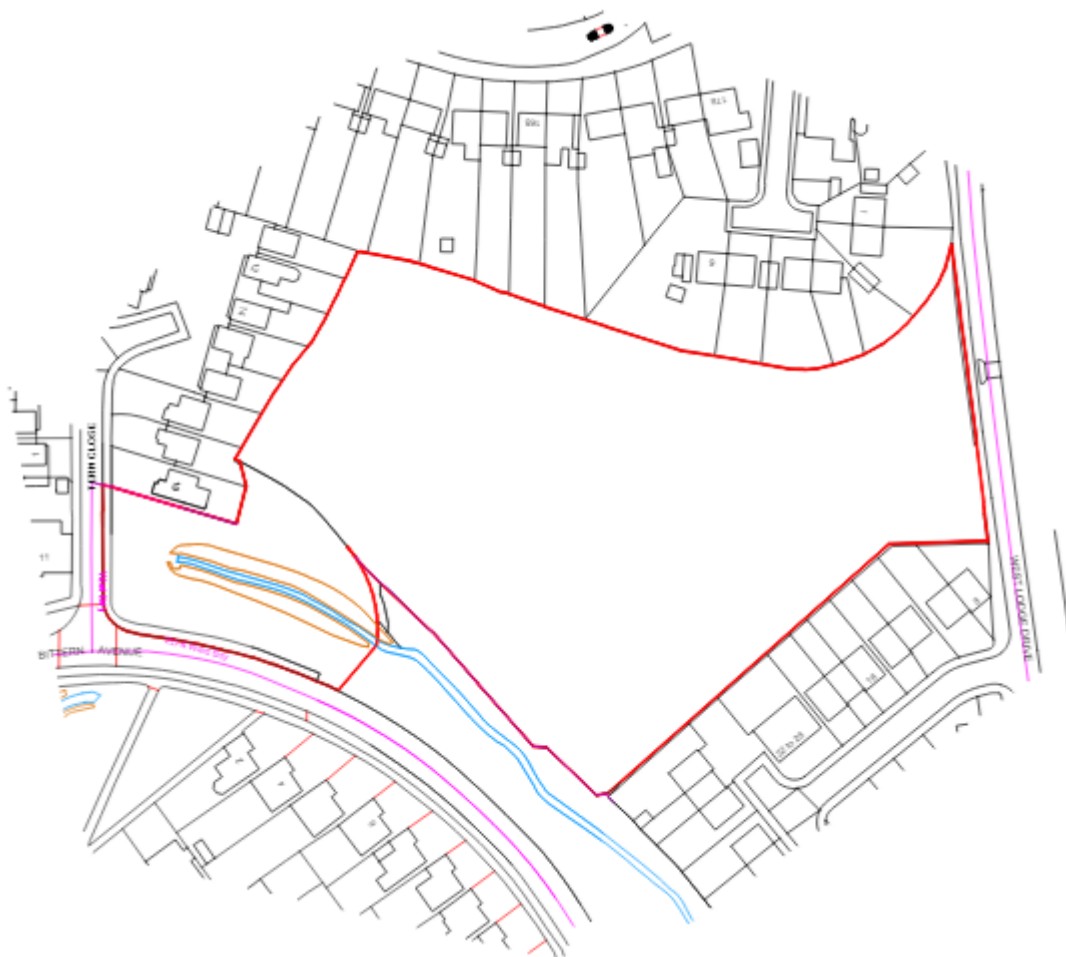


GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	3 rd September 2024
Address/Location:	Former Holly House, West Lodge Drive, Gloucester
Application No:	23/00954/FUL
Ward:	Coney Hill
Expiry Date:	27.02.2024
Applicant:	Bromford Housing Association Ltd
Proposal:	The erection of 35 affordable dwellings, upgrade of existing access and other associated works.
Report by:	Caroline Townley
Appendices:	Site Layout Plan

Site Location Plan



This application has been referred to the Planning Committee in accordance with the Council scheme of delegation as Officers are recommending an agreement under Section 106 of the Town and Country Planning Act 1990.

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site measures approximately 1.37 hectares in area and is located off West Lodge Drive. The site was previously occupied by a care home facility, which has now been demolished with the hardscaped foundations still in place.
- 1.2 The site is bounded to the southwest by mature trees and hedgerows adjacent to River Twyver and Bittern Avenue. The remaining boundaries adjoin the rear gardens of existing houses in Coney Hill Road, Court Place, West Lodge Drive and Tern Close.
- 1.3 It is proposed to utilise the existing access from West Lodge Drive, with the retention of the existing established trees at the site entrance. A new 3 metre wide footpath/cycleway is also proposed to the southwest of the site through to Tern Close.
- 1.4 The application seeks planning permission for 35 affordable dwellings for social rent, upgrading of the existing access and associated works. The proposed development would comprise a combination of 2-storey semi-detached and terraced houses, together with a pair of semi-detached bungalows sited in the south-eastern corner. The dwellings would comprise of a mixture of 2, 3 and 4 bed social rent units as follows:
- 2 no. M4(3) two bed bungalows
 - 15 no. two bed houses
 - 16 no. three bed houses
 - 2 no. four bed houses.

All dwellings would meet or exceed the minimum nationally described space standards (NDSS).

- 1.5 It is proposed that the 2-storey houses would have a slight varied ridge height along the street and the use of varying facing bricks and roof colours to create visual interest.
- 1.6 Car parking would be provided to the front and side of properties with disabled parking bays provided for the bungalows.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
00/00198/FUL	Siting of portable building for temporary period.	GSC	24.05.2000
04/00599/FUL	Retention of portable building	GP	21.05.2004
05/00125/FUL	Creation of new footpath leading from public highway to existing building.	GP	21.03.2005
17261/06/OUT	(Outline) Erection of elderly persons psychiatric disorder unit.	Z45ASC	31.10.1990
17261/06/APP	Erection of elderly persons psychiatric disorder unit.	Z45ASC	24.11.1992
13/00558/PRI OR	Demolition of building	NOB	27.06.2013

3.0 RELEVANT PLANNING HISTORY

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
SD6 – Landscape
SD8 – Historic Environment
SD9 – Biodiversity and geodiversity
SD10 – Residential development
SD11 – Housing mix and standards
SD12 – Affordable housing
SD14 – Health and environmental quality
INF1 –Transport network
INF2 – Flood risk management
INF3 – Green Infrastructure
INF4 – Social and community Infrastructure
INF6–Infrastructure delivery
INF7 – Developer contributions

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

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 225 of the NPPF states that '*...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*' The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

3.5 Gloucester City Plan adopted January 2023

The Gloucester City Plan ("City Plan") will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City.

Relevant policies from the emerging Gloucester City Plan include:

A1 – Effective and efficient use of land and buildings
A2 – Affordable housing
A6 – Accessible and adaptable homes
C1 – Active design and accessibility
D1 – Historic environment
D2 – Non designated heritage assets
D3 – Recording and advancing understanding of heritage assets
E2 – Biodiversity and geodiversity
E5 – Green infrastructure: Building with nature

- E6 – Flooding, sustainable drainage, and wastewater
- E8 – Development affecting Cotswold Beechwoods Special Area of Conservation
- F1 – Materials and finishes
- F2 – Landscape and planting
- F3 – Community safety
- F4 – Gulls
- F6 – Nationally described space standards
- G1 – Sustainable transport
- G2 – Charging infrastructure for electric vehicles

3.6 **Other Planning Policy Documents**

Gloucester Local Plan, Second Stage Deposit 2002

Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. 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:

A.1 – New housing and allotments.

3.7 **Supplementary Planning Guidance/Documents**

SPG1 – Sustainable Urban Drainage Systems

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

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

4.0 **CONSULTATIONS**

4.1 **Highway Authority**

Following the submission of amended plans which illustrate a suitable access arrangement to the site no objection is raised subject to conditions and a S106 contribution of £5,000 towards a TRO consultation for the raised table on the West Lodge Drive by the site access.

4.2 **City Archaeologist**

The City Archaeologist has confirmed that having viewed the archaeological desk-based assessment and following discussions with the applicant’s consultant, he is content that much of the site has been extensively damaged and archaeological survival is very unlikely. This has been evidenced by the submitted ground investigation report.

However, the City Archaeologist is still concerned about development impacts in the south of the site towards the route of the Twyver. The proposed development does include attenuation/drainage works that extend towards and across this area which may potentially conflict with heritage assets of archaeological interest. There are concerns about the potential for:

- Alluvial/paleo-channel deposits associated with the historic Twyver; and
- Structures, deposits or river channels associated with the nearby mill site.

In light of the above it is recommended that a pre-commencement condition be included on any planning permission requiring the submission, approval and implementation of a written scheme of investigation of archaeological remains.

4.3 **Landscape Adviser**

No objection.

The amended soft landscaping plan shows additional native woodland edge mix along the southern boundary. Native tree shrub planting will provide more robust habitat than the retained and over seeded grassland, which at this location is unlikely to be managed in a way

that will enhance species richness.

From an amenity perspective there is a concern that the proposed woodland edge mix is to the south of adjacent gardens and will require ongoing maintenance, coppicing and pollarding to prevent excessive shading. However, there is not an objection to the amendments to the soft landscaping proposals with regards to the visual amenity from the public realm.

4.4 Ecology Adviser

No objection subject to the inclusion of conditions.

4.5 Contaminated Land Adviser

The City Council's Contaminated Land Adviser is satisfied with the submitted site investigation report, risk assessment and conclusions, subject to the inclusion of conditions relating to imported soils and the reporting of unexpected contamination.

4.6 Drainage Adviser

The City Council's Water and Environmental Consultant has confirmed that from a drainage/flood risk perspective the proposals are satisfactory subject to the inclusion of conditions.

4.7 Environment Agency

No comments received.

4.8 Lead Local Flood Authority (LLFA)

The submitted information and plans show that flood volumes can be managed within the site without posing a risk to properties within the development and without displacing volumes to cause increased flooding elsewhere. The LLFA has no objection to the application.

4.9 Severn Trent Water

No objection to the proposal subject to the inclusion of conditions.

4.10 Environmental Protection Adviser

No objection. The construction management plan proposes sufficient measures to reduce nuisance during the construction phase. In terms of the operational phase, the report recommends standard thickness double glazing.

4.11 Housing Strategy and Enabling Officer

The application achieves 100% compliance with NDSS in accordance with Policy F6 of the City Plan but does not provide any double occupancy standard family homes across the 3 and 4 bed provision.

The application exceeds the City Plan Accessible and Adaptable Homes policy by achieving 100% M4(2) standard on site and would provide 2 homes to M4(3) standard, which adds significant value.

Private amenity space would be provided for each home.

On balance HPST consider the application to be acceptable, although the application is not ideal as it misses a good opportunity to provide much needed double occupancy bedrooms. The proposal also lacks a green walkable corridor to a bus stop for residents.

4.12 Refuse/Waste

The developers will need to adhere to the advice in Gloucester City Council's Developers Guidance. There will be a need for parking lines at the turning areas and road junctions to maintain access for RCV's waste collection crews and other large vehicles. The collection crews will only collect from adopted highway land. Recommended that block paving is not

installed as no liability will be accepted for any damage caused by RCVs.

Road widths will need to be suitable to allow RCVs to pass similar sized vehicles travelling in the opposite direction and to ensure that the RCAs would not overhang the pavements at any points.

The Waste Collection Supervisors will undertake a site inspection assessment before installing collections.

4.13 **Open Space and Playing Pitch Adviser**

The following financial contributions should be secured towards the off-site provision of formal sport and play, to be utilised in local open spaces to provide increased capacity/facilities for the new residents:

- £169K for formal sport
- £62 for formal space
- £22K for general POS improvements.

As there is a small area of usable Public Open Space (POS) being proposed on-site, (the area of grass and trees at the front of the site), there would be no requirement for a financial contribution for general POS.

4.14 **Tree Officer**

The proposal requires the removal of 4 trees. This is a small proportion of the trees on site but as part of the Net Gain Biodiversity program, mitigation planting will be required to return the canopy volume cover lost by these removals. No objection is raised subject to the inclusion of conditions.

4.15 **County S106 Infrastructure Team – Economy and Strategic Planning**

Education

The proposal is for 35 units, all of which are qualifying dwellings for education.

- **Primary Places Impact**
The number of qualifying dwellings would be expected to generate an additional demand for 13.48 primary places. The current forecasts show that there will be adequate capacity to accommodate the numbers arising from this development, therefore the County Council is not seeking a contribution towards primary places at this time.
- **Secondary (age 11-16) Places Impact**
The number of qualifying dwellings would be expected to generate an additional demand for 5.95 secondary (age 11-16) places. The Gloucester Secondary Planning Area is forecast to be full. Gloucestershire County Council is therefore requesting a secondary contribution of £141,461.25 towards the provision of these places.

The closest non-selective schools to the development are Barnwood Park School (0.5miles) and Gloucester Academy (0.9 miles), there is not a catchment school. The development site is in the Gloucester Secondary Planning Area which includes 12 schools in total, 5 of which have selective admission policies based on entrance exam or faith, all schools have been factored into this analysis. Review is based on 95% capacity being full to allow for some flexibility.

- **Post 16 Places Impact**
The number of qualifying dwellings would be expected to generate an additional demand for 2.10 places. The Gloucestershire County Council is therefore requesting a contribution of £49,927.50 towards the provision of these places.

Libraries

A contribution of £6,860 is required, which would be used at Hucclecote or Matson Library to

improve customer access to services through refurbishment and upgrades to the library building, improvements to stock, IT and digital technology and increased services.

4.16 **Gloucestershire County Council Minerals and Waste**

No objection subject to the inclusion of conditions in relation to waste minimisation, specifically the inclusion of the expected tonnages of anticipated waste streams created during the construction phase.

4.17 **Gloucestershire Wildlife Trust**

The form of the proposal put forward is a real missed opportunity to deliver an onsite BNG and create significant public amenity by allowing people to interact with local wild space. There are also issues on the SUDS proposed and the status of some of the potential bat roosts.

The layout replicates the mistakes of the neighbouring development:

- Housing turns its back on the river Twyver, thus reducing residents' ability to interact with nature
- Results in a visually obtrusive fence adjacent the water course that restricts movement of wildlife
- Results in fly tipping over the fence and from the existing public open space (due to lack of overlooking). This results in loss of visual amenity, impacts on wildlife and potentially creates significant flood issues as tipped debris potentially blocks the culvert a few metres downstream from the development site.

The development pattern should make the most of the brook treating it as an integral part of the current open space and ensuring it is integrated into the wider GI network in the area. This would allow opportunities to develop in partnership with the city council who own the land to the SE a vibrant and diverse environment along the river Twyver linking up other habitats along the water course, thus delivering BNG and wider policy objectives.

Concerned that proposal to use an oversized pipe may well address water quantity (until it's full of silt) but does nothing to tackle the quality of water going into the brook (and its impact on wildlife) and nothing to deliver on amenity and wildlife gain. This is a fundamental tenet of the city council's 'Sustainable Drainage –A design and adoption guide'.

While it is accepted that potential bat roosts are not physically removed, they are in some instances worryingly close to residential development and in the case of tree T17 right on the boundary with unit 1. This will lead to significant desire to remove or manage the trees potentially resulting in loss of roosting opportunities for protected species. This needs to be addressed before the application can be determined.

Recommend that the application be refused due to an inappropriate layout, lack of onsite BNG, lack of detailed response to bat roosting sites and an inappropriate SUDS scheme.

5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 Neighbouring properties were notified and press and site notices were published. Neighbours and contributors were re-consulted following the receipt of amended plans.

5.2 Three letters of objection raising the following issues:

- Concerned that the proposed development of 35 homes, leaving little green space, increases the flood risk for the area. Despite 2 new balancing ponds the River Twyver flooded a couple of years ago causing problems in the Abbeydale Community Centre area and also flooding the fields adjacent to Saintbridge balancing ponds.
- Concerned that all the mature trees on the site will be felled to make way for

development.

- Apart from a brief flyer through the door there has been no public meeting or any other attempt to engage with local residents.
- Did not receive any notification of the application, only saw the site notice.
- All the digging and machinery going in there every day will create a problem with rats
- Concern about the height of the land the dwellings are being built on, specifically where several properties back onto houses from 11-19 Tern Close. Concern that houses built close to Tern Close will be significantly overlooked and for some houses in Tern Close there may be an issue with blocking light as well as privacy breaches.

5.3 Neighbours have been re-consulted following the submission of amended plans and cross-sections. Any additional representations received will be reported as late material.

5.4 The full content of all correspondence on this application can be viewed on Public Access.

6.0 OFFICER OPINION

6.1 *Legislative background*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

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

- Principle
- Design, layout and landscaping
- Affordable Housing
- Traffic and transport
- Residential amenity
- Drainage and flood risk
- Ecology and BNG
- Sustainability
- Contaminated land
- Waste minimisation
- Economic considerations
- Open Space, Recreation, Education and Community Facilities
- Planning obligations

6.5 **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. The NPPF also sets out that planning decisions should give significant weight to the need to support economic growth and productivity.

6.6 The NPPF requires local planning authorities to demonstrate a 5 Year Housing Land Supply, with an appropriate buffer, against the relevant housing requirement. The JCS addresses housing supply and demand under Policies SP1 (The Need for New Development and SP2 (Distribution of New Development) as well as within Part 7 (Monitoring and Review).

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

- I. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- II. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, in particular those for the location and design of development (as set out in chapters 9 and 12) and for securing affordable homes.*

6.7 The City Council is currently able to demonstrate a 5-year housing supply (currently 5.2 years)

6.8 In terms of the broad principles of development then, the site is on previously developed land within the built-up area of the City in a sustainable location with access to local facilities and would boost the supply of homes in a sustainable location. The proposal complies with Policy SD10 in relation to the principle of development, subject to assessment against other planning considerations in the remaining sections of the report. The site is brownfield land, and the proposal is for affordable homes, so substantial positive weight is given to the value of these considerations, in the planning balance, in line with the NPPF.

Design, Layout and Landscaping

6.9 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. It also sets out that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is important that decisions avoid homes being built at low densities, to ensure optimal use of sites.

6.10 JCS Policy SD3 requires all developments to demonstrate how they contribute to the principles of sustainability, Policy SD4 sets out requirements for high quality design, Policy SD6 requires development to protect or enhance landscape character while Policy SD10 requires housing of an appropriate density, compatible with good design, the protection of heritage assets, local character and compatible with the road network. Policy INF3 requires development to positively contribute to green infrastructure, also setting out that existing green infrastructure will be protected in a manner that reflects its contribution to ecosystem services, and 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.

6.11 Policy A1 of the City Plan requires overall improvements to the built and natural environment, to be of a suitable scale for the site, preserve the character of the area and appearance of the street scene, provide amenity space at a level reflecting the character of the area and scale

of the development, have appropriate bin storage, and create and support healthy living conditions. It requires development to make effective and efficient use of land and buildings. Policy C1 requires development to meet the highest possible standards of accessible and inclusive design. Policy C5 relates to air quality but includes design considerations including avoiding building configurations like creating a street canyon that would inhibit pollution dispersal and using green infrastructure to absorb dust and other pollutants. Policy E7 seeks to ensure no significant adverse impacts on existing trees or hedgerows and every opportunity is taken for appropriate new planting and requires biodiversity net gain on site (or a suitable alternative) if there is unavoidable significant adverse impact on trees or hedgerows. 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, ensure adequate space for trees to mature, and incorporate well designed public open space and amenity land. Policy F3 requires development to be designed to ensure that community safety is a fundamental principle.

- 6.12 The application proposes 35 dwellings comprising a mixture of 2, 3 and 4 bed properties with a range of house types and size. 100% of the units would be for be affordable housing for social rent.
- 6.13 The scale and appearance of the dwellings has been informed by a local character assessment. The majority of the properties would be 2-storey with two bungalows provided in the south-east corner of the site. It is proposed to use varying facing bricks and roof colours.
- 6.14 The layout of the development is well considered and would limit overlooking of existing properties and provide good natural surveillance of most areas of the site with properties fronting onto the spine road creating an active frontage. Corner units would provide dual aspect windows to help provide additional surveillance in the interest of designing out crime. Parking is provided on plot to the front or side of properties and is overlooked. Amended plans have been received to provide a 3-metre-wide pedestrian/cycleway link onto Tern Close to help integrate the site and provide a link to the local bus stops.
- 6.15 The site does not include any trees within the central area. Existing trees and hedgerows are located along the northern, south-eastern and south-western boundaries with the majority along the River Twyver. A good quantity of existing trees and shrubs would be retained to the east, at the entrance to the site, and along the River Twyver. The proposal would result in the loss of 3 existing trees together with an area of vegetation along the southwestern boundary which includes hazel, cherry and sycamore. The development would include replacement planting to include an addition 37 trees across the site, together with shrubs, hedgerows, grasses and wildflower planting to provide seasonal interest and optimise biodiversity. The proposed planting is very well considered and includes a high proportion of plants that are of benefit to wildlife and many which would provide seasonal interest.
- 6.16 In order to provide the required flood storage mitigation, it is proposed to lower an area of land to the west of the site, the rear of plots 19-31 (plus an area of riverbank). This would result in the rear gardens to these plots, along with some incidental open space, being effectively 'sunken' with a retaining wall of approximately 1.35m and steps to the lowered area from a terrace by the related house. Whilst it this is not ideal from a general design perspective, and considering these areas would be quite well screened from public vantagepoints, due to the need to provide flood mitigation this arrangement is considered to be an acceptable design solution.
- 6.17 Overall, the layout, scale and density of the proposed development would reflect the general

character and scale of the development in the surrounding area and is considered acceptable.

Affordable Housing / Housing Provision

- 6.18 The NPPF states that where local authorities have identified the need for affordable housing, policies should be set for meeting this need on site, unless off site provision or a financial contribution can be robustly justified. Policy SD12 of the JCS provides that a minimum of 20% affordable housing will be sought on sites of 11 or more dwellings in the Gloucester City administrative area. The supporting text at paragraph 4.13.6 explains that the policy reflects the viability of differing value areas that exist across the JCS, hence the requirement for a 40% contribution within Cheltenham and Tewkesbury but only a 20% contribution within Gloucester. However, bullet 10 of the Policy provides that the viability of the site may enable additional levels of affordable housing to be provided.
- 6.19 Policy SD11 seeks an appropriate mix of dwelling sizes, types and tenures to contribute to mixed and balanced communities, and development to address the needs of the local areas set out in the local housing evidence base including the most up to date strategic housing market assessment. It also requires housing to meet and where possible exceed appropriate minimum space standards and be accessible and adaptable as far as compatible with local context and other policies.
- 6.20 The development proposes 35 affordable homes (100%) for social rent comprising:
2 no. M4(3) bungalows
15 no. two bed houses
16 no. three bed houses
2 no. four bed houses
- 6.21 All houses would comply with the National Described Space Standards (NDSS) and would comply with City Plan F6.
- 6.22 Policy A6 of the City Plan sets out requirements to deliver accessible and adaptable homes. It requires 25% of units to meet the Building Regulations requirements of accessible and adaptable dwellings (M4(2)). Policy A6 also requires 4% of the affordable housing component to be built to Building Regulations requirement M4(3) wheelchair dwellings. All units would have private external amenity space.
- 6.23 The application exceeds the City Plan requirements for adaptable and accessible homes (Policy A6). The proposal is for 33 homes to M4(2) standard together with the provision of two M4(3) bungalows. This exceeds the requirements set out in Policy A6.
- 6.24 The homes would not achieve a double occupancy bedroom standard but given the overall benefits, on balance this is considered acceptable.

Traffic and transport

- 6.25 Par.115 of 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.
- 6.26 Policy G1 of the City Plan sets out that all development, on street space designed and allocated for pedestrians, cyclists, mobility users and deliveries, and bus stops, and bus priority measures will be prioritised over the parking of private vehicles. It also sets out the approach to car and cycle parking levels. Policy G2 requires all developments to provide safe

and secure access by cycle. 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 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.

- 6.27 It is proposed to utilise the existing access to the site off West Lodge Drive, with some modifications including the removal of the nearest give-way build out and its replacement with a raised table speed hump. The raised speed table would help reduce the speed of both passing and site traffic whilst allowing a suitable swept path two-way passing space.
- 6.28 A new internal access road is proposed within the site and would provide adequate traffic calming and visibility to the turning head at the western end of the site. The proposed shared drive off the main access road would have suitable passing and turning space for users.
- 6.29 Suitable pedestrian access would be provided from West Lodge to the new dwellings. A tactile pedestrian crossing point would be provided over West Lodge Drive slightly southeast of the main site access to assist pedestrians heading towards Abbeymead/Abbeydale.
- 6.30 Amended plans have been submitted to include a shared pedestrian and cycle path in the western corner of the site connecting to Tern Close, to allow direct pedestrian access to regular service bus stops on Bittern Avenue and Hawthorne Avenue. This would provide suitable connectivity to bus services to and from the City centre in accordance with guidance distances.
- 6.31 Cycle storage would be provided within rear gardens for at least one bicycle per bedroom in accordance with the County Council's adopted standards. Access paths to the storage would be a minimum of 1.2 metres in width without right angled bends or multiple gates, to help encourage and maximise cycling trips and reduce private car use.
- 6.32 Bin storage is proposed within rear gardens with collection from site frontages and would be in accordance with the recommended collection and presentation distances recommended in Manual for Streets.
- 6.33 The amended details of EV charging, swept path tracking details are considered suitable by the Local Highway Authority, subject to conditions to secure the suitable maintenance of the proposed EV charging points/infrastructure and the technical submissions to the Highway Authority.
- 6.34 The Highway Authority has concluded that the development would not result in an unacceptable impact on highway safety or a severe impact on congestion and no objection is raised subject to the inclusion of conditions and the completion of a S106 Agreement to secure a contribution towards the TRO consultation for the raised table on the West Lodge. As such it is considered that the application is acceptable in transportation and highway safety terms.

Residential amenity

- 6.35 The NPPF (Par.135) 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 minimum 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.
- 6.36 Policy SD14 of the JCS requires that new development must cause no harm to local amenity

including the amenity of neighbouring occupants. Furthermore, Policy A1 of the City Plan includes criteria on the living condition of neighbours and future residents.

- 6.37 The application site is bounded by existing houses in Coney Hill Road, Court Place, West Lodge Drive and Tern Close. It is recognised that the relationship between the proposed development and the existing properties is sensitive and that there would be a material change from the existing situation.
- 6.38 As set out in para 6.16 above it has been necessary to lower land levels to the rear and side of plots 19-31 to provide the required flood storage mitigation. The profile of the site and required land lowering would result in the proposed houses being set at a higher level than the existing neighbouring properties along the northern boundary with Coney Hill Road and Court Place and the western boundary to properties in Tern Close. Cross sections have been provided to help assess the impact of the change in levels on the amenity of the residents of neighbouring houses.
- 6.39 The closest relationship would be between plot 20 and no. 15 Tern Close with a distance of 12.54 metres from the side of plot 20 to the rear of no. 15 Tern Close. At this point the ground level at Plot 20 would be some 2.23 metres higher than that the ground level to the rear of 15 Tern Close. The house design of plots 19 and 20 have been amended to reduce the overall height with a 25-degree pitch to the roof to help reduce the impact. All other house types have been reduced to a 30-degree pitch with the exception of corner plots.
- 6.40 Along the northern boundary the rear of Plot 21 would be sited 26.62 metres from the rear of no. 12 Tern Close with a difference in ground levels of some 2.06 metres. The side elevation of Plot 33 would be sited 18.72 metres from the rear elevation of No. 6 Court Place with the ground level at the site of Plot 33 being 1.42 metres higher than that at the rear of no. 6 Court Place.
- 6.41 The levels on site along the south-eastern boundary are lower than the adjacent levels outside the site. The ground level at the rear of plot 5 would be 1.46 metres lower than that at the rear of no. 22 West Lodge Drive with a back-to-back distance of 22.48 metres.
- 6.42 Overall, given the distances involved, which all exceed the normally accepted minimum distances, together with the siting and house designed, the relationships are considered acceptable.
- 6.43 Consideration also needs to be given to the living environment which would be provided for future occupants of the proposed new dwellings. The relationships between the proposed new dwellings within the site are also considered to be acceptable and meet or exceed the target distances, with the exception of plots 23 and 31 which have a back-to-back distance of approximately 20 metres. Overall, it is considered that there would be no undue overlooking between dwellings.
- 6.44 The relationships between the proposed dwellings and existing neighbouring properties have been carefully assessed to minimise any impact in terms of overlooking, overshadowing and overbearing impact and overall are considered to be acceptable.
- 6.45 As indicated in this report, all units would comply with the NDSS. Private amenity space in the form of rear gardens would be provided for all units.

Noise

- 6.46 A Noise Report has been submitted in support of the application which assesses the results of a noise survey undertaken at the site. The assessment considered the noise at the front and rear facades of the proposed buildings and the external amenity areas for each plot.

6.47 The report sets out that the existing noise climate was dominated by continuous road traffic noise from the M5 motorway and the A417. The report concludes that noise is not likely to give rise to an adverse impact on amenity subject.

6.48 The City Council's Environmental Protection Adviser has confirmed that there is no objection to the application in respect of the construction phase or the living conditions of future residents.

Air Quality

6.49 The submitted Air Quality Assessment concludes that there are no air quality issues that are considered a constraint to the proposed development and as such the proposals are in accordance with JCS Policy SD3 and Policy C5 of the City Plan.

Drainage and flood risk

6.50 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.

6.51 *Flood Risk at the site*

The majority of the site lies within Flood Zone 1 with the flood maps indicating that the development site also includes flood zone 2 areas. The surface water flood risk mapping shows an area of low/medium risk within the site, but this does not appear to be externally connected, and as such is likely to represent internal pooling within the site.

6.52 The proposal would include the construction of dwellings within flood zone 2. As the ground level here is below the design flood level (100 year plus climate change equivalent), then this represents a loss in flood plain storage volume, potentially increasing flood risk elsewhere. An appropriate mitigation is proposed to the satisfaction of the City Council's Water Management Consultant, and it is recommended that this is secured via condition.

6.53 Design Flood Level (Estimated Flood Level)

The latest version of PPG states that the design (estimated) flood level should be determined as follows:

This is a flood event of a given annual flood probability, which is generally taken as:

- *river flooding likely to occur with a 1% annual probability (a 1 in 100 chance each year); or*
- *tidal flooding with a 0.5% annual probability (1 in 200 chance each year); or*
- *surface water flooding likely to occur with a 1% annual probability (a 1 in 100 chance each year),*

plus, an appropriate allowance for climate change."

The submitted Flood Risk Assessment provides a 0.1% RP flood level of 34.21 m AOD. The 0.1% flood level is broadly equivalent to the 100 year plus climate change flood level.

6.54 Sequential Test

Since the proposal includes areas within flood zone 2 areas, the sequential test must be addressed. This will need to be demonstrated that there are no alternative sites in a lower flood risk area that could accommodate the proposals. The area of search would normally be the whole of the Gloucester district unless it can be demonstrated that there is a specific need in a specific area.

The submitted sequential test includes an appropriate area of search, the sources searched are considered appropriate and the sequential test is considered to be passed.

6.55 Exception Test

Whilst the exception test does not explicitly need to be passed, it is considered that the proposals principals of safe development would apply.

6.56 Finished Floor Levels

The recommendation is that Finished floor levels (FFLs) would normally be set at a certain threshold above the design flood level as set out in EA standing advice:

'It is advised that Finished Floor Levels should be set no lower than 600mm above the 1% river flood level plus climate change with flood proofing techniques considered (where appropriate).'

As such, here, finished floor levels should be elevated at least 600 mm above the design flood level of 34.21 m AOD.

The minimum proposed FFL at this site is 34.9 m AOD which meets the requirements, and the proposal is therefore acceptable in this respect.

It is recommended that this is secured via condition.

6.57 Safe Access / Egress

There are no issues here.

6.58 Flood exceedance Routes

The flood exceedance routes are considered acceptable.

6.59 **Impact of The Development on Flood Risk Elsewhere**

Loss In Floodplain Storage Volume

From the City Plan:

'Development proposals shall facilitate watercourse restoration, exploiting opportunities to open culverts, naturalise river channels, and protect and improve the floodplain' (underlining mine)

Where a proposal creates built development below the design flood level (e.g., buildings or ground level raising), this can lead to a loss in flood plain storage volume.

Unmitigated loss in floodplain storage volume is contrary to the guidance contained in the NPPF and the requirements of the City Plan.

A 'loss in floodplain storage volume' mitigation strategy will therefore be required ('like for like', and 'level for level'). The proposed mitigation scheme is considered appropriate, and a condition is therefore recommended to secure this.

5.60 2.2 Surface Water Management

For a development of this size, there is a disappointing lack of above ground SuDS provision. This is why, in part, the water quality provision is not adequate (see section 3.0).

Policy E4 of the City Plan includes:

4.5.28 Gloucester City Council actively seeks blue-green infrastructure through the development process, to mitigate against flood risk, by building with nature.

4.5.30 Above ground SuDS (for example attenuation basins and swales), offer significant benefits over below ground systems, including water quality, biodiversity and amenity, and shall be incorporated where practicable. Larger developments will be expected to incorporate SuDS for source control (for example water butts and green roofs) and conveyance (for example swales), as well as for attenuation.

The FRA states that infiltration is not viable, but no percolation tests appear to have been carried out. Due to the clay soils, it is likely that soakaways are not viable, but for a development of this scale, BRE365 tests must be carried out to definitively prove this. This can be included as part of the detailed drainage design required by the recommended condition.

In line with the City Plan and County Council guidance, since there is no existing drainage at the site, surface water runoff shall be attenuated to 'QBar'.

The QBar value of 2.5 l/s shown in the FRA is based on a SOIL value of 4. The Wallingford calculator / WRAP mapping shows a SOIL value of 3 for this site which leads to a QBar value of circa 1.5 l/s. Clarification is required here.

- Following discussions with the applicant the 2.5 l/s rate is deemed acceptable (clay soils / brownfield site)

The following amendments on the hydraulic calculations are required:

- Cv values should be set to 1
- Maximum rainfall rate set to 200 mm/hr

Compliant values can be utilised at discharge of condition stage.

The outfall design will be covered by consenting done by the EA (main river).

6.61 SuDS (Water Quality)

In line with the City Plan, all vehicular areas should meet the CIRIA C753 water quality objectives.

Gullies/slot drains and oil interceptors are not considered to adequately address water quality requirements as they do not contain the finer particulates with which much of the pollution is associated (heavy metals etc).

Where proprietary water quality devices are proposed, manufacturer's data will need to be supplied demonstrating compliance with the SuDS manual (mitigation indices), along with evidence that the sizing/number of water treatment units is adequate for the area drained.

The River Twyver is currently classified as 'failing' in terms of water quality.

The applicant is proposing (tanked) permeable paving for some vehicular areas. Currently, there is no water quality provision for the main road through the development. This needs to

be addressed with details to be provided under condition.

6.62 **4.0 Riparian Corridor**

Policy E4 of the City Plan requires that an 8 metre wide corridor (measured from top of bank, to each side of watercourse) remains free of development:

'An 8 metre riparian buffer strip, measured from the top of bank to each side of the watercourse or the outside edge of any culverted watercourses where is necessary for the culvert to remain in situ, shall be kept free of development. As well as for flood risk reasons, this is to facilitate maintenance access and to act as a green corridor for ecological benefit.'

The revised plan indicates that this is achieved, and it is recommended that this is secured by condition.

6.63 The City Council's Water Management Consultant, the Local Lead Flood Authority and Severn Trent Water have confirmed that they have no objection to the application subject to the inclusion of appropriate conditions.

Ecology

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

6.65 Cotswold Beechwoods Special Area of Conservation (SAC) is part of a network of European sites that are of particular importance for nature conservation and subject to strict legal protection. The designation, protection and restoration of European wildlife sites is embedded in the Conservation of Habitats and Species Regulations 2017, as amended, which are commonly referred to as the 'Habitats Regulations'. Importantly, the most recent amendments (the Conservation of Habitats and Species (amendment) (EU Exit) Regulations 2019) take account of the UK's departure from the EU.

6.66 Policy E6 of the Gloucester City Plan states that in order to retain integrity of the SAC and to provide protection from recreational pressure, all development that results in a net increase in dwellings will be subject to a Habitats Regulations Assessment for likely significant effects.

6.67 Policies SD9 of the JCS and E1 of the GCP require development proposals to provide a net increase in biodiversity through enhancement of existing features on the site or creation of additional habitats or linking existing habitats to create ecological networks.

6.68 A desk study was carried out in July 2022, which included records obtained from the Gloucestershire Centre for Environmental Records and a search of the MAGIC website. A Preliminary Ecological Appraisal, comprising a UKHab / Phase 1 habitat survey and protected species assessment, was carried out in August 2022 and updated in October 2023. This included a Preliminary Roost Assessment of trees in relation to roosting bats.

6.69 The application site comprises a former building that has since been demolished, and its grounds. The habitats include hard standings, tall rank grassland, scattered tall forbs, ruderal / ephemeral vegetation, scrub, modified mown grassland and scattered trees. There is a strip of broadleaved woodland and scrub along the southern boundary which is associated with the River Twyver. The combined habitats broadly meet the UKHab definition of 'vacant or

derelict land'. There are several stands of Japanese knotweed.

- 6.70 The habitats have the potential to support protected and notable species. Four trees were identified as having Potential Roost Features for individual bats (PRF-I). The woodland, scrub, trees and rank grassland have potential to be used by foraging and commuting bats. The woodland, scrub and trees may support nesting / foraging birds.
- 6.71 There is suitable terrestrial habitat for amphibians and reptiles, and a 'low' population of slow worm was recorded during targeted surveys for reptiles in June to August 2023.
- 6.72 It is possible that badgers forage on site and it was not possible to completely rule out the presence of setts due to dense scrub. It is unlikely that otters and water voles are present on the River Twyver, but this cannot be ruled out. The site may support hedgehogs and other small mammals. It is also likely to support common invertebrates, but it is unlikely that a notable assemblage would be present.
- 6.73 A stand of Japanese knotweed was observed in north area of the site, with a further stand immediately adjacent to the site in a neighbouring property. This species is listed under Schedule 9 Part II of the Wildlife and Countryside Act 1981 (as amended). The submitted CEMP advises that the knotweed on site is being managed via a herbicide treatment and that a root barrier membrane will be installed along the northern edge of the site between the neighbouring property to prevent its spread into the site.

Impacts, Mitigation and Enhancements

- 6.74 The development would result in the loss of most habitats to housing, gardens and access roads. The woodland along the River Twyver and most of the scattered trees would be retained.
- 6.75 The PEA states that, according to current proposals, the four PRF-I trees would be retained. However, it also provides recommendations for precautionary mitigation to follow during felling operations if any of these trees have to be removed. This is in keeping with the new bat survey and bat mitigation guidelines for PRF-I features. These measures are included in the submitted Construction Ecological Management Plan (CEcMP). The CEcMP also includes details of how light spill would be avoided during the site clearance and construction phase to prevent impacts on foraging/commuting bats.
- 6.76 The majority of habitat suitable for reptiles would be lost. This would effectively cause the loss of the local slow worm population. A Reptile Mitigation Strategy and Management Plan has been provided which includes details of the protection of amphibians during the site clearance and construction and the relocation of the slow worm population to a receptor site at the Clock Tower. The Ecological Adviser has confirmed that these details are acceptable.
- 6.77 The ecological enhancements proposed to be incorporated into the new development include creation of new wildflower grassland habitat, planting of new trees, hedgerows and shrubs. Additional ecological features are included in the EMP including bat and bird boxes, enhancements for reptiles and amphibians (log/brush piles) and gaps in fencing to allow passage of hedgehogs

Biodiversity Net Gain

- 6.78 Whilst the application was submitted prior to the BNG legislation coming into force and as such is exempt, a Biodiversity Net Gain Assessment (BNG) has been submitted in support of the application as a useful way to quantify biodiversity impact and mitigation requirements. Whilst the proposals would result in an overall increase in hedgerow units and no net loss in watercourse units, the development would result a net loss in habitat of -19.89% (2.11 units). Some of the specific areas lost include vacant/derelict land and scrub. Whilst these areas

contribute to the Biodiversity Net Loss, they are deemed unsuitable to replicate on the site. Due to the overall net-loss of biodiversity, options for bio-diversity offsetting off-site are required to comply with the requirements of JCS Policy, City Plan Policy E1 and the requirements of the *Environment Act 2001*.

- 6.79 Options for off-site biodiversity mitigation have been explored by the applicant and it is proposed to maximise the on-site provision through enhanced landscaping and to off-set the loss of biodiversity through off-site enhancements in order to achieve an overall biodiversity gain of 1% (since the application was submitted prior to 10% BNG being mandatory). An agreement has been reached with Gloucestershire Nature and Climate Fund to provide the off-site compensation and this will be secured by way of the S106 Agreement.

Designated sites

- 6.80 Cotswold Beechwoods Special Area of Conservation (SAC) is 3.8km south-east of the site. Since there is potential for impacts on Cotswold Beechwoods SAC due to increased recreational pressure from residents of the new housing, The alternative would be for the applicant has agreed to make a financial contribution in line with the Cotswold Beechwoods SAC Recreation Mitigation Strategy.

The City Council's Ecology Adviser has raised no objection to the application subject to the inclusion of conditions. A revised CEcMP has been prepared and submitted by the applicant to address the outstanding issues required by condition. The Ecology Adviser is assessing this additional information and details of any recommended conditions will be reported to Members as late material.

Sustainability

- 6.81 It is proposed to reduce energy demand through passive design measures and a fabric-first approach including:

- Design of new homes to optimise natural daylight in all the habitable spaces with suitable window sizes to living rooms and bedrooms.
- Design and layout to promotes passive solar gains and maximise natural daylight, sunlight and ventilation.
- Minimising the direct adverse impact of shading from other buildings and landscaping and improving access to passive solar gain.
- High performance glazing to reduce heat loss and optimise passive solar gain while reducing the potential for overheating.
- 100% low energy lighting.
- Use of bespoke PSI values and thermal Mass Perimeter.

- 6.82 It is proposed to incorporate photovoltaic (PV) technology to all plots on the site. Electric charging points would also be added to all plots. Using a non-gas strategy and a mixture of fabric and PV it is expected to achieve a 51.46% reduction in carbon emissions across the site. This is considered to be acceptable.

Contaminated land

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

- 6.84 Historic maps indicated that the site remained undeveloped farmland until the construction of Holly House in the 1990's. This was demolished in 2014.

- 6.85 The underlying geology is a Charmouth Mudstone Formation, classified as a 'Secondary Undifferentiated' aquifer. The site is does not lay within a groundwater Source Protection

Zone. There are no records of any historic landfills or active licensed waste management facilities (landfills) within 250m of the site.

- 6.86 The site falls into a low-risk Radon area, therefore no radon mitigation measure have been provided. The site is not identified as having any potential for coal mining risks.
- 6.87 The Site Investigation Report concludes that no exceedances of the soil screening criteria were identified. Asbestos was not identified in any of the samples analysed, clean topsoil should be provided in all gardens and areas of public open space to act as a suitable growing medium. Water pipe specifications should be confirmed with the Water Authority.
- 6.88 The City Council's Contaminated Land Adviser has confirmed that it is satisfied with the Site Investigation Report, Risk Assessment and conclusions. No objection is raised subject to the inclusion of conditions in relation to the importation of soils and the reporting of any unexpected contamination. This is considered to be acceptable.

Waste minimisation

- 6.89 The NPPF sets out that sustainable development has an environmental objective that includes minimising waste. The County Council Waste Core Strategy requires a waste minimisation statement. Policy SD3 of the JCS requires major developments to be accompanied by a waste minimisation statement and expects development to incorporate the principles of waste minimisation.
- 6.90 A Waste Minimisation Statement has been submitted in support of the application. This has been reviewed by the County Council Minerals and Waste Team and is considered acceptable subject to conditions.

Economic considerations

- 6.91 The proposals would be likely to support economic growth and the NPPF gives significant weight to such benefits. Economic benefits that could arise from the scheme include from construction, directly and indirectly, and introduction of more economically active residents spending within the locality. The proposal would therefore have a significant 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 supports the case for granting permission. An employment and skills plan is required by the City Plan and it is recommended that this is secured by condition.

Open Space, Recreation, Education and Community Facilities

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

Planning Obligations

- 6.93 Planning legislation and the NPPF provide that planning obligations should only be sought where they meet all of the following tests:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development: and
 - Fairly and reasonable related in scale and kind to the development.

- 6.95 This is reflected in Policy INF6 of the JCS which provides that where the need for additional infrastructure and services is expected, the local planning authority will seek to secure appropriate infrastructure, which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal. Similarly, a Section 106

agreement is the mechanism for providing affordable housing in compliance with Policy SD12. Policy INF7 of the JCS sets out the approach to securing developer contributions, including that if there is a concern regarding development viability, a viability assessment will be required. The requirements for S106 contributions arising from the proposal are set out below.

6.96 **Affordable housing**

The proposal is for the provision of 35 affordable dwellings for social rent. The applicant has confirmed all 35 units would be made affordable in perpetuity and that there is no issue in terms of compliance with Capital Funding Grant or grant agreement.

6.97 **Open space**

The NPPF says that decisions should aim to achieve healthy, inclusive and safe places, and that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and wellbeing of communities. Policy INF6 of the JCS refers to seeking appropriate infrastructure including community and cultural facilities, health and wellbeing facilities and sport, recreation and leisure facilities, and provision of green infrastructure including open space. Furthermore, that permission will be granted only where sufficient provision has been made for infrastructure and services to meet the needs of new development and/or which are required to mitigate development impact on existing communities. Policy INF4 of the JCS sets out that where new residential development will create, or add to, a need for community facilities, it will be fully met as on-site provision and/or as an off-site contribution. Policy INF3 of the JCS refers to green infrastructure including allotments, and it requires that development contributes positively towards green infrastructure, and where new residential development will create or add to a need for publicly accessible green space this will be fully met in accordance with Policy INF4. The 'key principles of the City Plan include protecting and enhancing the City's allotments. The City Plan also notes that they are an incredibly important resource, supporting local food growth, physical activity and health and wellbeing, with waiting lists for all existing sites, furthermore that where demand arises, they will be supported. This is also noted in the context of climate change where new allotments will be provided where there is a need. Policy A.1 of the 2002 Second Deposit Local Plan sets out that permission will only be granted for new housing developments of 30 units or more that provide an allotment site to the standard of 0.2ha per 1000 residents, with commuted sums considered where on-site provision is not feasible.

The Public Open Space request is:

- £169,000 for formal sport
- £62,000 for formal sport
- £22,000 for general POS improvements

6.98 **Libraries**

A contribution of £6,860 is proposed to library provision, specifically towards additional library resources at the Hucclecote or Matson library.

6.99 **Education**

Policy INF6 of the JCS refers to seeking appropriate infrastructure including community facilities, and early years and education. The NPPF acknowledges education as potential infrastructure required alongside development.

The County Council has made the following requests for education and library contributions:

Education

Primary Education: No contribution is sought. A demand for 13.48 places would be created, which could be accommodated in local schools.

Secondary education (11-16): £141,461.25 (to Gloucester Secondary planning area). There is a demand for 5.95 places created, from 35 qualifying dwellings for education.

Secondary education (16-18): £49,927.50

(To Gloucester Secondary planning area) There is a demand for 2.10 places created, from 35 qualifying dwellings for education.

Education total: £191,288.75

Libraries

Contribution at the rate of £196 per dwelling = £61,740 total (to Gloucester Library, to improve customer access to services through refurbishment, stock, technology and increased services).

The applicant is not offering any contributions in these regards due to the viability position. It is understood that that government guidance on securing developer contributions for education notes that alternative (basic needs) funding is available for school places if viability means that the full amount cannot be achieved through the planning application.

6.100 **Highways**

A contribution of £5,000 towards consultation and costs involved with the application process to install a raised table speed cushion fronting the site access on West Lodge Drive is sought.

Viability

- 6.101 The NPPF advises that where up to date policies have set contribution levels from development, they should be assumed to be viable, and the weight given to any viability assessment is a matter for the decision makers having regard to the circumstance.
- 6.102 It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment. The NPPF also sets out that the weight to be given to a viability case is for the decision maker, having regard to the circumstances including whether the plan and viability underpinning it is up to date and any changes in circumstances since bringing the plan into force.
- 6.103 The key conclusion of the developer's viability appraisal is that the proposed development for 100% Social Rented (fully grant funded) housing would generate a profit level of just -2.68% (below the expected industry recognised 6% for affordable housing developments). The submitted viability appraisal has been reviewed by the City Council's Viability consultant (RCA). RCA concluded similarly that a 100% Social Rented scheme with full grant funding would achieve -2.5% profit for the proposed scheme and as such no S106 contributions beyond the mandatory Cotswold Beechwood/BNG sum would be viable.
- 6.104 The applicant was requested to submit a further viability appraisal on the basis of a varied (policy compliant) tenure mix, for the following:
- 20% affordable (non-grant funded) units (7 units) as a policy compliant mix of 40% Social Rent (3 no dwellings), 26% Affordable Rent (2 no. dwellings) and 34% Shared Ownership Rent (2 no. dwellings) and
 - The remaining 80% as social rent in additionality (grant funded).
- 6.105 As a result of the changes made to the tenure mix of the application and confirmation that grant funding would only be due on 28 units in additionality, the viability proposals, have, in RCA's opinion, changed the situation. On the basis of this alternative tenure mix, the development costs considerably outweigh the Gross Development Value (GDV) for both the applicant's and RCA's assessment, producing profit levels below the targeted 6%.

- 6.106 RCA has tested the impact of removing all the S106 contributions (except for the Cotswold Beechwood/BNG contributions) and conclude that the profit level would increase to £35,178 or 0.48%. This is well below the reasonable 6% target and confirms that no viable level of S106 contributions can be afforded for either tenure mix.
- 6.107 Although RCA has raised concerns that this profit level may have a limited ability to cover the operational costs to the Registered Provider, the applicant's viability consultant has concluded that a profit of 3.05% can be achieved. On this basis RCA is confident that the applicant would still be able to deliver the scheme on the basis of the alternative tenure mix with no S106 contribution (except Cotswold Beechwood/BNG payments). As such the recommendation of RCA, on the basis of both the proposed and alternative tenure mix, is to remove the requirement to provide £485,733 of S106 contributions on the grounds of financial viability and this position is accepted.
- 6.108 The Applicant's viability consultant has responded on the basis that when applying RCA's construction cost methodology but applying BCIS Mean new build cost rebased to Gloucester to each house type configuration, construction costs increase from RCA's assumption of £6,093,787 to £6,434,839, thereby further reducing the profit levels.
- 6.109 RCA further recommend that Gloucester City Council secure the 20% policy compliant units (7 units) within a s106 agreement, if they are minded to approve this application. This would ensure that if grant funding does become available for those 7 units, a variation to the s106 would be required, at which point a further viability review would also be required to assess how this additional revenue changes the viability outcome.
- 6.110 On the basis of the conclusions of the viability appraisal the agreed heads of terms are as follows:

Legal Agreement heads of terms

- 6.111 In light of the above the agreed heads of terms area as follows:

- **Affordable Housing**

- a. Provision is to be made for 35 no. Affordable Dwellings within the proposal to be made affordable in perpetuity. These are to be comprised of 35 no. Social Rent Dwellings.
- b. Bromford is a Strategic Partner of Homes England and Homes England Strategic Partnerships grant funding is available for the project, taking total affordable housing to 100% of overall provision). This represents additionality for affordable housing delivery and thereby is compliant with the conditionality of the funding programme.
- c. Bromford is a Strategic Partner of Homes England and Homes England Strategic Partnerships grant funding is available for the project. Therefore, Bromford will apportion grant funding to deliver all 35 as affordable housing and thereby is compliant with the conditionality of the funding programme.
- d. The Section 106 agreement will be structured in relation to the grant funded units to ensure that the units will be eligible for CIL Social Housing relief and the terms of the Section 106 agreement are compatible with the requirements of Homes England in relation to grant funded units.
- e. Reasonable endeavours shall be made to recycle capital receipts from any disposals.

Nominations

- a. All Social Rent properties will be subject to a Local Lettings Plan approved by the Council with 100% council nomination applying. The Local Lettings Plan is to be submitted and agreed by the council before advertisement of any Social Rent properties. Occupation of those homes is to be by eligible persons in line with the Homeseeker policy.

- b. 100% Council nomination on subsequent lets which reflects the extent of adaptable homes in the scheme and need for such homes on the housing register. GCC will take a supportive approach of agreeing to managed moves on this scheme if requested by Bromford. This will be reflected within the Local Lettings Plan.
- c. Supported Homes Pathway: Local Lettings Plan will support move through homeless and mental health pathways.

- **Cotswold Beechwoods**

- £193 per dwelling for Strategic Access Management Monitoring (SAMM). This would contribute to dedicated staff, signs and interpretation, education & awareness raising, measures to address contamination, parking and travel related measures and monitoring.
- £480 per dwelling for Strategic Alternative Natural Greenspace (SANG).

- **Biodiversity Net Gain**

- Off-site mitigation to compensate for the loss of on-site BNG and provide an overall net biodiversity gain of 1%

- **Traffic Regulation Order**

£5,000 towards consultation and costs involved with the application process to install a raised table speed cushion fronting the site access on West Lodge Drive.

- **Monitoring fees**

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

Conclusion

6.113 The applicant has worked constructively with Officers to overcome a number of site-specific issues to bring forward the development of a brownfield site for social housing.

6.114 The proposed development of 35 homes for social rent offers significant planning benefits and supports the provision of affordable housing in the City, a matter afforded significant positive weight in the planning balance. This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, materials, highway safety implications, impact upon the amenity of any neighbours and the local area and sustainable development utilising a brownfield site and provision of housing to meet a need for housing nationally. Any adverse impacts as laid out in this report would not outweigh these benefits whether significantly and demonstrably or through a standard planning balance. The proposal is therefore considered to be acceptable and accordingly it is recommended that planning permission be granted.

7.0 RECOMMENDATION OF THE HEAD OF PLACE

7.1 That, the grant of planning permission is delegated to the Head of Place, subject to the conditions set out below and the completion of a Section 106 agreement to provide the Heads of Terms set out in paragraph 6.111 above.

7.2 Condition 1

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

Reason

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

Condition 2

The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers:

A full list of the revised drawing numbers will be provided to Members as late material.

Except where these may be modified by any other conditions attached to this permission.

Reason

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

Condition 3

No demolition or development shall start within the application site until a written scheme of investigation of archaeological remains, including a timetable for the investigation, has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions; and:

- a) The programme and methodology of site investigation and recording.
- b) The programme for post investigation assessment.
- c) Provision to be made for analysis of the site investigation and recording.
- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e) Provision to be made for archive deposition of the analysis and records of the site investigation
- f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

This pre commencement condition is required to ensure that any findings of archaeological interest are preserved.

Reason

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost.

Condition 4

All demolition and development shall take place in accordance with the Written Scheme of Investigation of archaeological remains. This condition shall not be discharged until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 3, provision has been made for the analysis, publication and dissemination of results and archive deposition has been secured.

Reason

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost.

Condition 5

No development shall start until a detailed design, maintenance and management strategy and timetable of implementation for the surface water drainage strategy presented in the

Flood Risk Assessment/Drainage Strategy [FRA Report ref. 22011 Rev A & Drainage Strategy Drawing ref. 22011-PL-02 Rev E) has been first submitted to and approved in writing by the Local Planning Authority. 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. In particular, detail must be provided to demonstrate that the drainage / SuDS meet the water quality requirements set out in the publication CIRIA C754, and that the surface water runoff from the cycle path is mitigated accordingly. The scheme for the surface water drainage shall be implemented in accordance with the approved details and timetable and shall be fully operational before any dwelling hereby approved is occupied.

This is a pre commencement condition necessary to ensure that a satisfactory drainage system is secured prior to below ground construction.

Reason

To ensure the development is provided with a satisfactory means of drainage, does not increase flood risk, and meets water quality requirements. 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 6

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any amending Order, a strip of land 8 metres wide adjacent to the top of both banks of all watercourses on or adjacent to the application site shall be kept clear of all new buildings and structures (including gates, walls and fences). Ground levels shall not be raised within this area other than any ground level raising expressly approved by this decision.

Reason

To facilitate access for maintenance and to act as a green corridor for ecological benefit.

Condition 7

The development hereby permitted shall not commence until details of the design, implementation, maintenance and management of foul water drainage works have been first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, and the drainage maintained/managed, in accordance with the approved details before the development is brought into use and thereafter for the lifetime of the development.

This is a pre commencement condition necessary to ensure that a satisfactory foul drainage system is secured prior to below ground construction.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Condition 8

Finished floor levels shall be no lower than 34.81m AOD

Reason

To ensure the new dwellings are not at significant risk of flooding

Condition 9

No dwelling hereby approved shall be occupied until the mitigation works for loss in flood storage volume, as set out in document 22011 Flood Compensation Works rev. A, and drawings 22011-FC-100 rev. A, 22011-FC-101 rev. A, 22011-FC-102 rev. A, and (modified by) 22011-SK-00 rev -, have been completed. The scheme shall be implemented in accordance with the approved programme and details. Should any drainage issues arise as a result of these mitigation works, then the developer shall be responsible for remedying the situation.

Reason

To alleviate the increased risk of flooding.

Condition 10

Notwithstanding the approved details the Development hereby approved shall not be occupied/be brought into use until the highway access and offsite works including around site access;

- Raised table on West Lodge Drive adjacent to site access
- Removal of existing build out with speed hump and associated features on West Lodge Drive slight northwest of site access
- Provision of tactile pedestrian crossing over West Lodge Drive southeast of site access
- Shared surface 3 metre minimum width path with bound hardstanding from site access road onto Tern Way with associated tactile crossings and footway drop kerbs.

have been constructed and completed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority

Reason

To ensure the safe and free flow of traffic onto the highway.

Condition 11

The development hereby approved shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall provide one space per bedroom for each dwelling and have a minimum 1.2 metre width access path. The storage area shall be maintained for this purpose thereafter.

Reason

To promote sustainable travel and healthy communities.

Condition 12

The development hereby approved shall not be occupied until the access, parking and turning facilities for the dwelling to which these facilities relate and connected to the nearest public highway have been provided as shown on the approved drawings with electric vehicle charging points and connections maintained or replaced thereafter according to up-to-date standards.

Reason

To ensure conformity with submitted details with safe and suitable layout and access details according to INF1 of the Local Plan Core Strategy, P 0.1 and 0.4 of the Local Transport Plan plus paragraphs 114 and 116 of the National Planning Policy Framework.

Condition 13

The development hereby approved shall not be occupied until visibility splays are provided

from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for distances illustrated on the approved plans. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjacent carriageway level.

Reason

In the interests of highway safety according to INF1 of the Local Plan Core Strategy, P 0.1 and 0.4 of the Local Transport Plan plus paragraphs 114 and 116 of the National Planning Policy Framework.

Condition 14

The development hereby approved shall not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway / edge of shared private drive carriageway have been provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

Reason

To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.

Condition 15

Prior to commencement of the development hereby permitted details of a construction management plan/statement shall be 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/statement shall include but not be restricted to:

- 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);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- 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 according to INF1 of the Local Plan Core Strategy, P 0.1 and 0.4 of the Local Transport Plan plus paragraphs 114 and 116 of the National Planning Policy Framework.

Condition 16

No below or above ground development shall commence until a detailed site waste management plan or equivalent has been first submitted to and approved in writing by the Local Planning Authority. The detailed site waste management policy must identify:

- The specific types and amount of waste materials forecast to be generated from the development during site preparation and development and construction phases; and

- The amount of off-site recycling of any wastes that are unusable on site; and
- Reduce the overall amount of waste sent to landfill.

In addition, the detailed site waste management plan must also set out the proposed proportions of recycled content/materials that will be used in construction. The detailed site waste management plan shall be fully implemented as approved unless the Local Planning Authority gives prior written permission for any variation.

This is a pre commencement to ensure that any construction waste is managed effectively, and this must be agreed before construction is commenced

Reason

To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with the adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction and adopted Minerals Local Plan for Gloucestershire Policy SR01.

Condition 17

No dwelling shall be constructed above damp proof course level until full details of the provision made for facilitating the management and recycling of waste generated during occupation have been first submitted to and approved in writing by the Local Planning Authority. This must include details of appropriate and adequate space and infrastructure to allow for the separate storage of recyclable materials. All details shall be fully implemented as approved unless the Local Planning Authority gives prior written permission for any variation.

Reason

To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction.

Condition 18

Full details of any soil or soil forming materials to be brought on to the site for use in garden areas, soft landscaping, filling and level raising must be provided.

Where the donor site is unknown or is brownfield, the material must 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) must be submitted to and approved in writing by the Local Planning Authority prior to import on to the site.

The approved testing must 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 19

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported 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 should 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. Detailed site investigation and risk assessment must 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. The risk assessment must be designed to assess the nature and extent of suspected contamination and approved by the Local Planning Authority prior to any further development taking place.
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 must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. 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 must 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 must be produced and is subject to the approval of 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.

We trust this information is of assistance.

Condition 20

Prior to the commencement of development an Employment and Skills Plan, tailored to the development, shall be first submitted to and approved in writing by the Local Planning Authority. The construction phase for the development hereby approved shall comply with the approved Plan.

Reason

In the interests of delivering local employment and skills training opportunities in accordance with Policy B1 of the Gloucester City Plan 2011-2031.

Condition 21

Prior to the occupation of the development hereby permitted, the noise management mitigation measures set out in the Environmental Noise Survey Report, dated 20th October 2023 (report no. 22622-1) shall be implemented and thereafter maintained as approved for the duration of the use.

Reason

To protect the amenity of the future residents.

Condition 22

The landscaping scheme as shown on the approved drawing numbers:

- JSL4967-RPS-XX-EX-DR-L-9001 Revision P08 - Detailed Soft Landscaping Scheme, received on 1st July 2024
- JSL4967-RPS-XX-EX-DR-L-9002 Revision P08 - Planting Palette & Spec, received on 1st July 2024.

shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The planting shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once, they shall continue to be replaced on an annual basis until the end of the 5-year maintenance period. No trees shall be planted within 5 metres of the watercourse.

Reason

To ensure a satisfactory and well-planned development and to preserve and enhance the quality of the environment.

Condition 23

The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved details specified in the BS:5837 Arboricultural Survey and Impact Assessment, prepared by Focus Environmental Consultants dated October 2023.

This shall include:

- Root zone protection fencing
- Construction exclusion zones
- Habitat protection
- Method statement

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

Reason

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

Condition 24

In the respect of T20 and T21 (both white willows) 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 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.

This is a pre commencement condition to ensure that there is no direct tree root damage as a result of any construction work.

Reason

To prevent damage to or loss of trees.

Condition 25

No development shall commence until a detailed method statement for the removal/eradication of invasive species on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of invasive species during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. The approved method statement shall be carried out in full and adhered to throughout the course of the development.

Reason

To protect the amenity of the local area by dealing with Japanese Knotweed and any other invasive species.

Condition 26

Prior to commencement, details of external lighting should be submitted to and approved in writing by the Local Planning Authority. The details should clearly demonstrate that lighting would not cause excessive light pollution of the surrounding habitats. The details should include, but not be 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; and
- v) Methods to control lighting control (e.g., timer operation, passive infrared sensor (PIR)).

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details. The approved lighting shall be maintained thereafter in accordance with these details. Under no circumstances shall any other external lighting be installed unless first agreed with the Local Planning Authority in writing.

Reason

To ensure proper provision is made to safeguard protected species and their habitats.

Condition 27

Prior to the first use/occupation of the development hereby approved, bird nesting sites/boxes and artificial bat roosting sites/boxes shall be installed in accordance with details that have first been approved in writing by the Local Planning Authority. The site/boxes shall be retained as approved thereafter.

Reason

To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area

Condition 28

Notwithstanding the information submitted with the application, no development above floor plate level shall be carried out until samples of the external facing materials to the walls and roofs of the buildings hereby approved proposed have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall be constructed in accordance with the approved details.

Reason

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

Condition 29

No above ground construction of any dwellinghouse whose associated garden includes a retaining wall shall be commenced until details of the retaining wall facing treatment has been submitted to and approved in writing by the Local Planning Authority. Construction shall take place in accordance with the approved details and shall be completed in respect of each unit prior to occupation of that unit.

Reason

To ensure the visual impacts of the retaining walls are mitigated and in the interests of resident's amenities.

Condition 30

Notwithstanding the details submitted no dwelling shall be occupied boundary fences/walls have been installed in accordance with details that have first been approved in writing by the Local Planning Authority. The details shall include a plan indicating the positions, design, materials and type of boundary treatment to be erected including details of the wildlife gaps at the base of all boundary fences, full details of the proposed retaining walls to the open space and a timetable for implementation.

Reason

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

Condition 31

Prior to installation of any external photovoltaic or other sustainable technology equipment on any dwelling that is proposed to include external photovoltaic or other sustainable technology equipment details of the equipment (including but not limited to a scaled plan to show its location on the building, and manufacturer or other such details to enable assessment of its specification and profile relative to the building) has been submitted to and approved in writing by the Local Planning Authority. Construction shall take place in accordance with the approved details.

Reason

To enable full consideration of the external appearance of the building.

Condition 32

During the construction phase (including demolition and preparatory groundworks), no machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or dispatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason

To protect the noise climate and amenity of local residents.

Condition 33

No dwelling shall be occupied until a scheme to demonstrate that consumption of wholesome water per dwelling per day in the development hereby permitted shall not exceed 110 litres of water per person per day has been first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason

In order to satisfy Policy G6 of the Gloucester City Plan.

Condition 34

No removal of trees/scrub/hedgerows shall be carried out on site between 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure that the nature conservation interest of the site is protected.

Notes:

Note 1

Works on the Public Highway

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 Council's costs in undertaking the following actions:

Drafting the Agreement

A Monitoring Fee

Approving the highway details

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.

Note 2

Traffic Regulation Order (TRO)

You are advised that a Traffic Regulation Order (TRO) process is required with the proposed site access raised table on West Lodge Drive. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving advertisement and consultation of the proposal(s).

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO

being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.

The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

Note 3

Highway to be adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Council's cost's in undertaking the following actions:

- Drafting the Agreement
- Set up costs
- Approving the highway details
- Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Note 4

Street Trees

All new streets must be tree lines as required in the National Planning Policy Framework. All proposed street trees must be suitable for transport corridors as defined by Trees and Design Action Group (TDAG). Details should be provided of what management systems are to be included, this includes root protections, watering and ongoing management. Street trees are likely to be subject to a commuted sum.

Note 5

Impact on the highway network during construction

The development hereby approved, and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

Note 6**No Drainage to Discharge to Highway**

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

Note 7**Protection of Visibility Splays**

The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

Person to Contact: Caroline Townley (396780)