

Item No 04:-

17/04141/FUL

**Stratton Place
42 Gloucester Road
Stratton
Cirencester
Gloucestershire
GL7 2LA**

Item No 04:-

Redevelopment to provide the erection of a 64 bed care home, 8 care suites, 34 assisted living units, ancillary accommodation and associated works (Variation of conditions 2 and 5 of 15/3052/FUL to amend the approved landscaping scheme) at Stratton Place 42 Gloucester Road Stratton Cirencester Gloucestershire GL7 2LA

Full Application 17/04141/FUL	
Applicant:	Aura Care Construct
Agent:	Hunter Page Planning Ltd
Case Officer:	Mike Napper
Ward Member(s):	Councillor Patrick Coleman
Committee Date:	13th June 2018
RECOMMENDATION:	PERMIT

Main Issues:

(a) Landscaping details

Reasons for Referral:

The Ward Member, Cllr Coleman, directed that the application should be determined by the Planning Committee due to the Committee's interest, when considering the 2017 permission, in ensuring that the effect on neighbours was appropriately addressed.

1. Site Description:

The site has permission for a care home development granted permission in 2015 (see Relevant Planning History), which is now in the process of occupation. The site is surrounded by residential development on three sides.

The application site is within a Development Boundary and is specifically allocated, under Policy 18 (Development within the Development Boundaries of Cirencester and the Principal Settlements) of the current Cotswold District Local Plan 2001- 2011, as an open space. The application site is the subject of three Tree Preservation Orders (TPOs) due to the public amenity value of many of the mature trees within the site.

2. Relevant Planning History:

10/03705/FUL Change of use and extension of existing leisure facility to provide a care home with 60 bedrooms and ancillary accommodation. Part permitted on appeal 12.07.2011;

11/05444/FUL Change of use to single dwelling. Permitted 13.01.2012;

11/05830/FUL Erection of seven detached dwellings. Permitted 17.08.2012;

14/02783/FUL Variation of conditions 3 (scheme of landscaping), 9 (design and details), and 11 (drainage works) in respect of application 10/03705/FUL: Permitted 12.06.15;

15/03052/FUL Redevelopment to provide the erection of a 64 bed care home, 8 care suites, 34 assisted living units, ancillary accommodation and associated works (Revised scheme): Permitted 18.11.15.

17/01689/FUL Redevelopment to provide the erection of a 64 bed care home, 8 care suites, 34 assisted living units, ancillary accommodation and associated works - Variation of Condition 2 (Approved drawings) pursuant to planning permission ref. 15/03052/FUL to revise drawings to include a lift overrun and associated change to the roof form of the care home and revised eaves height (east elevation): Permitted 08.11.17.

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR10 Trees, Woodlands and Hedgerows
 LPR46 Privacy & Gardens in Residential Deve

4. Observations of Consultees:

Landscape Officer: No objection.

Tree Officer: No objection.

5. View of Town/Parish Council:

Cirencester Town Council: Support.

6. Other Representations:

13 Third Party letters of Objection summarised in the following statements:

i) Local Residents' Group: "This response relates to the new details shown on the plan reference 15132.201 rev. H filed on the website on 27th November 2017. We would also draw attention to our previous response dated 13th November which contained a number of general points.

The committee will recall that, in the course of consideration of 17/01689/FUL at the meeting on 8th November, the Minutes of the meeting recorded:

A majority of those Members [who had attended the Sites Inspection Briefing] considered that the development appeared to have an overbearing impact on existing houses in Albion Street, and that it presented a stark image.

.... A Member expressed the view that residents' objections could be overcome by mitigation.. Other Members considered that the impact of the development on existing houses in Albion Street appeared to be significant and that significant mitigation would therefore be required.

Residents in Albion Street are looking to the landscaping plan to deliver a significant degree of mitigation to protect us from the overbearing aspect of the development as built (rather than as previously approved). We expect that members of the committee will bear in mind their previous discussion and the need for 'significant mitigation' to be demonstrated by the landscaping plan.

Additionally, we would like to emphasise that, in considering this application, it is important to look at both the landscaping plans and the proposed drainage scheme together, as the scheme of drainage runs will have a direct impact on the feasibility of the planting scheme, especially where tree planting is proposed. A direct comparison of drainage and landscaping plans together will demonstrate how there could be an impact on implementation, and it is important to be aware of conflicts between the path of drainage runs and planned tree planting, to ensure that landscaping plans can be implemented without conflicts. We note that, as yet, the drainage application (17/

The screening that was in place at the end of the private road off Albion Street has been removed, resulting in an unimpeded view of the buildings of the development at an elevated level, increasing the visual impact from the public realm.

I attach an excerpt from the filed plan:

At point A, in the previous plan there were two trees, positioned in a key location to mitigate the impact of the buildings. These have now been replaced by shrubs which completely removes the mitigation effect. These trees should be reinstated. The landscape officer has observed that they

may prove a maintenance issue: that is for the property management company to deal with and should not be used as an excuse to remove mitigation.

At point B, the view from Albion Street (lane) - which is in the public realm - is totally exposed. A single line of tree planting will not prove sufficient to mitigate the looming and overbearing effect of the development from this viewpoint, and tree planting in some depth should be provided here. That would also help to mitigate the effect of the additional hard landscaping proposed. This is also an area where drainage works are planned, so it is possible that proposed tree planting will be compromised.

At point C, a large concrete manhole has been constructed, and we assume drainage runs coming and going from it. The committee should be entirely satisfied that the proposed trees shown in this area will not be in any way compromised by the drainage. (This is an instance where the landscaping and drainage plans should be examined side by side.) . In any event to ensure adequate planting we would suggest more trees where shown rather than the sitting out area. We believe if the sitting area is provided it will reduce the necessary planting area.

We note that some planting is specified at 3.8-5.0 metres height at the time of planting: we would suggest that this specification be extended to all tree planting in the scheme, in order to provide an immediate degree of mitigation (rather than waiting for trees to grow to maturity over a period of time.

We also note that the degree of screening on the boundary with Stratton Laurels appears to be totally inadequate, and will result in significant intrusion and loss of privacy to these properties. Overall, we are dismayed to note that the overall quantum of tree planting proposed is significantly less than what was included in the original, consented scheme. The additional trees requested as part of this representation are essential as an absolute minimum if this scheme is to be regarded as satisfactory.

We suggest that this application be refused, and the developer requested to come back with a further, improved scheme that addresses the issues raised in this and our previous representation.

We further suggest that committee members make a sites inspection visit to see for themselves where the proposed planting is located, and to evaluate the likely mitigating effect of the development on surrounding properties in Albion Street and Stratton Laurels."

Local Residents' Group latest comments: "We have reviewed the amended landscaping plan (revision K) and are pleased to see that the applicant has taken note of the requirement for the additional planting and that these are to be planted into a bed and not containers. It is crucial this is fully implemented.

However we are concerned to note that this is the only apparent change to the plans previously submitted and appear to take no account of comments previously submitted (24 April, 3 January, 20 December 2017, 13 December etc.). We are especially extremely concerned that no change has been made to the inadequate planting at the end of the lane off Albion Street. The planting at this location achieves little or no mitigation against the bulk of the buildings on the development site and the overbearing effect visible from the public realm. Again we urge the Council to require a level of planting screening mitigation that is better than that originally approved, as agreed to be necessary to mitigate the additional impacts of the building. In any event the current proposals amount to a significant reduction compared to the originally approved plan in the planting that was to be provided to mitigate this view and the proposals remain unacceptable in this regard. Also as previously noted the extensive hard surfacing particularly in this location is also at odds with the approved proposals. We have previously suggested that these shortcomings could at least be improved by creating a bed of the currently paved arc in this zone and planting 3 additional significant trees. Otherwise the planting mitigation here is solely relying on a single line of trees which is wholly insufficient.

We note the proposals still indicate the removal of one of the 2 large conifers. However the implemented scheme on site currently retains both and appears to do so quite happily. Both trees should be retained.

We reiterate (again) comments made previously regarding the need for adequate mitigation and suggest that the committee should consider this in the light of the comments made when the previous consent was granted. Please refer to previous comments made by this group on this aspect. Again, we call for the application to be considered by the planning committee and for members of that committee to undertake a sites visit in order to be able to evaluate the mitigation (or lack of) afforded by this landscaping scheme."

ii) "Now that the immensity of the building mass and over development on this site has been revealed it is imperative that every step possible to achieve some modicum of privacy for surrounding dwellings is taken. At this late stage a huge responsibility is thrust upon the Case Officer and the Tree Officer to attempt to redeem the sad overlooking/proximity situation which has been allowed to be imposed on the surrounding property owners. The original Planning Approval can now be seen to have been ill judged by CDC Planning Staff."

iii) "I wish to object to the proposed landscaping scheme, specifically the intended removal of the mature vegetation along the boundary from Appletrees, incorporating the Albion Street cul-de-sac, and extending to 51 Albion Street, hence referred to as "the boundary".

I refer to the only other documentation I have received concerning the landscaping/development; a letter dated the 20th November 2015 from Aura Care Construct. The plan that accompanied the letter shows a dense configuration of large trees adjacent to "the boundary". The letter also stated and I quote:

"We fully intend to ensure our works respect retained trees alongside the site boundaries..."

I was accepting of the proposals on the basis that the mature trees were to be kept and would effectively screen any development. I was/am therefore upset to witness the extended and continued removal of the mature vegetation along this boundary which up to very recently did form an exceptionally effective screen to what is a large, overbearing structure; in my view, negatively impacting on the surrounding environ and neighbouring dwellings. The recent removal of a large Laurel has now fully exposed the new development to the cul-de-sac and Albion Street.

Having reviewed this landscaping scheme, I note that the trees along this part of the site boundary are proposed to be removed. Unfortunately, this is a bit late, as most of the trees have already been felled.

I would comment that it is essential that the replacement planting provides an effective vegetative screen from the outset. The removal of the mature tree screen has exposed an overbearing and intimidating structure to what is effectively a village environment. I contend that the replacement screening should comprise a selection of mature and semi-mature trees that will quickly interlock to form an effective screen in the short term. I also object to the proposed increased in hardstanding provision in this area. The consequence of which is limiting to the opportunity for remedial planting and detrimental to the provision of an effective screen.

Furthermore, there are only three sizeable trees left that give any semblance to the mature trees that once adorned the boundary of the site in this area (two mature conifers and I believe a hornbeam?). I would comment that these trees do still form a screen to the development and should therefore be retained."

iv) "1. We are concerned about the Plant Schedule. It appears that approximately fifty percent of the boundary between The Walled Garden and the development will have no effective screening and yet behind us will be a social area. Trees of sufficient height need to be planted along this border. We have great concerns with regard to privacy, light and noise from the social area. Presumably the residents of Stratton Place will also want to be screened from any noise

coming from the Walled Garden should one of us be mowing the lawn or sitting out in our garden with friends. There does not seem to be any logic in providing screening which excludes the area which is most likely to have people close by.

2. In the case of the remaining fifty percent of the border the choice of trees seems reasonable but it does not appear to be clear that they will be of sufficient height until they reach maturity. Years could pass before an effective screen is in existence. A height of some 4 metres is required at time of planting."

v) "Due to the size of the development and its imposition on those that live in the vicinity, as has been said, it is imperative that every step possible is taken by the planning authorities to preserve some modicum of ongoing privacy for the surrounding dwellings."

vi) "I live in Appletrees, directly next to the property. I STRONGLY object to the scheme and the REMOVAL of MATURE screening from the ugly overbearing development and the loss of CONSIDERABLE privacy.

There is currently a very mature Hornbeam hedge - that was circa 40 feet high, and closely planted to provide screening - until this was recently butchered - in preparation for this proposed scheme. The mature Laurel and others - at the end of the private road have all been removed exposing banks of built buildings and raised banks, circa 8 feet above the top of the boundary wall = dwarfing my bungalow. The site levels are REALLY important and it appears that the buildings are much higher than envisaged on the (complex and very difficult technical) planning papers.

It has been tragic to witness the destruction of the mature site - with many trees removed and not to be replaced. I would HATE to see the site replaced with a 'Disneyfication' scheme with low planting that COMPLETELY removes the privacy that I had been promised when the application was granted. The mature site was protected by the Planning Inspector at previous planning inquiries - and hailed by Linda Lloyd/Max Banham when the site was Le Spa - as the perfect tranquil place for a relaxing spa. This proposal MUST be defeated and the site protected and returned to the mature treasure that it provided to the oldest part of Stratton village.

The Hornbeam hedge must remain - or at least replaced (as it has been butchered in the scramble to defy the planning process) by a substantial MATURE close planted hedge perhaps Yew or a Beech hedge that holds its leaves in winter - particularly as this is the only screening for my property and garden from the new elevated ROOF terrace. The tall evergreen trees should BOTH stay as the curved one does provide substantial screening from the new high rise Care home.

There must be a reinstatement of the planted screening (some 20 feet) at the bottom of the private road - especially as the built levels tower of the ground level and are considerably above the level at the top of the boundary wall."

vii) "I would object to the variation of Conditions 2 and 5 in its current state as the proposed planting adjacent to Albion Street Lane on the western boundary as currently proposed can only be considered to be wholly insufficient.

The planting proposed should be extra heavy standard trees as proposed elsewhere on the site rather than shrubs in order to reduce the overbearing effect that the development currently has on the public realm and residential amenity following the removal of the existing boundary screening.

I would suggest that members avail themselves of a site meeting prior to consideration of this application."

viii) "Further to my letter of objection dated 2 November 2017 I wish to express my extreme concern at the off-hand stance of the Cirencester Town Council in offering no objection to this application. Surely it is their duty to support the surrounding residents who are clearly suffering major distress and fear for their future living conditions as a direct result of this immense ill-considered profit orientated scheme. It is essential that the Planning Authority get this sorted out.

I also take the opportunity to request that the CDC Environmental Officer ensures that no catering smells will be allowed to affect the surrounding locality as clearly with the enormous number of residents planned there will be constant and extensive catering taking place. Efficient filtering of fumes/smells must be in place from the start and of course be maintained."

ix) "As relatively new arrivals to Albion Street I would like to add our support to the submission by the Albion Street Residents' Association. The structure will clearly have an overbearing impact on many of the houses in Albion Street. It is essential that the new trees that are planted are of sufficient maturity to ensure that the developers mitigate this effect."

x) "Please find attached a photograph taken today from the window of the primary bedroom at my property 51 Albion Street, which shows the elevated ground at the Stratton Court development. The latest (proposed) landscape proposals show this space containing a seating area, and what I understand to be a water feature (though it does not say on the plan). The congregational use of this space is of a concern in this proximity to our primary bedroom and this concern is heightened by the relative levels.

We are also concerned that lighting of this space for a congregational use, however modest, will unduly impact our bedroom area.

Accordingly we would raise this as an objection to this part of the current proposals, but this could be overcome by the reduction in the extent of the congregational area and corresponding increase in the extent of tree planting. This suggestion is marked on the attached plan.

This area was more comprehensively tree planted across the whole space on the approved landscaping plans. As the Planning Committee recently noted, an increased level of tree planting mitigation is appropriate in the vicinity of this boundary.

The edges of this raised area do appear to be very steep, and it is of concern that the currently proposed trees may not succeed on such a steep bank. If the bank steepness were reduced and the tree planting extent increased, as noted above, this would be helpful.

A suggestion along these lines was made previously to the developer but he was resistant to it (although he did make some other changes). However now the ground is shaped ready for the landscaping and the levels are apparent, it does seem that this is a reasonable and necessary step that is required to be accommodated on the plans in order to make them acceptable, and to preserve my amenity."

xi) "I am writing to endorse all the comments made by Jeremy and Daniella Drew in their email of 1st January 2018 (posted 2nd January). I agree with their general comments and their detailed suggestions for mitigation of the overbearing nature of the built form on this development. It is increasingly clear that the developers are implementing a landscaping scheme that is neither the originally consented scheme nor the scheme depicted on the drawings submitted as part of this application, but a variation on the latter that depletes the mitigation offered by tree planting on the NE boundary (adjacent to Albion street properties) even further. the additional hard landscaping (tarmac surfacing) now in place reduces the potential tree planting even further. This goes completely against the views expressed by the committee members at their meeting on 8th November in respect of their consent to application 17/01689 when it was acknowledged that the built form had an overbearing effect on the adjacent properties in Albion Street and this required a strong degree of mitigation (see minutes of that meeting). This application should be refused pending a revised scheme being drawn up, and enforcement action should be taken to ensure that it is a consented scheme that is implemented."

7. Applicant's Supporting Information:

Landscaping scheme

8. Officer's Assessment:

This application is made under section 73 of the Planning Act 1990, which allows for variation or removal of conditions and, in doing so, allows applicants to seek minor material amendments to an approved development where there is a relevant condition that can be varied. As such, the Council is only able to consider the effect of the proposed variations, rather than to re-consider the principle of the development or matters of detail that fall outside of the proposed variations.

In this case, permission is sought to amend the landscaping proposals approved under the 2017 permission, which necessitates the variation of two of the conditions attached to it. A copy of the approved landscaping scheme is attached to this report. The relevant conditions are conditions 2 (List of approved drawings) and 5 (Development in accordance with a specified landscaping drawing). As the application relates to the variation of conditions, the consideration of the application is limited to the effect of the revised landscaping proposals. Whilst the requirement of Condition 2 is for accordance with the listed approved drawings, the wording of Condition 5 is as follows:-

"Landscaping of the development hereby permitted shall be undertaken in accordance with the submitted 'Landscape Strategy' and 'Proposed Boundary Works' drawings (ref. 15072.102 Rev. A and 15072.103 respectively). Landscaping on the boundary of the site shall be completed by the end of the first planting season following the start of construction and the remainder by the end of the planting season immediately following the development being brought into use or occupied.

Reason: To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy 45."

(a) Landscaping details

Although permission for the overall redevelopment of the site was granted in 2015, retrospective revisions permitted under the 2017 application resulted in additional impacts on neighbouring residential properties (principally the raising of eaves height of part of the building facing Albion St), and the amended landscaping scheme, which is the subject of the current application, was pending at that time. The applicant has revised the landscaping scheme with the purpose of responding to the concerns of residents regarding the previously approved scheme, particularly in terms of loss of privacy, and to make other changes to the landscaping scheme "to better integrate the development with its context and to provide better communal spaces, improving integral design". The applicant has stated that active engagement has been unilaterally undertaken with local residents to understand their concerns. The proposals therefore contain the following revisions:-

- i) Amendments to external landscape and courtyards areas to include focal points and additional seating;
- ii) Inclusion of external circular mobility buggy track;
- iii) Inclusion of new retaining structure to replace existing wall along northern boundary;
- iv) Reconfiguration of private terraces; and
- v) Omission to gates and piers leading to Stratton Place 1-4.

As a result of the additional impacts, Planning Committee directed that the new landscaping proposals should also demonstrate the best possible solution for the protection of the amenity of the neighbouring residents. As a result, the proposals have been subject to extensive assessment and negotiation, which has now resulted in what officers consider to be an effective scheme that would meet the Committee's expectations.

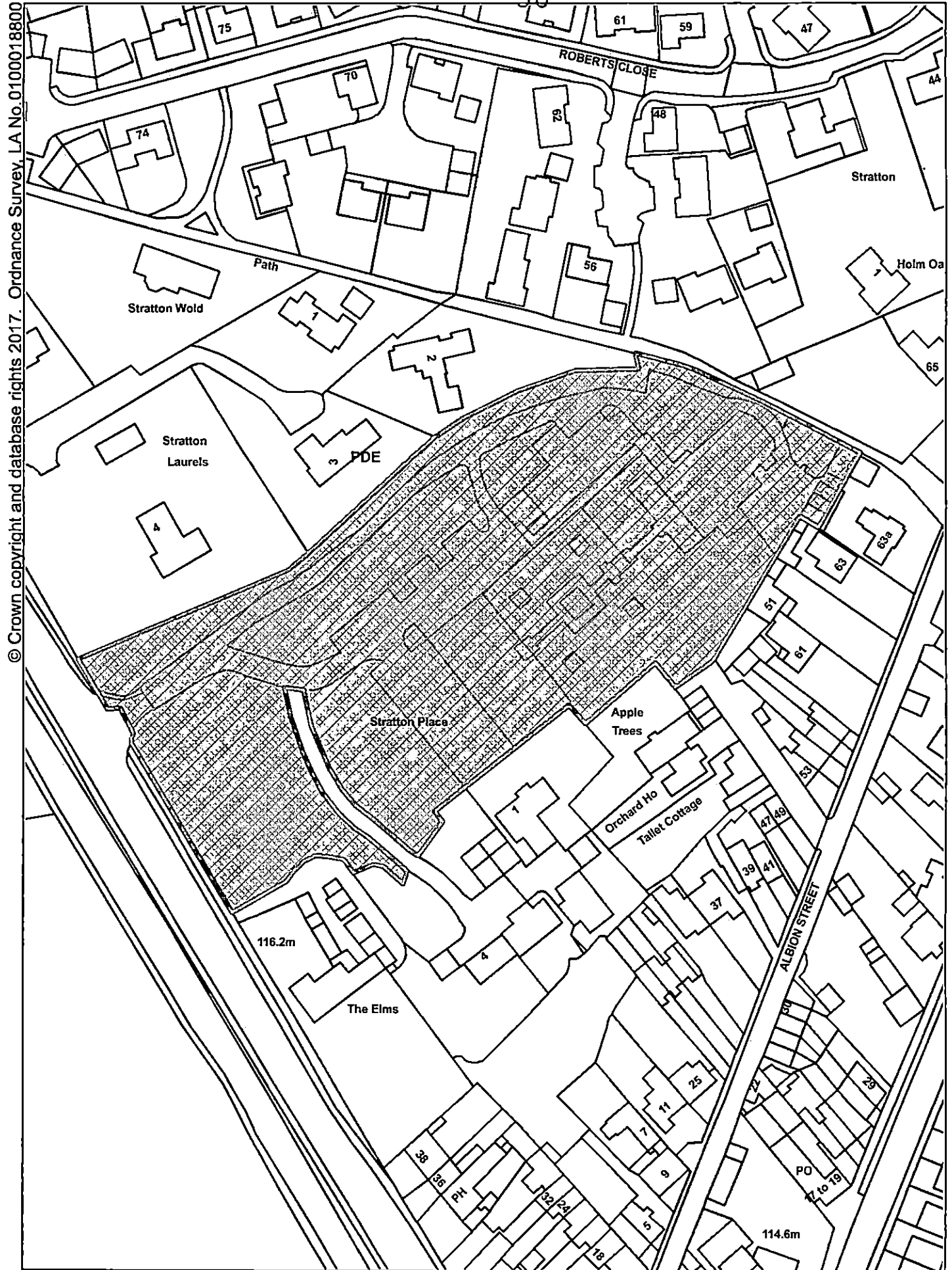
A copy of the final landscaping scheme is attached to this report, which shows its full details, together with a copy of the currently permitted landscaping scheme from 2017. In summary, however, the revised proposals show a 2 metre high close-boarded fence along the full length of

the north-west boundary together with tree and hedge planting behind it. Where previous vegetation has been unmanaged, the planting proposals include more appropriate and effective species (e.g. previous cypress hedge to be replaced with laurel). In some instances and in agreement with the Council's Tree Officer, trees in poor condition or of an inappropriate species have been removed. The north-eastern (Albion St) boundary would comprise a 2 metre louvered fence mounted on a 450mm high retaining wall with new hedge planting behind it. The circular mobility buggy path would lie behind this hedge and new tree planting of two rows in depth, with some of more mature stages of growth (e.g. 3m high birches and 1.75m high hazel) together with shrub planting below, would be provided between the path and the building itself. There would be glimpsed public views from Albion Street of the latter planting and further tree and hedge along the south-eastern boundary and officers consider that these views and the associated impact on neighbours along this boundary would be improved relative to the more sporadic planting previously approved. Whilst it is inevitable that the facade of the building will always be a dominant, and arguably overbearing, feature particularly along the north- and south-eastern boundaries, the proposed planting would have the effect of visually softening and filtering those views, and increasingly so over time. Officers consider that the additional planting suggested by the Local Residents' Group in this location would add little material benefit, and that the current proposals show a greater density of planting than previously approved.

In terms of hard surfacing, the use of natural-coloured bound resin and pavements allied with natural York stone paving is now proposed, although tarmac is proposed for the pedestrian/buggy paths for ease of movement.

9. Conclusion:

Around the site boundaries, the effectiveness of the combination of appropriate tree, hedge and shrub planting and erection of fencing would mitigate the effect of the building's close proximity to the adjoining dwellings and in glimpsed public views. Officers are content that the proposals offer a good and improved solution for local residents relative to the previously approved scheme, that would also be in keeping with the development itself. Consequently, permission for the variation of the relevant conditions is recommended to incorporate the revised landscaping scheme. Given that the development is now occupied, officers recommend that the wording of the new landscaping condition is varied to require completion of the landscaping scheme by the planting season immediately following the date of the decision notice.



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COTSWOLD
DISTRICT COUNCIL

STRATTON PLACE 42 GLOUCESTER ROAD STRATTON

Organisation: Cotswold District Council

Department:

Date: 31/05/2018

Scale: 1:1250



Scale 1:200

Planting Schedule **SCHEME**

All plants to be supplied from an HTA approved nursery and in accordance with National Plant Specification

Key	Species
AC	Acacia gommara
AL	Amelanchier lamarckii
BP	Betula pendula
BP Mt	Betula pendula multi-stemmed
CA	Corylus avellana
CS	Cornus nepensensis
F	Fagus sylvatica
FSP	Fagus sylvatica 'Purpurea'
FP	Fagus sylvatica 'Fastigiata Doreya'
IA	Ilex verticillata
JA	Juglans regia
PA	Prunus avium
PC	Prunus laurocerasus 'Chamberlain'
SA	Sorbus aucuparia 'Candor Rose'
TS	Taxus baccata

Tree planting marked with + is to be planted as a semi-mature specimen with a 20-25cm girth to offset amenity loss from removal of TSO

HEDGING

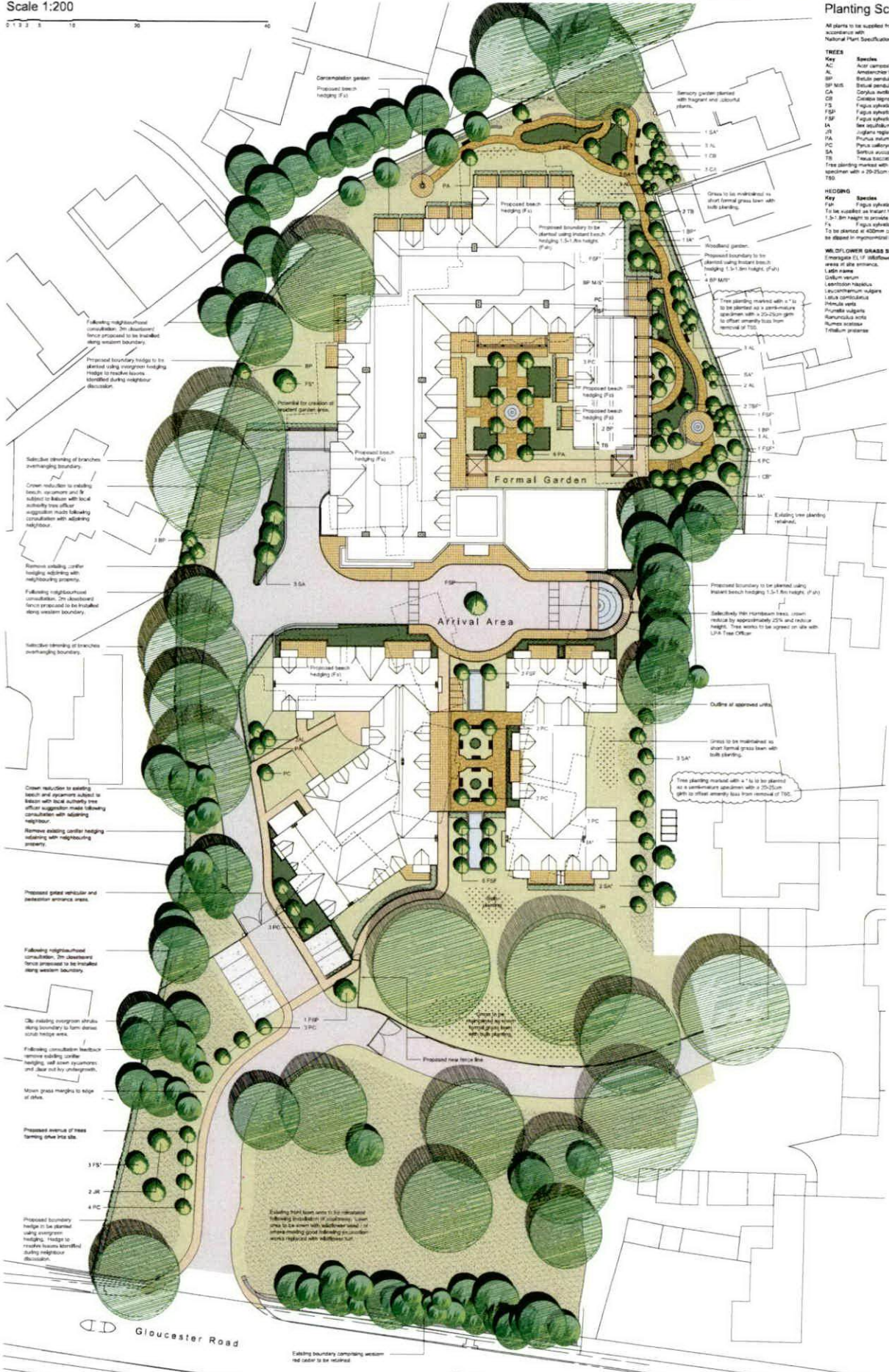
Key	Species
FA	Fagus sylvatica

To be specified as trained hedging, specified in rough sections 1.5-2.0m height to provide screen in some exposed areas.

WILDFLOWER GRASS MIXES

Emergence E1, if infillowers for 1.5m x 1m overpaved existing lawn areas at site entrance.

Latin name	Common name
Urtica dioica	Stinging nettle
Leontodon helioscopia	Rough hawkbit
Chrysanthemum vulgare	Chrysanthemum
Lotus corniculatus	Strawfield lotus
Prunella vulgaris	Common wallflower
Ranunculus acris	Common stinkwort
Trifolium pratense	Wink Red Clover



Key

- Existing trees
- Proposed trees
- Proposed hedge planting
- General ornamental planting areas
- Grass lawn
- Wildflower / Lul incorporating meadow species. (Emergence E1 if used this to be used for lowering the existing grass lawn)
- Bulk planting incorporating details, ornaments and prisms
- Proposed retaining wall / landscaping walls
- Proposed site footings

- Planting Notes**
- Do not scale directly from this drawing.
 - This drawing is to be read in conjunction with all other relevant construction drawings.
 - All hatch patterns shown on this drawing are indicative only and do not represent the size of actual planting units.
 - Please refer to architectural report for information relative to existing trees and woodland.
 - Foundation design is to be approved by engineers in regards to existing and proposed tree locations next to building.
 - Immediately prior to planting ALL TREES, TRANSPLANTS AND SHRUBS to be placed in mechanical enclosures.
 - Bulk planting to consist of a combination of hedging, woodland and grass mix.
 - Emergence E1 of site wildflowers for lawn to be supplied by Ecoparis Seeds, Limes Court, Stone All Saints Kings Lane, Bourne CE31 4ET, 01507 82028

Author	Stratton Place, Cirencester
Client	Clare House Care Group
Drawn	Landscaping Strategy
Scale	1:50/1:200
Date	15/07/12
Drawn by	A
Checked by	
Scale	1:50/1:200
Date	21/08/13
Drawn by	
Checked by	