

## LATE REPORT

### ITEM 5

#### LAND AT GLOUCESTER BUS STATION

1 One further issue which does not appear in the main report text relates to ecological issues. Comments have now been received from Environmental Planning and they confirm no objections subject to a condition.

2 The ecological report submitted with the application found that the majority of the buildings had negligible potential to support bats. Bentinck House and the former staff area have low to negligible potential. In terms of issues relating to potential impacts on bats, this information enables a conclusion that no further work is needed prior to demolition.

3 However, for those buildings with low/negligible potential for the avoidance of doubt it is recommended that the demolition is carried out in the presence of a licenced bat ecologist. If in the unusual occurrence of a bat being found then all work in that area should cease while a licence is applied for and translocation carried out. A condition to provide for this is included.

#### RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

That planning permission be granted subject to the following conditions:

1 The development hereby permitted shall be begun before the expiry of three years beginning with the date of this permission.

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

2 The development hereby permitted shall be carried out in accordance with the following documents

- Application form
- Planning Statement
- Design and access Statement
- Drawing No. 6802-BDP-XX-00-PL-A-200001
- Drawing No. 6802-BDP-XX-01-PL-A-200002

- Drawing No. P2006802-BDP-EL-A-20004
- Drawing No. 6802-BDP-XX-01-PL-A-200005
- Drawing No. 6802-BDP-XX-01-PL-A-200006
- Drawing No. 6802-BDP-XX-02-PL-A-200007
- Drawing No. 6802-BDP-XX-XX-EL-A-200008
- Drawing No. 6802-BDP-XX-XX-SE-A-200009
- Drawing No. 6802-BDP-XX-01-PL-L-001
- Drawing No. 6802-BDP-XX-01-PL-L-101
- Drawing No. 5133196-ATK-TP01-EX-D-0500 Rev P2
- Drawing No. 5133196-ATK-TP01-DR-D-0501 Rev P10

and any other conditions attached to this permission.

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

3 No development, other than demolition to slab level only, shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework and Policies BE.36, BE.37 & BE.38 of the Gloucester Local Plan (2002 Second Stage Deposit).

4 No development, other than demolition to slab level only, shall commence until a detailed scheme showing the complete scope and arrangement of the foundation design and ground works of the proposed development (including drains and services) has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved scheme.

Reason: The site may contain significant heritage assets. The Council requires that disturbance or damage by foundations and related works is minimised, and that archaeological remains are, where appropriate, preserved in situ. This accords with

Policy BE.31 and BE.36 of the Second Deposit City of Gloucester Local Plan (2002) and paragraph 141 of the NPPF.

5 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 A 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,
- archaeological 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 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).

6 Prior to commencement of the development hereby permitted, an Environmental Management scheme for the demolition works shall be submitted to and approved in writing by the Local Planning Authority which specifies mitigation measures in respect of the following issues in order to prevent nuisance. The demolition works shall not be commenced until the approved scheme has been implemented and made fully operational, and thereafter it shall be operated and maintained, as long as demolition works continue. The scheme shall include details of how dust will be qualitatively monitored:

1. Dust from demolition
2. Dust from groundworks
3. Dust from haul roads
4. Dust from stockpiles and material handling/removal
5. Light from security compounds etc
6. Storage of waste
7. Keeping highways clear of mud

Reason: To safeguard residential amenity and prevent pollution in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002). The information is required upfront to ensure demolition works do not have an unacceptable impact.

7 Prior to commencement of any works other than demolition works, an Environmental Management scheme for subsequent remediation, preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority which specifies mitigation measures in respect of the following issues in order to prevent nuisance. No works other than demolition works shall

commence until the approved scheme has been implemented and made fully operational, and thereafter it shall be operated and maintained, as long as the works continue. The scheme shall include details of how dust will be qualitatively monitored:

1. Dust from groundworks
2. Dust from haul roads
3. Dust from stockpiles and material handling/removal
4. Light from security compounds etc
5. Storage of waste
6. Keeping highways clear of mud

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

8 No materials or substances shall be burnt within the application site during the demolition, remediation or construction phases.

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

9 During the construction phases 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).

10 Prior to any development other than demolition works commencing, a scheme containing detailed drainage plans for surface water and foul sewage shall be submitted to and approved by the Local Planning Authority. The details submitted shall include proposals for the disposal of surface water in accordance with the principles of Sustainable Urban Drainage Systems (SuDS), and should be supported by modelling/simulations of the scheme to demonstrate it is technically feasible. Details of the flood flow exceedance routes shall also be provided. In particular, the proposals shall make clear how the water quality objectives set out in National SuDS

guidelines are to be achieved. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

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 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).

11 Prior to the commencement of development, full details of proposed treatments to building elevations remaining after demolition works shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: As sufficient details were not provided in the planning application, and in accordance with policy BE.7 of the Second Deposit City of Gloucester Local Plan (2002).

12 Prior to any above ground construction works being carried out, full details and/or samples of the following items shall be submitted to and approved by the Local Planning Authority.

- Samples of all external materials
- Product details of all street furniture and lighting
- Section drawings for screens around the bus station
- Scaled drawings for new external escape staircase for car park
- Detailed information on signage across the site
- Details for historic interpretation on the site and proposed public art

Development shall be carried out in accordance with the approved details.

Reason: As sufficient details were not provided in the planning application, and in accordance with policy BE.7 of the Second Deposit City of Gloucester Local Plan (2002).

13 No above-ground construction works shall take place until full details of both hard and soft landscape works 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: As sufficient details were not provided in the planning application, and in accordance with policy BE.7 of the Second Deposit City of Gloucester Local Plan (2002).

14 No above-ground construction works shall take place until a landscape scheme 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.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment in accordance with policy BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

15 The landscaping scheme 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).

16 Prior to commencement of construction works details of the construction phasing of the highway works as shown on plan no 5133196-ATK-TP01-DR-D-0501 Rev P10 shall be submitted to and approved by the Local Planning Authority. These shall be broadly in accordance with the details in Appendix H of the submitted transport assessment. The highway works shall then be completed in all respects in accordance with the approved details prior to the commencement of operation of the Bus Station.

Reason: To ensure safe and suitable access is retained for existing commercial and residential businesses during the construction phase and for the development in accordance with Paragraph 32 of the National Planning Policy Framework and policy TR.31 of the Second Deposit City of Gloucester Local Plan (2002).



17 The demolition of Bentinck House (building 3) and former staff area (building 2b) shall be carried out in the presence of an ecologist holding a relevant bat licence. If bats are found then all work on that building should cease while a licence is applied for and measures for translocation put in place. Full details of such measures to be taken shall be submitted to and approved by the Local Planning Authority. Demolition works shall only resume when translocation to an alternative acceptable site, in accordance with the approved details, has been completed.

For the protection of a European protected species if found on the site, and in accordance with policy B.7 of the Second Deposit City of Gloucester Local Plan (2002).

Notes:

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 the County Council before commencing those works.

The Wildlife and Countryside Act 1981 (as amended) contains provisions relating to the protection of nesting birds which must be complied with in relation to the removal of trees and demolition of buildings.