

**Item No 02:-**

**17/04151/FUL**

**Land Parcel At Upper Rissington  
Upper Rissington  
Gloucestershire  
GL54 2NP**

## Item No 02:-

**Variation of condition 1 of reserved matters permission 12/03810/REM dated 23/01/2013 to provide detailed plans and sections of open space provision and to provide amended plans for hard surfacing and planting at Land Parcel At Upper Rissington Upper Rissington Gloucestershire GL54 2NP**

<b>Full Application 17/04151/FUL</b>	
<b>Applicant:</b>	Bovis Homes
<b>Agent:</b>	Hunter Page Planning Ltd
<b>Case Officer:</b>	Deborah Smith
<b>Ward Member(s):</b>	Councillor Mark MacKenzie-Charrington
<b>Committee Date:</b>	12th December 2018
<b>RECOMMENDATION:</b>	<b>PERMIT SUBJECT TO THE COMPLETION OF A DEED OF VARIATION TO THE S106 LEGAL AGREEMENT</b>

**Main Issues:**

- (a) Land Contamination
- (b) Impact on the Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty (AONB) and Residential Amenity
- (c) Drainage
- (d) Biodiversity

**Reasons for Referral:**

This application has been reported to Planning & Licensing Committee for determination as it is a retrospective application and there is significant community interest in the proposals.

**1. Site Description:**

The site to which this application relates lies to the south of the original village of Upper Rissington (which comprises former RAF housing and later new-build housing developments) and to the north of the airfield, which remains active. The site is bounded on the east by the Barrington Road and beyond the road is open countryside. The western boundary is open countryside (this boundary can be seen from the Stow-Burford Road - A424).

The site is now known as Victory Fields and comprises a residential development of 368 dwellings (predominantly comprising new-build dwellings but does include the conversion of the former Officers' Mess and two other pre-existing buildings on site), a primary school, a community centre and a village square providing a supermarket and other commercial uses. Planning permission has been granted for employment land and a public house which have not yet been delivered. The nursery and gym originally approved have been provided on the site but in different locations to those originally approved. The construction of the dwellings has been completed and all properties are now occupied.

There is a significant amount of tree cover within the site, but less so along the boundaries. The majority of the trees within the application site are mature and are the subject of a blanket Tree Preservation Order (TPO) served in 1997.

The application site is located within the Cotswolds Area of Outstanding Natural Beauty, wherein the Local Planning Authority is statutorily required to have regard to the purpose of conserving or enhancing the natural beauty of the landscape.

## 2. Relevant Planning History:

08/03697/OUT: Outline application for the partial demolition of former military buildings and existing commercial buildings and redevelopment to provide up to 368 dwellings, up to 3,140 sq.m of D1 and D2 floor space, up to 2050 sq.m of A1- A5 floor space, up to 7,100 sq.m of B1 floor space, including conversion of the former Officer's Mess, the former Station Sick Quarters, the former Station Headquarters and the former Education Block for residential purposes & conversion of the former Watch Tower, the former Guardhouse and the former Sergeants' Mess for employment purposes, together with the provision of public open space, associated access and junction improvements and other associated works. Refused 18.09.09. Allowed on appeal 25.02.10.

12/03810/REM: Reserved matters application for the erection of 368 dwellings (comprising 304 new-build dwellings and 64 dwellings provided within existing refurbished buildings) together with associated works, garaging/parking, provision of public open spaces and including details of layout, scale, external appearance of the buildings and landscaping of the site pursuant to Outline permission (ref. 08/03697/OUT). Permitted 23.01.2013.

17/04950/FUL: Variation of condition 3 of planning approval reference 12/03810/REM to regularise the materials used in the construction of the development. Permitted 12.04.2018.

## 3. Planning Policies:

NPPF National Planning Policy Framework  
 \_DS2 Dev within Development Boundaries  
 \_EN1 Built, Natural & Historic Environment  
 \_EN2 Design of Built & Natural Environment  
 \_EN4 The Wider Natural & Historic Landscape  
 \_EN5 Cotswold AONB  
 \_EN7 Trees, Hedgerows & Woodlands  
 \_EN8 Bio & Geo: Features Habitats & Species  
 \_EN15 Pollution & Contaminated Land  
 \_INF2 Social & Community Infrastructure  
 \_INF7 Green Infrastructure  
 \_INF8 Water Management Infrastructure

## 4. Observations of Consultees:

Landscape Officer: views incorporated within the Officer's report

Biodiversity Officer: views incorporated within the Officer's report

Tree Officer: views incorporated within the Officer's report

ERS Land Contamination Officer: no objection, subject to conditions requiring the remediation of identified contamination

Drainage Engineer: views incorporated within the Officer's report

## 5. View of Upper Rissington Parish Council:

- i. The Country Park NEAP only contains 8 pieces of equipment so we question whether it can be considered a NEAP as it should have 9 pieces;
- ii. The colour of the wet pour rubber within LEAP 03 should be themed with RAF colours;
- iii. Is the trim trail appropriately located given that is principally for use by 5-12 year old age range? Usually a play space for this age range should be fenced off and at least 20m from the nearest window (Six Acre Standard);

- iv. Would like to see the provision of more exercise equipment for ages 15+ in the trim trail as this would be more neighbourly;
- v. Concerned about the maintenance of play bark in the LAPs;
- vi. Welcome the skate park but request that the space be designed to leave space for a MUGA too;
- vii. Don't think that trip rails are necessary adjacent to the play areas and would impede future grass maintenance;
- viii. The drystone wall needs to be continued across the former Wellington Road access;
- ix. Would prefer that cycle/pedestrian footpaths are finished in tarmac and pedestrian footpaths are finished in hoggin surfacing as this will enable differentiation between the two types of route and provide durability on those surfaces used by cycles;
- x. A dropped kerb is required where Longmore Walk reaches Wellington Road;
- xi. How will the path from Longmore Walk to the village hall be affected by the access to the rear of the school that currently crosses it?;
- xii. Disabled access does not appear to have been given enough thought;
- xiii. The continuous pedestrian/cycleway loop on the southern perimeter of the site should be reinstated;
- xiv. The 'alternative pedestrian route' shown on drawing 5019/SK04 within the approved Landscape and Biodiversity Strategy should be opened up for public use - currently it is signed as private property with no public right of way;
- xv. Drawing 5109/SK03 shows hedge planting along the eastern perimeter of the school and community centre but it is not shown on the current planting plan;
- xvi. The allotments should have vehicular access right down to the gate, with a turning circle;
- xvii. The Parish Council has not raised specific queries about contamination as we understand that the development cannot be completed until contamination has been remediated;
- xviii. There needs to be a ramp to the tennis courts to ensure accessibility for all;
- xix. Would like to see a mains water supply to the allotments;
- xx. Would like an alternative bench design;
- xxi. The plans should include pedestrian access to the playing field from Hawker Square;
- xxii. Can we expect the build-out shown on Wellington Road behind the shop?
- xxiii. The path from the school to Wellington Road should be upgraded to tarmac; and
- xxiv. Improved traffic calming is required near the build-out by the school.

## 6. Other Representations:

2 letters making general/positive comments about the proposals:

- i. Overall, delighted with the plans which include good play equipment and landscaping that has been well-thought out;
- ii. Some of the trees already planted have died and we would hope that the responsible developer would replace any trees that die;
- iii. It would be preferable if one of the full-size football pitches was replaced by 2/3 five-a-side football pitches to provide variety and more flexibility in their use;
- iv. The park on the southern boundary of the site is not well overlooked and therefore should be re-positioned if possible;
- v. There is little provision for teenagers - could we incorporate a skate park on the site perhaps?
- vi. It would be good if the barbed wire on the perimeter fencing could be removed;
- vii. I welcome all methods of traffic calming, including speed bumps;
- viii. If possible, a zebra crossing should be installed next to the school to ease crossing; and
- ix. I am concerned at the practicality of accessing the allotments as they are located some distance from the car parking area along a narrow winding footway so would it be possible to amend the plans to provide via a wider path suitable of carrying limited traffic plus a small turning/parking area adjacent to the allotments?

70 third parties have made representations raising the following objections:

- i. Concerns regarding the boundary levels at the southern part of the site and on the playing field off Barrington Road;
- ii. Significant concerns regarding the amount of waste material that has been dumped on the site, particularly within the bunds along the southern boundary and on the southern playing field - these areas contain contaminated material, have not been remediated and are therefore not fit for purpose;
- iii. There is no materials movement plan for the site so it is impossible to understand where contaminated material has been placed;
- iv. The south playing field area should be reduced in height back down to the level of the Barrington Road as it is unsightly and dangerous for children to play on;
- v. Object to Cranwell Road extending over Longmore Avenue to access Building 42 as Longmore is a pedestrian walkway and pedestrian safety will be adversely affected;
- vi. The trim trail will adversely impact upon the privacy of adjacent occupants and will create noise problems and should be relocated;
- vii. On-street parking adjacent to the trim trail could block access to Varsity Close;
- viii. One element of the trim trail is adjacent to the road and no additional traffic calming measures are proposed;
- ix. Having the trim trail so close to roads is a potential hazard;
- x. Access to the trim trail should not be through Hercules Close;
- xi. The trim trail was originally aimed at older children and adults but has now been decimated and replaced by a kiddies adventure trail;
- xii. Groundworks to install the equipment and the use of the trail will affect the protected trees and wildlife;
- xiii. The ground along the route of the trim trail is uneven and could pose a risk of injury to users;
- xiv. The allotments need better access to allow light vehicular usage and a parking area for vehicles to make them practical;
- xv. Object to having play areas and the trim trail adjacent to our houses;
- xvi. The LAP will infringe on the privacy of adjacent residents and cause a noise nuisance;
- xvii. The LAP needs to be relocated, reduced in size, screened and moved away from my house;
- xviii. There is no parking for the LAP so visitors may obstruct access for residents;
- xix. Installation and use of the play equipment will negatively affect wildlife and the protected trees;
- xx. Relocate the play areas on the outskirts of the village and plant trees and wildflower meadows adjacent to houses instead;
- xxi. NEAP1 bears no resemblance to the original plan and should be re-evaluated;
- xxii. Play equipment within the NEAP encroaches into the 30m buffer zone advocated by CDC's Play Strategy;
- xxiii. The vastly increased size of the NEAP will result in usage by those further afield and result in increased traffic which impact on on-road parking in the vicinity;
- xxiv. The park has no fencing to prevent dog walkers;
- xxv. The NEAP will be visible and create noise;
- xxvi. The play areas would negatively impact upon the natural beauty of the area;
- xxvii. Object to the re-opening of the footpath at the top of Whittle Close;
- xxviii. Object to the retention of the path associated with the section of Wellington Road now removed;
- xxix. General concern regarding the proximity of the open space to residential properties;
- xxx. Some of the planting already undertaken is inappropriate and not as shown on the planting plan;
- xxxi. Object to further tree planting that impact upon light to residential properties;
- xxxii. A Cotswold retaining wall should be erected at the former Wellington Road access point;
- xxxiii. There are traffic problems at the Mitchell Way/Wellington Road junction as cars park on either side of the road and block traffic;
- xxxiv. Object in principle as the plans and details deviate from the approved 2013 scheme;
- xxxv. No deviation from the 2013 plans should be allowed;

- xxxvi. The bowling green and cricket pitch seem to have been removed;
- xxxvii. Doesn't seem to be much provision in play areas for under 2s;
- xxxviii. There is a LAP missing between Cranwell and Kitty Hawk Walk;
- xxxix. The landscaping profile does not match the 2013 permission;
- xl. The cycle path along the southern boundary has been removed;
- xli. Lighting on public footpaths is inadequate;
- xlii. Object to footpaths being surfaced in hoggin rather than tarmac;
- xliii. Too much tarmac is proposed for footpaths and should be hoggin instead;
- xliv. Object to the location of a number of footpaths throughout the development, many are not wide enough, some do not exist currently and some are shown inaccurately on the drawings;
- xlv. Concerns that contaminants have not been removed from the site;
- xlvi. There are a number of public access footpaths leading on to or off private roads which are not to be adopted and this is causing frustration for homeowners;
- xlvii. Inadequate provision for adults and teenagers within the open space proposals - the trim trail should be adapted to meet this need and the cricket pitch, bowling green and MUGA should all be provided for this demographic;
- xlviii. The southern playing field is supposed to be a soccer pitch;
- xlix. The LQM report doesn't seem to support the safety of some of the land designated for play areas and we need confirmation that remedial work and capping is being carried out properly;
  - i. The creation of the unsightly bunds on the southern boundary obstructs views of the countryside beyond;
  - ii. The attenuation pond is a joke as the slopes are too steep;
  - iii. There are drainage issues in the bunds because drainage holes were not drilled in the concrete aprons before the soil was placed;
  - liii. Object to the pedestrian/cycleway being reintroduced along the southern perimeter as this will impinge on the privacy of houses in the locality;
  - liv. Fencing around the attenuation pond should be moved inside the footpaths to ensure there is clear public access around its perimeter;
  - lv. Concerned that the play areas and trim trail will not be properly maintained and that there will be litter and dog faeces strewn everywhere;
  - lvi. Bark should not be used in the formal play areas as it has maintenance issues;
  - lvii. The barn owl boxes have rotted away and should be replaced;
  - lviii. The attenuation pond cannot be considered a substitute for a wildlife pond;
  - lix. The engineering drawings for the attenuation pond contradict the hard surfacing drawings and do not allow for public access to the attenuation pond, which is contrary to the appeal decision and reduces the amount of public open space;
  - lx. A fence should be erected on the eastern side of the LEAP adjacent to the cyclepath;
  - lxi. The area around the orchard needs to be properly remediated with the rubbish removed; and
  - lxii. Object to the skate park as it will cause noise and disturbance for nearby residents and is not properly overlooked.

## **7. Applicant's Supporting Information:**

Hard Surfacing Plans  
 Playspace Proposals  
 Planting Plans, including Ecology Zones  
 Proposed Section Details  
 Remediation Method Statement Addendum dated January 2018 (RMSA - 17183-17-150 Rev E)

## **8. Officer's Assessment:**

### **Background**

As outlined in the 'Planning History' section of this report, outline planning permission was granted on appeal for the re-development of the former RAF site in 2010 (Council's reference 08/03697/OUT). Subsequently, five separate Reserved Matters applications were submitted to

the LPA for determination, these related to i) the residential element, including the Public Open Space (POS); ii) the employment area; iii) the village square (i.e. commercial area); iv) the primary school; and v) the community centre. Permission was granted for the residential and POS element of the scheme in January 2013 (under reference 12/03810/REM).

There is therefore, a permission in place for the delivery of the POS. However, the applicant has significantly raised ground levels within the POS areas along the eastern and southern perimeters of the site, engineering works which require planning permission, and consequently, the LPA has sought this formal planning application to regularise these unauthorised works.

Councillors may be aware that as a result of the unauthorised works undertaken by Bovis Homes, the local community has taken a keen interest in the development proposals and have actively engaged the Ward Member and the Member of Parliament for the District, Sir Geoffrey Clifton-Brown.

As a result, the Council convened a Liaison Group comprising key CDC Officers (including Deborah Smith, Scott Britnell, Senior Enforcement Officer, and Karen Toomer, Land Contamination Officer, the Ward Member, Mark MacKenzie-Charrington, GCC Councillor Nigel Moor, a GCC Highways Engineer, Upper Rissington Parish Councillors and 2 community representatives. The purpose of the Group was to provide clarity of understanding of the planning issues and associated planning processes in relation to the development at Victory Fields and to enable sharing of information to and from the community and for Officers to provide updates on the planning applications and the measures to address non-compliance with conditions of the approved scheme.

It must be noted that many of the issues raised by the local community are outside of the remit of CDC and where necessary, we have directed third parties to the relevant bodies, e.g. Bovis and Linden Homes, GCC Highways, Albion Water, etc. For clarity, only planning matters pertinent to the consideration of this planning application are considered within this report. Other matters that may require CDC input to resolve will be dealt with separately.

## **Proposals**

It is noteworthy that, with the exception of the raising of the ground levels, the scheme as proposed within this current application is very similar to that originally approved. The main changes to the approved scheme are as follows:

- i. Significant raising of ground levels within the eastern and southern sections of the POS on site (some of the material used within the bunded areas contains contaminants and this issue is covered in more detail later in this report)
- ii. The substitution of one of the senior football pitches with 4no. five-a side pitches
- iii. Provision of a skate park on the southern playing field in place of the previously approved sports pitch
- iv. Amendments to the design of the attenuation pond
- v. Amendments to the network of footpaths throughout the site to ensure access for all
- vi. Alterations to the formal play areas
- vii. Re-alignment of the roadway to the sewage works and the gas compound
- viii. Minor adjustments to the line of the trim trail and more detailed information relating to the equipment provided therein
- ix. Local Area for Play (LAP) omitted adjacent to Building 41
- x. Wetland scrapes omitted

### **(a) Land Contamination**

For clarity, with regard to land contamination matters, the following reports/documents have been reviewed as part of the assessment of this current planning application (these documents are associated with this current application, the outline consent (ref. 08/03697/OUT) and the condition compliance application (ref. 13/00823/COMPLY):

- Former RAF Little Rissington, Upper Rissington, Gloucestershire - Contamination and Geotechnical Data Review, WSP January 2011
- WSP, Geo-environmental Assessment - Upper Rissington, Gloucestershire - Draft Interpretative Land Quality Assessment Report - Reland (Rissington) Limited - October 2011
- WSP, Remediation and Earthworks Strategy - Former RAF Little Rissington, Upper Rissington, Gloucestershire, Reland (Rissington) Limited Report Reference 00020839/006 Final for comment, December 2011
- BACTEC, Explosive Ordnance Threat Assessment in respect of Former RAF Little Rissington, Reference 3490TA, 18th March 2011
- Merebrook, Former RAF Upper Rissington, Updated Gas Risk Assessment, L-17173-2.4.2-13-S19-TC Dated 15 February 2013
- Merebrook, Stockpile Asbestos Contamination Investigation, Former RAF Little Rissington, Report Ref AGC-17183-13-39
- Merebrook, Remediation Method Statement, Former RAF Little Rissington, Linden Homes Thames Valley and Bovis Homes, RMS 171873-13-2 Rev B March 2013
- Merebrook, Identified Hotspot Remediation - Phase 2, 20th February 2014, Ref: L-17183/2.4.2-14-S114-LGS
- Radman Associates, Radiological Remediation Validation Report, Victory Fields, Upper Rissington, BD/UR/VR1, 21 January 2015
- Merebrook, Remediation Method Statement Addendum, Former RAF Little Rissington, Bovis Homes Western and Linen Homes Thames Valley, RMSA-17183-17-150 Rev E, January 2018
- RM Parameter plan 6: Landscape and open space drawing (C1292 / RM PP6 Rev.C)
- Upper Rissington Playspace Overview drawing (5109 PS Overview)

The WSP (October 2011) report provided information on the ground conditions prior to development. The report compared soil analysis results to screening levels to be used for 'residential use with plant uptake'.

'Bath Demolition' were appointed to undertake demolition, site clearance and remediation work.

Stockpiles of material remaining on site were then assessed by Idom Merebrook (on behalf of Bovis Homes) in February 2013, as detailed in the 'Stockpile Asbestos Contamination Report', to ascertain the presence of asbestos and appraise their suitability for re-use during the development. Reassurance air monitoring was also carried out in and around the stockpile locations by a separate consultant during this investigation. The conclusion of the assessment stated that material from Stockpiles A, D and E contained low levels of asbestos fibres, however, the risks posed are very low. The air monitoring found the levels of fibre concentrations in the air were significantly less than the control limit for asbestos fibres in the atmosphere of 0.1 fibres per cubic centimetre or millilitre. It was recommended that the material could be used in the landscaped areas below 1m of capping in the Public Open Space (POS) areas.

Merebrook submitted a Remediation Method Statement based on the findings of the previous site investigation works and this was approved in March 2013. The remedial action plan was to remove the unacceptable material from the site, to use the excavated and validated made ground to create landform areas of public open space and to validate these works.

The report highlighted the identified hotspots when comparing soil analysis results from the WSP report to screening levels derived for public parks. These hotspots are shown on drawing no.313-002 in Appendix A. This included ten hotspot locations for various contaminants including:

- 2 x hotspots for Arsenic
- 2 x hotspots for Lead
- 3 x fragments of visible asbestos containing material debris
- 1 x Radiation hotspot
- Widespread Benzo(a)pyrene associated with ashy ground



The asbestos debris noted in the WSP report was handpicked by the ground workers and placed in a skip for off-site disposal.

One arsenic hotspot is located in an area covered by a separate planning application for the erection of four new dwellings on the site of the former village hall (planning permission reference 15/02436/FUL). The other arsenic hotspot and the lead hotspots were remediated by Merebrook in February 2014, as detailed in the Identified Hotspot Remediation - Phase 2 report.

Two areas of hydrocarbon contamination were noted in the WSP report. The underground storage tanks were believed to be removed in this part of the site prior to the site investigation work commencing. The underground storage tank in the South Playing Field was not found during the investigation by WSP, even though the concrete slab base was encountered. No hydrocarbon contamination was encountered which exceeded the Generic Assessment Criteria.

The radiation hotspot was remediated and validated by Radman Associates in January 2015. This area of the site is also covered by a separate planning application for the erection of 24 dwellings on land off Delfin Way (planning application reference 17/03740/FUL).

Since planning permission was granted for the re-development of the main site to provide for 368 dwellings (planning permission reference 12/03810/REM), unauthorised works have been undertaken within the POS areas and this current application seeks to regularise these works. Bunded areas have been installed along the southern and eastern boundaries of the application site and the material from the stockpiles shown on drawing no. MC-2191\_SURV were used as part of the bund structure (as well as for other end-uses as discussed below).

The stockpiles around the site were either transported for re-use in the Bovis development at Moreton-in-Marsh under the Materials Management Plan (natural as dug arisings from Stockpiles A, B and L) or were re-used on the application site within the bunds (Made-Ground arisings from Stockpiles C, D, E, F, G and H) or residential plots (Natural-as-Dug arisings from Stockpile K). As a result of the deviation from the original Remediation Method Statement, an addendum to that statement (Remediation Method Statement Addendum (RMSA)) was required and was duly submitted in January 2018 in association with this current application.

The RMSA reported that Polycyclic Aromatic Hydrocarbon (PAH) contamination was encountered in Stockpiles C, E and F at levels above conservative screening levels using the LQM/CIEH POSresi scenario. When comparing the concentrations to LQM/CIEH POSpark screening levels, which are more appropriate for the proposed end use, it was noted that only one sample from thirty marginally exceeded the Generic Assessment Criteria (GAC). The approach used to derive the GAC levels is inherently conservative and, therefore, a marginal exceedance of the GAC does not indicate unacceptable risks to site users. The 95% Upper Confidence Limit of the mean soil concentrations, commonly used to guide decision making for the assessment of potentially contaminated land, were found to be significantly less than the GAC.

The RMSA report also reported that asbestos fibres were detected in samples from Stockpiles C and E at a maximum concentration of <0.001% and 0.001%, respectively. The report took into account the changes to the remediation regarding Asbestos Containing Material (ACM) which utilised recent guidance to provide a detailed risk assessment of the ACM concentrations encountered in the stockpiles used to create the bunds (CIRIA C733).

Due to the complex nature of the detailed risk assessment for asbestos contamination using innovative assessment techniques, CDC instructed an independent third party consultant (Land Quality Management (LQM)) to review the RMSA report. The overall conclusions of the RMSA report were deemed to be acceptable by LQM, however, a refined assessment using a more conservative approach to the quantitative risks assessment was utilised by the consultant and found to demonstrate acceptability of the condition of the bund areas for their proposed use.

Further changes were proposed for the southern playing field in the south-west of the site, to include a raise in land levels.

Proposed changes relating to other areas of POS on the site include the removal of stockpiles and levelling of areas in soft landscaped areas including:

- orchard area
- area to the west of the shops (former public house area)
- area to the north (rear) of shops
- area opposite former Officers Mess (Bovis compound)
- area near former Officers Mess (Linden compound)

Drawing 5109/PS Overview also shows the proposed housing to the west of Delfin Way, however, this site is being considered separately under planning application reference 17/03740/FUL.

It is considered that the hotspot contamination highlighted in drawing no.313-002 has been sufficiently dealt with as discussed above; however, there are areas of the site which are still to be validated following the final levels being achieved and the appropriate importation of suitable material.

The POS areas must obviously be suitable for use and the Council must be assured that the ground conditions do not pose unacceptable risks to the human health of the residents or other site users. Conditions are therefore suggested which will require the developers to carry out all necessary remediation works on site in accordance with best practice guidance and to submit to the LPA, a completion report which demonstrates that the remediation works have been carried out in full in accordance with the approved methodology. The developer will also be required to submit a signed certificate to the LPA confirming that the completion report is accurate and that the remediation works have been undertaken as specified within the completion report.

In light of the above, it is considered that the proposals accord with Cotswold District Local Plan Policy EN15 (Pollution and Contaminated Land) and Section 15 of the NPPF.

#### **(b) Impact on the Character and Appearance of the Cotswolds Area of Outstanding Natural Beauty (AONB) and Residential Amenity**

##### **Policy Considerations**

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB), wherein the Local Planning Authority has a statutory duty to conserve and enhance the natural beauty of the locality (Section 85 of the Countryside and Rights of Way Act 2000).

Paragraph 170 of the NPPF requires the planning system to recognise the intrinsic character and beauty of the countryside. Whilst Paragraph 172 states that great weight should be given to conserving landscape and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.

Policy EN1 of the Local Plan states that new development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by contributing to the provision and enhancement of multi-functional green infrastructure and ensuring design standards that complement the character of the area and the sustainable use of the development.

Policy EN2 of the Local Plan states that development will be permitted which accords with the Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality.

Policy EN4 of the Local Plan states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. This policy requires that proposals will take account of landscape and historic landscape character, visual quality and local

distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, settlement patterns and heritage assets.

Policy EN5 of the Local Plan states that in determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

Policy INF7 of the Local Plan states that development proposals must contribute, depending on their scale, use and location, to the protection and enhancement of existing Green Infrastructure and/or the delivery of new Green Infrastructure and green Infrastructure will be designed in accordance with principles set out in the Cotswold Design Code (Appendix D).

### **Assessment of the Impact of the Development Proposals**

The application site and its surroundings are classified in the Cotswolds AONB Landscape Strategy and Guidelines as falling within Landscape Character Type 7D High Wold. This in turn falls within Landscape Character Area Rissington Plateau and Milton Downs. In terms of new residential development and the design of open space, this guidance states the following:

- Avoid development that will intrude negatively into the landscape and cannot be successfully mitigated, for example, extensions to settlements on visible hillsides;
- Layout of development should respect local built character and avoid cramming up to boundaries resulting in hard suburban style edge to the settlement;
- Ensure new built development is visually integrated with the rural landscape setting and does not interrupt the setting of existing villages or views;
- Retain existing trees, hedges etc. as part of the scheme;
- Ensure new development is integrated into its surroundings. Break up harsh edges of new development with appropriate and adequate tree planting ideally in advance of the development taking place; and
- Consider the impact on local Public Rights of Way as settlements expand and take into account any required improvements.

Using these guidelines, the impact of the regrading works on the wider landscape setting has been assessed. In terms of visual amenity, it is noted that views of the open space are limited and works would primarily be seen from the immediate locality, i.e. from within the housing development and adjacent to the housing development.

The site adjoins the airfield which is flat and open; the landscape beyond the airfield is primarily rural and made up of a regular patchwork of fields, enclosed by hedgerows and small to moderate size geometric woodlands. It is considered that the proposed tree groups to the boundary would provide an informal planted edge which would be in-keeping with the surrounding vegetation patterns and would help to create a soft transition from the development to the airfield. It is noted that at present the site does look stark, but that once the proposed soft landscaping has become established, it will soften the appearance of bare earth. Furthermore, trees have been retained as part of the proposals which is welcomed.

### **Detailed Landscaping Scheme**

Following protracted negotiations with the applicants and their agents, the principal footpath route through the POS is now proposed to be surfaced in tarmac, not hoggin as previously proposed. This is considered an important change to the scheme as this will be a well-used pedestrian/cycle route through the development and tarmac is a more hard-wearing surface. The Parish Council (who may potentially manage the POS within the site) was also concerned about the ongoing maintenance of hoggin as the existing hoggin footpaths on site (constructed approximately 1 year ago) have already become degraded. For reasons of durability and accessibility, tarmac is the preferred finish on well-used routes.

## **Play Areas**

As previously outlined, the applicant has sought, in the main, to implement the originally approved POS scheme. The approved scheme shows the formal play areas and the trim trail in the locations as proposed within this current application, so the principle of play and leisure provision within these areas has been established.

The proposed play areas have been assessed in-line with the 'FIT: Planning and Design for Outdoor Sport and Play (PDOSP) 2008' which provides useful guidelines for different types of play provision. (it is noted that third parties have made reference to the 'Guidance for Outdoor Sport and Play Beyond the Six Acre Standard' and for clarity, this latter document is more of a summary document which aligns with the guidance in the 2008 PDOSP). A number of amendments have been sought during the course of the consideration of the planning application and detailed aspects of the design have been addressed.

It should be noted that 2 play units within the Neighbourhood Equipped Area for Play (NEAP) which is sited within the eastern part of the application site and to the south-east of the attenuation pond, sit inside of the recommended 30m buffer zone (this is the minimum distance between the equipment and the nearest dwelling); however, it must be acknowledged that the buffer zone set out within the FIT guidance is just that, guidance, and given that these 2 play units are static and that there will be some tree planting within the buffer, Officers consider that the reduced distances would not adversely impact upon the amenities of adjacent properties.

## **Trim Trail**

The trim trail has been previously approved in the location now shown on the submitted drawings. A section of the trail has been omitted adjacent to Squirrel Close and in places, the line of the trail deviates through the trees, but for the most part, the trail approximately follows the route originally approved. An additional 13 pieces of equipment have been introduced to the trail to provide increased interest and opportunities for play and exercise.

Some pieces of equipment within the trail are proposed to be located within 10m of the boundary of residential properties. There is no accepted standard which sets out how far away from residential properties exercise equipment ought to be placed. In addition, the trim trail is unlike a children's formal play area, in that use of the equipment on the trim trail would be intermittent and of short duration, whereas it is reasonable to expect that parents and children might gather for longer periods in formal play areas. For this reason, it is considered that the location of the trim trail and the equipment contained therein would not harm the amenities of adjacent residents.

## **Southern Playing Field**

The originally approved scheme proposed a football pitch on the southern playing field but given that a senior football pitch and 4 no. 5-a-side pitches are already to be provided in the main sports area of the village, Officers have been negotiating an alternative form of sports provision on this part of the site. Discussions have been ongoing with the applicant's agents and a MUGA and a skate park have been considered on this land in order to increase sports/play provision for older children/teenagers. It has now been agreed that a skate park will be provided here which provides an active use to this parcel of land which is positive and it is sufficiently distant from residential dwellings so as to ensure that there would not be an unacceptable loss of amenity to the occupiers of the nearest residential properties. The design and layout of the skate park is considered to be acceptable.

Overall, Officers are satisfied that the play area provision across the site largely accords with that originally envisioned when the outline planning application was considered by the Planning Inspector and with the Reserved Matters application approved by this Council in 2013. Amendments and adjustments have been made in response to various concerns raised by the

Parish Council and the community and it is considered that the scheme now proposed will deliver significant benefits to the community as a whole.

Given the localised impact of the proposals, Officers are satisfied that the development would conserve the natural beauty of the area.

In light of the above, the revised POS proposals are considered to accord with LP Policies EN1, EN2, EN4, EN5 and INF7 and the principles set out within the NPPF, in particular within Section 15.

### **(c) Drainage**

The Council's Drainage Engineer has undertaken a site visit, assessed the submitted drawings and has offered the following advice.

It is understood that discussions between Bovis Homes and Albion Water are ongoing regarding the required spillway from the attenuation pond (which are preventing WSP from finalising the design of the critical spillway from the pond) and we are therefore unable to approve the design of the attenuation pond at this time. Additionally, it is not clear which party will have responsibility for the future maintenance of the pond post construction. It was noted that some of the gabions laid in the attenuation pond had been laid in the wrong alignment and the Bovis site manager was to address that issue. The Council's Drainage Engineer is satisfied that the final construction details of the attenuation pond can be addressed via planning condition and an appropriately worded condition is therefore suggested.

It is noteworthy that the pond is not a pure flood defence asset for the residential properties. Although it will receive highway run-off, its primary function is for water re-circulation to the properties. In addition, the spillway from the pond will affect an existing watercourse and therefore Bovis Homes will also need to apply for land drainage consent from the Council prior to its construction.

In addition, concerns had been raised by the local community regarding surface water run-off along the bunded areas on the southern perimeter of the site and this too, was assessed by the Council's Drainage Engineer. He observed that this area is still under construction and that the finishing off in this area was dependent upon agreement being reached on the surfacing of the footways/cycleways in this area and planning permission being granted. Until that time, a construction detail cannot be produced for approval. In any event, he has advised that the issue of run-off from the unfinished pathways did not appear to be a flood risk concern for the new development, the airfield or the Calor Gas storage area.

A condition is suggested which requires construction details of the footways/cycleways to be submitted to and approved in writing by the LPA prior to the works commencing on them to ensure that appropriate drainage is installed during construction. This condition includes a requirement for the LPA to inspect and approve the completed footways/cycleways before confirming compliance with the condition.

Some third parties have also raised concerns relating to whether the material in the bunded areas will remain stable, due to the inability of water to percolate through the punctured concrete beneath, but this does not appear to be a significant concern due to the relatively significant volume of soil involved and its general height above the existing concrete apron. A detailed planting schedule has been assessed and agreed by Officers and will assist in further stabilisation of the area through root growth, in addition to the trees and shrubs drawing up any water which may sit in the made-up areas due to a reduced rate of percolation through the punctured concrete.

In light of the above, and subject to planning conditions, the proposals are considered to accord with Cotswold District Local Plan Policy EN14 and Section 14 of the NPPF.

#### **(d) Biodiversity**

The eastern ecology zones are being retained as informal spaces with mown paths which is welcomed, but the northern area appears to have hoggin footpaths, which is considered to be inappropriate to the natural habitat that is present here. The Biodiversity Officer has requested that a condition is attached to any planning permission to require that only the footpath that leads to the allotments will be surfaced and the circular loop to the north through the meadow will revert back to informal mown paths as originally shown.

The bat flight line is retained and enhanced in accordance with the original landscape strategy, but the new hedgerows around the Officers' Mess building have been omitted. The wildlife pond in the eastern ecology zone has been retained and this should be left to colonise naturally with planting only occurring after two growing seasons to reduce the risk of non-native and invasive species being introduced inadvertently. These elements are to be covered by planning conditions.

The wildflower mixes are specified as "special general purpose" or "wetland" and "calcareous", but these are not specified in detail and the supplier is not confirmed. In addition, the attenuation pond has appropriate planting around the margins, but the base of this feature is not specified. The whole of the attenuation pond should be seeded within an appropriate wildflower mixture and Officers are suggesting a condition requiring this detail to be submitted.

Subject to conditions, the proposals are in accordance with Cotswold District Local Plan Policy EN8 and Section 15 of the NPPF with regard to biodiversity mitigation and enhancement.

#### **9. Conclusion:**

Planning permission has been granted for the provision of Public Open Space (POS) in association with the new residential development known as Victory Fields. However, the developer has deviated from the approved scheme and consequently has submitted a revised planning application to regularise those changes. With the exception of the raising of the ground levels within the southern part of the site, the amendments to the originally approved scheme are relatively minor in nature.

Following the demolition of the existing former RAF buildings on site, stockpiles of material remaining on site were assessed by Idom Merebrook (on behalf of Bovis Homes) in February 2013, to ascertain the presence of asbestos and appraise their suitability for re-use during the development. It was recommended that the material could be used in the landscaped areas below 1m of capping in the Public Open Space (POS) areas. Material from these stockpiles has subsequently been used in the made-up ground on the southern and eastern boundaries.

As a result of the deviation from the original Remediation Method Statement (approved in 2013), an addendum to that statement (Remediation Method Statement Addendum (RMSA)) was required and was duly submitted in January 2018 in association with this current application.

Due to the complex nature of the detailed risk assessment for asbestos contamination using innovative assessment techniques, CDC instructed an independent third party consultant (Land Quality Management (LQM)) to review the RMSA report. The overall conclusions of the RMSA report were deemed to be acceptable by LQM.

The POS areas must obviously be suitable for use and the Council must be assured that the ground conditions do not pose unacceptable risks to the human health of the residents or other site users. Conditions are therefore suggested which will require the developers to carry out all necessary remediation works on site in accordance with best practice guidance and to submit to the LPA, a completion report which demonstrates that the remediation works have been carried out in full in accordance with the approved methodology. The developer will also be required to submit a signed certificate to the LPA confirming that the completion report is accurate and that the remediation works have been undertaken as specified within the completion report. The

Council has committed to instructing a peer review of the completion report prior to confirming compliance with the conditions.

In light of the above, it is considered that the proposals accord with Cotswold District Local Plan Policy EN15 (Pollution and Contaminated Land) and Section 15 of the NPPF.

As the site is located within the AONB, an assessment of the visual impact of the development on the character and appearance of the wider landscape has been undertaken. It is considered that the proposed tree groups to the boundary would provide an informal planted edge which would be in-keeping with the surrounding vegetation patterns and would help to create a soft transition from the development to the airfield. It is noted that at present the site does look stark, but that once the proposed soft landscaping has become established, it will soften the appearance of bare earth.

The proposed play areas have been assessed in-line with the 'FIT: Planning and Design for Outdoor Sport and Play (PDOSP) 2008' and following a number of amendments to the scheme, the play provision is considered to be acceptable and appropriate in light of the previous permission on the site and will deliver significant benefits to the community as a whole. In addition, it is considered that the play and leisure provision would not adversely impact upon the amenities of adjacent properties.

Given the localised visual impact of the proposals, Officers are satisfied that the development would conserve the natural beauty of the area. In light of the above, the revised POS proposals are considered to accord with LP Policies EN1, EN2, EN4, EN5 and INF7 and the principles set out within the NPPF, in particular within Section 15.

There are outstanding issues with the detailed design of the attenuation pond but the Council's Drainage Engineer is satisfied that these issues can be dealt with via planning condition. In addition, the existing surface water run-off from the footways/cycleways which, have yet to be finished within the southern part of the POS, will be dealt with via planning condition. On this basis, the proposals are considered to accord with Cotswold District Local Plan Policy EN14 and Section 14 of the NPPF.

For the reasons set out within this report, the application is recommended for approval, subject to the completion of the associated legal agreement.

#### **10. Proposed conditions:**

The development hereby approved shall be implemented in accordance with the following drawing numbers:

C1292/Resl Loc Plan  
 5109/SDOP/01/B, 02/A, 03, 04, 05/A, 06 and 07/B  
 5109/PS Overview/B, PS01/A, PS02/B, PS03/A, PS04/B, PS05/E and PS08  
 5109/PP Overview/Q, PP01/P, PP02/P, PP03/P, PP04/P, PP05/P, PP06/P, PP07/P, PP08/P, PP09/P and PPOM  
 5109/HS/ Overview/T, HS12/T, HS13/T, HS14/T, HS15/T, HS16/T, HS17/T and HS19/B  
 5109.PS.ASP06/B and PS.ASP07/A  
 0412 - D - 109/B  
 0412 - GA - 201/G  
 0412 - SD - 200/F, 201/F, 202/A, 203/A  
 0412-EWK-100/R, 105/B  
 0412/S104/109/L, 114/K, 116/E  
 0412-SO-200/B  
 0412-RP-201/C  
 Design and Access Statement

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

No development shall be commenced until details of the phasing of the development to final completion has been submitted to and approved in writing by the Local Planning Authority. The phasing details shall include details of construction phases as well as the delivery of the;

- a) conversion of the buildings to be retained for residential use;
- b) conversion of the buildings to be retained for commercial use; and
- c) provision of open space to include allotments

to ensure the appropriate delivery of the development in a phased manner and to ensure that regard is shown to delivering criteria a-c in the early phases of development.

The development shall thereafter be implemented in accordance with the approved phasing and at least prior to the final phase of development.

**Reason:** To ensure that the development is carried out a rate that is commensurate with the infrastructure and services available/being delivered in the settlement in order to secure a sustainable form of development. This condition is imposed in light of the guidance set out within the NPPF.

No development shall commence until a landscape, ecological and arboricultural management plan (LEAMP), including long-term design objectives and management responsibilities, has been submitted to and approved in writing by the Local Planning Authority. Prior to the commencement of development in any phase, a detailed LEAMP for that phase, including maintenance schedules for all landscaped areas (except domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority.

The LEAMP shall include the following elements:

- i) Detailed ecological masterplan identifying current ecological interest, how the proposal will impact this and how it will mitigate for this impact.
- ii) Creation and maintenance of green corridors to be incorporated into the scheme, including the long-term management of trees in bat flight lines identified within the appellant's Outline Bat Method statement dated August 2009.
- iii) Provision of artificial bat roosts in new buildings and within the woodland areas.
- iv) Provision of two new wildlife ponds, including the precise locations and details of construction.
- v) Over-arching reptile mitigation strategy.
- vi) The principles of a long-term management strategy for the site's tree stock. The strategy shall, in accordance with arboricultural good practice, set out the manner, location and intervals over which the management of the tree stock will be assured together with investment and management actions which will be directed to secure improved age-class and species-class variety in the tree stock.
- vii) In association with the management plan for the tree stock, the LEAMP will contain proposal for a series of phases of new tree planting for each tree lost, directly or indirectly, as a result of the approved development. Specific and detailed landscaping proposals shall be prepared, based on the above, for each detailed phase of the approved development.
- viii) Phasing proposals for the implementation of the above.
- ix) Details of the agency responsible for the long term management of the open spaces and environmental infrastructure on the site and mechanism for funding it.

The LEAMP shall be carried out in accordance with the approved details.



**Reason:** In the interests of the character and appearance of the site and surrounding area, in order to protect the trees and to ensure that the biodiversity of the site is protected and enhanced in accordance with the Wildlife and Countryside Act 1981. It is important that these details are agreed prior to the commencement of development in order to ensure proper management of the landscape and biodiversity at the site both during and following the construction of the approved scheme. This condition is imposed in light of Cotswold District Local Plan Policies EN2, EN4, EN5, EN7 and EN8 and guidance set out within the NPPF.

Within one month of the date of this decision, a Landscape and Ecology Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- a. Description and evaluation of features to be managed; including location(s) shown on a site map;
- b. Landscape and ecological trends and constraints on site that might influence management;
- c. Aims and objectives of management;
- d. Appropriate management options for achieving aims and objectives;
- e. Prescriptions for management actions;
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period);
- g. Details of the body or organisation responsible for implementation of the plan;
- h. Ongoing monitoring and remedial measures;
- i. Timeframe for reviewing the plan; and
- j. 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:** In the interests of the character and appearance of the site and surrounding area in accordance with Cotswold District Local Plan Policy EN2 and to ensure that the biodiversity of the site is protected and enhanced in accordance with the Wildlife and Countryside Act 1981. It is important that these details are agreed prior to the commencement of development in order to ensure proper management of the landscape and biodiversity at the site both during and following the construction of the approved scheme.

No phase of the development shall take place until full details of both hard and soft landscaping works for that phase, including details of schedules of plants, noting species, plant sizes and proposed numbers, densities and sizes, implementation programmes, means of enclosure and hard landscaping pursuant to the said phase, have been submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved details.

**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 EN2.

The landscaping scheme hereby approved shall be implemented in full in accordance with the approved programme/timetable for delivery received by the LPA on 30th November 2018, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the hard landscaping is carried out and thereby achieves the objective of Cotswold District Local Plan Policy EN2.

No development shall commence until an implementation strategy for the woodland and boundary structure planting has been submitted to and approved in writing by the Local Planning Authority. The implementation strategy shall have regard to:

- a) planting seasons;
- b) highway works; and
- c) demolition of the hangers.

**Reason:** To ensure that the woodland and boundary structure planting is delivered in the early phases of the development having regard to criteria a-c above and at least prior to the final phases of the development. The implemented strategy shall be undertaken in accordance with the approved details, in accordance with Cotswold District Local Plan Policies EN2 and EN8.

Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

**Reason:** To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy EN2.

No phase of the development shall be commenced until an Arboricultural Implications Assessment (AIA) for that phase has been submitted to and approved in writing by the Local Planning Authority. The AIA shall be based on an updated B55837:2005 compliant tree survey (the methodology for which shall also be agreed in writing with the Local Planning Authority) and shall:

- i) include a detailed tree constraints plan (TCP) including all relevant above ground constraints, showing the recommended root protection areas (RPAs) of all trees proposed to be retained as well as the routes of excavations required for the installation of services;
- ii) illustrate how the scheme proposals have addressed the finding of B55837:2005 survey and, where possible, retained the best quality trees;
- iii) demonstrate how the scheme proposals fulfil the requirements of the approved tree loss parameters plan, drawing AL(00)76 Rev.A 'Fig.6.5 Arboricultural Parameter Plan' in respect of overall tree losses;
- iv) include a detailed tree removal/retention plan showing which trees are to be removed or retained as part of the phase proposals; and
- v) illustrate how the provisions of the AIA for each detailed phase fulfil the provisions of the LEAMP for the overall site.

The findings of the AIA shall be implemented in full in accordance with the approved details.

**Reason:** To safeguard the retained/protected trees in accordance with Cotswold District Local Plan Policy EN7. It is important that these details are agreed prior to the commencement of development as works undertaken during the course of construction could have an adverse impact on the well-being of existing trees.

No phase of the development shall be commenced until an arboricultural method statement (AMS) to ensure the protection of retained trees during the construction period within that phase has been submitted to and approved in writing by the Local Planning Authority. Written approval must be obtained prior to the commencement of any site works, including demolition. The matters to be encompassed within the arboricultural method statement shall include, but not necessarily limited to, the following:

- i) a specification for the pruning of, or tree surgery to, trees to be retained;
  - ii) the specification of the location, materials and means of construction of temporary protective fencing and/or ground protection in the vicinity of trees to be retained, in accordance with the recommendations of B55837:2005 'Trees in Relation to Construction', and details of the timing and duration of its erection and dismantling;
  - iii) the definition of areas for the storage or stockpiling of materials, temporary on-site parking, site offices and huts, mixing cement or concrete, and fuel storage;
  - iv) the means of demolition of any existing site structures and of the reinstatement of the area currently occupied thereby;
  - v) the specification and routing and means of installation of drainage or any underground services in the vicinity of retained trees;
  - vi) the details and method of construction of any other structures such as boundary walls and alterations to existing ground levels in the root protection area of retained trees;
  - vii) the details and method of construction of any roadway, which is to be of a 'no dig' construction method, in accordance with the principles of Arboricultural Practice Note 12 'Through the Trees to Development', and in accordance with current industry best practice; and as appropriate for the type of roadway required in relation to its usage;
- construction will be made to avoid the siting of utilities and service runs within the Root Protection Area (RPA) of all trees to be retained. Only where it can be demonstrated that there is no alternative location for the laying of utilities, will encroachment into the RPA be considered. Methodology for any installation works within the RPA will be provided and must be in compliance with the National Joint Utility Group (NJUG) Volume 4, 2007 'Guidelines for the planning and installation and maintenance of utility apparatus in proximity to trees'.
- viii) Provision for the supervision of any works within the root protection areas of trees to be retained, and for the monitoring of continuing compliance with the protective measures specified by an appropriately qualified arboricultural consultant, to be appointed at the developer's expense and notified to the Local Planning Authority, prior to the commencement of development; and provision for the regular reporting of continued compliance or any departure there from to the Local Planning Authority.

The findings of the AMS shall be implemented in full in accordance with the approved details.

**Reason:** To safeguard the retained/protected trees in accordance with Cotswold District Local Plan Policy EN7. It is important that these details are agreed prior to the commencement of development as works undertaken during the course of construction could have an adverse impact on the well-being of existing trees.

Notwithstanding the provisions of drawing no. AL(00)76 Rev.A, a minimum of 90% of Tree Preservation Order No.2 tree groups G94 and G95 shall be retained.

**Reason:** To ensure that the tree cover on the site is maintained for the benefit of the amenity of the area in accordance with Cotswold District Local Plan Policy EN7.

The open space provision within the completed development shall comprise a minimum total area of 2.49ha of formal open space, a minimum total area of 1.52ha of children's play areas and a minimum total area of 22ha of landscaped informal public open space, to be developed in accordance with the approved phasing scheme.

**Reason:** To ensure that the open space and play provision is commensurate with the size of the development hereby permitted in accordance with Cotswold District Local Plan Policy EN2.

The delivery of each element of the Public Open Space (POS) shall be completed fully in accordance with the drawings and timetable/programme for delivery (timetable received by the LPA on 30th November 2018) hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the character and appearance of the site and surrounding area in accordance with Cotswold District Local Plan Policy EN2 and to ensure that the biodiversity of the site is protected and enhanced in accordance with the Wildlife and Countryside Act 1981. It is also important to ensure that the POS is delivered in a timely way for the benefit of the community.

Prior to any works on buildings to be retained within the application site as identified by drawing AL(00)72 'Fig.6.1 Land Use Parameter Plan', a detailed bat method statement for those buildings shall be submitted to and approved in writing by the Local Planning Authority. The statement shall be based upon the appellant's Outline Bat Method Statement dated August 2009. The approved method statement for those buildings shall be implemented prior to commencement of the works to those buildings.

**Reason:** To ensure that bats are protected and their habitat enhanced. It is important that these details are agreed prior to the commencement of development in order to ensure proper protection of bats and their habitat at the site both during and following the construction of the approved scheme. All species of bats are protected under the Wildlife and Countryside Act 1981 as amended and the Conservation of Habitats and Species Regulations 2010.

No demolition or refurbishment of Buildings 1-5, as identified in Fig.19.9 of the Environment Statement, shall be commenced until:

i) They have been subject to an update barn owl survey, completed by a suitably experienced qualified ecologist, within 30 days of works commencing on any of those buildings. Should the survey confirm the presence of nesting barn owls, works on the relevant building will be delayed until breeding activity has ceased. Works will not recommence until confirmation of the cessation of breeding activity has been submitted to and approved in writing by the Local Planning Authority.

ii) Appropriate nesting boxes have been erected, at a ratio of two boxes for every building with confirmed roosting/nesting, following the completion of the update barn owl survey. The barn owl nest boxes shall be provided in accordance with the 'Tree Box Design' in the joint Natural England/The Barn Owl Trust publication - Barn Owls: A Guide for Planners (2009) and shall be erected at least 20 days before works commence on any building with confirmed barn owl nesting/roosting evidence following completion of the update survey. The nest boxes shall be sited and erected on suitable trees within the appeal site, to be agreed in writing by the Local Planning Authority, and under the supervision of a suitably qualified ecologist.

Development shall be carried out in accordance with the approved details.

**Reason:** To ensure that barn owls are protected and their habitat enhanced. Barn owls are protected under the Wildlife and Countryside Act 1981 as amended.

No development shall commence in any phase until the details of the number, location and detailed design of barn owl nesting/roosting features to be included within the structure or the wider landscape of that phase have been submitted to and approved in writing by the Local Planning Authority. These features shall be provided in accordance with the approved details prior to the occupation of the relevant phase.

**Reason:** To ensure that barn owls are protected and their habitat enhanced. Barn owls are protected under the Wildlife and Countryside Act 1981 as amended.

No development shall take place within that phase until reptile mitigation and translocation strategy for that phase has been submitted to and approved in writing by the Local Planning Authority. The approved strategy shall then be implemented in full prior to the commencement of development within that phase.

**Reason:** To ensure that the biodiversity of the site is protected and enhanced in accordance with the Wildlife and Countryside Act 1981 as amended and The Conservation of Habitats & Species Regulation 2010. It is important that these details are agreed prior to the commencement of development in order to ensure the proper management and protection of protected species at the site both during and following the construction of the approved development.

Notwithstanding the submitted details, prior to the attenuation pond being brought into operation, full design and construction details for the pond, a timetable for its delivery and a programme for its ongoing future maintenance, shall be submitted to and approved in writing by the Local Planning Authority. The details shall confirm who will have the legal responsibility for delivering the maintenance schedule. The scheme shall then be carried out fully in accordance with the approved details and in accordance with the approved timetable for delivery, prior to its operation. The pond shall be permanently maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent the increased risk of flooding, to improve water quality and to maximise the value for wildlife of drainage features in accordance with Cotswold District Local Plan Policies EN1, EN8 and EN14.

No phase of the development hereby permitted shall commence until such time as a scheme for detailed surface water drainage design for that phase of the development, in accordance with the approved Flood Risk Assessment Reference 6209.02. 10 August 2008, has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include:

- i) Designs to limit the overall surface water discharge rate to the Hazleford Brook to between 2.6 l/s/ha and 4.75 l/s/ha (further calculations should be submitted to determine the exact rate).
- ii) Infiltration test results to determine suitability for soakaways. These methods should be used whether feasible before other SUDs methods are considered.
- iii) Details of green roofs, rainwater harvesting and surfacing as outlined in Figure 8.2 of the Environmental Statement.
- iv) Fully detailed calculations for all rainfall events up to and including the 1 in 100 year event with a 30% allowance for climate change.
- v) Details to ensure no soakaways are constructed through contaminated land.
- vi) Detailed design of wetland features to be utilised for the use of SUDS.
- vii) Details of how the scheme shall be maintained and managed after completion.

The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme.

**Reason:** To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding and pollution in accordance with Cotswold District Local Plan Policies EN14 and EN15. 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 phase of development shall be commenced until a drainage strategy detailing any on and/or off site drainage works for that phase has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water shall be accepted into the public system until the drainage works referred to in the approved strategy have been completed in accordance with the approved details.

**Reason:** To prevent the risk of flooding and pollution in accordance with Cotswold District Local Plan Policies EN14 and EN15 and Section 15 of the NPPF.

No phase of development shall commence on site until impact studies of the existing water supply infrastructure for that phase have been submitted to and approved in writing by the Local Planning Authority. No dwelling within that phase shall be occupied until the said studies for that phase have been approved in writing by the Local Planning Authority in consultation with Thames Water or equivalent body. The studies shall determine the magnitude of any new additional capacity required in the system and a suitable connection point and shall be implemented in full.

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

No phase of the development hereby permitted shall be commenced until such time as a scheme for foul drainage for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

**Reason:** To prevent the risk of flooding and pollution in accordance with Cotswold District Local Plan Policy EN15.

No phase of the development hereby permitted, other than that required to be carried out as part of an approved scheme of remediation, shall be commenced until the requirements of this condition (parts 1 to 5) have been complied with for that phase. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part 4 of this condition has been complied with in relation to that contamination.

#### 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, including a commercial use history of the site for a minimum of 10 years prior to the date of this decision, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority prior to the commencement of that phase of the development hereby permitted. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).
  - The assessment must be conducted in accordance with DEFRA and the environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

## 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment for that phase must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

## 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

## 4 Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2 of this condition, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance part 3 of this condition prior to the first occupation of the development on that part of the site.

## 5 Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long- term effectiveness of the proposed remediation and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

**Reason:** To ensure any contamination of the site is identified and appropriately remediated in accordance with Cotswold District Local Plan Policy EN15 and Section 15 of the NPPF.

Prior to bringing into use the development hereby permitted:

(a) Approved remediation works shall be carried out in full on site under a Quality Assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority in writing. The remediation scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby permitted is first made available for public use.

(b) A completion report shall be submitted to and approved in writing by the Local Planning Authority. The completion report shall include details of the remediation works to show that the works have been carried out in full in accordance with the approved methodology as detailed in Remediation Method Statement RMS-17183-13-2 Rev B and Remediation Method Statement Addendum RMSA-17183-17-150 Rev E. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the completion report together with the statutory waste transfer documentation detailing any waste materials that have been removed from the site.

(c) A certificate signed by the developer shall be submitted to the Local Planning Authority confirming that the appropriate works have been undertaken as detailed in the completion report.

**Reason:** To ensure any contamination of the site is identified and appropriately remediated, in accordance with Cotswold District Local Plan Policy EN15 and Section 15 of the NPPF.

Each reserved matters application shall include details of final surfacing and containment arrangements for all areas used for storage, handling, loading and unloading of liquid fuels, oils, chemicals or effluents of that phase, where appropriate. These details shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in full accordance with the approved details.

**Reason:** To prevent pollution of the water environment in accordance with Cotswold District Local Plan Policy EN15 and Section 15 of the NPPF.

No phase of development shall be occupied until a scheme for the provision of fire hydrants to serve that phase has been submitted to and approved in writing by the Local Planning Authority, in consultation with Gloucestershire Fire and Rescue Service. No phase of the development shall be occupied until the fire hydrants for that phase have been installed by the developer in accordance with the approved scheme.

**Reason:** To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

No development shall commence until an Energy and Sustainability Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy will demonstrate how conditions 15 and 16 will be achieved for each residential and non-residential unit and shall set out the mechanisms for delivering any whole site energy strategy, including any Combined Heat and Power proposal that may be incorporated into the proposals. The development hereby approved shall be implemented in accordance with the strategy.

**Reason:** To ensure a sustainable form of development, in accordance with the provisions of the NPPF and Cotswold District Local Plan Policy INF10.

Each dwelling hereby permitted shall be constructed to achieve a minimum standard of Level 3 of the Code for Sustainable Homes in accordance with the requirements of the Code for Sustainable Homes Technical Guide April 2009 (or such national measure of sustainability for house design that replaces that scheme). Each new dwelling shall not be occupied until an authorised assessor has demonstrated confirmation with the required level.



**Reason:** To ensure a sustainable form of development, in accordance with the provisions of the NPPF.

Each non-residential building hereby permitted shall be constructed to a minimum standard of Building Research Establishment BREEAM (or subsequent equivalent quality assured scheme) overall Very Good in accordance with the requirements of BREEAM 2008. Each new non-residential building shall not be occupied until an authorised assessor has demonstrated confirmation with the required level.

**Reason:** To ensure a sustainable form of development, in accordance with the provisions of the NPPF.

No phase of the development shall commence on site until details of waste bin storage and recycling facilities for that phase, in accordance with the appellant's 'Outline Waste Management Strategy Statement' dated 16 July 2008, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented prior to the first occupation of that phase of development.

**Reason:** To ensure that waste generated during the development and subsequent occupation is to be sustainably managed, in accordance with the provisions of the NPPF.

Prior to the occupation of each residential unit (including each dwellinghouse and residential building in multiple occupation), full details of the water butt that will serve that residential unit shall be submitted to and approved in writing. Each water butt shall have a minimum capacity of 200 litres (or aggregate capacity for buildings in multiple occupancy). Prior to the occupation of each residential unit, the approved water butts serving that residential unit shall be permanently installed.

**Reason:** To enhance water conservation and as a precautionary measure to reduce the possible increased risks of flooding associated with water runoff in accordance with Cotswold District Local Plan Policy EN14.

No phase of development shall commence until a scheme which specifies the provisions to be made for the level of illumination and the control of light pollution for that phase has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented and maintained in accordance with the approved details.

**Reason:** To prevent light pollution in accordance in accordance with Cotswold District Local Plan Policy EN15 and Section 15 of the NPPF.

The hours of working on site during the period of construction shall be restricted to 0800 to 1800 hours Mondays to Fridays, 0800 to 1300 hours on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery, deliveries to the site and the movement of construction vehicles within the curtilage of the site.

**Reason:** To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Local Plan Policy EN15.

Where appropriate, each reserved matters submission shall include:

- a) pedestrian/cycle links within the land the subject of that reserved matters submission and to existing or proposed bus stops adjacent to the site;
- b) proposed bus stops and associated facilities;
- c) bus routes through the land the subject of that reserved matters submission; and
- d) a programme for the provision of those facilities.

The works shall be undertaken in accordance with the approved details and programme.

**Reason:** To ensure that access is provided to alternative means of transport to meet the requirement for sustainable development in accordance with Cotswold District Local Plan Policy INF3.

The junction with, and changes to the highway shall laid out in accordance with the approved drawing numbers 206409/14B dated May 2007 and 206409\_15 dated August 2008. No phase of the development shall be commenced until full engineering details (including Stage 1 and Stage 2 Highway Safety Audits and details of where the proposed schemes depart from the relevant standards in the Design Manual for Roads and Bridges and/or Gloucestershire County Council's Highway Requirements for Development - Local Guidance and Standards for Gloucestershire) of both the proposed roundabout junction and the proposed new priority junction have been submitted to and agreed in writing by the Local Planning Authority, and the respective junctions shall be completed prior to the first occupation of any part of the development primarily served by that junction in accordance with the approved plan.

**Reason:** To ensure a satisfactory means of access is provided and maintained in the interests of highway safety and in accordance with Cotswold District Local Plan Policy INF4.

No dwelling or other building shall be occupied until that part of the service road, including footways, cycleways and turning heads, which provides access to it has been constructed to at least basecourse level and in accordance with the approved layout.

**Reason:** To ensure that the access roads are completed to a standard suitable for occupants of the dwellings, in the interests of highway and public safety in accordance with Cotswold District Local Plan Policy INF4.

No phase of development shall be commenced until a scheme for the laying out and construction, including implementation, of the estate roads for that phase has been submitted to and approved in writing by the Local Planning Authority. Each phase of the proposed development shall be served by estate roads serving that phase and shall be laid out, constructed and implemented in accordance with the approved details.

**Reason:** To ensure that the estate roads are completed to a standard suitable for occupants of the dwellings, in the interests of highway and public safety in accordance with Cotswold District Local Plan Policy INF4.

Before each phase of the development hereby permitted is brought into use, the land designated as visibility splays and hatched pink on drawing numbers: 0412/ATR/104/D, 105/F, 106/D and 108/G, shall be cleared of all obstructions between 0.6 metres and 2 metres over the level of the adjoining road and nothing shall be permitted to remain, be permanently placed, built planted or grown within the above specified dimensions.

**Reason:** In the interests of highway safety to provide a safe and suitable access for all, in accordance with Cotswold District Local Plan Policy INF4.

Notwithstanding the submitted details, full engineering details of the proposed build out to be located by the school shall be submitted to and approved in writing by the Local Planning Authority, implemented in accordance with the approved details and thereafter maintained in that form until or unless adopted as highway maintainable at public expense.

**Reason:** In the interests of highway safety to provide a safe and suitable crossing point and speed control measure, in accordance with Cotswold District Local Plan Policy INF4.

No works shall commence on any phase of the development until details of vehicular parking and manoeuvring facilities serving that phase have been submitted to and approved in writing by the Local Planning Authority. The parking and manoeuvring facilities shall then be completed at least to base course level in accordance with the approved details before that phase of the development is brought into beneficial use. The parking and manoeuvring facilities shall be maintained as such thereafter.

**Reason:** In the interests of highway safety, and in order to ensure that the development complies with Cotswold District Local Plan Policy INF4.

No development shall commence on site until full details of wheel wash facilities have been submitted to and approved in writing by the Local Planning Authority. Such details shall include agreed provisions relating to each phase of the development. The facilities shall then be installed and maintained for the duration of the phases of development in accordance with the approved details. All vehicles shall use the facilities prior to their exit from the site.

**Reason:** It is important that these details are agreed prior to the commencement of development in order to ensure that mud and earth deposits are not brought onto the public highway by construction traffic in the interests of highway safety in accordance with Cotswold District Local Plan Policy INF4.

No phase of development shall commence until details of the provision of secure cycle parking within that phase has been submitted to and approved in writing by the Local Planning Authority. The secure cycle parking details shall be completed in full prior to the occupation of that phase of the development.

**Reason:** To ensure adequate cycle facilities are provided to meet the requirement for sustainable development, in accordance with Cotswold District Local Plan Policy INF3.

No phase of the development shall be commenced until a scheme to control the environmental effects of construction work in that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following measures:

- a) control of noise;
- b) control of dust, smell and other effluvia;
- c) control of surface water run-off;
- d) site security, including hoardings;
- e) hours during which the construction process when delivery vehicles taking materials are permitted to enter and leave the site;
- f) temporary parking and turning area for construction vehicles; and
- g) construction traffic haul routes.

**Reason:** To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with Paragraph 102 of the NPPF.

Prior to the Public Open Space being brought into use, provision shall be made for the disposal of surface water from the footways/cycleways within the made-up ground within the southern part of the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be similarly maintained. Upon completion of the works, the Local Planning Authority shall inspect the works to ensure that the surface water drainage measures have been appropriately installed.

**Reason:** To ensure that surface water is appropriately dealt with in accordance with Cotswold District Local Plan Policy EN14.

No development shall be commenced until details of finished floor levels in relation to existing and proposed ground levels in respect of that phase of development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:** It is important to clarify the levels as this information is necessary to allow the impact of the development to be accurately assessed. These details need to be established prior to the commencement of development in order to ensure that groundworks and slab levels are clearly established thereby avoiding future ambiguity over the height of the development.

The development hereby approved shall be constructed strictly in accordance with the Materials and Boundary Dispersion Plan drawing no. C1292\_MAT Rev.E.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with the provisions of the NPPF and Cotswold District Local Plan Policy EN2.

Prior to the construction of any external wall of the development hereby approved, samples of the proposed walling and roofing materials shall be approved in writing by the Local Planning Authority and only the approved materials shall be used.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy EN2 and the provisions of the NPPF, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

New render shall be of a roughcast type and be of a mix containing sharp sand, stone dust, pea shingle and lime unless an alternative mix is agreed in writing by the Local Planning Authority. The render shall finish flush with all stone dressings and shall not be belled outwards over the heads of doors, windows or any other opening.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy EN2 and the provisions of the NPPF, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

Prior to the construction of any external wall of the development hereby approved, a sample panel of walling of at least one metre square in size showing the proposed stone colour, coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar shall be erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.

**Reason:** To ensure that in accordance with Cotswold District Local Plan Policy EN2 and the provisions of the NPPF, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

Prior to the construction of any external wall of the development hereby approved, a sample panel of walling of at least one metre square in size showing the proposed brick type and colour, bonding, method and colour of pointing has been erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.

**Reason:** To ensure that in accordance with Cotswold District Local Plan Policy EN2 and the provisions of the NPPF, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

Prior to the construction of any external wall of the development hereby approved, a sample panel of render of at least one metre square in size showing its proposed texture and colour shall be erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel and shall be permanently retained as such thereafter. The panel shall be retained on site until the completion of the development.

**Reason:** To ensure that in accordance with Cotswold District Local Plan Policy EN2 and the provisions of the NPPF, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

All windows and doors shall be of timber construction and shall be permanently retained as such thereafter.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy EN2 and the provisions of the NPPF, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

All door and window frames shall be recessed a minimum of 75mm into the external walls of the building.

**Reason:** To ensure that, in accordance with the provisions of the NPPF and Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

All the windows and doors shall be painted in a colour chosen from a palette of colours to be first submitted to and approved in writing by the Local Planning Authority and shall thereafter be permanently retained in the approved colour unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and the provisions of the NPPF.

No external woodwork shall be installed in the development hereby approved, until a sample of the external woodwork (e.g. fences) finished in the proposed colour has first been submitted to and approved in writing by the Local Planning Authority. The external woodwork shall be finished fully in accordance with the approved details within one month of its installation and shall be retained as such thereafter unless a similar alternative is first agreed in writing by the Local Planning Authority.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and the provisions of the NPPF. The colour of the finish of the external woodwork will have a material effect on the appearance of the proposed development.

The new rooflights shall be of a design which, when installed, shall not project forward of the roof slope in which the rooflights are located and shall be permanently retained as such thereafter.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and the provisions of the NPPF.

All garage doors shall be of vertical boarded timber and shall be permanently retained as such thereafter.

**Reason:** To ensure that, in accordance with the provisions of the NPPF and Cotswold District Local Plan Policy EN2, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

No dormers, ridges, eaves, verges, chimneys, rooflights, extract and flue terminals, external joinery (windows, doors and garage doors), door canopies, porches (including posts), door surrounds, bay windows, rainwater goods, cill and head treatments, stone dressings, railings, steps and balustrading, fencing and boundary walling shall be installed/inserted/constructed in the development hereby approved, until their design and details have been submitted to and approved in writing by the Local Planning Authority.

The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full size moulding cross section profiles, elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such at all times.

**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and the provisions of the NPPF.

The volume of completed development shall not exceed 243,777cum in accordance with Appendix 4 of the Planning Statement dated December 2008.

The replacement convenience store shall not exceed 450sqm gross floorspace. Each individual retail (A1-AS) unit hereby approved shall not exceed 210sqm gross floorspace (with the exception of the pub/restaurant, which shall not exceed 550sqm floorspace).

**Reason:** To ensure that the level of commercial provision on the site is commensurate with the size of the settlement to ensure a sustainable form of development in accordance with the provisions of the NPPF.

#### **Informatives:**

This decision should be read in conjunction with the following condition compliance applications, as many of the conditions attached to this notice have already been met: 11/01639/COMPLY, 11/02694/COMPLY, 11/03467/COMPLY, 12/04409/COMPLY, 12/05000/COMPLY, 13/00580/COMPLY, 13/00823/COMPLY, 13/01376/COMPLY, 13/01206/COMPLY, 13/04469/COMPLY, 15/05141/COMPLY and 15/02549/COMPLY.

BS5837:2005 has been superceded by BS 5837:2012 and thus, all detailed information submitted in relation to trees shall comply with the updated guidance.

The surface water drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with:

- The Flood and Water Management Act 2010 (Part 1 - Clause 27(1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The forthcoming local flood risk management strategy to be published by Gloucestershire County Council before March 2013. As per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))

Where communal drainage schemes are proposed, approval of the scheme will be required from Gloucestershire County Council and the scheme will need to be adopted under the Flood and Water Management Act.

This permission is subject to, and must be read in conjunction with, a legal agreement under Section 106 of the Town and Country Planning Act (1990) as amended.

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**COTSWOLD**  
DISTRICT COUNCIL

**LAND PARCEL AT UPPER RISSINGTON**

Organisation: Cotswold District Council

Department:

Date: 30/11/2018

Scale: 1:10352



**NORTH**



NOTES  
 Refer to the drawings themselves with care for the location of the proposed play spaces.  
 All dimensions are in meters.  
 All dimensions are in meters.  
 All dimensions are in meters.  
 All dimensions are in meters.



44

REV	DATE	NOTE	BY	CHK
B	27.11.18	Trim trail updated and 44 reviewed	JM	JM
A	12.10.18	Revised and 44 reviewed	JM	JM

**aspect** landscape planning

TITLE  
 Upper Rissington  
 PLAYSPACE OVERVIEW

CLIENT  
 Bovis Homes and Linden Homes

SCALE  
 1:2000@A1

DATE  
 AUG 2017

DRAWN  
 JM

REVISION  
 B



**PLAY EQUIPMENT**



Supplier: Outdoor Play People  
Product: Embankment Pull-Up Ramp  
Ref: 3140



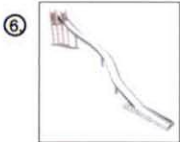
Supplier: Broxap  
Product: Space net  
Ref: BX/PD 100043



Supplier: Broxap  
Product: Swing with Birds Nest  
Ref: BX/PD 100004



Supplier: Timberplay  
Product: Climbing structure 09  
Ref: 6.510090



Supplier: Sutcliffe  
Product: Embankment slide  
Ref: KK9-41780-008



Supplier: Russell Play  
Product: Boulders  
Ref: TC1003



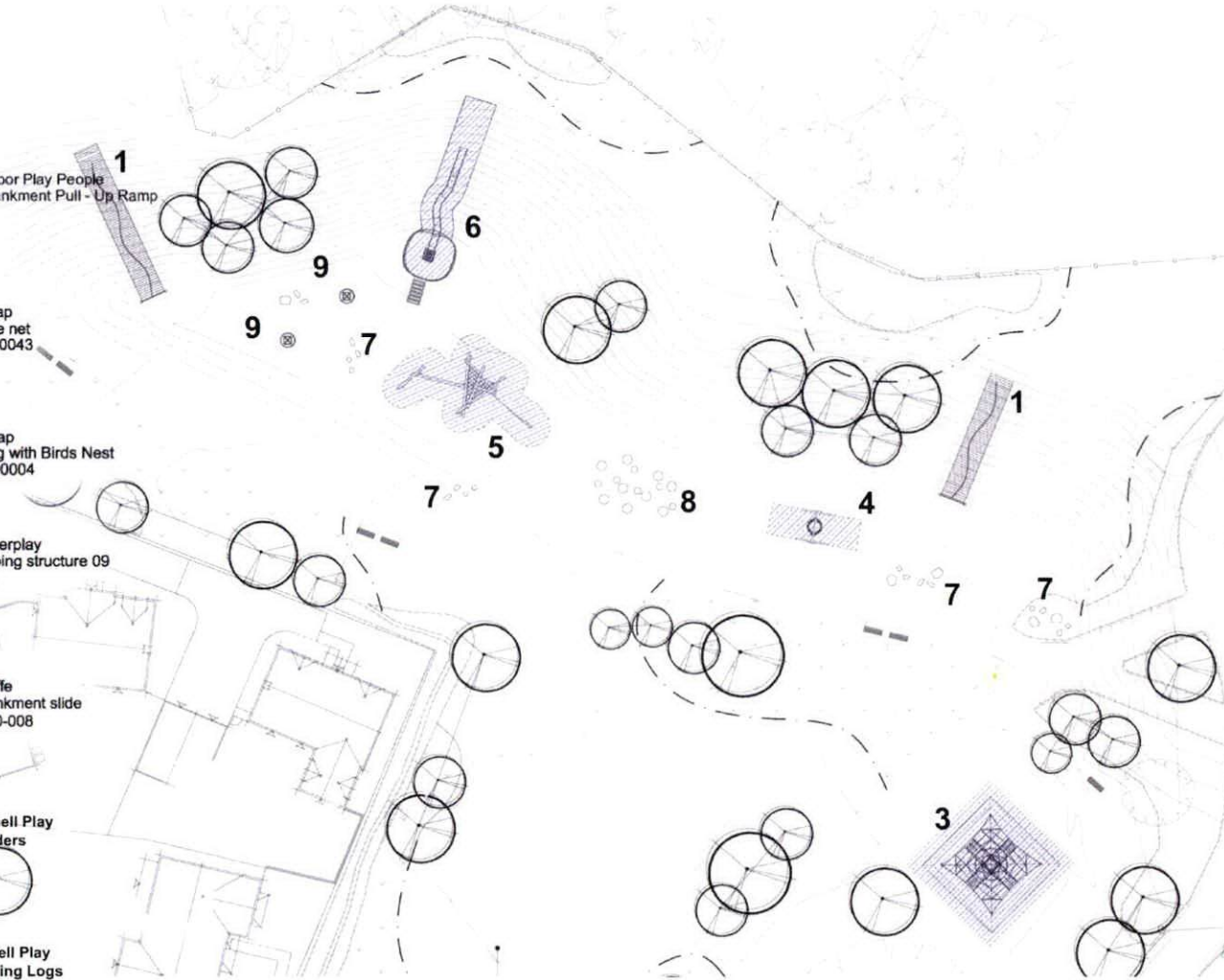
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Product: Climbing Logs  
Ref: Bespoke element



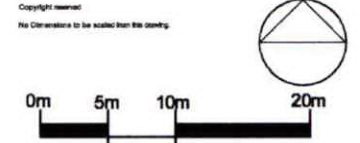
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Supplier: Richter Spielgerate GMBH  
Product Code: 6.27300

**SURFACES**

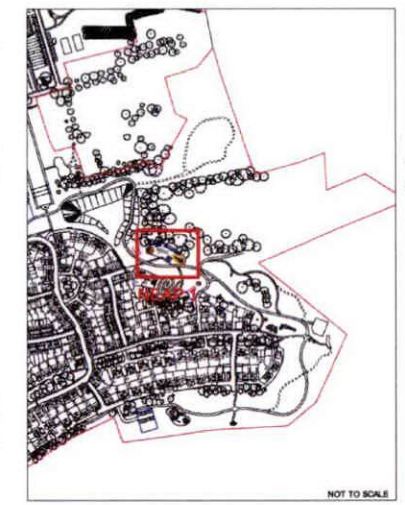
Supplier: Terram  
Product: Safety rubber matting 1x1.5m  
Thickness: 22mm  
Openings 250mm



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**KEY**  
 Proposed Trees  
 Existing Trees  
 Impact Area



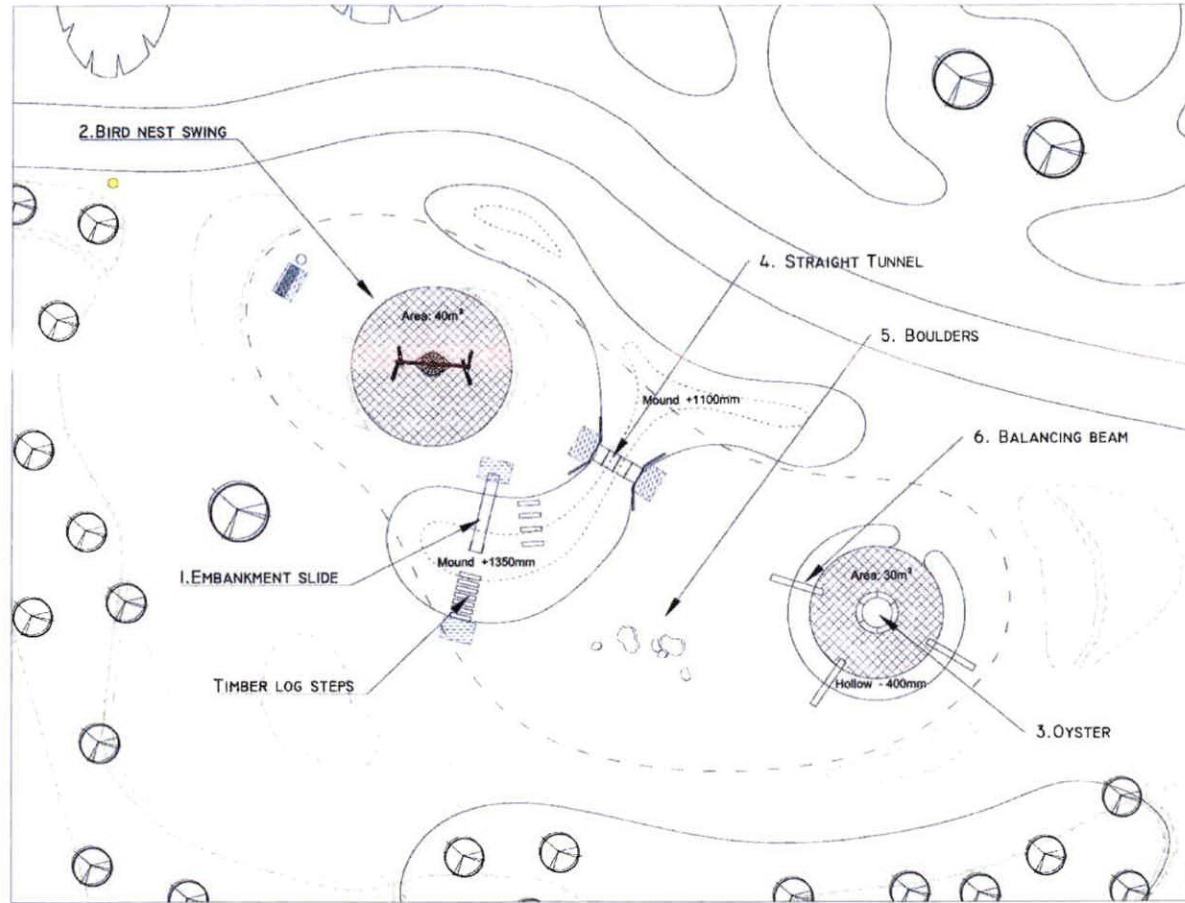
REV	DATE	NOTE	Drawn	AM
E	2.11.16	Amended scale bar	JM	
D	02.5.18	To Case Officer's Comments	JM	
C	15.8.17	Updated to new play layout	JM	
B	4.9.15	Hatching amended	JM	AM

**aspect** landscape planning

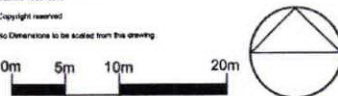
<b>TITLE</b>		
Upper Rissington NEAP 01 - Country Park		
<b>CLIENT</b>		
Bovis & Linden Homes		
<b>SCALE</b>	<b>DATE</b>	<b>DRAWN</b>
1:400 @ A3	JUN 2013	EM
<b>DRAWING NUMBER</b>	<b>REVISION</b>	
5109/ PS05	E	

**PLAY EQUIPMENT**




- ①  Supplier: Wickstead  
Product: Embankment slide  
Ref: 6050-009
- ②  Supplier: Broxap  
Product: Swing with Birds Nest  
Ref: BX/PD100004
- ③  Supplier: Sutcliffe Play  
Product: Oyster  
Ref: SWD550
- ④  Supplier: Playdale  
Product: Straight Tunnel  
Ref: UT/2
- ⑤  Supplier: Russell Play  
Product: Boulders  
Ref: TC1003
- ⑥  Supplier: Miracle Design & Play Ltd.  
Product: Adventure Play  
Ref: MB00070



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**KEY**

-  Proposed Trees
-  Proposed Shrubs
-  400m² LEAP zone



**SURFACES**

-  Supplier: Playbark  
Product: Pine play professional  
Depth: 300mm
-  Supplier: Terram  
Product: Safety rubber matting 1x1.5m  
Thickness: 22mm  
Openings 250mm



REV	DATE	NOTE	Drawn	CHK'd

**aspect** landscape planning

TITLE  
 Upper Rissington  
 LEAP 01 - Country Park

CLIENT  
 Bovis & Linden Homes

SCALE 1:250 @ A3	DATE JUN 2013	DRAWN EM
DRAWING NUMBER 5109/ PS01	REVISION A	

Based on IDP Architects drawing no. xxxxx

**PLAY EQUIPMENT**



Supplier: Timberplay  
Product: Climbing structure 09  
Ref: 6.510090



Supplier: Broxap  
Product: Swing with Birds Nest  
Ref: BX/PD 100004



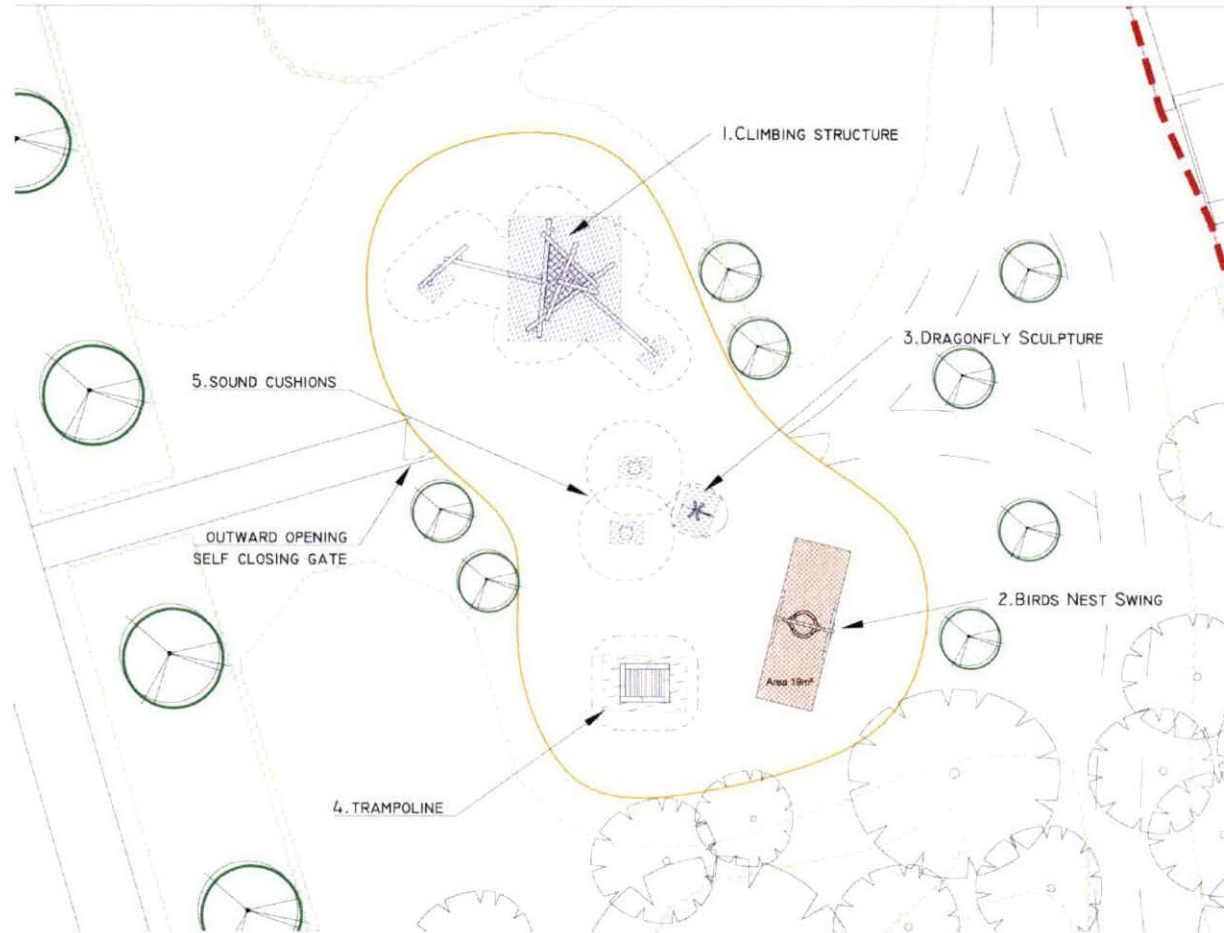
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Product: Dragonfly Sculpture  
Ref: BX/ HMP 350007



Supplier: Sutcliffe  
Product: Trampolines  
Ref: SMB 230401



Supplier: TimberPlay  
Product: Sound cushions  
Ref: 9.024100



**SURFACES**

Supplier: Playbark  
Product: Pine play professional  
Depth: 300mm

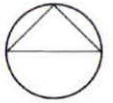
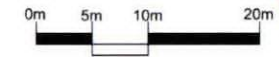


Supplier: Terram  
Product: Safety rubber matting 1x1.5m  
Thickness: 22mm  
Openings 250mm



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No Dimensions to be scaled from this drawing.



**KEY**

- Proposed Trees
- Proposed Shrubs
- Grass
- Impact Area



NOT TO SCALE

47

REV	DATE	NOTE	Drawn	Chk'd
REVISIONS				






**aspect** landscape planning

TITLE  
**Upper Rissington  
LEAP 02 - Amenity Play**

CLIENT  
**Bovis & Linden Homes**

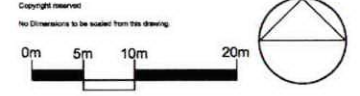
SCALE 1:250 @ A3	DATE JUN 2013	DRAWN EM
DRAWING NUMBER 5109/ PS02	REVISION B	




**PLAY EQUIPMENT**

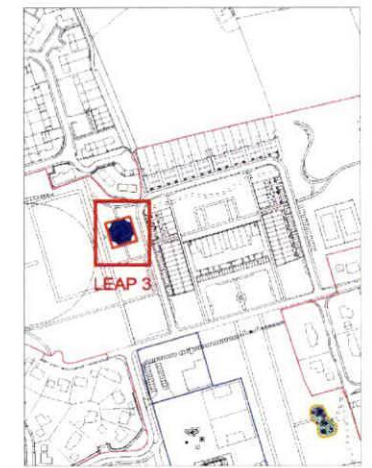
- ①  Supplier: Broxap  
Product: See saw  
Ref: BX/PD100040  
(catalogue ref)
- ②  Supplier: Broxap  
Product: Double swing: flat  
Ref: BX/PD100012  
(catalogue ref)
- ③  Supplier: Timberplay  
Product: Hut combination model 35  
Ref: 2.135000  
(catalogue ref)
- ④  Supplier: Playdale  
Product: Inclusive Orbit  
Ref: CIORB(A)  
(catalogue ref)
- ⑤  Supplier: SutcliffePlay  
Product: Rock spinner  
Ref: SWD300  
(catalogue ref)





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- KEY**
-  Proposed Trees
  -  Proposed Shrubs
  -  Impact Area



**ITEMS**

-  Supplier: Broxap  
Product: Bow top black fence  
Finish: Black Powder Coated  
or similar approved
- 

**SURFACES**

-  **Supply & Installation:** Broxap
  - Product:** Wet Pour Safety Surfacing
  - Depth:** 50mm
  - Colour:** Black
- 

REV	DATE	NOTE	Drawn	Check
A	2.5.18	Safety Surfacing Detail Added	JM	

**aspect** landscape planning

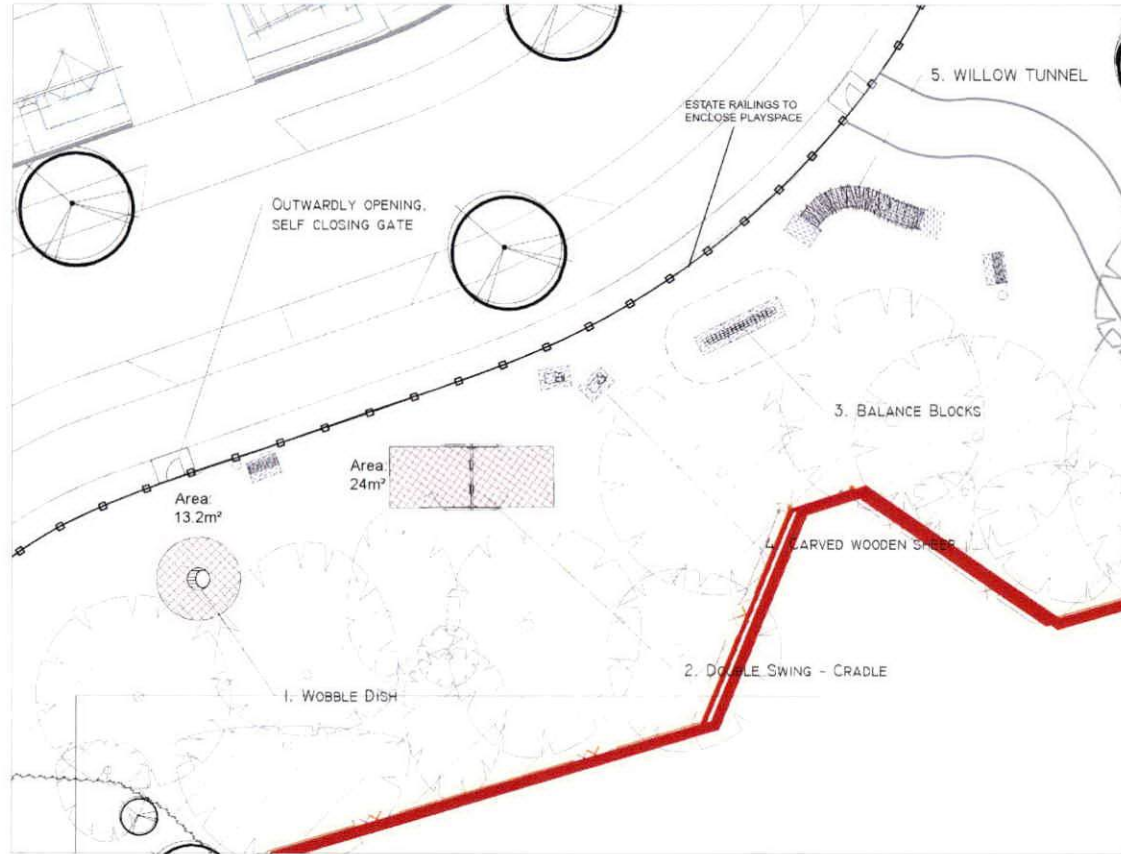
**TITLE**  
Upper Rissington  
LEAP 03 - Amenity Play

**CLIENT**  
Bovis & Linden Homes

SCALE 1:250 @ A3	DATE JUN 2013	DRAWN EM
DRAWING NUMBER 5109/ PS03		REVISION A





PLAY EQUIPMENT

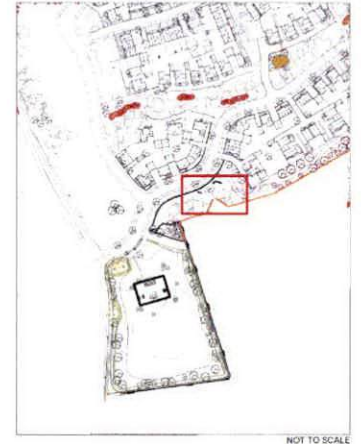
- ①  Supplier: Timberplay  
Product: Wobble Dish  
Ref: 6.27300  
Or similar approved
- ②  Supplier: Broxap  
Product: Double Swing - Cradle  
Ref: BX/PD 100012  
Or similar approved
- ③  Supplier: Timberplay  
Product: Balance Blocks  
Ref: 6.517000  
Or similar approved
- ④  Supplier: Broxap  
Product: Wooden carved sheep  
Ref: PX/PD 350001  
Or similar approved
- ⑤  Supplier: Broxap  
Product: Willow tunnel  
Ref: BX/ HMP 550004  
Length: 6m  
Or similar approved



**NOTES**  
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**KEY**

-  Proposed Trees
-  Proposed Shrubs
-  Grass
-  Impact Area



SURFACES

 Supplier: Playbark  
Product: Pine play professional  
Depth: 300mm  
Or similar approved



 Supplier: Terram  
Product: Safety rubber matting 1x1.5m  
Thickness: 22mm  
Openings 250mm  
Or similar approved



REV	DATE	NOTE	Drawn/Checked
A	2.5.18	Boundary fencing added	JM

**aspect** landscape planning

TITLE  
Upper Rissington  
LEAP 04 - Boundary Trees

CLIENT  
Bovis & Linden Homes

SCALE 1:250 @ A3	DATE JUN 2013	DRAWN EM
DRAWING NUMBER 5109/ PS04	REVISION B	

**PLAN VIEW OF LAP  
SCALE 1:200 @ A3**



**SITE OVERVIEW  
NOT TO SCALE**

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**KEY:**  
Proposed Play Bark



Supplier: Playbark  
Product: Pine play professional  
Depth: 300mm



**1**  
Product: Sheep  
Supplier: Richter Spielgerate GMBH  
Product Code: 4.24270



**2**  
Product: Large Snail  
Supplier: Richter Spielgerate GMBH  
Product Code: 4.24230



**3**  
Product: Small Sea Saw  
Supplier: Timber Play  
Product Code: 611700



**4**  
Product: Climbing Path  
Supplier: Russell Play  
Product Code: H13\_1



**5**  
Product: Wobble Dish  
Supplier: Richter Spielgerate GMBH  
Product Code: 6.27300



**6**  
Product: Boulders  
Supplier: Russell Play  
Product Code: TC1003



**Green Bow Top Fencing  
to enclose play area 1.2m high**



**Self closing Wicksteed Gate**

REV	DATE	NOTE	Drawn	CHK'd

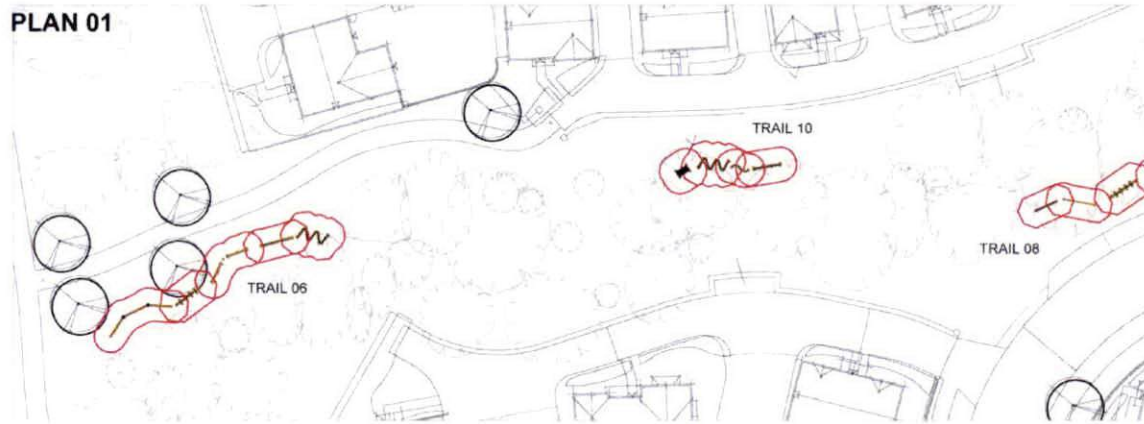
**aspect** landscape planning

**TITLE**  
Upper Rissington  
LAP

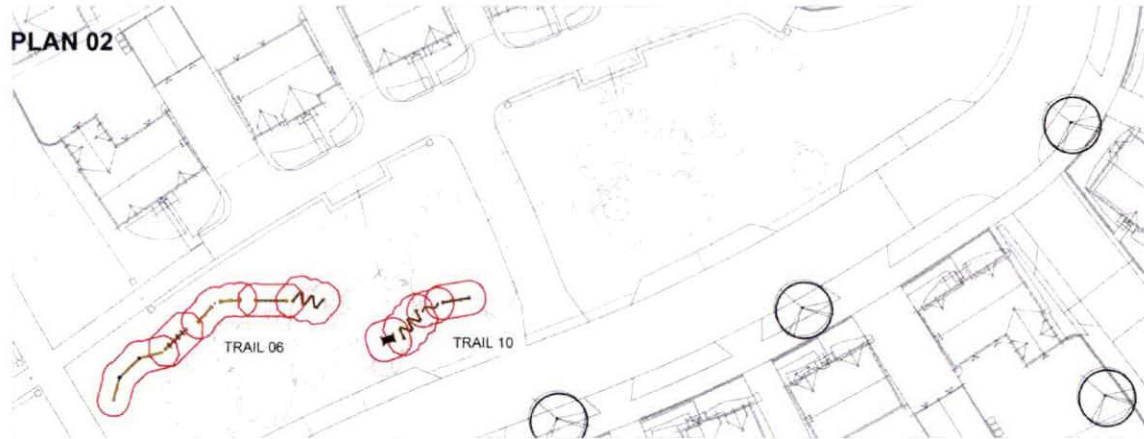
**CLIENT**  
Bovis & Linden Homes

SCALE 1:200 @ A3	DATE AUG 2017	DRAWN JM
DRAWING NUMBER 5109.PS.ASP07	REVISION A	

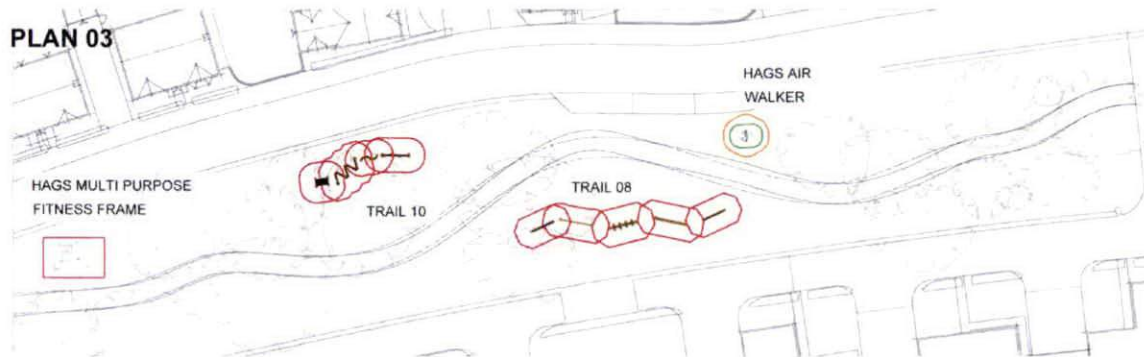
**PLAN 01**



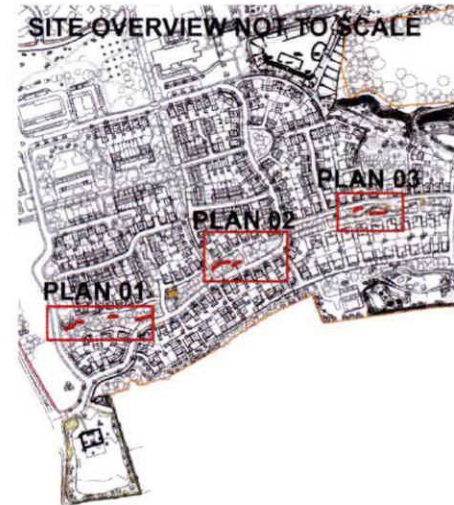
**PLAN 02**



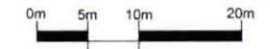
**PLAN 03**



**SITE OVERVIEW NOT TO SCALE**



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**HAGS ROWER (8054662)**



**HAGS AIR WALKER (8054660)**



**HAGS - Eco Timber Trail Play  
 Adventure Trail 6 (PD 3000-45)**



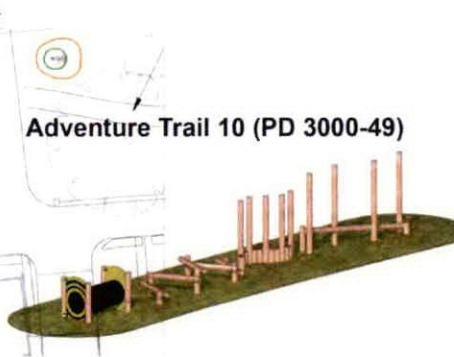
**Adventure Trail 8 (PD 3000-47)**



**HAGS FITNESS FRAME  
 (8061243)**



**Adventure Trail 10 (PD 3000-49)**



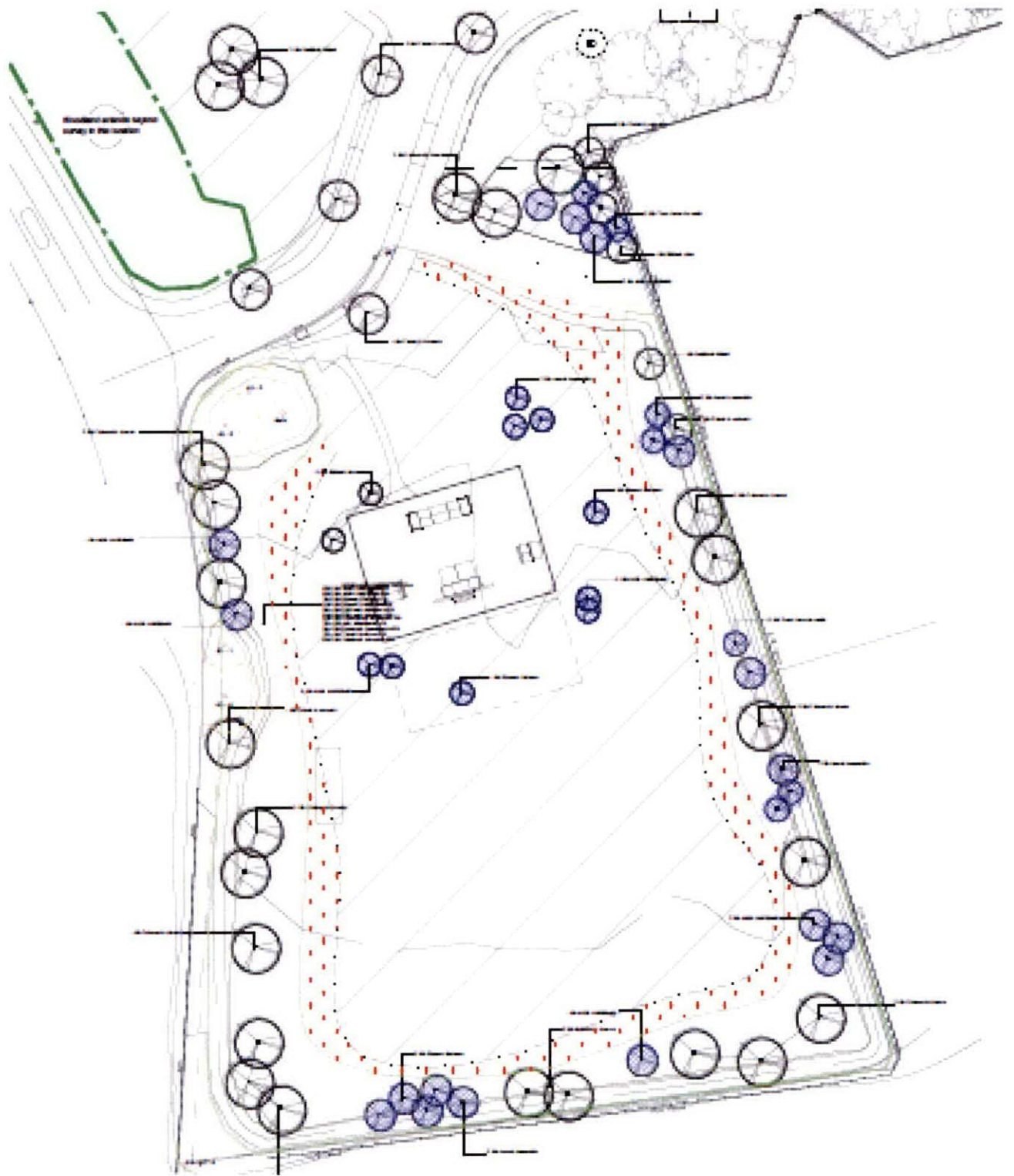
18	22.11.18	Trim Trail Opposite Plot 44 removed	SFD	JM
A	02.05.18	To Case Officer's Comments		JM
REV	DATE	NOTE	Drawn	CHK'd
REVISIONS				

**aspect** landscape planning

**TITLE**  
 Upper Rissington  
 Trim Trail

**CLIENT**  
 Bovis & Linden Homes

SCALE	DATE	DRAWN
1:1500 @ A3	AUG 2017	JM
DRAWING NUMBER	REVISION	
5109.PS.ASP06	B	



EXTRACT TO SHOW THE SOUTHERN PLAYING FIELD



Skate Park Eample features



Grinding Steps



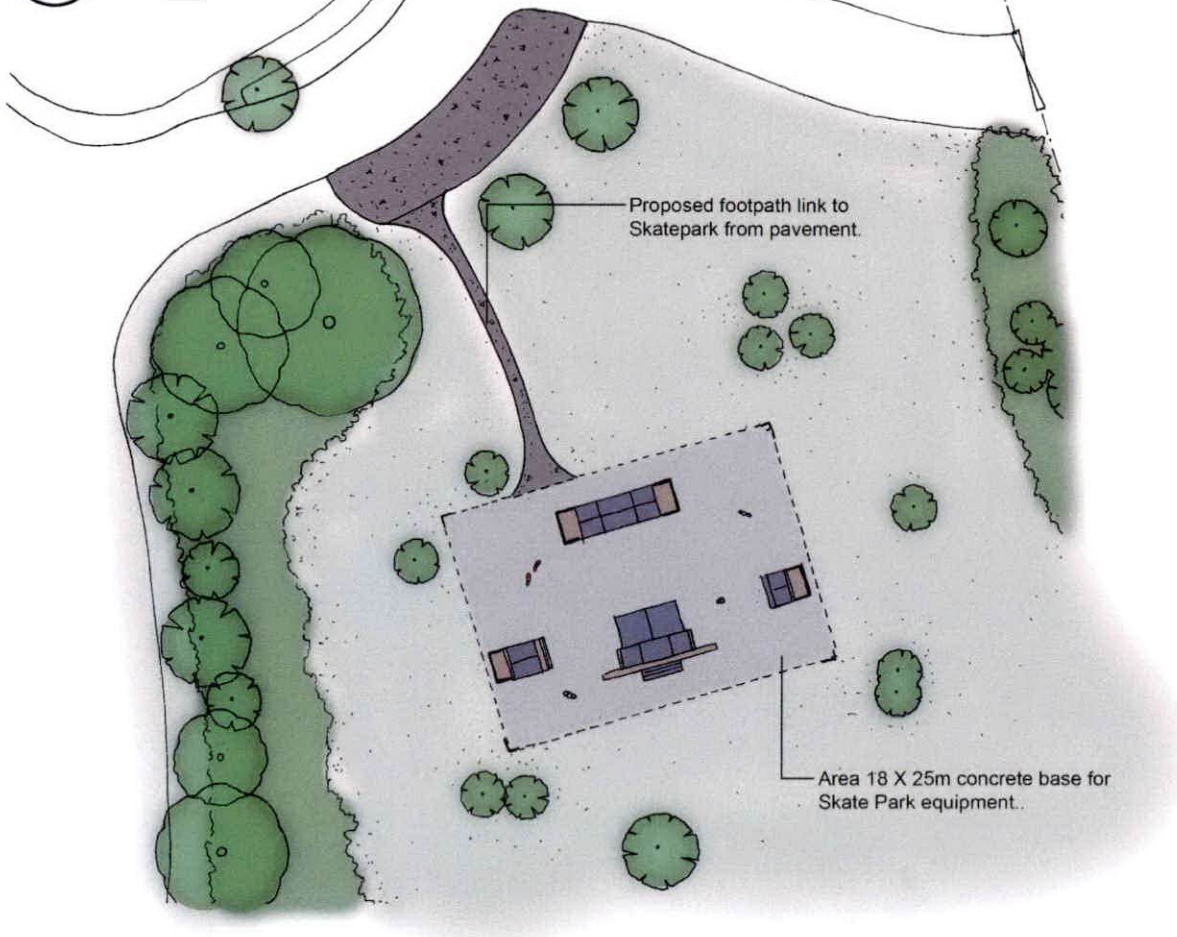
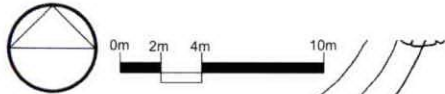
Low Flat Ramp



Fun Box with Grind Rail

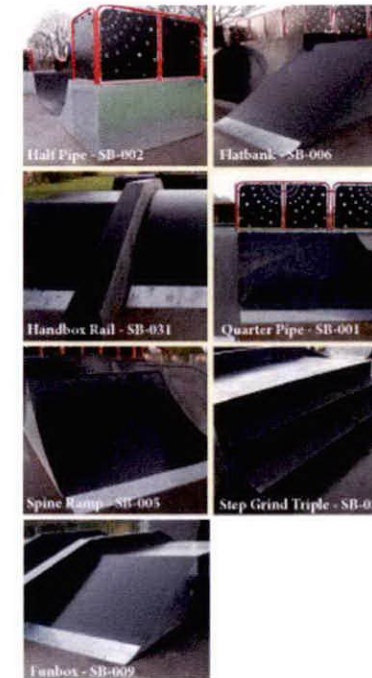


Spine



Caloo Concrete Skateboarding Park Design 3

A fantastic Skate Park bundle offering 7 Different Ramps with exciting skate park equipment. Featuring Half Pipe SB-002, Flatbank SB-006, Funbox SB-009, Handbox Rail SB-031, Quarter Pipe SB-001, Spine Ramp SB-005 and Step Grind Triple SB-030. Manufactured from heavy duty steel angle frame with 6mm thick solid steel skating surface and SkateActive textured surface coating for grip and noise reduction. Handrails, grind-rails and kickers all galvanised steel with side cladding (as required) manufactured from galvanised steel sheet clad internally with marine grade ply to aid noise absorption. BS EN14974 compliant.



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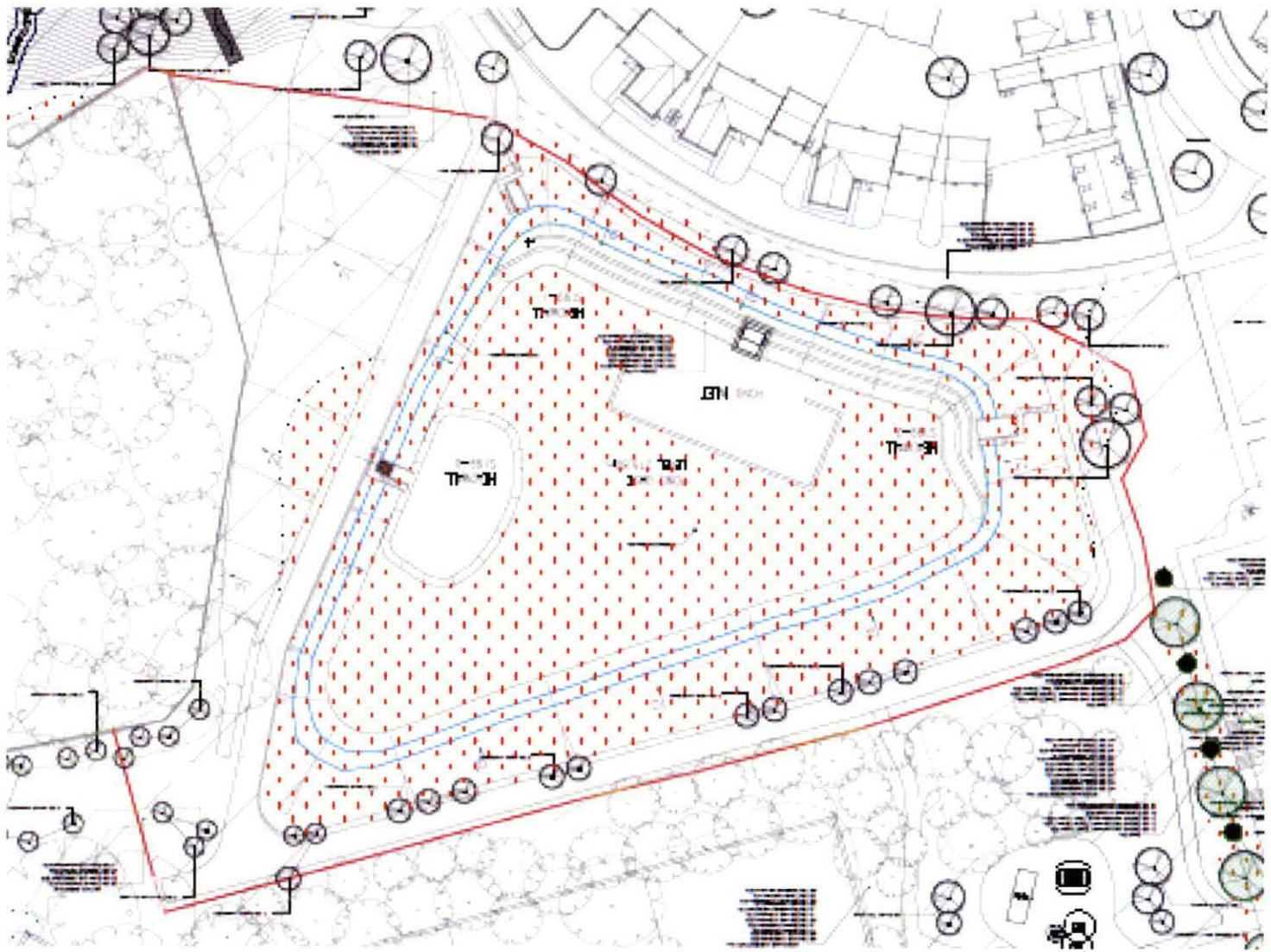
REV	DATE	NOTE	DRAWN	CHK'D
REVISIONS				

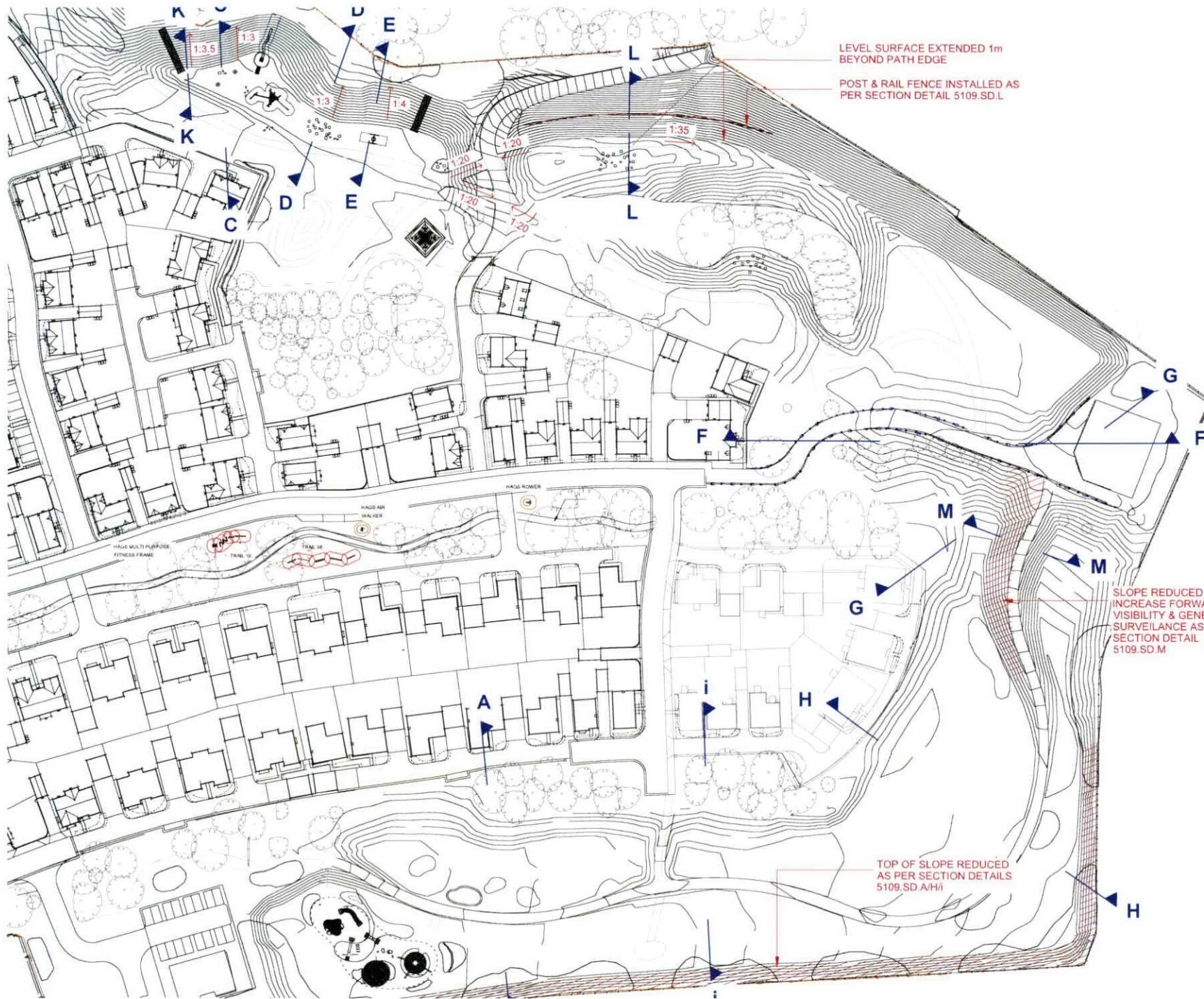
aspect landscape planning

TITLE  
Upper Rissington  
Skate Park Plan  
CLIENT  
Bovis Homes and Linden Homes

SCALE	DATE	DRAWN	CHK'D
n/a @ A3	SEP 2018	CW	JM
DRAWING NUMBER	REVISION		
5109 PS08			

EXTRACT OF ATTENUATION POND





**NOTES**  
 Based on the site as shown on a revision of The Land Use & Planning Scheme (LUP) 100-0-00000  
 (Date: 10/01/2017)  
 Revised: 10/01/2017  
 LUP: 100-0-00000  
 LUP: 100-0-00000  
 LUP: 100-0-00000

0m 5m 10m 20m

**NOTE: TO BE READ IN CONJUNCTION WITH ILLUSTRATIVE SECTION DETAILS: 5109/SDOP/01-07**

55

REV	DATE	BY	CHK
1	10/01/17	JM	JM
2	10/01/17	JM	JM

**aspect** landscape planning

Upper Rissington  
 Hard Surfacing 7 of 7




CLIENT  
 Bovis Homes and Linden Homes

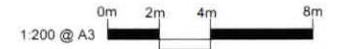
SCALE: 1:500 @ A1  
 DATE: AUG 2017  
 DRAWN: JM  
 CHECKED: JM  
 REVISION: B

**A**

**NOTE:** REFER TO HARD SURFACING PLAN 5109.HS.19 FOR SECTION LINE LOCATIONS

**SECTION KEY**

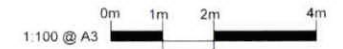
-  Proposed levels
-  Survey ground levels
-  Survey levels



**B**



Survey photo taken from adjacent roadside showing extent of earthworks as existing.



**aspect** landscape planning

TITLE  
Upper Rissington  
Illustrative Section Details (Open Space)

CLIENT

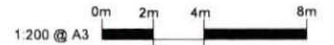
SCALE as shown @ A3 DATE JUN 2017 DRAWN JM CHK'D -

DRAWING NUMBER 5109 / SDOP / 01 REVISION **B**

56

C

NOTE: REFER TO HARD SURFACING PLAN 5109.HS.19 FOR SECTION LINE LOCATIONS



Localised cutting into sloping ground to accommodate water storage compound

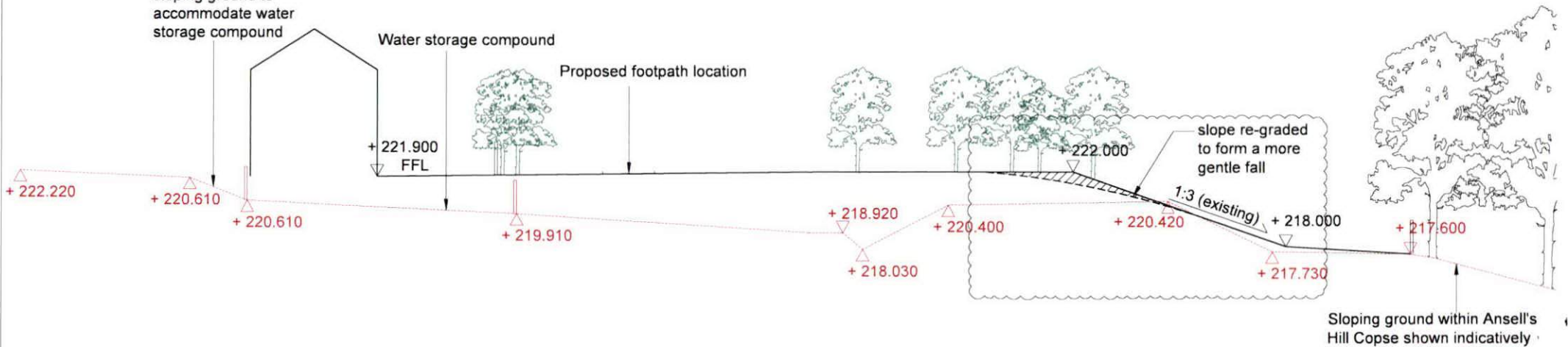
Water storage compound

Proposed footpath location

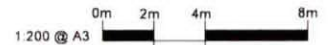
slope re-graded to form a more gentle fall

1:3 (existing)

Sloping ground within Ansell's Hill Copse shown indicatively



D



SECTION KEY

- Proposed levels
- Survey ground levels
- Survey levels
- Existing Trees
- Proposed Trees

Sloping ground within Ansell's Hill Copse shown indicatively



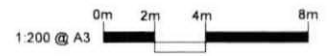
aspect landscape planning

TITLE  
Upper Rissington  
Illustrative Section Details (Open Space)  
CLIENT

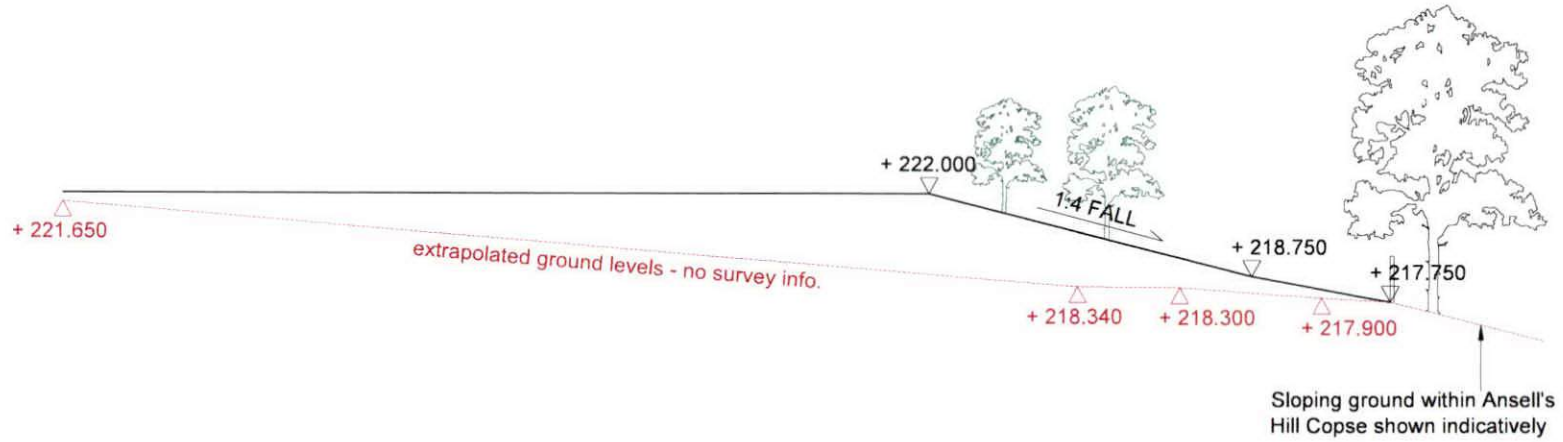
SCALE as shown @ A3	DATE JUN 2017	DRAWN JM	CHK'D -
DRAWING NUMBER 5109 / SDOP / 02	REVISION A		

E

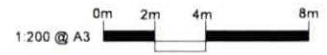
NOTE: REFER TO HARD SURFACING PLAN 5109.HS.19 FOR SECTION LINE LOCATIONS



- SECTION KEY**
- Proposed levels
  - Survey ground levels
  - Survey levels
  - Existing Trees
  - Proposed Trees



F - 1



**aspect** landscape planning

TITLE  
Upper Rissington  
Illustrative Section Details (Open Space)

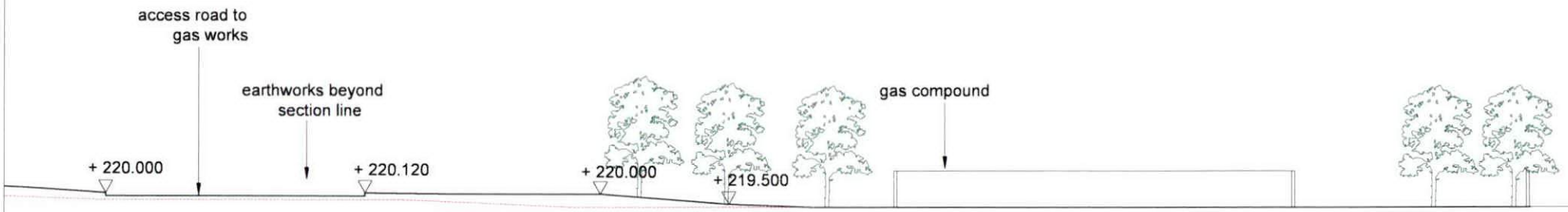
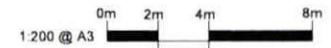
CLIENT

SCALE as shown @ A3	DATE JUN 2017	DRAWN JM	CHKD -
DRAWING NUMBER 5109 / SDOP / 03	REVISION -		

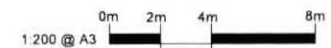
58

# F - 2

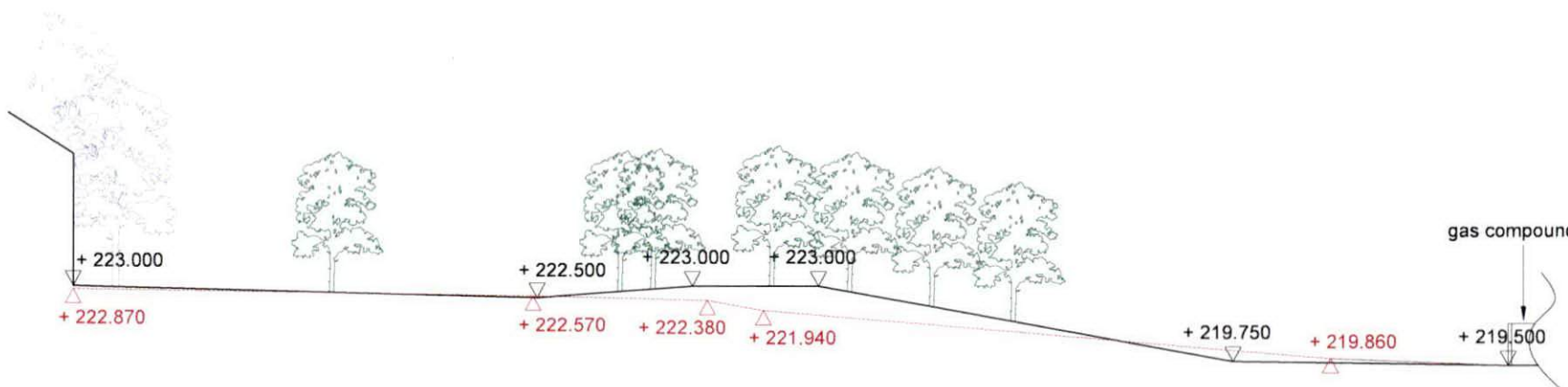
**NOTE: REFER TO HARD SURFACING PLAN 5109.HS.19 FOR SECTION LINE LOCATIONS**



# G



- SECTION KEY**
- 79.940 Proposed levels
  - 79.940 Survey ground levels
  - 79.940 Survey levels
  - Existing Trees
  - Proposed Trees








**aspect** landscape planning

TITLE  
Upper Rissington  
Illustrative Section Details (Open Space)  
CLIENT

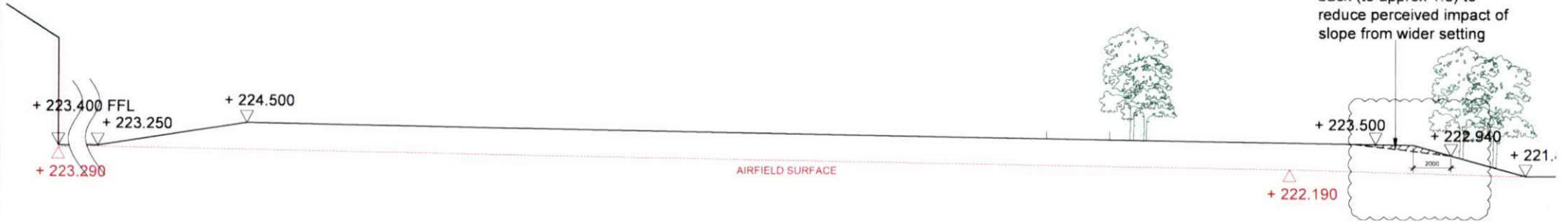
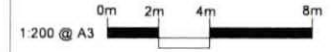
SCALE as shown @ A3	DATE JUN 2017	DRAWN JM	CHK'D -
DRAWING NUMBER 5109 / SDOP / 04		REVISION -	

H

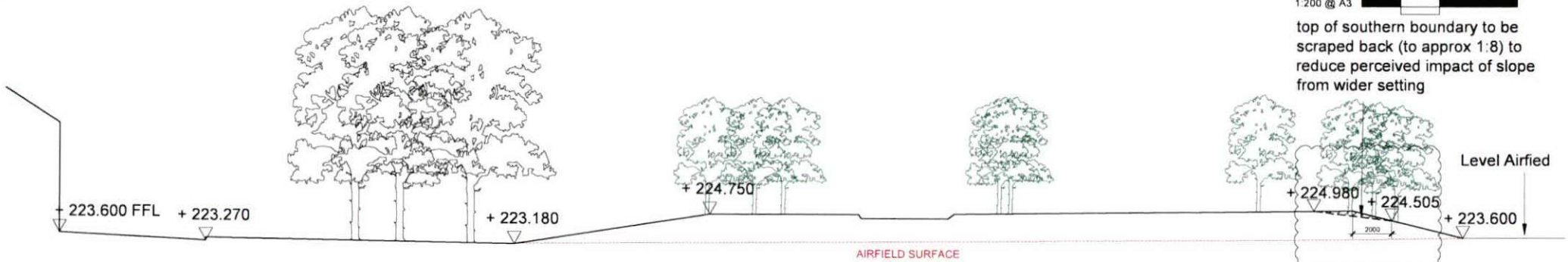
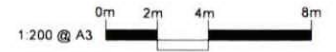
SECTION KEY

-  Proposed levels
-  Survey ground levels
-  Survey levels
-  Existing Trees
-  Proposed Trees

**NOTE: REFER TO HARD SURFACING PLAN 5109.HS.19 FOR SECTION LINE LOCATIONS**



I



**aspect** landscape planning

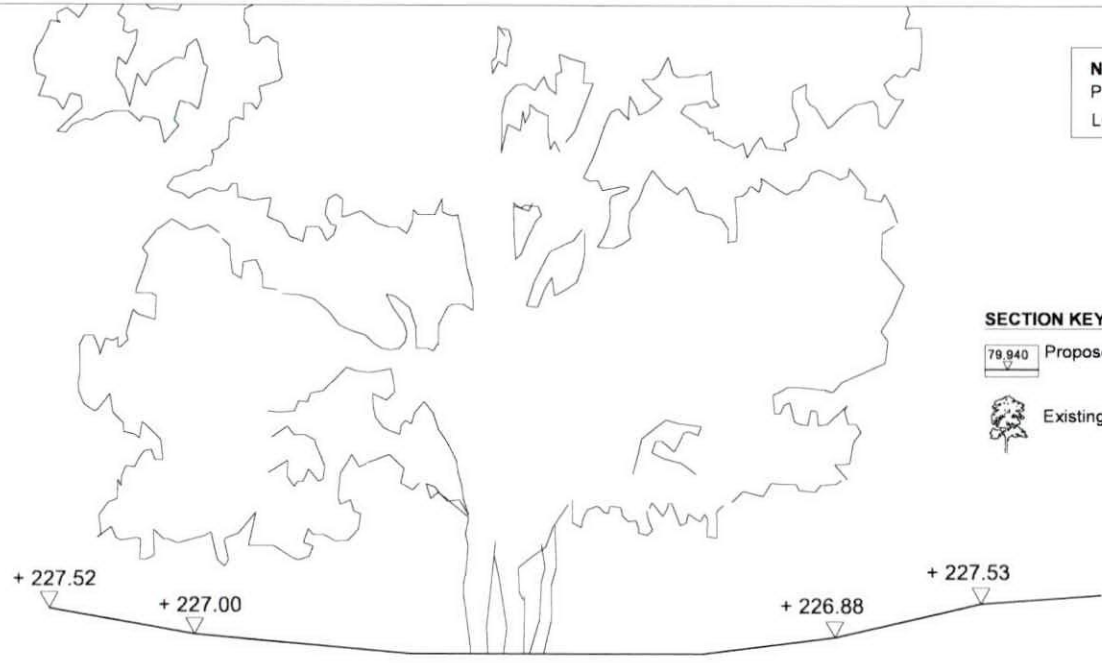
TITLE  
Upper Rissington  
Illustrative Section Details (Open Space)  
CLIENT

SCALE	DATE	DRAWN	CHK'D
as shown @ A3	JUN 2017	JM	-
DRAWING NUMBER	REVISION		
5109 / SDOP / 05	A		

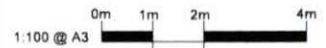
60



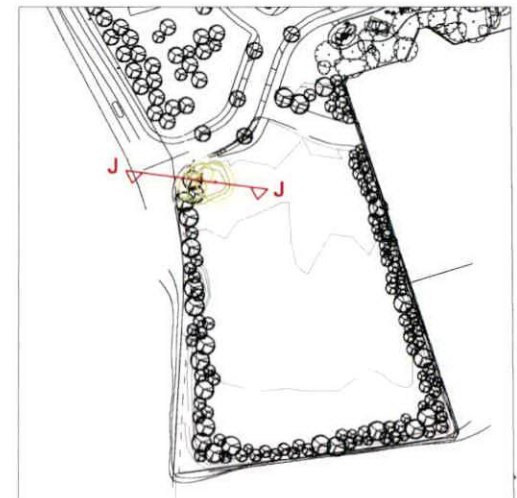
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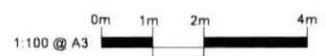
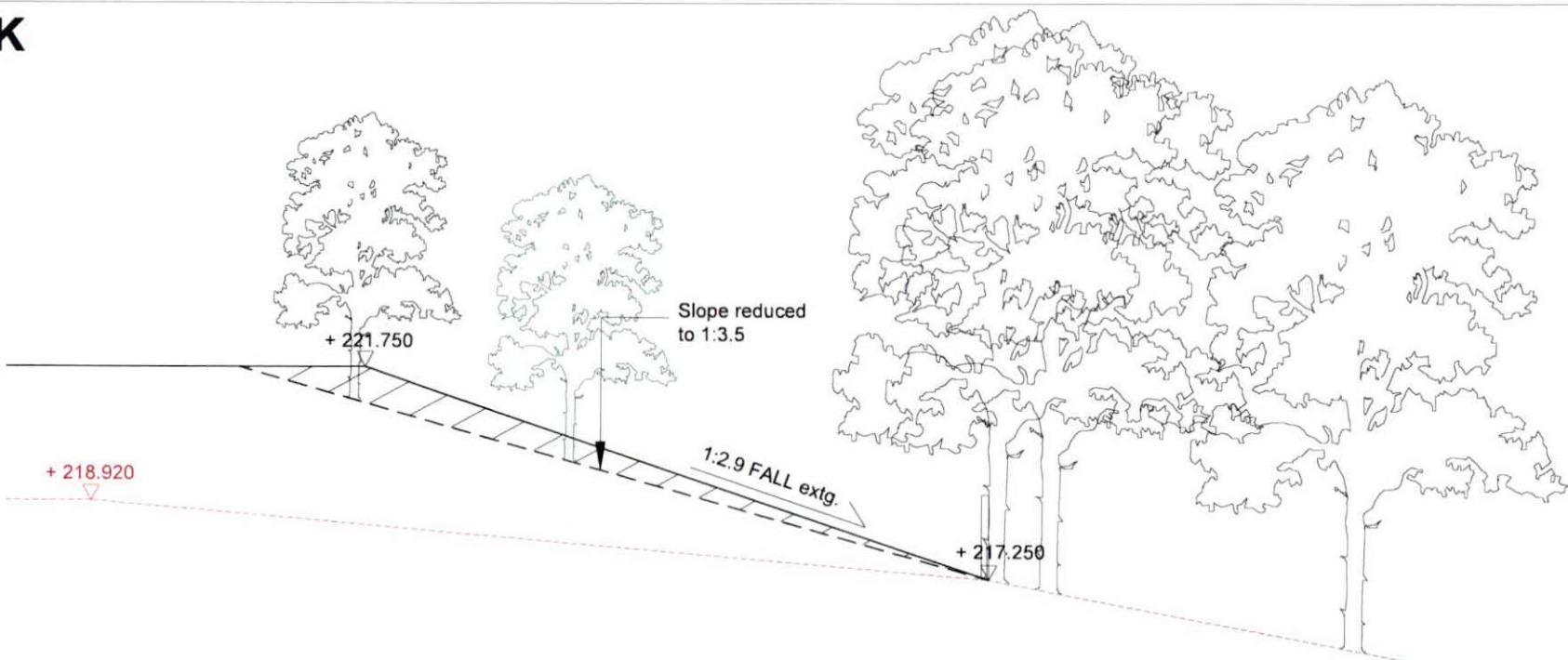
NOTE: REFER TO HARD SURFACING PLAN 5109.HS.19 FOR SECTION LINE LOCATIONS



**SECTION KEY**  
 79,940 Proposed / Existing levels  
 Existing Trees



K



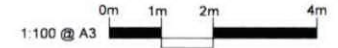
aspect landscape planning

TITLE  
 Upper Rissington  
 Illustrative Section Details (Open Space)  
 CLIENT

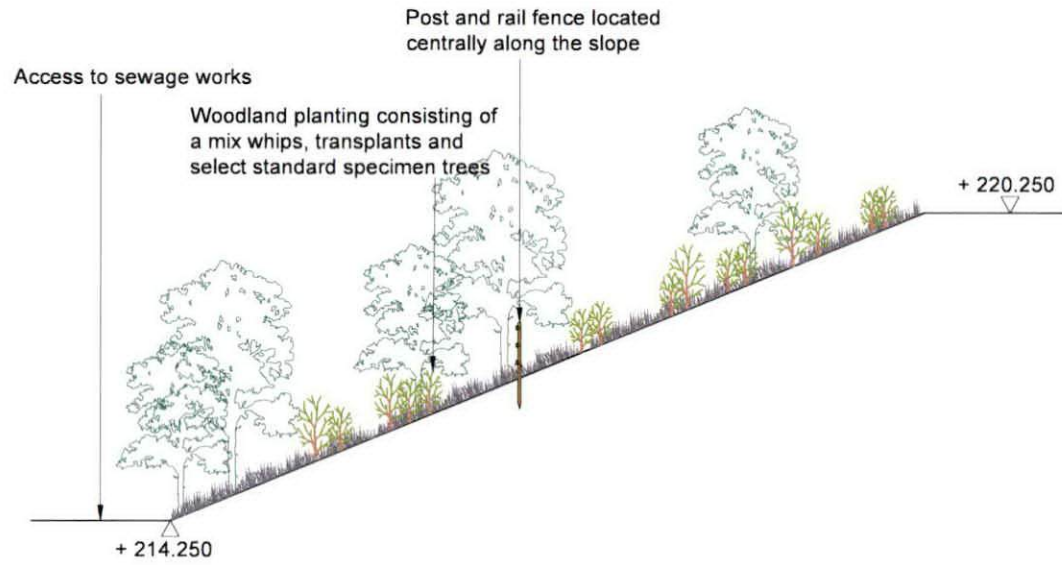
SCALE as shown @ A3	DATE JUN 2017	DRAWN JM	CHK'D -
DRAWING NUMBER 5109 / SDOP / 06		REVISION -	

61

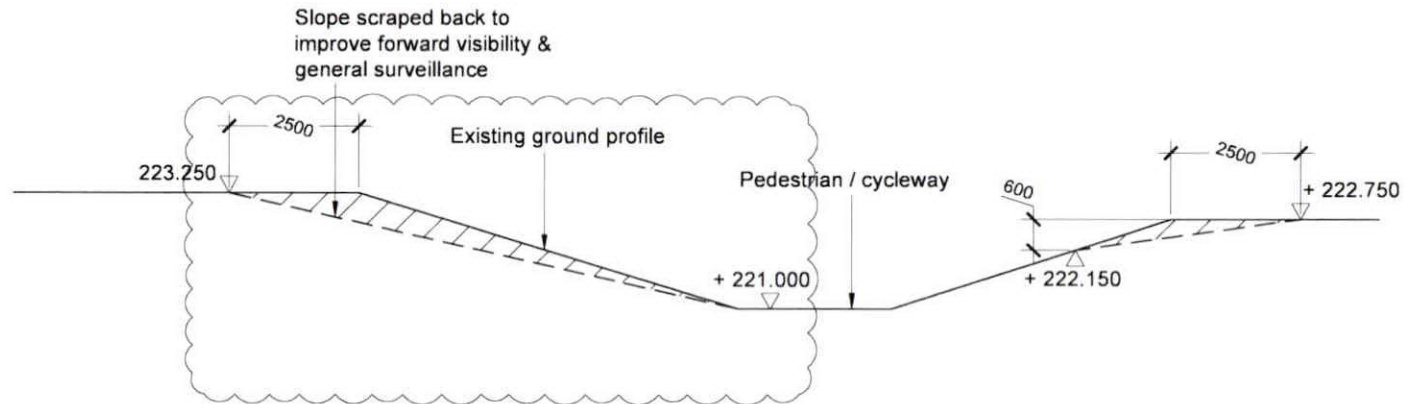
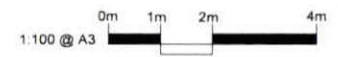
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**NOTE:** REFER TO HARD SURFACING PLAN 5109.HS.19 FOR SECTION LINE LOCATIONS



M



62

**aspect** landscape planning

TITLE  
**Upper Rissington**  
 Illustrative Section Details (Open Space)  
 CLIENT

SCALE as shown @ A3	DATE JUN 2017	DRAWN JM	CHKD -
DRAWING NUMBER 5109 / SDOP / 07	REVISION B		