

GLOUCESTER CITY COUNCIL

COMMITTEE : **PLANNING**

DATE : **13th JANUARY 2015**

ADDRESS/LOCATION : **BLACKBRIDGE ALLOTMENTS
STROUD ROAD**

APPLICATION NO. & WARD : **14/01317/OUT
PODSMEAD**

EXPIRY DATE : **11TH FEBRUARY 2015**

APPLICANT : **GLOUCESTERSHIRE COUNTY COUNCIL**

PROPOSAL : **REVISED OUTLINE APPLICATION FOR 14 NEW DWELLINGS, NEW ALLOTMENTS AND ASSOCIATED WORKS (FOLLOWING GRANT OF OUTLINE PERMISSION UNDER APPLICATION NO.11/00724/OUT) TO ALLOW FOR AMENDED ACCESS ARRANGEMENTS FROM STROUD ROAD. (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR FUTURE CONSIDERATION).**

REPORT BY : **BOB RISTIC**

**NO. OF APPENDICES/
OBJECTIONS** : **SITE LOCATION PLAN**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 This site comprises an area of land located on the west side of Stroud Road, some 130 metres south of its junction with Tuffley Avenue and immediately to the north-west of Stroud Road Railway Bridge and is approximately 1 hectare in area.
- 1.2 The site is currently a derelict non - statutory allotment area that was created during the 1940's and is served by an existing vehicular and pedestrian access at the northern end of the railway bridge which also provides vehicular and pedestrian access to the Blackbridge playing fields and the railway sidings.
- 1.3 Outline planning permission was granted in January 2014 for a development of 14 dwellings and an improved allotment area. That development would have been served by a new vehicular access from Stroud Road which would have served the development, the allotments and Blackbridge playing field beyond. This access would also have incorporated the existing separate Network Rail access road which serves the nearby railway sidings.

- 1.4 The current proposal is in principle the same as the development which was granted earlier this year, with the exception of a revised site access from Stroud Road. The applicant has advised that they have been unable to secure an agreement with Network Rail for the previously approved shared access and have therefore sought alternative independent access arrangements to serve the development proposed.
- 1.5 The proposed access would now be separate from the existing the Network Rail track and would be formed approximately 5 metres to the north of the previously approved access point and would incorporate a small part of the front garden to no.214d Stroud Road.
- 1.6 The other changes include the provision of four parking spaces within the site to serve no.241d Stroud Road, the realignment of plots 1 & 2 so that they face directly towards(albeit that the layout is a reserved matter) the access road and the repositioning or the car parking to serve the allotments.
- 1.7 The application has been brought before the planning committee for determination as it entails the completion of a legal agreement the terms of which will be set out below.

2.0 RELEVANT PLANNING HISTORY

- 2.1 The application site has been subject of one recent planning application, which is summarised below:

11/00724/OUT - outline application for 14 new dwellings, new allotments and associated works (means of access not reserved) – Granted in January 2014.

3.0 PLANNING POLICIES

- 3.1 The statutory development plan for Gloucester remains the 1983 City of Gloucester Local Plan. Regard is also had to the policies contained within the 2002 Revised Deposit Draft Local Plan which was subject to two comprehensive periods of public consultation and adopted by the Council for development control purposes. The National Planning Policy Framework has been published and is also a material consideration.
- 3.2 For the purposes of making decisions, the National Planning Policy Framework sets out that policies in a Local Plan should not be considered out of date where they were adopted prior to the publication of the National Planning Policy Framework. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the National Planning Policy Framework.
- 3.3 The policies within the 2002 Local Plan remain therefore a material consideration where they are consistent with the National Planning Policy Framework.
- 3.4 The relevant local policies from the City of Gloucester Second Deposit Local Plan (2002) are :

A.2 – Protection of Allotments
H.4 – Housing on unallocated sites
TR.31 – Highway safety
FRP.10 - Noise
B.10 - Trees and Hedgerows on Development Sites.

- 3.5 In terms of the emerging local plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils and published its Pre-Submission Document which will be submitted to the Planning Inspectorate in autumn 2014. Policies in the Pre-Submission Joint Core Strategy have been prepared in the context of the NPPF and are a material consideration. The weight to be attached to them is limited by the fact that the Plan has not yet been the subject of independent scrutiny and do not have development plan status. In addition to the Joint Core Strategy, the Council is preparing its local City Plan which is taking forward the policy framework contained within the City Council's Local Development Framework Documents which reached Preferred Options stage in 2006.
- 3.6 On adoption, the Joint Core Strategy and City Plan will provide a revised planning policy framework for the Council. In the interim period, weight can be attached to relevant policies in the emerging plans according to
- The stage of preparation of the emerging plan
 - The extent to which there are unresolved objections to relevant policies; and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework
- 3.7 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; Gloucestershire Structure Plan policies – www.gloucestershire.gov.uk/index.cfm?articleid=2112 and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 **CONSULTATIONS**

- 4.1 **County Highways** – No objections subject to conditions.
- 4.2 **Severn Trent Water** - no objection subject to a condition and comment that there is a public sewer within Stroud Road.
- 4.3 **Land Contamination** - no objection subject to a condition.
- 4.4 **County Education** - Contributions will be required towards school facilities at Calton Primary and secondary provision at Gloucester Academy.

5.0 **PUBLICITY AND REPRESENTATIONS**

- 5.1 The application has been publicised through a press notice and the posting of a site notice. In addition the owners/occupiers of 13 neighbouring properties were notified for the application by letter.

- 5.2 At the time of writing, no public representations have been received.
- 5.3 The full content of all correspondence on this application can be inspected at the 4th floor reception, Herbert Warehouse, The Docks, Gloucester, prior to the Committee meeting.

6.0 **OFFICER OPINION**

- 6.1 The principle of the proposed development has already been established through the grant of planning permission no.11/00724/OUT, and that 'fall back' permission is still extant.
- 6.2 The current application proposes the same quantum of development as previously approved. Since the granting of planning permission no.11/00724/OUT, there has been no substantive changes in planning policy and principle of the use of the site for housing and allotments is considered to be acceptable subject satisfactory means of access being achieved.
- 6.3 The current application proposes a revised access point to serve the development, which would be sited, approximately 5 metres to the north of the previously approved position, and would be separate to the existing Network Rail 'service road', (which would remain unaltered by this proposal) and the proposed access arrangement would be similar to the present situation where there are two separate access points onto Stroud Road.
- 6.4 The applicant has submitted tracking details for the revised site access which demonstrates that a 3 axle refuse vehicle can pass a large saloon car without conflict at the Stroud Road junction. The details have been appraised by the Highway Authority, who have confirmed that the access would be of an appropriate design to serve the development proposed. The access would also provide sufficient visibility in each direction when accounting for the speed of Stroud Road.
- 6.5 Similarly the indicated internal estate road would be sufficiently wide enough to maintain the ability for a HGV and car to pass. Should any on-street parking occur, there would still be enough room for those vehicles to pass.
- 6.6 Pedestrian access from Stroud Road would be via a 2 metre wide footway to the northern side of the access road and would be of an adequate width to accommodate all users. It is therefore considered that the development would not result in any demonstrable harm to highway safety.
- 6.7 Furthermore, the Highway Authority has advised the proposed drawings demonstrate that No. 241d Stroud Road would still benefit from adequate access and compensatory parking arrangements to serve the flats on that site.
- 6.8 The application has been accompanied by a draft S.106 with the following heads of terms:

Primary education

£40,922.00

Secondary education	£37,447.00
Play facility improvements in Podsmead	£20,000.00
Commuted sum for maintenance of Allotment	£10,097.00
Transfer of serviced and laid out allotment site to City Council.	

- 6.9 I consider the proposed contributions to be acceptable in order to mitigate the impacts of the proposed development.
- 6.10 The precise details of the appearance, landscaping, layout and scale of the development will be considered at the reserved matters stage, nevertheless, the indicative drawings show how the site could accommodate an attractive and well planned development, which would bring significant social and environmental benefits to this vacant site, which include the delivery of housing, provision of allotments and improved access to the adjoining Blackbridge playing field site.

7.0 CONCLUSION/REASON FOR APPROVAL

- 7.1 The site is currently under-utilised and the NPPF and policies within the City of Gloucester Revised Deposit Local Plan promote the efficient use of such land. This development proposal has a number of advantages that will benefit future residents and the wider community as the site was previously used as allotments which fell into disrepair due to security issues caused by a lack of passive observation. The proposal would provide an opportunity to refurbish part of the allotments and to improve security of the area through natural surveillance from the new dwellings and improved access and linkages. Furthermore, it is considered that the site is of an adequate size to accommodate the proposed development and the revised access arrangements would not result in any harm to highway safety.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

- 8.1 That, subject to the completion of a legal agreement in accordance with the terms set out above, that delegated powers be given to the Development Control Manager to grant outline planning permission with the following conditions :-

Condition 1

Approval of the details of the appearance, landscaping, layout and scale of the buildings (hereinafter called "the reserved matters for residential development") shall be obtained from the local planning authority in writing before any development is commenced.

Reason

To enable the local planning authority to exercise proper control over these aspects of the development and to ensure that the development accords with local and national planning policy guidance.

Condition 2

Application for approval of the reserved matters for residential development shall be made to the local planning authority before the expiration of three years from the date of this permission

Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 3

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later.

Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 4

The development (in respect of the means of access) shall be carried out in accordance with approved drawing nos.6287 /PL01E ,6287/PL10C,6287 SK05 Rev.E and 6287 SK10 received by the Local Planning Authority on 11th November 2014 and any other conditions attached to this permission.

Condition 5

Details to be submitted in respect of condition 1 above shall include a detailed scheme of sound insulation work which shall ensure that the following internal noise targets, as set out in BS 8233: 1999: 'Sound Insulation and noise reduction for buildings – Code of Practice, are met :

- Bedrooms 23.00 – 07.00: 35dB LAeq
- Bedrooms 23.00 – 07.00: 45dB LAF max
- Living Rooms 07.00 – 23.00: 40dB LAeq
- Gardens 07.00 – 23.00 55dB LAeq

In addition such details shall include details of the design and appearance of acoustic fencing to the garden areas within the area identified as plots 1, 2, 9, 10,11,12,13 and 14. The sound insulation work to the dwellings and the acoustic fencing to the relevant garden areas shall be undertaken in accordance with the approved details before the commencement of occupation of any dwelling affected by railway noise and shall be retained for the duration of the development.

Reason

In the interest of protecting the residential amenities of the occupiers of the development in accordance with policy BE.7 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 6

Details to be submitted in respect of Condition 1 shall include a completed stage F/1 Road Safety Audit and a Non Motorised User Context Report.

Reason

In the interest of road safety in accordance with policy TR.31 of the Second Deposit Gloucester Local Plan (2002).

Condition 7

Details to be submitted in respect of Condition 1 shall include vehicular parking and turning facilities within the site, and the buildings hereby permitted shall not be occupied until those facilities (including associated garages and car ports where proposed) have been provided in accordance with the approved plans and shall be retained available for those purposes for the duration of the development.

Reason

To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site, in the interests of highway safety in accordance with policy TR.31 of the Second Deposit Gloucester Local Plan (2002).

Condition 8

No residential development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority :

- i) samples or precise details of the external facing materials and the roofing materials;
- ii) the location, profile and colour of the rainwater goods;
- iii) the design, appearance and construction of all windows and doors with their cills and surrounds, with cross-sectional drawings to show reveal depths to all window openings and entrance doors ;
- iv) the design and location of soil pipes, extractor vents and flues; and
- v) the precise design of the barge/fascia boards.

Such works shall be undertaken in accordance with the approved details.

Reason

To ensure that the materials and exterior building components harmonise with its surroundings, in the interests of the residential amenities of the occupiers of nearby residential properties in accordance with policies BE.5, BE.7 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

No residential development 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 boundary treatment, apart from those garden boundaries referred to in Condition 4 above. The boundary treatments shall be completed in accordance with the approved details before the occupation of the particular dwelling on the plot to which the enclosure relates.

Reason

In the interests of the residential amenities of the occupiers of the development in accordance with policies BE.7 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 10

No residential development shall commence until details of the means of the catchment and disposal of surface water and foul sewage has been submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage system shall be carried out before the occupation of the first dwelling and shall be retained for the duration of the development.

Reason

To ensure that the development is provided with satisfactory means of drainage as well as to reduce potential highway impact by ensuring that surface water does not have to be discharged on to the public highway and to provide a sustainable means of surface water drainage in accordance with policy FRP.6 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 11

No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management.

Reason

To ensure that safe and suitable access is achieved and maintained for all people as required by Paragraph 32 of the Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by Paragraph 58 of the Framework.

Condition 12

No residential development shall commence until a detailed scheme to deal with the suppression of dust caused by the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be adhered to for the full duration of demolition and construction works.

Reason

In the interests of local amenity and noise pollution in accordance with Policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 13

No residential 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;
- vii. measures to control the emission of dust and dirt during construction

Reason

To reduce the potential impact on the public highway in accordance with Policy TR.31 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 14

Unless otherwise agreed by the Local Planning Authority, works to the residential development and the retained allotment area other than that required to be carried out as part of an approved scheme of remediation must not commence until parts (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part (d) has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems,
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must accord with the provisions of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part (b), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part (c).

(e) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised due to the sensitive nature of the proposal and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 15

No works shall commence on the residential development site hereby permitted (other than that required by this condition) until the first 20 metres of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

Reason

To reduce potential highway impact by ensuring that there is a satisfactory access before the commencement of construction works in accordance with policy TR.31 of the Second Deposit Gloucester Local Plan (2002).

Condition 16

No development (including any site clearance or preparation) shall take place until a reptile mitigation strategy to include means of trapping, relocating and relocation site shall be submitted and approved in writing by the Local planning authority. The identified protection and mitigation works shall be carried out in strict accordance with approved strategy and within the identified time scales.

Reason:

To ensure adequate protection of a species protect by the 1981 (as amended) Wildlife and Countryside Act and in accordance with Policy B.8 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 17

During the construction phase of the residential development no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason

To protect the amenity of local residents in accordance with Policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 18

No materials or substances shall be incinerated within the application site during the construction phase.

Reason

To safeguard residential amenity and prevent pollution in accordance with Policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 19

The residential development hereby permitted shall not be occupied until details of the secure and covered cycle storage facilities for a minimum of 1 bicycle per dwelling has been made available in accordance with design details to be submitted to and approved in writing by the local planning authority and thereafter shall be retained for the duration of the development.

Reason

To ensure that adequate cycle parking is provided and to promote cycle use, in accordance with Policy TR.12 of the Second Deposit City of Gloucester Local Plan (2002). [see note below]

Condition 20

Prior to the first occupation of the proposed development the site access shall be completed in all respects in accordance with Drawing SK05 rev E, including footways and shall be retained as such thereafter unless and until adopted as highway maintainable at public expense.

Reason

To reduce potential highway impact by ensuring that there is a satisfactory access for pedestrians and vehicles, in accordance with paragraph 32 of the NPPF and TR.31 of the Second Deposit Gloucester Local Plan (2002).

Condition 21

No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe and suitable means of access for all people according to paragraph 35 of the NPPF and policy TR.31 of the Second Deposit Gloucester Local Plan (2002).

Condition 22

Before the occupation of any dwelling fire hydrants served by mains water supply shall have been installed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of community safety and to accord with policy BE5 of the Second Deposit City of Gloucester Local Plan (200).

Condition 23

Before the occupation of the proposed dwellings the proposed junction with the County highway shall be laid out and constructed in accordance with the details shown on the submitted plan no. C2161.002 and shall be similarly maintained thereafter.

Reason

To ensure a satisfactory means of access is provided and maintained in the interests of highway safety in accordance with policy TR31 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 24

The development hereby permitted shall be served by access roads laid out and constructed in accordance with details (including street lighting and surface water drainage/disposal) that shall have been submitted to and approved in writing by the Local Planning Authority, and no dwelling on the development shall be occupied until the roads including surface water drainage/disposal, vehicular turning heads, street lighting and footways where proposed providing access from

the nearest public road to that dwelling have been completed to at least binder course level in accordance with those approved details, and those access roads shall be retained and maintained in that form until and unless adopted as highway maintainable at public expense.

Reason

To minimise hazards and inconvenience for users of the development by ensuring that there is a satisfactory means of access in accordance with policy TR.31 of the Second Deposit Gloucester Local Plan (2002).

Condition 25

The development hereby granted shall be carried out strictly in accordance with the submitted details including drawings comprising location plan 6287/PL01C, proposed allotments 6287/SK05 revision c and proposed residential development and Network Rail access C2161.002 any other conditions attached to this permission.

Reason

To ensure the development is carried out in accordance with the accordance with the approved plans and in accordance with policies contained within Second Deposit City of Gloucester Local Plan (2002).

Note 1

This outline planning permission is accompanied by a legal agreement.

Note 2

Garages of dimensions 6m x 3m are deemed to satisfy the cycle parking requirement.

Note 3

The proposed development will require 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 an appropriate bond with the Local Highway Authority before commencing works on the development.

Note 4

The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

Note 5

Severn Trent Water advises that there is a public sewer located within the application 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 your proposal. Severn Trent will seek to assist you 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 Water and advise them of any proposals located over or within 3 metres of a public sewer. In many cases under the provision of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

If you require any further information please contact Rhiannon Thomas on 01902 793889.

Note 6

All birds, their nests and eggs are protected by law and it is thus an offence to: intentionally kill, injure or take any wild bird, intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built, intentionally take or destroy the egg of any wild bird, intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to £5,000, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from English Nature and the Council's Ecologist.

Decision:

Notes:

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Person to contact: Bob Ristic
(Tel: 396822)

14/01317/OUT

Blackbridge Allotments
Stroud Road
Gloucester

Planning Committee 13.01.2015



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