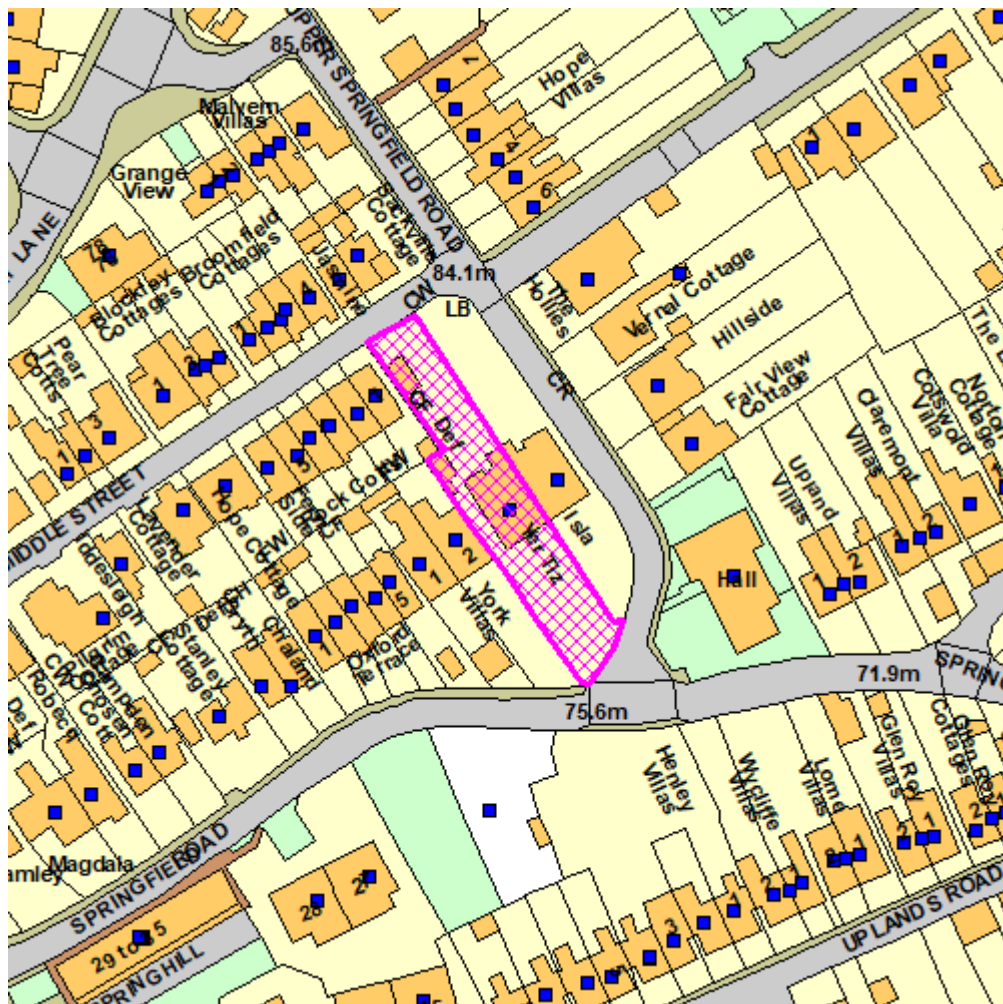




Development Control Committee Schedule 12/10/2021

| | |
|-------------------------|---|
| Item No: | 3 |
| Application No. | S.21/1381/FUL |
| Site Address | Land At Rear Of 1 Clifton Villas, Springfield Road, Uplands, Stroud |
| Town/Parish | Stroud Town Council |
| Grid Reference | 385466,205691 |
| Application Type | Full Planning Application |
| Proposal | Subdivision of the rear garden and erection of a new dwelling. Creation of new offstreet parking within the front garden. (Revised drawings received 04/08/21 and 25/08/21) |
| Recommendation | Permission |
| Call in Request | Cllr Martin Baxendale |





Development Control Committee Schedule 12/10/2021

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|------------------------------|---|
| Applicant's Details | T & E Deproost 1 Clifton Villas, Springfield Road, Uplands, Stroud, Gloucestershire GL5 1TP |
| Agent's Details | Andrew Davy Architect Atelier, 19A Lower Street, Stroud, Gloucestershire, GL5 2HT |
| Case Officer | Nick Gardiner |
| Application Validated | 08.06.2021 |
| | CONSULTEES |
| Comments Received | Development Coordination (E) Stroud Town Council SDC Water Resources Engineer Development Coordination (E) Environmental Health (E) Stroud Town Council Contaminated Land Officer (E) |
| Constraints | Consult area Stroud Town Council Rodborough 3km core catchment zone Settlement Boundaries (LP) |
| | OFFICER'S REPORT |

MAIN ISSUES

- Principle of development
- Design and layout
- Residential Amenity
- Highways
- Affordable Housing and obligations
- Planning balance

DESCRIPTION OF SITE

The application site comprises of the front and rear garden area associated with a large semi-detached Victorian property that is positioned more or less central to Middle Street and Springfield Road.

The site is not affected by any landscape designation and there are no protected trees within the site or adjoining neighbours.

PROPOSAL

The application seeks permission for the subdivision of the rear garden and erection of a new dwelling. Creation of new off-street parking within the front garden of No.1 Clifton Villas.



Development Control Committee Schedule 12/10/2021

REVISED DRAWINGS

Revised drawings received on the 4/8/21 including tracking details and amending the internal layout of the property.

Revised drawings received on the 25/8/21 amending the proposed parking layout to Springfield Road.

Updated Parking Diagram and Site Plan to indicate parking for 3 cars to match the rest of the information, no changes to the scheme and this was not consulted upon, 20/09/21.

MATERIALS

| | |
|----------------|----------------------------|
| Walls: | Render and timber cladding |
| Roof: | Zinc and sedum |
| Doors/windows: | Powder coated aluminium |

REPRESENTATIONS

Statutory Consultees:

Water Resources Engineer

No observations

Stroud Town Council

Proposed building is too large for the area and higher than Middle Street roof line. The amenity space for both buildings is not sufficient. Contrary to SDC Local Plan policies HC8 and CP14.

We also reiterate previous comments: Upper Springfield Road parking looks very vulnerable. Can cars be better protected from turning traffic.

Contaminated Land Officer

No comments

Environmental Health

Standard conditions and informatives

Local Highway Authority Response to the revised consultation

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 has no objection subject to conditions and financial obligations.

The justification for this decision is provided below.

It is proposed that the new dwelling would have off-street parking for two cars, utilising the existing access on Middle Street. The submitted plan does indicate that two parking spaces with notional size of 2.4 metres by 4.8 metres each could be accommodated. Careful manoeuvring into and from the spaces would be required, due to the narrowness of Middle Street, but the access would be widened to improve access and egress and the new access width should be made to be 6.0 metres if this could be achieved.



Development Control Committee Schedule 12/10/2021

However, there is evidence that the existing access may have been used in a way that would have resulted in a parked vehicle encroaching into the highway and, given this and the context of parking generally along the Street, the proposals can be considered to be no worse than the existing circumstances. It is concluded, therefore, that the proposed arrangement would be acceptable.

A revised Drawing no 117.P.10 Rev C Proposed Off-Street Parking has been submitted which demonstrates that a single car parking space for the use of the existing house would be accommodated within the site.

This parking space and the two that are proposed for the new dwelling are deemed to provide the three spaces that are required by the development to comply with the development plan, Stroud District Local Plan.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

Prior to the first occupation of the development hereby permitted vehicle parking areas shall be provided in accordance with the approved plans and those areas shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate off-street parking is provided, in accordance with Cotswold District Local Plan Policy INF4.

Prior to the first occupation of the development hereby permitted, the proposed dwelling shall be fitted with an electric vehicle charging point. The charging point shall comply with BS EN 62196 Mode 3 or 4 and BS EN 61851 and with the Manual for Gloucestershire Streets. The electric vehicle charging point shall be retained for the lifetime of the development unless it needs to be replaced in which case the replacement charging point shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities.

Prior to the first occupation of the development hereby permitted a vehicle crossover shall be installed at the carriageway edge.

Reason: In the interests of safety and accessibility

Prior to the first occupation of the development hereby permitted visibility splays shall be provided in accordance with the details shown on the approved plans.

Reason: In the interest of highway safety

Prior to the first occupation of the development hereby permitted cycle storage facilities for a minimum of two cycles for each dwelling shall be made available for use and those facilities shall be maintained for the duration of the development.

Reason: To ensure the provision and availability of adequate cycle parking.



Development Control Committee Schedule 12/10/2021

Informatives

The construction of a new vehicle parking access will require works to be undertaken within the highway under the Highways Act 1980 - Section 184 and the developer is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway.

Public: Twelve letters of objection received raising the following concerns received by seven commenters surrounding the following issues:

- o Overdevelopment of the plot
- o Insufficient amenity space
- o Overlooking
- o Insufficient parking
- o Insufficient visibility
- o Inappropriate materials / design
- o Out of character with the area
- o Overbearing impact
- o Impact on pear tree

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view at:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Stroud District Local Plan.

Policies together with the preamble text and associated supplementary planning documents are available to view on the Councils website:

https://www.stroud.gov.uk/media/1455/stroud-district-local-plan_november-2015_low-res_for-web.pdf

Local Plan policies considered for this application include:

- CP1 - Sustainable development
- CP2 - Strategic growth and development locations
- CP3 - Settlement hierarchy
- CP14 - High quality sustainable development.
- HC1 - Meeting small-scale housing need within defined settlements.
- ES1 - Sustainable construction and energy efficiency.
- ES3 - Maintaining quality of life within our environmental limits.
- ES6 - Providing for biodiversity and geodiversity.
- ES8 - Trees, hedgerows and woodlands
- ES12 - Better design of places.



Development Control Committee Schedule 12/10/2021

The proposal should also be considered against the guidance laid out in:
Residential Design Guide SPG (2000)
Stroud District Landscape Assessment SPG (2000)

The application has a number of considerations which both cover the principle of development and the details of the proposed scheme which will be considered in turn below:

PRINCIPLE OF DEVELOPMENT

The application seeks permission for the erection of a detached dwelling in the rear garden of No.1 Clifton Villas and a parking bay to serve No.1 Clifton Villas on Springfield Road.

The application site is located within the development limit of Stroud, a first tier settlement as defined by policy CP3. First tier settlements have the ability to support sustainable patterns of living in the District because of their current levels of facilities, services and employment opportunities. They have the potential to provide for modest levels of jobs and homes in order to help sustain and, where necessary, enhance their services and facilities. Therefore, the principle of development has been established.

DESIGN AND LAYOUT

It is proposed to subdivide the garden area associated with 1 Clifton Villas and construct a dwelling of a modern contemporary appearance to the rear garden and construct a parking bay to the front garden of No.1 Clifton Villas.

The current form of development on Springfield Road is predominantly characterised by red brick three storey dwellings to the north side, which is echoed with the row of dwellings below along Uplands Road and then above Springfield Road is Middle Street, which benefits from a mixture of dwelling types and designs.

The frontage of the property proposed is onto Middle Street.

This part of Uplands contains dwellings which vary greatly in design, scale and materials and while it is acknowledged that the proposed dwelling does not reflect the design and appearance of built form in the immediate vicinity, it is noted that there are a mix of styles and sizes of properties within the surrounding area with no clear cut vernacular. Materials that includes timber boarding, render, brickwork and a green roof have been proposed, all of which are considered appropriate for the design of the proposal.

The design of the proposal coupled with the proposed materials would provide some interest to the surrounding area that already benefits from a variety of house types. To ensure that the materials are suitable for the site and the surroundings, a condition could be applied requesting further details of the specific material types to include the colour, type and coursing of the brickwork.

The proposed timber cladding would create a lightweight appearance that, once weathered, would not be overbearing on the street scene. The retention of the boundary wall would also preserve the setting of the site and would clearly define the corner of the street



Development Control Committee Schedule 12/10/2021

While it is noted that the proposed dwelling would likely attract attention from passers-by, it is a dwelling in an urban area that brings forward an interesting design rather than a pastiche of its surroundings. The design of the property is not considered to be offensive and over time it would weather down to ensure that it would not appear as an incongruous addition in the street scene.

The general layout of the new dwelling would not compete with the surrounding form of the area. The dwelling appears proportionate, with a suitable ridge height and gable widths. While it is acknowledged that the proposed dwelling is slightly taller than that of the adjacent property, this is common on Middle Street as the character of the area is that the properties follow the contour of the land, thereby stepping down in a south westerly direction. As such, the proposal would not look out of keeping in the street scene.

The plot can accommodate an additional dwelling with associated parking and gardens, compatible with the Council's Residential Design Guide. The submitted drawing identifies that the site would not appear cramped or overdeveloped and would afford a suitable level of amenity space for the proposed dwelling and a sufficient level of garden space would remain for the existing property. To ensure that the site does not become overdeveloped in the future, a condition removing permitted development rights for extensions and outbuildings will be applied.

Parking Bay to serve No.1 Clifton Villas

The size and scale of the proposed parking bay would not be disproportionate with the host property itself and the overall plot size. There would be adequate amenity provision remaining to serve the dwelling.

In order to facilitate the parking bay, a section of the surrounding boundary wall will need to be demolished. As No.1 Clifton villas is not subject to any landscape designations, the removal of this boundary wall would not require planning permission. Furthermore, as the road adjoining the residential curtilage is an unclassified road the creation of the access does not require planning permission; however, planning permission is required for the level of excavation, the retaining wall and the formation of the access steps within the residential curtilage.

The proposed excavation would be contained within the existing residential curtilage and whilst visible from the road network the overall bulk of the retaining wall would not appear visually discordant within the street scene.

The proposal would introduce a brick retaining wall, which are a common feature within the road and surrounding area. While the proposal would result in an increase in built form this development, it is not considered to be excessive given that there are similar features within the immediate vicinity.

While there would be some visual impact when viewed from road, the parking bay would sit alongside other examples that serve neighbouring dwellings and to some extent would appear as a continuation of that arrangement. As such, it would not warrant refusal of the application on the basis of the impact on the street scene.



Development Control Committee Schedule 12/10/2021

Overall, it is considered that the proposed layout of the parking bay would not appear out of keeping within the existing street scene and the layout would be compatible with the character, appearance and visual amenity of this part of Stroud. Subsequently, the creation of the parking bay will have a minimal impact and will not erode the overall character or appearance of the site and will not appear visually discordant within its setting.

RESIDENTIAL AMENITY

Residential properties are located in close proximity to the site. The site is an urban dense area whereby properties face one another, are positioned adjacent to one another and back on to one another.

The separation distance between the front of the proposed unit and the properties located opposite is less in separation distance than recommended in the Council's residential design guide. The separation distance between them is approximately 10m and the design guide stipulates 25m. Furthermore, the separation distance between the rear elevation of the proposed property and the rear elevation of the existing property is also less than what is stipulated in the Council's residential design guide, it is approximately 15m.

There are examples in the immediate vicinity whereby units face one another and benefit from a similar separation distance. Therefore, in order to seek to mitigate overlooking to neighbouring properties, a brise soleil type feature has been incorporated within the design of the property to the front and rear elevation. While, this will ensure that any outlook is somewhat obscured, it does not address the separation distance, however it is considered that on balance it would allow for an imaginative development whilst also addressing a direct overlooking issue. Should planning permission be forthcoming for the proposal and to ensure, that this remains as a permanent feature, it could be conditioned to be installed prior to first occupation and remain as such thereafter.

While it is acknowledged that the proposal would fail to comply with the Council's residential design guide regarding separation distances, the proposed arrangement is considered acceptable on the basis that the surrounding area benefits from a nearly identical arrangement whereby properties face one another with a similar separation distance, therefore it would be difficult to warrant refusal on these grounds. As discussed above, it should also be further noted that a solution has been incorporated into the design to seek to lessen this potential impact of which is considered to enhance the design of the property and is considered acceptable.

In terms of the proposal potentially overlooking the adjacent neighbouring property, any views would be oblique and not direct. Furthermore, the site is located in an extremely dense area where overlooking is a common feature, therefore it would be difficult to refuse the application on these grounds. To ensure that neighbouring properties amenity would be protected in the future, a condition removing permitted development rights for additional openings will be implied.



Development Control Committee Schedule 12/10/2021

The dwelling would have no significant overbearing impact or cause unacceptable overshadowing, given that it falls within the existing building line.

To protect the amenity of neighbouring occupiers, a construction method statement condition and hours of operation condition will be applied should planning permission be forthcoming.

HIGHWAYS

The application seeks planning permission for the creation of a parking bay to serve No.1 Clifton Villas off of Upper Springfield Road and parking provision to serve the new dwelling off of Middle Street.

The drawings have been revised to reduce the footprint of the available parking and reduce it to one space. This has been achieved by including a bank with stepped ramp access that connects to the steps by the stone pier. This leaves a generous parking area for one car and visibility both from the parking area out, and across this corner from the street. This arrangement removes the parking provision from this pinch point corner, this alleviates the concerns regarding the superseded scheme not being adequate to accommodate two spaces and therefore these concerns have been addressed.

This would also mean that there would not be repeated movements and the car user would drive in or reverse out of the space which is a common arrangement on Springfield Road.

It is proposed that the new dwelling would have off-street parking for two cars, utilising the existing access on Middle Street. The submitted plan does indicate that two parking spaces with notional size of 2.4 metres by 4.8 metres each could be accommodated. Careful manoeuvring into and from the spaces would be required, due to the narrowness of Middle Street, but the access would be widened to improve access and egress.

The existing access may have been used in a way that would have resulted in a parked vehicle encroaching into the highway and, given this and the context of parking generally along the Street, the proposals can be considered to be no worse than the existing circumstances. It is concluded, therefore, that the proposed arrangement would be acceptable.

Overall, the subdivision of the property could improve upon the existing situation by providing additional parking spaces to that of the existing arrangement.

While the proposal represents a reduction to off street parking provision, this reduction is considered to be acceptable on the basis that the local plan stipulates 1.5 spaces per dwelling. The proposed development would allow for 3 spaces across the two sites and would therefore comply with policy in this regard. Furthermore, it should also be noted that there is provision for on street parking and the site is located within a sustainable location and within relatively close proximity to the town centre.



Development Control Committee Schedule 12/10/2021

The local highways authority has recommended no objection to the revised proposed parking and access arrangements subject to conditions. These proposed conditions proposed surround provision of the parking, visibility splays, electric vehicle charging as well as cycle and bin storage are all provided prior to the first occupation of the proposed dwelling and maintained as such thereafter. These conditions are considered to be reasonable and necessary and will be applied to any permission.

AFFORDABLE HOUSING AND OBLIGATIONS

Adopted Local Plan policy CP9 specifies that small scale residential schemes (1 -3 dwellings) for should pay a contribution to affordable housing of at least 20% of the total development value (where viable). However, in May 2016, planning practice guidance was updated to stipulate that contributions for affordable housing should not be sought from small scale and self-built development. This follows the order of the Court of Appeal dated 13 May 2016 which gives legal effect to policy set out in the Ministerial Statement on 28 November 2014.

In order to support the delivery of small scale housing, the Council will follow national guidance and not seek contributions for the proposal.

The site falls within the 3 km catchment zone of the Rodborough Common SAC. Local Plan Policy ES6 requires development proposal to contribute to appropriate mitigation and management measures. Mitigation has been secured via S.106 agreement.

PLANNING BALANCE

The NPPF has been updated (2021) and the National Design Guide (2019) is now a material planning consideration. Both put a stronger emphasis on high quality design. The NDG sets out the components for good design and 10 characteristics to achieve a well-designed place.

The Local Plan design policy is HC1, which primarily seeks to ensure that the proposed housing is of a scale, density, layout and design that is compatible with the character, appearance and amenity of the part of the settlement that it is to be located.

The application proposes the erection of a new dwelling in an urban area. While the proposed dwelling does not reflect the design of the surrounding built form, it is considered acceptable on the basis that it would add interest to the area. The proposed building is similar in proportions to those around, but its design features are of a more modern appearance.

As discussed, the location of the area is dense and therefore surrounding properties are close knit in nature. The resultant impact of this, is the limited separation distances between the proposed dwelling and the surrounding properties. However, as discussed above, while the proposal does not comply with the guidance, the separation distances are considered to be acceptable on the basis that the separation distance is similar to that of the surrounding properties and that an innovative design solution has been incorporated to seek to mitigate direct overlooking.



Development Control Committee Schedule 12/10/2021

The parking provision proposed to serve the proposed unit is no worse than the existing arrangement, therefore there would not be any level of harm that would be created from the creation of an additional unit.

In light of the above, it is considered that the proposal is acceptable.

RECOMMENDATION

Permission is granted.

HUMAN RIGHTS

In compiling this recommendation, we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any neighbouring or affected properties. In particular regard has been had to Article 8 of the ECHR (Right to Respect for private and family life) and the requirement to ensure that any interference with the right in this Article is both permissible and proportionate. On analysing the issues raised by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.



Development Control Committee Schedule 12/10/2021

Subject to the following conditions:

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans:

Existing and Proposed Site Plan, drawing 117.P.01 Rev C
Proposed Roof Plan / Site Plan, drawing 117.9.P.03 Rev B
Proposed Floorplans, drawing 117.P.04 Rev C
Proposed Elevations, drawing 117.P.05 Rev B
Proposed Sections, drawing 117.P.06 Rev B
Proposed Elevations, drawing 117.P.07 Rev C
Proposed Elevations, drawing 117.P.08 Rev C
Proposed Parking Diagrams, drawing 117.P.10 Rev B
Existing and Proposed Section, drawing 117.P.02
Proposed Offstreet Parking, drawing 117.P.09 Rev C

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. The dwelling hereby permitted shall not be occupied until the vehicular parking to serve both the proposed unit and No.1 Clifton Villas, and the visibility splays, have been provided in accordance with the approved plans. The approved parking arrangements shall be permanently available and free of obstruction thereafter.

Reason: To reduce potential highway impact by ensuring that parking is available within the site, in accordance with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

4. No works shall take place on the external surfaces of the proposed dwelling and the retaining structures hereby permitted until details of the materials to be used in the construction works have been submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

5. No construction site machinery or plant shall be operated, no process shall be carried out and no construction related deliveries taken except



Development Control Committee Schedule 12/10/2021

between the hours of 08:00hrs and 18:00hrs on Monday to Fridays, between 08:00hrs and 13:00hrs on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for the people living/ or working nearby, in accordance with Stroud District Local Plan Policy ES3.

6. The development hereby permitted shall not be first occupied until the proposed dwelling and proposed parking bay have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging Performance

Reason: To promote sustainable travel and healthy communities.

7. The development hereby permitted shall not be occupied until cycle storage and bin storage facilities have been made available for use and those facilities shall be maintained for the duration of the development.

Reason: To ensure the provision and availability of adequate cycle parking.

8. No development shall take place until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction;
- Routes for construction traffic
- Locations for loading/unloading and storage of plant, waste and construction materials
- Method of preventing mud being carried onto the highway
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures
- Arrangements for turning vehicles
- Arrangements to receive abnormal loads or unusually large vehicles



Development Control Committee Schedule 12/10/2021

- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: This information is require prior to commencement In the interests of safe operation of the adopted highway and to protect the amenity of neighbouring occupiers.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or any order revoking and re-enacting that order with or without modification), no development permitted under Article 3 and described within Classes A, D and E of Part 1 of Schedule 2, shall take place.

Reason: In the interests of the amenities of the local residents and the surrounding area and to comply with Policies HC1 and ES3 of the adopted Stroud District Local Plan, November 2015.

10. No additional windows or door openings including roof lights other than any windows shown on the approved plans shall be formed in the dwelling hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the residential amenity.

11. No development shall take place until details of the existing ground levels, proposed finished floor levels, ridge and eave heights of the dwelling and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development have been submitted to and approved by the Local Planning Authority. Such details shall also provide comparative levels of eaves and ridge heights of the proposed and adjoining properties. The development shall be carried out in strict accordance with the details as approved.

Reason: Ground levels must be agreed prior to any works taking place in order to avoid a situation where unacceptable ground level alterations cannot be undone without significant reconstruction work. Ground levels need to be agreed to secure an acceptable finished building height to ensure the satisfactory appearance of the development, in accordance with Policies HC1, CP14 and ES3 of the Stroud District Local Plan, November 2015.

12. The brise soleil design feature hereby permitted shall be installed prior to the first occupation of the dwelling hereby permitted. The brise soleil design feature shall remain in situ thereafter.



Development Control Committee Schedule 12/10/2021

Reason: In the interests of the amenities of occupiers of adjoining residential properties and to comply with Policy ES3 of the Stroud District Local Plan, November 2015.

Informatives:

1. ARTICLE 35 (2) STATEMENT - The case officer contacted the applicant/agent and negotiated changes to the design that have enhanced the overall scheme.
2. The construction of a new vehicle parking access will require works to be undertaken within the highway under the Highways Act 1980 - Section 184 and the developer is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway.
3. The application is subject to a unilateral undertaking for a financial contribution of £200.00, triggered by the commencement of development, as a mitigation contribution towards the impact of potential recreational use of the occupants of the per hereby permitted dwelling within the catchment of the Rodborough Common Special Area of Conservation (SAC).