



COTSWOLD DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

OUTLINE PLANNING PERMISSION

Agent
Savills
Wytham Court
11 West Way
Oxford
Oxfordshire
OX2 0QL

Applicant
Bathurst Development Limited
The Estate Office
Cirencester Park
Cirencester
Gloucestershire
GL7 2BU

Outline application (with all matters except Access reserved for subsequent consideration) for a 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 at Land At Chesterton Farm Cranhams Lane Cirencester Gloucestershire GL7 6JP

APPLICATION REF: 16/00054/OUT
FILE REF: CT.9150

DATE OF DECISION: 3rd April 2019

DECISION NOTICE

In pursuance of their powers under the above Act, and in accordance with the requirements of the Town and Country (Development Management Procedure) (England) Order 2015, the development has been fully considered and assessed to comply with the relevant policy(ies) contained within the Development Plan.

The Council therefore **PERMITS** the above development in accordance with the details given on the application form and submitted plans which are subject to the following conditions:

1 **Reserved Matters and Time Limits**

Submission of the Reserved Matters for Approval

Details of the layout, scale and appearance of the development and of the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority (LPA) before development on the land to which the reserved matters relate commences. Development thereafter shall be carried out in accordance with the approved details.

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 (as amended).

2 Time Limit for Submission of Reserved Matters

The first application for approval of the reserved matters shall be made to the LPA before the expiration of two years from the date of this outline planning permission, and all applications for approval of the reserved matters shall be made to the LPA before the expiration of twelve years from the date of this outline planning permission.

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 (as amended) and to ensure timely delivery of the development.

3 Time Limit for Implementation

The development to which this outline planning permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 (as amended).

4 **Conformity with Approved Drawings and Documents**

Applications for approval of the reserved matters shall be consistent with the following approved plans and documents. Development thereafter shall be carried out in accordance with the approved details.

- Red line site plan (00884_SV_02 Revision P1)
- Parameter Plan - Land Use and Access (Drawing number 00884-PP-01 Revision P6)
- Parameter Plan - Green Infrastructure (Drawing number 00884-PP-02 Revision P6)
- Parameter Plan - Building Heights (Drawing number 00884-PP-03 Revision P6)
- Access Plans - ITB6173-GA-1001 Rev D; ITB6173-GA-1003 Rev G, ITB6173-GA-1004 Rev A; and ITB6173-GA-0035 Rev K
- Demolition Plan (00884_SV_02 Revision P1)

- Design and Access Statement - 6th of October 2016 (CIR/DAS/DOC/002): Design Principles and Landscape Design Principles - Chapter 7; Green Infrastructure Objectives - Chapter 7; Sustainable Design - Chapter 7; Safety and Security - Chapter 7; and Placemaking - Chapter 8 As updated by the changes to the bus gate location to the west of the SAM.
- Green Infrastructure Strategy - 6th of October 2016 (CIR/GI/DOC/002): Baseline Green Infrastructure - Chapter 4; Proposed Green Infrastructure - Chapter 5; and Proposed On-site Green Infrastructure Features and Management - Chapter 6 As updated by the changes to the bus gate location to the west of the SAM.

Reason: To ensure that high standards of urban design and comprehensively planned development are achieved, and for the purposes of clarity and avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

5 Conformity with Building Heights

No building on any part of the development shall exceed the maximum building heights shown on Parameter Plan - Building Heights (Drawing number 00884-PP-03 Revision P6).

Reason: The impacts of the development have been assessed on the approved parameters and any deviation from the parameters would require further consideration. This condition is applied in accordance with the National Planning Policy Framework, and Policies EN1, EN2, EN5, EN10 and EN12 of the adopted Cotswold District Local Plan 2011-2031.

6 Phasing

No applications for approval of the reserved matters shall be submitted until site-wide phasing proposals (hereinafter called the "Phasing Plan") have been submitted to and approved in writing by the LPA. The Phasing Plan shall include the following.

- a) A plan of the site showing the extent of each proposed Phase and Sub-Phase of development (Sub-Phase being part of a Phase which is the subject of its own Reserved Matters Application).
- b) A plan showing the proposed extents of the Detailed Design Codes and the proposed sequence for their production.
- c) A plan showing how the Primary Green Infrastructure Areas (as defined in the section 106 agreement) will be divided into Sub-Phases for delivery.
- d) An indicative schedule for the submission of Reserved Matters Applications for all common infrastructure, including enabling works.
- e) A plan and schedule (including the tenure mix) showing the proposed distribution of affordable housing among the Sub-Phases. As per the section 106 agreement, the Sub-Phase east of Somerford Road shall not include any social rented units, and the percentage of affordable housing for each Phase or Sub-Phase may be higher or lower than 30%, providing 30% affordable housing is delivered across the Development as a whole.
- f) A plan and schedule showing the proposed distribution of custom and self-build housing among the Sub-Phases.

- g) A plan showing the proposed distribution of housing for elderly people among the Sub-Phases.
- h) A plan showing the proposed distribution of the NEAP, LEAPs and BPAs among the Phases, and the proposed distribution of the LAPs among the Sub-Phases.
- i) Procedures for seeking LPA approval of revisions to the Phasing Plan (i.e. to ensure responsiveness throughout the implementation period).

Submission of Detailed Design Codes and reserved matters applications for common infrastructure shall conform to the approved Phasing Plan. The development shall thereafter be carried out in accordance with the approved Phasing Plan.

Reason: To ensure the development is comprehensively planned and phased to deliver a high quality sustainable development and to achieve maximum practical integration between different land uses in accordance with the National Planning Policy Framework and Policy S2 of the adopted Cotswold District Local Plan 2011-2031.

7 Initial Enabling Works

No applications for approval of the reserved matters shall be submitted until a list of Initial Enabling Works (i.e. initial engineering operations required to open up the site for development) has been submitted to and approved in writing by the LPA. The list shall be limited to those enabling works that could be undertaken without prejudicing the objectives of site-wide design coding.

Reason: To ensure that applications for approval of the reserved matters, which will not prejudice design coding, can proceed in parallel with the preparation of design codes without unnecessarily delaying delivery of the development. This condition is imposed in light of advice contained within the National Planning Practice Guidance.

8 Housing Space Standards

All residential development on the site which is brought forward for approval as reserved matters shall comply with or exceed the minimum internal space standards for new dwellings as set out in 'Technical housing standards - nationally described space standard' (DCLG March 2017), or any successor nationally described space standard. Development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure the development provides a suitable mix and range of housing in terms of size, to reflect local housing need and demand in both the market and affordable housing sectors, in accordance with Policy H1 of the adopted Cotswold District Local Plan 2011-2031.

9 Design Coding

Site-wide Design Code

No applications for approval of the reserved matters (other than Initial Works) shall be submitted until a Site-wide Design Code, including the items listed below, has been submitted to and approved in writing by the LPA.

- A plan showing the phases and/or sub phases for which Detailed Design Codes, including 1:1000 or 1:1250 Framework Plans, will subsequently be submitted to the LPA for approval (i.e. corresponding to the Phasing Plan).
- Character areas.
- Street types.
- Block types and associated design principles.
- Building uses.
- Building heights.
- Architectural principles (i.e. applicable to the development as a whole).
- Key public spaces.
- Design principles for: play areas; protecting trees and hedges; preserving and enhancing biodiversity; and promoting efficient use of natural resources.
- Arrangements for ongoing monitoring and review of design quality.
- Arrangements and timescales for monitoring, review and updates of the Site-wide Design Code.

Reason: To ensure that high standards of master planning and urban design are achieved in accordance with the National Planning Policy Framework, and Policies EN2 and S2 of the adopted Cotswold District Local Plan 2011-2031.

10 Detailed Design Code (including 1:1000 or 1:1250 Framework Plan) for each Phase/Sub-Phase

No applications for approval of the reserved matters (other than Initial Enabling Works) within any of the phase or sub-phase areas identified in the approved Site-Wide Design Code shall be submitted until a Detailed Design Code, including a 1:1000 or 1:1250 Framework Plan, for the area in question has been submitted to and approved in writing by the LPA. Each Detailed Design Code shall prescribe, at a greater level of resolution than the Site-wide Design Code, how the details approved through the Site-Wide Design Code are to be applied within that area to achieve the development form illustrated on the associated Framework Plan.

Reason: To ensure that high standards of master planning and urban design are achieved in accordance with the National Planning Policy Framework, and Policies EN2 and S2 of the adopted Cotswold District Local Plan 2011-2031.

11 Compliance with Design Codes

Applications for approval of the reserved matters (other than Initial Enabling Works) shall comply with the approved Site-Wide Design Code and the relevant Detailed Design Code, unless an alternative solution involving outstanding innovative design is proposed. Each application shall be accompanied by a statement describing how the reserved matters designs comply with the approved Site-Wide Design Code and relevant Detailed Design Code, or (where relevant) explaining why an alternative solution is proposed. Development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that high standards of master planning and urban design are consistent with design coding and to ensure that high standards of urban design are achieved in accordance with the National Planning Policy Framework, and Policies EN2 and S2 of the adopted Cotswold District Local Plan 2011-2031.

12 **Drainage and Water**

Compliance with the Flood Risk Assessment (FRA)

The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) produced by Glanville dated 15th December 2015 reference CV8140667/CS/DW/075 and the following mitigation measures detailed with the FRA.

- Limiting the surface water run-off from the development to the equivalent existing green-field run-off rates so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- The mitigation measures for any phase or sub phase of the development shall be fully implemented, prior to occupation of any dwellings within that phase or sub phase in accordance with the approved Phasing Plan.

Reason: To ensure the development does not increase the risk of flooding in accordance with the National Planning Policy Framework and Policies EN14 and INF8 of the adopted Cotswold District Local Plan 2011-2031.

13 Waste water (Thames Water)

No development (other than Initial Enabling Works) shall take place on land to which the reserved matters relate until a drainage strategy detailing any on and/or off-site foul or surface water drainage works, has been submitted to and approved by the local planning authority in writing. The submitted strategy shall demonstrate what consultation has taken place with the relevant sewerage undertaker and confirm that the undertaker is content with the strategy. The development shall thereafter be carried out in accordance with the approved strategy. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: To ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact upon the community in accordance with the National Planning Policy Framework, and Policies EN14, EN15 and INF8 of the adopted Cotswold District Local Plan 2011-2031.

14 Water Supply

No development (other than Initial Enabling Works) shall take place on land to which the reserved matters relate until: Impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the LPA. The studies should determine the magnitude of any new additional capacity required in the system and identify how this capacity will be delivered together with a suitable connection point. The submitted studies shall demonstrate what consultation has taken place with the relevant water undertaker and confirm that the undertaker is content with the details contained in the study. Development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand in accordance with the National Planning Policy Framework and Policy INF8 of the adopted Cotswold District Local Plan 2011-2031.

15 Sustainable urban Drainage System (SuDS)

SuDS Delivery Schedule

No development shall take place on land to which the reserved matters relate until a schedule for phased delivery of common infrastructure for the proposed sustainable urban drainage system (hereinafter referred to as the "SuDS Delivery Schedule") has been submitted to and approved in writing by the LPA. The SuDS Delivery Schedule shall be cross-referenced to the Phasing Plan, and describe how the phased delivery of common infrastructure shall be coordinated with SuDS Schemes for individual phases or sub-phases. It shall be based on drawing number CV8140667/03 Revision D and shall include the items listed below.

- Proposals for phased delivery of the overall network of common SuDS infrastructure, through applications for approval of the reserved matters pertaining to strategic green infrastructure.
- Confirmation of the functional relationship between common SuDS infrastructure and associated drainage schemes that will be formulated in conjunction with subsequent applications for approval of the reserved matters pertaining to the layout of buildings, the means of access thereto, and the landscaping within development parcels.
- Construction Method Statement (CMS) including proposed construction quality control procedures.
- Proposed interim drainage arrangements during the construction phase.
- Proposed arrangements for monitoring the phased construction and completion of the overall SuDS system, as individual parcels are completed and occupied.
- Proposals for the future maintenance and management of common SuDS infrastructure within areas of public open space (and/or other parts of the strategic green infrastructure network).

Applications for approval of the reserved matters shall conform to the approved SuDS Delivery Schedule. Development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding in accordance with the National Planning Policy Framework, Policies EN14, INF7 and INF8 of the adopted Cotswold District Local Plan 2011-2031.

16 SuDS Schemes for each phase/sub-phase

No applications for approval of the reserved matters (other than Initial Enabling Works) within any of the phase or sub-phase areas identified in the approved Phasing Plan shall be submitted until a Sustainable urban Drainage Systems (SuDS) Scheme for the area in question has been submitted to and approved in writing by the LPA. Each SuDS Scheme shall be consistent with the approved SuDS Delivery Schedule, focussing on the phase or sub-phase area in question, and include the following.

- Supporting evidence of ground conditions and modelling of the scheme/drainage features to demonstrate the Scheme is technically feasible and discharges the appropriate rates and volumes; and where applicable adheres to the NPPF, Non-statutory Technical Standards for Sustainable Drainage, Building Regulation H and local policy.
- Evidence to demonstrate that all surface water management systems will be designed in accordance with the principles set out in the SuDS Manual: C753 (CIRIA, 2015).
- Exceedance flow routes must be clearly defined and visualised on the related 1:1000 or 1:1250 (Detailed Design Code) Framework Plan.
- Cross reference to the approved Construction Method Statement (CMS) and the location and use of heavy machinery, plant or material in areas where infiltration has been proposed, showing a means of avoiding soil compaction.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding in accordance with the National Planning Policy Framework, Policies EN14, INF7 and INF8 of the adopted Cotswold District Local Plan 2011-2031.

17 Conformity and Maintenance with/of SuDS Scheme

Applications for approval of the reserved matters within each phase and/or sub-phase area shall conform to the relevant approved SuDS Scheme for that phase or sub-phase. Development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and to avoid flooding in accordance with the National Planning Policy Framework, Policies EN14, INF7 and INF8 of the adopted Cotswold District Local Plan 2011-2031.

18 SuDS Maintenance and Management Plan

A SuDS Maintenance and Management Plan shall be submitted to the LPA for approval with each application for approval of the reserved matters. Each Maintenance and Management Plan shall be cross-referenced to the maintenance and management proposals (i.e. for common infrastructure) in the approved SuDS Delivery Schedule, and set out complementary arrangements for the maintenance of SuDS features and associated pipework serving the application proposals. All SuDS features and associated pipework shall thereafter be maintained in accordance with the approved details.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and to avoid flooding in accordance with the National Planning Policy Framework, Policies EN14, INF7 and INF8 of the adopted Cotswold District Local Plan 2011-2031.

19 **Access and Movement**

Tetbury Road

Prior to the first occupation of any dwelling and/or employment land use accessed from Tetbury Road the access works as shown on drawing no ITB6173-GA-100-023 Rev A shall be completed in all respects and made available for use.

Reason: To ensure safe and suitable access can be achieved for all people and maintained in accordance with Paragraph 23 of the National Planning Policy Framework and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

20 South-western roundabout - Tetbury Road

Prior to the first occupation of any dwellings accessed from the south-western roundabout on Tetbury Road the access works shown on drawing no ITB173-GA-1001Rev D and ITB6173-GA-1002 Rev A shall be completed in all respects and made available for use.

Reason: To ensure safe and suitable access can be achieved for all people and maintained in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

21 Spratsgate Lane

Prior to occupation of any dwellings and/or employment land use accessed from Spratsgate Lane, the roundabout access and footway improvement works on Spratsgate Lane, Somerford Road and Wilkinson Road as shown on drawing no ITB6173-GA-035 Rev K shall be completed in all respects and made available for use.

Reason: To ensure safe and suitable access can be achieved for all people and maintained in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

22 Somerford Road/Wilkinson Road

Prior to the occupation of any dwellings or any employment uses accessed from Somerford Road and Wilkinson Road the access and footway improvement works along Somerford Road and Wilkinson Road as shown on drawing no ITB6173-GA-035 Rev K shall be completed in all respects and made available for use.

Reason: To ensure safe and suitable access can be achieved for all people and maintained in accordance with Paragraph 32 of the National Planning Policy Framework Policy 38 of the Cotswold District Local Plan 2001-2011 and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

23 Link Road Through Development Tetbury Road to Spratsgate Lane

No more than the trip generation envelope equivalent to 1000 dwellings shall be occupied prior to the development link road from Tetbury Road to the west of the site and Spratsgate Lane to the east of the site including measures to limit to sustainable transport modes only, has been completed and made available for use. The development link road shall include the bus gate in accordance with details approved as part of the reserved matters.

Reason: To ensure that safe and suitable access is provided for all people and that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

24 Development Quantum Access Restriction

No more than 1,675 dwellings, 24,155 sqm gross floor area of employment land use and the Neighbourhood Centre uses hereby permitted shall be accessed from the west of the site and no more than 705 dwellings and 6,503sqm gross floor area of employment land uses employment land use accessed from the east of the site (the latter excludes employment development on land east of Wilkinson Road and Spratsgate Lane).

Reason: To ensure that safe and suitable access can be achieved for all people and that the highway improvement works cost effectively limit the impact of the development in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

25 Pedestrian/Cycle Accesses

Prior to the occupation of any building within the Neighbourhood Centre (excluding any existing residential use/building at Chesterton Farm) being occupied a pedestrian/cycle link from any occupied dwelling accessed from Tetbury Road or Spratsgate Lane to the Local Centre shall be made available for use to allow access to the Neighbourhood Centre from any occupied parcels to the east and west of the development.

Reason: To ensure that safe and suitable access can be achieved for all people and that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

26 Bridleway 24

No more than the trip generation envelope equivalent to 400 dwellings shall be occupied from the accesses from Tetbury Road and prior to the occupation of any land use located within the Neighbourhood Centre the highway improvement works to Bridleway 24 from the site and along Cranhams Lane and Chesterton Lane shall be completed in accordance with drawing no ITB6173-GA-100-007 unless otherwise agreed in writing by the LPA.

Reason: To ensure that safe and suitable access can be achieved for all people and that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

27 Bridleway 30

Prior to any land use on the Neighbourhood Centre being occupied the highway improvement works to Bridleway 30 and Cranhams Lane and Springfield Road shall be completed in accordance with drawing no ITB6173-GA-100-008 unless otherwise agreed in writing by the LPA.

Reason: To ensure that safe and suitable access can be achieved for all people and that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework, Policy 38 of the Cotswold District Local Plan 2001-2011 and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

28 Footpath 29 and Eastern Access to Cranhams Lane

No more than the trip generation envelope equivalent to 150 dwellings accessed from the Spratsgate Lane roundabout shall be occupied until the highway improvement works to Footpath 29 to The Maples and from the east of the site to Cranhams Lane have been completed in accordance with drawing no ITB6173-GA-049 Rev B unless otherwise agreed in writing by the LPA.

Reason: To ensure that safe and suitable access can be achieved for all people and that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework Policy 38 of the Cotswold District Local Plan 2001-2011 and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

29 **Off Site Highway Mitigation**

A429 Tetbury Road/A419 Stroud Road Roundabout

No more than the trip generation envelope equivalent to 400 dwellings accessed from Spratsgate Lane, Somerford Road or Wilkinson Road of the site and no more than the trip generation envelope equivalent to 499 dwellings accessed from Tetbury Road shall be occupied until the highway improvement works at A419 Stroud Road/A429 Tetbury Road junction including Chesterton Lane and Cirencester College/Deer Park School Junction have been completed in accordance with drawing no ITB6173-GA-1005 Rev F, ITB6173-GA-1006 Rev A, ITB6173-GA-1010 Rev D and ITB6173-GA-1009 Rev D unless otherwise agreed in writing by the LPA.

Reason: To ensure that safe and suitable access can be achieved for all people and that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework Policy and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

30 A419/A429/Hammond Way (Hospital Roundabout)

No more than the trip generation envelope equivalent to 650 dwellings accessed from Tetbury Road or the trip generation envelope equivalent to 1000 dwellings in total accessed from either Tetbury Road, Spratsgate Lane, Somerford Road or Wilkinson Road shall be occupied until the highway improvement works at A419/A429 Ring Road/Hammond Way/Hospital Junction including the Hammond Way mini roundabout have been completed in accordance with drawing no ITB6173-GA-1007 Rev A and ITB6173-GA-1008 Rev F unless otherwise agreed in writing by the LPA.

Reason: To ensure that safe and suitable access can be achieved for all people and that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

31 A419/A429/Midland Road/Bridge Road/Love Lane Corridor

No more than the trip generation envelope equivalent to 99 dwellings accessed from Spratsgate Lane, Somerford Road and Wilkinson Road and the trip generation envelope equivalent to 200 dwellings accessed from the Tetbury Road shall be occupied until the highway improvement works at A419/A429/Midland Road/Bridge Road/Love Lane corridor have been completed in accordance with drawing no ITB6173-GA-044 Rev J unless otherwise agreed in writing by the LPA.

Reason: To ensure that safe and suitable access can be achieved for all people and that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

32 A419/A429/Middlemead/Cricklade Road (Kingsmeadow Roundabout)

No more than the trip generation envelope equivalent to 200 dwellings shall be occupied until the highway improvement works at A419/A429/Middle Mead/Cricklade Road (Kingsmeadow Roundabout) have been completed in accordance with drawing no ITB6173-GA-055 Rev H unless otherwise agreed in writing by the LPA.

Reason: To ensure that safe and suitable access can be achieved for all people and that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

33 A429 Burford Road/Stow Road/B4225/CherryTree

No residential dwelling or employment building shall be occupied in the development hereby approved, until the highway improvement scheme identified for the A429 Burford Road/Stow Road/B4225/Cherry Tree junction, as shown on drawing no ITB6173-GA-100-021 including detector loops on Burford Road have been completed and made available for use, unless otherwise agreed in writing by the LPA.

Reason: To ensure that cost effective improvements can be undertaken within the transport network that limit the significant impacts of the development on the Strategic Network (A417).

34 Chesterton Lane/Somerford Road

Prior to occupation of any dwelling or employment use accessed from Spratsgate Lane, Somerford Road and Wilkinson Road the highway improvement works at Chesterton Lane/ Somerford Road shall be completed in accordance with drawing no ITB6173-GA-097 Rev B unless otherwise agreed in writing by the LPA.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

35 Pedestrian/cycle Route 1 - Stroud Road (between Tetbury Road and Deer Park School/Cirencester College/Royal Agricultural University

Prior to occupation of any residential or employment land use accessed from Tetbury Road the walking and cycling improvement works to Route 1 shall be completed in all respects in accordance with drawing no's ITB6173-GA-101 Rev B, ITB6173-GA-102 Rev A, ITB6173-GA-103 Rev A, ITB6173-GA-104 Rev B, ITB6173-GA-105 Rev C unless otherwise agreed in writing by the LPA.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF3 of the adopted Cotswold District Local Plan 2011-2031.

36 Pedestrian/Cycle Route 2 - Tetbury Road (between the site boundary and town centre)

Prior to occupation of the 650th dwelling accessed from Tetbury Road the walking and cycling improvement works to Route 2 Tetbury Road (between site boundary and Town Centre) shall be completed in all respects in accordance with drawing no's ITB6173-GA-201 Rev B, ITB6173-GA-202 rev C, ITB6173-GA-203 Rev C, ITB6173-GA-204 Rev B, ITB6173-GA-205 Rev C, ITB6173-GA-206 Rev B, ITB6173-GA-207 Rev B, ITB6173-GA-208 Rev C, ITB6173-GA-209 Rev C, ITB6173-GA-210 Rev B and ITB6173-GA-211 Rev B unless otherwise agreed in writing by the LPA.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF3 of the adopted Cotswold District Local Plan 2011-2031.

37 Pedestrian/cycle route 3 - Cranhams Lane (existing Farm access) to the A429 via Chesterton Lane

Prior to occupation of the 400th dwelling or any occupation of a land use within the Neighbourhood Centre (excluding any existing residential or farm use within the existing buildings at Chesterton Farm) accessed from Tetbury Road the walking and

cycling improvement works to Route 3 Cranhams Lane (Existing Farm access) to the A429 via Chesterton Lane shall be completed in all respects in accordance with drawing no's ITB6176-GA-301 Rev C, ITB6176-GA-302 Rev C, ITB6176-GA-303 Rev C, ITB6173-GA-304 Rev C, ITB6173-GA-305 Rev B, ITB6173-GA-306 Rev C, ITB6173-GA-307 Rev B unless otherwise agreed in writing by the LPA.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF3 of the adopted Cotswold District Local Plan 2011-2031.

38 Pedestrian/cycle route 4 - Cranhams Lane (existing Farm Access) to Town Centre (via existing Bridleway No 24, Four Acre Field, Cotswold Close, Cotswold Avenue/Mount Street and Somerford Road

Prior to the occupation of the 400th dwelling or any occupation of a land use within the Local Centre accessed from Tetbury Road the walking and cycling improvement works to Route 4 Cranhams Lane (Existing Farm Access) to Town Centre (via existing Bridleway No 24, Four Acre Field, Cotswold Close, Cotswold Avenue/Mount Street and Somerford Road) shall be completed in all respects in accordance with drawing no's ITB6173-GA-401 Rev C, ITB6173-GA-402 Rev C, ITB6173-GA-403 Rev C, ITB6173-GA-404 Rev B, ITB6173-GA-405 Rev B, ITB6173-GA-406 Rev B, ITB6173-GA-407 Rev C, ITB6173-GA-408 Rev C, ITB6173-GA-409 Rev C, ITB6173-GA-410 Rev B unless otherwise agreed in writing by the LPA.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF3 of the adopted Cotswold District Local Plan 2011-2031.

39 Pedestrian/cycle route 5 - Cranhams Lane (Existing Bridleway No 30 to Town Centre via Brooke Road, Bathurst Road, Cotswold Avenue/Mount Street and Somerford Road

Prior to the occupation of any land use within the Neighbourhood Centre the walking and cycling improvement works to Route 5 Cranhams Lane (Existing Bridleway No 30 to Town Centre via Brooke Road, Bathurst Road, Cotswold Avenue/Mount Street and Somerford Road shall be completed in all respects in accordance with drawing no's ITB6173-GA-501 Rev C, ITB6173-GA-502 Rev C, ITB6173-GA-503 Rev B, ITB6173-GA-504 Rev B, ITB6173-GA-505 Rev B, ITB6173-GA-506 Rev B, ITB6173-GA-507 Rev C, ITB6173-GA-508 Rev C, ITB6173-GA-509 Rev B, ITB6173-GA-510 Rev B, ITB6173-GA-511 Rev B, ITB6173-GA-512 Rev B, ITB6173-GA-513 Rev A unless otherwise agreed in writing by the LPA.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF3 of the adopted Cotswold District Local Plan 2011-2031.

40 Pedestrian/cycle route 6 - Cranhams Lane (between The Maples and Somerford Road)

Prior to occupation of the 150th dwelling accessed from Spratsgate Lane the walking and cycling improvement work to Route 6 Cranhams Lane (between The Maples and Somerford Road) shall be completed in all respects in accordance with drawing no's ITB6173-GA-601 Rev B, ITB6173-GA-602 Rev C, ITB6173-GA-603 Rev B, ITB6173-GA-604 Rev C, ITB6173-GA—605 Rev B unless otherwise agreed in writing by the LPA.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF3 of the adopted Cotswold District Local Plan 2011-2031.

41 Pedestrian/cycle route 7 - Somerford Road (between the site boundary and Town Centre)

Prior to the occupation of any dwelling accessed from Spratsgate Lane, Somerford Road and Wilkinson Road the walking and cycling improvement works to Route 7 Somerford Road (between site boundary and Town Centre) shall be completed in all respects in accordance with drawing no's ITB6173-GA-701 Rev B, ITB6173-GA-702 Rev C, ITB6173-GA-703 Rev C, ITB6173-GA-704 Rev B, ITB6173-GA-705 Rev B, ITB6173-GA-706 Rev B, ITB6173-GA-707 Rev B and ITB6173-GA-708 Rev B unless otherwise agreed in writing by the LPA.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF3 of the adopted Cotswold District Local Plan 2011-2031.

42 Pedestrian/cycle route 8 - Oaklands to Sperringate (Between Somerford Road and Trinity Road/School Lane)

Prior to the occupation of any dwelling accessed from Spratsgate Lane, Somerford Road and Wilkinson Road the walking and cycling improvement works to Route 8 Oaklands to Sperringate (between Somerford Road and Trinity Road/School Lane) shall be completed in all respects in accordance with drawing no's ITB6173-GA-801 Rev B, ITB6173-GA-802 Rev B and ITB6173-GA-803 Rev C unless otherwise agreed in writing by the LPA.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF3 of the adopted Cotswold District Local Plan 2011-2031.

43 Pedestrian/cycle route 9 - Wilkinson Road/Love Lane/Midland Road

Prior to the occupation of any dwelling accessed from Spratsgate Lane, Somerford Road and Wilkinson Road the walking and cycling improvement works to Route 9 Wilkinson Road/Love Lane/Midland Road shall be completed in all respects in

accordance with drawing no's ITB6173-GA-901 Rev C, ITB6173-GA-902 Rev C, ITB6173-GA-903 Rev C, ITB6173-GA-904 Rev B, ITB6173-GA-905 Rev C and ITB173-GA-906 Rev B unless otherwise agreed in writing by the LPA.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework and Policies S2 and INF3 of the adopted Cotswold District Local Plan 2011-2031.

44 Construction Management Plan

Prior to development taking place on each phase, including any works of demolition, a Construction Management Plan shall be submitted to, and approved in writing by, the LPA in respect of that phase. The approved Plan shall be adhered to throughout the construction period. The Statement shall:

- i) specify details of the routing strategy and signage during the construction period;
- ii) provide for the parking of vehicles of site operatives and visitors;
- iii) provide for the loading and unloading of plant and materials;
- iv) provide for the storage of plant and materials used in constructing the development;
- v) provide for wheel washing facilities and proposed methods for cleaning the local highway network in the event that on site wheel wash facilities are not effective;
- vi) provide for turning vehicles;
- vii) specify the intended hours of construction operations; Deliveries to, and removal of plant, equipment, machinery and waste from, the site must only take place within the approved hours;
- viii) specify measures to control the emission of dust and dirt during construction;
- ix) specify details of the site access for construction vehicles;
- x) set out the procedures for maintaining good public relations, including complaint management, public consultation and liaison and procedures for emergency deviation of the agreed working hours;
- xi) provide details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- xii) confirm that mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimize noise disturbance from construction works. Where such mitigation measures would not be used, appropriate alternatives methods should be identified;
- xiii) measures for controlling the use of site lighting whether required for safe working or for security purposes and confirmation that such lighting would not impact upon the amenities of local residents or biodiversity.

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework and Policies EN15 and INF4 of the adopted Cotswold District Local Plan 2011-2031.

45 Public Transport Infrastructure

Prior to commencement of any phase or sub-phase of development (excluding any Initial Enabling Works) details of the public transport infrastructure shall be submitted to and approved in writing by the LPA. The details shall include; bus shelters,

timetables, seating, and Real Time Passenger Information, which shall be located within 800m of any dwelling, and adequate turning facilities prior to the spine road being opened as a through route, together with a timetable to be agreed for the implementation of these works. The works shall be provided in accordance with the agreed timetable.

Reason: To ensure that access to high quality public transport facilities are provided in accordance with Paragraph 35 of the National Planning Policy Framework and Policies S2 and INF3 of the adopted Cotswold District Local Plan 2011-2031.

46 Fire Hydrants

Prior to commencement of any phase or sub-phase of development (excluding any Initial Enabling Works) a scheme shall be submitted to, and approved in writing by the LPA, for the provision of fire hydrants (served by mains water supply) and 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 tackle any property fire.

47 Maintenance of Streets

Prior to commencement of any phase or sub-phase of development (excluding any Initial Enabling Works) a scheme shall be submitted to, and approved in writing by the LPA for future management and maintenance of the proposed streets within that phase or sub-phase of the development. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established to maintain it in accordance with the approved details.

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable place to live, work and visit as required by Paragraph 58 of the National Planning Policy Framework and Policies S2 and EN2 of the adopted Cotswold District Local Plan 2011-2031.

48 **Electric vehicle charging infrastructure**

Applications for approval of the reserved matters that include built development shall include details of the provision of electric vehicle charging infrastructure, including public and private electric vehicle charging points. Development thereafter shall be carried out in accordance with the approved details.

Reason: To facilitate and promote the use of electric vehicles.

49 Waste Minimisation and Soil Management

Prior to the commencement of the development a schedule for phased waste auditing and soil management (hereinafter referred to as the "Waste and Soil Management Schedule") shall be submitted to and approved in writing by the LPA. It shall confirm how details of the following matters are to be submitted in sequence to the LPA for approval, i.e. beginning prior to implementation of the approved accesses, and thereafter in conjunction with applications for approval of the reserved matters.

- a) The volume and nature of the waste which will be generated through the associated demolition and/excavation processes.
- b) The volume of that waste which will be utilized within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds, etc.
- c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
- d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.
- e) The intended destination or destinations for that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.
- f) Proposals for the provision of storage receptacles for recycling a range of materials, as specified by the Waste Collection Authority, within the residential components of the development.
- g) Provision within the commercial and employment areas of facilities and/or allocated areas for the management (e.g. sorting, storing and treating) of the waste produced within each of those components of the development.
- h) Management of the topsoil resource present within the site as described in the Environmental Statement: i.e. protection of the resource during construction; guidance on soil handling; removal of stones; and re-use to provide green cover within the site including parks, allotments, orchards, planting, playing fields and private gardens. Proposals submitted pursuant to this condition shall address (among other things) arrangements for the areas of good quality agricultural land (i.e. Grade 3a).

Applications for approval of the reserved matters shall conform to the provisions of the approved Schedule. Development thereafter shall be carried out in accordance with the approved schedule.

Reason: To ensure the development conforms with waste minimization requirements in accordance with the adopted Gloucestershire Waste Local Plan Policy 36 and the Gloucestershire Waste Minimization Supplementary Planning Document, and to enable the retention and appropriate reuse of higher grade soils within the site.

50 Archaeological Investigation

No development shall take place on any areas of the land to which the reserved matters relate until a Written Scheme of Investigation (WSI) for archaeological mitigation covering the area in question has been submitted to and approved in writing by the LPA. The approved WSI shall thereafter be implemented in

accordance with the approved details. A WSI for the site accesses, approved as part of this outline planning permission, shall be submitted to and approved in writing by the Council prior to the commencement of development to implement the site accesses, which shall thereafter be implemented in accordance with the approved details.

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 141 of the National Planning Policy Framework and policy EN12 of the adopted Cotswold District Local Plan 2011-2031.

51 Phased Arboricultural Reports

No development shall take place on any areas of the land to which the reserved matters relate until a detailed arboricultural report covering the area in question has been submitted to and approved in writing by the LPA. In each case the arboricultural report shall include an impact assessment, method statement (AMS) and tree protection plan (TPP), prepared in accordance with the guidance in BS 5837:2012 "Trees in relation to Design, Demolition and Construction - Recommendations." Each report shall include details of the following:

- Defined root protection areas of all trees.
- The timing of all tree protection measures.
- Details of proposed finished ground levels and any retaining structures within the defined root protection areas of all retained trees.
- Details of tree protection fencing and excluded activities.
- Details of temporary ground protection measures where access and working space is needed outside the tree protection fencing but within the root protection area of any tree.
- Details of any underground services within the root protection areas of any retained trees and how they will be installed.
- Details of method of construction of any surface which is to be of a 'no dig' construction method, in accordance with the current industry best practice.
- Details of how the tree protection measures will be monitored by the site manager.

A detailed arboricultural report covering the areas of the site accesses, approved as part of this outline permission, shall be submitted to and approved in writing by the Council prior to the commencement of development to implement the site accesses, which shall thereafter be implemented in accordance with the approved details. Development thereafter shall be carried out in accordance with the approved details.

Reason: To safeguard the retained/protected tree(s) in accordance Policy EN7 of the adopted Cotswold District Local Plan 2011-2031.

52 The Steadings

The demolition of the buildings known as 'The Steadings' and identified on the approved Demolition Plan (revision 00884_SV_02 Revision P1) shall not commence until the applicants or their agents, or their successors in title, have secured the implementation of a programme of architectural recording. Prior to the

commissioning of this work, details of the extent and method of recording, as well as a timescale for its completion and appropriate archive deposition, have been submitted to and approved in writing by the LPA. The recording work shall subsequently be completed strictly in accordance with the approved details.

Reason: In order to preserve a record of and advance understanding of the significance of the heritage assets, due to their irreplaceable nature, and to make this evidence publicly accessible, in accordance with Paragraph 141 of the National Planning Policy Framework and policy EN12 of the adopted Cotswold District Local Plan 2011-2031.

53 Retail in the Neighbourhood Centre

The proposed A1, A2, A3, A4 and A5 uses within the Neighbourhood Centre shall comply with the following thresholds;

- The floor space of use classes A1, A2, A3, A4 and A5 shall not exceed a total of 2,000 square metres Gross Internal Area (GIA);
- a minimum of 500 square metres (GIA) of floor space shall be class A1 uses;
- a minimum of 500 square metres (GIA) shall be of use classes other than A1;
- no more than 600 square metres Net Internal Area (NIA) of the class A1 floor space shall be used for the sale of comparison goods;
- no individual unit shall at any time exceed a floor area of 600 square metres (NIA); and
- a minimum of 2 units shall not exceed a floor area of 200 square metres (NIA)

These thresholds shall be complied with unless evidence is provided to justify alternative sizes and approved in writing by the LPA.

Reason: To ensure that the Neighbourhood Centre meets the needs of the new community, that the retail uses form an integral part of the Neighbourhood Centre and contribute towards community cohesion and place-making, and in order to protect the vitality and viability of Cirencester town centre, in accordance with the National Planning Policy Framework and Policies S2 and EC7 of the adopted Cotswold District Local Plan 2011-2031.

54 Maximum Threshold of Employment Floor Space

The development to which this outline planning permission relates shall at no time contain more than a total of 43,664 square metres gross floor area of employment uses (i.e. Classes B1, B2 and B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), or equivalent use classes in any Statutory Instrument revoking and re-enacting that Order.

Reason: To ensure the gross floor area of employment uses does not exceed the total amount assumed in the Transport Assessment, any additional floorspace will require further consideration.

55 Contaminated Land

A. Site Characterisation

No phase or sub-phase of development shall take place until an assessment of the nature and extent of contamination within that phase or sub-phase has been submitted to and approved in writing by the LPA. This assessment shall consider any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- i) A 'desk study' report documenting the site history, environmental setting and character, related to an initial conceptual model of potential pollutant linkages
- ii) A site investigation, establishing the ground conditions of the site, a survey of the extent, scale and nature of contamination;
- iii) A 'developed conceptual model' of the potential pollutant linkages with an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems.

B. Submission of Remediation Scheme

No development of any phase shall take place until a detailed remediation scheme to bring the land within that phase or sub-phase to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment has been submitted to and approved in writing by the LPA. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The Remediation Scheme, as agreed in writing by the LPA, pursuant to part B of this condition, shall be fully implemented in accordance with the approved details and timetable of works and before the phase of development is first occupied. Any variation to the scheme shall be agreed in writing with the LPA in advance of works being undertaken. On completion of the works the developer shall submit to the LPA written confirmation that all works were completed in accordance with the agreed details.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the LPA and development must be halted on the part of the site affected by the unexpected contamination.

An assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the LPA in accordance with the requirements of part B.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme written confirmation that all works were completed must be submitted to and approved in writing by the LPA in accordance with part C.

Reason: To ensure that existing potential sources of pollution are identified adequately remediated and to ensure that there are no contamination risks to human health, groundwater or the environment in accordance with the National Planning Policy Framework, and Policy EN15 of the adopted Cotswold District Local Plan 2011-2031.

56 **Protection of Biodiversity**

Compliance with Ecological Mitigation and Management Framework

All works shall be carried out in accordance with the details contained in the Ecological Mitigation and Management Framework (EMMF) dated May 2017 (report ref. EDP1063_30e, as submitted by email on 25th May 2017) prepared by EDP, as modified by the relevant European protected species licences from Natural England, but excluding the proposed 'Habitat Rocket Box' for lesser horseshoe bats (third bullet point, section 5.11) and paragraphs A3.11 to A3.15 of Appendix 3 (Skylarks).

A statement shall be submitted with each reserved matters and listed building application to demonstrate that the application proposals comply with the details in the EMMF dated May 2017, including copies of any relevant Natural England European Protected Species licence and accompanying method statement (if applicable), or, where they do not comply, a justification for any deviations or amendments.

Reason: To ensure that bats, dormouse, great crested newt, reptiles, nesting birds (including ground-nesting species) and badgers, and priority habitats including hedgerows, are protected and enhanced in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11 and policy EN8 of the adopted Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

57 Lesser horseshoe bat night roost compensation

Notwithstanding the information in the Ecological Mitigation and Management Framework (EMMF) dated May 2017 prepared by EDP (report ref. EDP1063_30e), a scheme for the provision of a replacement lesser horseshoe bat night roost structure at a suitable location within the development hereby approved shall be submitted to

the LPA for approval before the demolition of The Steadings bungalow complex. The approved scheme shall be implemented in full within 12 months following the demolition of The Steadings bungalow complex and as modified by a relevant European protected species licence from Natural England, unless otherwise agreed in writing with the LPA. Copies of any relevant European protected species licence and accompanying method statement shall also be submitted to the LPA within 3 months of receipt.

Reason: To provide adequate compensation for lesser horseshoe bats in accordance with The Conservation of Habitats and Species Regulations 2010 (as amended), the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policy EN8 of the adopted Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

58 Ecological Construction Method Statement (ECMS) and Construction Environment Management Plans (CEMP)

No development shall take place (including demolition, ground works, vegetation clearance) within a phase or sub-phase until an Ecological Construction Method Statement (ECMS) (or equivalent document) for that phase or sub-phase is submitted to and approved in writing by the local planning authority. The ECMS shall include, but not necessarily be limited to, the following:

- i. Pre-clearance ecological mitigation works, including advance planting and, for example, the creation of ponds and hibernacula for great crested newts
- ii. Ecological risk assessment of potentially damaging construction activities;
- iii. Identification of 'biodiversity protection zones';
- iv. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- v. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- vi. The times during construction when specialist ecologists need to be present on site to oversee works;
- vii. Responsible persons and lines of communication;
- viii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s), including regular compliance site meetings with the Council Biodiversity Officer and Landscape Officer (frequency to be agreed, for example, every 3 months during construction phases);
- ix. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- x. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works; and
- xi. A reptile mitigation strategy for the new accesses from the Tetbury Road and Spratsgate Lane.

The approved ECMS shall be adhered to and implemented throughout the construction period strictly in accordance with the approved.

Reason: To ensure that ecological mitigation measures are delivered and that protected/priority species and habitats are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2010 (as amended), the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policy EN8 of the adopted Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

59 Ecological Clerk of Works

A report prepared by an Ecological Clerk of Works or similarly competent person confirming that the required mitigation and compensation measures identified in the ECMS have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the LPA for approval within 3 months of the date of completion of each phase or sub-phase of the development or at the end of the next available planting season, whichever is the sooner. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

Reason: To ensure that ecological mitigation measures are delivered and that protected/priority species and habitats are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2010 (as amended), the Wildlife and Countryside Act 1981 as amended, The Hedgerow Regulations 1997, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policy EN8 of the adopted Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

60 Lighting Design Strategy

Where the development in each phase or sub-phase includes areas identified as being "unlit", "wildlife zone" and/or "bat-sensitive lighting" on Plan EDP 1: Illustrative Ecology Mitigation and Management Plan contained within the Ecological Mitigation and Management Framework (EDP, May 2017), the Reserved Matters applications for those phases or sub-phases shall be accompanied by a lighting design strategy for biodiversity.

The strategy shall:

- a) Demonstrate compliance with Guidance Note 08/18 Bats and Artificial Lighting in the UK published by the Institution of Lighting Professionals and the Bat Conservation Trust (<https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>);
- b) Include the results of the modelling of light levels before and after development shown on lux contour plots and vertical plane diagrams to demonstrate that dark wildlife corridors can be maintained;
- c) Show how and where external and street lighting will be installed (including the type of lighting) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species, dormice and great crested newts using their territory or having access to any place of shelter;

d) Show how and where external lighting will be installed (including the type of lighting) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species, dormice and great crested newts using their territory or having access to any place of shelter.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the LPA.

Reason: To protect foraging, commuting and roosting bats, great crested newts, hazel dormice and badgers (and other nocturnal species) in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policy EN8 of the adopted Cotswold District Local Plan 2011-2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

61 Landscape, Ecological and Arboricultural Management and Monitoring Plan (LEAMMP)

A Landscape, Ecology and Arboricultural Management and Monitoring Plan (LEAMMP) for each phase or sub-phase of the development shall be submitted to, and approved in writing by, the LPA before occupation of the first dwelling in that phase or sub-phase. The content of the LEAMMP shall be based on the 'Ecological Mitigation and Management Framework' (EMMF) dated May 2017 prepared by EDP, and include, but not necessarily be limited to, the following information:

- i. Description and evaluation of features to be managed; including location(s) shown on a site map;
- ii. Landscape and ecological trends and constraints on site that might influence management;
- iii. Aims and objectives of management;
- iv. Appropriate management options for achieving aims and objectives;
- v. Prescriptions for management actions;
- vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period);
- vii. Details of the body or organisation responsible for implementation of the plan;
- viii. A Biodiversity Monitoring Strategy, including details of the appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various biodiversity mitigation, compensation and enhancement measures being monitored can be judged; frequency, timings and locations for data gathering; methods for data gathering and analysis; mode, method, frequency of updates and reporting to the LPA, including how contingencies and/or remedial action will be identified, agreed with the LPA, and then implemented;
- ix. Timeframe for reviewing the plan; and
- x. Details of how the aims and objectives of the LEAMMP will be communicated to the occupiers of the development.

The LEAMMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The LEAMMP shall be implemented in full in accordance with the approved details for a period of 25 years following occupation of the last dwelling on the site.

Reason: To maintain and enhance biodiversity, to ensure long-term management in perpetuity and to ensure effective monitoring in accordance with the NPPF (in particular section 11), and policy EN8 of the adopted Cotswold District Local Plan 2011-2031 and in order for the council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

62 Off-site Highways Works

Before the commencement of works associated with the off-site highway improvements, ecological walkover surveys shall be carried out by professional ecologists and Ecological Mitigation and Enhancement Plans for each of the locations shall be submitted to the LPA for approval. The Plans shall include a written report with drawings showing habitats, target notes and mitigation and enhancement measures. The approved Plans shall be implemented in full and the ecological mitigation and enhancement features shall be permanently maintained.

Reason: To ensure that protected species (e.g. badgers, nesting birds, reptiles, bats) are taken into account during off-site highway improvements and that biodiversity mitigation and enhancements are provided in accordance with paragraph 118 of the National Planning Policy Framework, and policy EN8 of the adopted Cotswold District Local Plan 2011-2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

63 Off-site Highways Works

No off-site highways works at the Somerford Road/Chesterton Lane junction and the Chesterton Lane/dual carriageway junction shall commence until the details of any tree removal required and replacement planting and/or mitigation have been submitted to and approved in writing by the LPA. The works shall thereafter be carried out in accordance with the approved details. Any replanting shall be undertaken in accordance with the proposed details by the end of the first planting season following the completion of the works and should the replacement tree(s) be removed, die or become severely damaged or seriously diseased, all within 5 years of planting, it must be replaced by a tree of a similar size and species to that originally planted.

Reason: In the interests of visual amenity, appropriate landscaping of the highway corridor, and the protection of biodiversity, in accordance with the National Planning Policy Framework, and policies EN7 and EN8 of the adopted Cotswold District Local Plan 2011-2031.

64 **Broadband**

No development shall take place (other than Initial Enabling Works) on any areas of the land to which the reserved matters relate until a strategy to provide ducting to each property to enable connection to facilitate super-fast broadband has been submitted to and approved in writing by the LPA. The strategy shall seek to ensure that upon occupation of either employment buildings or dwellings, either a landline or

ducting to facilitate the provision of a broadband service to that building from a site-wide network, is in place. The development of the site shall be carried out in accordance with the approved strategy.

Reason: To provide a high quality communications infrastructure within the development which is essential for sustainable economic growth and will play a vital role in enhancing the provision of local community facilities and services and in enabling occupants to work from home, in accordance with the National Planning Policy Framework and Policy S2 the adopted Cotswold District Local Plan 2011-2031.

65 **Commercial and Employment Uses**

Hours of operation

Each Reserved Matters application, pursuant to the outline planning application hereby approved, which includes Use Classes A1, A2, A3, A4, A5, D1, D2, B2, and/or B8 floorspace shall be accompanied by details of the proposed hours of operation of the said use(s) including hours of delivery. The details shall be submitted to and approved in writing by the LPA before the operation is brought into use. The use(s) shall be operated in accordance with the approved details.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy EN15 of the adopted Cotswold District Local Plan 2011-2031 and the National Planning Policy Framework.

66 Treatment of Fumes, Emissions and Odours - Use Class B2

Each Reserved Matters application, pursuant to the outline planning application hereby approved which includes development within Use Class B2 shall be accompanied by a scheme for treating fumes, emissions and odours so as to render them innocuous before their emission to the atmosphere. The scheme shall be submitted to and approved in writing by the LPA before the operation is brought into use, implemented in full prior to occupation of the development and retained permanently thereafter.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy EN15 of the adopted Cotswold District Local Plan 2011-2031 and the National Planning Policy Framework.

67 Treatment of Fumes, Emissions and Odours - Use Class A3, A4, and/or A5

Each Reserved Matters application, pursuant to the outline planning application hereby approved, for Use Class A3, A4, and/or A5 shall be accompanied by details of the proposed scheme for the treatment and extraction of fumes, emissions and odours, including any ventilation, filtering or other equipment together and a timetable for installation and future maintenance. The approved scheme shall be implemented (including installation of any approved ventilation, filters and/or other equipment) before occupation of the building to which it relates. The use shall thereafter be carried out fully in accordance with the approved scheme and any installed equipment shall thereafter be maintained and retained in accordance with the approved scheme.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy EN15 of the adopted Cotswold District Local Plan 2011-2031 and the National Planning Policy Framework.

68 Noise

Each Reserved Matters application, pursuant to the outline planning application hereby approved which includes Use Class A4, D1, D2 B2 and/or B8 floorspace shall be accompanied by a scheme for the control of noise emitted from the use. The scheme of mitigation shall be based on the noise rating and methodology laid out in BS 4142: 2014 'Methods for rating and assessing industrial and commercial sound'. The scheme should ensure that noise levels in the nearest gardens and public open spaces as a result of the carrying out of the uses do not exceed 55 dB LAeq 1 hour when measured at any period (in accordance with the World Health Organisation figure contained in BS8233:2014). The scheme shall be implemented in full prior to occupation of the development the subject of the approved reserved matters application and retained and maintained as approved.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy EN15 of the adopted Cotswold District Local Plan 2011-2031 and the National Planning Policy Framework.

69 **Scheduled Ancient Monument**

Prior to commencement of development on the main development site (excluding the development off Somerford Road and to the east of Spratsgate Lane), a 'Scheduled Ancient Monument (SAM) and Biodiversity Enhancement and Management Plan' shall be submitted to and approved in writing by the LPA to protect the on-site and off-site parts of the Scheduled Ancient Monument and secure its long term management to enhance its biodiversity interest. The plan shall include, but not necessarily be limited to, the following:

- i. A map of the SAM defining the boundaries and areas where new boundaries or ploughing buffers will be provided;
- ii. Details of the protection of the SAM during construction (e.g. preventing vehicle movements across the SAM and establishing a working corridor with appropriate fencing);
- iii. Details of any erosion prevention measures proposed as part of the maintenance of footpaths;
- iv. Details of the management of the on-site SAM area to preserve its archaeological features, allow its use as an area of open space and enhance its biodiversity value;
- v. Full details of the arable reversion of the off-site SAM area to remove it from ploughing and lay it to grassland;
- vi. Details of the maintenance of the off-site SAM area to ensure successful establishment in the first 5 years following creation;
- vii. Details of the longer-term management of the off-site SAM area to enhance its suitability for breeding skylarks (a period of at least 10 years following completion of the development);
- viii. A timetable for the implementation and regular review of the plan; and,
- ix. Details of at least 3 no. interpretation boards for both archaeology and biodiversity aspects of the SAM to be provided at key points to aid public awareness.

The approved plan shall be implemented in full and in accordance with the specified timescales contained within the plan.

Reason: To protect the archaeological features within the Scheduled Ancient Monument and to provide compensation for breeding skylarks (priority species) in accordance with the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and Policy EN8 of the Local Plan 2011-2031, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

INFORMATIVES :-

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

2 Please note, any conditions attached to this permission that require the written approval of the Local Planning Authority will have to be part of an application for approval of details reserved by condition. A fee will be necessary for each application related to a planning permission. However, all of the conditions can be covered by one application, or on an individual basis.

3 "Initial Enabling Works" are those works which include site clearance and preparation and Reserved Matters Application relating to open spaces.

4 The "Neighbourhood Centre" as referred to within conditions 24-27, 37, 39 and 53 refers to the Mixed Use Neighbourhood Centre, the Community Hub, the residential uses to the immediate south of the Community Hub, the Primary School, the Sports Hall, Health and Fitness uses and the formal sports pitches as identified on the approved Land Use Parameter Plan 00884_PP-01-Rev P6.

5 The nature of groundwater makes it difficult to measure temporally and spatially, and this is taken in to consideration in the assessment of the proposal. The ground investigations demonstrate infiltration is feasible at certain location with appropriately designed infiltration features, and this is reflected in the outline drainage strategy. Considering the size of the development and the number of individual infiltration features that will be required across the whole development, it is advised that further groundwater monitoring is carried out over a sufficient period of time to inform the final detail drainage strategy with greater certainty and accuracy. Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the Lead Local Flood Authority.

6 Cotswold District Council encourages all contractors to be 'Considerate Contractors' when working in the District, by being aware of the needs of neighbours and the environment.

7 Updated ecological surveys will be required to accompany reserved matters applications and to inform the compliance of conditions relating to biodiversity.

8 The Scheduled Ancient Monument (SAM) and Biodiversity Enhancement and Management Plan to be submitted for approval under condition 69 above should be prepared with input from Historic England before submission to the LPA. This would help to avoid any subsequent delays, as the local planning authority would consult Historic England for their comments on the plan at the discharge of condition stage.

Statement in respect of the positive and creative approach undertaken by the Local Planning Authority

In accordance with the requirements of the National Planning Policy Framework, the Local Planning Authority has worked with the applicant(s) in a positive and creative manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area.

Your attention is drawn to the NOTES overleaf.

Kevin Field

Kevin Field
Planning and Development Manager on behalf of Cotswold District Council

INFORMATION ABOUT THIS DECISION

This is the Council's formal decision on your application. As your application has been agreed, conditions may have been attached. It is very important that you take careful note of the conditions and comply with them. If there is anything about the decision or conditions that you do not understand, then please contact Customer Services, Cotswold District Council, Trinity Road, Cirencester, Gloucestershire, GL7 1PX Tel 01285 623000.

ENFORCEMENT

It is very important that you comply with the Council's decision. As your application has been allowed, you must follow the agreed plans carefully and comply with the conditions.

If you fail to comply with this Decision Notice, then you could be in contravention of the Town and Country Planning Act 1990 or other legislation. In such circumstances, the Council may well initiate enforcement action.

APPEALING AGAINST A DECISION

If you disagree with the Council's decision, you can appeal to the Secretary of State against any of the conditions that have been imposed under Section 78 of the Town and Country Planning Act 1990. You must do so within **6 months** of the date of this notice.

The Secretary of State can allow longer for you to lodge an appeal, but only in cases where there are special reasons which excuse the delay in giving notice of appeal.

To appeal, you must complete a form which you can obtain from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or the Appeals area at www.planningportal.gov.uk. Some personal information will be displayed on this website, please contact the Planning Inspectorate if you have any concerns.

The Secretary of State need not consider an appeal if it seems to him that the Council have no option under planning legislation but to refuse permission or impose a particular condition, having regard to the statutory requirements to the provisions of any development order and to any directions given under a development order.

BUILDING REGULATIONS

The development may involve building work which requires approval under the Building Regulations. You are responsible to ensure that Building Regulation Consent is granted prior to commencement of work on site. Information about Building Regulation approval, the procedure to be followed and application forms can be obtained from the Council's Building Control Section, Trinity Road, Cirencester, Gloucestershire GL7 1PX Tel: 01285 623000

DEMOLITION AND OTHER APPROVALS

If the development involves demolition you should contact the Building Control Section for advice on how to proceed.

DISPOSAL OF WASTE CREATED DURING DEVELOPMENT

For advice please contact the Waste Advice Team at the below address or visit www.cotswold.gov.uk/go/WasteCarriers.

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase the owners interest in the land in accordance with the provisions of Chapter I Part VI of the Town and Country Planning Act 1990.

Cotswold District Council, Trinity Road, Cirencester, Gloucestershire, GL7 1PX Tel 01285 623000 www.cotswold.gov.uk

OCTOBER 2010