

GLOUCESTER CITY COUNCIL

COMMITTEE : **PLANNING**

DATE : **1ST DECEMBER 2015**

ADDRESS/LOCATION : **LAND TO SOUTH OF WATERWELLS DRIVE**

APPLICATION NO. & WARD : **15/00892/FUL
QUEDGELEY FIELDCOURT**

EXPIRY DATE : **20TH OCTOBER 2015**

APPLICANT : **FLI STRUCTURES, HALEY SECURITIES LTD.**

PROPOSAL : **ERECTION OF NEW MANUFACTURING AND DISTRIBUTION FACILITY (USE CLASSES B2/B8) AND ANCILLARY OFFICE WITH ASSOCIATED CAR PARKING, LANDSCAPING AND ACCESS ARRANGEMENTS.**

REPORT BY : **CAROLINE TOWNLEY**

**NO. OF APPENDICES/
OBJECTIONS** : **1. SITE LOCATION PLAN**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is a vacant plot with a site area of 1.74 hectares located to the south of Waterwells Drive, West of Marconi Drive and North of Jessop Court with Kestrel Court to the West. The site is currently vacant with access to the site from Jessops Court. The site is covered with shrub and grass growth and includes a Public Right of Way following the line of the Dimore Brook to the north of the site. The site is currently used for limited storage of metal works associated with the applicants existing business.
- 1.2 The application seeks full planning permission for the erection of a new industrial and warehouse facility (Uses Classes B2 and B8), with ancillary office space, car parking, landscaping and access to be occupied by Frances and Lewis International (FLI). The proposal is for a mix of the B2 and B8 uses across the site and seeks a flexible combination of the uses.

2.0 RELEVANT PLANNING HISTORY

- 2.1 Waterwells Business Park was allocated for business use in the Interim Adoption Copy of the Additional Area Post 1991 Boundary Extension Local Plan (Policy E.1 (a)). This allocation was made following a recommendation

by the Local Plan Inspector. The site is shown as an employment commitment in the First and Second Stage Deposit Local Plans (June 2001 and August 2002).

- 2.2 An outline planning application (95/00126/OUT) for the comprehensive development of land for Class B1, B2 and B8 employment with ancillary A1, A2 and A3 uses, open space, park and ride car park, landscaping, associated drainage and highway works was submitted on 22nd February 1995. All matters were reserved for future consideration. Part of the outline application area fell within the area administered by Stroud District Council.
- 2.3 The application was subsequently amended to delete reference to Class B2 (general industrial) because of the range of uses allowed within the class and the desire that the development should be of a high visual quality. It was agreed at that time if a specific B2 use was proposed it would need to be justified and would be judged on its individual merits.
- 2.4 An outline planning application (01/00776/OUT) for the development of the former RMC site immediately south of Naas Lane for Class B1 business use (light industry and offices) and storage and distribution (B8) and a new distributor road was granted on 17th February 2004.
- 2.5 There have subsequently been various detailed applications and permissions for individual sites within the original business park and former RMC site, with many of the buildings now completed.
- 2.6 A planning application for the erection of a warehouse distribution unit incorporating associated offices, ancillary accommodation and parking was received on this in 2003 (re. 03/01316/FUL). The application was subsequently withdrawn in May 2004.
- 2.6 On 8th March 2005 permission (ref:- 04/01619/FUL) was granted for the erection of 2 buildings on the site comprising 1 block of 2 units and 1 block of 4 units for uses within use classes B1 and B8 (light industrial, offices, storage and distribution). This permission expired on 8th March 2010. This application was subsequently renewed in 2010 (ref. 09/01211/FUL). These applications were speculative and proposed 6,196 m² of new floorspace. It was stated that the floorspace would be sub-divided with 20% for B.1 office accommodation, 60% B.1 light industrial uses and the remaining 20% for B8 storage. Vehicular access was proposed via Jessop Court with the inclusion of 118 off-road parking spaces.

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 1983 and the 2002 Local Plan remain therefore a material consideration where they are consistent with the National Planning Policy Framework.
- 3.4 From the Second Stage Deposit Plan the following policy is the most relevant:
- Policy FRP.1a (Development and Flood Risk)
 - Policy FRP.5 (Maintenance of Watercourses)
 - Policy FRP.9 (Light Pollution)
 - Policy FRP.10 (Noise)
 - Policy FRP.15 (Contaminated Land)
 - Policy B.4 (Corridors)
 - Policy B.8 (Non Identified Sites – biodiversity)
 - Policy BE.1 (Scale Massing and Height)
 - Policy BE.6 (Access for All)
 - Policy BE.13 (Landscape Schemes)
 - Policy BE.21 (Safeguarding of Amenity)
 - Policy TR.9 (Parking Standards)
 - Policy TR.12 (Cycle Standards)
 - Policy E.4 (Protecting Employment Land)
- 3.5 In terms of the emerging local plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and NPPG and are a material consideration. The weight to be attached to them is limited, the Plan has not yet been the subject of independent scrutiny and does not have development plan status. The Examination in Public has been ongoing since May 2015. 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, City Plan and any Neighbourhood Plans 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 **Gloucestershire County Council (Highways)** – No highway objection subject to the inclusion of conditions.

4.2 **Lead Local Flood Authority** – No objection subject to the inclusion of a condition. Satisfied that having reviewed the revised documents the drainage strategy meets the national and local standards for sustainable drainage. This has been achieved through demonstrating the development can sufficiently deal with the additional surface water expected from an increase in impermeable area, while providing ample water quality treatment stages.

The latest drainage strategy revision has accounted for a discharge rate equating to the QBAR runoff rate (10.7 l/s). The rate has been calculated using a recognised methodology, however a relatively high soil factor has been used. The soil factor has been assumed from a desktop study and observations made from site visits, while ground investigations (GIs) will be carried out at a later date to support the detail design stage, this is acceptable. Therefore, for the detail design submission, the LLFA expects the drainage calculations to be reviewed and adjusted according to the GI results.

Future management of Sustainable Drainage Systems is a matter to be dealt with by the Local Planning Authority and has therefore not been considered by the LLFA.

4.2 **Quedgeley Parish Council** – Request a S106 contribution for Waterwells Sports Centre.

4.3 **Severn Trent Water** – No objection to the proposal subject to the inclusion of a condition requiring the submission and approval of plans for the disposal of surface water and foul sewage.

4.4 **Worcestershire Regulatory Services (Contaminated Land advisors)** – Records indicated that the proposed site is within 250 metres of a former landfill site. The Desk Study Report has also identified a number of potential pollutant linkages at the site that require site investigation work including the nearby landfills and areas of made ground on the site. It is recommended that the standard contaminated land condition is attached to any planning permission. In addition it is also recommended that gas monitoring carried out as part of the investigation is conducted over at least six monitoring visits with

at least one during a period of low pressure and in accordance with current guidance and best practice.

4.5 **Environmental Health Officer** – No objection raised subject to the inclusion of conditions.

4.6 **City Archaeologist** – This site has been subject to an archaeological evaluation, which has demonstrated that significant archaeological remains are unlikely to be present within the area of the proposed development.

5.0 PUBLICITY AND REPRESENTATIONS

5.1 The application has been publicised through a press notice and the display of a site notice. In addition 118 properties have been notified of the application in writing.

5.2 No letters of representation have been received.

5.4 The full content of all correspondence on this application can be inspected at Herbert Warehouse, The Docks, Gloucester, or via the following link, prior to the Committee meeting:

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=15/00892/FUL>

6.0 OFFICER OPINION

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Use

6.2 The application proposes 5,416 m² of B2/B8 floorspace together with a 636m² ancillary office building to accommodate design teams, project management welfare and ancillary facilities. It is intended that the buildings on the site will be prominently used for B2 industrial processing with an element of B8 distribution uses by FLI Structures Ltd. The proposal is for a mix of B2 and B8 uses across the site and the application seeks a flexible combination of uses to allow for the mix of B2/B8 uses as required. While the applicant proposes a development based on FLI's operating parameters they require the flexibility to allow the company to sub-let part of the building to other occupiers at a future date if required.

6.3 Planning permission has previously been granted on the site for Class B1 and B8 uses by the permission in 2004 which was renewed in 2009.

6.4 FLI Structures currently have two existing manufacturing sites in Gloucester located to the north of Waterwells Drive and in Madleaze Road. It is intended

that the proposed development would allow the company to consolidate both operations onto a single site.

6.5 The operations comprise of the design, fabrication, assembly and installation of steel products up to 25 metres in length and involves:

- External storage of materials, finished goods and company owned plant.
- External assembly of large items.
- External packing.
- External fork lift and side loader operations.
- External painting.
- External product trialling.
- Deliveries and collections by articulated vehicles.
- Internal fabrication using CNC (Computer Numerical Control) machinery for cutting, drilling and pressing steel sections and jig work/welding. Some grinding and other noisy operations will be required.
- Internal office base activities, such as design and project management.

6.6 The proposal will include fabrication workshops including tube line, plate line and fabrication areas for assembly jigs and welding together with an area for a potential beam and column fabrication line. The layout provides for a central yard area for deliveries and pick-ups together with external storage for both raw materials and finished products.

6.7 Given the significant workloads experienced by FLI they wish to have unrestricted working hours to allow the flexibility to be able to work 24 hours a day. It has, however, been stated that only 'quiet' working would take place between the hours of 2300-0700 which would involve the following operations and precautionary measures:

- Doors to be closed to each unit, including the outer gates from Jessop Court.
- No deliveries or external loading of lorries or shipments.
- Scrap bins within the yard from night working operations would only be loaded mid-morning.

6.8 It is intended that the company will consolidate its existing facilities in Gloucester together with the sub-contracted workforce in the north of England, onto one purpose built facility. The information submitted with the application indicates that this will assist the company to expand and develop in the future. It is anticipated that the proposal will result in 30 new full time equivalent (FTE) jobs in addition to the company's existing full time staff equating to approximately 107 jobs in total.

6.9 Whilst B2 uses were specifically excluded from the original outline planning permission for the Waterwells development, it was agreed that any subsequent

applications for B2 uses would be considered on their individual merits taking into consideration the design and potential impact on neighbouring properties.

Siting and Design of the Building

- 6.10 The proposed workshop buildings are divided into two separate blocks located to the east and west sides of the site separated by an internal servicing area/ courtyard. The proposed office block is positioned to the north overlooking the strategic landscape buffer zone providing natural surveillance of the public right of way and Waterwells Drive. The main access to the site for deliveries/servicing is proposed from Jessop Court with the majority of staff and visitor car parking spaces accessed from Marconi Drive.
- 6.11 The workshop heights have been minimised by setting the ground floor as low as possible with unit B set slightly lower than that of unit A. To its highest point Unit A is 15.57 metres from ground level and Unit B 14.9 metres.
- 6.12 The main workshop unit fronting Marconi Drive includes a number of strong and articulated gable ended workshops with a varied roof profile and simple glazing slots to enable lighting across the workshop space with views out of the building and an active street frontage.
- 6.13 The proposed offices are two storeys with an overall height of 4 metres. The building is of a contemporary design with a high level of glazing at ground floor level. At first floor the office building slightly overhangs to provide shading with feature metal cladding and punched vertical windows.
- 6.14 The strategic landscaping zone to the north of the site identified at the outline application stage has been retained.
- 6.15 It is stated that the proposed materials would comprise of quality industrial metal cladding and colour-coated aluminium glazing systems, with special attention to be paid to the office cladding which is envisaged as profiled metal cladding with a feature colour. It is considered that the quality and choice of final materials is important and as such a condition is recommended requiring the submission and approval of the final details.
- 6.16 The previously approved scheme proposed 2 buildings, providing 6 individual units, of a modern design with a standard shallow pitched roof, vertical windows and standard skylights. The current proposal seeks to provide a more vertical emphasis onto Marconi Drive and the roof light detail which give the roofline a distinctive profile. The design has sought to provide a greater level of fenestration, interest and overlooking to the main site frontages to Waterwells Drive and Marconi Drive.

Residential Amenity

- 6.17 The site is within the Waterwells Business Park and the site boundary is approximately 130 metres from the closest residential properties to the south in Hunt's Grove (Oak View). There are existing commercial buildings in Jessop Court between these residential properties and the application site. The other residential properties in the vicinity are houses in Naas Lane

approximately 160 metres to the South East. The M5 motorway is situated approximately 750 metres to the south and influences background noise levels in the area. The application proposes unrestricted working hours across the site.

- 6.18 The submitted Noise Assessment measured noise from the applicant's current premises together with background noise levels at the site and the report does state that "*If units on site are to be sub-let to other users then a contractual agreement on noise levels should be made*". The Agent for the application has suggested that a personal permission is not desirable or appropriate and that the applicant requires flexibility to allow them to sub-let part of the building at a future date if required. On this basis the Environmental Health Officer has recommended a condition restricting the overall noise generated from the site to ensure that any future occupiers of the site do not affect the amenity of the occupiers of the nearest noise sensitive premises.
- 6.19 The Environmental Health Officer has recommended a number of conditions including those to limit noise levels, to control the hours for the loading/unloading of service and delivery vehicles, lighting and opening of the roller shutter doors. Given the distances involved, the nature of the use and the intervening buildings, it is not considered that the proposal will result on any significant adverse impact on the amenity of the occupiers of residential properties in Naas Lane. On this basis and subject to the conditions recommended by the Environmental Health Officer, it is not considered necessary to restrict the proposed hours of operation for this site.

Parking and Highway Issues

- 6.20 The application site is considered to be well located for the proposed use within an existing business park and with residential properties located a short distance to the south. The site has good links to the A38 and M5 for the movement of goods with the footways and off carriageway cycleways providing a safe and convenient link for pedestrian and cyclists to local residential areas. The application includes the provision of 93 car parking spaces for employees and visitors together with space for 26 cycles to be parked.

Access

- 6.21 The proposed development has two points of access from the public highway from Jessop Court and Marconi Drive. The access from Jessop Court will be from the existing roundabout. The Marconi Road access to the east of the site will serve proposed car parking and will require a new small bellmouth to be formed. The application has demonstrated that suitable visibility is available from the proposed access and proposed bellmouth type arrangement fits with the context of mainly industrial uses.

Highway Safety

- 6.22 There are two personal injury collisions recorded between the application site and the A38 roundabout in the last 5 years. These both involved cyclists but neither type of accident is likely to be increased in frequency or severity as a result of the proposed development.

Assessment of Public Transport, Walking and Cycling Infrastructure

- 6.23 The application site is well served by walking and cycling infrastructure and public transport. The local highway network provides off carriageway cycle lanes with adjacent footways along with controlled and uncontrolled pedestrian crossing points where required. The local roads provide suitable links for pedestrians and cyclists to the nearby residential areas.
- 6.24 The application site is within walking distance of the Waterwells Park and Ride site.

Vehicle and Other Modes Trip Generation

- 6.25 The proposed development is for a combination of B2 and B8 use. However, the Transport Statement has calculated the likely trip generation of the proposed development based entirely on B2 use as this gives a more robust assessment. This assessment concludes that in the network peak hours of 08:00 and 09:00 and 17:00 to 18:00 the development is likely to add 56 and 58 two way vehicle trips respectively.
- 6.26 The Transport Statement concludes that this is less than would be generated from the development associated with the previous planning permissions on the site (ref.04/01619/FUL and 09/01211/FUL). The original outline planning permission for the Waterwells development (95/00126/OUT) identified the application site for B1 use.
- 6.27 This planning history demonstrates that similar uses on the site have previously been deemed acceptable in terms of traffic generation and the Highway Authority considers that the development currently proposed will not be materially different in terms of traffic generation.

Measures to Promote Sustainable Transport

- 6.28 The applications site is well served by highway infrastructure suitable for use by sustainable transport modes and is also adequately served by public transport. The proposed development includes cycle parking and shower/changing facilities. The application is also supported by a Staff Travel Plan which includes measures to encourage future employees to travel by sustainable modes of transport by providing measures including travel packs, encouraging lift sharing and providing changing and locker facilities within the staff areas.
- 6.29 Overall the application has demonstrated that safe and suitable access can be provided within land available to the applicant. The Highway Authority is satisfied that considering the planning history for the site the modest level of vehicle movements would not have a severe impact on the highway network in terms of additional traffic and is therefore in compliance with paragraph 32 of the NPPF. No objection is raised by the Highway Authority subject to the inclusion of conditions.

Landscaping / Easement to Watercourse

- 6.30 As part of the original outline planning application for the Waterwells Business Park a Landscape and Wildlife Strategy was approved to inform subsequent applications. The current application is broadly in line with the main recommendations of this strategy and is considered acceptable subject to a condition requiring approval of the vegetation management to the Dimore Brook Corridor.
- 6.31 Policies B.4 (Corridors) and FRP.5 (Maintenance of Watercourses) require an 8 metres wide easement strip on either side of a watercourse to allow for a corridor for the movement and dispersal of wildlife and to allow adequate access for future maintenance of the water course. This 8 metre wide buffer strip is also required in Gloucester City SFRA Level 2.
- 6.32 The 2004 and 2009 applications provided for a 5 metre wide buffer on the southern side of the watercourse and condition 13 stated that there must be no new buildings, structures or raised ground levels within 5 metres of the top of the watercourse to maintain access for maintenance and to provide for overland flood flows. The amended plans have increased the width of the buffer on the southern side of the watercourse so that with the exception of pinch points in front of and to the east of the proposed office building the 8 metre easement has been achieved. At its narrowest point the easement in front of office building is 5.18 metres. To the north of the water course a significantly greater landscaped corridor is retained.
- 6.33 The LLFA has confirmed that the buffer area does not impact on the surface water management and no objection is raised to this aspect of the proposal. Taking into account the landscaped corridor as a whole, the LLFA's comments and the reduced easement width that was previously accepted on the site it is considered that the amended proposal is acceptable and will not have a significant detriment to the future maintenance or ecological value of the watercourse.
- 6.34 A tree survey has been undertaken and a report submitted in support of the application which proposes the removal of a small number of low quality trees from within the site. New trees are proposed to the eastern boundary of the site fronting onto Marconi Drive.

Ecology

- 6.35 An Extended Phase 1 Habitat Survey has been undertaken on the site which concludes that the on-site habitats are of negligible, site-wide or local importance only. The report does, however, make a number of recommendations including the retention and enhancement of the strategic landscaping zone adjacent to the watercourse. It is also recommended that native plant species of benefit to wildlife be included in the landscaping proposals and that further surveys are undertaken prior to the commencement of development.

Bats

- 6.36 The Environmental Planning Manager has confirmed that there are no bat roosts or potential roosts on the site and it is highly likely that if bats are commuting over the site it will be along the watercourse, which it is intended will be retained. The modest removal of scrub and other vegetation will not have any measurable impact on the conservation status of any bat species and there is no need for any further survey work in relation to bats.

Reptiles

- 6.37 There may be the potential for reptiles in the tussocky grassland and a present/absence survey is required to be undertaken at the appropriate time. The Environmental Planning Manager is satisfied that the requirement for further survey work in relation to reptiles can be conditioned.

Badgers

- 6.38 No badger sites are present on the site although it appears that commuting paths cross the site and a condition is recommended to ensure that any excavations over a certain size are covered overnight or provided with a suitable means of escape should any mammal become trapped.

7.0 CONCLUSION

- 7.1 The site is located within an established business park and would provide a purpose built site to allow the consolidation and expansion of a local business.
- 7.2 The principle of development for employment uses on the site was established by the grant of outline planning permission in 1995 and the subsequent full application in 2004 (renewed in 2009). The outline planning permission was for use within Use Classes B1 and B8 with the accompanying masterplan indicating Use Class B1 development on this site.
- 7.3 Whilst explicitly excluded from the outline planning permission, subject to conditions, the inclusion of B2 uses on this site is considered acceptable given the design of the buildings and separation from the closest residential properties.
- 7.4 It is considered that the design, scale and siting of the buildings are acceptable and subject to approving the external materials are of a higher quality and will provide greater interest than those previously approved on the site with good overlooking and interest onto main frontages Waterwells Drive and Marconi Drive.
- 7.5 The wildlife/landscape corridor and existing public right of way along the brook have been maintained and will be enhanced by vegetation management.
- 7.6 There are no policies or impacts of the proposals to justify a contribution from the development towards the Waterwells Sports Centre as requested by Quedgeley Parish Council.

7.6 Overall and subject to conditions, the proposed use, design, scale and siting of the buildings are considered acceptable and subject to conditions it is not considered that the development would have any significant adverse impact on the occupiers of residential properties, highway safety, the visual amenity of the area, ecology or flooding. The development is considered to be in accordance with the principles outlined in the NPPF and relevant policies in the Second Deposit City of Gloucester Local Plan (2002).

8.0 **RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER**

That planning permission is granted subject to the following conditions:

Condition 1

The development hereby permitted shall be begun before the expiration of five 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 approved drawing nos. 32400_P04 C, P05 C, P06 E, P07 D, P08 E, P09 E and P12 B received by the Local Planning Authority on 17th July 2015, 32400_P02 D, P03 K, 726-01C, C151308 C-60 P4, C-01 P7, SKC-0003 P4 Received by the Local Planning Authority on 30th October 2015 and any other conditions attached to this planning permission.

Reason

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

Condition 3

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;
- vii. 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 paragraph 35 of the National Planning Policy Framework.

Condition 4

No development including site clearance shall commence on site, or materials or machinery brought to the site for the purposes of development until a reptile presence/absence survey has been undertaken in accordance with details to be submitted to and approved in writing by the Local Planning Authority. If the presence of reptiles is confirmed a mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority detailing the method of capture and relocation. All works shall be completed prior to any works commencing on site.

Reason

To ensure the protection of the biodiversity of the site prior to the commencement of development in accordance with policy SD10 of the submission version of the Joint Core Strategy.

Condition 5

No development approved by the permission shall be commenced until a detailed drainage strategy for the disposal of surface water and foul sewage has been submitted to and approved in writing by the Local Planning Authority. The Strategy should be supported by evidence of ground conditions and modelling of the scheme to demonstrate it is technically feasible and for the disposal of surface water in accordance with the principles of Sustainable Urban Drainage (SUDS). The Strategy shall be carried out in accordance with the approved details before the development is first brought into use and maintained thereafter for the duration 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 FRP.6 of the Second Deposit City of Gloucester Local Plan (2002). It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

Condition 6

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts B to D 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,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- (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 (referred to elsewhere as a validation 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 part 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, 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 appropriate measures are in place prior to the commencement of any works to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, 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 7

Notwithstanding the details submitted the development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. 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.

Reason

To ensure that appropriate measures are in place prior to the commencement of development in the interests of visual amenity and to ensure dwellings have satisfactory privacy in accordance with policies BE.21 and BE.4 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 8

No works including any site clearance shall be undertaken in the Dimore Brook corridor until a scheme of vegetation management has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.

Reason

Top ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with policies B.10 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

Notwithstanding the details submitted no works including any associated ground works shall begin on the approved buildings until details or samples of materials to be used externally have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the materials harmonise with the surroundings in accordance with policy BE.20 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 10

The development shall not be occupied until details of a scheme for the provision of a refuse and recycling storage area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and thereafter maintained for the life of the development.

Reason

In the interests of amenity in accordance with Policy BE.4 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 11

During the construction phase 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 12

No materials or substances shall be burnt 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 13

The development shall not be occupied until details of a lighting scheme to illuminate the external areas of the application site have been submitted to and approved in writing by the Local Planning Authority. The details shall include the lighting fixtures, their location on the site/on the buildings, and the extent of illumination. The scheme is also to include details on how the impact of floodlights and external lighting will be minimised. The approved lighting scheme shall be implemented prior to the commencement of the use of the development and maintained for the duration of the use of the site unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of crime prevention in accordance with Policy BE.5 of the City of Gloucester Second Deposit Local Plan 2002.

Condition 14

No part of the development shall be occupied until the covered and secure cycle storage facilities have been made available in accordance with the submitted Transport Statement and drawing no. 32400_P02 D and those facilities shall be maintained for the duration of the development.

Reason

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

Condition 15

The development hereby permitted shall not be occupied until the car parking and turning facilities associated with each building within the development including the access points from Jessop Court and Marconi Drive have been provided in accordance with the submitted drawing no. 32400_P03 K, and shall be maintained available for that purpose thereafter.

Reason

To reduce potential highway impact by ensuring that vehicles do not have to park on the highway and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic, cyclists and

pedestrians is provided in accordance with the National Planning Policy Framework.

Condition 16

The landscaping scheme as shown on the approved plan 726-01C 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 BE4 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 17

Any excavations of more than 0.5 metres in depth with a slope of more than 45 degrees from the vertical wall shall be covered overnight or be provided with a suitable means of escape for any mammal that may become trapped.

Reason

To ensure the protection and welfare of mammal species in accordance with policy B.7 of the Second Deposit City of Gloucester Local Plan (2002) and policy SD10 of the submission version of the Joint Core Strategy.

Condition 18

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

To ensure that opportunities for sustainable transport modes are taken up in accordance with paragraphs 32 and 36 of the National Planning Policy Framework.

Condition 19

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 BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 20

The loading and unloading of service and delivery vehicles together with their arrival and departure from the site shall not take place outside the hours of 23:00 and 07:00 hours.

Reason

To safeguard the amenities of the locality in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 21

There shall be no forklift movements on the external areas of site between the hours of 23:00hrs and 07:00hrs.

Reason

To safeguard the amenities of the locality in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 22

No goods, plant, material or machinery shall be deposited or stored on site except within the buildings or storage areas as indicated on drawing no. 32400_P02D or such other areas as shall have been approved in writing by the Local Planning Authority.

Reason

To protect the character and amenities of the locality in accordance with policies BE.9 and BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 23

There must be no new buildings, structures (including gates, walls and fences), storage of materials or products or raised ground levels within the area adjacent to the Dimore Brook identified as the Strategic Landscape Zone on drawing no. 32400_P02 D received by the Local Planning Authority on 30th October 2015, unless agreed otherwise in writing by the Local Planning Authority.

Reason

To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows in accordance with FRP.5 of the Gloucester City Council Second Deposit Local Plan (2002).

Condition 24

Noise generated from items of plant and equipment associated with this application, including vehicles that is an intrinsic part of the overall sound emanating from the premises, shall be controlled such that the rating level, in accordance with BS 4142:2014, measured or calculated at 1m from the façade of the nearest noise sensitive premises shall not exceed a level of 5dB below the existing typical LA90 background level, with no tonal element to the plant.

Reason

In order to protect the amenity of occupiers of nearby properties in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Notes

1. 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 an appropriate bond) with Gloucestershire County Council before commencing those works.
2. 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 Natural England and the City Councils Ecologist.
3. All future occupiers of the development will be required to control noise levels generated from the site in accordance with condition 24.

Statement of Positive and Proactive Engagement

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.

Decision:

Notes:

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Person to contact: Caroline Townley
(Tel: 396780.)