

**Item No 02:-**

**16/02598/OUT (CT.5331/D)**

**Land Off Berkeley Close  
South Cerney  
Gloucestershire  
GL7 5UN**

## Item No 02:-

**Outline application with all matters reserved except access for the construction of up to 92 dwellings (with up to 50% affordable housing) and associated works at Land Off Berkeley Close South Cerney**

<b>Outline Application 16/02598/OUT (CT.5331/D)</b>	
<b>Applicant:</b>	Gladman Developments Limited
<b>Agent:</b>	Planning Prospects Ltd
<b>Case Officer:</b>	Joe Seymour
<b>Ward Member(s):</b>	Councillor Juliet Layton
<b>Committee Date:</b>	14th December 2016
<b>RECOMMENDATION:</b>	<b>PERMIT, SUBJECT TO S106 AGREEMENT COVERING PROVISION OF AFFORDABLE HOUSING AND FINANCIAL CONTRIBUTIONS FOR EDUCATION</b>

**Main Issues:**

- (a) Residential Development Outside Development Boundaries
- (b) Sustainability of Location
- (c) Highway Safety and Traffic Generation
- (d) Flooding and Drainage
- (e) Community Benefits
- (f) Landscape and Heritage Impact
- (g) Other Matters

**Reasons for Referral:**

This application has been referred to the Planning Committee by Officers so the Members can assess the impact of a major residential development on the village of South Cerney. An Advanced Sites Inspection Briefing was conducted on 5 October 2016.

**UPDATE: This application was deferred from the Planning Committee meeting held on 9 November 2016. The application was deferred because Members considered that insufficient information pertaining to flooding and drainage issues had been submitted with the application. Concerns were also raised with regard to the capabilities of the local road network. The applicant has now submitted additional information to address these issues, which was circulated by the case officer to Members via email on 28 November 2016 - 16 days prior to the 14 December 2016 Planning Committee meeting. The report to the November Planning Committee meeting was as follows with any updates highlighted in bold.**

**1. Site Description:**

The site is a field measuring 3.5 hectares which lies to the west of Berkeley Close on the south-western edge of South Cerney. The site is bordered by Ann Edwards County Primary School to the north, Lakeside Business Park to the south and undeveloped fields to the west, beyond which lies the district border with Wiltshire.

South Cerney lies within a broad vale formed by the upper reaches of the River Thames. The South Cerney area does not fall into any landscape designations such as the Cotswolds Area of Outstanding Natural Beauty, Site of Special Scientific Interest or Special Landscape Area.

The site itself occupies the eastern portion of a larger arable field. The western part of this field lies within a Flood Zone 2/3 area but the site itself it is within Flood Zone 1, which is the lowest risk category. There is little vegetation to the school and housing boundary but a dense

vegetation belt offers screening of the business park alongside the existing stream, to the south western boundary.

There are a number of Public Rights of Way (PRoW) that cross the wider countryside, one which follows a route along the south eastern boundary and another to the north western boundary of the wider field and the school.

## **2. Relevant Planning History:**

CT.5331/RD: Outline application for residential development.  
Refused, May 1977.

CT.5331/A: Outline application for Residential Development. Construction of New Vehicular and pedestrian accesses.  
Refused, November 1988.

CT.5331/B: Outline application for residential development. Construction of new vehicular and pedestrian accesses.  
Refused, January 1991.

## **3. Planning Policies:**

NPPF National Planning Policy Framework  
LPR05 Pollution and Safety  
LPR09 Biodiversity, Geology and Geomorphology  
LPR10 Trees, Woodlands and Hedgerows  
LPR19 Development outside Development Boundaries  
LPR21 Affordable Housing  
LPR34 Open Spaces & Play Areas in Residential Development  
LPR38 Accessibility to & within New Development  
LPR39 Parking Provision  
LPR42 Cotswold Design Code  
LPR43 Provision for the Community  
LPR45 Landscaping in New Development  
LPR46 Privacy & Gardens in Residential Development

## **4. Observations of Consultees:**

### **Biodiversity Officer:**

No objection, subject to conditions.

### **Conservation Officer:**

No objection.

### **Landscape Officer:**

No objection.

### **Tree Officer:**

No objection, subject to conditions.

### **Housing Enabling Officer:**

No objection, providing 50% affordable housing is provided.

**Land Contamination Officer:**

No objection, subject to conditions.

**GCC Archaeologist:**

No further archaeological investigation or recording should be required in connection with this planning application.

**GCC Highways Officer:**

No objection, subject to conditions.

**GCC S106 Officer:**

Financial contributions are required towards primary and secondary education and libraries.

**GCC Lead Local Flood Authority:**

No objection subject to conditions.

**Environment Agency:**

No objection.

**Thames Water:**

A 'Grampian Style' condition is requested to afford the opportunity to agree a drainage strategy with the applicant that aligns with the Sewer Impact Study.

**5. View of Parish Council:**

South Cerney Parish Council strongly objects to this application, for the following reasons.

**1. Access**

The previous consideration of this site during the SHLAA process observed that it was not suitable for development because the access issue would have to be mitigated. This application fails to recognise that crucial issue, and it fails to provide any such mitigation.

There is only one access to the site, along a single road partly known as The Lease, the remainder known as Berkeley Close. The narrowness of that road (not least the busy section beside the Scout HQ site) is exacerbated by the many parked cars belonging to the adjoining residents. This means that this access can be compared to a single-track road. In fact, the issue of parking will become even worse if the recommendation of double yellow-lines were to be implemented as recommended in the Road Safety and Mobility Audit (Appendix J in Part 2 of the Transport Assessment). The rebuttal to this recommendation (section 2.2 on p168 of the same document) is inadequate as it fails to address, for example, the clearance required as shown on diagram TPMA1512-101 (page 49 in Part 1 of the Transport Assessment). The imposition of these double yellow-lines would have a severe detrimental impact on parking in remainder of Berkeley Close, on the Lease and on the adjacent road (Broadway Lane - see below).

The only access to The Lease is via Broadway Lane. In addition to the access issues within The Lease / Berkeley Close that would be created by the proposed development, the application also fails to recognise the effect that such a development would have on the major problems that already exist on Broadway Lane. Broadway Lane is the only road running from south to north into the centre of the village, and it is already severely encumbered by the recent increase of traffic generated by the 149 new houses on the new Redrow housing development, also only accessible via Broadway Lane.

Broadway Lane is also severely affected by the separate and serious issues caused by the ongoing, increasing development of the large B1, B2 and B8 sites either side of Broadway Lane, known as The Mallards and Lakeside. Not only are they causing the ongoing significant increase in traffic volumes, but also major existing issues with parking by employees on Broadway Lane. Both of these issues are cumulative, ongoing and increasing. Indeed, the parking on Broadway Lane is such that in parts it already resembles a single-track road during working hours.

Even notwithstanding these special circumstances, Gladman's traffic analysis (TRICS) is flawed. This is evidenced by the fact that none of sites used for comparison (Appendix G in Part 2 of the Transport Assessment) appear to be similar in nature to South Cerney. This flawed traffic analysis is noted by the GCC Highways Development Management submission (Appendix B in Part 2 of the Transport Assessment) where it is noted that TRICS is not suited to Gloucestershire's rural areas.

In summary, the access issues are severe and clearly such that they cannot be mitigated: on this ground alone, this application should be refused.

## 2. Density and Over-development

Putting aside the complete absence of mitigation of the access issues, the SHLAA process recognises this site as only being potentially suitable for 64 dwellings. The Gladman proposal of around 100 dwellings would patently be far too dense for this site. This is not only because the number of houses would increase the access issues. South Cerney is a village, not a town, and it is not designated as a "strategic settlement" in the emerging Local Plan. The application is for a green-field site, outside the village development boundary, and yet the proposed density would be significantly greater than the recent, brown-field, Redrow development. A further indication of overdevelopment is that whereas the Redrow development has approximately 30% public space, only around 10% of this application's area is designated as public space - with some of this being occupied by a mandatory attenuation pond.

Because of the Redrow development, the population of South Cerney has increased by more than 10% in the last three years. Therefore, further substantial development would cause an additional significant burden on many local resources such as the GPs' surgery, playgroup and primary school. The Gladman proposal offers absolutely no mitigation for such issues. For this reason of density and over-development alone, this application should be refused.

## 3. Other issues

Either one of the issues above (Access and Density/Over-development) on their own is sufficient for the application to be rejected yet the Parish Council also notes the following additional issues, which add further weight to the argument for rejection:

- The Parish Council is informed by the local district councillor that CDC already has a sufficient supply of land.
- A similar application for development at the site was refused in 1991. This set a precedent in that it was seen as being detrimental to the rural character of this area of the village.
- The Residential Framework Travel Plan (section 3.2.11 of the Transport Assessment) refers to an existing PROW from the site to the High Street - this does not exist (inaccuracy). In addition, nothing is said about improving pedestrian and cycle access from the site to the rest of the village.
- There has been poor community engagement and consultation by Gladman. Unlike Redrow's proactive approach for the recent development, Gladman has not suggested holding any public meeting or exhibition-event to answer questions and concerns in public. This is despite the fact that this is a large development for the village and is considerably more densely built than the recent Redrow development. In summary, the Parish Council strongly objects to this application and believes that there is overwhelming evidence to reject the proposed application.

## 6. Other Representations:

35 local residents have objected to the proposal. The main grounds for objection are as follows:

- i. The number of dwellings proposed is too many and is considered overdevelopment.
- ii. Too much traffic and dangerous road conditions in Broadway Lane already with the expansion of the industrial area and the Mallards housing with dangerous access for the new site.
- iii. Not enough capacity at the school or playgroup.
- iv. There have been numerous near misses and a number of actual collisions caused by traffic volume and the lack of visibility due to parked cars.
- v. Most people will drive to supermarkets in Cirencester and will drive to jobs in Swindon/Cirencester or further afield. The availability of bus routes and cycle paths doesn't mean they're actually used.
- vi. South Cerney has its full quota of houses until 2031 and the site is outside of the village's development boundary.
- vii. Additional houses would put a strain on the sewerage and drainage systems.
- viii. The site floods regularly.
- ix. The effect on the school will be so detrimental with both noise, traffic and development crowding the school grounds.
- x. There is an increased level of Radon gas in the area and construction within the soil and earth will add to this problem.
- xi. The new houses will cause light restriction and privacy loss.
- xii. Residents of Winchcombe Gardens, Beverstone Road, The Lease, and some of Berkeley Close would be sharing one vehicular exit onto Broadway Lane would be a highway safety issue.
- xiii. There are insufficient amenities and local infrastructure to support close to 100 new dwellings.
- xiv. The area is frequented by wildlife, including newts and bats, both protected as a species by law. Any attempt to develop the site would be certain to disturb their habitat.
- xv. Broadway Lane has no parking restrictions, in places no white lines, speed of 30 mph and residential housing all along it to the outskirts of the village. There are numerous near miss incidents involving primary school children with recorded incidents of accidents along this stretch.
- xvi. A prior application in 1991 was rejected as being detrimental to the character of the village: there is no reason to think otherwise for this application.

## 7. Applicant's Supporting Information:

Agricultural Use and Quality Report

Air Quality Assessment

Arboricultural Assessment

Archaeological Assessment

Design and Access Statement

Ecological Appraisal

Energy Statement

Flood Risk Assessment

Foul Drainage Analysis

Geo-environmental Desk Top Study

Heritage Statement

Landscape and Visual Appraisal

Noise Impact Assessment

Planning Statement

Socio-economic Sustainability Statement

Statement of Community Involvement

Transport Assessment

Travel Plan

**'Response to Resident Concerns' document by Utility Law Solutions (authors of the previously submitted Foul Drainage Analysis)**

**Thames Water Sewer Impact Study**

**Topographical Survey (showing road widths of The Lease and Berkeley Close)**

## 8. Officer's Assessment:

### (a) Residential Development Outside Development Boundaries

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The starting point for the determination of this application is therefore the current development plan for the District which is the Cotswold District Local Plan 2001-2011 ("the Local Plan").

The application site is located outside a Development Boundary as designated in the current Local Plan. Development on the site is therefore primarily subject to Policy 19: Development Outside Development Boundaries. Criterion (a) of Policy 19 has a general presumption against the erection of new build open market housing (other than that which would help to meet the social and economic needs of those living in rural areas, agricultural worker's dwellings for example) in locations outside designated Development Boundaries. The provision of the open market dwellings proposed in this instance would therefore typically contravene the guidelines set out in Policy 19. Notwithstanding this, the Council must also have regard to other material considerations when reaching its decision. In particular, it is necessary to have regard to guidance and policies in the National Planning Policy Framework (NPPF). Paragraph 2 of the NPPF states that the Framework 'is a material consideration in planning decisions'.

The NPPF has at its heart a 'presumption in favour of sustainable development'. It states that 'there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles'. These are an economic role whereby it supports growth and innovation and contributes to a strong, responsive and competitive economy. The second role is a social one where it supports 'strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations'. The third role is an environmental one where it contributes to protecting and enhancing the natural, built and historic environment.

Paragraph 8 of the NPPF states that the three 'roles should not be undertaken in isolation, because they are mutually dependent'. It goes on to state that the 'planning system should play an active role in guiding development to sustainable solutions'.

Paragraph 47 of the NPPF states that Councils should identify a supply of deliverable sites sufficient to provide five years worth of housing. It also advises that an additional buffer of 5% or 20% should be added to the five year supply 'to ensure choice and competition in the market for land'. In instances when the Council cannot demonstrate a five year supply of deliverable housing sites Paragraph 49 states that the 'relevant policies for the supply of housing should not be considered up-to-date'.

In instances where the development plan is absent, silent or relevant policies are out-of-date the Council has to have regard to Paragraph 14 of the NPPF which states that planning permission should be granted unless;

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.

The specific policies in the second bullet point above are clarified in Footnote 9 accompanying Paragraph 14. However, Footnote 9 is not applicable to this particular case because the application site is located outside of the land designations that it specifies, which are as follows:-

- Area of Outstanding Natural Beauty (AONB)
- Site of Special Scientific Interest (SSSI)
- Green Belt

- Local Green Space
- National Park
- Conservation Area
- Flood Zone (2 or 3)

The land supply position has recently been considered at two Public Inquiries. The Inquiries in question relate to proposals to erect up to 90 dwellings on Land to the east of Broad Marston Road, Mickleton (APP/F1610/A/14/2228762, CDC Ref 14/02365/OUT) and up to 71 dwellings on land to the south of Collin Lane, Willersey (APP/F1610/W/15/3121622, CDC Ref 14/04854/OUT).

In relation to the Mickleton decision the Planning Inspector stated 'I consider that a 5-year supply of deliverable housing land is demonstrated'. He stated 'the agreed supply of housing would be sufficient to satisfy the 'objectively assessed housing need' of 380dpa over almost the next 9 years'. The Inspector also stated that he considered that the Council was no longer a persistent under deliverer of housing and that 'it is thus inappropriate to apply the 20% buffer now.' In the case of the Willersey application the Inspector agreed that a 5% buffer was appropriate and that the 'LPA can reasonably show a 7.63 year supply of deliverable housing land.'

Since the issuing of the above appeal decisions the Council has also reviewed the Objectively Assessed Need (OAN) for housing in the Cotswold District. The review indicates an increase in the housing requirement for the District from 7,600 to 8,400 dwellings over the period of the emerging Local Plan (2011-2031). In order to meet this additional requirement the Council will need to increase supply from 380 to 420 dwellings per annum. Whilst this increase has an impact on the Council's 5 year supply recent completion rates have been in excess of the 420dpa figure meaning that the Council can still demonstrate a supply in excess of 7 years. It is therefore considered that the Council can demonstrate a robust 5 year supply of deliverable housing land in accordance with Paragraph 49 of the NPPF.

The Council's five-year land supply was reviewed again in a more recent Public Inquiry for 69 dwellings at the land off Berry Hill Crescent in Cirencester (aka the 'Humpty Dumps'; Appeal Ref: APP/F1610/W/16/3144113, CDC ref: 15/03539/OUT. The appeal was dismissed on 12 September 2016). The Inspector stated that:

'The Council can demonstrate a five year housing land supply and the Council considers, on the basis of its latest assessment, that its supply is sufficient to cover a period of 7.54 years. Inspectors in appeal decisions relating to sites at Mickleton and Willersey estimated that a supply totalling nearly 9 years and 7.63 years respectively existed, albeit on the basis of there being a slightly lower annual requirement of 380 dwelling completions rather than the figure of 420 dwellings per annum now accepted by the Council'.

In such circumstances Officers consider that the adopted Local Plan policies that cover the supply of housing (such as Policy 19) are not automatically out of date in the context of Paragraph 49. Notwithstanding this, it does remain pertinent for a decision maker to consider what weight should be attributed to individual Local Plan policies in accordance with Paragraph 215 of the NPPF. Paragraph 215 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 they can be given)'. There will therefore be instances where new open market housing outside existing Development Boundaries can constitute sustainable development as required by the NPPF. The blanket ban on new open market housing outside such boundaries is therefore considered to carry little or no weight when assessed against Paragraph 215. In the aforementioned Mickleton appeal, the Inspector considered that Policy 19 was 'time-expired, conforms to a superseded strategy, fails to reflect the advice in the Framework (NPPF) in severely restricting rather than significantly boosting the supply of housing and conflicts with the emerging strategy'. He considered that Policy 19 'can only be regarded as out of date.' The Inspector in the Willersey case reached the same conclusion. In light of these opinions Officers consider that Policy 19 is out of date in the context of the NPPF and as such the tests set out in Paragraph 14 are applicable when determining this application.



In addition to the above, it must also be noted that even if the Council can demonstrate the requisite minimum supply of housing land it does not in itself mean that proposals for residential development outside existing Development Boundaries should automatically be refused. The 5 year (plus 5%) figure is a minimum not a maximum and as such the Council should continually be seeking to ensure that housing land supply stays above this minimum in the future. As a result there will continue to be a need to release suitable sites outside Development Boundaries identified in the current Local Plan for residential development. The application site in question is considered to be an example of such a site. If such sites are not released the Council's housing land supply will soon fall back into deficit. It is considered that the need to release such sites represents a material consideration that must be taken into fully into account during the decision making process.

Notwithstanding the current land supply figures it is necessary to have full regard to the economic, social and environmental roles set out in the NPPF when assessing this application. These issues will be looked at in more detail in the following sections.

### **(b) Sustainability of the Location**

South Cerney is designated as a Principal Settlement in the current Local Plan. In addition, emerging Local Plan document 'Local Plan Reg: 19: Submission Draft Plan (June 2016)' also identifies the village as one of 17 settlements that has sufficient services to accommodate new residential development in the period up until 2031.

These services include three pubs, a post office, a primary school, employment opportunities and a regular bus service to Cirencester and Swindon, all of which are considered to be within reasonable walking distance from the application site. Reasonable walking distance is defined in Manual for Gloucestershire Streets as less than 10 minutes / 800 metres. Pedestrian access to South Cerney's facilities can also largely be undertaken using existing pedestrian footways and along relatively flat routes. It is considered that the site is located sufficiently close to the village centre so that future residents would be afforded access to a range of services and facilities without having to rely solely or mainly on the use of the private motor car.

The Reg 19: Submission Draft Plan states that South Cerney ranks 7th in the District in terms of its social and economic sustainability and that it is a 'local centre' in the District's retail hierarchy, and opportunities to help maintain this position will be promoted through the Local Plan. The village also has a large, well-established and successful business park.

The Government's Planning Practice Guidance states: 'It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements. This is clearly set out in the National Planning Policy Framework, in the core planning principles, the section on supporting a prosperous rural economy and the section on housing. A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities'.

It goes on to say that: 'all settlements can play a role in delivering sustainable development in rural areas and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence'.

Strategic Policy 5: Distribution of Housing and Employment Development in the Local Plan Reg. 18 Consultation Paper does not allocate any additional dwellings for South Cerney for the period between April 2011 and April 2031 above the 155 dwellings already permitted at The Mallards site which is partially completed at the time of writing.

However, the Preferred Development Strategy (PDS May 2013) proposed up to 220 dwellings at South Cerney over the period April 2011 to March 2031. This took into account built and permitted dwellings in addition to the application site. The Strategic Housing Land Availability Assessment (SHLAA) stated the application site had a capacity for up to 64 dwellings, but due to

uncertainty regarding deliverability it was not put forward for allocation. The fact that the site was not put forward for allocation does not necessarily mean that it is not a suitable site for residential development. Indeed, the SHLAA assessment of the site was as follows:

'Conditionally suitable, subject to overcoming flooding and sewerage constraints. This will have an impact on the viability of the site. Sewerage infrastructure issues need to be resolved, which may take considerable time due to programming. Some landscape planting and improved management of area near water course will be required. Must not have access through industrial estate. However, narrow and congested approach roads and it is questionable whether mitigation is possible'.

It is evident that the ability of South Cerney to accommodate new residential development has been assessed as part of the emerging Local Plan process. The Development Strategy and Site Allocations paper recognises that the village is able to offer a range of services and amenities which can meet many of the day-to-day needs of the community. Moreover, it also supports a reasonable growth in the village's population to help address local affordable housing needs, sustain existing facilities and maintain the South Cerney's role as a local service centre. South Cerney has therefore been recognised as a potentially sustainable location for new residential development in terms of accessibility to a range of services.

### **(c) Highway Safety and Traffic Generation**

Section 4 of the NPPF focuses on promoting sustainable transport. In relation to proposed developments that generate significant amounts of traffic movements, paragraph 32 requires that decisions should take account of opportunities for sustainable transport modes, safe and suitable access for all people and improvements to limit the impact of developments. It states, however that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

Paragraph 34 requires that 'Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas'. Paragraph 35, inter alia, states that developments should be designed to give priority to pedestrian and cycle movements and to 'create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones'.

Local Plan policies 38 and 39 are consistent with the highway provisions of the NPPF in seeking sustainable, safe and suitable accessibility to and within developments and the provision of appropriate levels and forms of on-site parking.

The proposed development is located towards the southwest of South Cerney on Greenfield Land. To the east is residential development and employment opportunities are located to the south. The north and western site boundaries abut open countryside. The proposed site access is to be located at the approximate position of an existing access serving 19 lock up garages, with access being served from Berkeley Close, a class 4 residential highway. Berkeley Close adjoins The Leazes at a priority junction to the south of the site access; The Leazes in turns provides connection to Broadway Lane which links High Street to the north with the B4696 to the south. Berkeley Close is truncated by way of fixed bollards located approximately 53-54m to the north of the proposed site access, preventing through traffic. The site is to be served by a simple priority T-junction which is a suitable means of access in accordance with table 2/2 of TD42/95 based upon the expected flows from the minor (development) to the major (Berkeley Close) highways.

Standard 2.0m footways would extend into the site from the existing provision on Berkeley Close. This would provide a safe and level means of access to Broadway Lane and the wider area ensuring that local amenities and facilities are accessible on foot. This provides an opportunity for sustainable non-car based journeys.

The Parish Council has raised concerns regarding the prospect of double yellow lines being installed along the visibility splay which would reduce the availability of on-street parking. Firstly, section 22 of the Road Traffic Act states cars should not be parked within 10m of a junction so double yellow lines would only be helping to enforce a rule that should already be adhered to. Secondly, any double yellow lines on the north side of the proposed access would simply prevent cars from being parked opposite the junction to Winchcombe Gardens, which should not be occurring in the first place. Thirdly, the majority of houses along The Lease and the southern section of Berkeley Close have driveways and/or garages; it is acknowledged that a minority of houses on these two streets do not benefit from off-street parking and are therefore somewhat reliant on on-street parking, however it is considered the proposed development would not exacerbate this situation providing sufficient parking is provided within the scheme itself. It is considered that there would still be sufficient sections of The Lease and Berkeley Close that would have no parking restrictions to allow some on-street parking to continue.

The Parish Council has also raised concerns with regard to the parking situation on Broadway Lane. The Parish Council maintain that parking on Broadway Lane is a direct result of the construction of the Redrow housing development at The Mallards (which is yet to be completed). It is difficult to analyse conclusively to whom the vehicles which are parked on Broadway Lane belong, but it is equally as likely that they belong to workers at the nearby industrial estate. The proposed development creates more of an opportunity for people to live close to the place where they work reducing the reliance on private car journeys for commuting, which is one of the fundamental principles of sustainable development. The parking of cars along Broadway Lane is an existing occurrence and given the proximity of the application site to the range of services within South Cerney, it is unlikely residents of the proposed houses would choose to park along Broadway Lane and walk the rest of the way into the village centre.

The applicant has submitted a Transport Assessment as part of the supporting information. The Highways Officer has examined the Transport Assessment against the empirical data held by Gloucestershire County Council and their own Standing Advice. A copy of the full Highways Officer consultation response is included in the appendix of this report and the conclusion is that the proposed development would not generate a significant amount of additional traffic; moreover, there is sufficient capacity within the surrounding highway network to accommodate for the increase in traffic. Therefore, the proposed development would not result in a residual cumulative impact that would be regarded as severe in accordance with paragraph 32 of the NPPF. On this advice, officers raise no objection to the proposed development in terms of highway safety.

**In response to concerns raised by Members, the applicant has provided a topographical survey of Berkeley Close and The Lease. Both of these streets would need to be utilised in order to access the application site. Concerns were raised specifically about the widths of Berkeley Close and The Lease and their potential to restrict vehicle movement where they may potentially fall below a minimum standard carriageway width of 4.8m, as suggested in the Manual for Gloucestershire Streets document (adopted February 2012). The topographical survey confirms that the width of Berkeley Close fluctuated between 4.86m and 4.99m, and the width of The Lease fluctuated between 4.85m and 4.92m, which accords with the guidance contained within Manual for Gloucestershire Streets. It was mentioned to Members at the November Committee meeting that even a 4.5m road width is suitable for two cars to pass each other safely in accordance with the same guidance. A 4.5m road width is only deemed unsafe for two HGVs passing each other, an occurrence that is considered unlikely in a residential area.**

#### **(d) Flooding and Drainage**

The application site is located in Flood Zone 1 as designated by the Environment Agency. Flood Zone 1 is the lowest designation of Flood Zone with an annual risk of flooding of less than 1 in 1000 (<0.1%). However, the site is adjacent to an area of Flood Risk Zone 2/3. The applicant has submitted a Flood Risk Assessment (FRA) with the application, which has been examined by the Lead Local Flood Authority (LLFA) and the Environment Agency.

The proposed scheme would also be seeking to introduce measures that restrict surface water run off through and from the site. According to paragraph 6.4 of the FRA it is proposed to provide a positive surface water connection from the development to Cerney Wick Beck, which Thames Water have commended. According to topography surface water flows will need to be pumped to achieve this connection. Thames Water have agreed that they would adopt a surface water pumping station preferably in conjunction with online storage via enlarged pipes designed to accommodate flows up to the 1 in 30 year storm event. Overall the piped system supplemented by appropriate setting of levels will contain flows on the site up to the 1 in 100 year event plus climate change. The piped system will be put forward for adoption under a Section 104 Agreement by Thames Water who will therefore become responsible for the long term maintenance of the piped drainage system including the pumping station. The LLFA have no objections to this application based on the information provided, subject to conditions to ensure the above measures are carried out.

No objections have been raised by the Environment Agency or the LLFA and it is therefore considered that the proposal accords with guidance in Paragraphs 100 and 103 of the NPPF.

In terms of the disposal of foul and surface water Thames Water has requested a Grampian condition requiring drainage strategy detailing any on and/or off site drainage works prior to commencement of development. In the event that planning permission is granted Thames Water have also recommended that a planning condition is attached requiring water impact studies of existing supply capacity to be undertaken.

**In response to concerns raised by Members, the applicant has submitted an additional document from Utility Law Solutions (authors of the previously submitted Foul Drainage Analysis) called 'Response to Resident Concerns', which also contains a Thames Water Sewer Impact Study. The key findings of this report are as follows:**

**- Although the public sewerage system in South Cerney in the vicinity of the development is shown on the public sewer records as a foul only system, in reality at times of heavy rainfall, surface water flows enter the network (either through mis-connections from premises and highways or infiltration into the sewerage network), overwhelm it and cause sewer flooding.**

**- It is important to note that the surface water runoff from the proposed development will not be connected to the public sewerage system, ensuring that any capacity problems already present in Stanton Harcourt will not be exacerbated.**

**- Surface water is the main issue with the South Cerney network and even a small area being connected can cause major problems. In reality, the negligible increase in foul flows contributed from the proposed development in an already overloaded network (when heavy rain is experienced) would have an insignificant, if any, effect to the flooding volumes already experienced in any particular rainfall event.**

**- The sewer flooding that has been reported by local residents will have been caused either by:-**

- 1. A storm event causing the public sewerage system to surcharge and flood; or**
- 2. A blockage in the public sewerage system or a failure in the sewage pumping regime which by definition are occurrences that are temporary in nature and would be resolved by Thames Water in accordance with its normal operational procedures.**

**- Section 94(1) of the Water Industry Act 1991 places a duty on sewerage undertakers to plan and implement any works they feel are necessary to ensure their network of sewers (and sewage treatment facilities) continue to operate satisfactorily once they have received notification that a developer intends to exercise the right to connect under section 106(1). In reality, a sewerage undertaker has sufficient certainty (and time as a result of the advance notice they receive) that a development will be proceeding on the grant of planning permission (outline or full) and should consider any necessary actions to comply with its section 94 duty at that stage. Conversely, until a sewerage undertaker has**

certainty that sufficient development will take place in a particular area, it is unlikely that any investment in sewerage or sewage treatment will be allocated. It is therefore illogical to refuse to grant planning permission for developments on the grounds that no improvement works are planned for a particular area.

Members raised concerns regarding potential sewerage capacity issues in the event that the Chesterton strategic development comes to fruition. Firstly, this application is being considered before the Chesterton development so the onus is on the applicant of the Chesterton development to take into account any capacity issues that arise in the event that this development is permitted. It is not for the applicant of this planning application to anticipate or predict planning decisions on other sites.

Secondly, it is noteworthy to mention that Cotswold District Council commissioned a Water Cycle Study in August 2015 which forms part of the evidence base of the emerging Local Plan. This Water Cycle Study was carried out in co-operation with the Environment Agency, Bristol Water, Thames Water, Severn Trent Water and Wessex Water. The study found that there are no issues which indicate that the planned scale, location and timing of planned development within the District over the emerging Local Plan period (2011-2031) is unachievable from the perspective of supplying water and wastewater services and preventing deterioration of water quality in receiving waters. The Water Cycle Study had taken into account all preferred and reserve SHLAA sites, which includes the application site in question.

#### **(e) Community Benefits**

##### Affordable Housing

At the heart of the NPPF is the presumption in favour of sustainable development that, when it can be demonstrated as being sustainable, should be permitted without delay. This is a 'golden thread' that runs through the document and is relevant to the requirement for local planning authorities to boost significantly the supply of housing. As has been explained in section (a) of this report, the fact that the Council can demonstrate a 5 year housing land supply for the emerging Local Plan period should not be considered a barrier to approving other sites as they come forward where it can be demonstrated that they also sustainable. In this context, the opportunity afforded by the current application to add to a continual supply of housing is important and should clearly be considered a planning benefit, particularly in respect of the delivery of affordable housing.

Officers welcome the applicant's commitment to their provision of 50% affordable homes on this site and note that the total number of dwellings has been reduced to 92 (therefore 46 dwellings would be affordable). Having regard to existing stock and current needs information the following mix for this development based on 50% of 92 units is required:

##### Rent:

- 12 x 1 bed 2 person house/flat/bungalow
- 15 x 2 bed 4 person houses
- 3 x 3 bed 6 person houses (minimum of 95 sq.m)
- 1 x 4 bed 7 person houses (let at social rent level)
- 1 x 5 bed 9 person houses (let at social rent level)

##### Shared ownership:

- 9 x 2 bed 4 person houses
- 5 x 3 bed 5 person houses

In accordance with the Council's current Affordable Housing Supplementary Planning Document (SPD) two-thirds of the affordable homes should be for rent, with the larger houses of 4 bedrooms or more being social rent properties. There is current need for a five bedroom property in South Cerney which we will be asking to be delivered on this site. The remaining third should be subsidised low cost home ownership.

In accordance with the findings of the Housing Needs Assessment it would be preferable for the 2 bedroom units be houses rather than flats. The Council also prefer the shared ownership properties to be 2 or 3 bedroom units. The details of tenure, number of bedrooms and size of units should be included in the negotiated S106 agreement. The Affordable Housing SPD contains a template for this document. This includes the following requirement in relation to the size of homes to be provided:

one bedroom 2 persons flats of not less than 45 sq metres;  
 two bedroom 3 persons flats of not less than 55 sq metres;  
 two bedroom 3 persons bungalows of not less than 65 sq metres;  
 two bedroom 4 persons houses of not less than 75 sq metres;  
 three bedroom 5 persons houses of not less than 85 sq metres;  
 four bedroom 6 persons houses of not less than 95 sq metres;

The development should be tenure blind with the affordable homes being distributed across the site and should comply with all of the other requirements of the SPD. Housing Strategy will need to agree the locations of the affordable properties. The local connection cascade as set out in the S106 template would apply. The affordable homes should also comply with the appropriate current construction standards and the Home and Communities Agency affordable housing standards which include minimum floor areas which may exceed those of the Council.

#### Education and Library Contributions

Following consultation, the Gloucestershire County Council (GCC) Economic Development & Strategic Planning Officer has made the following comments:-

The scheme will generate the need for 7.48 additional pre-school places. There is no additional capacity. Therefore a contribution is required: £98,813

The scheme will generate the need for 25.78 additional primary school places. There is some forecast capacity. The contribution required is therefore: £142,393. This takes account of the forecast surplus places.

The scheme will generate the need for 15.62 additional secondary school places. There is no additional forecast capacity. Therefore a contribution is required: £314,771

The scheme will generate additional need for library resources. A contribution is therefore required, in accordance with the GCC Local Developer Guide. The Library Contribution required is: £18,032

#### Education Contribution: Justification

A full explanation is provided within the GCC publication "Local Developer Guide". Paragraphs 65-78 provide further detail (available from [www.gloucestershire.gov.uk](http://www.gloucestershire.gov.uk)). Pupil yields are calculated in accordance with research published by GCC in "Child Yields in New Developments".

The cost per place (from 2016) is as follows:

Pre-school and Primary places:	£13,211.00
Secondary and 6th Form places:	£20,148.00

Where there is no identified surplus capacity in the forecast, a contribution is sought. Where there is an identified surplus of places within the forecast this will reduce the contribution, or remove the need for a contribution entirely.

#### New Homes Bonus

The proposed development would be subject to the New Homes Bonus, which is a grant paid by central government to local authorities for increasing the number of homes in their area. The New

Homes Bonus is paid each year for 6 years. It is based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use. There is also an extra payment for providing affordable homes.

Local authorities can decide how to spend the New Homes Bonus. Central government expects local authorities to consult communities about how they will spend the money, especially communities where housing stock has increased.

#### **(f) Landscape and Heritage Impact**

The application site is a field located on the south-western edge of South Cerney. The site is not subject to any landscape or heritage land designations such as an Area of Outstanding Natural Beauty (AONB), Special Landscape Area (SLA) or Conservation Area.

The nearest part of the Cotswolds AONB is over 5 km away from the site to the north of Cirencester. The Kemble and Ewen SLA is over 3 km away to the west of the site. It is considered reasonable to assert that both of these landscape designations are a sufficient distance away from the site that their character and appearance would remain unaffected by the proposed development.

The Landscape Officer has raised no objections to the proposed development. A Landscape and Visual Impact Assessment (LVIA), dated June 2016 has been submitted in support of this application. A number of viewpoints were assessed from the surrounding context based on an analysis of a Zone of Theoretical Visibility (ZTV). The LVIA concluded that the visual effects upon residential receptors would be Moderate Adverse, effects upon road users would be Minor Adverse and effects upon PRoW users would be Minor Adverse. It is considered that the visual impact would be further reduced with the maturity of mitigation planting.

Officers are in agreement with the conclusions drawn from the LVIA. The visual envelope is fairly limited by virtue of the flat topography and the existing built form. In addition the site will be seen in the context of the existing development that wraps around the site.

The October 2014 study of SHLAA sites by White Consultants concluded that the site has medium/low landscape sensitivity. The reports states that "Development of this site has the potential to improve the existing edge, which is linear and unattractive, and the site is large enough to permit an imaginative layout and provision of open space". The proposed development is considered to be an opportunity to improve the transition between the settlement edge and the countryside.

The layout includes a new vegetation belt and an attenuation basin to the southern corner. For the initially proposed site layout this would have provided the majority of the open space in the development. In response to suggestions from Officers, a revised indicative site layout was submitted which shows increased provision of public open space. In order to accommodate more public open space within the development the number of dwellings proposed was reduced from 98 to 92. The indicative site layout now shows an area of public open space in the centre of the development and an informal natural play trail in the north west corner of the site, which is welcomed.

Layout is one of the reserved matters for subsequent agreement but it is important to demonstrate at the outline stage that number of dwellings sought can realistically be provided on the site whilst also being able to offer sufficient landscaped areas and public open space. It is considered that this has been achieved in accordance with the guidance outlined in Cotswold District Local Plan Policy 45 and Section 11 of the NPPF.

In relation to designated heritage assets (the South Cerney Conservation Area and the village's listed buildings), the impact the proposal would have on them is considered to be low. This is due to the location of the site which is essentially an infill site between the primary school, industrial units and modern housing, the visual impact upon the wider locality to the south west is not considered to have a detrimental impact upon the historic context of South Cerney.

The Conservation Area boundary is located to the north of the site and it does not appear that there would be any meaningful intervisibility between the Conservation Area and the development. As such it is not considered that the development would result in a negative impact upon the character or appearance of the Conservation Area or the setting of any listed buildings within South Cerney. Consequently, the proposal is considered to be in accordance with the relevant guidance relating to the conservation of the historic environment outlined in Cotswold District Local Plan Policy 15 and Section 12 of the NPPF.

### **(g) Other Matters**

#### Overdevelopment

The Parish Council and local residents have raised concerns that the proposal represents an overdevelopment of the site. The site has an area of 3.5 hectares and 92 dwellings are proposed, which equates to a ratio of 26.3 dwellings per hectare (dpa). Local Plan Policy 18 states that 'wherever practicable and where it is compatible with the surrounding area, residential development should achieve a density of 30 or more dwellings per hectare'.

Even though the site lies just outside (but adjacent to) the settlement boundary for South Cerney, and Policy 18 deals with development within development boundaries, the 30dpa ratio is still considered to be a reasonable guide for housing density in this context. This is particularly apparent when the proposed housing density is compared with the density of housing development in the surrounding area, which is often significantly higher. The recently constructed Winchcombe Gardens contains 43dpa, the southern section of Berkeley Close contains 49dpa and Beverstone Road contains 60dpa. Only The Lease with 23dpa has a slightly lower housing density compared to the proposed development.

When having regard for the 30dpa guidance in Policy 18 and the housing density in the surrounding area, it is considered that the proposed housing density is acceptable and would not represent an overdevelopment of the site.

#### School and GP Capacity

According to the Department for Education website 'EduBase', Ann Edwards Church of England Primary School in South Cerney has a school capacity of 315 with 289 pupils currently enrolled, leaving space for 26 additional pupils.

Gloucestershire County Council's S106 Officer has stated (see section (e) above) that the scheme would generate the need for 25.78 additional primary school places. Therefore, some forecast capacity exists, however a contribution of £142,393 is still being requested for future expansion if necessary.

The doctor's surgery in South Cerney is one of three branch surgeries that comprise the Phoenix Surgery. The three branch surgeries are located in South Cerney, Kemble and at the Royal Agricultural University in Cirencester. According to the NHS website, 13,299 patients are registered across the three surgeries. Gloucestershire County Council's S106 Officer has not requested any funds towards additional healthcare which would suggest there are no capacity issues.

#### Residential Amenity

Concerns have been raised by some local residents that the proposed development would cause light restriction and overlooking due to the proximity of the proposed dwellings to their own dwellings. The indicative layout shows a back-to-back distance between the new dwellings and those on Berkeley Close of approximately 20m which is an acceptable distance to ensure light restriction and overlooking are minimised according to Building Research Establishment (BRE) guidance. The layout of the proposed dwellings is a matter reserved for subsequent consideration and the proposed site layout is indicative only at this outline stage. However, in the event of outline planning permission being granted, the layout at the reserved matters stage would be



subject to a more detailed analysis of back-to-back distances between dwellings to ensure light restriction, overlooking and other amenity issues would not result from the development.

### Ecology/ Protected Species

The majority of the individual ecological surveys were carried out in 2013 or 2014 and an updated re-assessment of the site has been carried out in 2016. The re-assessment has confirmed that no significant changes have taken place and the baseline conditions remain similar to those described in 2013. I therefore consider that adequate surveys and assessments have been undertaken to inform the application. Several species surveys have been carried out, including bat activity, reptiles, great crested newt, badger, riparian mammals (otter and water vole) and birds.

The Council's Biodiversity Officer has raised no objection to the proposal and they consider that the submitted Ecological Appraisal is satisfactory and no further ecological information is required in order to determine the application.

### Radon Gas

Concerns have been raised with regard to the presence of radon gas. The site is located in the lowest risk category area for radon gas according to Public Health England's radon gas search website. The maximum radon potential in South Cerney is less than 1%.

## **9. Conclusion:**

It is considered that the proposed development of up to 92 dwellings would help to address the Council's need to provide a continuing supply of housing land and will provide affordable housing to meet local needs. It is noted that the Council can currently demonstrate a robust 5 year supply of deliverable housing land. However, this requirement is a minimum not a maximum and as such the Council still needs to ensure that a supply of land is maintained in order to meet its ongoing requirements. Whilst the weight that can be given to the need to provide housing when the supply is in surplus is less than when the supply is in deficit the provision of housing still carries weight when considering this application, especially given the requirement of the NPPF to 'boost significantly the supply of housing'.

In addition to the above the site is also located in a sustainable location in terms of accessibility to services and facilities. In addition, no objections have been received to the proposal from any statutory or technical consultees in respect of matters such highway impact and safety, drainage and flooding, environmental health, ecology, archaeology, heritage or infrastructure. These matters are considered to weigh in favour of the proposal.

The proposed development is considered to be a sustainable form of development and is therefore recommended for approval (subject to the provision of a Section 106 agreement) in accordance with the guidance outlined in the National Planning Policy Framework and Cotswold District Local Plan Policies 5, 9, 10, 19, 21, 34, 38, 39, 42, 43, 45 and 46.

## **10. Proposed conditions:**

In pursuance of their powers under the above Act, and having regard to the Town and Country Planning (Development Management Procedure) (England) Order 2010, the development was considered to be contrary to the following: Cotswold District Local Plan Policy 19. However, the following material considerations were of sufficient merit to justify the permitting of the development:

The proposed scheme will address the Council's need to provide a continuing supply of housing land and provide affordable housing to meet local needs. These benefits are considered to outweigh the other limited impacts arising from the scheme. The proposal accords with the principles of sustainable development as set out in the National Planning Policy Framework.

The Council therefore **PERMITS** the above development in accordance with the details given on the application form and submitted plans, which are subject to the following **conditions**:

Application for the approval of the reserved matters shall be made to the Local Planning Authority by three years from the date of this decision notice.

**Reason:** To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

The development shall be started by 2 years from the date that the last of the reserved matters is approved.

**Reason:** To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

The development shall not be started before approval of the details relating to Appearance, Layout, Landscaping and Scale have been given in writing by the Local Planning Authority.

**Reason:** These are "reserved matters" and were listed in the application for later approval. This is only an outline planning permission and these matters require further consideration by the Local Planning Authority. This condition is imposed to comply with the requirements of the Town and Country Planning Act 1990 as amended.

The decision relates to the following drawing numbers: 5577-L-02 P, 5577-L-03 E, 5577-L-04 A, 5577-L-07 A and TPMA1512-100.

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:

- a. Mitigation recommendations from Section 4 of the Ecological Appraisal by FPCR dated May 2016
- b. Risk assessment of potentially damaging construction activities
- c. Identification of 'biodiversity protection zones'
- d. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- e. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset)
- f. The times during construction when specialists ecologists need to be present on site to oversee works
- g. Responsible persons and lines of communication
- h. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)
- i. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period
- j. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.
- k. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a professional ecologist certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

**Reason:** To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats, to ensure that approved mitigation and compensation works are carried out and completed as approved and in line with current best practice guidelines, and to ensure adequate professional ecological expertise is available to assist those implementing the development to comply with statutory requirements, planning conditions and any relevant protected species licence, during construction.

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- a. Translation of all the mitigation and enhancement recommendations in Section 4 of the Ecological Appraisal by FPCR dated May 2016 with the addition of other biodiversity enhancements, including integrated bird and bat boxes within dwellings (e.g. at the northern, western and southern edges of the development), and specific features for hedgehogs and reptiles.
- b. Information about the future use of the remainder of the arable field adjacent to the western boundary of the development.
- c. Full specification of habitats to be created, including locally native species of local provenance and locally characteristic species
- d. Description and evaluation of features to be managed; including location(s) shown on a site map
- e. Landscape and ecological trends and constraints on site that might influence management
- f. Aims and objectives of management
- g. Appropriate management options for achieving aims and objectives;
- h. Prescriptions for management actions;
- i. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10-year period
- j. Details of the body or organisation responsible for implementation of the plan;
- k. Ongoing monitoring and remedial measures;
- l. Timeframe for reviewing the plan
- m. Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery. The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. The LEMP shall be implemented in full in accordance with the approved details.

**Reason:** To ensure the long-term management of protected and priority habitats and other landscape and ecological features, and to maintain and enhance these habitats and features in perpetuity.

Prior to occupation, a 'lighting design strategy for biodiversity' shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging and commuting; and

b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

**Reason:** to minimise disturbance to bats and otters in accordance with the guidance contained within Cotswold District Local Plan Policy 5 and the National Planning Policy Framework.

Where it is intended to create semi-natural habitats, all species used in the planting proposals shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.

**Reason:** To conserve and enhance biodiversity in accordance with paragraph 118 of the National Planning Policy Framework.

Surveys for protected species shall be carried out before works (for e.g. bridge, culvert or river channel modification) that will affect the river and associated riparian habitats are carried out, including otter, water vole and white-clawed crayfish, by a suitably qualified ecologist.

**Reason:** To ensure up to date information on protected species is obtained to review mitigation requirements.

Prior to the first use/occupation of the development hereby approved, a comprehensive landscape scheme shall be approved in writing by the Local Planning Authority. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the land and identify those to be retained, together with measures for their protection during construction work. It must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

**Reason:** To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 45.

A detailed arboricultural method statement (AMS) and tree protection plan (TPP) shall be submitted to the Local Planning Authority with any reserved matters application. The AMS and TPP shall be in accordance with the guidance in BS 5837:2012 "Trees in relation to design, demolition and construction. Recommendations" and shall include details of:

- Defined root protection areas of all retained trees
- The timing of all tree protection measures
- Details of proposed finished ground levels and any retaining structures within the defined root protection areas of all retained trees
- Details of tree protection fencing and excluded activities
- Details of temporary ground protection measures where access and working space is needed outside the tree protection fencing but within the root protection area of any tree
- Details of any underground services within the root protection areas of any retained trees and how they will be installed.
- Details of method of construction of any surface which is to be of a 'no dig' construction method, in accordance with the current industry best practice.
- Details of how the tree protection measures will be monitored by the site manager

**Reason:** To safeguard the retained/protected tree(s) in accordance with Cotswold District Local Plan Policies 10 and 45.

No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins.

**Reason:** To ensure any contamination of the site is identified and appropriately remediated pursuant to Cotswold District Local Plan Policy 5 and Section 11 of the National Planning Policy Framework.

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

**Reason:** To ensure any contamination of the site is identified and appropriately remediated pursuant to Cotswold District Local Plan Policy 5 and Section 11 of the National Planning Policy Framework.

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 20m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

**Reason:** To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the Paragraph 32 of the National Planning Policy Framework.

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge (the Y point) of the public road 54m to the right and 53m to the left. The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

**Reason:** To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the Paragraph 32 of the National Planning Policy Framework.

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

**Reason:** To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

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

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

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

The details to be submitted for the approval of reserved matters shall include vehicular parking, turning and 19 space residential parking area to replace the garage block, the building(s) hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

**Reason:** To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

Details of the layout and access, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

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

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

**Reason:** To ensure adequate water infrastructure is made on site for the local fire service to tackle any property fire in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework.

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

No works shall commence on site until details of a pedestrian dropped kerb tactile crossing point connecting the site access to the footway on the east side of Berkeley Close to be submitted to and approved in writing by the Local Highway Authority and the crossing point shall be constructed in accordance with the approved details and made available to the public prior to occupation of the dwellings hereby permitted.

**Reason:** To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

No development shall take place until a soakaway tests has been carried out in accordance with BRE Digest 365, or such other guidance as may be agreed in writing by the Local Planning Authority (LPA). The results of the tests shall be submitted to and agreed in writing by the LPA. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

**Reason:** To ensure that the site can be adequately drained. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

Prior to the commencement of development details of surface water attenuation/storage works shall be submitted to and approved in writing by the Local Planning Authority. The volume balance requirements should be reviewed to reflect actual development proposal, agreed discharge rate and the extent of impermeable areas and runoff to be generated. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

**Reason:** To prevent the increased risk of flooding, It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100+40% event has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through gardens and other areas in private ownership will not be permitted. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

**Reason:** To ensure satisfactory drainage of the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

Development shall not take place until a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall reduce the surface water discharge rate as close as practicable to the Greenfield runoff rate, i.e. equivalent to the previously undeveloped character of the site. Any attenuation feature should be designed to attenuate all flows up to and including the 1 in 100 year event +40% for climate change. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

**Reason:** To reduce the impact of this development on the surrounding surface water infrastructure. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

No development shall take place until acceptable evidence has been submitted to and agreed by the LPA showing that the seasonally high groundwater table is sufficiently deep enough for the proposed "infiltration". The design should reflect the design requirements stated in the CIRIA Document C753: The SuDS Manual. An alternative drainage strategy would be required if ground conditions and water table are inappropriate for infiltration.

**Reason:** To ensure that the proposed "infiltration tanks" can sufficiently store and discharge via infiltration the required attenuated volume, and to ensure the structure will not be inundated by the seasonally high groundwater table.

No development shall be put in to use/occupied until a Sustainable Drainage System (SuDS) maintenance plan for all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

**Reason:** To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

Development shall not take place until a detailed Construction Method Statement (CMS) has been submitted to and agreed in writing by the Local Planning Authority. The CMS should take a serious consideration into the location and use of heavy machinery, plant or material in areas where infiltration has been proposed, and avoid soil compaction of such locations.

**Reason:** To ensure that during the construction phase heavy machinery, plant or material is not stored/used inappropriately in the areas where infiltration SuDS are proposed, to avoid soil compaction and severely impacting infiltration rates.

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

**Reason:** The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

Development should not be commenced until impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

**Reason:** To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

**Informatives:**

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works.

The applicant is advised that to comply with condition 16 that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a private managements and maintenance company confirming funding, management and maintenance regimes.

With regard to condition 20, the developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding highway works agreement (including appropriate bond) with the County Council before commencing those works.

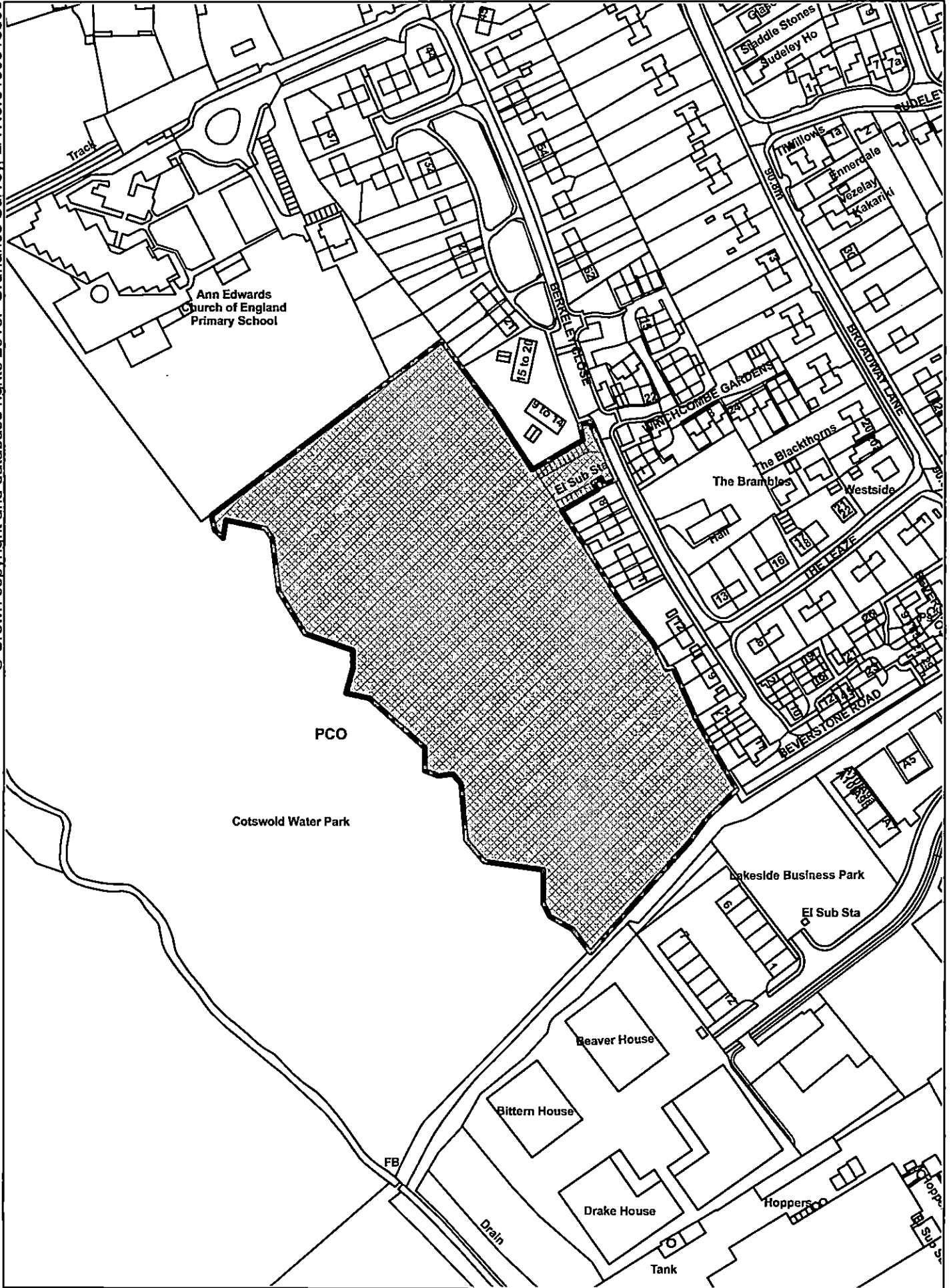


The applicant is advised to contact Amey Gloucestershire (tel: 08000 514 514) to discuss whether your development will require traffic management measures on the public highway.

The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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**Land off Berkeley Close South Cerney**

Scale: 1:2500

Organisation: Cotswold District Council

Department:

Date: 01/12/2016



**COTSWOLD**  
DISTRICT COUNCIL





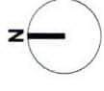


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KEY

- 1 Site Boundary (3.51Ha)
- 2 Proposed Residential Area (up to 92 dwellings) (2.76Ha)
- 3 Existing Trees and Vegetation
- 4 Proposed Trees and Vegetation
- 5 Proposed indicative main access route
- 6 Proposed footpaths
- 7 Proposed Attenuation Basin
- 8 Proposed main vehicular access point
- 9 Existing Public Rights of Way
- 10 Proposed replacement parking (19 parking spaces replacing 19 garages)
- 11 Proposed Foul and Surface Water Pumping Station
- 12 Existing stream
- 13 Proposed LAP Play Area
- 14 Proposed Natural Play Trail
- 15 Proposed Seating Area

1:500



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Gladman Developments Ltd  
 South Cerney  
 Gloucestershire

**INDICATIVE LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY**

1:2500@A3 / 1:1250@A1

23rd September 2016 / AD7 / MNN

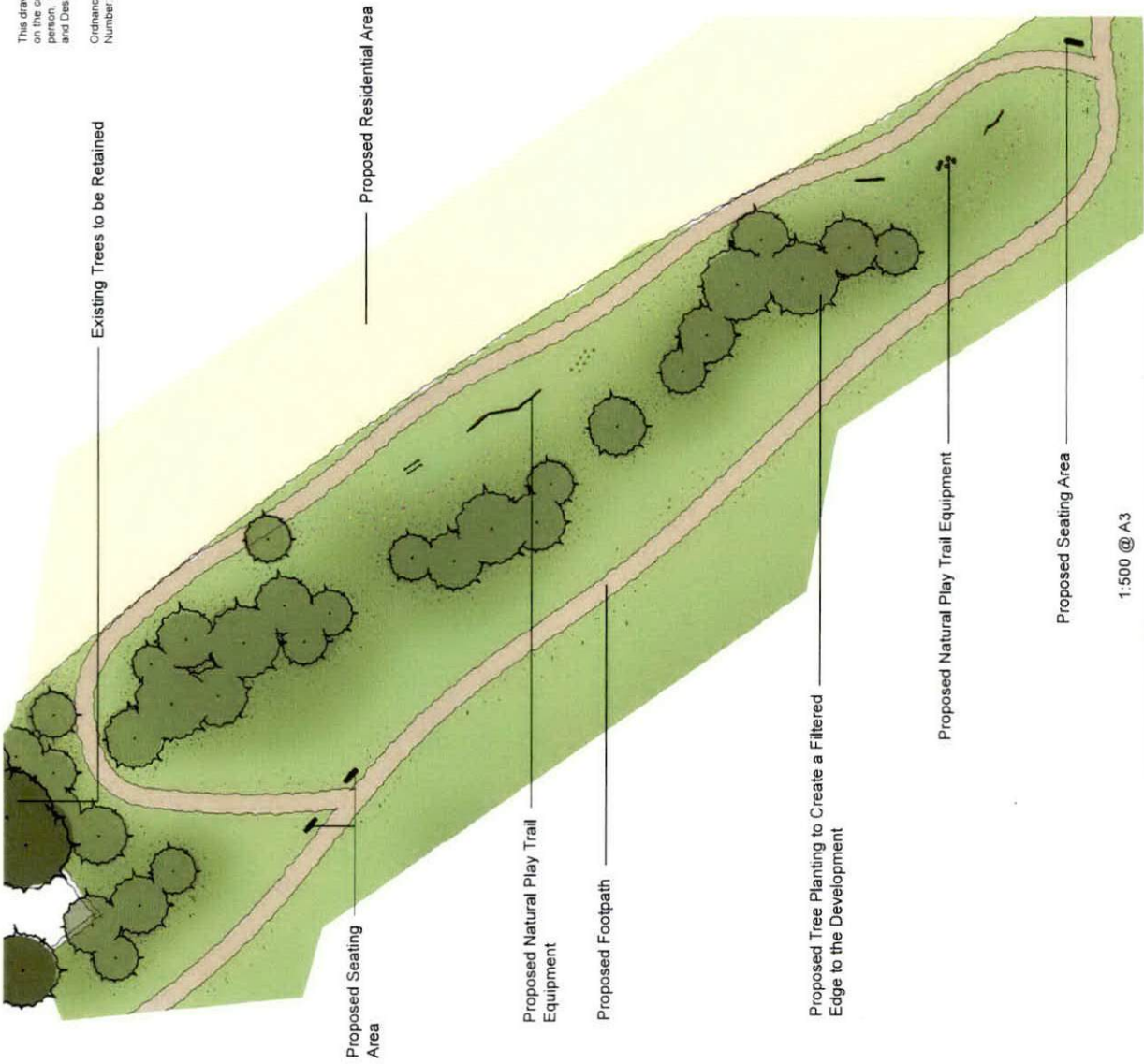
**5577-L-03 E**



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 2. 01288 33281  
 3. 01288 33282  
 4. 01288 33283



Location Plan (NTS)



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1:500 @ A3  
28th September 2016 MAD:MMN  
5577-L-07 - A

**FOR ILLUSTRATIVE PURPOSES ONLY**

**INDICATIVE NATURAL PLAY TRAIL DETAIL**

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Gladman Developments Ltd  
South Cerney  
Gloucestershire




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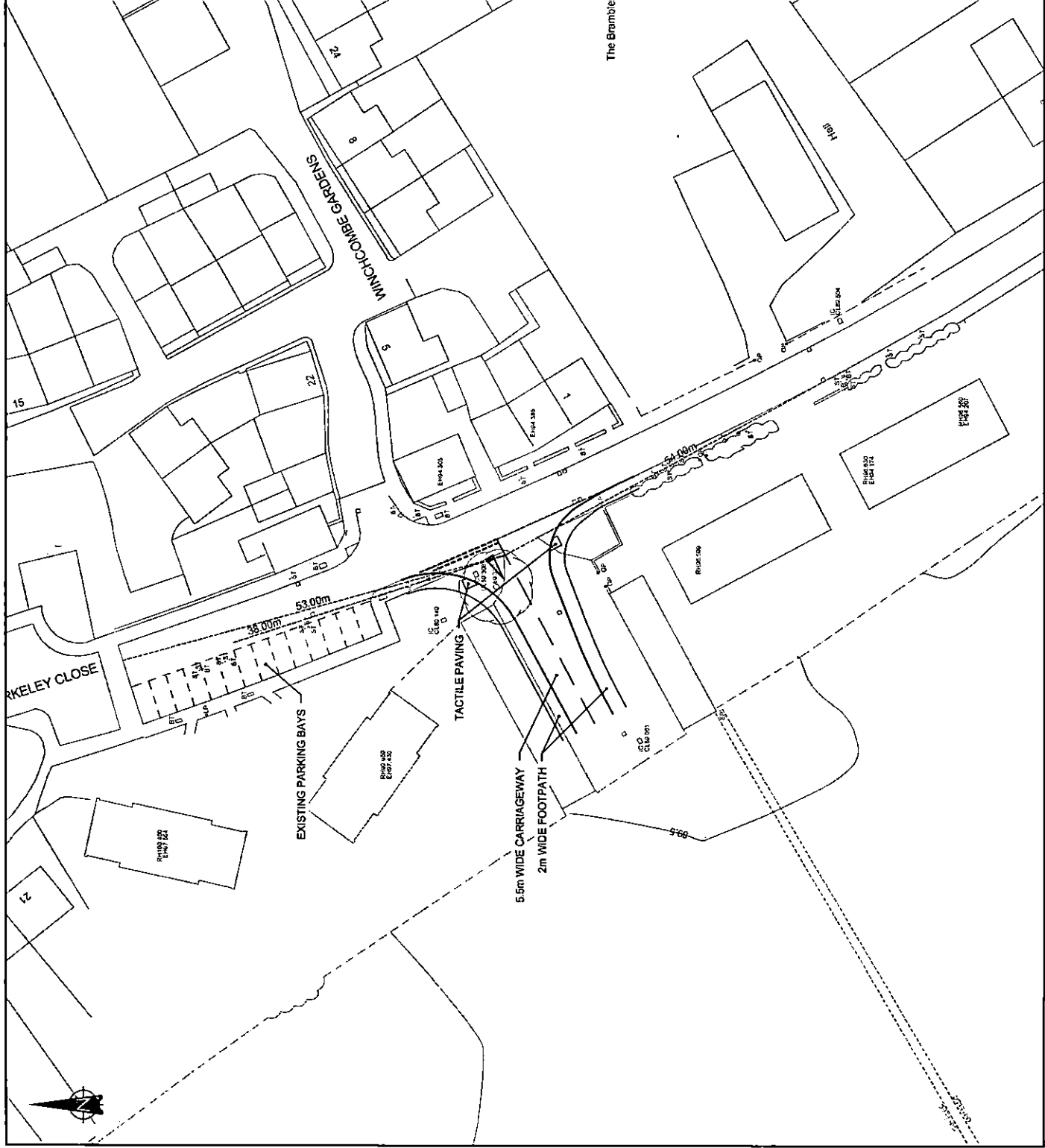
NOTES:

KEY:

- CURRENT LAYOUT
- PROPOSED KERB LINE
- PROPOSED ROAD MARKINGS
- - - VISIBILITY SPLAYS (ADJUSTED FOR BONNET LENGTH)
- - - VISIBILITY SPLAY (1m OFFSET FROM PARKING) (ADJUSTED FOR BONNET LENGTH)

- 53.00m/54.00m
- 38.00m

Rev.	Description	Date	By	Chkd.
 <p><b>Curtins</b>          Curtins Consulting Ltd          Merchant Exchange, 17-18 Whitworth St West, Manchester, M1 5WG          T: 0161 230 2384          e: manchester@curtins.com          www.curtins.com</p>				
<p><b>PLANNING APPLICATION</b></p>				
<p><b>Project: LAND OFF BERKELEY CLOSE SOUTH CERNEY</b></p>				
<p><b>Dwg Title: SITE ACCESS ARRANGEMENT</b></p>				
Scale:	Sheet:	First Issue:	Drawn:	Checked:
1:500	A3	25/05/16	DD	MT
Dwg No:				Rev.
TPMA1512-100				/
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## Highways Development Management

Shire Hall  
Gloucester  
GL1 2TH

Joe Seymour  
Cotswold District Council  
Trinity Road  
Cirencester  
Gloucestershire  
GL7 1PX

email: [dave.simmons@gloucestershire.gov.uk](mailto:dave.simmons@gloucestershire.gov.uk)

Please ask for: David Simmons

Our Ref: C/2016/036600

Your Ref: 16/02598/OUT

Date: 16 September 2016

Dear Joe Seymour,

### **TOWN AND COUNTRY PLANNING ACT 1990 HIGHWAY RECOMMENDATION**

**LOCATION: Land Off Berkeley Close South Cerney Gloucestershire GL7 5UN**

**PROPOSED: Outline application with all matters reserved except access for the construction of up to 98 dwellings (with up to 50% affordable housing) and associated works**

I refer to the above planning application received on the 18<sup>th</sup> July 2016 with submitted details;

TPMA1512-100

Travel Plan

Planning Statement

Design and Access Statement

Transport Assessment

The proposed development is located towards the southwest of South Cerney on Greenfield Land. To the east is residential development and employment opportunities are located to the south. The north and western site boundaries abut open countryside.

#### **Access:**

The proposed site access is to be located at the approximate position of an existing access serving 19 lock up garages, with access being served from Berkley Close, a class 4 residential highway. Berkley Close adjoins The Leazes at a priority junction to the south of the site access; The Leazes in turns provides connection to Broadway Road which links High Street to the north with the B4696 to the south. Berkeley Close is truncated by way of fixed bollards located approximately 53-54m to the north of the proposed site access, preventing through traffic.

The site is to be served by a simple priority T-junction which is a suitable means of access in accordance with table 2/2 of TD42/95 based upon the expected flows from the minor (development) to the major (Berkley Close) highways.

**Pedestrian Access:**

Standard 2.0m footways will extend into the site from the existing provision on Berkeley Close. This would provide a safe and level means of access to Broadway Lane and the wider area ensuring that local amenities and facilities are accessible on foot. This provides an opportunity for sustainable non-car based trips.

**Visibility:**

In the absence of a speed survey, the deemed to satisfy visibility parameters for a 30mph highway would be 2.4m back from the carriageway edge along the centre line of the access, to a point 54m distant in either direction to the nearside carriageway edge. Dwg TPMA1512-100 has demonstrated that 54m is achievable to the nearside carriageway edge with land under applicant control or within the highway. The same dwg has demonstrated that 53m is achievable to the left. This would appear to suggest a shortfall of 1m, however given that the splay is taken to the existing bollards on Berkeley Close, the expected vehicles speeds at the extent of the splay would be low and therefore would be deemed acceptable.

**Personal Injury Collisions**

There has been 8 recorded Personal Injury Collisions (PIC's) within the local highway network most likely to be utilised by development traffic. The PIC's were recorded between 2010 and 2014. Ideally the PIC's should have been covered to 2016. I have undertaken an interrogation of police records and there has been no further PIC's since 2013. There does not appear to be any pattern of incident to suggest that there are significant highway safety issues within the proximity of the proposed development.

**Trip Generation:**

Gloucestershire is not covered well by TRICS, the industry standard for calculating trip generation from new and existing developments. To overcome this issue, a total person trips TRICS survey can be undertaken. This can then be interrogated against the Method of Travel to Work data obtained during the 2011 census.

For 98 dwellings the AM peak would generate an additional 101 total person trips with 80 occurring within the PM peak. The census data determined that 79.1% of those who travel to work do so by private car or van. Those working from home or not in employment have been omitted as it is unlikely that they would generate peak hour trips. The 79.1% is therefore regarded as robust. With the method of travel to work mode share applied to the total person trips, the development would create an additional 80 two-way vehicular trips in the AM, consisting of 19 arrivals and 61 departures. The development would generate 63 two-way vehicular trips in the PM peak, consisting of 43 arrivals and 21 departures.

**Distribution:**

Origin and destination census data has been interrogated in order to establish the likely development traffic assignment and distribution. It has been determined that 48% of development traffic will be distributed left and 42% right onto Broadway Lane.

**Local highway Network and Traffic Impact:**

There have been long standing safety concerns with the cross road junctions of Ashton Road/Ewen Road and Broadway Lane/Spine Road. A number of personal injury collisions have occurred at these junctions. The Highway Authority is implementing two committed highway safety improvements schemes at these crossroad junctions to minimize the risk and severity of conflict.

Junction capacity assessments have been undertaken to determine the level of impact to the Local Network will result from the proposed development. PICADY is an appropriate means of modelling junction capacity. PICADY



results refer to the Ratio to Flow Capacity (RFC) and queue length on each arm. RFC's of 1.00 or above suggest that the junction is operating at its theoretical capacity. RFC's of 0.85 suggest the junction is operating at its practical capacity, anything below 0.85 and the junction is operating with surplus capacity.

The site access was assessed at the year of opening 2021 with development traffic. The junction operated with RFC's of 0.1 in the AM peak and 0.039 in the PM peak. The junction therefore is sufficient for the expected traffic flow.

Three junctions that development is most likely to be distributed through are;  
 Broadway Lane/The Leaze  
 Broadway Lane/B4696 Spine Road  
 High Street/Broadway Lane.

Each have been assessed using PICADY in 2016 for base flow, 2021 (Committed development) and year of opening 2021 (Committed development) + development.

There were no identified capacity issues at any of the modeled junctions in the year of opening. Each junction was operating well within capacity with sufficient surplus capacity. Therefore there are no capacity issues within the local highway network, resulting in a residual cumulative impact that would not be regarded as severe in accordance with Paragraph 32 of the NPPF.

Berkeley Close and The Leaze feature a mixture of private access driveway parking and on-street parking. This is a well established presence within the local area and a common occurrence in many residential streets. It is accepted that vehicles approaching adopt an informal give way arrangement, making use of the gaps created by the private driveway accesses. This is currently operating without any major highway safety issues.

A manual turning count survey recorded 32 vehicle movements out of The Leaze onto Broadway Lane and 21 traffic movements into The Leaze during the AM peak. Similarly the PM peak featured 48 inbound movements and 32 out. With development traffic applied, the flow would increase to approximately 95 outbound and 40 inbound AM peak movements, 135 two-way movements. The PM peak would feature approximately 91 inbound movements and 53 outbound, 144 two-way movements.

The development would therefore increase the number of vehicles utilizing the sections of highway reduced to single working as a result of on-street parking. Berkeley Close and The Leaze operate in effect like a single track road as a result of the on-street parking. TAL 2/04 discusses the impact of capacity on single track roads and it is accepted that they can accommodate a capacity of between 100-300 vehicles an hour. The increase in movements along Berkeley Road and The Leaze as a result of the development would fall within this range.

Furthermore, Tidal flow should be considered and the pattern of movements. Within the AM peak the majority of traffic would be flowing out of the estate and distributing into the wider network whilst in the PM the flow would be the opposite. This means residents would be travelling in the same direction, 70% in the AM and 62% in the PM. The likelihood of encountering an approaching vehicle would be low. However, if two opposing vehicles were to meet, there would be sufficient gaps created as a result of the private driveway accesses to allow vehicles to pass. Moreover, the AM/PM peaks may see a reduction in the number of vehicles parked on the street as these vehicles would be leaving the estate on their way to a place of work or other destination; this would therefore improve the flow in the peak hours and would reduce the level of impact. Any remaining parked cars would act as a natural form of traffic calming reducing vehicle speeds.

Finally, there are no recorded personal injury collisions recorded within the last 5 years on sections of highway on Berkeley Close and The Leaze for which development traffic will utilize. Therefore, there is no empirical evidence to suggest that on-street parking has a detrimental impact upon the highway and no evidence to suggest that the increase in vehicular movements would have a significant impact upon the safety of other road users.

#### **Travel Plan:**

Gloucestershire County Councils Travel Plan Guidance 2012 states that a residential travel plan is a package of measures designed to reduce car use originating from new housing by supporting alternative forms of transport and reducing the need to travel in the first place. They are an important tool to help deliver accessible, sustainable communities and involve meeting the access needs of residents in a sustainable way.

As the development does not require a reduction in car trips to be regarded as acceptable in planning terms, the travel plan can therefore be secured by way of planning condition.

**Internal Layout and Parking:**

The internal layout and parking provision is to be determined at a later date. However, the Transport Assessment has stated that a means of mitigating the loss of the 19 garages would be the provision of 19 parking spaces within the development for local residents to utilize. This can be dealt with by way of planning condition.

**The proposed development does not generate a significant amount of additional traffic; moreover, there is sufficient capacity within the surrounding highway network to accommodate for the increase in traffic. Therefore, the development would not result in a residual cumulative impact that would be regarded as severe in accordance with Section 4 of the NPPF.**

**I recommend that no highway objection be raised subject to the following Condition(s):**

**Condition #1 Access:**

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 20m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

**Reason:** - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the Paragraph 32 of the National Planning Policy Framework.

**Condition #2 Visibility:**

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge (the Y point) of the public road 54m to the right and 53m to the left. The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

**Reason:** - To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the Paragraph 32 of the National Planning Policy Framework.

**Condition #3 Estate Roads Maintenance:**

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

**Reason:** - To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to

live, work and visit as required by paragraph 58 of the Framework.

**Condition #4 Construction Method Statement:**

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

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

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

**Condition #5 Parking and Turning:**

The details to be submitted for the approval of reserved matters shall include vehicular parking, turning and 19 space residential parking area to replace the garage block, the building(s) hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

**Reason: -** To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

**Condition #6 Estate Roads:**

Details of the layout and access, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

**Reason: -** To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework.

**Condition #7 Fire hydrant:**

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

**Reason: -** To ensure adequate water infrastructure is made on site for the local fire service to tackle any property fire in accordance with Paragraphs 32 & 35 of the NPPF

**Condition #8 Pedestrian Crossing:**

No works shall commence on site until details of a pedestrian dropped kerb tactile crossing point connecting the site access to the footway on the east side of Berkeley Close to be submitted to and approved in writing by the Local Highway Authority and the crossing point shall be constructed in accordance with the approved details and

made available to the public prior to occupation of the dwellings hereby permitted.

**Reason:** - To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

**Informative(s):**

**Note I:** *The applicant is advised that to discharge condition #3 that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a private managements and maintenance company confirming funding, management and maintenance regimes.*

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

**Note III:** *The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding highway works agreement (including appropriate bond) with the County Council before commencing those works.*

**Note IV:** *You are advised to contact Amey Gloucestershire 08000 514 514 to discuss whether your development will require traffic management measures on the public highway.*

**Statement of Due Regard**

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

Yours sincerely,

*David Simmons*

Development Coordinator