



Appeal Decision

Site visit made on 24 January 2025

by **Lewis Condé BSc, MSc, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 February 2025

Appeal Ref: APP/P0119/W/24/3346780

Waverley Cottage, Old Gloucester Road, Hambrook, Gloucestershire, BS16 1RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Waverley Development South West Limited against the decision of South Gloucestershire Council.
 - The application Ref is P20/17979/O.
 - The development proposed is erection of up to 80no dwellings and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of up to 80no dwellings and associated works in accordance with the terms of the application, Ref P20/17979/O, subject to the conditions in the attached schedule.

Preliminary Matters

2. The application was made in outline with all matters reserved. The appeal has been determined on this basis. An illustrative masterplan was submitted by the appellant to demonstrate how development could come forward. Given its illustrative nature, I have treated this as indicative only.
3. The description of development has been taken from the appeal form as opposed to the original application form, as this more accurately describes the proposed development. However, I have removed reference to the application being made in outline as this is not a description of development.
4. A revised National Planning Policy Framework (the Framework) was published on 12 December 2024. In respect of matters of pertinence to this appeal scheme, there have been no fundamental changes to national policy. As such, comments have not been sought from the main parties on the implications of the revised Framework.

Background and Main Issue

5. In December 2022 the Council recommended that planning permission for the proposed development be granted, subject to conditions and the completion of a Section 106 legal agreement (S106). The S106 was to secure various on and off-site infrastructure associated with the proposed development.
6. Despite extended deadlines for its completion, and the contents of the S106 having been agreed by the main parties, the requested S106 had still not been executed over a year later. The Council therefore refused the application on the

basis that the proposed development would fail to secure the necessary on-site and off-site infrastructure.

7. The appellant does not dispute the need for the infrastructure obligations to be secured, but instead indicates that progress on the S106 stalled for unrelated reasons. Subsequently, during the appeal a S106 between the appellant, South Gloucestershire Council and another relevant party has been executed. This would secure the obligations requested by the Council. On this basis, the Council has confirmed that its reason for refusal has satisfactorily been overcome.
8. In light of the above, the main issue in this appeal is whether the measures in the S106 are necessary, related directly to the development and fairly related in scale and kind.

Reasons

9. The completed S106 includes several obligations to come into effect if planning permission is granted. I have considered these in light of the statutory tests contained in Regulation 122 of The Community Infrastructure Levy (CIL) Regulations 2010 (as amended). They relate to the following matters:
10. *Affordable Housing*: The S106 provides for the provision of 35% on-site affordable housing, in line with the requirements of Policy CS18 of the South Gloucestershire Local Plan Core Strategy 2006 – 2027 (adopted 2013) (the Core Strategy). The tenure split of 76% social rented and 24% shared ownership, along with associated measures for the delivery and phasing of the affordable housing at the appeal site also accord with the aims of the Council's Affordable Housing and Extra Care Supplementary Planning Document (adopted 2021). In these circumstances I consider that this obligation would be fairly and reasonably related to the development proposed and that it passes the statutory tests.
11. *Travel Plan Measures*: The appeal site forms part of a wider strategic housing allocation at the East of Harry Stoke New Neighbourhood. The allocation is in an expanding and congested part of the highway network. Core Strategy Policy CS7 (relating to strategic transport infrastructure) and the East of Harry Stoke New Neighbourhood Development Framework Supplementary Planning Document (adopted 2016) (the SPD) both promote the use of Travel Plans as a mechanism to encourage future residents to use sustainable transport options. Given the scale, location and nature of the appeal development a residential travel plan is therefore deemed reasonable and necessary.
12. The S106 allows for either a financial contribution per dwelling to be paid to the Council to implement the Travel Plan; or a requirement for the developer to provide a detailed Full Travel Plan in accordance with the East of Harry Stoke New Neighbourhood Framework Travel Plan. An additional financial contribution to be used for the monitoring of the Travel Plan would also be secured via the S106. Based on the evidence before me, I consider that the obligation would be fairly and reasonably related to the development proposed and that it passes the statutory tests.
13. *Tariff Based contributions related to the East of Harry Stoke New Neighbourhood Allocation*: Allocations within the East of Harry Stoke New Neighbourhood (the New Neighbourhood) were previously removed from the Council's CIL charging schedule. As such, development within the New Neighbourhood is subject to S106

mechanisms for securing relevant transport and other infrastructure. Through its Infrastructure Delivery Plan (2014), the Council has costed the infrastructure requirements of the New Neighbourhood. It has also implemented a tariff mechanism on residential developments within the New Neighbourhood (£12,871 per dwelling¹). This is to equitably apportion the costs of delivering the strategic infrastructure for the New Neighbourhood, given the involvement of multiple developers/landowners.

14. The S106 would secure financial contributions towards the provision of secondary school education places and highway capacity improvements at Great Meadow Roundabout. The financial contributions are in accordance with the Council's standardised tariff on dwellings within the New Neighbourhood. From the available evidence, I find that the tariff-based contributions are fairly and reasonably related to the development proposed and pass the statutory tests.
15. *Public Open Space*: Core Strategy Policy CS27 requires development proposals within the New Neighbourhood to positively facilitate and meet the overall vision for the area including well planned and integrated green infrastructure including a strategic green corridor for amenity, recreation, woodland, and wildlife uses, sustainable urban drainage, allotments, and sports pitches. Furthermore, Core Strategy Policy CS24, together with the Council's Green Infrastructure Guidance for New Development Supplementary Planning Document (adopted 2021) sets out standards for the provision of green infrastructure, outdoor space, sport, and recreation facilities.
16. The S106 includes financial contributions toward the off-site delivery of allotments and outdoor sports facilities along with their on-going maintenance, in line with the expectations of Policies CS24 and CS27 and related guidance. Informal recreational open space and natural/semi-natural open space is expected to be delivered on-site, still, the S106 also includes mechanisms to secure the partial or full off-site provision should minimum expected standards not be met on-site. I therefore find the obligations towards the delivery and maintenance of public open space within the S106 to be necessary and to pass the statutory tests. Meanwhile, as Policy CS24 requires that the provision of play space for children and young people is provided on-site (as an integral part of the development's design) this should be suitably secured via conditions on any permission.
17. *Public Art*: Policy CS23 states that the Council will work with partners to provide additional, extended, or enhanced community infrastructure and encourage participation in cultural activity. Furthermore the policy identifies that developers of major residential schemes will be required to demonstrate how their proposals will contribute to the objectives of the South Gloucestershire Cultural, Heritage and Arts Strategies, through the provision of additional, extended or enhanced facilities and access to/or facilitation of art and cultural activities for the new residents. In addition, Policy CS1 highlights the role of public art in creating high quality developments. The S106 includes a public art contribution of approximately £9,000² and appropriate mechanisms to ensure the delivery of the artwork. Based on the policy background and the evidence before me, I am satisfied that this is reasonably related to the development proposed and that it passes the statutory tests.

¹ Index linked.

² Index linked.

18. Overall, I find that the measures in the S106 are necessary, related directly to the development and fairly related in scale and kind. As such, they would accord with the provisions of Regulation 122 of the CIL Regulations 2010 (as amended) and the tests for planning obligations set out in the Framework. The appeal scheme would also comply with Core Strategy Policy CS6. This policy seeks to ensure that new developments suitably mitigate their demand and impacts on infrastructure either through site specific measures being secured, or via the securing of financial contributions towards necessary infrastructure.

Other Matters

19. Technical highway details including the precise access arrangements would need to be approved under any subsequent reserved matters application(s). However, subject to the imposition of relevant conditions and the provisions of the S106, I am satisfied that in principle the development of the site for up to 80 dwellings would not be detrimental to highway safety. As part of a wider strategic housing allocation, there will also be opportunity through the reserved matters process to consider how the site will be linked to neighbouring development to promote sustainable travel, including walking and cycling routes.
20. Based on the evidence before me, and subject to the imposition of relevant conditions, there are no robust reasons for me to find that the development would result in unacceptable harm to biodiversity.
21. The density of development proposed under the appeal scheme would be higher than that approved on a neighbouring development site. Nonetheless, based on the indicative plans, I am satisfied that a suitable scheme could come forward at reserved matters stage that would not cause harm to the character and appearance of the area.

Conditions

22. I have reviewed the Council's draft planning conditions. Where necessary, I have amended the conditions to reflect the tests of conditions set out in the Framework and the Planning Practice Guidance (PPG). Some conditions require matters to be approved before development commences. These are necessary either to control impacts that would arise during construction or because the details to be approved could affect the scheme in a manner that would necessitate that they are resolved at an early stage. The appellant has provided written agreement to the pre-commencement conditions.
23. Conditions in respect of the times scales for commencement of development, the submission of reserved matters and specifying relevant plans/documents are necessary in the interests of certainty.
24. Conditions in relation to a site wide pedestrian and cycle strategy, details of carriageways, footways, and shared surface widths and materials, highway improvement works and the provision of electric vehicle charging points are all reasonable and necessary in the interests of promoting sustainable travel. Meanwhile, a condition requiring the approval of an energy statement, to include details of carbon off-setting measures, is reasonable and necessary on sustainability grounds.

25. Conditions restricting the occupation of dwellings until connections to the public highway and car and cycle parking spaces have been provided, in accordance with approved details, are reasonable and necessary in the interests of highway safety.
26. A condition requiring the works to proceed in accordance with a construction and environmental management plan is necessary in the interest of biodiversity and highway safety, as well as the living conditions of neighbouring residents.
27. Various other conditions are also necessary in the interests of biodiversity, namely, the requirement for the development to be undertaken in accordance with a landscape and ecology management plan; a condition requiring approval of a scheme of lighting; a condition relating to the provision of bird and bat boxes/nest features; a condition requiring approval of a mitigation strategy for various wildlife; and a condition potentially requiring updated survey work to be undertaken in respect of badgers.
28. Conditions relating to approval of a landscaping mitigation and strategy plan in respect of existing trees and hedgerow, proposed hard and soft landscaping, potential replacement tree planting, and undertaking a design review panel session are all reasonable and necessary in the interests of the character and appearance of the proposed development and the surrounding area.
29. Conditions in respect of the detailed provision of public open space and play areas are reasonable and necessary to ensure an appropriate form of development is delivered.
30. Conditions in relation to investigating contamination risks, and the potential need for associated remedial works/mitigation measures, as well as a condition restricting occupation of dwellings near to a high-pressure gas pipeline (until works to secure its diversion have been complete), are all reasonable and necessary on public safety grounds. Additionally, a condition requiring that a noise assessment is undertaken to evaluate the proposed layout of development, including the need for design/mitigation measures to be incorporated, is reasonable and necessary to ensure suitable living conditions are provided for future residents of the development.
31. Conditions in respect of the strategy to manage the proposed development's foul sewage are needed to ensure that foul waste can be appropriately disposed. A surface water drainage strategy condition is needed to ensure that the development is not at risk of surface water flooding issues.
32. An archaeological condition is reasonable and necessary in the interests of archaeology.
33. I have not imposed the Council's suggested condition relating to the building standards of affordable housing units. Nor have I imposed the suggested condition that would prevent occupation of the proposed dwellings until a site wide travel plan has been approved in writing by the Local Planning Authority. As these matters are already appropriately secured through the executed S106 and therefore such conditions are not necessary.

Conclusion

34. For the reasons given above, having regard to the development plan as a whole and all other considerations, the appeal is allowed.

Lewis Condé

INSPECTOR

Richborough

Schedule of Conditions

- 1) Details of the access, appearance, landscaping, layout, and scale, "the reserved matters" shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby approved relates to the following plans and documents:
 - A-002-02 – Location Plan
 - A-PP-100-C – Parameter Plan 80 Units
 - A-002- PL04 – Hedge Maintenance and Protection Plan
 - A-500 Hedge Location Plan – Dated Feb 2021
 - Design and Access Statement – Issue 6 (dated June 2022)
 - Updated Arboricultural Report – Prepared by Silverback Arboricultural Consultancy Ltd – (Submitted 17 November 2021)
 - Engineering Technical Note (ETN01) ES20.027 – Prepared by Expedite (dated 28 October 202)
 - Ecology Report (Ref: eg20953) – prepared by Engain (submitted 3rd June 2021)
 - Topographical Survey 1702 Rev A
 - Flood Risk Assessment – prepared by Expedite (dated 11th September 2020)
 - Heritage Impact Assessment (Report no. ALI20211 Rev 1) – prepared by Archaeological Landscape Investigation (dated 10th September 2020)
 - Noise Impact Assessment – prepared by Parker Jones Acoustics (dated 20th August 2020)
 - Transport Statement – prepared by Apex Transport Planning (dated 8th September 2020)
 - Desk Study and Ground Investigations Report CS-J-0768 – prepared by T & P Regeneration Ltd (dated 7th August 2020)
- 5) Applications for the approval of the reserved matters shall be in accordance with the approved Parameter Plan (dwg no. A-PP-100-C) and the principles and parameters set out in the approved Design and Access Statement (Issue 6 (dated June 2022)). Where additional space or revisions to the space are required for infrastructure to that shown on the Parameter Plan, this shall be

provided elsewhere on the site (as defined by the Site Location Plan dwg no. A-200-02).

- 6) Prior to the approval of the first reserved matters, the applicant shall undertake a Design Review Panel which shall cover the entirety of the application site.
- 7) The reserved matters shall include details of a site-wide pedestrian and cycle movement strategy, which shall include the following:
 - 3 metre wide pedestrian/cycle connections from the site to the adjacent residential development to the west of the site (in accordance with the options presented in the approved Parameter Plan (dwg no. A-PP-100-C).

- identify existing and predicted desire routes

- identify safe routes to school

The strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with this strategy.

- 8) The Reserved Matters shall include the details of the following highway works:
 - a. Priority junction vehicular access with footways on both sides
 - b. A realigned western kerbline on Old Gloucester Road to accommodate a 2m wide central refuge island (provided by others).
 - c. A 3.5m wide foot / cyclepath on the west side of Old Gloucester Road between the site access, the location of a central refuge.
 - d. A 3.5m wide foot / cyclepath on the west side of Old Gloucester Road between the location of the central refuge and the southern stepped pedestrian access.
 - e. A stepped pedestrian access from the south of the site to Old Gloucester Road.
 - f. Two pedestrian / cycle path links from the site to the adjacent development site to the west.

The highway works shall proceed strictly in accordance with the approved details. The details as approved by the Local Planning Authority are to be completed as follows:

- a. Prior to occupation of any dwelling.
- b. Prior to occupation of any dwelling.
- c. Prior to occupation of any dwelling.
- d. Prior to occupation of 50% of the dwellings.
- e. Prior to occupation of 50% of the dwellings.
- f. Prior to occupation of 75% of the dwellings.

The approved highway works shall be retained as such thereafter.

- 9) The reserved matters shall show details of facilities for charging electric or other ultralow emission vehicles at each dwelling applied for with an adjacent garage or parking space and up to 20% within communal spaces. The

approved facilities shall be provided prior to occupation of each relevant dwelling.

- 10) A site-specific Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority prior to commencement of the development including any clearance of vegetation. The CEMP must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The CEMP must also demonstrate how the developer will prevent harm to the retained or created ecological features during the construction phase of development. The plan shall include, but not be limited to:
- A mitigation strategy to ensure that there is no harm to any protected species, as well as any pollution prevention measures
 - Processes for keeping local residents informed of works being carried out and dealing with complaints
 - All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays
 - Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above
 - Measures to control the migration of mud from the site by vehicles during construction
 - 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 minimise noise disturbance from construction works. Piling will not be undertaken
 - Procedures for emergency deviation of the agreed working hours
 - Control measures for dust and other air-borne pollutants; to be incorporated into a dust management plan in order to minimise the impacts of construction dust
 - Measures for controlling the use of site lighting whether required for safe working or for security purposes
 - Locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of the development
 - The control and removal of spoil and wastes
 - Access arrangements for construction vehicles
 - Measures to control the tracking of mud off-site from vehicles
 - Measures to control dust from the demolition and construction works approved
 - Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained
 - Adequate provision for the delivery and storage of materials

- Adequate provision for contractor and visitor parking
- A lorry routing schedule
- Contact details of the main contractor
- Pedestrian cyclist and horse rider protection
- Proposed temporary traffic restrictions
- Arrangements for turning facilities on site for vehicles
- Membership details for the Considerate Constructor Scheme or similar regime and site induction of the workforce highlighting pollution prevention and awareness

The CEMP as approved shall be fully complied with at all times. The development shall be implemented in accordance with the approved CEMP.

- 11) No dwelling shall be occupied until the highway linking that dwelling to the existing public highway has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
- 12) No dwelling shall be occupied until car and cycle parking has been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority
- 13) Prior to the approval of the first reserved matters a method statement, landscape mitigation and strategy plan, and accompanying plans in relation to the existing trees and hedgerow along the boundary of Old Gloucester Road shall be submitted to and approved by the Local Planning Authority in writing. This shall include the following:
 - (i). The root protection areas for any trees and hedgerows to be retained;
 - (ii). The trees that are to be felled to construct the access and footway;
 - (iii). Cross-sections showing the proposed access and footway works and adjacent trees to remain at a recognised scale;
 - (iv). Methods of construction proposed to ensure the trees to remain are not adversely impacted by the works;
 - (v). Replacement trees for those to be felled to accommodate the construction of the access and footway. Including details of the final spread of tree crowns.
 - (vi) Routes to allow for maintenance of the trees both during and after construction.

The development shall be implemented in accordance with the approved details.

- 14) Prior to the approval of the first reserved matters, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be prepared to accord with the advice of the submitted Ecology Report eg20953 (Engain). The content of the LEMP shall cover the initial 5 year establishment maintenance of the scheme as well as a subsequent 10 year management period. The LEMP shall include:

- a) Description and evaluation of features to be managed; including location(s) shown on a site map
- b) Landscape and ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g) Details of the body or organisation responsible for implementation of the plan
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The LEMP shall be implemented in full in accordance with the approved details.

- 15) Prior to the commencement of development, plans indicating the location of tree and hedgerow protection measures shall be submitted to and approved in writing by the Local Planning Authority. These details shall include how the development will not adversely impact the trees and hedgerow to be retained.

The approved details shall be implemented in advance of any works on site and shall be retained in situ for the duration of the works.

- 16) If within a period of 5 years from the date of the planting of any tree (excluding those within defined Public Open Space), that tree, or any tree planted in replacement of it, is removed, uprooted or destroyed and dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree of the same species and size as the originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 17) The reserved matters shall include full details of hard and soft landscaping in the area applied for. These details shall include:
- a) a scaled plan showing all existing vegetation, trees, and landscape features to be retained as well as proposals for restoration where relevant
 - b) the location of all new planting, supported by a planting plan and a written schedule detailing species, stock sizes, planting centres and numbers/planting densities of all proposed trees/plants
 - c) identification of maintenance access to site boundary vegetation

- d) landscape implementation specification including tree pit details
- e) specifications for operations associated with plant establishment and maintenance that are compliant with best practise, including watering
- f) location, type, and materials to be used for hard landscaping including specifications
- g) Details, dimensions and specifications of all boundary treatments as well as street furniture, minor artefacts and structures, refuse and other storage units
- h) Details of play equipment including specification and natural play features
- i) Proposed and existing functional services above and below ground
- j) calculation of replacement trees in accordance with the Trees and Development Sites SPD
- j) Proposed finish levels and contours as well as any soil retention or retaining structures that may be required. There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

The development shall proceed strictly in accordance with the approved details. All planting, seeding, or turfing as approved shall be carried out no later than the first planting and seeding season following the substantive completion of the development hereby approved and shall be maintained as approved for the duration of the approved development.

- 18) Prior to installation of any new external lighting on the site, details of a scheme of lighting shall be submitted to and agreed in writing by the Local Planning Authority.

For avoidance of doubt, the scheme shall be considered alongside proposed landscaping (as required through condition 17) and shall include a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- Identify those areas/features on site that are particularly sensitive for bats and Great Crested Newts that are likely to cause disturbance.
- Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb the above species habitat, or prevent bats using their territory, or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations approved and shall be maintained as such thereafter.

- 19) Prior to the approval of the first reserved matters, a scheme for the provision of bat tubes/boxes and bird nest boxes/features shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and location of all boxes and design features, to cover a variety of species. The development shall be implemented in strict accordance with the approved scheme.

- 20) Prior to the commencement of development, a mitigation strategy for reptiles, badgers, hedgehogs, bats, Great Crested Newts and nesting birds shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the approved strategy.
- 21) No develop shall commence if 12 months or more has elapsed since the original field survey for badgers, until a re-survey has been undertaken and a report of the findings of the survey has been first submitted to and approved in writing by the Local Planning Authority. The report shall provide details of all works subject to the licensing provisions of the Protection of Badgers Act 1992. The development shall be implemented in strict accordance with the approved strategy.
- 22) Prior to the submission of the first reserved matters, details shall be first submitted to and approved in writing by the Local Planning Authority demonstrating how foul sewage will be disposed of, including details to demonstrate whether a foul sewage pumping station is required on site and if it is required, where it is proposed to be located. The development shall be implemented in accordance with the approved details.
- 23) If a foul sewage pumping station is required on site, it shall be provided on site prior to the occupation of the first dwelling and shall comply with the following:
 - (i) The foul sewage pumping station shall have a 15 metre buffer zone between its boundary and the boundary of the curtilage of any dwelling;
 - (ii) The foul sewage pumping station shall include suitable access arrangements for the operation and maintenance of the pumping station.
- 24) The reserved matters shall be accompanied by details of the surface water drainage infrastructure for the site, this shall include a development layout showing surface water and SUDS (sustainable drainage). The details shall include the following:
 - (i) A clearly labelled drainage layout plan showing the pipe networks and all attenuation features
 - (ii) A full survey of the ditches within both the western, northern, and southern catchments and additional detail identifying final surface water outfall locations
 - (iii) Updated Drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer)
 - (iv) Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event (winter and summer)
 - (v) The drainage layout plan shall also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding (where applicable)

(vi) The plan shall also show any pipe node numbers referred to within the drainage calculations

(vii) A manhole / inspection chamber schedule to include cover and invert levels

(viii) Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as attenuation features and flow control devices where applicable for the lifetime of the development

(ix) Sufficient access arrangements and space to allow for the maintenance of the attenuation basin and associated channels, and landscaping along boundary of the development site

(x) Details of landscaping of the attenuation basin

(xi) How nearby existing trees and vegetation would be protected from the construction of the attenuation basin.

The development shall be implemented in accordance with the approved details.

- 25) Prior to the approval of the first reserved matters a noise assessment of the site layout shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall identify the noise mitigation created by the housing layout and its orientation and identify any properties in which alternative ventilation would be required to achieve internal noise levels compliant with BS8233:2014 and/or the 'South Gloucestershire Specific Guidance Note 1 - Planning and Noise' or subsequent amendments to either document. The development shall be implemented in accordance with the approved details.
- 26) No development shall commence until an assessment of the risks posed by any contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.
- 27) Where following the risk assessment referred to in Condition 26, land affected by contamination is found which could pose unacceptable risks, no development shall take place until detailed site investigations of the areas affected have been carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. A report shall be submitted for the written approval of the Local Planning Authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems.

Where unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of the works to be undertaken should be described in detail

and the methodology that will be applied to verify the works have been satisfactorily completed.

The approved remediation scheme shall be carried out before the development (or relevant phase of development) is occupied.

- 28) Prior to first occupation, where works have been required to mitigate contaminants (under Condition 27) a report providing details of the verification demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.
- 29) Any contamination found during the course of construction of the development that was not previously identified shall be reported immediately in writing to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found, additional remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.
- 30) The reserved matters shall be accompanied by an Energy Statement detailing the energy saving measures for that will be incorporated into the design of the development, including layout and orientation, massing and landscaping, and how the development will reduce regulated and unregulated carbon dioxide emissions by at least 20% (over current Part L building regulations at the time of Reserved Matters determination) through on-site renewable and/or low carbon energy generation.

The development shall thereafter be implemented in accordance with the approved details.

- 31) No development within 65 metres of the high pressure gas pipeline (as shown on the Existing Gas Main Plan, dwg no. A-401 Rev A) shall be occupied until:
- (a) the specification details of the proposed diverted section of the pipeline have been confirmed by the applicant to the Health and Safety Executive (HSE) and HSE subsequently confirms that the risks to the proposed development will be reduced, as reflected in the HSE consultation zones, to a level at which HSE would not advise against the granting of planning permission; and
 - (b) the diversion of the pipeline along the eastern boundary of the site has been completed.
- 32) The reserved matters shall include the following details for the play areas on the site:
- (i) Landscaping;
 - (ii) Fencing;
 - (iii) Site levels;

(iv) A buffer between the play areas and the nearest dwellings to comply with the following (from Fields in Trust: Planning and Design for Outdoor Sport and Play):

- Local Area for Play (LAP)- minimum of 5 metres between the activity zone and the boundaries of dwellings;
- Local Equipped Area for Play (LEAP)- minimum of 20 metres between the activity zone and any dwelling façade containing habitable room windows;
- Neighbourhood Equipped Area for Play (NEAP)- minimum of 30 metres between the activity zone and the boundaries of dwellings;

(v) Access to the play areas for both pedestrians and maintenance vehicles

(vi) The proposed play equipment

The development shall thereafter be implemented in accordance with the approved details.

- 33) The reserved matters shall include a Public Open Space Plan, specifying quantity and categories of Public Open Space across the site. The development shall thereafter be implemented in accordance with the approved details.
- 34) The reserved matters shall include details of carriageways, footways, cycleways and shared surfaces widths and surface materials. The development shall thereafter be implemented in accordance with the approved details.
- 35) Prior to commencement of development or groundworks but excluding demolition of existing buildings and the existing concrete base of the former greenhouse, a programme of archaeological work and subsequent detailed mitigation, outreach and publication strategy, including a timetable for the mitigation strategy, shall be submitted to and approved in writing by the Local Planning Authority. The programme of work, mitigation measures, methods of outreach and publication shall be implemented in accordance with the approved details.