



GL Hearn

Planning Statement

Crest Nicholson Operations Ltd

Hunts Grove
Gloucestershire

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Prepared by

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Quality Standards Control

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This document must only be treated as a draft unless it has been signed by the Originators and approved by a Business or Associate Director.

DATE
18 June 2015

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Limitations

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1 INTRODUCTION

- 1.1 GL Hearn act on behalf of Crest Nicholson Operations Limited in respect of their development interests at land at Colethrop Farm, Gloucestershire (Hunts Grove). Outline planning permission was granted by the Secretary of State on 2 June 2008 (S.06/1422/OUT) for 1,750 dwellings, a Neighbourhood Centre (including primary school parking and floorspace within Use Classes A1, A2, A3, A4, A5, C2, C3, D1, D2 and B1), 5.75 hectares of employment land within Use Classes B1, B2 and B8, recreational open space, sports/play facilities, allotments, pumping station, new accesses into Waterwells, remodelling of land for Junction 12 improvements, noise bund and fencing along M5, diversion of footpath BH9, demolition of Colethrop Farm, and on/off-site infrastructure. The outline planning permission included detail of proposed access, with all other matters reserved.
- 1.2 The consent was varied in 2010 under reference S.09/1692/VAR with regard to certain phasing and access provisions. Approval of reserved matters for the first phase of development for 350 dwellings was secured in February 2010 (S.09/2273/REM). This phase is scheduled to be complete by summer 2015. Reserved matters for Phase 2A (50 dwellings) was approved pursuant to the existing outline permission in December 2014 (S.14/1552/REM).
- 1.3 The consented development is the product of an earlier planning context, which encouraged higher residential densities. The proposals were also subject to planning obligations and scheme components that are no longer considered to be justifiable or viable. As such the consented outline permission is no longer fit for purpose.
- 1.4 The Section 73 application seeks to revisit and rationalise the masterplan, taking into account factors such as overall scheme viability; deliverability of community assets; effective use of infrastructure; phasing and future development. The changes to the masterplan are being sought through variation of planning conditions pursuant to the outline permission (Ref s.09/1692 VAR).
- 1.5 The Section 73 Application seeks to secure changes to the planning conditions and obligations dealing with delivery mechanisms which limit the number of dwellings that can be occupied across the site relative to the delivery of infrastructure provision, and rationalise any other conditions or obligations that may be affected as a result of the changes proposed.
- 1.6 A number of changes are proposed to aspects of the consented development in terms of both the distribution of land uses within the site and the phasing of the development infrastructure. These changes are minor in scale within the context of the consented development as a whole. They do not alter the description of development as described in the Outline Planning Consent.

Environmental Impact Assessment

- 1.7 The application for the Outline Planning Consent was supported by an Environmental Statement (ES) (May 2006) which was prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended), which were the relevant Environmental Impact Assessment (EIA) Regulations at that time. This ES is referred to in this report as the Original ES (2006).
- 1.8 A subsequent Addendum to the ES was prepared in February 2007 and submitted to Stroud District Council under Regulation 19 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended) to take into account minor changes negotiated during determination of the outline application.
- 1.9 This Section 73 application is therefore accompanied by a Supplemental Environmental Statement (Supplemental ES). The Supplemental ES sets out the assessment of the likely environment effects which may arise from the proposed design changes to the Consented Development.

The Section 73 Application Submission

- 1.10 The Section 73 application submission comprises the following:
- Application form (GL Hearn)
 - Planning Statement (GL Hearn)
 - Masterplan (PAD)
 - Design and Access Statement addendum (PAD)
 - Supplemental Environmental Statement (LDA)
 - Application fee £195
- 1.11 This Planning Statement sets out the proposed variation / removal of conditions; changes to the masterplan and the justification for the changes; and includes the proposed Heads of Terms for the revised S106 Agreements with Stroud District Council and Gloucestershire County Council.

2 PLANNING POLICY CONTEXT

Introduction

- 2.1 The proposed development at Hunts Grove has been informed by the Development Plan and National Planning Policy.

National Planning Policy

- 2.2 When the Consented Development was originally assessed, National Planning Policy was provided in a series of Planning Policy Statements (PPSs) and Planning Policy Guidance Notes (PPGs). These documents have now been revoked and replaced by a single document - The National Planning Policy Framework (NPPF) (2012), which is supported by National Planning Policy Guidance (NPPG).
- 2.3 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF reaffirms the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (paragraph 210, NPPF). The NPPF is a material consideration in the determination of planning applications (Paragraph 212, NPPF).

Development Plan

- 2.4 At the time of the original application the Development Plan comprised regional planning guidance in the form of RPG 10 (the Regional Spatial Strategy for the South West - September 2001), the Gloucestershire Structure Plan Second Review 2011 (adopted November 1999) and the Stroud District Local Plan (Adopted November 2005).
- 2.5 Following enactment of the Planning and Compulsory Purchase Act 2004, the Regional Spatial Strategy (RSS) became the strategic tier of the development plan, replacing the Structure Plan. Subsequently, following enactment of the Localism Act 2011, the RSS was abolished. The Stroud District Local Plan (adopted November 2005) therefore remains the only Development Plan document and is the key planning policy document on which development management decisions are based within the district until its policies and provisions are replaced following adoption of the Stroud District Local Plan 2014, which is currently at examination stage).
- 2.6 The Stroud District Local Plan 2005 covers the period 1991-2011 and is therefore time expired. Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.
- 2.7 The policies of the Local Plan expired on 9th November 2008 unless they were saved by a Direction made by the Secretary of State under the provisions of the Planning and Compulsory

Purchase Act 2004. The direction states that following the 9th November 2008 saved policies should be read in context:

"where policies were adopted some time ago, it is likely that material considerations, in particular the emergence of new national and regional policy and also new evidence, will be afforded considerable weight in a decision".

2.8 Under the direction of the Secretary of State, the following policies considered relevant to the Proposed Development were saved beyond 9th November 2008:

- Policy HN1 (MU1): Allocation of Hunts Grove Development;
- Policy HN3: Phasing Policy;
- Policy HN5: Integration and mix of affordable housing, and retention;
- Policy TR1: Transport requirements for all development;
- Policy TR2: Pedestrian Access and New Development;
- Policy TR6: Home Zones;
- Policy TR7: Bus and Taxi Access and New Development;
- Policy TR12: Vehicle Parking Standards;
- Policy EM1: Sites for Employment Development;
- Policy BE14: Protection of Archaeological remains of Other Than National Significance;
- Policy NE4: Control of development affecting legally protected and BAP species;
- Policy NE7: Protection of Water Based Habitats;
- Policy NE8: Protection of Cotswold AONB;
- Policy NE10: Protection of Defined Landscape Character Area;
- Policy NE11: Protection of Trees and Woodlands;
- Policy NE12: Protection of Hedgerows;
- Policy RL5: Open space provision associated with new residential development;
- Policy GE1: Minimising noise, general disturbance, smell, fumes, loss of daylight, sunlight or privacy;
- Policy GE2: Minimising atmospheric and environmental pollution; and
- Policy GE5: Minimising development detrimental to highway safety.

2.9 The following policies considered relevant to the original Hunts Grove development were not saved under the Secretary of State direction:

- Policy BE1: Public Realm;
- Policy BE2: Urban Design;
- Policy BE21: Control of renewable energy related development;
- Policy TR3: Cycle access and new development;
- Policy TR5: Cycle Parking;
- Policy NE9: Protection of Special Landscape Areas;
- Policy NE13: Landscape treatment associated with new development;
- Policy NE15: Protection of ground and surface water resources;
- Policy RL6: Protection of Public Rights of Way;
- Policy GE3: Minimising noise sensitive development;

- Policy GE4: Minimising development that would lead to flooding; and
- Policy GE6: Contaminated Land.

Emerging Local Plan

- 2.10 The Stroud District Council Local Plan 2014 will replace the Stroud District Local Plan 2005 once adopted. Paragraph 216 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to:

The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater that may be given).

- 2.11 The Stroud District Council Local Plan 2014 is currently being examined. Stage 1 (covering employment and housing requirements) of the examination hearings took place on 1st – 3rd April 2014. Following publication of the Inspector's Initial Conclusions on Stage 1 of the examination in June 2014, the Council agreed to suspend the examination in order to enable further work to be undertaken, including a review of the overall housing requirement for the plan period. Post-submission proposed changes (including potential main modifications) were consulted on between 11th February and 25th March 2015.
- 2.12 The Stage 1 examination hearings will resume on 12th May 2015. Stage 2 hearings (remaining policies and proposals) are then scheduled for hearings commencing on 28th May 2015. It is anticipated that the Stroud District Local Plan will be adopted in Autumn / Winter 2015.

3 PROPOSED VARIATION/REMOVAL OF CONDITIONS

3.1 The outline planning permission is subject to 59 conditions. The following conditions are proposed to be amended/deleted:

1; 2; 5; 6; 9; 10; 11; 13; 15; 16; 18; 20; 21; 24; 25; 26; 27; 30; 31; 32; 33; 36; 37; 38; 39; 40; 41; 42; 43; 44; 49; 51; 52; 53; 55

3.2 A schedule of planning conditions is provided at **Appendix 1**. This outlines how the above conditions are proposed to be amended. The majority of the above conditions are being amended or deleted to either refer to updated documents/ plans (see proposed changes to the masterplan below); updated to accord with current policy; deleted because they are no longer considered necessary; or simplified (i.e a number of conditions will be combined to form a single Construction Environment Management Plan).

3.3 The principal change to wording of the conditions relates to the proposed variation to condition 39, which currently requires construction and opening of the main A38 access infrastructure prior to occupation of the 351st dwelling. It is proposed to vary this trigger so that the A38 access infrastructure needs to be provided by 751st dwelling occupation. This change will enable the re-modelling of the masterplan and amendment to the proposed phasing strategy. The accompanying supplemental ES demonstrates that the revised threshold of the 751st occupation will not lead to any unacceptable effects on the highway network.

Additional Conditions

3.4 Additional conditions are now proposed as part of this S73 application. The new conditions are a result of a review, rationalisation and simplification of the existing S106 agreements. The additional conditions are as follows:

- Public Open space (provision and maintenance): Condition provided in lieu of S106 obligations.
- Play Areas and Play Trail (Provision, scheme details and maintenance): Condition provided in lieu of S106 obligations.
- Sports Pitches (provision, management and maintenance): Condition provided in lieu of S106 obligations.

4 PROPOSED CHANGES TO THE MASTERPLAN

4.1 A number of conditions referred to in section 3 are being varied to refer to a revised masterplan and the new accompanying Design and Access Statement Addendum. The revised masterplan is a rationalisation of the existing masterplan, and aims to improve scheme efficiency whilst remaining within the parameters of the existing outline scheme proposals.

4.2 In summary there are no changes proposed to the following:

- The overall area of land proposed for development which will remain within the limits established by the red line boundary and the Outline Planning Consent;
- The quantum of residential development which will remain as a maximum of 1750 dwellings;
- The types of development proposed (use classes) nor the quantum of commercial and employment development proposed;
- The locations and arrangement of the main site access points from the A38 and Waterwells Drive;
- The proximity of development to adjacent land uses or the extent of the noise attenuation bund proposed and which has been substantially implemented adjacent to the M5;
- The main areas of strategic open space including open space along the southern boundaries of the development and along the Shorn Brook watercourse which will remain unchanged from the Consented Development; and
- The areas proposed for sports and recreation use to the south of Haresfield Lane.

Proposed Changes

Neighbourhood Centre

4.3 The Consented Development includes a Neighbourhood Centre, which comprises several blocks located within the central area of the development, north of Haresfield Lane. The Section 73 Application proposes to relocate the Neighbourhood Centre to the western area of the site adjacent to the A38 Access Junction. A community centre building is proposed to be located adjacent to the sports pitches, within the central area previously defined as the Neighbourhood Centre in the Consented Development.

4.4 The quantum of retail and commercial development has not changed compared with the approved scheme. However, marketing information has indicated that relocation of the neighbourhood centre would improve its attractiveness to potential occupiers due to increased prominence and improved accessibility from beyond the site, increasing the size of the catchment population that would utilise facilities and businesses within the centre. This would improve viability and potentially support a wider range of services. The neighbourhood centre will still be within acceptable walking distances of all dwellings at Hunts Grove.

Highway and Access Strategy

4.5 Changes to the Highways and access strategy are as follows:

- Amendment to the highway and access strategy to widen and utilise Haresfield Lane for development traffic and public transport including partial closure of Haresfield Lane to through traffic to the western end and implementation of a one way section to the eastern end. The physical changes proposed to widen Haresfield Lane are to extend the highway width to the north only by approximately 1.5m on average, with local variations to allow two buses to pass at all points. All works will be within the boundary of the current outline permission.
- Amendment to the phasing of the A38 Access Junction and associated works at Cross Keys roundabout to allow an increase in the quantum of residential development utilising the existing Waterwells access prior to implementation of the A38 Access Junction. It is envisaged that the majority of residential development traffic will use the A38 Access Junction once this is provided and that the amount of traffic using the Waterwells access would subsequently reduce as some traffic diverts back to the A38 junction.
- Relocation of the small car park to support the allotments site from the northern end of the allotments to a proposed location to the south east corner of the allotments.

4.6 The proposals for Haresfield Lane would make the lane an attractive, integral and active part of the Hunts Grove development, maintaining access for residents of areas located to the south of the M5, and would provide a degree of control of movement for vehicles originating from the wider Hunts Grove development site. The integration of Haresfield Lane into the site also permits a new dedicated and more direct bus service to be provided through the site.

4.7 The incorporation of Haresfield Lane into the “spine route” for the Hunts Grove site preserves the historical function of the lane as a corridor of movement for local people. The proposal to allow vehicles to enter the Hunts Grove site by travelling north over the M5 bridge will allow residents of the areas to the south to conveniently access the new community facilities which will be provided at the Hunts Grove site. Conversely, the restriction of vehicle movements southbound over the bridge will prevent “rat-running” behaviour by those leaving Hunts Grove, in particular the use of this route to avoid the M5 junction 12 by those travelling towards Stonehouse and Stroud.

4.8 It is noted that the “outbound” journey to a destination is frequently more time-critical than the return journey, and the proposed arrangements in respect of Haresfield Lane are designed to reflect this to achieve the best possible transport outcomes. There is a greater perceived incentive for Hunts Grove residents to seek to avoid the M5 junction 12 for outbound vehicle trips than for inbound trips; there is also a greater benefit to other local residents to be able to access Hunts Grove directly from the south when travelling to events or services within the Hunts Grove site than when travelling back afterwards. The strategy to allow northbound access only from the M5 over bridge is therefore aligned with these observations.

- 4.9 It is further noted that the proposed access arrangements would be capable of amendment/alteration, should there be a desire at a point in the future for Haresfield Lane to be open to two-way traffic across the motorway. It would be possible to either re-open the M5 over bridge for two-way traffic, or to implement a full prohibition of driving order to prevent any vehicle movements between Hunts Grove and the M5 bridge, should the local highway authority determine that this would be appropriate.

Primary School

- 4.10 The Consented Development includes a site for a Primary School to the south of the Shorn Brook. The Section 73 Application proposes to locate the Primary School approximately 100m further to the south east than shown on the approved Masterplan.
- 4.11 The relocation of the primary school is as a result of the repositioning of the spine road through the development. The size of the primary school site is the same as approved. However it is now proposed that Crest will provide a two form entry (2FE) primary school to serve the development, rather than pay a contribution to Gloucestershire County Council (see Section 5 below) towards provision of a 1.5 form entry school (1.5FE), with a future review of pupil numbers (1,000 occupations) to determine whether an extension to 2FE would be required.

Residential Development Areas

- 4.12 There are changes to the areas of proposed residential development necessary as a consequence of the changes to the Neighbourhood Centre and the Primary School site. Residential development originally proposed to the western area of the site has been relocated to accommodate the proposed location of the Neighbourhood Centre. The site of the Primary School has moved to the south east and the original location of the Primary School has now also been given over to residential development.
- 4.13 The proposed changes to the residential areas are as a result of other changes to the masterplan, as set out in this section. The proposed changes are still within the parameters of the development areas in the approved masterplan, and no additional housing is proposed as a result of this change.

Building Heights and Density

- 4.14 Changes to building heights and density include:
- Changes to the distribution of building heights parameters across the site are proposed to reflect the above changes. The maximum building height within the site has been reduced from a maximum of 15m proposed and assessed within the Original ES (2006) to a maximum of 12.5m now proposed.

- Minor changes to the arrangement of building densities across the site to reflect the above changes.
- Minor change to the distribution of landmark buildings.

Community Facilities

4.15 Changes to community facilities include:

- The pavilion building for the Sports pitches will be incorporated into a community centre building, to be located adjacent to the sports pitches
- Changes to the locations and distribution of children's play areas within areas of strategic open space and the inclusion of a natural play trail.
- Changes to the arrangement and detailed proposals for sports pitch provision to the south of Haresfield Lane compared to the original scheme proposals. The changes proposed are as a result of consultation with the local community (Haresfield and Hardwicke Parishes) and reflect local preferences regarding pitch types and function. The proposals do not affect the overall quantum of pitch space/ recreational areas, which will be unchanged.

4.16 A community centre is proposed to be located adjacent to the sport pitches which will include meeting/conference rooms, changing facilities and multi-use-indoor space. Separate changing rooms with separate access will be provided for use in connection with the sports pitches.

4.17 The measured area of equipped play space comprising NEAPs/LEAPs and Pocket Parks (and two SLAPS in Phase 1) reduces compared to the requirement set by adopted and emerging policy. The Local Areas of Play (LAPS) within the Consented Development have been replaced by a linear play trail incorporating play space 'events' along the trail which, in overall terms would provide a linear interpretation of playspace opportunities. The linear play trail is considered to offer an enhancement to the Consented Development, providing incidental, natural equipped play areas within the strategic green space network of the Hunts Grove development, in place of the fenced and unequipped LAPS. The revised strategy will provide a cohesive network of linked spaces connecting the Local Equipped Areas of Play (LEAPS), Neighbourhood Equipped Areas of Play (NEAPS) and pocket parks, creating a trail that permeates the whole scheme, with activities punctuating the route.

4.18 The play space strategy for the Hunts Grove development aims to ensure that all future residents are within easy walking distance of the equipped play areas. The NEAPS, LEAPS and pocket parks are therefore evenly distributed across the site.

4.19 The proposed changes include 7.55Ha of sports facilities (playing fields and an all-weather pitch). The amount of space is above the standard required for Hunts Grove and in accordance with adopted and emerging Local Plan policy RL5/ES15. The types of playing pitches proposed are as a result of engagement with the local Parish Councils and directly respond to the recognised local needs of the area.

Landscape and Open Space

4.20 Changes to landscape and open space include:

- Minor changes to the Landscape Strategy through amendments to the arrangement of green space corridors to be provided within the residential development areas. The proposed changes include an extension of the main central green space corridor further south along with amendments to the extent and location of a subsidiary greenspace corridor to the eastern area of the development in the vicinity of the Primary School site.
- Omission of the "Squares" originally proposed along the primary street reflecting the changes proposed to the highway strategy and relocated Neighbourhood Centre.

4.21 The proposed changes result in an increase in the amount of open space provided within the Hunts Grove development compared to the approved scheme. The amount of green space within the proposed development (25.46ha) is more than three times the amount required under emerging policy local plan policy ES14.

Development Phasing

4.22 The first phase of the Hunts Grove development (342 dwellings) is accessed via Waterwells Drive (S.09/2273/REM). Under the existing outline permission (S.09/1692/VAR), it was anticipated that Phase 2 would be accessed via the new A38 Junction, and the phasing strategy was developed around the implementation of this significant highways infrastructure.

4.23 As outlined above, it has been shown that 750 dwellings at Hunts Grove can be accessed via the existing Waterwells Drive access into Hunts Grove without causing any material harm to the local highway network or raising any highway safety concerns. It is therefore now proposed that Phase 2 of the development will be accessed via the Waterwells Drive entrance, with the main A38 access junction constructed and open in time to serve the development upon occupation of the 751st dwelling.

Affordable Housing and Extra Care Provision

4.24 Affordable housing provision on site will be provided in accordance with policy requirements subject to ensuring scheme viability. The revised approach to delivery will include the provision of extra care apartments in a location to the east of the neighbourhood centre.

4.25 Affordable housing will be provided on site as a component part of the housing mix, incorporated in accordance with the objective of being tenure blind. The overall mix and quantum of affordable housing is subject to review as part of the application process with delivery being influenced by overall scheme viability and the availability of external funding towards provision. Cost savings are proposed as part of the Section 73 application, which support continued provision of affordable housing as part of the scheme, with the precise quantum, mix and tenure subject to independent assessment as part of an open-book appraisal of the scheme by the District Valuer. The outcome

of the assessment will determine the level of affordable housing that can be viably delivered at Hunts Grove.

- 4.26 There will be a reduction in the proposed quantum of affordable housing compared to the consented scheme, but the approach remains in accordance with existing and emerging Local Plan policy which allows viability of development to be taken into account when determining the level of affordable housing that schemes can deliver.
- 4.27 Whilst the precise mix of affordable housing can not be defined at this stage, it has been agreed with Stroud District Council that the scheme will include a proportion of 'extra care' apartments. The provision of extra care apartments on site is a direct response to evidence within the SHMA of an ageing population in Stroud and discussions with SDC officers, which indicate there is a specific need for two-bed extra care apartments in the area.

5 S106 HEADS OF TERMS

5.1 5.1 Agreements will be put in place with Stroud District Council and Gloucestershire County Council to deal with matters that cannot be dealt with by condition. Extensive pre-application discussions have taken place with both authorities and will continue through the determination of the application with the objective that both agreements will be at a stage ready for engrossment by the time a resolution to grant permission has been reached. To help matters come to an expeditious conclusion a large measure of agreement has already been reached on respective heads of terms.

S106 with Stroud DC

5.2 Those matters subject to a legal agreement with Stroud District Council are as follows:

- Affordable Housing
- Public Open Space, Playing Fields and Play Areas
- Allotments
- Community Centre
- Doctors' Surgery
- Foodstore/ Local Centre

5.3 Taking each of these in turn, we set out the following heads of terms which will form the basis of the negotiation of the legal agreement

Affordable Housing

5.4 As noted in section 4, affordable housing will be provided on the site as an integral part of the overall development, and incorporated with the objective of being part of a genuinely mixed community irrespective of tenure. The amount and type of affordable housing that will be provided will be reviewed as part of the s.73 application process to ensure that delivery does not affect the viability of the development and the need for funding of other essential items of infrastructure and community provision.

5.5 The precise amount, type and tenure of the provision to be made will be subject to independent assessment by the District Valuer when matters of scheme viability can be fully assessed. The outcome of such an assessment will therefore dictate the precise terms of this part of the proposed agreement.

Public Open Space, Playing Fields and Play Areas

5.6 Certain matters relating to provision of different types of public open space both for active and passive use will be dealt with by way of planning condition. (see s.3). These areas are as shown on the masterplan. However, there will remain a need to specify certain obligations on the landowner and the District Council in the proposed agreement. These will cover the following:

- The lease for 125 years of all such spaces by the landowner to a private management company or a properly constituted community group
- The development of a management strategy for the future operation, equipping and maintenance of all such areas including the provision of financial contributions for such laying out, equipping and maintenance
- In the event of all or any of the defined areas ceasing to be used for POS purposes for a period of more than 12 months, such land to revert to the lessor
- In the event that no suitable organisation can be engaged or established for the management and maintenance of such areas, the lease will be taken up by the District Council again subject to appropriate financial contributions and default terms.

Allotments

5.7 An area for allotment use will be made available by the landowner as part of the proposed s106 agreement. This will extend to 1.2ha. as shown on the masterplan. The heads of terms relating to allotments will cover the following:

- The provision of the allotment land on a 125 year lease to a management company or the District Council after 750 dwellings are occupied
- An financial contribution of £75,000 for the laying out of the land for the purpose described
- The provision of water, electricity and access to the site boundary
- Granting of rights of access and services over the land to the developer
- Restriction of the future use of such land for the sole purpose of allotments
- If the use of the land should cease for the purpose then such land to revert to the lessor.

Community Centre

5.8 The masterplan defines a site for a community centre building to serve the future residents of the overall Hunts Grove development. This building will be brought forward as part of the detailed phase of development in which the site is located. The obligations shall include:

- The completion of the building by the occupation of 1000 dwellings on the site in accordance with an agreed specification
- The building to include changing accommodation for sports pitches.
- The lease of the building and grounds for 125 years to a private management company or properly constituted community group for an appropriate period.
- To restrict the use of the building to that of a community centre and to prevent any uses which would cause nuisance to neighbouring areas, residential or otherwise.
- To define the responsibilities of the body to which the building will be leased.

Local Centre

5.9 To support the development of a sustainable community at Hunts Grove land is identified within the local centre for the provision of a doctors' surgery and a foodstore as shown on the masterplan.

5.10 The following provisions will apply to the surgery:

- The surgery site will be marketed for a period of 3 years after the occupation of the 750th dwelling on the site.
- An appropriate marketing strategy will be agreed with the local planning authority prior to commencement of the marketing period.
- If in the three year period a satisfactory offer is not forthcoming then an alternative offer for a non-health care use can be accepted subject to verification.
- If in the three year marketing period no satisfactory offer is forthcoming then the land will revert to the landowner.

Foodstore/ Local Centre

5.11 The proposed foodstore site is shown on the masterplan. The following provisions will apply to the foodstore:

- The site will be marketed for a period of 18 months after the occupation of the 750th dwelling
- An appropriate marketing strategy will be agreed with the local planning authority prior to commencement of the marketing period.
- If in the 18 month marketing period a satisfactory offer is not received , the site can be considered for an alternative use
- At the end of this period the land will revert to the landowner.

S.106 with Gloucestershire County Council

5.12 As stated above, an agreement will also be required with the County Council. This will replace two separate agreements which relate to the earlier consent addressing highways contributions and education and libraries contributions. The heads of the County Council agreement will refer to the following matters:

- Highways Contributions
- Education and libraries

Highways

5.13 Taking into account Community Infrastructure Levy (CIL) Regulations, revised highways contributions will be made in accordance with the following schemes:

- Cole Avenue junction improvements and Gloucester South West Bypass widening
- Contributions to walking and cycling routes in the vicinity of Chatsworth Avenue
- Contributions to supporting public bus services between the site and Gloucester, Stroud and Bristol and related infrastructure in the locality, such contributions to be paid in instalments
- The preparation and implementation of a residential Travel Plan
- Contributions to Waterwells roundabout improvements and the provision of Bristol Road bus signals.

Education – Primary

5.14 The masterplan shows provision being made for a site of 1.9 ha for a new primary school at Hunts Grove with two forms of entry. The agreement with the County Council will ensure that this school is provided by the landowner/developer on an agreed timescale. This will replace the previous agreement which required financial contributions only. Provisions will include:

- 2FE school building with early years provision, games court, playing field and parking
- The specification for such a scheme
- The proposed school shall be leased to the County Council for 125 years
- An appropriate timescale for the provision of the school
- The proposed school site and any buildings thereon will be used as a school for primary aged children and for no other purpose PROVIDED THAT this will not prevent the use of the school's facilities and/or land by the community during hours when the school is not open or during holiday periods or at such other times that do not interfere with the operation of the site and building as a school for primary aged children. In the event the school use of the school site or any part of it or any building constructed on it as a school for primary aged children ceases, the entire site will revert to the lessor.

Education –Secondary

5.15 A proportionate contribution towards the provision of additional secondary school places at Beaufort Academy and Severn Vale will be paid according to the evidentially based requirement for additional pupil places to accommodate pupils from the Hunts Grove development.

6 CONCLUSION

- 6.1 This Section 73 application seeks to revisit and rationalise the masterplan, taking into account factors such as overall scheme viability; deliverability of community assets; effective use of infrastructure; phasing and future development. The changes to the masterplan are being sought through variation of planning conditions pursuant to the outline permission (Ref s.09/1692 VAR).
- 6.2 The proposed changes are policy compliant and remain within the parameters of the approved outline permission and do not alter the description of development. The proposed changes to the masterplan, conditions and the new S.106 agreements will result in an improved scheme and will ensure that that Hunts Grove can continue to deliver houses in accordance with current housing trajectories.

Appendices

APPENDIX A: Planning Conditions Schedule

CONDITION	Amend Y/N	SUGGESTED RE-WORDING OF CONDITON (change highlighted)	NOTES
<p>1) Approval of the “Reserved Matters” in any phase or sub-phase shall be obtained in writing from the Local Planning Authority prior to the commencement of development on any phase (as defined and approved under the Phasing Condition 10). The Reserved Matters for each phase are specifically:</p> <ul style="list-style-type: none"> i. siting, design, layout and external appearance, including all building facing materials and finishes; ii. details of access arrangements and surface materials finishes for the highways, footpaths, cycle ways, private drives and all other hard surfaces; iii. the soft and hard landscaping of the site and details of screen walls, fences and other means of enclosure; iv. details of existing and proposed ground levels and proposed finished floor levels and building heights; v. bin stores; vi. waste minimisation details in accordance with the principles of the Waste Minimisation Strategy; vii. the noise bund to include proposed ground levels and profile of the bund and the source of any imported material together with details of associated lorry movements. <p>These details shall accord with the parameters and objectives laid out in the Design and Access Statement (March 2007) and the Supplement to the Design and Access Statement (December 2007). The development shall be carried out in accordance with the approved details.</p>	Y	<p>Approval of the “Reserved Matters” in any phase or sub-phase shall be obtained in writing from the Local Planning Authority prior to the commencement of development on any phase (as defined and approved under the Phasing Condition 10). The Reserved Matters for each phase are specifically:</p> <ul style="list-style-type: none"> i. siting, design, layout and external appearance, including all building facing materials and finishes; ii. details of access arrangements and surface materials finishes for the highways, footpaths, cycle ways, private drives and all other hard surfaces; iii. the soft and hard landscaping of the site and details of screen walls, fences and other means of enclosure; iv. details of existing and proposed ground levels and proposed finished floor levels and building heights; v. bin stores and dog bins vi. waste minimisation details in accordance with the principles of the Waste Minimisation Strategy; vii. the noise bund to include proposed ground levels and profile of the bund and the source of any imported material together with details of associated lorry movements. <p>These details shall accord with the parameters and objectives laid out in the Design and Access Statement (March 2007), Supplement to the Design and Access Statement (December 2007) and Design and Access Statement Addendum (May 2015). The development shall be carried out in accordance with the approved details.</p>	Refer to Updated Design and Access Statement and add dog bins

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2) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the Reserved Matters to be approved.	Y	DELETE	Remove – Unnecessary – development has already commenced
3) Applications for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiry of ten years from the date of this permission.	N		
4) The total number of dwellings that shall be erected on the site shall not exceed 1,750.	N		
5) Each application for the approval of Reserved Matters shall provide for Public Open Space substantially in accordance with the submitted Master Plan (11470-216-B) and Supplement to the Design and Access Statement (December 2007), and shall include a detailed landscape scheme that accords with the approved strategic landscape proposals. the detailed landscape scheme shall include the retention of existing trees and hedgerows as agreed in writing by the Local Planning Authority, new planting proposals, means of enclosure, the treatment of hard and soft areas and the provision of appropriate facilities on these areas.	Y	Each application for the approval of Reserved Matters shall provide for Public Open Space substantially in accordance with the submitted Master Plan (ref 13143/3149 H) and Design and Access Statement Addendum (May 2015) and shall include a detailed landscape scheme that accords with the approved strategic landscape proposals. the detailed landscape scheme shall include the retention of existing trees and hedgerows as agreed in writing by the Local Planning Authority, new planting proposals, means of enclosure, the treatment of hard and soft areas and the provision of appropriate facilities on these areas.	Refer to revised Masterplan and design and access statement
6) The development shall not take place other than substantially in accordance with the mix and disposition of uses shown on the Master Plan (114720-216-B), the Design and Access Statement (March 2007) and the Supplement to the Design and Access Statement (December 2007) and the Area Master Plans required by Condition 11.	Y	The development shall not take place other than substantially in accordance with the mix and disposition of uses shown on the Master Plan (ref 13143/3149 H), the Design and Access Statement (March 2007) and the Supplement to the Design and Access Statement (December 2007) and Design and Access Statement Addendum (May 2015)	Refer to revised masterplan and addendum to DAS and remove ref to areas masterplans

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7) No development shall take place within areas of archaeological interest as agreed in writing by the Local Planning Authority until the Applicant, their agents or successors in title, has implemented a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and agreed in writing by the Local Planning Authority.	N		
8) Details of all means of enclosure, equipment, seating and surfacing of the Hillside Park NEAP located in the archaeologically sensitive area identified in Figure 8 (Volume 4 Technical Appendices) of the Environment Statement (May 2006), shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Thereafter the Hillside Park NEAP shall be constructed in accordance with the approved details.	N		
9) Unless otherwise agreed in writing by the Local Planning Authority no more than 500 of the dwellings hereby permitted (Use Class C3a) shall be occupied prior to 30 June 2011.	Y	DELETE	Remove – 30 June 2011 now passed
10) No development shall start until a detailed phasing scheme (based upon the approved Master Plan (11470-216-B), the Design and Access Statement – March 2007) and Supplement to the Design and Access Statement (December 2007) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency. The phasing scheme shall indicate the sequence and approximate timescales of: <ul style="list-style-type: none"> a) site remediation and demolition works; b) development phases (including the approximate numbers of dwellings and affordable housing units in each phase); c) the provision of highway and drainage infrastructure, bus routes and the provision of bus services, 	Y	No development shall start until a detailed phasing scheme (based upon the approved Master Plan (ref 13143/3149 H), the Design and Access Statement – March 2007) and Supplement to the Design and Access Statement (December 2007) and Design and Access Statement Addendum (May 2015) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency. The phasing scheme shall indicate the sequence and approximate timescales of: <ul style="list-style-type: none"> a) site remediation and demolition works; b) development phases (including the approximate numbers of dwellings and affordable housing units in each phase); 	Refer to revised Masterplan and design and access statement

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<p>pedestrian linkages into the existing public rights-of-way network, employment provision, utility infrastructure, landscaping, open space, recreational and educational facilities, the neighbourhood centre, primary school, safe routes to school and key pedestrian and cycle routes to internal and external destinations.</p> <p>The development shall proceed solely in accordance with the detailed phasing scheme unless a variation has been agreed in writing by the Local Planning Authority.</p>		<p>c) the provision of highway and drainage infrastructure, bus routes and the provision of bus services, pedestrian linkages into the existing public rights-of-way network, employment provision, utility infrastructure, landscaping, open space, recreational and educational facilities, the neighbourhood centre, primary school, safe routes to school and key pedestrian and cycle routes to internal and external destinations.</p> <p>The development shall proceed solely in accordance with the detailed phasing scheme unless a variation has been agreed in writing by the Local Planning Authority.</p>	
<p>11) No development in a development phase (as defined under the phasing scheme plan submitted and approved pursuant to Condition 10) shall start until an Area Master Plan has been submitted to and approved in writing by the Local Planning Authority. The Area Master Plan for each development phase shall be at a 1:1000 scale and shall substantially accord with the approved Master Plan (11470-216-B), the Phasing Plan, the Design and Access Statement (March 2007) and the supplement to the Design and Access Statement (December 2007) and shall include the following details:</p> <ul style="list-style-type: none"> a) the approximate number, mix and density of dwellings within the development phase; b) development blocks with an indication of building heights; c) the location of landmark buildings and key frontages; d) the approximate location, number and mix of affordable housing in the phase; e) off street parking arrangements; f) landscape treatments; 	Y	REMOVE	Remove

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<p>g) all areas of adoptable Public Open Space within the phase indicating their function, facilities to be provided and their location;</p> <p>h) access and circulation including footpaths and cycle ways.</p> <p>All applications for approval of Reserved Matters within a development phase shall accord with the Area Master Plan for that development phase.</p>			
<p>12) The developer shall submit annual reports (on the anniversary of the date of the approval of the phasing plan) reviewing development progress against the approved phasing scheme plan.</p>	N		
<p>13) Before commencement of each phase of the development hereby permitted, assessment and review of the noise environment will be undertaken and submitted in writing to the local planning authority. (Where necessary, this will include review of the noise assessment submitted as part of the May 2006 Environmental Statement) to determine the noise levels likely to be experienced by occupiers of the dwellings within that part of the development. Necessary noise mitigation measures sufficient to achieve levels of noise no greater than 35 decibels (LAeq T) measured internally or 50 decibels (LAeq T) measured externally shall be incorporated into the reserved matters submission for each phase of the development. The dwellings shall thereafter be constructed in accordance with the approved details. The applicant shall ensure that all details relating to the noise assessment are submitted to the local planning authority in sufficient time to allow for review and to make any amendments that may be necessary.</p>	Y	<p>The dwellings hereby permitted shall be constructed to provide the necessary noise mitigation to achieve internal noise levels within bedrooms and living rooms no greater than 35 dB (LAeq,T) during the daytime (07:00 – 23:00) and night-time (23:00 – 07:00) periods. An external noise level of 50 dB (LAeq,T) should not be exceeded in private garden areas and patios during the daytime period.</p> <p>After completion of works and prior to occupation or use, noise measurements shall be carried out to demonstrate that the above criteria are met</p>	
<p>14) All the dwellings hereby permitted shall be constructed in</p>	N		

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accordance with details that shall previously have been approved in writing by the Local Planning Authority to achieve the current WHO standards (guidelines for Community Noise) and BS8233 1999, Sound Insulation and Noise Reduction for Buildings – Code of Practice for the prevention of moderate noise.			
15) No dwelling shall be occupied in Phase 2 of the development until the acoustic bund has been constructed in accordance with the approved details under Condition 1(g) unless otherwise agreed in writing by the Local Planning Authority.	Y	REMOVE	
16) No goods or materials of any kind shall be stored outside any non-residential building without the prior written consent of the Local Planning Authority.	Y	REMOVE	
<p>17) The development hereby permitted shall not begin until a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved scheme. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:</p> <p>17.1 A Phase 1 site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175:2001 Investigation of Potentially Contaminated Sites – Code of Practice.</p> <p>17.2 A Phase II intrusive investigation report detailing all investigative works and sampling on-site, together with the results of the analysis, undertaken in</p>	N		

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<p>accordance with BS 10175:2001 Investigation of Potentially Contaminated Sites – Code of Practice. The report should include a detailed quantitative human health and environmental risk assessment.</p> <p>17.3 A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation should be stated, such as site contaminant levels or a risk management action, and how this will be validated. Any ongoing monitoring should also be outlined. No deviation shall be made from this scheme without prior written approval from the Local Planning Authority.</p> <p>17.4 If during the works contamination is encountered which has not previously been identified, then no further works shall be carried out (unless otherwise agreed in writing by the Local Planning Authority) until the additional contamination has been fully assessed and an appropriate remediation scheme submitted to and approved in writing by the Local Planning Authority.</p> <p>17.5 A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.</p>			
18) No manufacturing, repair or maintenance processes shall be carried out outside the buildings on the site.	Y	REMOVE	

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19) No deliveries shall be taken at or dispatched from the site outside the hours of 07:00 to 22:00 on Mondays to Saturdays nor at any time on Sundays, Bank or Public Holidays.	N		
20) As part of the Reserved Matters for Phase 2, details of the boundary treatment along the curtilage of Wynnstay, Bristol Rd, shall be submitted to and agreed in writing by the Local Planning Authority. The approved boundary treatment shall be implemented prior to the occupation of the first dwelling facing the cartilage, and shall be maintained as such thereafter.	Y	Details of the boundary treatment along the curtilage of Wynnstay, Bristol Road, shall be submitted as part of any reserved matters incorporating that boundary , and agreed in writing by the local planning authority. The approved boundary treatment shall be implemented prior to the occupation of the first dwelling facing the curtilage, and shall be maintained as such thereafter.	Wynnstay boundary will be with new local centre which will be delivered as part of Phase 3
21) Retail development shall be located only in those areas defined as “Neighbourhood Centre” on the submitted Master Plan unless any minor boundary variation has first been agreed in writing by the Local Planning Authority.	Y	Remove	
22) The Neighbourhood Centre as shown on the Master Plan, shall include only a mix of the following uses falling within the town and Country Planning (Use Classes), Order 1987 as amended; 1) Shops – Class A1; 2) Financial and Professional Services – Class A2; 3) Restaurants and cafes – Class A3; 4) Drinking Establishments – Class A4; 5) Hot food takeaways – Class A5; 6) Residential uses – Classes C2 and C3; 7) Community buildings – Classes D1 and D2; 8) Business Uses –class B1.	N		
23) The total retail area (within Use Class A1) shall not exceed 2,050sq m, with a food store limited to 1,115sq m maximum. No other unit shall exceed 200sq m.	N		

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24) No individual premises containing a food and drink related use (Classes A3, A4 and A5) within the Neighbourhood Centre shall be brought into use until a scheme for treating fumes and odours from the premises has been submitted to and approved in writing by the Local Planning Authority. Thereafter the use shall only operate in accordance with the approved details.	Y	No individual premises containing a food and drink related use (Classes A3, A4 and A5) shall be brought into use until a scheme for treating fumes and odours from the premises has been submitted to and approved in writing by the Local Planning Authority. Thereafter the use shall only operate in accordance with the approved details.	Remove reference to neighbourhood centre
25) No individual premises containing a food and drink related use (Classes A3, A4 and A5) within the Neighbourhood Centre shall be brought into use until a scheme to attenuate the noise from any noise generating equipment, fans, air conditioning units, ventilation equipment or similar equipment has been submitted to and approved in writing by the Local Planning Authority. Thereafter the use shall only operate in accordance with the approved details.	Y	No individual premises containing a food and drink related use (Classes A3, A4 and A5) shall be brought into use until a scheme to attenuate the noise from any noise generating equipment, fans, air conditioning units, ventilation equipment or similar equipment has been submitted to and approved in writing by the Local Planning Authority. Thereafter the use shall only operate in accordance with the approved details.	Remove reference to neighbourhood centre
26) Cycle parking shall be provided within the Neighbourhood Centre and at the school, allotments, employment area and recreation facilities in accordance with timing and details agreed in writing by the Local Planning Authority.	Y	Cycle parking shall be provided within the Neighbourhood Centre and at the school, allotments, employment area and recreation facilities and community centre in accordance with timing and details agreed in writing by the Local Planning Authority.	Include reference to community building
27) Any hot food shop, drinking establishment or restaurant within the site shall open to customers only between the hours of 07:00 to 23:00 Mondays to Saturdays and 09:00 to 22.30: on Sundays, Bank or Public Holidays.	Y	Any hot food shop, drinking establishment or restaurant within the site shall open to customers only between the hours of 07:00 to 00:00 Mondays to Saturdays and 09:00 to 22.30: on Sundays, Bank or Public Holidays.	Extend to 0000
28) All areas of Public Open Space, the Neighbourhood Centre and any other building or facility to which there is public access shall be fully accessible to disabled persons in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority prior to the start of works on any such	N		

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<p>building or the laying out of any such facility. The measures shall include disabled parking, accessible routes to, from and across buildings and land and the provision of accessible entrances at each principal public entrance. All works shall be carried out in accordance with approved details prior to the first use of any such building or facility.</p>			
<p>29) Lighting for the all weather playing surface shall not be brought into use until it has been directed and/or hooded in accordance with details to be agreed in writing by the Local Planning Authority prior to installation of the lighting. The lighting scheme shall thereafter be maintained in accordance with the approved details.</p>	N		
<p>30) No development shall start within a particular development phase until a detailed strategy for the treatment, recycling and re-use of soils from that phase has been submitted to and approved in writing by the Local Planning Authority. The soil matter shall thereafter be dealt with in accordance with that strategy unless the Local Planning Authority gives written consent to any variation.</p>	Y	REMOVE Include in CEMP condition (see condition 32)	
<p>31) No development shall start until a detailed strategy for the treatment, recycling and reuse of demolition arisings has been submitted to and approved in writing by the Local Planning Authority. Demolition waste shall thereafter be dealt with in accordance with that strategy unless the Local Planning Authority gives written consent to any variation.</p>	Y	REMOVE Include in CEMP condition (see condition 32)	
<p>32) Prior to the commencement of development of each phase, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. All construction works shall thereafter be carried out in accordance with the approved</p>	Y	Prior to the commencement of development of each phase, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. All construction works shall thereafter be carried out in accordance with the	

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<p>plan. The plan shall cover the following areas;</p> <ul style="list-style-type: none"> (a) Details of the earthworks for each phase, comprising the proposed excavation, grading and mounding of land areas including the levels and contours to be formed. (b) Details of the nature, type and quantity of materials to be imported onto the site. (c) Methods for the protection of drainage ditches and water bodies within the site (both existing and newly created) from pollution during construction works. (d) Pollution prevention and control measures during the construction phase including: (i) facilities for the storage of fuels, oils and chemicals: (ii) surface water drainage arrangements for interception, settlement and treatment of contaminated surface water run-off; (iii) measures to ensure there is no polluting discharge from haul roads and disturbed areas; (e) Habitat protection and enhancement to avoid harm to breeding birds, barn owls and other protected species, with appropriate monitoring; (f) Site access and haul routes including times of operation; (g) Site establishment and topsoil management; (h) Mitigation of construction noise; (i) Construction site works hours; (j) Location of principal service route corridors. 		<p>approved plan. The plan shall cover the following areas;</p> <ul style="list-style-type: none"> (a) Details of the earthworks for each phase, comprising: the proposed excavation, grading and mounding of land areas including the levels and contours to be formed; details of the treatment, recycling and re-use of soils and demolitions arisings (b) Details of the nature, type and quantity of materials to be imported onto the site. (c) Methods for the protection of drainage ditches and water bodies within the site (both existing and newly created) from pollution during construction works. (d) Pollution prevention and control measures during the construction phase including: (i) facilities for the storage of fuels, oils and chemicals: (ii) surface water drainage arrangements for interception, settlement and treatment of contaminated surface water run-off; (iii) measures to ensure there is no polluting discharge from haul roads and disturbed areas; (e) Habitat protection and enhancement to avoid harm to breeding birds, barn owls and other protected species, with appropriate monitoring; (f) Site access and haul routes including times of operation; (g) Site establishment and topsoil management; (h) Mitigation of construction noise; (i) Construction site works hours; (j) Location of principal service route corridors. (k) measures to prevent mud, dirt and other 	

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		<p>deleterious materials from the site being deposited on the highway</p> <p>(l) details of temporary car parking and accommodation for site operatives</p> <p>(m) details of security fencing</p>	
<p>33) Prior to the commencement of development within each phase (as defined under the phasing scheme approved pursuant to condition10), the details of a comprehensive drainage system incorporating Sustainable Drainage Systems (SuDS), and rainwater harvesting, to comply with the outline SuDS strategy within the Supplement to the Environmental Statement (February 2007) shall be submitted to and agreed in writing by, the Local Planning Authority. The scheme shall include details of how the system shall be maintained for the lifetime of the development and shall be implemented in accordance with the approved details.</p>	Y	<p>Prior to the commencement of development within each phase (as defined under the phasing scheme pursuant to condition 10), the details of a comprehensive drainage system incorporating Sustainable Drainage Systems (SuDS), and rainwater harvesting, to comply with the outline SuDS within the Supplement to the Environmental Statement (February 2007) strategy and shall be submitted to and agreed in writing by, the Local Planning Authority. The scheme shall include details of how the system shall be maintained for the lifetime of the development and shall be implemented in accordance with the approved details.</p>	
<p>34) Prior to the commencement of development within each phase of the development hereby approved incorporating Shorn Brook, Haresfield Brook or any other ditches, swales, ponds or water attenuation features details of any proposed works and the phasing of those works shall be submitted to and approved in writing by the Local Planning Authority. The proposed works shall be designed and implemented to protect and enhance biodiversity and shall be carried out in accordance with the approved details.</p>	N		
<p>35) No building shall be occupied until the vehicular, cycleway and pedestrian accesses necessary to serve that part of the development from the adopted highway have been constructed in accordance with a plan and programme submitted to and approved in writing by the</p>	N		

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Local Planning Authority before each development phase commences.			
36) No development shall start until details of a comprehensive set of measures to prevent mud, dirt and other deleterious materials from the site being deposited on the highway have been submitted to and approved in writing by the Local Planning Authority. The measures shall include construction vehicles routes and associated signing, vehicle cleaning facilities, physical demarcation of a vehicle route to ensure that all vehicles have to pass through a wheel wash facility, and monitoring and remedial measures to ensure that the adjacent highways are regularly inspected by site operatives and any stray mud deposits left on the highway are removed immediately. Furthermore such measures shall be maintained, operated and implemented at all times during the period of construction.	Y	REMOVE Include provisions in CEMP condition	
37) No development on any development phase shall start until details of temporary car parking and accommodation for site operatives have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before any development on that phase commences. All temporary buildings and car parks shall be removed and the land reinstated within 2 months of the date of completion of development on any phase.	Y	REMOVE Incorporate into CEMP condition (see condition 32)	
38) No development on any development phase shall start until the area is securely fenced, save for access points, in accordance with details to be approved in writing by the Local Planning Authority.	Y	REMOVE Incorporate into CEMP condition (see condition 32)	
39) Prior to commencement of phase two (as defined by the approved phasing scheme submitted pursuant to Condition 10) of the development hereby approved, full	Y	The proposed junction with the A38/B4008 as approved by this permission or via (S.13/2774/FUL), shall be constructed in accordance with the approved	Amend trigger to 750th

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<p>engineering details of the access and junction with the A38/B4008 (in general accordance with the detail shown on the approved masterplan) shall be submitted to and approved in writing by the Local Planning Authority. The junction shall thereafter be constructed in accordance with the approved details and shall be opened to service the development before occupation of the 351st dwelling within the site.</p>		<p>details and shall be opened to service the development before occupation of the 751st dwelling within the site.</p>	
<p>40) No more than 500 of the dwellings hereby permitted shall be occupied until a plan showing the proposed access from Haresfield Lane to the sports pitches and changing facilities together with the details of the proposed car and cycle-parking arrangements for the sports facilities has been submitted to and agreed in writing by the Local Planning Authority. The access and parking areas shall thereafter be constructed in accordance with the approved details.</p>	Y	<p>No more than 750 of the dwellings hereby permitted shall be occupied until a plan showing the proposed access from Haresfield Lane to the sports pitches and changing facilities together with the details of the proposed car and cycle-parking arrangements for the sports facilities has been submitted to and agreed in writing by the Local Planning Authority. The access and parking areas shall thereafter be constructed in accordance with the approved details.</p>	Trigger amended
<p>41) No more than 500 of the dwellings hereby permitted shall be occupied until the road between the main site access from the A38 linking to the Waterwells Business Park has been constructed.</p>	Y	<p>No more than 1000 of the dwellings hereby permitted shall be occupied until the road between the main site access from the A38 linking to the Waterwells Business Park has been constructed.</p>	Trigger amended
<p>42) Prior to the commencement of development within the development phase or sub-phase containing the proposed link road to the boundary of Waterwells Business Park, the construction details of the link road shall be submitted to and approved in writing by the Local Planning Authority. The link road to the boundary of the Waterwells Business Park shall be constructed in accordance with the approved details.</p>	Y	REMOVE	Remove Condition discharged
<p>43) Development shall not commence until a plan showing the location of 2.5ha of land to be reserved for provision of a new railway station and associated facilities including access to it has been submitted to and approved in</p>	Y	<p>The land identified in plan Plan Reference RPS01 shall be reserved for a period of 7 years from commencement of development for the provision of a railway station. Following this it may only be used</p>	Amend condition to refer to plan approved to discharge original condition

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writing by the Local Planning Authority. The land so identified shall be reserved for a period of 12 years from commencement of development following which it may only be used for open space if not taken up for use as a new railway station.		for open space if not taken up for use as a new railway station.	Condition discharged 23/03/2010
44) There shall be no access for construction traffic to the application site from Haresfield Lane.	Y	There shall be no access for construction traffic to the application site from Haresfield Lane East of the M5 Motorway	Vary to refer to the eastern end of Haresfeild lane – Haresfield Lane now principle access for development so will need to be utilised.
45) Unless otherwise agreed in writing by the Local Planning Authority, none of the Class B2 uses hereby permitted shall operate between 22:00 and 7:00 hours on any day.	N		
46) Before any Class B2 or Class B8 premises hereby approved is first brought into use a scheme for the control of noise emitted from that building shall be submitted to and agreed in writing by the Local Planning Authority and shall be implemented and maintained in accordance with the approved scheme.	N		
47) The designated employment land shall be developed for uses falling only within use Classes B1 (a) offices; B1 (b) research and development; B1 (c) light industrial; B2 general industrial; B8 storage and distribution of the town and Country Planning (Use Classes) Order 1987 (as amended), and any incidental uses such as studios/showrooms/workshops shall be limited as being ancillary to the main use.	N		
48) Notwithstanding the provisions of the town and country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) a scheme to enclose any oil and other chemical storage tanks, buildings, ancillary handling facilities, filling,	N		

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drawing and overflow pipes within an impervious bunded area of at least 100% of the tank capacity, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development within each Reserved Matters phase. The scheme as approved shall be fully implemented before the relevant phase of the development is occupied or brought into use.			
49) No more than 500 of the dwellings hereby permitted shall be occupied until a pedestrian/cycle link is provided into the employment land in the approximate location shown on the approved Master Plan in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.	Y	REMOVE	
50) Fire hydrants served by mains water supply shall be provided prior to any dwellings being occupied on any development phase as agreed in writing by the Local Planning Authority (in association with Gloucestershire Fire and Rescue Service).	N		
51) No development shall take place within a development phase until a scheme for the environmental assessment of the reserved matters proposals within that phase has been submitted to and approved in writing by the Local Planning Authority (hereinafter called the approved scheme for environmental assessment). The approved scheme for environmental assessment shall require reserved matters proposals for new dwellings to achieve as a minimum a Code Level 3 rating or the current mandatory level under the Code for Sustainable Homes, and for all other uses to achieve as a minimum a 'Very Good' rating under the relevant BRE Environmental Assessment Method. The approved scheme for environmental assessment shall require:	Y	No Development shall take place within a residential or commercial development phase until a Sustainable Energy Scheme has been submitted and approved in writing by the Local Planning Authority. The Sustainable Energy Scheme shall include details of energy efficiency measures and details of accordance with current statutory standards. Development shall then proceed in accordance with the approved Strategy	Combine with 52 and simplify requiring the submission of a Sustainable energy scheme, with no reference to precise energy targets (as these controlled through buildings regs and planning policy)

CONDITION	Amend Y/N	SUGGESTED RE-WORDING OF CONDITON (change highlighted)	NOTES
<p>(i) The necessary assessments to be carried out using the categories and weighting contained in the Code for Sustainable Homes or relevant BREEAM manuals current on the date of submission to the Local Planning Authority of the reserved matters in question.</p> <p>(ii) Adherence to a formal post-construction assessment regime, as described in the approved scheme, which shall be implemented prior to the first occupation of any building other than general housing, retail or office use, to which the reserved matters submission in question relates. The development shall be carried out in accordance with the approved scheme for environmental assessment, unless otherwise agreed in writing by the Local Planning Authority.</p>			
<p>52) No development within a development phase shall take place (except exempt infrastructure works) until a renewable energy scheme for that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The renewable energy scheme must achieve a minimum 10% CO2 reduction from the target emission rate as defined by Part L (a) of the Building Regulations current at the time of the reserved matters submission(s), by way of energy efficiency improvements and/or on site energy production from renewable sources. The development shall be carried out in accordance with the approved details.</p>	Y	Remove	Combine with 51 and simplify requiring the submission of a Sustainable energy scheme, with no reference to precise energy targets (as these controlled through buildings regs and planning policy)
<p>53) Prior to the commencement of each development phase (as defined under the phasing scheme plan submitted and approved pursuant to Condition 10), the following details shall be submitted to the Local Planning Authority for approval:</p>	Y	Prior to the commencement of each development phase (as defined under the phasing scheme plan submitted and approved pursuant to Condition 10), the following details shall be submitted to the Local Planning Authority for	Combine with 55

CONDITION	Amend Y/N	SUGGESTED RE-WORDING OF CONDITON (change highlighted)	NOTES
<p>a) A plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point of 1.5m above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree.</p> <p>b) Details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height and assessment of the general state of health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply.</p> <p>c) Details of any proposed pruning of any retained tree or any tree on land adjacent to the site.</p> <p>d) Details of any proposed alterations in existing ground levels and the position of any proposed excavations within the crown spread of any retained tree or of any tree on land adjacent to the site, or within a distance from any retained tree or any tree on land adjacent to the site, equivalent to half the height of that tree.</p> <p>e) Details of the specification and positioning of fencing and of any measures to be taken for the protection of any retained tree from damage before or during the course of the development. In this condition, retained tree means an existing tree that is to be retained in accordance with the plan referred to in paragraph (a) above.</p> <p>f) Details of the service and foul and surface water drainage layout, such that it will provide for the long-term retention of the trees.</p> <p>The development shall be carried out in accordance with the approved details.</p>		<p>approval:</p> <p>a) A plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point of 1.5m above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree.</p> <p>b) Details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height and assessment of the general state of health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply.</p> <p>c) Details of any proposed pruning of any retained tree or any tree on land adjacent to the site.</p> <p>d) Details of any proposed alterations in existing ground levels and the position of any proposed excavations within the crown spread of any retained tree or of any tree on land adjacent to the site, or within a distance from any retained tree or any tree on land adjacent to the site, equivalent to half the height of that tree.</p> <p>e) Details of the specification and positioning of fencing and of any measures to be taken for the protection of any retained tree from damage before or during the course of the development. In this condition, retained tree means an existing tree that is to be retained in accordance with the plan referred to in paragraph (a) above.</p> <p>f) Details of the service and foul and surface water drainage layout, such that it will provide</p>	

CONDITION	Amend Y/N	SUGGESTED RE-WORDING OF CONDITON (change highlighted)	NOTES
		<p>for the long-term retention of the trees.</p> <p>g) a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a tree preservation order currently in force</p> <p>The development shall be carried out in accordance with the approved details.</p>	
<p>54) No trees or shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority; any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.</p>	N		
<p>55) No development or other operations shall commence on-site until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a tree preservation order currently in force, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.</p>	Y	Remove	Combine with 53
<p>56) No works approved within a development phase or sub-phase shall commence (including any tree felling, tree</p>	N		

CONDITION	Amend Y/N	SUGGESTED RE-WORDING OF CONDITON (change highlighted)	NOTES
<p>pruning, and demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the tree protection measures required by the approved protection scheme are in place within that development phase or sub-phase. All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998 (1989) recommendations for tree work.</p>			
<p>57) No excavations, storage of materials or machinery, parking of vehicles, deposits or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.</p>	N		
<p>58) Protective fencing around trees, shrubs and hedges provided in accordance with the approved protection scheme shall be retained intact for the full duration of works within the relevant development phase, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.</p>	N		
<p>59) All hard and soft landscape works within a development phase shall be completed in full accordance with the landscaping scheme for that phase as approved under Condition 5, within the first planting season following completion of the development phase, or in accordance with a programme agreed in writing with the Local Planning Authority. The landscaping scheme shall provide for the following requirements:</p> <p>a) All trees, shrubs and hedge plants supplied shall comply with the requirements of British Standard 3969, specification for nursery stock. All pre-planting, site preparation, planting and post – planting</p>	N		

CONDITION	Amend Y/N	SUGGESTED RE-WORDING OF CONDITON (change highlighted)	NOTES
<p>maintenance works shall be carried out in accordance with the requirements of British Standard 4428 (1989) code of practice for general landscape operations (excluding hard surfacing).</p> <p>b) All new tree planting shall be positioned in accordance with the requirements of table 2 of British Standard BS5837:1991 A guide for trees in relation to construction (As amended 2005).</p> <p>c) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.</p>			

New Conditions

POS (including maintenance)

The public open space area shall be provided in substantial accordance with the Design and Access Statement Addendum (May 2015) unless otherwise approved in writing by the Local Planning Authority. The public open space shall be completed prior to the occupation of the 1700th dwelling.

No occupation shall commence in any phase that includes open space until a Management Strategy for the maintenance and management of all areas of formal and informal space within that phase not subject to adoption by public authorities has been submitted to and approved in writing by the local planning authority. The Strategy shall include details of any Management Company proposed and its terms of reference and long term safeguarding.



Play Areas and Play Trail (including maintenance)

The play areas and play trail shall be provided in substantial accordance with the Design and Access Statement Addendum (May 2015) unless otherwise approved in writing by the Local Planning Authority.

No development shall commence within a particular development phase containing a play area or play trail (or part thereof) until the following details in relation to play areas or the play trail within that phase have been submitted to and approved in writing by the local planning authority:

- (a) the materials to be used for hard surfaced areas, means of enclosure and boundary treatments;
- (b) details of the play equipment for the equipped play area, signs and lighting;
- (c) a programme for implementation.

These features shall then only be developed in accordance with the approved details and in accordance with approved implementation programme.

No development shall commence within a particular development phase containing a play area or play trail (or part thereof) until arrangements for the management and maintenance of the equipped play area within that phase have been secured. The play area shall be completed, fully equipped and available for use in accordance with a timetable to be agreed in writing with the Local Planning Authority.

Sports Pitches

The sports pitches shall be provided in substantial accordance with Design and Access Statement Addendum (May 2015) unless otherwise approved in writing by the Local Planning Authority. The Sports pitches shall be completed prior to the occupation of 1000th dwelling.

No occupation shall commence in the phase or phases including the sports pitches until arrangements for the management and maintenance of the sports pitches have been secured. The sports pitches shall be completed, fully equipped and available for use in accordance with a timetable to be agreed in writing with the Local Planning Authority.