified standard. An energy strategy has been submitted which sets out proposals to utilise an air source heat pump and solar thermal and photovoltaic panels to offset energy demand, the aspiration being to achieve net zero energy cost. The PV is said to more than meet the total electricity demand. It sets out that with a combination of these measures they can potentially achieve net zero energy cost over the year. There are therefore some commitments to sustainability measures which is welcome. Policy SD3 requires proposals to demonstrate how they contribute to the aims of sustainability by increasing energy efficiency, and will be expected to meet national standards. On that basis, there would be no conflict with Policy SD3.

6.71 ***Waste minimisation***

A statement has been submitted however the County Council considered the previous application with the same statement to be deficient in terms of waste minimisation so it is recommended that a more comprehensive waste minimisation statement is secured by condition to clarify the proposed measures further, which will be easier once a contractor is on board.

6.72 ***Minerals***

The City Plan allocation policy SA17 notes that the site lies within a Mineral Consultation Area due to the recorded presence of underlying sand and gravel resources. This was picked up by the County Council in the previous application and addressed. The County Council originally considered, based on the submitted Geo Technical Report, that the site could have potential underlying minerals deposits. Further information clarified that the sand and gravel resource is located to the north east of the site and not under it, and on this basis the County Council's Minerals and Waste team raised no objection on this point. This matter is therefore considered to be resolved.

6.73 ***Economic considerations***

The construction phase would support employment opportunities, and the business opportunities mentioned in the applicants plans for the centre could have further positive effects. Therefore the proposal would have some economic benefit. 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.

6.74 **Conclusion**

This application has been considered in the context of the policies and guidance referred to above. The application is similar to the previously approved scheme, and where it differs, or the assessment context for the application has changed, these matters have largely been resolved. Subject to conditions, the proposal is consistent with those policies and guidance in terms of the principle of the use, the loss of part of the field, design and landscaping, traffic and transport, residential amenity, drainage and flood risk, land contamination, sustainability, waste minimisation, minerals and economic considerations. The proposal is largely consistent with the policies and guidance in ecological terms also, and the provision of acceptable bat mitigation measures would resolve this fully. If this is done, then the proposal is acceptable and accordingly it would be recommended that planning permission be granted. In order to provide a clear route for final determination of the application it is recommended that a 6 week period be given for the applicant to achieve this, with a fall back position of refusal if it is not resolved. This is considered unlikely but in order not to leave the issue open ended the recommendation is made as such.

7.0 **RECOMMENDATION OF THE PLANNING DEVELOPMENT MANAGER**

7.1 That subject to the receipt of acceptable specifications for the bat mitigation works proposed being received, planning permission is **GRANTED** subject to the following conditions which shall be added to/updated to secure those mitigation works.

If acceptable specifications for the bat mitigation have not been received by 19th December 2023, delegate authority to the Planning Development Manager to refuse planning permission due to the application failing to demonstrate that protected species will be preserved (precise wording for refusal to be completed under the delegated authority).

7.2 **Condition 1**

The development hereby permitted shall be begun before the expiration of one year 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. A reduced period from the standard approach is necessary in accordance with the submitted bat survey confirming a bat roost at the site and the valid duration of the survey.

Condition 2

The development hereby permitted shall be carried out in accordance with the drawings on the following plans except where otherwise required by conditions of this permission:

Location plan dated 08.03.21

Site plan as proposed ref. P01 Rev. Z

Ground floor plan as proposed ref. P02 Rev. R

First floor as proposed ref. P03 Rev. R

Roof plan as proposed ref. P04 Rev. G

Sections – 2 as proposed ref. P06 Rev. H

Elevations – 1 as proposed ref. P07 Rev. Q

Elevations – 2 as proposed ref. P08 Rev. N

Block plan as proposed ref. P13 Rev. K

Hub external works as proposed ref. P15 Rev. D

Venture external works as proposed ref. P16 Rev. H

Site elevations 1 as proposed ref. P17 Rev. B

Site sections as proposed ref. P18 Rev. A
Boundary elevations as proposed ref. P19 Rev. B
Location plan as proposed ref. P20 Rev. D
MUGA elevations as proposed ref. P23

Proposed soft landscaping – car park and access ref. 1017-03 Rev. P2
Proposed soft landscaping – Play area boundary ref. 1017-04 Rev. P6
Proposed soft landscaping – sensory garden ref. 1017-05 Rev. P2
Proposed soft landscaping – nursery garden ref. 1017-06 Rev. P2
1017_R2d – Proposed planting schedule Revision D – September 2023
1017_R1d – Soft landscape management and maintenance plan Revision D September 2023

We-ef Community Centre White City Exterior Lighting ref. OP028656 Rev. 6 dated 24.08.22

except where otherwise required by conditions of this permission.

Reason

To ensure that the development is carried out in accordance with the approved plans.

Condition 3

Notwithstanding that shown on the submitted documents, prior to the commencement of any above-ground construction of a building, samples of all facing **materials** for that building (including scaled elevations showing their use across the building) shall be submitted to and approved in writing by the Local Planning Authority. Buildings shall be constructed only in accordance with the approved materials.

Reason

To ensure a satisfactory appearance to the development.

Condition 4

Notwithstanding the submitted details, any new **boundary** treatments or means of enclosure shall be implemented only in accordance with scaled drawings of their location, form, appearance and materials that shall first be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure a satisfactory appearance to the development

Condition 5

The approved soft **landscaping** details shall be carried out in full concurrently with the development and shall be completed no later than the first planting season following the completion of the building works. The planting shall be maintained in accordance with the approved details for a period of 5 years following implementation. During this time any trees, shrubs or other plants which are removed, die, or are seriously damaged 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.

Condition 6

No development (including demolition and site clearance) shall be commenced on the site nor shall any machinery or material be brought onto the site for the purpose of development until full details of adequate measures to **protect trees** including those on adjoining land have been submitted to and approved in writing by the Local Planning Authority. These shall include:

(a) Fencing. Protective fencing must be installed around trees to be retained on site. The protective fencing design must be to specifications provided in BS5837:2012 or subsequent revisions, unless agreed in writing with the Local Planning Authority. A scale plan must be submitted and approved in writing by the Local Planning Authority accurately indicating the position of protective fencing. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the local planning authority. Such fencing shall be maintained during the course of development,

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

Reason

To ensure adequate protection to existing trees which are to be retained and to retain habitat, in the interests of the character and amenities of the area and protecting biodiversity. Approval of details pre-commencement is necessary to fully protect retained trees during all works.

Condition 7

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

Reason

To prevent damage to or loss of trees. In accordance with the NPPF, Policy INF3 of the JCS and Policy E4 of the Gloucester City Plan.

Condition 8

The existing play area shall not be demolished/removed until a programme for the **provision of the new play area** has been submitted to and approved in writing by the Local Planning Authority. The new play area shall be constructed in accordance with the approved programme and the community centre building hereby approved shall not be opened to public use until the new play area has been completed to full working order.

Reason

To secure replacement play area facilities for those lost and seek to achieve continuity of provision.

Condition 9

The building hereby approved including the ventilation system shall be constructed in accordance with the details set out at paragraphs 6.1 and 6.2 of the ion Acoustics **Acoustic** Report ref. A1251/R02a, or such other specification to be submitted to and approved in writing in advance by the Local Planning Authority alongside an acoustic report that demonstrates that the alternative building specification achieves an equivalent or better sound reduction performance.

Reason

To secure the basis on which the assessments were made and preserve the amenities of the area.

Condition 10

The rating level of sound emitted from any **fixed plant or machinery** associated with the development shall not exceed the background sound levels, taken as a 15 minute LA90 at the nearest sound sensitive receiver. All measurements shall be made in accordance with the methodology of BS 4142 (2014: Methods for rating and assessing industrial and commercial sound) or any national guidance replacing that Standard. Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Reason

To safeguard the amenities of the area.

Condition 11

The building hereby approved shall not be **open to members of the public outside the following times;**

Monday to Saturday 0700hrs to 2200hrs;

Sundays 0800hrs to 2100hrs;

except for on no more than 11 no. instances within any single calendar year when the building may be open to members of the public between 0700hrs and 2300hrs (in each instance this shall take place on a Friday or Saturday only).

The Multi Use Games Area hereby approved shall not be used outside the times of 0900hrs to 2100hrs on any day.

Reason

To protect the amenities of the area. The noise study of the MUGA and proposed mitigation is based on limited daytime hours of use.

Condition 12

No events using amplified sound and/or that would be ongoing after 2200hrs on any day shall take place at the site until a **Noise Management Plan** has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include (but is not limited to) measures to limit noise breakout from the building including any control mechanism for

the amplified sound, and manage members of the public exiting the building. Any such events shall be operated only in accordance with the approved Noise Management Plan.

Reason

To safeguard the amenities of the area.

Condition 13

No construction of the car park or the vehicular access to it off Northfield Road hereby approved shall take place until the top surface of the **Multi Use Games Area** approved in this application has been fully installed.

Reason

To ensure that the mitigation for the loss of the field is delivered and continuity of provision is secured.

Condition 14

The Multi Use Games Area hereby approved shall not be brought into use until an **acoustic fence** has been fully installed to the location, dimensions and specification required in the submitted ion Acoustics Technical Note A1251/TN01 dated 8th June 2022.

Reason

To safeguard the amenities of the area.

Condition 15

Notwithstanding the submitted details, no development shall commence on the new play area until details of the **new play area** have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include details of all play equipment including any bespoke units shown on a scaled layout plan, and scaled elevation plans for any unit situated within 20 metres of the southern boundary of the site. Development shall be undertaken in accordance with the approved details.

Reason

To protect the amenities of neighbouring residents.

Condition 16

Construction and demolition work and the delivery of materials shall only be carried out between 0800 hours to 1800 hours Monday to Friday, 0800hours to 1300hours on Saturdays and no construction or demolition work or deliveries shall take place on Sundays or Public/Bank Holidays.

Reason

To safeguard the amenities of the area.

Condition 17

Prior to commencement of any development 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. Measures for controlling leaks and spillages, managing silt and pollutants
- f. Minimisation of disturbance to ecological assets
- g. Minimisation of disturbance from any construction phase lighting.

Development shall take place only in accordance with the approved CEMP.

Reason

To protect the environment and ecological assets.

These details are required pre-commencement due to the potential impacts of the first phase of works.

Condition 18

Notwithstanding the submitted details, prior to the commencement of development including demolition works, a scheme for **biodiversity compensation and enhancement**, shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include but is not limited to the measures set out in Table 10 and paragraphs 5.8 to 5.10 of the submitted Wildwood Ecology Preliminary Roost Assessment and Preliminary Ecological Appraisal Update Rev. B 25/10/2022 and in section 4.4 of the Wild Service Update Bat Dusk Emergence Survey Report (14/07/2023), and the delivery of the biodiversity net gain proposals set out in the Wild Service Biodiversity net gain assessment (code EP2020053Fv2, 12/10/23) and shall be above and beyond the bat mitigation measures secured by Condition 19. The scheme shall furthermore include, but is not limited to, the following details:

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- ii. Materials and construction to ensure long lifespan of the feature/measure;
- iii. A scaled drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- iv. Ongoing management provisions.

The approved details shall thereafter be implemented concurrently with the development and completed in their entirety prior to first occupation unless an alternative timetable has been agreed in writing by the Local Planning Authority, and retained and maintained for their designed purpose, in accordance with the approved scheme.

Reason

To provide net gains for biodiversity.

These details are required pre-commencement due to the immediate impact on biodiversity that development could cause and the need for clarity about the mitigation for it.

Condition 19

Bat mitigation measures shall be undertaken in accordance with **(*(* TO BE CLARIFIED - the recommendations at section 4.2 of the Wild Service Update Bat Dusk Emergence Survey Report (14/07/2023) plus specific measures TBC*)**) (unless any revisions are proposed as part of the licensing process with Natural England in which case the amended details shall be submitted for approval by the Local Planning Authority in advance of commencing those works) and shall be completed in their entirety in accordance with the timings set out in the approved details or of no timings are specified shall be completed prior to first occupation. The approved bat mitigation measures shall be maintained for the lifetime of the development.

Reason

To provide ecological mitigation.

Condition 20

Notwithstanding that submitted with the application **external lighting** to the development shall only be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The details shall follow the recommendations outlined in the submitted Wild Service Update Bat Dusk Emergence Survey Report (14/07/2023) and include, but are not limited to the following:

- i. A drawing showing sensitive areas and/or dark corridor safeguarding areas;
- ii. Description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
- iii. A description of the luminosity of lights and their light colour including a lux contour map;
- iv. A drawing(s) showing the location and where appropriate the elevation of the light fixings;
- v. Methods to control lighting control (e.g. timer operation, passive infrared sensor (PIR)).

Reason

To suitably protect bats from development impacts.

Condition 21

No **removal of trees/scrub/hedgerows** as part of the development hereby approved shall be carried out on site between 1st March and 31st August inclusive in any year. If this cannot be achieved, a suitably qualified ecologist shall carry out a nesting bird check prior to work and supervise vegetation removal where required.

Reason

To protect biodiversity interests.

Condition 22

In the event that **contamination** is found at any time when carrying out the approved development it must be reported immediately to the Local Planning Authority. The applicant is advised to immediately seek the advice of an independent geo-environmental consultant experienced in contaminated land risk assessment, including intrusive investigations and remediation. No further works shall be undertaken in the areas of suspected contamination, other than that work required to be carried out as part of an approved remediation scheme (unless otherwise agreed by the Local Planning Authority) until requirements 1 to 4 below have been complied with:

1. A detailed site investigation and risk assessment shall be undertaken by competent persons in accordance with the Environment Agency's 'Land Contamination: Risk Management' guidance and a written report of the findings produced and submitted to the Local Planning Authority. The risk assessment must be designed to assess the nature and extent of suspected contamination and be approved in writing by the Local Planning Authority prior to any further works taking place in the areas of suspected contamination.
2. Where identified as necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors shall be submitted to and approved in writing by the Local Planning Authority in advance of undertaking remedial works. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. The approved remediation scheme shall be carried out in accordance with its terms prior to the re-commencement of any site works in the areas of suspected contamination, other than that work required to carry out remediation (unless otherwise agreed in writing by the Local Planning Authority).

4. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any buildings on site.

Reason

To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition 23

Details of any soil or soil forming materials brought on to the site for use in garden areas, soft landscaping, filling or level raising shall be submitted to and approved in writing by the Local Planning Authority prior to their use in the development on site. Where the donor site is unknown or is brownfield the material shall be tested for contamination and suitability for use on site. Full donor site details, proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) shall be submitted to and approved in writing by the Local Planning Authority prior to import on to the site. The approved testing shall then be carried out and validatory evidence (such as laboratory certificates) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought on to site.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition 24

No development shall commence until a detailed design, maintenance and management strategy and timetable of implementation for the **surface water drainage strategy** presented in the Drainage Strategy 3373-CP-001 Rev B and drawing 3373- DW-01 Rev A (subject to a maximum surface water discharge rate from the site of 1.1 l/s in all events up to a 100 year + 40% cc return period) has been submitted to and approved in writing by the Local Planning Authority. The proposed 'rill' around the building shall not receive any directly or indirectly connected site drainage. The submitted strategy 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 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.

Condition 25

No development shall commence other than site securing, site clearance or demolition until details for the disposal of **foul water** have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the development.

Reason

To ensure the development is provided with a satisfactory means of drainage.

Condition 26

No development shall commence until a **Waste Minimisation Statement for the demolition and construction period** has been submitted to and approved in writing by the Local Planning Authority. The Waste Minimisation Statement shall include details of the types and volumes of construction and demolition waste likely to be generated including measures to minimise, re-use and recycle that waste, and minimise the use of raw materials. The development shall be carried out in accordance with the approved Waste Minimisation Statement.

Reason

In the interests of waste minimisation.

This is required pre-commencement given the impacts are likely to commence immediately upon development starting.

Condition 27

The building shall not be occupied until a **Waste Minimisation Statement for its occupation phase** has been submitted to and approved in writing by the Local Planning Authority. The Waste Minimisation Statement shall include;

- Provision of facilities or allocated areas to sort, store, treat and manage a majority of the waste produced; and
- Suitable processing arrangements for recycling/waste collection vehicles.

Development shall be completed and maintained in accordance with the approved Waste Minimisation Statement.

Reason

In the interests of waste minimisation.

Condition 28

The **sustainability measures** set out in the submitted Energy Statement and on the approved plans shall be implemented concurrently with the construction of the building, and shall be fully operational prior to the first occupation of the building unless an alternative timetable is agreed in writing in advance by the Local Planning Authority.

Reason

To ensure reasonable techniques are utilised to mitigate the effects of climate change.

Condition 29

The existing fence to the **boundary of the site with the railway** lines shall be retained in situ as part of the development, or shall be replaced with such alternative boundary treatment as shall be submitted to and approved in writing in advance by the Local Planning Authority.

Reason

To address public safety in relation to the railway infrastructure, and the ongoing integrity of the network operator's land.

Condition 30

No development shall take place, including any demolition works, until a **Construction Management Plan for Highways** has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan shall provide for:

- 24 hour emergency contact number;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason

In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

Condition 31

The development hereby approved shall not be brought into use until the **car/vehicle parking area** including accessible spaces (and turning space) shown on the drawing referenced P01 Rev. Z has been completed and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

Reason

To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

Condition 32

The development hereby approved shall not be brought into use until the **cycle storage** facilities have been made available for use in accordance with the details shown on the drawings referenced P01 Rev. Z and those facilities shall be maintained for the duration of the development.

Reason

To ensure the provision and availability of adequate cycle parking.

Condition 33

Notwithstanding the submitted details, the development hereby approved shall not be brought into use until 4 no. **motorcycle parking** spaces have been provided in a location to be submitted to and agreed in writing by the Local Planning Authority and thereafter shall be kept available for motorcycle parking as approved.

Reason

To provide safe and suitable access for all users.

Condition 34

Notwithstanding the submitted plans, until **'Give Way' markings** at the Northfield Road site access junction to ensure vehicles exiting the site give way to vehicles on Northfield Road have been implemented in full in accordance with details to be submitted to and agreed in writing by the Local Planning Authority the car park and access road shall not be used. These measures within the site shall be maintained thereafter for the duration of use of the car park.

Reason

In the interests of highway safety.

Condition 35

The building shall not be occupied until the **means of access** for vehicles, pedestrians and cyclists have been fully installed in accordance with the approved plans.

Reason

In the interest of highway safety.

Condition 36

Prior to the implementation of measures to **restrict the use of the allotments access/egress** via Bibury Road and Dickens Close to an "Entry Only"/"Exit Only" arrangement (which shall be in accordance with details to be submitted to and approved in writing by the Local Planning Authority in advance), the access/egress between the site and Dickens Close shall not be used for vehicular traffic. The approved measures shall be retained for the lifetime of the development.

Reason

In the interests of highway safety.

Informatives

1. The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the

preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

2. Severn Trent Water advise that there is a public foul sewer and a public 450mm surface water sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

Severn Trent Water would insist soakaways and other SUD techniques being investigated before considering a discharge to the public surface water sewer with restricted rates.

3. Any works on this land will need to be undertaken following engagement with Network Rail's Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk.

4. If there are trees in neighbouring properties that could be affected by the proposed development in the interest of good neighbour relationships it would be helpful to consult with your neighbour on the proposed works if you have not already done so. Care will be required to minimise damage to the trees through the development activities such as ground compaction and root severance. You have a legal duty to exercise reasonable care in carrying out any works that may impact adjacent trees. Further information is available on [Guide-to-Trees-and-the-Law](#)

Person to Contact: Adam Smith (396702)