

Demolition of existing 12 no. flats and construction of 14 no. new houses and flats, together with associated car parking, external works and landscaping at Land at Nos. 26 To 48 Austin Road Cirencester Gloucestershire GL7 1BT

Full Application 25/00650/FUL	
Applicant:	Bromford Housing Association
Agent:	Oakley Architects Ltd
Case Officer:	Martin Perks
Ward Member(s):	Councillor Claire Bloomer
Committee Date:	9 July 2025
RECOMMENDATION:	PERMIT subject to no objection from Gloucestershire County Council Archaeology, as well as completion of a S106 legal agreement covering Biodiversity Net Gain, financial contributions towards Cotswold Beechwoods Special Area of Conservation and the North Meadow and Clattinger Farm Special Area of Conservation, and the provision of affordable housing

1. Main Issues:

- (a) Residential Development in a Development Boundary
- (b) Housing Mix & Affordable Housing
- (c) Design and Impact on the Character and Appearance of the Area and the Setting of Cirencester South Conservation Area and a Listed Building
- (d) Access and Parking
- (e) Residential Amenity
- (f) Biodiversity
- (g) Flooding and Drainage

2. Reasons for Referral:

- 2.1 This application has been referred to Planning and Licensing Committee because the application falls into the major development category.

3. Site Description:

- 3.1 This application relates to an existing 3 storey post war apartment building and its associated land located in the eastern part of the town of Cirencester. The

application site measures approximately 0.28 hectares in size. The existing apartment building is of brick construction. It lies in the north-eastern part of the site and fronts onto a residential cul-de-sac (Austin Road) which is located to its north-east. The remainder of the application site is largely set to grass. Aside from the apartment building, the other residential development located on Austin Road consists of 2 storey post war semi-detached rendered dwellings.

- 3.2 The south-western and south-eastern boundaries of the application site adjoin a residential estate road (Queen Elizabeth Road). The aforementioned boundaries are, in part, lined by trees and understorey vegetation. The north-western boundary of the site, adjoins the grounds of a Grade II listed building (Golden Farn Public House). The aforementioned building is located approximately 25m from the boundary of the application site.
- 3.3 The application site is located within Cirencester Development Boundary.
- 3.4 The site is located approximately 50m to the north-east of Cirencester South Conservation Area. Corinium Roman Town Scheduled Ancient Monument is located approximately 100m to the south-west of the application site. Areas of woodland together with a dual carriageway separates the application site from the aforementioned heritage assets.
- 3.5 The site is located within Flood Zone 1. The River Churn, which is classed as a Main River by the Environment Agency, is located approximately 80m to the south-west of the application site.
- 3.6 The site is located within the zones of influence of the Cotswold Beechwoods Special Area of Conservation and the North Meadow and Clattinger Farm Special Area of Conservation (SAC).

4. Relevant Planning History:

- 4.1 CT.865 Erection of a block of 12 flats. Permitted 1953
- 4.2 08/01137/FUL Erection of sheds in communal garden. Permitted 2008

5. Planning Policies:

- DS2 Dev within Development Boundaries
- H1 Housing Mix & Tenure to meet local needs
- H2 Affordable Housing
- EN1 Built, Natural & Historic Environment

- EN2 Design of Built & Natural Environment
- EN7 Trees, Hedgerows & Woodlands
- EN8 Bio & Geo: Features Habitats & Species
- EN9 Bio & Geo: Designated Sites
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision

6. Observations of Consultees:

- 6.1 Gloucestershire County Council Highways: No objection subject to condition
- 6.2 Gloucestershire County Council Lead Local Flood Authority: No objection subject to condition
- 6.3 Biodiversity Officer: No objection subject to conditions
- 6.4 Tree Officer: No objection subject to conditions
- 6.5 Environmental and Regulatory Services Contamination: No objection subject to condition
- 6.6 Environmental and Regulatory Services Noise: No objection subject to condition
- 6.7 Thames Water: No objection
- 6.8 Natural England: No objection

7. View of Town Council:

'CTC supports this application for regeneration of land at no. 26-48 Austin Road Cirencester which will deliver 14 social rent properties as a mixture of houses and flats, addressing an identified need in Cirencester for affordable housing. CTC welcomes the environmentally sustainable design (including solar panels and EV car chargers) and low carbon approach adopted overall but requests a renewable heating system rather than the proposed use of gas. CTC feels the applicant has successfully maximised the potential of this piece of land, whilst

providing ample amenity space for future residents. CTC also welcomes the inclusion of parking and cycle storage on site and the comprehensive landscaping scheme, which retains existing trees around the perimeter and replaces lost trees with appropriate new planting. CTC applauds the Biodiversity Net Gain Report supporting this application, predicting a BNG of 10% will be delivered as a result of this project.'

8. Other Representations:

8.1 2 letters of support and 1 general comment received.

8.2 Main grounds of support are:

- i) We support this redevelopment - we live in Austin Road and find the flats to be an eyesore and a place of antisocial behaviour. please knock them down ASAP.
- ii) We live in Austin Road and look forward to the removal of the flats and replacement with homes as was done in Paterson Road. They are well set out and landscaped and a great improvement on the ugly, overbearing flats that used to be there. We realise that there will be some necessary disruption. Our only concern would be the restrictive access into the top of Austin Road for large vehicles with the residents' parking, bin lorries etc and the tight space at the bottom in front of the flats for construction traffic. Would it be possible for these to access the works from the Queen Elizabeth Road side during the demolition and building to minimise disruption and make it safer for the families?

8.3 General comments are:

- i) The site certainly needs upgrading and the plans look good. I am however concerned with regards to the tree maintenance going forward especially on the Lombardy poplar trees standing about 24m high in the ditch behind the current blocks of flats. These trees are within Bromford's boundary line. The old fence is still in-situ and the trees are on their land between the old and new fence. The new close board fence installed in 2010/2011 was brought inside the boundary line at the time and the old fence was left in place.
- ii) I notice in the arboriculture report that the trees in question state they are off site in one section and then on-site in another (this needs clarification onsite page 5 section 2.1 off site page 8). I have previously

brought this up with the Neighbourhood coach and had meetings on site where they agreed they were within their ownership. If Bromford do take responsibility a maintenance programme needs to be put in place as even though a root protection system will be used some damage may still occur and these trees are a considerable height.

- iii) The current ditch behind this development on Queen Elizabeth Road is already left to overgrow and is not maintained. If Bromford do not take ownership now of trees that are on their land then they will fall into disrepair and cause issues in the future for local residents, councils and Bromford themselves. Could something be done about the ditch being overgrown and full of litter. Would Bromford be prepared to cut this back to help improve the look of the area during the demolition and construction phases? Especially as they will have equipment and waste facilities on-site.
- iv) The noise of the demolition is also a concern as well as the dust levels for surrounding residents. It would have been nice to see the demolition plan included with this application to explain what will be done to help minimise disturbance to local residents and what would be in place if the demolition took place on a dry, hot day where dust levels would increase etc.
- v) Also, how will local residents be notified and kept up to date on demolition and future works. Will there a main contact person for the site and local community? Will more letters be sent or will it be down to us to make contact? Will a timeline of each phase be sent to residents?

Cirencester Civic Society

'This is a substantial redevelopment project. The proposals appear to be well considered and we have no comment.'

9. Applicant's Supporting Information:

- Affordable Housing Statement
- Arboricultural Impact Assessment
- Arboricultural Method Statement
- Tree Protection Plan
- Design and Access Statement
- Ecological Survey Report and Mitigation and Enhancement Plan
- Flood Risk Assessment and Drainage Statement

- Noise Impact Assessment
- Phase I Desk Study & Phase II Geotechnical and Geo-Environmental Report
- Planning Statement
- Preliminary Ecological Appraisal
- Site Waste Management Plan
- Sustainability Statement
- Technical Note - highways
- Biodiversity Net Gain Report
- Construction Phase Management Plan
- Site Waste Management Plan
- Dust Management Plan

10. Officer's Assessment:

Proposed Development

- 10.1 This application seeks permission to demolish an existing 3 storey post war apartment building and to erect new residential accommodation in its place. The proposed accommodation would consist of a new apartment building and 3 pairs of semi-detached dwellings. The proposed apartment building would contain 8 one bed 2 person apartments. The semi-detached dwellings would consist of 4 two bed 4 person dwellings and 2 four bed 7 person dwellings.
- 10.2 All of the proposed accommodation is intended to be delivered for social rent.
- 10.3 The existing apartment building contains 12 two bed apartments. It measures approximately 40m in length by 10m in height and is faced in brick. The replacement apartment building consists of a principal 3 storey element measuring approximately 10.2m in height and 17m in length. A 2-storey range measuring approximately 7.4m long by 8.3m in height would extend to the rear (south-west) of the principal building. A single storey range measuring approximately 3.2m long by 4.8m in height would extend from the south-eastern side elevation of the proposed building. The latter element would contain a bin store and bicycle storage. The external walls of the proposed building would be faced primarily in a brown/buff brick. The exception would be a front projecting gable which would be faced in a white render. The roof of the building would be covered in concrete tiles. The principal elevation of the proposed building would face north-eastwards towards Austin Road. It would be set back approximately 14m from the aforementioned road. The existing building is set back approximately 5-6m from Austin Road.

- 10.4 The proposed 2 bed dwellings would be located in the north-western part of the application site. The front of the proposed dwellings would face south-eastwards towards the centre of the site. The proposed dwellings would take the form of 2 pairs of semi-detached units, with each pair of units measuring approximately 10.6m wide by 8m in height. The front of the proposed dwellings would be set back approximately 13m from the side of the proposed apartment building to the south-east. The rear elevations of the proposed dwellings would be located approximately 11.5-12m from the north-western boundary of the application site.
- 10.5 The proposed 4 bed dwellings would be located in the south-eastern corner of the application site and would appear as a pair of semi-detached 2.5 storey dormer style properties. The principal elevations of the dwellings would face northwards towards Austin Road. The proposed dwellings would be located approximately 2.5m to the south-east of the proposed apartment building. In combination, the proposed dwellings would measure approximately 11.5m wide by 9.3m in height.
- 10.6 The external walls of the proposed dwellings would be faced in a buff/brown brick and the roofs would be covered in concrete tiles.
- 10.7 Vehicular access to the proposed development would be via Austin Road to the north-east. A total of 20 car parking spaces are proposed.

(a) Residential Development in a Development Boundary

- 10.8 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'* The starting point for the determination of this application is therefore the current development plan for the District which consists of the Cotswold District Local Plan 2011-2031
- 10.9 The following Local Plan policy is applicable to this proposal:
- 10.10 Policy DS2 Development Within Development Boundaries

'Within the Development Boundaries indicated on the Policies Maps, applications for development will be permissible in principle.'

- 10.11 The erection of new housing on the site is therefore considered to be acceptable in principle. The application site is considered to represent a sustainable location in terms of its accessibility to services and facilities.
- 10.12 Notwithstanding the above, it is noted that the Council also has to have regard to policies in the National Planning Policy Framework (NPPF) when reaching a decision. The NPPF represents a significant material consideration. In particular, it is noted that the December 2024 update of the NPPF introduced a new standard method for calculating local housing need. Prior to the December changes to the NPPF, the Council could demonstrate a 7.3 year supply of housing land. It was therefore comfortably meeting its requirement to provide a 5 year supply of such land. However, as a result of the aforementioned changes the Council can now only demonstrate a 1.8 year supply. The new standard method means that the Council has to deliver 1036 homes per annum as opposed to the 504 homes per annum requirement that existed prior to the December 2024 update. Moreover, the aforementioned update to the NPPF removed the wording in the document that enabled previous over-supply to be set against upcoming supply. The residual requirement for the remainder of the Local Plan period would have been 265 dwellings per annum (based on the Housing Land Supply Report August 2023) prior to the changes in December. The December changes to the NPPF therefore result in the Council having to deliver a far higher number of dwellings than that required prior to December 2024. As the supply figure is now under 5 years, it is necessary to have regard to paragraph 11 of the NPPF, which states:

11. Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date , granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

10.13 Footnote 8 of the NPPF advises that 'out-of-date' for the purposes of paragraph 11 includes *'for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78): or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirements over the previous three years.'* In light of this guidance, it is considered that Local Plan Policy DS2 is out-of-date at the present time and that paragraph 11 is engaged in such circumstances.

10.14 In the case of criterion d) i) of paragraph 11, it is noted that footnote 7 of the NPPF advises that designated heritage assets, such as conservation areas and listed buildings, or habitats sites (SACs) are areas or assets of particular importance. Harm to a designated heritage asset or habitats site could therefore provide a strong reason to refuse an application for housing even if a 5 year supply of housing land cannot be demonstrated.

10.15 With regard to criterion d) ii), it is necessary to weigh the benefits arising from the scheme, such as the delivery of housing, including affordable housing, against the adverse impacts of the proposal, such as its design, its impact on heritage assets, drainage, highway safety or residential amenity for example. These aspects of the proposal will be addressed later in this report. However, in the case of criterion d) ii), it is evident that the adverse impacts would have to significantly and demonstrably outweigh the benefits in order for an application to be refused.

(b) Housing Mix & Affordable Housing

10.16 The proposed development is subject to the following policies in relation to housing mix and affordable housing:

10.17 Local Plan Policy H1 Housing Mix and Tenure to Meet Local Needs

1. *'All housing developments will be expected to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need*

and demand in both the market and affordable housing sectors, subject to viability. Developers will be required to comply with the Nationally Described Space Standard.

2. Any affordable accommodation with 2 or more bedrooms will be expected to be houses or bungalows unless there is a need for flats or specialist accommodation.

3. Proposals of more than 20 dwellings will be expected to provide 5% of dwelling plots for sale as serviced self or custom build plots, unless demand identified on the Local Planning Authority's Self-Build and Custom Register or other relevant evidence demonstrates there is a higher or lower level of demand for plots.

4. Starter Homes will be provided by developers in accordance with Regulations and national Policy and Guidance.

5. Exception sites for Starter Homes on land that has been in commercial or industrial use, and which has not currently been identified for residential development will be considered.'

10.18 Local Plan Policy H2 Affordable Housing

1. 'All housing developments that provide 11 or more new dwellings (net) or have a combined gross floorspace of over 1,000 square metres, will be expected to contribute towards affordable housing provision to meet the identified need in the District and address the Council's strategic objectives on affordable housing.

2. In settlements in rural areas, as defined under s157 of the Housing Act 1985, all housing developments that provide 6 to 10 new dwellings (net) will make a financial contribution by way of a commuted sum towards the District's affordable housing need subject to viability. Where financial contributions are required payment will be made upon completion of development.

3. The affordable housing requirement on all sites requiring a contribution, subject to viability is:

- i. Up to 30% of new dwellings gross on brownfield sites; and*
- ii. Up to 40% of new dwellings gross on all other sites.*

4. *In exceptional circumstances consideration may be given to accepting a financial contribution from the developer where it is justified that affordable housing cannot be delivered on-site, or that the District's need for affordable housing can be better satisfied through this route. A financial contribution will also be required for each partial number of affordable units calculated to be provided on site.*

5. *The type, size and mix, including the tenure split, of affordable housing will be expected to address the identified and prioritised housing needs of the District and designed to be tenure blind and distributed in clusters across the development to be agreed with the Council. It will be expected that affordable housing will be provided on site as completed dwellings by the developer, unless an alternative contribution is agreed, such as serviced plots.*

6. *Where viability is questioned or a commuted sum is considered, an "open book" assessment will be required. The local planning authority will arrange for an external assessment which will be paid for by the developer.'*

10.19 With regard to housing mix, the proposed scheme seeks to replace the existing 12 two bed apartments with a mix of 8 one bed apartments, 4 two bed dwellings and 2 four bed dwellings. The proposed development is therefore considered to provide a wider mix of house types than is currently present on the site. In addition, the proposed units are of a size that meets minimum floorspace standards and the 2- and 4 bedroom units would take the form of dwellings rather than apartments. It is considered that the proposal accords with the requirements of Policy H1.

10.20 With regard to affordable housing, the applicant is a registered affordable housing provider and is proposing to let 100% of the proposed dwellings/apartments as social rented units. At present, none of the apartments in the existing building are subject to a planning obligation or condition restricting their occupation to affordable homes. In order to satisfy the requirements of Local Plan Policy H2 Affordable Housing, the applicant has submitted a Unilateral Undertaking confirming that 30% of the proposed dwellings (4 in total) would be formally designated as social rented units. Current policy cannot require a greater number of dwellings to be covered by the agreement. However, the applicant's status as a registered provider of affordable homes means that other units not covered by the agreement would also be let as affordable dwellings, with social rented accommodation being stated by the applicant as the preferred model for this development.

10.21 It is considered that the proposal accords with Local Plan Policies H1 and H2.

(c) Design and Impact on the Character and Appearance of the Area and the Setting of Cirencester South Conservation Area and a Listed Building

10.22 The application site is located adjacent to a Grade II listed building (Golden Farm Public House). In addition, the site is located approximately 50m to the north-east of Cirencester South Conservation Area. Corinium Roman Town Scheduled Ancient Monument (SAM) is located approximately 100m to the south-west of the application site.

10.23 With regard to the impact of the proposal on the setting of the adjacent listed building, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight must be given to the aforementioned legislation.

10.24 The following Local Plan Policies are considered applicable to this application:

10.25 Local Plan Policy EN2 Design of the Built and Natural Environment

'Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.'

10.26 Local Plan Policy EN10 Designated Heritage Assets states:

1. *In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be.*

2. *Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted.*

3. *Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:*

- *The importance of the asset;*
- *The scale of harm; and*
- *The nature and level of the public benefit of the proposal'*

10.27 Local Plan Policy EN11 Designated Heritage Assets - Conservation Areas states:

'Development proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they:

- a. Preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;*
- b. Include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;*
- c. Will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area.*
- d. Have regard to the relevant Conservation Area appraisal (where available); and*
- e. do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting.'*

10.28 In terms of national guidance, Paragraph 210 of the National Planning Policy Framework (NPPF) states *in determining planning applications, local planning authorities should take account of:*

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) The desirability of new development making a positive contribution to local character and distinctiveness.*

10.29 Paragraph 212 states *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given*

to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

10.30 Paragraph 215 states that *'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'*

10.31 With regard to the use of land in general, paragraph 124 of the NPPF states that decisions *'should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.'*

10.32 Paragraph 125 c states that planning decisions:

'c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.'

10.33 Paragraph 129 of the NPPF states that planning decisions should support development that makes efficient use of land, taking into account: the desirability of maintaining an area's prevailing character and setting (including residential gardens).

10.34 With regard to matters of design, paragraph 131 of the NPPF states that *'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'*

10.35 Paragraph 135 states that planning policies and decisions should ensure that developments:

a) *will function well and add to the overall quality of an area, not just for the short term but over the lifetime of the development;*

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

10.36 The application site is located on the south-western edge of a post war residential cul-de-sac (Austin Road). It therefore forms part of a 20th Century housing development and is largely seen in context with such development. The front elevation of the existing building faces towards Austin Road, with the existing building being a prominent feature when viewed from the existing road. Austin Road is characterised by a central grassed area with a carriageway to either side. The application site forms a focal point at the south-western edge of the aforementioned road, with views being available of the site across the grassed area and along the length of the road.

10.37 With regard to wider views of the site, it is evident that existing trees and understorey planting provide a degree of screening when viewed from Queen Elizabeth Road to the south-west and south-east. Notwithstanding this, there is a break in vegetation along the site's south-western boundary which allows views from the aforementioned road of the site and the rear of the existing building. The break in vegetation measures approximately 20m in length. A line of trees and a close boarded fence define the north-western boundary of the application site where it adjoins the Golden Farm Public House.

10.38 The existing apartment building is noticeably taller than the buildings around. In addition, its brick construction is different to the white render present on the existing dwellings in Austin Road. As a consequence, the existing building

appears distinct from existing development in the area. In terms of its design and size the existing building does not respond in a particularly sensitive manner to its surroundings. The existing building is considered not be of any particular historic or architectural interest and, as such, there is no objection in principle to its demolition.

- 10.39 The proposed development consists of a new apartment building and 3 pairs of semi-detached dwellings. With regard to the apartment building, it is noted that the proposed building is smaller in size than the existing building. Whilst it will be similar in height, the proposed replacement building will extend across a smaller section of the site than the present building. As such, it will appear less prominent when viewed from either Austin Road or Queen Elizabeth Road. In addition, the proposed building has a relatively plain and simple appearance which is considered appropriate for the area. The use of white render will also tie in with the predominant facing material evident on properties within Austin Road. Whilst the gable width of the rear range does look a little wide, this element of the building will be set down from the principal part of the building and will appear subservient to it. It will also be seen against the backdrop of the 3 storey element when seen from Queen Elizabeth Road. On balance, it is considered that the rear range would not have an adverse impact in design terms, especially when compared to the existing development on the site and
- 10.40 The proposed semi-detached dwellings would be positioned to either side of the site, thereby providing a degree of space between the principal apartment building and the aforementioned dwellings. The proposed development will therefore appear less monolithic than the existing building. In addition, the proposed dwellings are of a size and scale which is considered to respect the existing dwellings present on Austin Road. The proposed dwellings are therefore considered to be of a size, scale, design and form which responds in a sympathetic manner to the site and this part of Austin Road. The use of brick as a facing material is considered appropriate for both the dwellings and the apartment building. Such a material has been used in the recently completed dwellings on Paterson Road to the north-east of Austin Road where 36 replacement dwellings were permitted in 2018 (18/02760/FUL).
- 10.41 The proposed scheme seeks to retain 23 of the 25 trees on the site. 2 hazel trees are proposed for removal. A total of 5 new trees are proposed to be planted and form part of a comprehensive new landscaping scheme. The proposed landscaping scheme will introduce a wider variety of plant species onto the site than at present and is considered acceptable.

- 10.42 With regard to the impact of the proposals on the setting of the listed building to the north-west, it is noted that existing trees and fencing provide a strong boundary between the aforementioned heritage asset and the application site. Land to the south-east of the listed building is characterised by post war residential development. The setting of the listed building is therefore already heavily influenced by mid to late 20th Century development. Whilst the proposed development will extend closer to the north-western site boundary than the existing building, the dwellings proposed in this location are more modest in size and scale than the existing building and are also considered to be of a design which is more sympathetic to the wider character and appearance of the area. In addition, the re-development scheme as a whole is considered to result in a betterment in visual and design terms. It is therefore considered that the proposed development will not cause harm to the setting of the listed building having regard to Local Plan Policy EN10 and guidance in Section 16 of the NPPF.
- 10.43 With regard to the impact of the proposal on the setting of the conservation area and SAM, it is noted that an area of woodland, together with a dual carriageway, lie between the site and the conservation area. A further belt of woodland and the River Churn are also located between the site and the SAM. It is also noted that the dual carriageway sits at a lower level than the site. In light of the position of the existing road and the extensive vegetation that lies along either side of the highway, it is considered that there is no visual or physical interconnectivity between the site and the aforementioned heritage assets. The proposed development would not be readily visible from the conservation area or the SAM and is considered not to have a material impact on the setting of either heritage asset. The proposed development is therefore considered not to cause harm to the conservation area or SAM and not to conflict with Local Plan Policies EN10 and EN11 or Section 16 of the NPPF.
- 10.44 It is considered that the proposed scheme would result in the sympathetic re-development of the site and that it accords with Local Plan Policies EN2, E10 and EN11 and guidance in Sections 12 and 16 of the NPPF.

(d) Access and Parking

- 10.45 The existing apartment building is not served by a vehicular access or dedicated parking spaces. Parking has typically taken place on Austin Road. The proposed development seeks to provide on-site parking for all the proposed dwellings and apartments. Units 1-12 (2 bed dwellings and apartments) would be served by a shared site entrance. Units 13-14 (4 bed dwellings) would be served by their own entrance driveway. The proposed dwellings would be provided with

2 parking spaces per unit, with the apartments being provided with 1 parking space per unit.

10.46 The proposed entrances will open onto an existing estate road which serves a number of existing dwellings. In addition, Austin Road connects into a number of other residential estate roads which form part of a larger post war residential estate. In light of the fact that this proposal would result in a net increase of 2 dwellings on the site and that it will provide dedicated on-site parking facilities, it is considered that the existing road network can reasonably accommodate the level of development being proposed. The proposed entrances are also considered to be of a design which can afford adequate visibility, with adequate turning also being provided on the site.

10.47 Gloucestershire County Council Highways has assessed the application and raises no objection. The Highway Officer states:

10.47.1 'The proposal is to replace existing residential dwellings with slightly more residential dwellings and therefore improve the affordable housing stock in the area. The site is in a broadly sustainable location with opportunities to travel by foot, cycle and public transport.'

10.47.2 The access is from an existing residential estate road and the increase in traffic generated from the site is not considered to result in either a severe impact on highway capacity or an unacceptable reduction in highway safety.'

10.47.3 The proposed car parking complies with the relevant parking standards and the design and layout of the access is acceptable.'

10.48 It is noted that the proposed development would have an impact on the local highway network during the construction phase of the development. The applicant has submitted a Construction Phase Management Plan which sets out measures to control the construction phase of the development including operating hours, site deliveries, vehicle routing and the management of dust and mud. It is considered that reasonable measures are in place to minimise the impact of the construction phase of the development on both the road network and the amenity of local residents.

10.49 It is considered that the proposed development accords with Local Plan Policies INF4 and INF5 and guidance in Section 9 of the NPPF.

(e) Residential Amenity

- 10.50 The floorspace of the proposed dwellings/apartments meets minimum floorspace standards as required by Local Plan Policy H1.
- 10.51 The proposed dwellings/apartments would be provided with an appropriate level of outdoor garden/amenity space in accordance with advice in the Cotswold Design Code.
- 10.52 The proposed buildings would be positioned and orientated in a manner that would not have an adverse impact on existing neighbouring residents or future residents of the proposed development in terms of light, privacy or overbearing impact.
- 10.53 The applicant has submitted a Dust Management Plan, Site Waste Management Plan and Construction Phase Management Plan, which set out measures to mitigate the impact of the construction phase of the development on local residents. It is considered that reasonable measures are in place to mitigate the impact of the proposal on the amenity of the occupiers of nearby dwellings having regard to Local Plan Policy EN15.
- 10.54 It is considered that the proposed development is acceptable in terms of its impact on residential amenity.

(f) Biodiversity

- 10.55 This application is accompanied by a Preliminary Ecological Appraisal and an Ecological Survey Report & Mitigation and Enhancement Plan. The latter report includes details of Bat emergence/re-entry surveys that were undertaken prior to the submission of this application. No evidence of bats emerging from the building was found during the survey period. However, a range of bat species were identified commuting and foraging around the site. There is no evidence of other protected species using the existing building although hedgehogs have been identified passing through the site. In order to mitigate the impact of the proposed development, it is recommended that conditions are attached to a future decision which cover external lighting and the precautionary working methods recommendations set out in the submitted ecological reports. The installation of new landscape planting will also assist biodiversity.
- 10.56 It is considered that the proposal can be undertaken without having an adverse impact on protected species. Ecological enhancements are also proposed to the site. It is considered that the proposal accords with Local Plan Policy EN8.

10.57 With regard to Biodiversity Net Gain (BNG), the applicant is proposing to provide enhancements on site, as well as on an area of grassland located on Austin Road adjacent to the application site. However, such enhancements would not be sufficient to meet the minimum 10% net gain requirement. As a consequence, the applicant is also seeking to purchase off-site units. In light of the need for off-site provision, it is necessary to secure BNG through a S106 legal agreement.

10.58 The Council's Biodiversity Officer states:

'Biodiversity Net Gain

10.58.1 The updated BNG report (Abricon, 12th May 2025 - uploaded 13th May 2025) contains amended proposals to deliver BNG in response to my previous comments, and now demonstrates the following:

- A net loss of -15.60% (-0.46 units) area habitat units*
- A net gain of 409.12% (+0.07 units) hedgerow units*

10.58.2 The delivery of net gain is to be provided by a mixture of on-site and off-site habitat provision, with the remaining unit deficit of 0.75 units to be provided through the purchase of off-site units.

10.58.3 The applicant does not need to purchase these units to receive planning consent. However, any off-site units would need to be allocated to the development prior to the submission of a discharge of conditions application in order to successfully discharge the biodiversity gain condition. In addition, a s106 legal agreement will be required to secure the proposed off-site gains to be delivered by the applicant and to enable the applicant to register the off-site parcel with the National Biodiversity Gain Sites register; a prerequisite to enable the applicant to discharge the biodiversity gain condition. '

10.59 Subject to the completion of a S106 legal agreement covering the above matter it is considered that the proposal can reasonably meet BNG requirements.

10.60 The application site is located within the zones of influence of the Cotswolds Beechwoods Special Area of Conservation and the North Meadow and Clattinger Farm Special Area of Conservation (SAC). The aforementioned SACs are internationally important biodiversity site which have come under increased recreational pressure from visitors in recent years. The resultant increase in visitor numbers is causing damage to the biodiversity value of the SACs. Visitor

surveys have been undertaken, and this has shown that the majority of visitors come from within the identified zones of influence.

- 10.61 Under the Conservation of Habitats and Species Regulations 2017 (as amended) and other relevant legislation and guidance, Local Planning Authorities have to assess whether any development proposal could harm the biodiversity value of an SAC. This works on the precautionary principle so in order to permit any proposals there has to be certainty that the proposals will not cause any significant likely effects (i.e. negative impacts) on that SAC either on their own or in combination with other proposals. As such, a Habitat Regulations Assessment (HRA) is required with regard to the potential impacts. This is due to the likely significant effects resulting from an increase in residential pressure, particularly in combination with other development projects.
- 10.62 Recreation mitigation strategies are currently in place which seek to ensure that adequate measures can be put in place to limit the impact of new residential development on the respective SACs. The strategy has been developed by Cotswold District Council and a number of other local authorities together with Natural England. Each recreation mitigation strategy requires a financial payment to be made either prior to determination or secured through a S106 legal agreement, which will also need to be completed prior to the determination of the planning application. With regard to this application, the applicant has confirmed their willingness to make the relevant payment (£673/unit per dwelling in relation to Cotswolds Beechwoods SAC and £332 per dwelling in relation to the North Meadow and Clattinger Farm SAC and to enter into a S106 legal agreement in order to secure such payment. Subject to this payment being made, it is considered that appropriate mitigation can be put in place to mitigate the impact of development on the SACs. It is considered that the proposal accords with Local Plan Policy EN9 and the relevant legislative requirements with regard to the impact of development on the SACs.

(g) Flooding and Drainage

- 10.63 The application site is located within Flood Zone 1, which is the lowest designation of flood zone and one in which new residential development can be acceptable in principle. The applicant has submitted a detailed drainage scheme with this application. The proposed scheme incorporates Sustainable Drainage Systems (SuDS), including permeable hard surfaced areas and underground cellular storage. Surface water would be stored in the latter before being discharged into an existing surface water sewer at a controlled rate that takes account of the impact of climate change. A range of measures

are proposed that seek to ensure that surface water is attenuated on site in order to prevent flooding and drainage issues in the area.

10.64 It is noted that land adjacent to the north-eastern and south-western boundaries of the application site has experienced drainage issues in the past relating to overland flow from outside the site. With regard to land to the north-east, it is noted that existing properties fronting onto Austin Road, together with the estate road, drain into an existing 150mm diameter surface water pipe next to the site. The limited size of the pipe together with a lack of maintenance impact on the efficiency of the pipe. It is proposed to clean the existing pipe system and to re-direct the existing surface connection from the existing building to a larger sewer pipe to the south-west. The level of water entering the existing 150mm pipe system would therefore be reduced. In addition, the floor levels of the proposed dwellings fronting Austin Road would be approximately 200mm higher than the existing building thereby intending to provide the proposed dwellings with a greater resilience to overland flooding than the existing building. With regard to the land to the south-west, the applicant is proposing to clear out an existing ditch and an overflow chamber in order to allow surface water to discharge to a lower ditch system. In addition, the floor levels of Plots 1 and 2 would be approximately 300mm higher than levels on Queen Elizabeth Road, which is intended to provide improved flood resilience to the aforementioned dwellings.

10.65 The applicant has provided additional information to Gloucestershire County Council Lead Local Flood Authority (LLFA) in response to a request for further information. The applicant has also provided a copy of a letter from Thames Water confirming that it is agreeable to a connection to its drainage system. The LLFA raises no objection to the application subject to a condition relating to the future maintenance and management of Sustainable Drainage. It is considered that the proposed development is in accordance with Local Plan Policy EN14 and Section 14 of the NPPF.

Other Matters

10.66 The proposed development would result in the removal of 2 hazel trees. A total of 5 new trees would be planted on the site. A detailed arboricultural report has been submitted with this application which sets out measures to protect retained trees on and adjacent to the site. The Tree Officer has assessed the submitted details and considers the proposals to be acceptable. The proposal is considered to accord with Local Plan Policy EN7.

10.67 With regard to ground contamination, the Council's Environmental and Regulatory Services Contamination Officer initially advised that *'the results of the Phase II intrusive site investigation outlines deposits of slag in what appears to be the embankments of the old railway line. It is typical of the time period and locality to create such embankments with waste material from the railway industry. This material from the embankment encroaches on the site and therefore proposes potential risk to future users. Therefore, further intrusive investigation and testing should be conducted to define the extent of the slag deposit from the embankment.'* The applicant has submitted results of further investigation work, which have been assessed by the Contamination Officer, and who now states *'My previous concerns centred around the sparsity of data in an area of the proposed development site that was once occupied by a former railway embankment and the unknown nature of the fill material that made up that embankment. This additional sampling and testing concentrated in the area of the property occupied by the toe of the embankment and has provided information of soil quality that indicates minimal contamination of the fill in this area.'* It is considered that the proposed development can be undertaken in a manner that would not pose a risk to future occupants of the scheme or the locality in accordance with the requirements of Local Plan Policy EN15 and Section 15 of the NPPF.

10.68 With regard to archaeology, Gloucestershire County Council Archaeology has advised:

10.68.1 'The site lies a short distance outside the walls of Roman Cirencester, much of which is a Scheduled Monument (Corinium Roman Town, Listing Number 10034260), and there is extensive evidence for Iron Age and Romano-British farming settlements in the surrounding areas. Archaeological excavation 40m south of the proposed development area in 1999 identified evidence of prehistoric and Romano-British activity. This included a flint scatter of potentially Neolithic date, pits and ditches, and a series of colluvial deposits containing finds of early to 2nd Century AD Romano-British date. Fragments of Roman brick or tile were also recovered from colluvial deposits and from underlying features within this excavation, and suggest the former existence of Romano British or earlier structures in the vicinity.'

10.68.2 In view of archaeological background outlined above, it is my view that there is potential for significant archaeological deposits relating to later prehistoric to Romano-British activity to be present within the application site. I am therefore concerned that ground works and intrusions required for the proposed development may have an adverse impact on significant archaeological remains.'

10.68.3 Therefore, in accordance with the NPPF (Dec 2024), paragraph 207, I recommend that in advance of the determination of this planning application the applicant should provide the results of an archaeological field evaluation which describes the significance of any archaeological remains within the proposed development area, and how these would be affected by the proposed development.'

10.69 The applicant has commissioned further field work and it is anticipated that the results will be known in the near future. GCC Archaeology will review the results of the additional works. Subject to no objection being raised from GCC Archaeology, it is considered that the development can be undertaken without having an adverse impact on features of archaeological interest. It is recommended that any conditions requested by GCC Archaeology are attached to a future decision should permission be granted.

10.70 The demolition of the existing building would be subject to separate Building Regulations and Health and Safety Executive controls.

10.71 With regard to climate change, the applicant's Planning Statement states '*the Proposed Development proposes measures such as timber frame construction, PV Panels and wastewater heat recovery systems, further reducing overall dwelling emission beyond the requirements of Part L (2021)*'. Electric vehicle charging points are also proposed as part of the scheme. It is considered that the proposed development is reasonably seeking to address the impact of climate change.

10.72 In response to the comments of a local resident, the applicant advises:

10.72.1 'Bromford have now confirmed the following with regards to the maintenance of the trees in their ownership:

'10.72.2 With regards to maintenance of the trees on site, Bromford are moving to a 3 year tree stock surveying schedule that will identify any remedial work required. From that survey should maintenance be required this will be scheduled into our internal teams work programme or contracted out to one of our approved contractors'.

10.72.3 As you will recall, we submitted a revised tree survey report on 8th April 2025, which provided clarity with regards to which trees are within Bromford's ownership, responding to the other items raised in points 1 and 2.

10.72.4 With regards to item 3, Bromford would confirm that the ditch is within Gloucestershire County Council Highways land and as such the liability for maintenance rests with them. We have attached a copy of the Highways Records for ease of reference.

10.72.5 With regards to items 4, we provided addition details regarding dust mitigation on 19th March 2025 and this was also included within the Construction Management Plan submitted on 15th April 2025

10.72.6 With regards to item 5, Bromford's contactor partner, E.G Carter have advised the following:

10.72.7 'A site information board will be positioned at the site entrance having the Site Manager contact details together with the key events (large deliveries etc), scheduled for the forthcoming days/weeks. These events will be reinforced by regular newsletters distributed to the immediate neighbours'.

10.73 This application is liable for the Community Infrastructure (CIL) unless an exemption is claimed prior to the commencement of development on the grounds that the dwellings will constitute affordable housing. In the event an exemption is not claimed, Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions.

11. Conclusion

11.1 It is considered that the proposed scheme would result in the sympathetic re-development of the site and that it would also improve the quality of affordable housing available within Cirencester. It is considered that the proposal is in accordance with policy and guidance. It is therefore recommended that the application is granted permission subject to no objection from Gloucestershire County Council Archaeology, as well as completion of S106 legal agreement covering Biodiversity Net Gain, financial contributions towards Cotswold Beechwoods Special Area of Conservation and the North Meadow and Clattinger Farm Special Area of Conservation, and the provision of affordable housing.

12. Proposed Conditions:

1. The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following drawing number(s):

AUST ICS 01 XX DR C 0100 P03, AUST ICS 01 XX DR C 0210 P06, 202229 01, 202229 03F, 202229 04D, 202229 05, 202229 06, 202229 07B, 202229 08, 202229 09A, 202229 10D, 202229 11D, 202229 12D, 202229 15, ADL412 A

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

3. 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, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

4. Prior to the commencement of any works on site (including demolition and site clearance), the tree protection as detailed on Tree Protection Plan 241210-SR-TPP-RevA-SD&AM shall be installed in accordance with the specifications set out within the plan and BS5837:2012 'Trees in relation to design, demolition and construction - recommendations' and shall remain in place until the completion of the construction process. No part of the protection shall be removed or altered without prior written approval of the Local Planning Authority.

Fires on site should be avoided if possible. Where they are unavoidable, they should not be lit in a position where heat could affect foliage or branches. The potential size of the fire and the wind direction should be taken into account when determining its location, and it should be attended at all times until safe enough to leave. Materials that would contaminate the soil such as cement or diesel must not be discharged within 10m of the tree stem. Existing ground levels shall remain the same within the Construction Exclusion Zone and no building materials or surplus soil shall be stored therein. All service runs shall fall outside the Construction Exclusion Zone unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the retained/protected tree/s 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.

5. The entire landscaping scheme shall be completed by the end of the first full planting season (1st October to the 31st March the following year) immediately following the first occupation of the development hereby permitted.

Reason: To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy EN2.

6. 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.

7. Prior to the commencement of any works on site (including demolition and site clearance) a meeting must take place between the Local Planning Authority's Tree Officer and all relevant other parties involved in the implementation of the development. The purpose of the site meeting shall be to ensure that all aspects of tree protection are clearly understood so that they can be fully implemented.

Reason: To safeguard the retained/protected tree/s 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.

8. In the event that contamination is found at any time when carrying out the approved development, 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 Environment Agency's Land Contamination: Risk Management (LCRM), and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

Reason: To prevent pollution of the environment and in the interests of the amenity of local residents in accordance with Local Plan Policy EN15.

9. Prior to the first occupation of each dwelling/apartment hereby permitted, the parking and access facilities for each respective dwelling/apartment shall be provided fully in accordance with the approved plans and permanently retained for such purposes thereafter.

Reason: In the interests of highway safety in accordance with Local Plan Policies INF4 and INF5.

10. The development hereby permitted shall be undertaken fully in accordance with the documents titled 'Construction Phase Management Plan' dated April 2025, 'Dust Mitigation Plan' dated 12 August 2024 and the 'Site Waste Management Plan Revision 1' dated 18th July 2024.

Reason: In the interests of safe operation of the adopted highway during the construction phase of the development hereby permitted and in the interests of residential amenity in accordance with Local Plan Policies INF4 and EN15.

11. The development shall not commence until a 30-year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- a. Description and evaluation of the features to be managed;
- b. Ecological trends and constraints on site that may influence management;
- c. Aims, objectives and targets for management - links with local and national species and habitat action plans;
- d. Description of the management operations necessary to achieving the aims and objectives;
- e. Prescriptions for management actions;
- f. Preparation of a works schedule, including annual works schedule;
- g. Details of the monitoring needed to measure the effectiveness of management;

- h. Details of the timetable for each element of the monitoring programme;
- i. Details of the persons responsible for the implementation and monitoring;
- j. Mechanisms of adaptive management to account for necessary changes within the work schedule to achieve the required targets; and
- k. Reporting on year 1, 2, 5, 10, 15, 20, 25 and 30 with biodiversity reconciliation calculations at each stage.

The HMMP shall be implemented in accordance with the approved details and all habitats shall be retained in that manner thereafter. Notice in writing shall be given to the Council when the habitat creation and enhancement works as set out in the Biodiversity Gain Plan have commenced and once all habitat creation and enhancements have been completed.

Reason: To secure the delivery of at least a 10% biodiversity net gain through successful establishment and management of all newly created and enhanced habitats in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), paragraph 187, 192 and 193 of the NPPF, and Local Plan policy EN8.

12. The development shall be undertaken in accordance with the recommendations contained within sections 6.4.1, 6.5.2, 6.7.2, 6.7.3, and 6.8.2 of the Preliminary Ecological Appraisal (Abricon, July 2024)) and sections 5.2.2 and 5.4 of the Ecological Survey Report & Mitigation and Enhancement Plan (Abricon, August 2024). All of the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently retained.

Reason: To ensure wildlife is protected in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework, Policy EN8 of the Cotswold District Local Plan 2011- 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

13. Prior to the installation of external lighting for the development hereby approved, an external lighting plan shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting and timers), so that it can be clearly demonstrated that areas to be lit will not affect enhancement bat roosting features or

disturb or prevent nocturnal species using wildlife corridors. No external lighting shall be installed other than in accordance with the specifications and locations set out in the approved details.

Reason: To protect nocturnal wildlife in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (Chapter 15), Policy EN8 of the Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

14. No dwelling shall be occupied until a SuDS Management and Maintenance Plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The approved SuDS Management and Maintenance Plan shall be implemented and thereafter managed and maintained in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding in accordance with Local Plan Policy EN14.

Informatives:

1. IMPORTANT: BIODIVERSITY NET GAIN CONDITION - DEVELOPMENT CANNOT COMMENCE UNTIL A BIODIVERSITY GAIN PLAN HAS BEEN SUBMITTED (AS A CONDITION COMPLIANCE APPLICATION) TO AND APPROVED BY COTSWOLD DISTRICT COUNCIL.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan in writing.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Cotswold District Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. If the onsite habitats include irreplaceable habitats (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitats) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

Information on how to discharge the biodiversity gain condition can be found here:

<https://www.cotswold.gov.uk/planning-and-building/wildlife-and-biodiversity/biodiversity-net-gain-bng/>

2. Please note that the proposed development set out in this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). A CIL Liability Notice will be sent to the applicant, and any other person who has an interest in the land, under separate cover. The Liability Notice will contain details of the chargeable amount and how to claim exemption or relief, if appropriate. There are further details on this process on the Council's website at www.cotswold.gov.uk/CIL

3. Drainage

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

ii) Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

iii) Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.