

**Item No 01:-  
20/04343/REM  
The Steadings Development Phase IA  
Chesterton  
Wilkinson Road  
Cirencester  
Gloucestershire**

**Reserved Matters (Phase 1A) pursuant to Outline permission 16/00054/OUT (mixed use development comprising demolition of existing buildings (as detailed on the submitted demolition plan) and the erection of up to 2,350 residential dwellings (including up to 100 units of student accommodation and 60 homes for the elderly), 9.1 hectares of employment land (B1, B2 and B8 uses), a primary school, a neighbourhood centre including A1, A2, A3, A4 and A5 uses as well as community facilities (including a health care facility D1), public open space, allotments, playing fields, pedestrian and cycle links (access points onto Tetbury Road, Somerford Road and Cranhams Lane) landscaping and associated supporting infrastructure to include vehicle access points from Tetbury Road, Spratsgate Lane, Wilkinson Road and Somerford Road) for scale, layout, appearance and landscaping for the erection of 68 dwellings with associated open space and landscaping at The Steadings Development Phase 1A Chesterton Wilkinson Road Cirencester Gloucestershire.**

<b>Reserved Matters Application 20/04343/REM</b>	
Applicant:	Harper Crewe (The Steadings) Ltd
Agent:	Savills
Case Officer:	Anthony Keown
Ward Member(s):	Councillor Gary Selwyn
Committee Date:	13th of October 2021
<b>RECOMMENDATION:</b>	<b>DELEGATED AUTHORITY TO APPROVE SUBJECT TO COMPLETION OF THE CONSULTATION PERIOD AND ANY NECESSARY FINALISATION OF PLANNING CONDITIONS</b>

**Update:** This item was first reported to the Planning and Licensing Committee at its Meeting on the 8th of September 2021. This report describes the outcomes of the further negotiations between Officers and the Applicant resulting from the Committee resolution at the September Meeting. For clarity in this instance, rather than updating the original report (hereinafter referred to as “the September report”), this report has been formatted as a new comprehensive ‘stand-alone’ item with cross-referencing to the September report where necessary. Members are therefore advised to have access to the September report when reading this update. The introduction to section 8 of this report (paras. 8.1 - 8.4) explains the content of the report in more detail.

**Main Issues:**

- (a) Layout.
- (b) Landscaping.
- (c) Appearance.
- (d) Scale.
- (e) Environmental performance.

## **Reasons for Referral:**

Successful delivery of a sustainable, high-quality, mixed-used development on the Strategic Site south of Chesterton (Policy S2) is central to the Local Plan strategy. Officers therefore consider it appropriate to report this application for approval of reserved matters pertaining to Phase 1a of the Strategic Site development (now referred to as The Steadings) to the Planning and Licencing Committee.

### **I. Site Description:**

- I.1 This application relates to a parcel of land between Somerford Road and Wilkinson Road, Cirencester. The land is currently used for grazing.
- I.2 The site area is approximately 2.85 ha. It is part of the Strategic Site south of Chesterton (Policy S2), which is allocated for housing and employment, within the current Cotswold District Local Plan 2011 - 2031. An outline planning permission, which covers an overall area of approximately 120 ha, was granted in 2019 for development in accordance with Policy S2 (hereinafter referred to as “the Development”). The Strategic Site is now referred to as The Steadings. This application for approval of reserved matters relates to the first residential parcel at Phase 1a of the Development.
- I.3 The site of this application for approval of reserved matters is bounded by allotments to the north, employment buildings to the east (part of the Love Lane Industrial Estate), and existing residential development along the opposite side of Somerford Road to the west. The land to the south, on the opposite side of Wilkinson Road, is currently undeveloped. It also forms part of the outline planning permission site, and is allocated for employment development.
- I.4 The northern, southern, and western site edges are defined by existing hedgerows. The site itself is also subdivided by an existing hedgerow. The southern edge also has a line of trees, comprising a mix of lime, maples, whitebeam and ash. Most of these trees are Category B, but two are Category A in terms of quality (i.e. trees that are particularly good examples of their species). Most of the eastern edge is defined by a boundary fence between the site and the adjacent employment development. There is a short section of evergreen hedge along part of the eastern edge, in the north-eastern corner of the site.
- I.5 Land slopes downwards gently from the north-western corner of the site to its southern edge along Wilkinson Road. Elevation ranges from around 122 m to 118 m AOD.
- I.6 The different land uses that surround the site have very different characters. The existing residential area on the western side of Somerford Road is characterized by large, individual homes, set within generous plots behind a near continuous green wall of trees and hedgerows. The Love Lane Industrial Estate, to the east of the site, is a busy employment area. Not surprisingly it is characterized by an assortment of bulky commercial buildings, surface parking areas and signs.

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

- 2.1 On the 3rd of April 2019, the Council granted outline planning permission for a mixed-use development at the Strategic Site south of Chesterton, as per Local Plan Policy S2. As indicated above, that site is now referred to as The Steadings.
- 2.2 The description of development was as follows:

*Demolition of existing buildings and the erection of up to 2,350 residential dwellings (including up to 100 units of student accommodation and 60 homes for the elderly), 9.1 hectares of employment land (B1, B2 and B8 uses), a primary school, a neighbourhood centre including A1, A2, A3, A4 and A5 uses as well as community facilities (including a health care facility D1), public open space, allotments, playing fields, pedestrian and cycle links (access points onto Tetbury Road, Somerford Road and Cranhams Lane) landscaping and associated supporting infrastructure to include vehicle access points from Tetbury Road, Spratsgate Lane, Wilkinson Road and Somerford Road.*

- 2.3 Outline planning permission was granted subject to 69 planning conditions, following the completion of two section 106 agreements. Matters reserved for later consideration are appearance, landscaping, layout and scale.

## **3. Planning Policies:**

### **National**

National Planning Policy Framework (NPPF) - updated July 2021.  
Planning practice guidance (PPG).  
National Design Guide - October 2019.  
National Model Design Code (Parts 1 and 2) - June 2021.

### **Cotswold District Local Plan 2011-2031**

Policy S2 - Strategic Site, south of Chesterton, Cirencester.  
Policy H1 - Housing Mix and Tenure to Meet Local Needs.  
Policy H2 - Affordable Housing.  
Policy EN1 - Built, Natural and Historic Environment.  
Policy EN2 - Design of the Built and Natural Environment.  
Policy EN4 - The Wider Natural and Historic Landscape.  
Policy EN7 - Trees, Hedgerows and Woodlands.  
Policy EN8 - Biodiversity and Geodiversity: Features, Habitats and Species.  
Policy EN14 - Managing Flood Risk.  
Policy EN15 - Pollution and Contaminated Land.  
Policy INF1 - Infrastructure Delivery.  
Policy INF4 - Highway Safety.  
Policy INF5 - Parking Provision.  
Policy INF7 - Green Infrastructure.  
Policy INF8 - Water Management Infrastructure.

## **Cotswold District Council - Climate and Ecology**

Climate Emergency Strategy 2020-2030  
Ecological Emergency Action Plan

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

- 4.1 The Council has previously undertaken two consultation exercises in relation to this application. At the time of writing, officers are preparing to undertake a third consultation exercise, relating to revised proposals submitted by the Applicant since the Planning and Licencing Committee meeting on the 8th of September 2021. Any responses received prior to the Planning and Licencing Committee meeting on the 13th of October 2021 will be reported to Members as Additional Representations.
- 4.2 Summaries of all responses to consultation received to date are included below. The responses are available in full on the Council's website.
- 4.3 The Officer's Assessment (see section 8 of this report) reflects a project team approach to the Council's design appraisal role. It incorporates specialist advice from the following internal consultees.

Biodiversity Officer.  
Conservation and Design Officer.  
Landscape Officer.  
Tree Officer.  
Strategic Manager (Housing).

- 4.4 The Council's Biodiversity Officer has also provided separate comments relating to great crested newts, which are reported below. The Biodiversity Officer's advice on all other aspects of the proposals is reflected in the Officer's Assessment.

### **Responses to the first consultation exercise in March 2021**

- 4.5 The comments below relate to the original application proposals. They were received in response to the first consultation exercise in March 2021.

Historic England:

We do not wish to offer any comments, but we suggest you seek the views of your specialist conservation and archaeological advisers, as relevant.

Archaeologist (Gloucestershire County Council):

The Written Scheme of Investigation (WSI) for Phase 1a satisfies our requirements.

Highways Officer (Gloucestershire County Council):

Gloucestershire County Council (“GCC”), the Highway Authority, acting in its role as Statutory Consultee, undertook a full assessment of the original reserved matters application proposals. Based on that assessment, the Highways Development Management Manager recommended that the application be refused. The justification for that recommendation was set out in a letter dated the 26th of April 2021, which is available in full on the Council’s website.

In summary, the Highway Authority concluded that the original application proposals would not result in safe and suitable access for all users. As such, the proposals conflicted with the requirements of the Local Plan, Local Transport Plan, the NPPF, and local design guidance in Manual for Gloucestershire Streets (MfGS).

Contracts Monitoring Officer (Waste):

- i) The layout must ensure that refuse crews will not have to manoeuvre or carry waste containers further than 10 m.
- ii) Hedgerows should not affect visibility for refuse vehicles.
- iii) Road surfaces need to be designed and built to withstand weekly use by refuse collection vehicles.
- iv) Refuse collection vehicles must have unrestricted access to the internal street (Road E), to service properties along it.
- v) Pavements need to be wide enough to accommodate waste and recycling receptacles being presented for collection, without posing hazards to pedestrians, wheelchair users, or people with children in pushchairs.
- vi) Any on-street parking should not present manoeuvring problems for collection vehicles.
- vii) If dwellings are occupied prior to completion of the development, Ubico will require formal indemnity, until the streets are adopted by GCC. It would then be the developer’s responsibility to rectify any damage.

Biodiversity Officer:

The comments below relate solely to great crested newts (“GCN”).

- i) Since the outline application was approved, additional information has come to light with regard to GCN. This mainly relates to the district licensing scheme, and the recent record of GCN at a pond within 500 metres of the site, which was not previously assessed.
- ii) The Ecological Mitigation and Management Framework (“EMMF”) Compliance Statement broad objective 6 states that no direct mitigation measures are proposed for this species due to a lack of suitable habitat and likely absence from the site. However, the application site lies within the red zone of the district licensing scheme’s modelled risk map, which indicates high suitability for GCN within the landscape around the site, and moderate suitability in the surrounding area (amber zone). The district licensing scheme was not up and running at the time of the outline planning application in 2016/17.

- iii) It also appears that the previous surveys carried out to inform the outline application did not include assessments of a pond to the north of the allotments (between 226 and 228 metres from the northern boundary hedgerow, located next to 20 Oaklands) and to the east near Siddington Primary School.
- iv) The pond next to the school is approximately 395 metres to the south-east of the Phase 1a application site, and falls within the red zone. A breeding population of GCN has been recently confirmed present at this pond as a result of surveys connected to another housing development in the area. An updated data search from GCER could possibly have identified this record and stimulated further assessment to inform the current reserved matters application at an earlier stage in the process.
- v) Best practice guidance identifies that survey results more than 12-18 months old should be updated. The GCN surveys were originally carried out in 2013 and 2015, so these are considered to be out-of-date, and the updated surveys in 2018 concentrated on one of the ponds that were previously surveyed.
- vi) In light of the presence of GCN in ponds within 500 metres that were not previously identified, one of which is known to contain breeding GCN, I recommend that further assessment is required. In particular, further assessment of the pond to the north of the site is required, in order to establish the potential to support this species. Consideration of the habitat connectivity between ponds should also be provided.

#### Environmental Regulatory Services (“ERS”) (Noise):

A scheme of mitigation should be implemented, including glazing performance requirements (27 dB RwCtr) and an MVHR system, for specified dwellings with a line of sight to specified premises within the adjacent employment development.

#### ERS (Contamination):

Agree with the conclusions of the Phase I Contamination Desk Study Report, which states that no significant contamination sources have been identified, and potential ground gas risks are low/very low. No further intrusive investigation works are required at this stage.

Sections A, B and C of condition 55 attached to the outline planning permission have been complied with for Phase 1a. However, Section D remains outstanding until construction works are undertaken.

### **Responses to the second consultation exercise in July 2021**

- 4.6 The comments below were received in response to the second consultation exercise in July 2021. They relate to the revised application proposals, as described in the September report.

ERS (Noise):

The previous noise assessment should be revisited, in light of the proposed revised layout. The dwellings should be designed and constructed to incorporate measures to ensure that as a minimum, they achieve the internal and external ambient noise levels contained in British Standard 8233:2014 (or later versions). A planning condition could be imposed to secure the appropriate standards.

Highways Officer (Gloucestershire County Council):

At the Planning and Licencing Committee meeting on the 8th of September, officers reported initial comments from the local highway authority.

Those initial comments set out concerns about conflict with paragraph 131 of the NPPF (i.e. tree-lined streets), and about the visibility splay for plot 68. Given those concerns, the Highway Development Management Team Leader's preference was to see the application deferred, pending a more satisfactory design.

## **5. View of Town/Parish Council:**

### **Response to the first consultation exercise in March 2021**

5.1 Cirencester Town Council objected to the original application proposals on the following grounds.

- i) The accesses to and from the site onto the busy roads of Somerford Road and Wilkinson Road are not suitable.
- ii) With the increase in traffic, the junction at Somerford Road onto Chesterton Lane is too dangerous.
- iii) The increase in traffic will have an enormous effect on the road leading to the industrial estate, which is already busy and prone to large traffic queues.
- iv) With the importance of global warming and environmental sustainability, concerns were raised as to the lack of sustainable energy source.
- v) Parking issues on Somerford Road and Wilkinson Road.
- vi) There is no provision for a bus route.
- vii) Members noted the comments from Gloucestershire County Council Highways to recommend refusal, and the conflicts with the Local Plan, NPPF, Local Transport Plan, and Manual for Gloucestershire Streets.

### **Responses to the second consultation exercise in July 2021**

5.2 At the Planning and Licencing Committee meeting on the 8th of September 2021, officers reported that the Town Council had added a further comment to its previous objection; i.e. that the proposed scheme should deliver a future-proof, low-carbon heating solution from the outset.



## 6. Other Representations:

### Responses to the first consultation exercise in March 2021

- 6.1 Five letters of objection were received from third parties in relation to the first consultation exercise in March 2021. The grounds for objection are described in summary below.
- i) The Council has failed to make public these proposals.
  - ii) Objection to the layout, density, design and appearance of the proposed dwellings.
  - iii) New developments should seek to protect and enhance the character of their surroundings. In terms of density and design, the proposals do not properly reflect the unique and individual aesthetics of exciting neighbouring properties in the area.
  - iv) The proposed dwellings, which would face Somerford Road, do not reflect the standard of the existing individual houses on the opposite side of the street.
  - v) The application material states that the site is also closely related to bus stops. There are no bus stops anywhere near this site. The nearest is around three quarters of a mile away, adjacent to the Somerford Road/Chesterton Lane junction. Perhaps the developer or Council could supply a photograph and map of these mythical bus stops.
  - vi) Concerns about the Somerford Road and Cranhams Lane mini-roundabout at Elm Grove, have been ignored. During normal traffic conditions, before the pandemic, motorists emerging from Cranhams Lane found this a dangerous junction because of highly restrictive sightlines caused by the high wall outside Elm Grove. Accident debris here proves the point. This proposed development should not go ahead until the problems at this dangerous junction have been resolved.
  - vii) With environmental sustainability so important, we are all being encouraged to use less energy or to obtain energy from more sustainable sources. The developer claims to be addressing the matter of sustainability. The proposals could go further, by ensuring all new dwellings produce as much of their own energy as possible, rather than drawing energy (principally electricity and gas) from outside sources. Such a measure would ensure more effective compliance with, in particular, Chapter Two of the NPPF.
  - viii) This could be largely achieved if all individual new dwellings and blocks of apartments had air/ground source heat pumps and energy-gathering roof coverings; e.g. photovoltaic tiles. This is an excellent opportunity for the Council to stipulate that the developer should install these measures in all buildings on this development.
  - ix) It will be more cost-effective to have this equipment installed during initial construction, rather than residents retrospectively installing it, as they will be encouraged to do in the future. It also presents an opportunity to make a positive step towards self-sufficiency and better use of energy.
  - x) It is surprising that the planning authority has not already adopted a policy to have such equipment installed in all new dwellings and commercial buildings. The developer should be asked to re-visit this aspect of its development.

- xi) The design and access statement states that *"The built environment will strike a successful balance between variety and harmony. As in the best historic townscapes the scale, massing and detailing of particular buildings will respond to the character and role of the street they address."* The Somerford Road comprises large individual houses set within substantial gardens. The seven proposed new houses with access on to the Somerford Road are identical square boxes, each set equidistant from the road with small gardens. There is little harmony in the identical houses, and the only variety is the barely noticeable variation in size. They do not reflect visually or respond to the character and the role of the street they address. Sadly, an uninspiring legacy for Cirencester.

## **Responses to the second consultation exercise in July 2021**

6.2 Two letters of objection were received from third parties in response to the second consultation exercise in July 2021. The comments relate to the revised application proposals, as described in the September report. The grounds for objection are described in summary below.

- i) In light of recent Met Office and other publications related to climate change, it is noteworthy that there are no proposals for carbon-neutral heating for these 68 dwellings. Bearing in mind that the residential care home built in Somerford Road some ten years ago was constructed with geothermal heating, the Council should require BDL, and all other developers of new homes in the Cotswolds, to install carbon-neutral heating.
- ii) The plot numbers have changed, making it difficult to compare designs without referring back to the original layout and the previous number each dwelling was given.
- iii) The proposed dwellings, which would face the Somerford Road, have been reduced in size, and a number of them have been scaled down from five-bedroom to four-bedroom house types. These dwellings should reflect the large houses on the opposite side of the street. Each one should be individual, with a larger footprint and a bigger plot. They should be houses people aspire to.
- iv) The street scene has been drawn without any of the existing hedgerows. It would be easier to visualise the impact on Somerford Road if the hedges were included on these drawings. It would also act as a reference for later if they are removed for any reason.

## **7. Applicant's supporting information:**

7.1 The original application for approval of reserved matters was submitted in November 2020. Following a period of negotiations, the Applicant's team formally submitted revised application material on the 22nd of July 2021. The September report referred to a covering letter from the Applicant's planning consultant, which listed the updated information and the key changes as of July (see the September report, section 7). All of the application material is available to view on the Council's website.

- 7.2 Following further negotiations, the Applicant's team formally submitted revised application material on the 24th of September. The covering email from the Applicant's planning consultant lists the following updated information:
- a) a revised site layout plan;
  - b) a schedule showing the specification for the dwellings, which confirms that all dwellings will have air source heat pumps; and
  - c) revised designs for the home office/garages for plots 1 and 14.
- 7.3 The above information will also be made available to view on the Council's website, to inform the third consultation exercise.

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

### **The September report**

- 8.1 As described above, this application was first reported to the Planning and Licencing Committee at its meeting on the 8th of September 2021. The Planning and Licencing Committee's previous resolution in relation to this application (hereinafter referred to as "the September resolution") is addressed in detail below.
- 8.2 The September report includes the officer's assessment of all aspects of the application proposals. Members may wish to refer to it, to refresh their memories on any matters that are not directly related to the September resolution.

### **This follow-up report**

- 8.3 This is a follow-up report, which describes the outcomes of further negotiations between officers and the Applicant since the September resolution. This report reiterates: the site description; the relevant planning history; planning policies; and all representations received to date. These matters are clearly fundamental to Members' consideration of the application. It also describes in summary the revised material submitted in support of the application since the September resolution.
- 8.4 This section of the report also reiterates: the scope of the application; the scheme in summary; the role of the development plan; officer advice on interpretation of the relevant development plan policies; and the master planning process for The Steadings. Again, these matters are clearly fundamental to Members' consideration of the application. It then goes on to describe the matters included in the September resolution, and to address each of those in turn, with reference to the revised application material.

### **Scope of this application**

- 8.5 As indicated above, this application for approval of reserved matters relates to the first residential parcel at Phase 1a of the Development. The principle of development is already established by the outline planning permission. The Council and the Applicant have therefore moved beyond the question of whether any development of the type proposed may be acceptable, to the question of what form it should take.

- 8.6 The reserved matters are appearance, landscaping, layout and scale. They have been considered within the context of national and local planning policies and priorities, and specifically within the context of the design hierarchy for The Steadings (see below).

### **The scheme in summary**

- 8.7 This application for approval of reserved matters relates to a scheme of 68 dwellings with associated areas of green infrastructure. The scheme comprises a mix of dwelling types, including detached, semi-detached and terraced houses, and apartments. Most of the proposed building types have two storeys, but a small number have two and a half storeys. The latter are deployed as focal buildings, to the eastern side of the central green space. All of the proposed dwellings meet, and the majority exceed, the Nationally Described Space Standards (“NDDS”). All ridge heights are below 11 m, as required by the outline planning permission Building Heights Parameter Plan.
- 8.8 There are three proposed vehicular access points to the site, which already have approval. There are also two other access points for pedestrians and cyclists. Car parking provision is in accordance with the CDC local parking standards, and has been calculated using the CDC Parking Toolkit. A number of parking solutions are used, including on-plot spaces and garages, car barns, and on-street spaces. A total of 162 parking spaces are proposed, to include 132 allocated spaces for dwellings plus 22 garages. A further 8 visitor spaces are also provided. All apartments are provided with 2 covered bicycle spaces in communal stores. For houses, bicycles can be stored within private gardens or garages.

### **The development plan**

- 8.9 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*” The starting point for the determination of this application is therefore the current development plan for the District, which is the adopted Cotswold District Local Plan 2011 - 2031. The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

### **Interpreting the relevant Local Plan policies**

- 8.10 As indicated earlier in this report, the site in question forms part of the Strategic Site, south of Chesterton. The Inspector appointed by the Secretary of State to examine the Local Plan gave careful consideration to this strategic allocation. He concluded that “*Policy S2, the Chesterton Vision and Objectives included as Appendix B, and various other policies in the Plan provide an effective framework to ensure that the design, layout, landscaping and access arrangements for the site are all of an appropriate quality such that development of the scale and type proposed could be achieved in a satisfactory manner.*” The framework described by the Inspector is referred to hereinafter as “the Local Plan Framework.”

- 8.11 Case law has established that when planning decisions are made, the policies of the local plan must always be properly understood and lawfully applied (e.g. *Corbett v Cornwall Council* [2020]). Interpreting relevant policies depends on a sensible reading of their language, bearing in mind the importance of the policy to the overall objectives of the development plan.
- 8.12 Policy S2 allocates the Strategic Site for “...*a sustainable, high-quality, mixed-used development, including up to 2,350 dwellings...*” The Chesterton Vision and Objectives elaborate on Policy S2. The Vision describes (among other things) how the development “*will promote innovation in residential, commercial and infrastructure design with a view to achieving more sustainable ways of living and a place that is future-proof.*” Officers consider that a reasonable person, taking the Local Plan Framework as a whole, would read “...*sustainable, high-quality...*” to mean development that adheres to very high standards of urban and landscape design, architecture, construction, and environmental performance.
- 8.13 The NPPF reminds us that planning policies can become out-of-date. Case law tells us that the passage of time in itself is not sufficient to result in a policy becoming out-of-date. The critical question is whether or not the passage of time has led to the policy being overtaken by events (*Peel Investments v Secretary of State for Housing, Communities and Local Government* [2019]). Planning policies typically set out broad principles, as is the case with Policy S2. The tests for whether or not those principles are met may well evolve over the Plan period. It follows that when decision-makers interpret and apply relevant policies, they need to be cognizant of current events. Since the Local Plan was adopted the Government has published the National Design Guide (October 2019), the National Model Design Code (July 2021), and the updated NPPF (July 2021). These documents set new tests for gauging design quality. Similarly, the government’s plans for tightening the Building Regulations will reset the baseline for statutory minimum building performance standards.
- 8.14 The NPPF makes it clear that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Policy S2 is entirely consistent with the NPPF in this regard. The NPPF also reminds us that being clear about design expectations, and how these will be tested, is essential for achieving successful outcomes (NPPF page 38, par 126). Officers have engaged in lengthy design discussions with HarperCrewe (“HC”), the Applicant. Officers have made clear from the outset that the Council expects development at The Steadings to adhere to very high standards of urban and landscape design, architecture, construction, and environmental performance.

- 8.15 The challenges should not be underestimated. There is no shortage of evidence to demonstrate that many new developments are failing to meet design expectations. For example, in 2019 Place Alliance published the findings from an audit of new housing developments across England. Of the 142 developments examined, only 7% were rated Very Good. The vast majority, 74%, were rated Mediocre, Poor, or Very Poor. In 2019 the Climate Change Committee (“the CCC”) described how many new homes are being built to minimum standards for water and energy efficiency; e.g. just 1% of new homes in 2018 were Energy Performance Certificate (“EPC”) band A. There is also evidence of a disconnect between EPC bands and actual energy consumption. Moreover, we cannot be certain that new homes are always built to meet even the minimum standards. The 2018 Hackitt Review highlighted fundamental problems with the application of Building Regulations, including inadequate regulatory oversight and enforcement. Poor compliance contributes to what is often a significant performance gap between the predicted and actual environmental performance of new homes. In July 2016 the All-Party Parliamentary Group for Excellence in the Built Environment published a report on the quality and workmanship of new housing in England, which revealed high levels of frustration and disappointment among buyers of new homes, relating to the number of defects on handover, and to the problems they encountered on getting them fixed.
- 8.16 Proposals that adhere to very high standards of urban and landscape design, architecture, construction, and environmental performance, would include effective measures to address all of the challenges above. Conversely, proposals that fail to satisfactorily address these challenges are extremely unlikely to result in sustainable, high-quality development. Officers therefore consider that such proposals would not accord with the Local Plan Framework, including Policy S2.

### **The master planning process for The Steadings**

- 8.17 To ensure successful implementation of the Local Plan Framework, a master planning regime has been established for The Steadings. Key components of that regime are described in summary below.
- 1) The Framework Master Plan, endorsed by the Council prior to submission of the outline planning application (“the OPA”).
  - 2) The design framework established by the outline planning permission (“the OPP”), including: the approved drawings and documents; the section 106 agreements; material approved pursuant to conditions; and material that supported the OPA (hereinafter collectively referred to as “the Outline Framework”).
  - 3) The Steadings Site-Wide Design Code, approved by the Council pursuant to condition 9 attached to the OPP.
  - 4) Detailed Design Codes for sub-areas of The Steadings, which are required pursuant to condition 10 attached to the OPP.

- 8.18 As described above, the master planning process includes a two-tier approach to design coding, which has been established by planning conditions attached to the OPP. The first tier is the overarching Site-Wide Design Code, which will be supplemented by a series of more prescriptive Detailed Design Codes for sub-areas. The design coding context for this application for approval of reserved matters is described in more detail in the September report.

### **The September resolution**

- 8.19 At the Planning and Licencing Committee meeting on the 8th of September, Members resolved to Approve this application at a subsequent meeting, subject to satisfactory resolution of the following matters:

- a) revision of the proposed landscape design, to better reflect the original design concept of planting large trees at key locations across the layout (i.e. in addition to the tree planting currently proposed); and
- b) revision of the proposed layout to facilitate the above, including substitution of house types wherever this proves necessary to free up additional space. This will also present opportunities to revisit the very small number of locations where separation distances between buildings are currently on the borderline of acceptability; and
- c) substitution of ancillary buildings on plots 1 and 14 with similar buildings of more appropriate design; and
- d) refinement of the landscape design, and updating of documents (e.g. LEAMMP) as necessary, to support the agreed approach to securing biodiversity net gain; and
- e) a scheme to address the building performance issue, which meets the government's objective that as many new homes as possible are provided with low-carbon heating, and reflects the CCC's recommendations for low-carbon heating combined with ultra-high levels of energy efficiency (i.e. space heating demand between 15 to 20 kWh/m<sup>2</sup>/yr).

- 8.20 These matters are addressed in turn below, with reference to the revised application material submitted on the 24th of September.

#### Matters a) and b) above

##### *Context*

- 8.21 The original landscape design concept was predicated on planting large, forest-scale trees at key locations across the layout, to act as way markers. Street trees were to provide a green approach along streets, helping to soften the built form. In addition, small garden tree species were to be positioned within private gardens, contributing to the green backdrop. Officers accepted this concept as a sensible starting point, given the site-specific circumstances described below.

## *Objectives*

- 8.22 Given the disposition of green spaces across the proposed layout, officers considered that it would be possible to successfully implement the original tree planting strategy without wholesale redesign of the layout. However, there were two locations where officers wanted to secure changes to the layout, to create sufficient space for planting medium to very large trees. By this we mean trees that might have crown spreads in the order of 8 to 15 m when they reach maturity, depending on various factors. Since the September meeting, negotiations in relation to the tree planting strategy have focussed on the two locations described below, and on strengthening the overall execution of the original concept.
- 8.23 The first location is in the north-west corner of the site, immediately to the east of the proposed turning head. Officers wanted to secure sufficient space at this location to allow a very large tree to reach maturity. The objective being to create a large-scale green landmark at the western end of the street referred to as Road B. The layout has now been revised to create sufficient space north of plot 14 for the required tree planting. Officers consider that there is also sufficient green space within the layout to allow large trees to reach maturity at the eastern end of this street, and at the junction of this street and the street referred to as Road E. Officers therefore consider that residents will eventually benefit from three significant trees, at key locations within the street scene. Officers consider this to be a better design solution than, for example, trying to create space for a line of small trees along the northern edge of this street. That option would necessitate the dwellings along the northern edge of the street moving closer to the northern boundary hedgerow. That in turn would inevitably put pressure on the minimum 3 m buffer zone, which is intended to facilitate the improvement and long-term retention of the northern boundary hedgerow. Improving the ecological value of that hedgerow over time (e.g. by encouraging outgrowths and wild flower areas within the safeguarded buffer zone) is a key tenet of officers' ecological strategy for Phase 1a.
- 8.24 The second location is at the eastern end of the central walkway. Again, officers wanted to secure sufficient space at this location to allow at least two medium trees to reach maturity. The aim here is twofold: to create a green gateway effect on either side of the narrowing in the street referred to as Road A; and to extend significant tree planting into the central walkway, thereby creating a stronger linear grouping between the new trees in the central green space, new trees in the western boundary hedgerow, and existing trees on Somerford Road. Officers therefore want to increase the separation distance between the apartments at plots 50-51 and the house at plot 22. This to ensure that mature trees between the two would not restrict daylighting in the future. Our proposed solution is to relocate the tandem car parking spaces from plot 21 into the street referred to as Road E. This would enable the semi-detached houses at plots 21 and 22 to be repositioned, ensuring a minimum 16 m separation distance. Officers consider that this will provide sufficient space to facilitate the required tree planting, without adversely affecting residential amenity. At the time of writing, officers have secured support for this solution from the Highways Officer. Assuming we can agree the details with the Applicant's team, the proposed layout will be revised accordingly, prior to the October meeting.



### *Outcomes*

- 8.25 The updated NPPF threw the tree planting issue into sharp relief. The NPPF now stipulates that planning policies and decisions should ensure that new streets are tree-lined (i.e. unless there are clear, justifiable and compelling reasons why this would be inappropriate). In this case most, but not all of the proposed new streets will be tree-lined. However, the streets that are not tree-lined will benefit from medium and large trees situated at key locations along their alignments. Moreover, the proposed tree planting strategy complements key tenets of officers' ecology strategy for Phase 1a, which was negotiated and agreed with the Applicant prior to publication of the updated NPPF. The particular characteristics of this site, and the Council's ecology objectives for the northern boundary hedgerow, constitute site-specific circumstances that provide clear, justifiable and compelling reasons why it would be inappropriate to pursue a layout where all of the streets are tree-lined. Officers consider that these site-specific circumstances are unique, and that this application does not therefore establish a precedent for the Council's interpretation of NPPF paragraph 131.
- 8.26 Proposed planning conditions 12, 13 and 14 will ensure that existing trees and hedgerows are protected, and that suitable species of trees are specified as the tree planting strategy is implemented. Given the above officers consider that the revised application proposals are NPPF compliant, and adhere to a high standard of landscape design.

### Matter c) above

### *Context*

- 8.27 Officers had concerns about the scale of the proposed home office/garage buildings, particularly at plots 1 and 14. At plot 1 the previously proposed home office/garage building would have been the most prominent feature, as viewed from the adjacent non-vehicular access point. Officers were concerned that this was a weak design solution at a site entrance.

### *Objectives*

- 8.28 Since the September meeting, negotiations in relation to this matter have focussed on redesigning the home office/garage buildings at plots 1 and 14. Officers suggested that there were at least two ways to address the above concerns. One was to reduce the height of the buildings, which would of course reduce the usability of the first floor, and potentially require some sort of dormer arrangement to accommodate the first-floor entrance. Another was to provide the garage and home office within a single-story building.

### Outcomes

- 8.29 Following constructive negotiations, the Applicant's architects have now revised the designs for the proposed home office/garage buildings at plots 1 and 14. These will now be single storey buildings. Bearing in mind the plot contexts, officers consider that the revised application proposals are policy compliant, and adhere to a high standard of design.

### Matter d) above

#### Context

- 8.30 The agreed revisions to the urban and landscape design proposals will necessitate consequential updating of various plans and documents. This will also present an opportunity to introduce revisions to the Landscape, Ecology and Arboricultural Management and Monitoring Plan (LEAMMP), to support the agreed approach to securing biodiversity net gain.

### Outcomes

- 8.31 The Applicant's team has quite rightly focussed on revisions to the urban and landscape design proposals in the first instance. This with the aim of resolving the issues described above. The Applicant's team will now turn to updating the various other plans and documents submitted in support of the application. This exercise will be completed before the application is determined, and proposed planning condition 1 will list out the approved plans and documents.

### Matter e) above

#### Context

- 8.32 As described earlier in this report, Policy S2 allocates the Strategic Site for "...a sustainable, high-quality, mixed-used development..." The Chesterton Vision and Objectives (Local Plan Appendix B) elaborate on Policy S2. The Vision describes (among other things) how the development "will promote innovation in residential, commercial and infrastructure design with a view to achieving more sustainable ways of living and a place that is future-proof." Policy EN1 stipulates that "New development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by...addressing climate change..." (among other things). Given the content of Policy S2 and Local Plan Appendix B, officers consider that the Policy EN1 requirement to address climate change is engaged in relation to The Steadings.
- 8.33 Prior to the September meeting of the Planning and Licencing Committee, the Applicant had committed to meet, and where possible exceed, the interim Building Regulations 2021. The Applicant described how, with careful specification, it might be possible to achieve a further 10% (as an average) reduction in carbon emissions, over and above the 31% reduction required by the interim Building Regulations 2021 (i.e. the new statutory minimum standards).

- 8.34 The Applicant's team had advised officers that new homes at Phase 1a would achieve space heating demand of 23 kWh/m<sup>2</sup>/yr, and energy use intensity (EUI) of between 43 and 45 kWh/m<sup>2</sup>/yr. Providing these design stage predictions could be achieved in use, the space heating and operational energy requirements of the new dwellings would be around 54% and 68% lower respectively than those of an average dwelling built to meet the soon to be replaced Building Regulations 2013.
- 8.35 However, the Applicant's previous proposals did not include low-carbon heating technologies, as described in the Outline Framework. Instead, the Applicant had cited ongoing trials to test the feasibility of using hydrogen to decarbonize the gas grid. Officers considered that the absence of low-carbon heating was problematical for a number of reasons. Firstly, the government views the 2021 uplift to the Building Regulations as an interim step towards the Future Homes Standard ("the FHS") in 2025. In the meantime, it wants as many new homes as possible to be built with low-carbon heating. Secondly, the Outline Framework specifically identified low-carbon energy technologies, which it said could be used as part of a 'suite' of effective solutions at The Steadings.
- 8.36 In light of the above, officers advised Members that they had at least two options in relation to the building performance issue: i.e. accept the Applicant's previous proposals, as described above; or instruct officers to continue the negotiations with the aim of securing the Applicant's agreement to revised building performance proposals.

#### *Objectives*

- 8.37 The Planning and Licencing Committee Members unanimously chose the second option, and instructed officers to pursue a scheme, which meets the government's objective that as many new homes as possible are provided with low-carbon heating, and reflects the CCC's recommendations for low-carbon heating combined with ultra-high levels of energy efficiency (i.e. space heating demand between 15 to 20 kWh/m<sup>2</sup>/yr).
- 8.38 The September report described the importance of ensuring oversight and compliance, and how partial privatization of building control has raised some fundamental concerns about how the Building Regulations are applied, including to strategic developments such as The Steadings. It also described how there is often a significant performance gap between the predicted (i.e. at the design stage) and actual energy efficiency of new homes.
- 8.39 The application is supported by the Phase 1a Sustainability Framework - November 2020 (Draft). It describes how BDL and the Applicant will ensure "*a careful approach to applying the Building Regulations, with high-quality outcomes as the primary objective.*" This proposal could help to address concerns identified above, and provide a mechanism for ensuring that any enhanced performance standards agreed at the design stage are actually achieved at the construction stage. For example, this might involve Local Authority Building Control ("LABC"), or other Approved Inspectors, providing additional oversight, if the Applicant chooses to use the National House Building Council ("NHBC") building control service. The objectives would include improving the inspection regime, and ensuring independent verification of compliance, etc.

- 8.40 The September report also described how the Council's Net Zero Carbon Toolkit recommends Post Occupancy, or Building Performance Evaluations ("POE/BPE") during the first five years of use, to verify that key performance indicators have been met. The RIBA also advocates for POE, and the government is extending its use. The Applicant has expressed concern that future residents might find POE/BPE intrusive. Officers consider that any such issues should be surmountable. Moreover, POE would be extremely valuable at The Steadings, where the Council and the Master Developer are committed to learning lessons and continual improvement, as the implementation period progresses.

#### *Outcomes*

- 8.41 In light of the September resolution, the Master Developer and the Applicant have reflected on how they might respond positively to Members' concerns and ambitions. While they still consider their original proposals to be policy compliant, they have jointly decided to specify a low-carbon heating solution for Phase 1a. The 68 new homes will all have air source heat pumps ("ASHPs"), rather than gas boilers. The Applicant has also confirmed that previous building performance commitments still apply: e.g. meeting the anticipated fabric requirements, and exceeding the anticipated air tightness requirements of the FHS; space heating demand of  $\leq 23$  kWh/m<sup>2</sup>/yr; and energy use intensity (EUI) of between 43 and 45 kWh/m<sup>2</sup>/yr.
- 8.42 As stated in the September report, it is important to be clear on the status of the Council's Net Zero Carbon Toolkit. It is not part of the development plan, nor is it a Supplementary Planning Document. It is a resource for participants in the development process, which provides advice on design approaches and good practice within the field of Net Zero buildings. It is cited above and in the September report as an appropriate benchmark of high standards in relation to building performance, but officers have afforded it no weight in terms of decision-making.
- 8.43 While the predicted space heating demand and EUI for the 68 dwellings at Phase 1a do not meet the targets recommended in the Toolkit, they do represent a significant step towards those targets. Moreover, Phase 1a will now have low-carbon heating from the outset. Officers consider that this is a significant benefit, not least because it sets a positive precedent for the subsequent Sub-Phases that are likely to come forward before the FHS is fully defined and becomes mandatory. Officers consider that the Master Developer and the Applicant have now put forward proposals that respond positively to the Local Plan Framework. Proposed planning conditions 2 and 3 will ensure the parties can also work together in trying to address the performance gap across Phase 1a, and in learning lessons that may benefit building performance on subsequent Sub-Phases of the Development. Bearing all of the above in mind, officers consider that the revised proposals are policy compliant, and adhere to a good standard of building performance.

## **Other considerations**

- 8.44 At the time of writing, officers are seeking a formal response to the revised application material from the Highways Officer (Gloucestershire County Council). Discussions to date suggest that the Highways Officer is unlikely to raise any fundamental objections to the revised proposals, but it may prove necessary to make further minor refinements to the layout. The recommendation below allows for that eventuality. Any necessary refinements will be agreed with the Applicant, and the drawings will be revised accordingly, before the application is determined.
- 8.45 Members are reminded that a number of issues were raised in response to previous consultation exercises, which are not addressed above. Those matters were addressed in the September report (at paragraphs 8.90 to 8.92).

## **9. Conclusion:**

- 9.1 As indicated above, the principle of development is established by the OPP. Implicit in the granting of the OPP, is that at least one form of development is acceptable. While the original application proposals were not considered acceptable, significant progress has now been made through constructive negotiations. Officers consider that the revised application proposals satisfactorily address all of the matters listed in the September resolution.
- 9.2 At the time of writing, officers are making arrangements for a third consultation exercise, informed by the revised application material. While the timeframe is challenging, it may be possible to complete the third consultation exercise before the Planning and Licencing Committee meeting on the 13th of October.
- 9.3 Providing Members are satisfied with the officer assessment herein, and agree that the revised proposals satisfactorily address all of the matters listed in the September resolution, officers respectfully request that they be given Delegated Authority to Approve the application. As explained above, this would be subject to completion period of the third consultation exercise, and to final refinement of the proposed planning conditions, where necessary (e.g. adding approved drawing numbers and document references).

## Recommendation

- 9.4 Officers recommend that Members grant officers delegated authority to Approve this application, subject to the following:
- a) completion of public consultation on the revised application material received on the 24th of September;
  - b) confirmation that the Highways Officer has no objections to the revised application material; and

- c) final refinement of the proposed planning conditions, where necessary.

Officers further recommend that the application need not be reported again to the Planning and Licencing Committee, unless significant new issues arise from the third consultation exercise, which have not already been addressed in the September report and/or in this follow-up report.

## 10. Draft conditions

1. The development hereby approved shall be carried out in accordance with the following drawing number(s): ***[NB. all drawing numbers to be added following final updating]***.

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

2. No foundations shall be laid for any of the dwellings hereby approved until a scheme for inspection and verification of the enhanced building performance requirements set out in the approved document ***[NB. approved document reference to be added following final updating]*** has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for its implementation alongside the Building Regulations approval process, and for formal reporting of specified 'as-constructed' information to the Local Planning Authority at RIBA Stage 5 - Construction. Development shall be carried out in accordance with the approved scheme.

**Reason:** To ensure design standards that facilitate sustainable use of the development in accordance with Cotswold District Local Plan Policy S2 and Policy EN1.

3. None of the dwellings hereby approved shall be occupied until a scheme for Post Occupancy Evaluation (POE) has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the scheme shall include detailed arrangements for:
  - a) its implementation over the specified evaluation period;
  - b) the formal submission of energy and CO<sub>2</sub> calculation outputs for the dwellings immediately prior to handover (at RIBA Stage 6 - Handover and Close Out);
  - c) the provision of metering in the dwellings, to allow the total energy and water consumption of individual dwellings to be reported annually in the first 5 years after handover;
  - d) formally reporting on the annual energy and water consumption for a target of 20% of dwellings via specified means;
  - e) user surveys for a target of 20% of dwellings at appropriate intervals over the evaluation period; and
  - f) the appointment of an independent POE consultant, who will be responsible for implementation of the approved scheme.

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

**Reason:** To evaluate the effectiveness in use of enhanced building performance measures, which are intended to facilitate sustainable use of the development in accordance with Cotswold District Local Plan Policy S2 and Policy EN1.

4. The dwellings hereby approved shall be designed and constructed to incorporate noise mitigation measures to ensure that as a minimum, they achieve the internal and external ambient noise levels contained in British Standard 8233:2014 - 'Guidance on Sound Insulation and Noise Reduction for Buildings' (or later versions). These standards currently require:

- a) Resting 35 dB LAeq, 16hour;
- b) Dining 40 dB LAeq, 16hour;
- c) Sleeping 30 dB LAeq, 8hour;
- d) 45dB LAFmax; and
- e) any external amenity space(s) should achieve 55dB LAeq, 16hr.

**Reason:** To ensure the dwellings in question are adequately protected from noise emanating from neighbouring development in accordance with the NPPF.

5. The dwellings at plots 13, 31 and 32, as shown on the approved Site Layout Plan [***NB. drawing number to be added following final updating***], shall not be occupied until a pre-occupation validation noise survey of those dwellings has been carried out, in order to demonstrate that the incorporated noise mitigation measures are effectual in reducing noise to an acceptable level, and a certificate of compliance by an approved acoustic assessor has been submitted to the Local Planning Authority confirming that the noise levels required under BS 8233:2014 - 'Guidance on Sound Insulation and Noise Reduction for Buildings' (as set out in condition 12 of the same) have been achieved, and the Local Planning Authority has confirmed acceptance in writing. The incorporated and so certified measures, shall thereafter be retained.

**Reason:** To ensure the dwellings in question are adequately protected from noise emanating from neighbouring development in accordance with the NPPF.

6. None of the dwellings at plots 1 to 13 (inclusive), as shown on the approved Site Layout Plan [***NB. drawing number to be added following final updating***], shall be occupied until:
- a) details of semi-solid rear garden boundary treatments, which will allow daylight to penetrate to the adjacent 3 m buffer zone alongside the northern boundary hedgerow, have been approved in writing by the Local Planning Authority; and
  - b) the rear garden boundary of each of these dwellings has been secured in accordance with the approved details.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no boundary treatments shall subsequently be erected along the rear boundaries of these dwellings, other than the approved semi-solid rear garden boundary treatments, without the prior written consent of the Local Planning Authority.

**Reason:** To safeguard the ecological corridor adjacent to the retained northern boundary hedgerow, in accordance with Cotswold District Local Plan Policy EN7 and Policy EN8.

7. No works shall commence on site on the development hereby permitted until details of the defined highway works have been submitted to and approved in writing by the Local Planning Authority and no occupation/opening to the public shall occur until the approved works have been completed and are open to the public.

**Reason:** In the interest of highway safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any statutory processes); undertaken to a standard approved by the Local Planning Authority and are completed before occupation.

8. None of the dwellings hereby approved shall be occupied until the means of access for vehicles, pedestrians and/or cyclists have been constructed and completed in accordance with the approved plans.

**Reason:** In the interest of highway safety.

9. None of the dwellings hereby approved shall be occupied until the associated car/vehicle parking area (and turning space), as shown on the approved Site Layout Plan [**NB. drawing number to be added following final updating**], has been completed, and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

**Reason:** To ensure that there are adequate parking facilities to serve the development, which are constructed to an acceptable standard.

10. None of the dwellings hereby approved shall be occupied until they have been fitted with an electric vehicle charging point, as shown on the approved Electric Vehicle Charging Points Plan [**NB. drawing number to be added following final updating**]. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging, BS EN 61851, and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced, in which case the replacement charging points shall be of the same or higher specification, in terms of charging performance.

**Reason:** To promote sustainable travel and healthy communities.



11. None of the dwellings hereby approved shall be occupied until a scheme for external lighting of the development has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the scheme shall include lighting design details for:
- a) all streets and other vehicular routes;
  - b) all pedestrian and cycle routes;
  - c) all communal amenity spaces, refuse storage areas, and covered cycle parking facilities;
  - d) all private footpaths and car parking courts; and
  - e) all measures to reduce light spillage onto foraging habitats for bats.

The scheme shall also include a timetable for implementation and arrangements for future maintenance. External lighting shall be provided and subsequently maintained in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To provide a safe environment, while avoiding any unacceptable impacts on biodiversity, in accordance in accordance with Cotswold District Local Plan Policy EN2, Policy EN8 and Policy EN15.

12. With the exception of hedgerow H3, as identified in the Update Ecological Baseline July 2021 (Report Reference edp6352\_r002c), the existing trees and hedgerows within the site shall be retained and shall not be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:2010 'Tree Work - Recommendations.' Any trees and hedgerows removed without such consent, or dying, or becoming damaged or diseased shall be replaced in the next planting season with trees and hedgerows of such size and species as may be specified by the Local Planning Authority.

**Reason:** To ensure that existing trees and hedgerows within the site, which are to be retained, are conserved in accordance with Cotswold District Local Plan Policy EN7.

13. Prior to the commencement of any works on site, including demolition and site clearance, the tree and hedgerow protection measures described and illustrated in the Arboricultural Method Statement (Incorporating Impact Assessment and Tree Protection Measures) October 2020 (Report Reference edp6352\_r008b) shall be installed in accordance with the specifications and Tree Protection Plan included within the Method Statement, and in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction - Recommendations.' Protective fencing for the retained northern boundary hedgerow shall be erected at least 3 m from the existing hedgerow, to safeguard the agreed buffer zone. The tree and hedgerow protection measures shall remain in place until the completion of the construction process. No part of the protection shall be removed or altered without the 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 trees and hedgerows in accordance with Cotswold District Local Plan Policy EN7. It is important that these measures are implemented 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 and hedgerows.

14. No development shall take place until a comprehensive scheme for both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the scheme shall include the following details:
- a) locations, sizes and condition of all existing trees and hedgerows on and adjoining the site, which are to be retained, as per the Arboricultural Method Statement (Incorporating Impact Assessment and Tree Protection Measures) October 2020, and the Update Ecological Baseline July 2021 (Report Reference edp6352\_r002c);
  - b) proposed planting areas, including tree and plant species, numbers and planting sizes;
  - c) proposed finished levels or contours, including any proposed mounding and basins;
  - d) proposed walls and retaining structures;
  - e) other proposed means of enclosure and screening, including fencing around the Local Area for Play, and measures to prevent car parking on areas of green infrastructure;
  - f) communal, secure, covered cycle parking facilities;
  - g) proposed headwalls, inlet features, and safety railings within the SuDS basin;
  - h) proposed play and trim trail equipment, and surface treatments around the same;
  - i) proposed minor artefacts and structures (e.g. street furniture, refuse and/or other storage units, and signs, etc.);
  - j) existing and proposed functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc.);
  - k) hard surface materials, to be used throughout the proposed development;
  - l) a timetable for implementation; and

m) a Public Access and Management Statement/Plan for the central green space, SuDS basin open space area, and Rural Link (adjacent the eastern site boundary).

The Public Access and Management Statement/Plan must be cross-referenced to, and consistent with the objectives of, the Landscape, Ecological and Arboricultural Management and Monitoring Plan (LEAMMP) for Sub-Phase 1a (i.e. to be approved pursuant to condition 61 of the associated outline permission - 16/00054/OUT).

**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 and Policy EN8, and the provisions of the NPPF.

15. The approved landscaping scheme shall be completed in its entirety in accordance with the approved timetable for implementation, or by the end of the planting season immediately following practical completion of the dwellings, whichever is the sooner.

**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 EN4.

16. 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.

17. The external walls of the development hereby permitted shall be built of a mix of extensive rubble stone with selected use of ashlar detailing, and rendered walls in a carefully selected palette of stone colours, and shall be permanently retained as such thereafter.

**Reason:** To ensure that in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

18. The roof slopes of the development hereby permitted shall be covered with reconstituted Cotswold stone roofing and shall be permanently retained as such thereafter.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

19. Prior to the construction of any external wall of the dwellings hereby approved, a sample panel of walling to the dwellings of at least one metre square in size showing, where applicable, the contrast and junction of ground floor and first floor walling finishes and the proposed corner treatments of:- i) stone, ii) Stone and render, iii) and Render, and 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 subsequently 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, 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.

20. Prior to the construction of any boundary treatments to the dwellings hereby approved, a sample panel of i) boundary walls (showing capping treatment), ii) dry stone boundary walling, iii) masonry (stonework), and iv) timber boundary walling, 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 boundary treatments shall subsequently 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, 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.

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

22. Prior to the first occupation of the development hereby permitted, the windows and doors, including garage doors, shall be finished in a colour(s) 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.

23. No eaves (notwithstanding any details shown on the submitted elevation drawings), verges, solar panels, rooflights, windows, doors, garage doors, porch canopies, balconies, or gates 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.

24. Rooflights shall be of a design which, when installed, shall not project forward of the roof slope in which they 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.

25. Construction work shall not begin on the dwellings hereby approved until design details for the proposed installation of air source heat pumps (including any proposed housing) at each proposed dwelling type have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved design details.

**Reason:** To ensure that in each case the air source heat pump is sited, so far as is practicable, to minimize effects on the external appearance of the building and on the amenity of the area.

#### **INFORMATIVES:-**

- I. Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out. Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk) allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- 1) Drafting the Agreement
- 2) A Monitoring Fee
- 3) Approving the highway details
- 4) Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

## 2. Highway to be adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980. Contact the Highway Authority's Legal Agreements Development Management Team at: [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk)

You will be required to pay fees to cover the Councils cost's in undertaking the following actions:

- 1) Drafting the Agreement
- 2) Set up costs
- 3) Approving the highway details
- 4) Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

## 3. Impact on the highway network during construction

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

4. Additional compensatory planting on the main site

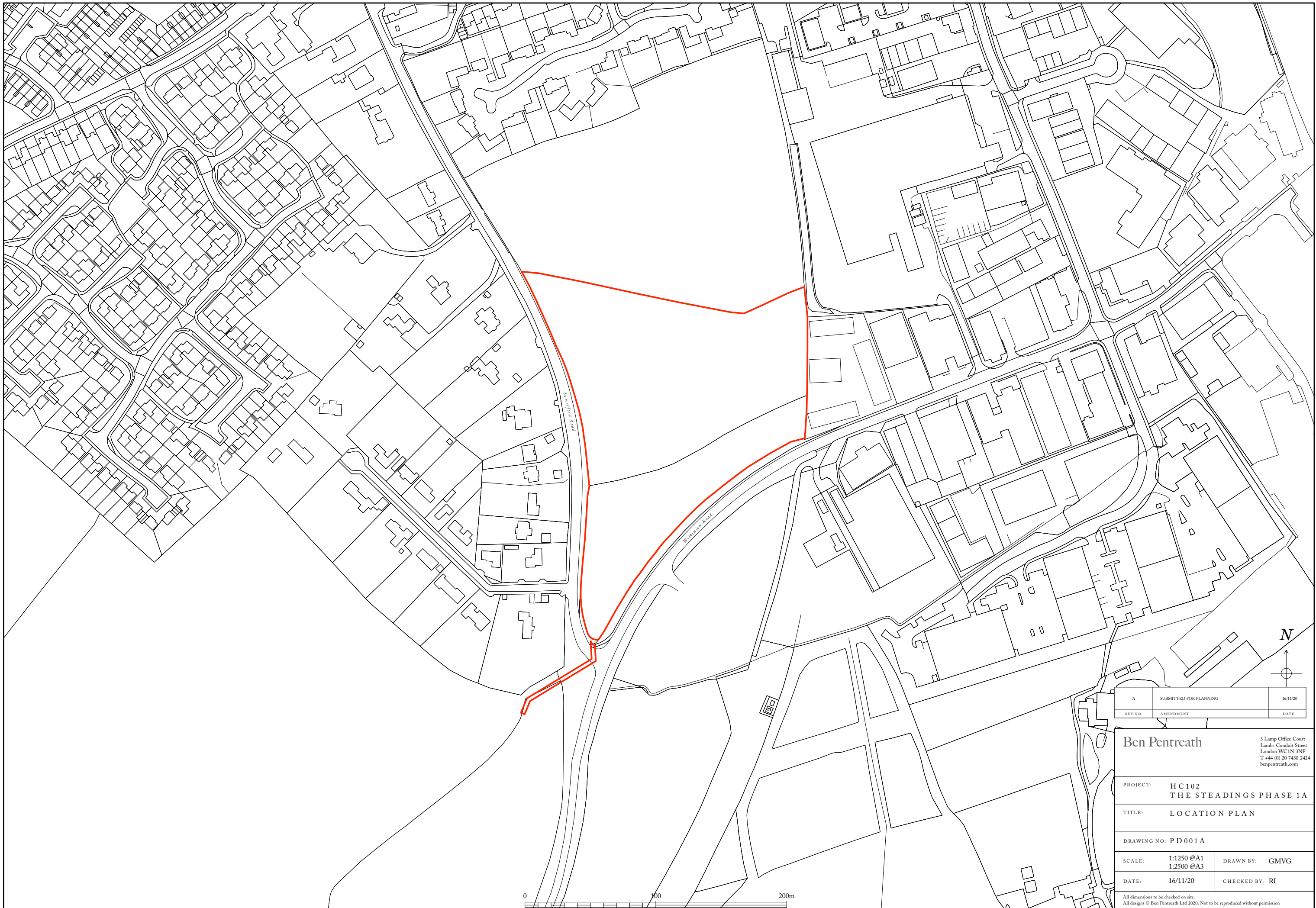
The Master Developer has agreed that 10% biodiversity gain should be the starting point target for The Steadings as a whole. The Applicant's team have assessed the revised landscape design using the Biodiversity Metric, which generates area and linear calculations. The Metric indicates that the proposals are capable of delivering biodiversity net gain, subject to implementation details and management arrangements: i.e. 3.15% (area calculation); and 19.53% (linear calculation). The Master Developer and the Applicant have therefore agreed that additional compensatory planting will be delivered on the main part of The Steadings site. The Outline Framework creates an opportunity for around 15 ha on the main site to be managed specifically for biodiversity (i.e. 37% of the designated main open green spaces, or 12.5% of the overall outline planning permission site area). This compensatory planting arrangement will be controlled and if necessary enforced using the outline planning permission approval regime (i.e. planning conditions and obligations). The Master Developer has agreed to work with officers in jointly recording and monitoring the arrangements, as development across The Steadings progresses.

5. Importance of conveying the approved LEAMMP and the Access and Management Statement/Plan to the Steadings Community Management Trust

In order to deliver sustainable, high-quality development at Phase 1a, it is important to ensure that implementation of the proposed landscape design achieves the potential gains assumed in the Metric. To this end the Council, the Master Developer and the Applicant will need to ensure that the Landscape, Ecological and Arboricultural Management and Monitoring Plan (LEAMMP) for Phase 1a marries up with the approved Ecological Mitigation and Management Framework (EMMF), which forms part of the Outline Framework. Moreover, the Public Access and Management Statement/Plan (required by condition 14 above) and the LEAMMP will need to be conveyed to the Steadings Community Management Trust, for long-term implementation.

6. Community Infrastructure Levy (CIL)

Please note that this development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), as the Strategic Site south of Chesterton is rated £0/m<sup>2</sup> for residential development.



A	SUBMITTED FOR PLANNING	16/11/20
REV. NO	AMENDMENT	DATE

**Ben Pentreath**  
 3 Lamp Office Court  
 Lamba Conduit Street  
 London WC1N 3NF  
 T +44 (0) 20 7430 2424  
 benpentreath.com

PROJECT: HC 102  
 THE STEADINGS PHASE 1A

TITLE: LOCATION PLAN

DRAWING NO: PD 001 A

SCALE: 1:1250 @A1  
 1:2500 @A3

DRAWN BY: GMVG

DATE: 16/11/20

CHECKED BY: RI

All dimensions to be checked on site.  
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Trees shown as estimated size after 20 - 30 years.  
 Growth will vary depending on species, tree size  
 at planting, climate conditions, soil type and  
 volume and maintenance regimes.



REV. NO.	AMENDMENT	DATE
B	SUBMITTED FOR PLANNING	23/09/21
A	SUBMITTED FOR PLANNING	06/21

<b>Ben Pentreath</b>		3 Lamp Office Court Lambou Conduit Street London WC1N 3NF T +44 (0) 20 7430 2424 benpentreath.com
PROJECT:	HC102 THE STEADINGS PHASE 1A	
TITLE:	SITE LAYOUT PLAN	
DRAWING NO:	PD1004B	
SCALE:	1:625 @A1 1:1250@A3	DRAWN BY: SM
DATE:	23/09/21	CHECKED BY: RI
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