



Gloucester City Council

Planning Committee

Meeting: Tuesday, 2nd October 2018 at 6.00 pm in Civic Suite - North Warehouse, The Docks, Gloucester, GL1 2EP

Membership:	Cllrs. Taylor (Chair), Lewis (Vice-Chair), D. Brown, J. Brown, Dee, Fearn, Finnegan, Hanman, Hansdot, Lugg, Morgan, Toleman and Walford
Contact:	Democratic and Electoral Services 01452 396126 democratic.services@gloucester.gov.uk

AGENDA

4. LATE MATERIAL (Pages 5 - 24)

Please note that any late material relating to the applications listed below will be published on the Council's website as a supplement in the late afternoon of the day of the meeting.

Jon McGinty
Managing Director

Date of Publication: Monday, 24 September 2018

NOTES

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area. For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and (b) either – i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with

whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, "securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

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HUMAN RIGHTS

In compiling the recommendations on the following reports 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 affected properties. In particular, regard has been had to Article 8 of the ECHR (Right to respect for private and family life, home and correspondence); Article 1 of the First Protocol (Right to the use and enjoyment of property) and the requirement to ensure that any interference with the right in this Article is both in accordance with the law and proportionate. A balance needs to be drawn between the right to develop land in accordance with planning permission and the rights under Article 8 and also Article 1 of the First Protocol of adjacent occupiers. On assessing the issues raised by the applications no particular matters, other than those referred to in the reports, warrant any different action to that recommended.

EQUALITY ACT 2010

In considering this matter, full consideration has been given to the need to comply with the Public Sector Equality Duty under the Equality Act 2010 and in particular to the obligation to not only take steps to stop discrimination, but also to the promotion of equality, including the promotion of equality of opportunity and the promotion of good relations. An equality impact assessment has been carried out and it is considered that the Council has fully complied with the legal requirements.

LATE MATERIAL (APPLICATIONS FOR DETERMINATION)

PLANNING COMMITTEE: 2ND OCTOBER 2018

ITEM 5 – MONK MEADOW, GLOUCESTER QUAYS – 18/00685/FUL

Update on the means of addressing the “public subsidy” caveat on the affordable housing offer:

The applicant has agreed to secure a testing process for the exploration of public subsidy options, by a legal agreement. A draft of the legal agreement is currently in circulation for consideration by all parties. The recommendation has therefore been updated in this light.

S106 obligations:

A point of clarity is necessary for paragraph 6.25 of the Officer Report in respect of the canal towpath. The proposed contribution would be to enhance and deliver open space (proposed in the original application and part of the Condition 31 proposals) and in association this would deliver an enhancement of the pedestrian/cycle route.

It is also confirmed that the applicant does not propose to reduce the highways contribution. The original contribution has been satisfied other than the outstanding £720,000, which is secured by the preceding planning permission. As such the £720,000 is the remaining amount agreed to be paid, not a reduced amount being proposed by the applicant.

Updated recommendation of the Technical Planning Manager:

That the grant of planning permission is delegated to the Technical Planning Manager subject to the completion of a legal agreement to secure the following heads of terms, and the addition/variation of conditions as appropriate.

Towpath

- Financial contribution of £320,000 (index linked)
- To be paid towards enhancement of towpath in vicinity of application site
- Payable upon commencement of development

Affordable Housing

- 1.2% (with no public subsidy) or up to 3.9% (with public subsidy) affordable housing (5 / 16 units) within the Monk Meadow phase (requiring a variation of Condition 73 and a legal agreement clause to set out the public subsidy testing process)
- Mix of affordable housing provision being all affordable rent (this would be agreed via a further separate submission under Condition 73)
- Delivery of affordable housing prior to 50% open market units (again this would be agreed via a further separate submission)

Monitoring fees

ITEM 6 – MONK MEADOW, GLOUCESTER QUAYS – 18/00680/REM

Updated plans:

The applicant has amended the layout masterplan in response to the Highway Authority and Officer's comments on the proposed footpath network within the site. This includes additional areas of pavement and the provision of 'pedestrian areas' within parking areas denoted by a change in surfacing material.

The landscaping plans have also been updated as a result of these changes.

The Highway Authority has updated its consultation response in this light and raises no objection subject to conditions. In this response the Highways Authority has removed the two previously-recommended conditions seeking to introduce footways to various parts of the site. The remaining conditions recommended by the Highway Authority have already been considered and are not necessary to impose.

This allows the removal of Conditions 12 and 13 as set out in the current Officer Report. This also requires an update to the 'approved plans' Condition 1.

Updated recommendation of the Technical Planning Manager:

That, providing application ref. 18/00685/FUL is granted planning permission, reserved matters approval is **delegated to the Technical Planning Manager subject to the following conditions;**

Condition 1

The development shall be carried out in accordance with the following plans;

Masterplan A-90-001 Rev. P received by the Local Planning Authority on 1st October 2018

Proposed floor plans Blocks 1 & 17 A-00-001 Rev. A received by the Local Planning Authority on 17th August 2017

Proposed elevations Blocks 1 & 17 A-01-001 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 2 A-00-002 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 2 A-01-002 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 3 A-00-003 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 3 A-01-003 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 4 A-00-004 Rev. A received by the Local Planning Authority on 17th August 2018
Proposed elevations Block 4 A-01-004 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 5 sheet 01 A-00-005 Rev. A received by the Local Planning Authority on 17th August 2018
Proposed floor plans Block 5 sheet 02 A-00-006 Rev. A received by the Local Planning Authority on 17th August 2018
Proposed elevations Block 5 A-01-005 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Blocks 6, 7, 8, 9, 10 & 11 A-00-007 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 6 A-01-006 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 7 A-01-007 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 8 A-01-008 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 9 A-01-009 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 10 A-01-010 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 11 A-01-011 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 12 A-00-008 Rev. A received by the Local Planning Authority on 17th August 2018
Proposed floor plans Block 12 A-00-009 Rev. A received by the Local Planning Authority on 17th August 2018
Proposed elevations Block 12 A-01-012 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Blocks 13 & 14 A-00-010 Rev. A received by the Local Planning Authority on 17th August 2018
Proposed elevations Block 13 A-01-013 Rev. A received by the Local Planning Authority on 17th August 2018
Proposed elevations Block 14 A-01-014 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 15 A-00-011 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 15 A-01-015 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 16 A-00-012 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 16 A-01-016 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Blocks 18 & 19 A-00-013 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 18 A-01-017 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 19 A-01-018 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 20 sheet 01 A-00-014 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 20 sheet 02 A-00-015 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 20 sheet 01 A-01-019 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 20 sheet 02 A-01-020 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 22 A-00-016 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 22 A-01-021 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed floor plans Block 23 A-00-017 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations Block 23 A-01-022 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed plans House type 867 A-00-020 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations House type 867 A-01-023 Rev. B received by the Local Planning Authority on 13th September 2018

Proposed elevations House type 867 A-01-024 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed plans House type 1343 A-00-021 Rev. A received by the Local Planning Authority on 17th August 2017

Proposed elevations House type 1343 A-01-025 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations House type 1343 A-01-026 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed plans FOG 850 A-00-022 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations FOG850 A-01-027 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed plans FOG 850 (N) A-00-023 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations FOG 850 (N) A-01-028 Rev. A received by the Local Planning Authority on 17th August 2018

Proposed elevations FOG 850 (N) A-01-029 Rev. A received by the Local Planning Authority on 17th August 2018

Multiple garages A-00-031 Rev. A received by the Local Planning Authority on 17th August 2018

Plans/sections – Typical cycle/bin store A-00-032 Rev. A received by the Local Planning Authority on 17th August 2018

Elevations Typical cycle/bin store A-01-030 Rev. B received by the Local Planning Authority on 17th August 2018

Plans/sections – Substation A-00-033 received by the Local Planning Authority on 17th August 2018

Elevations Substation A-01-031 Rev. A received by the Local Planning Authority on 17th August 2018

Canal access ramp 2627/5704 Rev. P3 received by the Local Planning Authority on 17th August 2018

Canal access ramp A-02-107 received by the Local Planning Authority on 17th August 2018

Landscaping general arrangement 2627/5000 Rev. P5 received by the Local Planning Authority on 27th September 2018

Landscape Proposals sheet 1 of 6 2627/5001 Rev. P5 received by the Local Planning Authority on 27th September 2018

Landscape proposals sheet 2 of 6 2627/5002 Rev. P5 received by the Local Planning Authority on 27th September 2018

Landscape proposals sheet 3 of 6 2627/5003 Rev. P7 received by the Local Planning Authority on 27th September 2018

Landscape proposals sheet 4 of 6 2627/5004 Rev. P5 received by the Local Planning Authority on 27th September 2018

Landscape proposals sheet 5 of 6 2627/5005 Rev. P6 received by the Local Planning Authority on 27th September 2018

Landscape proposals sheet 6 of 6 2627/5006 Rev. P7 received by the Local Planning Authority on 27th September 2018

Illustrative play equipment & street furniture palette 2627-5-2-5703 Rev. P3 received by the Local Planning Authority on 17th August 2018

except where otherwise required by conditions of this approval or of the outline permission.

Reason

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

Condition 2

No retaining walls shall be constructed until details of the facing material to the wall have been submitted to and approved in writing by the Local Planning Authority.

Construction shall take place only in accordance with the approved details.

Reason

In the interests of securing a high quality finish to the development and the visual amenities of the area.

Condition 3

The noise mitigation measures identified in the Noise.co.uk Ltd 'Noise Risk Assessment & Acoustic Design Statement' ref. 18185-1 prepared 19th April 2018 (received by the Local Planning Authority on 6th June 2018) (section 10.2.5 onwards) shall be implemented in full. No unit for which that Statement identifies mitigation measures as being necessary shall be occupied until the specified measures have been installed in full for that property.

Reason

To ensure a suitable standard of living accommodation for future residents.

Condition 4

A Construction Phasing Plan shall be submitted to the Local Planning Authority prior to the commencement of construction of any dwellings.

For each phase a Noise Testing Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction of any dwellings within that phase that identifies a minimum of 15 % of the dwellings within that phase with a façade onto St Ann Way and Hempsted Lane that shall be subject to noise testing.

Within each phase, no dwelling subject to this reserved matter approval shall be occupied until the results of noise testing, which has been undertaken by a professional and competent contractor, have been submitted to and approved in writing by the Local Planning Authority. The noise testing shall be carried out within the lounge and bedrooms of the dwellings identified within the Noise Testing Plan for that phase to establish whether the noise criteria as specified via condition 3 have been met through approved mitigation measures.

If the results are not satisfactory, a revised approach shall be provided to meet the requirements in condition 3 for the Local Planning Authority's approval and the revised approach shall be implemented in full prior to the occupation of a dwelling within that phase.

Reason

The purpose of the post completion testing is to establish compliance with the internal standards of BS8233 2014, as outlined within the submitted report to protect the residential amenities of the future occupiers of the properties.

Condition 5

The first floor windows in the rear/south facing elevations of each of the units on plots 371, 372, 386 and 387 (as set out on the Masterplan ref. A-90-001 M), shall be constructed so that no part of the framework less than 1.7m above finished floor level within that room shall be openable. Any part below that level shall be constructed with, and retained in, an opaque material or obscure glazing.

Reason

In order to protect the residential amenity of adjacent properties.

Condition 6

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no extensions or any outbuildings or enclosures shall be erected within the curtilage of the dwellings shown on plots 371, 372, 386 and 387 (as set out on the Masterplan ref. A-90-001 M).

Reason

In order to protect the residential amenity of the occupiers of adjacent properties.

Condition 7

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no windows or other openings shall be constructed above ground floor in the rear/south facing elevations of the dwellings shown on plots 371, 372, 386 and 387 (as set out on the Masterplan ref. A-90-001 M).

Reason

In order to protect the residential amenity of the occupiers of adjacent properties.

Condition 8

The gardens of Plots 371 to 388 (as set out on the Masterplan ref. A-90-001 M) shall be tapered down (broadly in accordance with cross sections through the southern part of the site shown on plan ref.s A-02-100 Rev. C (Section A) and A-02-101 Rev. B (Section A)) to meet flush with the existing ground levels of the immediately adjacent land to south, at the shared boundary.

Reason

As confirmed by the applicant in the interests of protecting the amenities of residents of neighbouring properties.

Condition 9

No building shall be occupied until a SuDS maintenance plan for all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The approved SuDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions and shall operate for the lifetime of the development.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Condition 10

The approved landscaping proposals shall be carried out concurrently with the development of this phase and shall be completed no later than the first planting season following the completion of the development of this phase. The planting shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously damaged shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason

To ensure a satisfactory and well-planned development and to preserve and enhance the quality of the environment.

Condition 11

Buildings shall be constructed with window reveals to the following corresponding depths;

Where brickwork surrounds a window; 100mm

Where render surrounds a window; 120mm

Where timber surrounds a window; 150mm

Reason

To secure the quality of development confirmed by the applicant in the interests of good design and the visual amenities of the locality.

Condition 12

No dwelling shall be occupied until a method of preventing unauthorised vehicular use of the access ramp and waterside (between Blocks 3 and 8, and north of Block 14) has been implemented in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason

To prevent a detrimental impact on the appearance of the waterway corridor from the erection of poorly designed barrier and boundary treatments and to protect users of the towpath and the integrity of the canal infrastructure and in the interests of highway safety.

Note

The Environmental Impact Assessment information has been taken into consideration in this decision.

Note

The applicant is advised to contact the owners or management company for the adjacent land to the south in the interests of dealing with the section of left-over land

in between the sites as there is the prospect for this to become neglected and a nuisance to residents. Further planning applications may be necessary to authorise the use of this land, and this may be affected by the planning considerations involved in determining this application.

Similarly the applicant is advised to contact the Highway Authority in the interests of dealing with the section of left over land at the south west edge of the site (opposite the southern edge of the elongated roundabout). Again further planning applications may be necessary to authorise works to or use of this land.

Note

The applicant is advised to discuss with the Canal & River Trust the provision of safety measures at the canalside to deal with persons entering the water.

Note

The applicant is encouraged to liaise with the Canal & River Trust to provide for the electrical connection to the moorings, which could provide for alternative power and heating options for boat users. The applicant is also encouraged to make future residents aware of the presence of the boat moorings.

ITEM 7 – JESSOP COURT 17/01364/FUL

Consultee Response from the Local Highway Authority – No highway objection is raised subject to the inclusion of conditions.

Recommendation of the City Growth and Delivery Manager

That planning permission is GRANTED subject to the following conditions:

Condition 1

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

Reason

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

Condition 2

The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers 5067-01, 03c, 04b, 05b, 06b, 07b, 09b and 12 except where these may be modified by any other conditions attached to this permission.

Reason

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

Condition 3

Notwithstanding the submitted drawings, no development above DPC level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of all boundary treatments to be erected. The boundary treatment shall be completed in accordance with a timetable to be agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter maintained in a suitable condition.

Reason

In the interests of visual amenity of the area in accordance with Policy SD4 of the adopted Joint Core Strategy (2017).

Condition 4

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations (including demolition and preparatory groundworks)
- vii. specify measures to control the emission of dust and dirt during construction.

Reason

To ensure that appropriate measures are in place prior to the commencement of development to reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with the National Planning Policy Framework and to safeguard residential amenity and prevent pollution in accordance with Policies INF1 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and paragraph 35 of the National Planning Policy Framework.

Condition 5

- (a) No development shall commence until an assessment of the risks posed by any ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with current UK guidance and best practice.

- (b) Where the approved risk assessment (required by condition (a) above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.
- (c) Following implementation and completion of the approved remediation scheme (required by condition (b) above) and prior to the first occupation of the development, a verification report shall be completed in accordance with current UK guidance and best practice, and submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.
- (d) No development shall commence until a long term monitoring and maintenance scheme (to include monitoring the long-term effectiveness of the remediation and reporting on the same), where required, has been submitted to and approved by the Local Planning Authority. The approved scheme must be carried out in accordance with its terms, recommendations and time tables. All further reports produced shall be submitted to and approved in writing by the Local Planning Authority, and then carried out in accordance with its terms, recommendations and time tables.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works to ensure that the risk to buildings and their occupants from potential landfill or ground gases are adequately addressed in accordance with Policy SD14 of the adopted Joint Core Strategy (2017).

Condition 6

Notwithstanding the submitted drawings no development works above DPC level shall take place until details or samples of materials to be used externally on walls, roofs, windows and external doors, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory appearance of the development in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 7

Where premises are used for B2 uses, all factory doors shall remain closed between 23:00 and 07:00 hours.

Reason

To protect the amenity of local residents in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 8

Where premises are used for B2 uses, the loading and unloading of services and delivery vehicles together with their arrival and departure from the site shall not take place between the hours of 23:00 and 07:00 hours.

Reason

To protect the amenity of local residents in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 9

Where premises are used for B2 uses, there shall be no forklift movements on the external areas of site between the hours of 23:00hrs and 07:00hrs.

Reason

To protect the amenity of local residents in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 10

Prior to the first use or occupation of the approved development the proposed drainage and SUDs scheme shall be completed in accordance with the details set out in the Flood Risk Assessment and Drainage Strategy prepared by Cambria (Report reference CB1717-CAM-00-XX-RP-G-0760-03), dated December 2017. The approved scheme shall be maintained thereafter in accordance with the approved details for the lifetime of the development.

Reason

To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding and to minimise the risk of pollution in accordance with sustainable objectives of Gloucester City Council and Central Government and policy INF2 of the adopted Joint Core Strategy.

Condition 11

The development hereby permitted shall be carried out in strict accordance with a scheme for foul water drainage arrangements which has first been submitted to and approved in writing by the Local Planning Authority.

Reason

In order to ensure that satisfactory drainage arrangements are provided in accordance with policy INF 2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 12

No structures (including gates, walls and fences), storage of materials or products or raised ground levels shall be installed or constructed within the 8 metres of the watercourse (measured from the top of the bank to each side of the watercourse).

Reason

To ensure flood risk is not increased as a result of the development, to provide a 'green corridor', and to facilitate maintenance of the brook.

Condition 13

The development shall not be occupied until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of any lighting and external luminaries including measures to control light spillage onto the wooded corridor of the Dimore Brook as laid out in section 5.2.1, Lighting for Bats of the Ecological Assessment, dated 12/2017, prepared by Pure Ecology.

The lighting scheme shall include aims and objectives; information to demonstrate how the number and wattage of lighting will be kept to a minimum; details of how lighting will be controlled temporally e.g. timers, PIRs and avoid use of broad spectrum light emissions: details of how light spill will be reduced, for example low level illumination, cowling, planting schemes to screen spill, lights angled so as not to emit at greater than 70 degrees; ensuring dark zone/s; scale drawings showing the number, location, type and wattage of lighting proposed. The development hereby permitted shall be carried out and thereafter maintained in accordance with the approved details.

No further lighting shall be thereafter installed.

Reason

In the interest of good design and to secure biodiversity mitigation and enhancement in accordance with Policies SD4 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 14

No demolition, tree or shrub removal or clearance works shall take place between 1st March and 31st August inclusive unless a survey (by a suitably qualified ecologist) to assess the nesting bird activity on the site during this period and a scheme to protect the nesting bird interest on the site have first been submitted to and approved in

writing by the Local Planning Authority. The development shall only be carried out in accordance with any such scheme so approved.

Reason

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

Condition 15

Biodiversity enhancements for bats and birds, in accordance with the Landscape and Ecology Plan, drawing 5067-09b, dated 01/12/2017 prepared by Collins, shall be implemented prior to the beneficial occupation of the development and shall be maintained thereafter for biodiversity interest.

Reason

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

Condition 16

No development above DPC level shall take place until a landscape plan has been submitted to and approved in writing by the Local Planning Authority. The submitted design shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers. Drawings must include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed. The submitted plan shall also include the following:

- a) Details of the proposed trees, wildflower mix, hedge, shrubs and ground cover.
- b) A phased implementation programme.
- c) A management plan for the vegetation along the brook and the hedgerow.
- d) Details of tree planting pits
- e) Details of measures to protect the proposed trees from vehicles.

Reason

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

Condition 17

The landscaping scheme approved under condition above shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The planting shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason

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

Condition 18

Prior to occupation of the proposed development hereby permitted the vehicular accesses shall be laid out and constructed in accordance with the submitted plan drawing no's. 5067-12 & CAM 00 00 GA C0651 with the first 20m of the proposed access road, including the junction with the existing public road and associated visibility splays completed to at least binder course level.

Reason

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians.

Condition 19

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

Reason

To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and

cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition 20

The building(s) hereby permitted shall not be occupied until the parking, turning and loading/unloading facilities have been provided in accordance with the submitted plan drawing no. 5067-03c, and those facilities shall be maintained available for those purposes thereafter.

Reason

To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

Condition 21

The building(s) hereby permitted shall not be occupied until the parking, turning and loading/unloading facilities have been provided in accordance with the submitted plan drawing no. 5067-03b, and those facilities shall be maintained available for those purposes thereafter.

Reason

To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

Condition 22

The development hereby permitted shall not be occupied until the cycle storage facilities for a minimum of 20 no. bicycles have been made available for use and those facilities shall be maintained for the duration of the development.

Reason

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

Condition 23

Notwithstanding the submitted details, the development hereby permitted shall not be occupied until a demarcated pedestrian crossing point linking from the site entrance to the main pedestrian building entrance has been provided and made available for use and shall be maintained for the duration of the development thereafter.

Reason

To ensure safe and suitable access to the site can be achieved for all users; to give priority to pedestrians and to address the needs of people with disabilities in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition 24

Notwithstanding the submitted details, the development hereby permitted shall not be occupied until a delineated at grade pedestrian corridor with a minimum width of 1.2m from the proposed parking bays linking to the main pedestrian entrance has been provided and made available for use and shall be maintained for the duration of the development thereafter.

Reason

To ensure safe and suitable access to the site can be achieved for all users; to give priority to pedestrians and to address the needs of people with disabilities in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Condition 25

The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

Note 1**Landfill and Ground Gases FURTHER INFORMATION FOR APPLICANT****Validation Requirements**

Validation of the installation of gas protection measures must be completed in accordance with current guidance and best practice, namely comprise BS8485:2015 "Code of practice for the design of protection measures for methane and carbon dioxide ground gases for new buildings" and CIRIA C735 "Good practice on the testing and verification of protection systems for buildings against hazardous ground gases"

Typically the following is required, as a minimum:

A formal technical specification of the membrane installed and confirmation of appropriate installation by a suitably qualified and independent third party such as:

- a validation report from an experienced geo-environmental consultant including details of a visual inspection of the installed membrane and a photographic record and/or;
- a validation report from LA Building Control or NHBC inspector or registered membrane installer including details of a visual inspection of the installed membrane and a photographic record.

Note 2

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

Note 5

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property.
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 – explanatory booklet.

Note 6

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

Note 7

Severn Trent Water advises that there is a public sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building

Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Note 8

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

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