

LATE MATERIAL (APPLICATIONS FOR DETERMINATION)

PLANNING COMMITTEE: 7TH MARCH 2017

ITEM 6 Quayside and Blackfriars Area – 16/01510/LDO

For clarification members are informed that it is the draft Local Development Order and Statement of Reasons Document and the Draft Design Guide that are the documents for which adoption is sought.

As a result of the statutory consultation process the following additional conditions were recommended by the consultees and the recommendation above is subject to the addition of these conditions.

Condition 4 - A noise assessment and attenuation measures where necessary needs to be replaced with the following conditions

Pollution Control

Condition Prior to first use of the development hereby permitted, a noise assessment shall be carried out (by a competent person i.e. member of the IOA) and mitigation measures identified and implemented, to ensure that the rating level of any noise generated by mechanical plant associated with the development shall not exceed 5dB below the pre-existing background (LA90) noise level at all times. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142: 2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

Reason : To protect the amenities of neighbouring occupiers

Condition . The development shall not commence 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 how 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. To protect the amenities of the area

Condition .Hours of operation are to be agreed in writing with the Local Planning Authority Prior to the commencement of development.

Reason To protect the amenities of the area

Condition 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 8.00am to 7.00pm Mondays to Sunday.

Reason. To protect the amenities of the area

Condition : No development shall take place until details of the means of the ventilation for the extraction and dispersal of cooking smells/fumes , including details

of its method of construction, odour control measures, noise levels , its appearance and finish have been submitted to and approved in writing by the Local Planning Authority . The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be permanently retained.

Reason: To protect the amenities of neighbouring occupiers and the general environment.

Condition Prior to the commencement of development a scheme for the provision of refuse recycling and storage 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: To protect the amenity of the area

Condition 16 Drainage replaced by the following conditions:-

Condition :Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby reducing the risk of flooding.

Condition: Development shall not take place until a scheme for surface water treatment has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify the required number of treatment stages for each source of runoff and provide details on the required methods of treatment. The scheme shall adhere to the water quality approach set out in the publication CIRIA C753. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To reduce the impact of this development on the surrounding surface water environment and improve water quality.

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

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

Condition: Development shall not commence until a detailed scheme for the mitigation of any loss in flood plain storage has been submitted and approved in

writing by the Local Planning Authority. The scheme shall subsequently be completed and retained in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure that the development does not result in any net increase in flood risk

Condition 17 – Flooding replaced by the following conditions

Condition: The development hereby permitted shall not commence until a Flood Emergency Plan has been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include (but not be limited to) proposals for flood warnings, signage and emergency access / egress. The plan shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development remains safe from flooding for users for its lifetime.

Condition : Prior to the commencement of development in each part of the site a scheme for the management of overland flows and for mitigation of flooding from the River Severn for that part of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall adhere to the general principles outlined in the Design Guide. The scheme details shall include:

- Confirmation of the potential for flooding from any source within that part of the site based on the FRA, the Design Guide and taking into account the implementation of any strategic measures or other changes to the potential flooding regime (this constitutes the ‘specific assessment of potential for flooding’ referred to below)
- Details of finished floor levels (FFLs) for each element of the scheme in accordance with the FRA, the Design Guide and the specific assessment of potential for flooding
- Details of any measures for flood resistance and flood resilience or preventing water ingress in accordance with the FRA, the Design Guide and the specific assessment of potential for flooding
- Details of the access/egress strategy and any associated Flood Management Plan for each element of the scheme in accordance with the FRA, the Design Guide and the specific assessment of potential for flooding
- Details of the strategy for floodplain storage compensation, overland flow routing and management of floodwater within that part of the site in accordance with the FRA, the Design Guide and the specific assessment of potential for flooding

The approved scheme shall be implemented in full for that part of the site prior to the first occupation of any building in that part of the site and, unless otherwise first agreed in writing by the Local Planning Authority, shall be maintained as such for the life of the development

Reason :To ensure the development is safe from flood risk and does not increase flood risk elsewhere

Condition 18 – Ground Condition replaced with the following

Contamination

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 conditions 1 to 4 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 condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

Condition : 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*'.

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).

2. Submission of Remediation Scheme

Condition: 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 EPA 1990 in relation to the intended use of the land after remediation.

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).

3. Implementation of Approved Remediation Scheme

Condition :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 in PPS23 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.

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).

4. Reporting of Unexpected Contamination

Condition 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 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, 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 condition 3.

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).

Highway Authority - Additional Conditions

Condition: Prior to occupation of development in the Quayside area details of proposed improvements to the signalised junction to include controlled pedestrian facilities of The Quay/Quay Street shall be submitted to and agreed in writing by the Local Planning Authority and completed in accordance with the approved details.

Reason:-In the interest of highway safety and to accord with paragraph 32 of the National Planning Policy Framework.

Condition : Prior to occupation of the Blackfriars area details of a crossing from the proposed access at Ladybellgate Street to the eastern side shall be submitted to and agreed in writing by the Local Planning Authority and completed in accordance with the approved details.

Reason:-In the interest of highway safety and to accord with paragraph 32 of the National Planning Policy Framework.

Condition: Prior to occupation of development in the Blackfriars area details of the provision of dropped kerbs including tactile paving shall be submitted to and agreed in writing by the Local Planning Authority and completed in accordance with the approved details at the following locations.

Ladybellgate Street Junction with Commercial Road Blackfriars;

Ladybellgate Street Junction with Longsmith Street/Bearland

Longsmith Street junction with Bull Lane

Longsmith Street junction with NCP car park entrance/exit

Reason:-In the interest of highway safety and to accord with paragraph 32 of the National Planning Policy Framework.

Condition: Prior to occupation of development in the Quayside area details of the provision of dropped kerbs including tactile paving shall be submitted to and agreed in writing by the Local Planning Authority and completed in accordance with the approved details at the following location.

Quay Street Junction with Lower Quay Street

Reason:-In the interest of highway safety and to accord with paragraph 32 of the National Planning Policy Framework.

Other Condition Matters

- 1) There are currently 2 construction management conditions numbered 14 and 19, condition 19 is to be deleted
- 2) Condition 15 is to be numbered as such

Item 7 Gillmans Electrical , St Oswalds Road – 16/00957/FUL

Amendment to condition 2 - Plan Numbers 3A, 12 and 18A replaced with plan numbers 03B, 12A and 18B received on 7th March 2017 that clearly identify the car parking spaces.

Amendment to condition 15 – drawing no 06 Rev H replaced by drawing no.12A received on 7th March 2017

Condition no. 19 deleted as it duplicates the use class restriction of Condition 18 .

Additional informative: The applicant is reminded that advertisement consent is required for any new signage on the building