

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Application number:	22/00169/FUL
Validated on:	11 th February 2022
Site address:	Former Civil Service Sports Ground, Estcourt Road
Proposal:	Amended scheme for the erection of four dwellings (plots 90, 91, 92 & 93) as previously approved under 18/00306/FUL but including removal of existing trees and landscaping to the rear boundaries adjoining the gardens of properties in Kingsholm Road and proposing the erection of a 1.8 metre high close boarded fence to the boundary and a new landscaping scheme

In exercise of its powers under the above-mentioned Act and Order the City Council as the Local Planning Authority **GRANT PERMISSION** for the development described above in accordance with the terms of the application and the plan/s submitted therewith subject to the following conditions:

Condition 1

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2

Except where these may be modified by any other conditions attached to this permission, the development hereby permitted shall be carried out in accordance with the details of the application form, and drawing numbers:

Site Location Plan DrNo. RHSW.5279.LP001
Boundary Plan Plots 90 – 93 DrNo. RHSW.5279.BP100
Proposed Block Plan DrNo. RHSW.5279.PL100
Materials Plan Plots 90 – 93 DrNo. RHSW.5279.MP100
House Type Welwyn: Elevations & Floor Plans: DrNo. EF_WELW_DM.7 Rev A
House Type Cambridge: Elevations and Floor Plans DrNo. EF_CAMB_DM.7 Rev A
Soft Landscape Proposals DrNo. 1864/P15 Rev E
Soft Landscape Proposals DrNo. 1864/P16 Rev E
Proposed Drainage, Levels & Contours Plan (Sheet 1 of 2) DrNo. R314/81 Rev R
Proposed Drainage, Levels & Contours Plan (Sheet 2 of 2) DrNo. R314/82 Rev O

Reason

To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017)

Condition 3

Construction work and the delivery of materials shall be limited to the period between 0800 hours and 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and for the avoidance of doubt no construction work or deliveries shall take place on Sundays or Bank / Public Holidays.

Reason

To safeguard the amenities of the area in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and the NPPF.

Condition 4

Development shall be carried out in accordance with the Construction and Environmental Management Plan (CEMP) Rev A dated 5th July 2019 and accompanying drawing CTMP RHSW.5279.02.SC001 which were approved in conjunction with planning approval 18/00306/FUL.

Reason

To safeguard the amenities of the area in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and the NPPF.

Condition 5

For the duration of the construction phase the development of the site shall be undertaken in accordance with the approved Waste Minimisation Strategy dated June 2016 which was approved in conjunction with planning approval 18/00306/FUL.

Reason

To reduce waste in accordance with Policy SD3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, Waste Minimisation in Development Projects SPD 2006 and the NPPF.

Condition 6

The programme of archaeological work shall be undertaken in accordance with the scheme approved in connection with approved planning application 18/00306/FUL namely Cotswold Archaeology Written Scheme of investigation ref: CR0014 dated March 2019. Within one month of the commencement of the development hereby permitted details of the proposed provision for the analysis, publication and dissemination of the archaeological results and archive deposition shall be submitted to the Local Planning Authority for approval in writing.

Reason

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 199 of the National Planning Policy Framework (2018) and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and the NPPF.

Condition 7

The building facing and roofing materials for the dwellings hereby approved shall be as approved in connection with approved planning application 18/00306/FUL namely RHSW.5279.MP002 Materials Plan Rev E, Materials Details Sheet Rev C and External Finishes Schedule Rev E. The development shall be carried out in accordance with the approved details

Reason

To ensure that the materials are appropriate to their context and in the interests of protecting the setting and character and appearance of the Conservation Area and the special character of listed buildings and their setting, in accordance with Policies SD4 and SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and the NPPF.

Condition 8

The landscaping of the application site shall be undertaken in accordance with the details provided by the following drawings: DrNo.1864/P15 Rev E and DrNo.1864/P16 Rev E. The replacement tree planting shown on these plans for plots 90 to 93 (inclusive) shall be of advanced nursery stock, semi mature size with a minimum trunk girth of 20 – 25cm. The approved landscaping scheme shall be carried out concurrently with the development and shall be completed no later than the first planting season following the completion of the development. The Planting shall be

maintained for a period of 5 years. During this time if any trees, shrubs or other plants which are removed, die, or are seriously damaged shall be replaced during the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced until the end of the 5 year maintenance period.

Reason

To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment and heritage assets in accordance with Policies SD4, SD8 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and the NPPF.

Condition 9

No development, including demolition or site clearance shall take place on the site or machinery or material brought onto the site for the purposes of development until the tree protection measures approved in connection with approved application 18/00306/FUL (as updated by Drawing Numbers 1864/P15 Rev E and 1864/P16 Rev E of this consent) are in place. Such protection shall remain in place for the duration of development works.

Reason

To ensure adequate protection to existing trees which are to be retained in the interests of the character and amenities of the area in accordance with Policies SD4, SD8 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and the NPPF.

Condition 10

No demolition, tree or shrub removal or clearance works shall take place between 1st March and 31st August inclusive unless a survey (by a suitably qualified ecologist) to assess the nesting bird activity on the site during this period has been carried out and a scheme to protect the nesting bird interest on the site based on the results of the survey has first been submitted to and approved in writing by the Local Planning Authority and then implemented as approved.

Reason

To ensure that the nature conservation interest of the site is protected in accordance with Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and the NPPF.

Condition 11

The development of the site shall be in accordance with the Landscape and Ecological Management Plan (LEMP) Report No. 1864_R09b_DJM_HM dated 17th July 2019 approved in connection with approved planning consent 18/00306/FUL. The LEMP shall be adhered to during the construction phase and throughout the lifetime of the development.

Reason

To secure biodiversity mitigation and enhancement in accordance with Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and the NPPF.

Condition 12

Development shall be carried out in accordance with the Precautionary Method of Working for Reptiles as described in Appendix 3 of the Tyler Grange Ecological Assessment 1864_R03e-SC-AL approved in connection with planning approval ref: 18/00306/FUL.

Reason

To ensure that the nature conservation interest of the site is protected in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 13

The development shall be undertaken in accordance with the Attenuation Basin Report ref. R314-FN23 dated July 2019 that was approved in connection with planning consent ref: 18/00306/FUL. The attenuation basin shall be implemented in accordance with the approved details before the development is first brought into use.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with the sustainable objectives of INF2 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 14

The SuDS drainage scheme detailed by SuDS Maintenance Plan R314-FN24 Rev A dated July 2019 as approved in connection with planning consent ref: 18/00306/FUL. The development shall be implemented and maintained in strict accordance with the approved SuDS maintenance plan.

Reason

To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding and pollution in accordance with the sustainable objectives of policy INF2 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 15

Two copies of the information pack "Recreation Opportunities for Residents" which was approved in connection with planning consent ref: 18/00306/FUL shall be issued to each new residential occupier prior to the occupation of each new dwelling hereby permitted.

Reason

Reason To ensure no adverse effects on the integrity of the Cotswolds Commons and Beechwoods SAC in accordance with policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and the NPPF.

Condition 16

The external lighting for the development shall be carried out in accordance with the details approved in connection with planning consent ref: 18/00306/FUL namely the Outdoor Lighting Report dated 19th July 2019 (ref: P19272-S38-C04x); On-site Adoptable Lighting Calculations (ref: P19272-S38-01-01 rev B and P19272-S38-01-02 rev B) and On Site Adoptable Lighting Engineering (ref: 19272-S38-02 rev C). No further lighting shall be thereafter installed within the public areas of the development.

Reason

To secure biodiversity mitigation and enhancement in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and the NPPF.

Condition 17

The details of the proposed ridge heights / finished floor levels / eaves heights / slab levels for plots 90 to 93 (inclusive) shall be as approved in connection with planning approval 18/00306/FUL. The development shall thereafter be undertaken in accordance with the approved details.

Reason

For the avoidance of doubt and to ensure that the buildings are appropriate to their context and in the interests of protecting the setting and character and appearance of the Conservation Area and the special character of listed buildings and their setting, in accordance with Policies SD4 and SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and the National Planning Policy Framework.

Condition 18

The vehicular access from Denmark Road hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason

To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework and policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017

Condition 19

The vehicular access from the Estcourt Road service road hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 25m to the left and 35m to the right (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason

To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework and policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 20

No dwelling hereby permitted shall be occupied until the first 10m of the proposed access roads of the wider site approved under planning reference 18/00306/FUL, including the junctions with the existing public roads and associated visibility splays, has been completed to at least binder course level.

Reason

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 of the National Planning Policy Framework and policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 21

No individual dwelling hereby permitted shall be occupied until the vehicular parking and turning facilities have been provided for that dwelling in accordance with the details as approved under approved planning consent ref: 18/00306/FUL namely RHSW.5279.PL001 Revision L and R314/40 Rev B, and those facilities shall be maintained available for those purposes thereafter.

Reason

To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework and policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 22

Notwithstanding the submitted details, the construction of the car parking associated with each building within the development (including garages and car ports where proposed) shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason

To ensure that the development incorporates facilitates for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework and policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 23

Each dwelling shall be provided with a minimum of 1 cycle storage facility prior to its first occupation. The cycle storage shall be maintained and available throughout the occupation of the dwelling.

Reason

To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework and policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 24

The dwellings hereby permitted shall not be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling has/have been completed to at least binder course level and the footway(s) to surface course level.

Reason

To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained and to ensure that a safe, secure and attractive layout - which minimises the scope for conflicts between pedestrians, cyclists and vehicles, is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition 25

The provision of fire hydrants (served by mains water supply) shall be as detailed by Severn Trent Water AMP6 Design & Build Requisition Drawing No. 07/462 Rev A dated April 2019 as approved in connection with planning approval ref: 18/00306/FUL. No dwelling shall be occupied until the hydrant serving that property has been provided in accordance with the approved scheme.

Reason

To ensure adequate water infrastructure provision is made on site for the local fire service to access and tackle any property fire in accordance with paragraph 110 of the National Planning Policy Framework and policy INF1 and SD4 of the JCS Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 26

No dwelling hereby permitted shall be occupied until pedestrian improvements consisting of dropped kerb tactile / corduroy paving crossing points across Kingsholm Road (near the roundabout), Denmark Road access, junction of Bijou Court, Sebert Street, John Woods Alley priority vehicular access (serving 46 Kingsholm Road) and across the new cycle access crossing on the Estcourt service road and Denmark Road together with pedestrian dropped kerb crossing points within the site have been provided and made available for public use. The works shall be carried out in accordance with the phased programme for their implementation detailed by Drawing number: R314/71 Rev E and R314/105 Rev B which were approved in connection with approved planning consent 18/00306/FUL.

Reason

To ensure that safe and suitable access to the site can be achieved for all users and that the priority is first given to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, in accordance with paragraphs 108 and 110 of the National Planning Policy Framework and policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 27

Notwithstanding the submitted details, none of the dwellings hereby permitted shall be occupied until bus shelters have been provided for both the northbound (Stop ID: glodagjm) and southbound (Stop ID: glodagmj) bus stops located on Kingsholm Road (A430) and have been made available for public use.

Reason

To ensure that appropriate opportunities to promote sustainable transport modes can be taken up in accordance with paragraph 108 of the National Planning Policy Framework and policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 28

The Land off Denmark Road, Gloucester Travel Plan prepared by PFA Consulting and dated February 2018 shall be implemented in accordance with the details and timetable therein (with the exception that it will be fully funded and undertaken by the developer).

Reason

The development will generate a significant amount of movement and to ensure that the appropriate opportunities to promote sustainable transport modes are taken up in accordance with paragraphs 108 and 111 of the National Planning Policy Framework.

Informatives:**Note 1**

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

Note 2

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Note 3

The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

Note 4

The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding highway works agreement (including appropriate bond) with the County Council before commencing those works.

Note 5

You are advised to contact Gloucestershire County Council 08000 514 514 to discuss whether your development will require traffic management measures on the public highway.

Note 6

The developer will be expected to meet the full costs of supplying and installing the associated infrastructure.

Note 7

The applicant is advised that to discharge condition relating to electric charging points that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a private managements and maintenance company confirming funding, management and maintenance regimes.

Note 8

The highway works will require a consultation to the amendments on the Traffic Regulation Order.



Jon Bishop

Planning and Development Control Manager

Decision date: 11th August 2022

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET