

Application for the approval of appearance, landscaping, layout and scale of the employment area to the east of Spratsgate Lane Cirencester Gloucestershire

Reserved Matters Application 22/02749/REM	
Applicants:	Tungsten Cirencester Limited and Bathurst Development Limited
Agent:	Pegasus Planning Group
Case Officer:	Anthony Keown
Ward Member(s):	Councillor Gary Selwyn
Committee Date:	13th of March 2024
RECOMMENDATION:	RESOLUTION TO APPROVE SUBJECT TO PLANNING OBLIGATIONS

1. Main Issues:

- (a) Noise
- (b) Parking provision
- (c) Layout
- (d) Landscaping
- (e) Scale
- (f) Appearance
- (g) Environmental performance

2. Reasons for Referral:

- 2.1 This application is referred to Members for a decision for two reasons. Firstly, it relates to one of the Employment Areas within the Strategic Site (Policy S2), which is now referred to as The Steadings. Delivery of The Steadings is central to the Local Plan Strategy. Officers therefore consider it appropriate for this application to be considered by the Committee. Secondly, the proposals have attracted some objections and raised some concerns, which warrant Committee consideration.

3. Site Description:

- 3.1 This application relates to land east of Spratsgate Lane and Wilkinson Road, Cirencester, which was previously used for grazing. More recently the northern part of the parcel was temporarily used to accommodate site offices and materials storage during the highway works to construct the new Spratsgate Lane roundabout and accesses.
- 3.2 The red line site area is approximately 2.95 hectares (ha). It is part of the Strategic Site south of Chesterton, which is allocated for housing and employment, within the Local Plan (Policy S2). An outline planning permission (OPP), which covers an overall

area of approximately 120 ha, was granted in 2019 for development on the Strategic Site, which is now referred to as The Steadings. This reserved matters application (RMA) relates to Employment Area A, which is the first of three safeguarded employment areas within The Steadings.

- 3.3 The western boundary is defined by an existing hedgerow, although sections of the same have been removed to create previously approved accesses. The eastern boundary is defined by existing trees and hedgerow on the adjacent dismantled railway line corridor. The southern boundary is also defined by an existing hedgerow. The site itself is subdivided by an existing hedgerow and trees.
- 3.4 The site is relatively flat. Land slopes downwards gently from the central part of the site to its northern and southern edges. Elevation ranges from just over 117 m to around 120 m AOD.
- 3.5 Two high-voltage power lines cross the central part of the site and there are two associated pylons within it. A National Grid strategic gas pipeline crosses The Steadings along a broadly east-west alignment. There is a pressure reducer at the eastern end of this alignment, to the south-east of The Steadings site, at the termination of a high pressure gas main. That gas main, which is not on The Steadings site, follows a broadly north-south alignment. There is some above-ground infrastructure in the gas valve compound immediately south of this application site. The presence of these services was known when the outline planning application (OPA) was considered, and the constraints posed were factored into the master planning work.
- 3.6 The different land uses that surround the site have very different characters. To the west is The Steadings main site, which includes the future Employment Area B adjacent the western edge of Spratsgate Lane. To the north-west are existing residential properties on Somerford Road and Berkeley Road. To the north are new residential properties on Phase 1a of The Steadings, which is still under construction. To the north-east is the western end of the Love Lane Industrial Estate and an electricity substation. To the east are new residential properties on Orchard Field, which is also still under construction. To the south is the compound mentioned above. A small area of land immediately north of this application site is reserved for a small substation and kiosk, which are required as part of the Kemble Solar Farm.

4. Relevant Planning History:

- 4.1 On the 13th of July 2006 Cotswold District Council (CDC) granted OPP for the erection of 10 industrial/warehouse buildings for Use Classes B2 and B8 on the northern part of this site (06/00757/OUT).
- 4.2 On the 12th of August 2009 CDC again granted OPP for the erection of 10 industrial/warehouse buildings for Use Classes B2 and B8 on the northern part of this site (09/01480/OUT).
- 4.3 On the 3rd of April 2019, CDC granted OPP for a mixed-use development at the Strategic Site south of Chesterton, as per Local Plan Policy S2 (16/00054/OUT). 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.

- 4.4 OPP for The Steadings was granted subject to 69 planning conditions, and following the completion of two section 106 agreements. Matters reserved for later consideration are appearance, landscaping, layout and scale.
- 4.5 On the 22nd of September 2022 CDC approved a non-material amendment to The Steadings OPP, which amended conditions 4, 21, 22 and 66.

5. Planning Policies:

National

- National Planning Policy Framework (NPPF) - updated December 2023
- 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 EC1 - Employment Development
- Policy EC2 - Safeguarding employment Sites
- 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 INF3 - Sustainable Transport
- 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

6. Observations of Consultees:

6.1 Summaries of all responses to consultation are included below. The responses are available in full on the Council's website.

Responses to the original application proposals

6.2 CDC Conservation and Design

- Barrel roof design to achieve compliance with building height restriction is welcomed.
- Units 1, 3, 4 and 5 have active frontage facing the street, which is welcomed.
- Unit 2 presents quite a blank elevation to the street, although the walling materials provide some relief.
- Timber or composite timber cladding should be a weathered grey shade. A darker, oak colour would be too strident for this location.
- Otherwise the proposed RAL colours appear satisfactory.
- Samples of materials will need to be submitted and approved.
- A sustainability statement should be submitted and approved, and sustainability measures should be incorporated from the outset.

6.3 CDC Biodiversity and Countryside Officer

- The application is not supported by up-to-date ecological surveys.
- The application should also be supported by a Biodiversity Impact Assessment.

6.4 CDC Environmental Regulatory Services - noise

- The noise barriers referred to in the noise report are not part of the application.
- Objection on the grounds of noise impacts on nearby noise-sensitive properties (existing and proposed).
- Noise barriers should be included in the scheme, or the uses should be restricted to daytime hours only.

6.5 CDC Environmental Regulatory Services - other issues

- No objection in principle to this application with regard to human health risks from land contamination. Please note that OPP condition 55, pertaining to land contamination, still stands for this development.
- No objection to this application with regard to air quality considerations.

6.6 CDC Tree Team

- The plans do not show the two Tree Preservation Order (TPO) oak trees located close to the site boundary, east of the turning area for Unit. Any potential impacts on these trees will need to be considered.
- Proposed tree planting along the Spratsgate Lane frontage and at the entrance to the site mostly involves small ornamental trees, and will therefore lack visual impact. This does not comply with the design codes.

- The trees should be large enough to provide screening and scale, and retain the existing landscape character.
- There should be sufficient space at the entrance, and along the roadside, to include large growing trees such as English oak, small leaved lime, and London plane. Moderate sized trees such as Italian alder, maples and Turkish hazel could be used instead of the rowans and cherries.
- Ideally the scheme should not rely on a limited number of species and genera, with no more than 10% of any species and no more than 20% of any one genus.

6.7 Environment Agency

- Due to increased workload prioritisation we are unable to provide comments on this application.

6.8 GCC local highway authority (LHA)

- We recommend this application be deferred.
- No evidence has been submitted to substantiate the proposed parking allocation.
- Trip rates accumulation should either be derived from first principles or from existing data; e.g. Trip Rate Information Computer System (TRICS), or comparison to facilities of similar size and geographic circumstances.
- Adequate space for heavy goods, delivery and public service vehicles must be made within the site boundary, which should not conflict with the proposed parking arrangements.
- No details of internal visibility splays have been provided.
- No swept path analysis/tracking information for the size of expected vehicles has been submitted.

6.9 GCC Archaeology

- Archaeological evaluation undertaken at the outline stage recorded no significant archaeological remains within this application site. No further archaeological work needs to be carried out in relation to this reserved matters application.

6.10 GCC lead local flood authority

- The sustainable drainage systems (SuDS) layout appears to be broadly in line with the outline proposal approved in the SuDS Delivery Strategy (OPP condition 15), albeit lacking detail on the pond and other drainage elements.
- The SuDS scheme for this phase requires the construction of attenuation basin 8, which falls outside of the site, as well as attenuation within the site itself.

Responses to the revised application proposals

6.11 CDC Conservation and Design

- Unit 2 has been reduced in scale and sited further back from the road frontage, which is welcomed.

- The areas of green space around the building have been increased and this is considered to be an improvement on the previous site plan.
- The timber or composite timber cladding should be a more weathered grey shade, replicating weathered/silvered timber. The proposed deep oak colour is likely to be too strident and out of keeping here, and is therefore not considered appropriate.
- Otherwise, it is accepted that the use of an alternative cladding, such as timber, will help to break up the massing of the unit.
- Samples of materials will need to be submitted and approved.

6.12 CDC Biodiversity and Countryside Officer

- The data inputted to the Biodiversity Metric may not be entirely consistent with the landscape design proposals. This should be clarified.
- The proposed hedgerow includes a fast growing non-native species, which is considered invasive. Its leaves are unpalatable to invertebrates. It should be replaced with a native, fast growing species, such as feathered hornbeam.
- This change would provide an additional foraging resource for native wildlife, and may improve the Metric outputs.
- Overall, the proposed landscaping will provide a transitional ecotone environment between the proposed development and the wider landscape. The majority of species proposed are native, and will provide foraging and pollinating opportunities for native wildlife.
- The submitted lighting plan will enable these habitats to be maintained as ecological corridors, to be exploited by a diverse assemblage of nocturnal species, including bats and dormice. The inclusion of a pond, albeit a SuDS pond, will provide opportunities and additional connectivity.
- Given the constraints, the proposed habitats and ecological corridors will enable permeability through the site.

6.13 CDC Tree Team

- The proposed tree species have been amended to generally more acceptable species, but the proposals still do not include strong planting of native trees along the site frontage.
- If necessary, this should be addressed as a parallel landscaping scheme, which is enforceable. It should secure a strong belt of native tree planting along the site frontage, whether within or outside the current red line boundary.
- The technical note in respect of arboriculture is a preliminary site assessment and does not refer to the existing TPO oaks that we specifically referenced in our previous response. This issue should be clarified, along with the submission of details for the protection of existing retained trees and other vegetation during site works.
- The protection during site works should cover the off-site roadside hedging, with fencing on the site side to protect the hedge during site works, along with protection for the off-site TPO trees, and for retained vegetation within the site.

- There appear to be discrepancies between some aspects of the landscaping scheme maintenance regime and the maintenance regime described in the related Landscape and Ecological Management Plan (LEAMP).
- The 5-year plan should include provision for annual maintenance of the mulching around all planted trees and shrubs.

6.14 CDC Environmental Regulatory Services - noise

- Further advice awaited.

6.15 GCC - LHA

- The Site Wide Design Code reiterates Local Plan Policy INF5 maximum parking standards. The application proposals fall well short of the applicable maximum standard for car parking.
- For the reasons set out in its formal response to CDC, the LHA does not find the Parking Needs Assessment to be compelling evidence.
- A Travel Plan was submitted in December 2023, which explains that some mitigation for the lower parking allocation relies on sustainable travel improvements secured with the OPP, but which will not be delivered before Employment area A is bought into use.
- The LHA therefore maintains that this application is likely to result in an unacceptable risk of overspill parking on the existing highway, or parking on the internal roads, which could restrict heavy goods vehicle (HGV) and other vehicle movements within the site, which would compromise highway safety.
- This risk may be higher in the earlier years while the supporting public transport and active travel provision through The Steadings is not fully implemented.
- To protect the safety of all highway users, and to promote non-car travel choices, the LHA therefore considers that parking restrictions on Wilkinson Road, Somerford Road and Spratsgate Lane will be necessary.
- The revised application does not include sufficient details of the proposed bicycle shelters.
- The revised application does not include sufficient details of proposed landscaping along the western boundary of the site to enable the LHA to determine potential impacts on the existing highway hedge and/or highway infrastructure.
- The LHA has no objection subject to: a planning obligation to meet the costs associated with implementing the parking restrictions described above; submission and approval of bicycle parking/secure storage details; and submission and approval of any proposed landscaping that could impact the existing highway hedge and/or highway infrastructure.

6.16 GCC lead local flood authority

- Given the proposed impermeable area, together with the capacity of the proposed on-site SuDS pond, the burden on pond 8 (main site) should be less than previously predicted. Confirmation of revised requirement for pond 8 would help with ongoing appraisal of The Steadings and future Sub-Phases.

- It would also be helpful to receive confirmation that the proposed drainage layout is the same as the modelled design, to provide confidence that the scheme will function as modelled.

7. View of Town/Parish Council:

Responses to the original application proposals

7.1 The following comments were received from Cirencester Town Council (CTC) in response to the original application.

- No objection.
- CTC is satisfied with the proposals, as set out in the Design Code Compliance Statement, for complying with the design codes in terms of how the employment edge relates to the surrounding area, with its emphasis on frontage character and with consideration for landscaping provision and pedestrian connectivity throughout.
- CTC is pleased to see proposals for additional tree planting on site and for mitigation, enhancement and monitoring measures to ensure the long-term survival of the populations of protected species on the site.
- Construction working times should be in line with the Construction Management Plan.
- Once buildings are occupied, CTC would like to see a condition applied that times of working are in line with other units on Wilkinson Road.

Responses to the revised application proposals

7.2 The following additional comments were received from CTC in response to the revised application proposals.

- CTC supports the proposed resolution of some of the issues raised by CDC and other stakeholders, and its continued support is subject to these resolutions satisfying the concerns of other stakeholders.
- The application appears to fall short of actually installing solar panels. CTC would like to see the installation of solar panels included as a condition of any approval.

8. Other Representations:

Responses to the original application proposals

8.1 68 objections were received from local residents making some or all of the following points. The vast majority of objectors raised concerns about adverse impacts from noise and dust. Many also referred to other points below, but without elaborating on the exact nature of the concerns.

- Objection to the proposed hours of working during the construction period.
- Objection to the proposed hours of operation.
- Neighbouring residents should not be adversely affected by noise or dust, either during construction or when the development is operational.

- Highway access and parking.
- Residents are already adversely affected by road closures, temporary traffic lights, and traffic tailbacks.
- There should be a weight limit for vehicles accessing Somerford Road, which is unfit for heavy Vehicles.
- Loss of amenity.
- Loss of privacy
- Loss of light.
- Impact on Conservation Area.
- Overdevelopment
- Design.

Responses to the revised application proposals

- 8.2 I objection received from a local resident, who makes the following points.
- The noise impact assessment has shown that delivery vehicles would have an adverse impact on dwellings to the north-west and east during the night-time.
 - Precluding use of the service yards between 00:00 and 06:00 is insufficient mitigation, as residents, including children, must be given much more than just six hours in which to get a good night's sleep.
 - Operating hours should be limited to between 07:00 and 18:00 Monday to Friday, and 07:00 to 13:00 on Saturdays, with no working on Sundays.

9. Applicant's supporting information:

- 9.1 Following a period of negotiations, the joint Applicants' team formally submitted revised application material in November 2023. Additional information has been submitted since then. All of the revised material is available to view on CDC's website.
- 9.2 The key drawings are listed below.
- Proposed Site Plan - Drawing Number P407 Revision U - dated 02.01.24
 - Boundary Treatments - Drawing Number P406 Revision J - dated 15.11.23
 - Unit 1 Floor Plan - Drawing Number P1-100 Revision D - dated 31.10.23
 - Unit 2 Floor Plan - Drawing Number P2-100 Revision E - dated 31.10.23
 - Unit 3 Floor Plan (showing units 3, 4 and 5) - Drawing Number P3-100 Revision E - dated 31.10.23
 - Unit 1 Elevations - Drawing Number P1-200 Revision D - dated 10.07.23
 - Unit 2 Elevations - Drawing Number P2-200 Revision G - dated 10.07.23
 - Unit 3 Elevations (showing units 3, 4 and 5) - Drawing Number P3-200 Revision F - dated 10.07.23

10. Officer's Assessment:

Scope of this application

- 10.1 This application seeks approval of the reserved matters relating to a Sub-Phase of The Steadings, which is referred to in the OPP as Employment Area A. The joint Applicants are Tungsten Cirencester Limited (TCL) and Bathurst Development Limited (BDL).
- 10.2 The principle of development is established by The Steadings OPP. Prior to that, CDC had granted OPP for employment buildings on the northern part of this site. CDC and the Applicants 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.
- 10.3 Access was resolved at the OPP stage. 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 master planning regime for The Steadings.

Environmental Impact Assessment

- 10.4 The OPA was an "EIA application" as defined in the Environmental Impact Assessment (EIA) Regulations. It was accompanied by an Environmental Statement (ES). RMAs submitted pursuant to the OPP are "subsequent applications" as defined in the EIA Regulations, and are therefore also EIA applications.
- 10.5 In determining this RMA, CDC is legally required to reach a reasoned and up-to-date conclusion on the significant effects of the proposed development on the environment, taking into account its examination of the environmental information. The environmental information submitted to support the OPA has since been updated where necessary. Officers have taken the original ES and the updated environmental information into account when assessing the merits of these proposals.

The development plan

- 10.6 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

- 10.7 The Inspector appointed by the Secretary of State to examine the Local Plan gave careful consideration to the strategic allocation for The Steadings (then referred to as the Strategic Site, south of Chesterton). 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.” This framework is referred to hereinafter as ‘the Local Plan Framework.’

- 10.8 Case law has established that when planning decisions are made, the policies of the local plan must always be properly understood and lawfully applied. 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.
- 10.9 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.
- 10.10 The NPPF reminds us that planning policies can become out-of-date. Case law has established 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. 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 any current circumstances that change the context for gauging policy compliance.
- 10.11 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 39, par 131). With this in mind CDC provided comprehensive pre-application advice in relation to the proposals for Employment Area A.

The master planning regime for The Steadings

- 10.12 To ensure successful implementation of the Local Plan Framework, a master planning regime has been established for The Steadings. Its key components are described in summary below.
- a) The design framework established by the OPP, including: the approved drawings and documents; the section 106 agreements; material approved pursuant to conditions; and material that supported the OPA. Hereinafter referred to as ‘the OPP Framework.’
 - b) The Steadings Site-Wide Design Code (SWDC), approved by CDC pursuant to OPP condition 9.
 - c) The Detailed Design Code (DDC) for residential Phase 1a and Employment Area A, approved by CDC pursuant to OPP condition 10.

Background to the revised application proposals

- 10.13 The Applicant sought pre-application advice from CDC, which was provided on the 25th of May 2022. It identified a number of areas where the pre-application proposals were not consistent with the mandatory requirements of the DDC. It also sketched out an alternative form of development, which would be more consistent with the DDC.
- 10.14 A critical issue at that stage was the amount of development that could be satisfactorily accommodated on this site, while meeting the Local Plan Framework, and adhering to the various requirements and objectives of the OPP Framework. In effect, striking the right balance between the amount of floor space, the amount of car parking provision, and the amount of space for landscaping. In that context, CDC highlighted the need for an evidence-based approach to car parking provision, and the need for a Travel Plan (i.e. pursuant to the OPP Framework).
- 10.15 No follow-up discussions were requested by the Applicants prior to submission of the original RMA, which was validated on the 17th of August 2022. The proposals were substantially the same as the pre-application proposals. The application was not supported by an evidence-based parking needs assessment, nor by a Travel Plan. Rather than recommending refusal of the application, officers set out a comprehensive response to the proposals in a letter dated the 16th of December 2022, which referred back to the pre-application advice.
- 10.16 That letter provided the context for negotiations in early 2023 on the amount of development. In April 2023, the parties reached an understanding on the amount of floor space that might be appropriate, subject to the outcomes of an evidence-based assessment of necessary parking provision. The application then remained in abeyance for 6 months, while TCL and BDL considered their respective positions.
- 10.17 On the 22nd of November 2023 the Applicants submitted revised application proposals. The proposed amount of floor space was reduced from 10,042 square metres (sqm) to 9,128 sqm. This enabled the landscaping and green infrastructure proposals to be significantly strengthened in accordance with CDC's design advice.
- 10.18 CDC undertook a second round of public consultation in November and December. Submission of the revised application proposals allowed the negotiations to continue, and further information has been submitted since November to address matters arising. A Travel Plan was submitted on the 12th of December 2023. The revised proposals are described in more detail below.

Noise

- 10.19 The NPPF describes how planning decisions should (among other things) mitigate, and reduce to a minimum, potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and the quality of life. Local Plan Policy EN15 requires development not to result in unacceptable risk to the amenity of existing land uses through (among other things) generation of noise, vibration, dust, smells, or light levels.

- 10.20 The potential for adverse impacts resulting from noise was considered at the OPA stage. The OPP includes two planning conditions, which were intended to address Policy EN15 concerns. OPP condition 65 requires RMAs involving commercial and employment development to be accompanied by proposed hours of operation. OPP condition 68 requires such RMAs to also be accompanied by a “scheme” for the control of noise emitted from the use. This approach was taken because the only conditions which can be imposed when reserved matters are approved are conditions directly relating to those reserved matters. Conditions relating to anything other than those reserved matters can only be imposed when OPP is granted (PPG, Paragraph: 025 Reference ID: 21a-025-20140306).
- 10.21 The “scheme” referred to in OPP condition 68 could include a combination of measures secured pursuant to the OPP conditions and through the RMA details: e.g. acoustic fencing, controls on operating hours, and controls on other noise-generating features, such as external plant or vehicle reversing alarms, etc.
- 10.22 There are two discrete issues that Members ought to be aware of. One relates to potential adverse impacts during the construction stage. The other relates to potential adverse impacts post-construction, when the buildings are in use.
- 10.23 As recorded in section 6 of this report, the original application proposals attracted 68 objections from local residents. All referred to potential adverse impacts from noise, among other things. The original application was supported by a Construction Environmental Management Plan (CEMP). The CEMP sought to address issues relating to the construction stage (e.g. hours of construction operations) and issues relating to the protection of ecological assets. The vast majority of objectors made some reference to the proposed hours of construction operations included in the original version of the CEMP. For the reasons given below, the CEMP is not part of this reserved matters application.
- 10.24 OPP condition 44 requires the submission and approval of a Construction Management Plan (CMP) for each sub-area of The Steadings. The Applicants will need to submit a separate discharge of conditions application pursuant to OPP condition 44. The CMP will need to include (among other things) the proposed hours of construction operations. Those proposals will be considered on their merits before that application is determined.
- 10.25 OPP condition 58 requires the submission and approval of an Ecological Construction Method Statement (ECMS) and CEMP (pertaining to ecology only) for each sub-area of The Steadings. The Applicants submitted a separate discharge of conditions application pursuant to that condition (and another ecology condition) in January. The revised CEMP submitted with that application only relates to the protection of ecological assets. That application has been approved.
- 10.26 The issue that needs to be decided at this stage, is whether this RMA is accompanied by a “scheme” that meets the NPPF and Policy EN15 requirements, and which is therefore sufficient to discharge OPP conditions 65 and 68, insofar as they relate to Employment Area A.
- 10.27 The OPPs listed in section 2 of this report establish some parameters for that decision. The 2006 and 2009 OPPs were both subject to the same planning condition pertaining

to noise. It stated that the noise emitted from the site shall not exceed 60 decibels (dB) Leq (equivalent continuous sound level) (1 hour) as measured at the boundaries of the site between 07:00 and 19:00 Monday to Friday, and 07:00 and 13:00 Saturday, and 45 dB Leq (1 hour) at any other time. Since those OPPs were granted, planning permission has been granted for new homes on Phase 1a (north of this site) and Orchard Field (east of this site). The Steadings OPP condition 68 requires that noise levels in the nearest gardens and public open spaces should not exceed 55 dB Leq (1 hour) at any time.

- 10.28 The revised application proposals are supported by an acoustics report, which examines the existing noise climate and potential impacts of noise breakout from the buildings and/or from the service yards. It concludes that, subject to the inclusion of 2.0 metre (m) high acoustic fencing around three of the service yards, noise from the proposed development would achieve a condition of “low impact” at the nearest existing residential properties at all times, and would be unlikely to give rise to noise disturbance. The revised application proposals include a Boundary Treatments drawing, which shows 2.4 m high acoustic fencing in the locations recommended in the acoustics report. Provision and maintenance of the acoustic fences shall be secured by a planning condition.
- 10.29 In response to OPP condition 65, the Applicants have also proposed to preclude use of the service yards between 00:00 and 06:00.
- 10.30 Officers have asked Environmental Regulatory Services (ERS) to validate the acoustics report and its conclusions, and to advise on whether the current proposals would ensure an equivalent level of protection for nearby noise-sensitive properties as the condition imposed on the previous OPPs. That advice is still awaited.

Parking provision

Car parking

- 10.31 The revised application proposes some 9,128 square metres (sqm) of floor space. The OPP is for Class B2 and/or Class B8 uses. CDC’s current car parking standards, which are expressed as maximums, are set out in Local Plan Policy INF5 and related Appendix F. The applicable maximum standard is that for Class B2 uses, which is 1 car parking space per 50 sqm of floor space. That equates to a maximum provision of 183 car parking spaces. This assumes a worst-case scenario, where all of the floor space is in Class B2 use. The Policy INF5 maximum standard for Class B8 uses is 1 car parking space per 100 sqm of floor space, which equates to a maximum provision of 91 car parking spaces. The revised RMA proposals include 93 car parking spaces.
- 10.32 The Transport Assessment (TA) (Document reference CIR/TA/DOC/001) submitted in support of the OPA confirmed that “...*parking provision will be secured with subsequent reserved matters applications following the grant of any outline planning permission.*” (TA, page 63). The SWDC states that non-residential parking provision should be justified using an evidence base that sets out the following:
- a) the accessibility of the development;
 - b) the type, mix and use of development;

- c) the availability of and opportunities for public transport;
 - d) local car ownership levels;
 - e) an overall need to reduce the use of high-emission vehicles; and
 - f) a comparison of the forecast trip generation and resultant accumulation with the proposed parking provision.
- 10.33 The revised application proposals submitted in November 2023 were supported by a car parking accumulation note. The Applicants have pointed out that the note was prepared using TRICS (Trip Rate Information Computer System) data from the OPP TA. They argued that it therefore addressed item f) above. The LHA did not find that note compelling.
- 10.34 Following a meeting with CDC and the LHA, the Applicants have submitted an updated parking needs assessment, which also provides commentary on items a) to e) above. The updated note comes to the same conclusion as the original on the amount of car parking required. It states that all 5 units will have more car parking spaces than the maximum requirement indicated by the parking accumulation calculations.
- 10.35 The LHA has acknowledged that the notes were prepared using TRICS data from the OPP TA, but for the reasons set out in its formal response to CDC, the LHA still does not find the updated note compelling. The LHA considers that the RMA proposals are likely to result in an unacceptable risk of overspill parking on the existing highway, or parking on the internal roads, which could restrict heavy goods vehicle (HGV) and other vehicle movements within the site, which would compromise highway safety.
- 10.36 The Travel Plan submitted in December 2023 aims to reduce the number of single occupancy car journeys to Employment Area A (i.e. compared to a development without a Travel Plan in place). The Travel Plan is therefore germane to CDC's consideration of the parking provision issue. The Travel Plan references sustainable travel improvements secured by the OPP Framework. Albeit these may well not be delivered before Employment area A is bought into use. Nonetheless, providing the submitted Travel Plan is acceptable to the LHA, it should help to reduce demand for the available car parking spaces.
- 10.37 The Framework Travel Plan for The Steadings confirms that "Employment Travel Plans" will be submitted to the LHA for approval in accordance with the requirements of the planning obligation (i.e. within BDL's section 106 agreement with the LHA). The Travel Plan submitted in support of this RMA has therefore been referred to the LHA for consideration. Officers has asked LHA colleagues to provide an update on their approval process prior to the Committee meeting.

Cycle parking

- 10.38 The original application proposals included 30 cycle stands, which was less than the minimum required by Policy INF5 and related Appendix F. The revised application proposals include 60 covered cycle spaces, and the Applicants have also now agreed to provide showers and changing rooms within each building. The indicative locations for these are shown on the revised floor plans, and provision and retention shall be secured by a planning condition.

10.39 Given the ambition for The Steadings to achieve very high standards of design, the originally proposed cycle parking shelters are not considered satisfactory. The Applicants have agreed to a planning condition requiring the submission and approval of cycle parking shelter details, which complement the proposed employment buildings, and reflect the importance of encouraging more people to cycle to work where possible.

Motorcycle parking

10.40 The LHA previously advised that it recognizes the British Motorcyclists' Federation (BMF) as an expert organization in relation to the needs of users. The LHA therefore considered it appropriate to adopt their recommended motorcycle parking provision, which is 1 space per 10 car spaces.

10.41 The Applicants maintain that motorcycle parking requirements are minimal and that spaces have been provided at each unit, which are likely to meet the required demand. They also maintain that motorcyclists are likely to park their motorcycles in locations they regard as being safe.

10.42 Given the standard previously cited by the LHA, some 10 motorcycle parking spaces would be required across the layout. The Proposed Site Plan has been amended accordingly.

Overview

10.43 The LHA considers that the risk of overspill parking could be mitigated by implementing parking restrictions on Wilkinson Road, Somerford Road and Spratsgate Lane. The Applicants have agreed to prepare a unilateral undertaking (UU), which will obligate them to make a financial contribution sufficient to cover the costs of progressing the necessary Traffic Regulation Order (TRO) and implementing the highway works.

10.44 Alternative ways to reduce the risk of overspill car parking would be to require more car parking spaces, or to require a further reduction in the amount of floor space proposed. Officers have given careful consideration to both of these alternatives.

10.45 The first alternative does not sit comfortably with the thrust of relevant emerging policies within the Local Plan Update Consultation, nor with CDC's decision of March 2023 to proceed with its Sustainable Transport Strategy. Bearing in mind NPPF paragraph 48, officers have given the relevant emerging policies very little weight. However, they provide an insight to CDC's thinking on the direction of future policies.

10.46 The second alternative would not be acceptable to the Applicants. From the negotiations to date, it is clear that they would argue strongly that a further reduction in floor space would threaten the economic viability of the development.

10.47 Subject to receipt of a UU, which is acceptable to the LHA, and subject to LHA confirmation that the Travel Plan is satisfactory, officers consider that the risk of overspill parking is not in itself sufficient reason to prevent or refuse the proposed development.

Building performance

- 10.48 In responding to the original application proposals on the 16th of December 2022, officers raised the issue of building performance. Policy EN1 states that new development will, where appropriate, promote the protection, conservation and enhancement of the natural environment by addressing climate change. The Local Plan Vision and Objectives describe how The Steadings 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.
- 10.49 Officers advised that, assuming issues around site capacity could be resolved, Members would also want to understand the Applicants' approach to addressing climate change through enhanced building performance. In particular, Members would be interested in any measures to improve building performance over and above statutory minima, and how the effectiveness of those measures will be assessed. The Applicants' team did not engage on that aspect of our response to the original proposals.
- 10.50 Members' attention is drawn to CTC's consultation response, which notes that the application appears to fall short of actually installing solar panels. CTC would like to see the installation of solar panels included as a condition of any approval.
- 10.51 Our preferred approach was to have a holistic discussion with the Applicants about building performance. The potential role of photovoltaic (PV) panels as part of a wider energy strategy for the development could then have been explored. Given the absence of any meaningful discussions on this issue, officers are not proposing a condition to require installation of PV panels. That is not because we disagree with CTC's laudable motives, but because we are simply not in a position to propose specific measures, which we are convinced will be effective. However, Members are advised that the revisions notes on the Roof Plan drawings indicate that PVs were removed in November. The notes indicate that a previous version of the Roof Plan drawings showed PVs.
- 10.52 We have given the Applicants another opportunity to respond on the issue of building performance, and to comment on CTC's consultation response. Their planning consultant advises that the Applicants aim to achieve a BREEAM Very Good rating for the development. The BREEAM ratings range from Pass, Good, Very Good, Excellent to Outstanding.

Layout

- 10.53 The significant reduction in floor space, and the consequential reduction in building footprints, has enabled the Applicants' team to design an improved layout. The revised layout better reflects the form of development described in our pre-application advice. In addition, it is now more consistent with the DDC.

Pedestrian link to Orchard Field

- 10.54 BDL has helpfully been in discussions with the developers at Orchard Field, with a view to delivering a pedestrian link across the dismantled railway line corridor. This would be a significant improvement in pedestrian permeability from Orchard Field, providing residents with a relatively direct route to the new Spratsgate Lane roundabout. It

would also improve pedestrian connectivity between Orchard Field and The Steadings. The revised layout for Employment Area A includes an improved pedestrian route up to the red line boundary with the dismantled railway line corridor.

- 10.55 BDL has committed to work with its counterparts at Orchard Field to deliver the connecting piece of this route. This is possible because BDL controls the land between the two sites.

Landscaping

- 10.56 Officers had two main objectives in relation to landscaping at Employment Area A. Firstly, ensuring that the landscape design includes structural planting along the western edge of the site in particular. The DDC mandates new tree planting along Wilkinson Road and Spratsgate Lane. Secondly, ensuring that the landscape design supports the Ecological Mitigation and Management Framework (EMMF) approved as part of the OPP Framework. This involved strengthening the green infrastructure components of the design.

Tree planting along Wilkinson Road and Spratsgate Lane

- 10.57 Officers met with BDL on site at the beginning of 2023 to discuss and agree tree planting proposals for the western boundary of the site, north and south of the new Spratsgate Lane roundabout. BDL has now submitted a preliminary tree planting scheme, based on those discussions. It may be possible to accommodate some of the proposed trees within the red line boundary of this application. Their delivery could therefore be secured via a landscaping condition. The landscaping condition will also ensure that the following matters can be resolved:

- landscape design details for the required SuDS pond;
- the native hedgerow species substitution recommended by the Biodiversity and Countryside Officer; and
- the Tree Team's recommendation relating to annual maintenance of the mulching around all planted trees and shrubs.

- 10.58 However, some of the proposed trees may be outside the red line boundary of this application. BDL has therefore agreed to submit a parallel RMA for additional landscaping. To provide further reassurance for CDC, the UU will obligate BDL to submit that RMA and work with the councils to ensure the additional tree planting is delivered. This arrangement, together with tree planting within Employment Area A, will ensure that the development meets the mandatory requirements of the DDC. The parallel RMA will also ensure that any issues of concern to the LHA (i.e. in relation to potential impacts on the highway hedgerow and/or highway land) can be resolved.

- 10.59 OPP condition 51 requires the submission and approval of a detailed arboricultural report for each sub-area of The Steadings. Each report must address (among other things) root protection areas and tree protection fencing during construction. This provides a mechanism to address the Tree Team's points in relation to the TPO trees, and the extent of protection measures for retained trees and vegetation during site works. It is also worth noting that the revised layout moves development further away from the eastern boundary where the TPO trees are located.

Supporting the EMMF

- 10.60 The approved EMMF describes how The Steadings will deliver biodiversity gains in accordance with local and national planning policy. CDC and BDL have also agreed a regime to deliver a minimum of 10% biodiversity net gain (BNG) at The Steadings. The agreed aims of that process are as follows:
- a) Deliver a minimum of 10% in area and linear BNG at The Steadings.
 - b) Maximize BNG on each Sub-Phase as they come forward.
 - c) Maintain a framework to demonstrate what is expected on each parcel, with certain assumptions.
 - d) Maintain a simple and efficient control mechanism to deliver the BNG.
 - e) Maintain an efficient mechanism to monitor BNG throughout the delivery process.
- 10.61 Delivering employment development on this site involves losing the central hedgerow and trees. The updated environmental information classifies that existing hedgerow as species-poor. Trees within it include a mix of Hawthorn, Elder, Field Maple and Blackthorn. The group is classified as Category B, Trees of moderate quality. Local Plan Policy EN7 requires that where trees or hedgerows are proposed to be removed as part of development, compensatory planting will be required. The original RMA proposals relied too heavily on compensatory planting within the Primary Green Infrastructure Areas on the main site. They failed to adequately address aim b) above.
- 10.62 The revised RMA proposals include a minimum 6 m buffer along the length of the eastern boundary with the dismantled railway line woodland belt. The buffer strip is much wider than the minimum along large sections of its length. This area will be planted with native scrub, to create a transitional woodland edge zone alongside the existing woodland, which is a significant green infrastructure asset. The revised layout also includes stronger green link across the site, linking the retained western boundary hedgerow and trees to the transitional zone. The landscape design for the SuDS pond will maximize benefits for wildlife.
- 10.63 By focussing our design efforts on retaining and reinforcing existing green infrastructure assets around the periphery of the site, and by creating stronger green links across the layout, we have sought to achieve more compensation for the loss above within the Sub-Phase itself. This was seen as the best way to minimize the impacts of this development on protected species.
- 10.64 The anticipated landscaping RMA, which will ensure the required additional tree planting along the Spratsgate Lane and Wilkinson Road frontages, will complete the picture in terms of securing appropriate structural landscaping and reinforcing the retained green infrastructure network.

Scale

- 10.65 The proposed building designs are below the maximum height thresholds established by the approved Building Height Parameter Plan, which is positive.

10.66 Officers are also satisfied with the proposed roof forms and massing. Our concerns in relation to the original RMA proposals revolved around the footprints of the buildings and the consequences for the layout and landscape design. As described above, those concerns have now been resolved.

Appearance

10.67 Officers had been concerned that unit 2 would have a significant and negative visual impact on the character and appearance of the area around the Somerford Road and Wilkinson Road junction. This was partly because of the size of the proposed building, together with its relatively unrelieved rear or west elevation. It was also partly because the building was considered to be too close to the western site boundary.

10.68 The revised RMA proposals have addressed the above concerns. Unit 2 has been reduced in size, with a consequential reduction in the length of its principal elevations. More green space has been created around the western edges of the building, which allows for large native trees to be planted north and south of it. Those trees are within the red line boundary of this site. The current siting of unit 2 supports the buffer strip objective described under landscaping.

10.69 Officers have no objections in principle to the proposed external materials, or to the potential colour schemes proposed. Indeed, we welcome the opportunity to agree a coherent approach to materials across the five units proposed. The DDC materials palette includes both agricultural green or grey metal cladding, and timber weatherboarding. However, we will want to ensure that any proposed composite timber system is a convincing timber substitute. In addition, we consider that a weathered grey shade, replicating weathered or silvered timber, would be more appropriate than deep oak coloured weatherboarding. A materials condition is proposed, so that samples of the final materials can be considered and agreed.

11. Conclusion

11.1 As indicated above, the principle of development is established by the OPP. Implicit in the grant of outline planning permission 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 the negotiations. Officers consider that the revised application proposals satisfactorily address our previous concerns around the layout, the landscape design, and the response to the approved EMMF.

11.2 The Steadings is central to successful delivery of the Local Plan Strategy, and early delivery of Employment Area A would be beneficial. Delivering a mutually acceptable employment development would not only bring economic benefits, it would also create opportunities for self-containment at The Steadings.

11.3 As noted above, specialist advice on the noise issue is awaited from ERS. Officers consider that the relevant OPP conditions, together with the ability to require acoustic fencing as part of the RMA proposals, provide the mechanisms for securing an equivalent level of protection for nearby noise-sensitive properties as the condition imposed on the previous OPPs. Specialist advice from ERS will allow officers to propose an overall "scheme" for noise control, which we can then relay to the Applicants for consideration.

- 11.4 Subject to successful resolution of the noise issue, and completion of the UU, officers consider the proposed development to be consistent with the Local Plan Framework. Providing no new or altered material considerations arise from the necessary additional public consultation exercise, officers are minded to recommend approval of this application following expiry of that consultation, for the reasons set out in this report. Officers consider that a demonstration of Member support for the potential route to approval described above would provide the confidence required for officers and the Applicants to bring the negotiations to a successful conclusion in a timely fashion.
- 11.5 Officers therefore recommend that the Planning Committee resolves to delegate authority to the Interim Head of Planning Services to determine this application subject to:
- a) the completion of a UU prior to the Decision Notice being issued, which secures a financial contribution sufficient to enable the local highway authority to progress and implement the parking restrictions described in this report, and which also secures the submission of (and the opportunity to determine) an RMA for the additional landscaping described in this report;
 - b) agreement of a satisfactory scheme for controlling noise emitted from the development, if such a scheme has not already been agreed prior to the Planning Committee meeting;
 - c) the suggested draft conditions set out in this report;
 - d) delegated authority being given to the Interim Head of Planning Services to amend and/or add to the suggested draft conditions prior to the Decision Notice being issued, where such amendments would be legally sound and would not deviate significantly from the purpose of the draft conditions;
 - e) expiry of the necessary additional public consultation exercise;
 - f) careful consideration being given to any further representations received in response to that additional public consultation exercise; and
 - g) referring the application back to the Planning Committee if any new or altered material considerations arise before the grant of reserved matters approval which, in the view of the Interim Head of Planning Services, may have the effect of altering the resolution.

12. Proposed Conditions:

- I. The development hereby approved shall be carried out in accordance with the following approved drawings and documents:
 - Policy S2 - Strategic Site, south of Chesterton, Cirencester
 - Policy EC1 - Employment Development
 - Location Plan - Drawing Number P408B Revision B - dated 04/05/22
 - Proposed Site Plan - Drawing Number P407 Revision U - dated 02/01/24
 - Boundary Treatments - Drawing Number P406 Revision J - dated 15/11/23
 - Unit 1 Floor Plan - Drawing Number P1-100 Revision D - dated 31/10/23

- Unit 2 Floor Plan - Drawing Number P2-100 Revision E - dated 31/10/23
- Unit 3 Floor Plan (showing units 3, 4 and 5) - Drawing Number P3-100 Revision E - dated 31/10/23
- Unit 1 Elevations - Drawing Number P1-200 Revision D - dated 10/07/23
- Unit 2 Elevations - Drawing Number P2-200 Revision G - dated 10/07/23
- Unit 3 Elevations (showing units 3, 4 and 5) - Drawing Number P3-200 Revision F - dated 10/07/23
- Unit 1 Roof Plan - Drawing Number P1-101 Revision C - dated 15/11/23
- Unit 2 Roof Plan - Drawing Number P2-101 Revision B - dated 15/11/23
- Unit 3 Roof Plan - Drawing Number P3-101 Revision D - dated 15/11/23
- Parking Information Sketch - Drawing Number PSK112 - January 2024
- Drainage Layout Sheet 1 of 2 - Drawing Number 001 Revision P3 - dated 08/02/24
- Drainage Layout Sheet 2 of 2 - Drawing Number 002 Revision P3 - dated 08/02/24
- Report on the Drainage Strategy (including Appendix 6 Surface Water Drainage Maintenance and Management Plan) - Document Reference 63337 Revision F - dated 08/02/24
- Proposed External Lighting - Drawing Number HBa-0548-E-900 Revision PL3 - dated 31.10.23

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

2. No construction work on the primary structures of the buildings hereby approved shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These works shall be carried out as approved, and completed in their entirety in accordance with the approved Implementation Timetable, or by the end of the planting season immediately following practical completion of the last building, whichever is the sooner. These details shall include: minor artefacts and structures (e.g. furniture, refuse or other storage units, etc.); an Implementation Timetable; and a scheme of landscape maintenance for a minimum period of 5 years, which is aligned with the approved Landscape, Ecological and Arboricultural Management and Maintenance Plan (LEAMMP) for Employment Area A.

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.

3. Any trees, plants or grassed areas shown on the soft landscape works approved pursuant to condition 2 above, that die, become diseased, are damaged, or removed, within 5 years of the actual date of Practical Completion of all soft landscape works, shall be replaced by the end of the following planting season. All replacement trees, plants and/or grassed areas shall be of the same size and species as those lost, unless the local planning authority approves alternatives in writing.

Reason: To ensure that all planting areas become established and thereby achieve the objectives of Cotswold District Local Plan Policy EN1, Policy EN7 and Policy EN8, and the provisions of the NPPF.

4. With the exceptions of G123 and G135, as identified in the Technical Note in Respect of Arboriculture (Report Reference edp1063_r054b, dated November 2021), and cutting or pruning in accordance with the approved Landscape, Ecological and Arboricultural Management and Maintenance Plan (LEAMMP) for Employment Area A, 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.

5. Prior to the first occupation of each of the buildings hereby approved, its means of access to the nearest public highway, and its parking and turning facilities, shall be provided as shown on the approved Proposed Site Plan (Drawing Number P407 Revision U - dated 02/01/24).

Reason: To ensure conformity with the approved drawings, and in the interest of highway safety.

6. None of the buildings hereby approved shall be occupied until details of sheltered, secure and accessible bicycle parking have been submitted to and approved in writing by the local planning authority. These details shall provide for at least 60 bicycle parking spaces across Employment Area A. Prior to the first occupation of each of the buildings hereby approved, its bicycle parking facilities shall be provided in accordance with the details so approved.

Reason: To promote sustainable travel and healthy communities.

7. None of the buildings hereby approved shall be occupied until details of shower and changing facilities (including lockers), which would help promote cycling as a mode of transport, have been submitted to and approved in writing by the local planning authority. These details shall develop the indicative proposals shown on the approved Floor Plan drawings. Prior to the first occupation of each of the buildings hereby approved, its shower and changing facilities shall be provided in accordance with the details so approved, and maintained as such for the lifetime of the development, unless the local planning authority approves an alternative design in writing.

Reason: To promote sustainable travel and healthy communities.

8. Notwithstanding the approved Elevations drawings, no construction work on the primary structures of the buildings hereby approved shall take place until samples and details of the walling materials, roofing materials, doors, windows and glazing panels to be used in their construction have been submitted to and approved in writing by the

local planning authority. These details shall include sample panels of walling finishes, of at least one metre square in size, erected on the site. Development shall be carried out in accordance with the approved samples and details.

Reason: To protect the character and appearance of the area in accordance with Cotswold District Local Plan Policy EN2, the approved Detailed Design Code, and the provisions of the NPPF.

9. None of the buildings hereby approved shall be occupied until design details of the proposed boundary treatments shown on the approved Boundary Treatments drawing [NB. approved Drawing Number to be inserted prior to the Decision Notice being issued] have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To protect the character and appearance of the area in accordance with Cotswold District Local Plan Policy EN2, the approved Detailed Design Code, and the provisions of the NPPF, and to mitigate, and reduce to a minimum, potential adverse impacts resulting from noise in accordance with Cotswold District Local Plan Policy EN15 and the provisions of the NPPF.

10. None of the buildings hereby approved shall be occupied until the 2.4 metre high timber acoustic fencing shown on the approved Boundary Treatments drawing [NB. approved Drawing Number to be inserted prior to the Decision Notice being issued] has been installed in accordance with the design details approved pursuant to condition 9 above. All of the acoustic fencing shall be retained and maintained in effective working order for the lifetime of the development, unless the local planning authority approves an alternative design in writing.

Reason: To mitigate, and reduce to a minimum, potential adverse impacts resulting from noise in accordance with Cotswold District Local Plan Policy EN15 and the provisions of the NPPF.

INFORMATIVES:-

1. Phased Arboricultural Reports

The Applicants' attention is drawn to condition 51 attached to the outline planning permission. There are two Tree Preservation Order trees on the eastern boundary of the site.

2. Works on the Public Highway

The development hereby approved may include 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 Gloucestershire 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 allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

Drafting the Agreement

A Monitoring Fee

Approving the highway details

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.

3. **Extraordinary Maintenance**

The Applicants' attention is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Before any work is commenced upon the development hereby approved representatives of Gloucestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.