

# GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	3 <sup>rd</sup> March 2020
Address/Location:	Land at Spinnaker Road, Gloucester
Application No:	19/01096/FUL
Ward:	Westgate
Expiry Date:	14.02.2020 (Time Extension agreed to 6 <sup>th</sup> March 2020)
Applicant:	Dr Martijn Vos
Proposal:	Extensions to Class B2 Factory Building and Development of Adjacent Land to Covered Storage Area and Car parking to include raising the existing land level.
Report by:	Caroline Townley
Appendices:	Site location and proposed site layout plan

## 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site comprises the existing factory occupied by Hydro Components UK Ltd, (previously named Sapa Pressweld Ltd), together with an adjacent area of land directly opposite the factory.
- 1.2 The site is bounded by a public landfill site to the north, the Gloucester City Football Club land and the River Severn flood plain. There is currently undeveloped land to the west and industrial buildings and commercial uses to the south and east.
- 1.3 The site is accessed from the Spinnaker Park private industrial estate road which connects onto Hempsted Lane located to the south of the site. The existing building on the site comprises a large, production and storage building along with a two storey office area occupied by Hydro. The company produces premium, high surface quality, decorative automotive exterior parts for distribution in the UK and export to Europe.
- 1.4 The application seeks full planning permission for two extensions to the existing building comprising:
- An extension to the north east elevation to match the existing building in terms of its length, height and materials. This extension would house a new automotive standard powder coating line, fabrication and assembly cells. This extension will replace an existing temporary building on the site.
  - A second extension on the north western corner of the existing building with a lean-to roof at a lower height to the existing building and constructed from matching materials. This would be used as a storage area to aid managing the increased productivity.
- 1.5 It is also proposed to expand onto the adjacent vacant land to the south east of the existing facility. Part of this land was previously used as an inert waste transfer site with large piles of building waste stored on it. It has been stated that when the site was cleared that ground levels across the site were reduced to remove layers of wet/contaminated material. Planning permission was granted in 1991 (21634/01/APP), for the construction of the estate roads and raising of the land levels. The current application proposes to raise the levels back to those previously approved and to erect three new steel 'tents' on this land,

two of which would be used for storage and one for vehicle circulation. It is also proposed to site a storage tank for a new sprinkler system and associated pump house on this land, together with dedicated lorry parking, additional employee car parking and cycle storage.

1.6 Both parts of the development will continue to be accessed directly from Spinnaker Road.

## 2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
21634/01/OUT	(Outline) Erection of warehouse/industrial units.	Granted outline permission	15.12.1987
21634/01/APP	Construction of an estate road with associated raising of land levels.	Approved	19.03.1991
21634/03A/OUT	(Outline) Erection of industrial/warehousing units.	Granted outline permission	05.07.1993
21634/03/APP	Construction of factory, extension to service road and ancillary works. (Reserved matters).	Granted	29.12.1993
09/00261/DCC	County Council Application – Screening of planning application for EIA	No objection	13.03.2009
09/00948/CPA	Use of land as a waste transfer station for a temporary period of 2 years (County Ref. 09/0044/GLMAJW)	No objection subject to conditions	17.09.2009
08/00715/FUL	Extension to factory production area to provide new press shop and re-arrangement of site car parking. Use Class B2.	Granted	05.08.2008
08/00988/FUL	Installation of 4 no. L.P.G storage tanks. Each tank 2 tonne. (Retrospective application).	Granted	19.09.2008
14/00663/FUL	Extension.	Returned	22.10.2014
16/00335/FUL	Extension to factory (B2 use) to provide additional storage and ancillary offices.	Withdrawn	07.08.2017
18/00884/FUL	Extension of factory building (B2 use)	Granted	05.12.2018
19/00143/FUL	Revision of Planning Application reference 18/00884/FUL. Extension of factory building (B2 use) to provide additional workshop area.	Granted	09.04.2019

## 3.0 RELEVANT PLANNING HISTORY

3.1 The following planning guidance and policies are relevant to the consideration of this application:

### 3.2 National guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance

### 3.3 Development Plan

**Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)**

Relevant policies from the JCS (Main Modifications) include:

SD3 – Sustainable design and construction

SD4 – Design requirements

SD6 – Landscape  
SD8 – Historic Environment  
SD9 – Biodiversity and geodiversity  
SD10 – Residential development  
SD11 – Housing mix and standards  
SD14 – Health and environmental quality  
INF1 – Transport network  
INF2 – Flood risk management  
INF3 – Green Infrastructure  
INF4 – Social and community Infrastructure  
INF6 – Infrastructure delivery  
INF7 – Developer contributions

### 3.4 **City of Gloucester Local Plan (Adopted 14 September 1983)**

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 215 of the NPPF states that '*...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*' The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

### 3.5 **Emerging Development Plan Gloucester City Plan**

The Gloucester City Plan ("City Plan") will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Pre-Submission version of the Gloucester City Plan (City Plan) was approved for publication and submission at the Council meeting held on 26 September 2019. On the basis of the stage of preparation that the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded limited- moderate weight in accordance with paragraph 48 of the NPPF, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given).

Relevant policies include:

A1 – Effective and efficient use of land and buildings  
B1 – Employment and Skills Plan  
B3 – New employment development and intensification and improvements to existing employment land  
C1 – Active design and accessibility  
C5 – Air quality  
E2 – Biodiversity and geodiversity  
E5 – Green infrastructure: Building with nature  
E6 – Flooding, sustainable drainage, and wastewater  
F1 – Materials and finishes  
F2 – Landscape and planting  
F3 – Community safety  
F4 – Gulls  
G1 – Sustainable transport  
G2 – Charging infrastructure for electric vehicles  
G3 – Cycling  
G4 – Walking

### 3.6 **Other Planning Policy Documents**

## Gloucester Local Plan, Second Stage Deposit 2002

Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. The following “day-to-day” development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight:

### E.4 – Protecting Employment Land

- 3.7 All policies can be viewed at the relevant website address:- national policies:  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>  
Gloucester City policies:  
<http://www.gloucester.gov.uk/resident/planning-and-building-control/planning-policy/Pages/current-planning-policy.aspx>

## 4.0 CONSULTATIONS

- 4.1 **Highway Authority** – No highway objection is raised subject to a number of conditions.
- 4.2 **Environment Agency** – The revised Flood Risk Assessment confirms that appropriate floodplain compensation will be provided within the site. The mitigation is based upon the design flood level (1% Annual Exceedance Probability plus an allowance for climate change). This information satisfies the Agency that the development will meet the principles of the exception test that aims to mitigate against any potential impacts. No objection is raised subject to the inclusion of a condition requiring the implementation of the compensatory flood storage works.
- 4.3 **Drainage Adviser** – The revised drainage / SUDs proposals are broadly satisfactory, although the water quality arrangements for the HGV parking area may need tweaking at the detailed design stage. No objection is raised subject the inclusion of conditions requiring the submission, approval and implementation of the detailed design and maintenance of the surface water drainage and a Flood Evacuation Management Plan.
- 4.4 **Lead Local Flood Authority** – No objections.
- 4.5 **Contaminated Land Advisor (WRS)** – The application is supported by a report entitled ‘Phase II Geo-Environmental Report - Spinnaker Road, Gloucester - Hydro Components UK Ltd’ produced by Enzygo Geo Environmental, dated September 2019 (ref CRM.548.001.GE.R.001.A). Although this report provides a basic overview of site conditions in respect of contamination the report mainly relates to geotechnical aspects.

A previous report submitted at the pre-application stage identified widespread asbestos fibres in shallow soils. One round of gas monitoring was also undertaken which identified elevated methane. Although there was limited gas flow it can't be relied upon as only one round of monitoring would not be sufficient to classify the site. An initial risk assessment was also carried out with the proposed end use as car parking only which concluded that additional gas monitoring and assessment would be required to confirm whether gas protection measures would be required if structures were to be erected on the site.

On the basis that the current application includes buildings and other structures, and that elevated methane was recorded on single monitoring visit, WRS recommend that a suitable gas risk assessment should be undertaken. This should include additional gas monitoring to fully inform the risk assessment and requirement for any necessary gas protection measures. It is also noted that an area of soft landscaping is proposed as part of the development. Consideration will also need to be given as to the risks posed by asbestos fibres and how these risks will be mitigated in order to protect future users of the site and other relevant receptors.

It is recommended that a condition is attached to any planning permission.

- 4.6 **Landscape Adviser** – The revised drawing has widened the planting border on the southern corner and some trees have been added. The proposal is now acceptable with regards to its impact on the landscape. No objection subject to the inclusion of landscaping conditions.
- 4.7 **Environmental Protection Advisor** – No objections.
- 4.8 **Severn Trent Water** - No objection to the proposal subject to the inclusion of a condition requiring the submission, approval and implementation of drainage plans for the disposal of foul and surface water flows.
- 4.9 **Growth and Delivery Officer** – Policy B1 of the Emerging City Plan requires the developer of any major development to submit and Employment and Skills Plan (ESP). This is a series of objectives to be delivered through the construction lifecycle of the project, covering a variety of interventions including work experience, construction careers events and promotion around community engagement. A condition is recommended to secure an ESP.
- 4.10 **Minerals and Waste** - The application is supported by a Waste Minimisation Statement, which does cover most aspects of the requirements of the WMS SPD. No objection subject to the inclusion of a condition to address waste during the occupation period.

## 5.0 **PUBLICITY AND REPRESENTATIONS**

- 5.1 Neighbouring properties were notified and press and site notices were published.
- 5.2 No letters of representation have been received.
- 5.3 The full content of all correspondence on this application can be viewed on:  
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

## 6.0 **OFFICER OPINION**

### 6.1 ***Legislative background***

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

- 6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:
- a) the provisions of the development plan, so far as material to the application;
  - b) any local finance considerations, so far as material to the application; and
  - c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are as follows:

***Principle***

6.5 The site is located within an existing industrial area and the proposal seeks to extend the existing building and develop an area of adjacent vacant brownfield land. The principle of the proposal is therefore considered acceptable in this location.

***Design, Layout and Landscaping***

6.6 The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment. Policy SD3 requires all developments to demonstrate how they contribute to the principles of sustainability, Policy SD4 sets out requirements for high quality design, Policy SD6 requires development to protect or enhance landscape character while Policy SD10 requires housing of an appropriate density, compatible with good design, the protection of heritage assets, local character and compatible with the road network.

6.7 The surrounding area is an established industrial / commercial area. The design of the proposed extensions would match the existing building in terms of the overall height, scale and materials. The materials for the extensions comprise a facing brick plinth with vertical profiled metal cladding to match the existing building.

6.8 The proposed temporary buildings comprise of a series of three tent like structures with single sheet steel walls with pitched roofs.

6.9 This area is predominantly industrial in nature and it is not considered that the proposed development would be out of keeping with the street scene or the existing buildings and would not result in unacceptable harm to the character of the area. It is for this reason that the proposal can be considered acceptable.

6.10 It is proposed to introduce an area of soft landscaping border to the southern corner of the site with planting to including a number of native trees.

***Traffic and Transport***

6.11 The NPPF requires that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network.

6.12 It is proposed to amend the existing access arrangements and provide an additional 46 car parking and 13 cycle parking spaces for employees. It is intended that Hydro will operate a co-ordinated site management plan and employ a team of banksmen to ensure all traffic movements during site operation times are effectively controlled.

6.13 The Local Highway Authority has raised no objection to the application subject to the inclusion of a number of conditions.

#### ***Travel Plan***

6.14 The NPPF Paragraph 36 states that all significant generators of traffic movements should be required to provide a Travel Plan. JCS Policy INF1 provides that applications may be required to be accompanied by a Travel Plan. The Travel Plan should be formulated in accordance with the GCC Travel Plan Guidance for developers.

6.15 The Department for Transport (DfT) defines a travel plan as “a long term management strategy that seeks to deliver sustainable transport objectives through positive action”. Such plans could include; car sharing schemes, commitment to improving cycle facilities, dedicated bus services or restricted parking allocations. A successful Travel Plan should offer users whether they are employees, residents or visitors a choice of travel modes from sites or premises.

6.16 A Traffic Plan has been submitted in support of the current application, however this does not accord with Gloucestershire County Council’s Travel Plan Guidance for Developers and a condition is recommended requiring the submission, approval and implementation of an appropriate Travel Plan.

#### ***Residential Amenity***

6.17 Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

6.18 The site is well separated from the new residential properties on Hempsted Lane (approximately 18 metres) and Sudmeadow Road (approximately 26 metres). The immediately surrounding area has a range of industrial/commercial uses, and the Recycling Centre. Given the nature of the surrounding uses and separation it is not considered that the proposals would result in any unacceptable harm to local residents in terms of amenity.

#### ***Drainage and Flood Risk***

6.19 The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.

#### **Flood Risk at the Site**

6.20 A Flood Risk Assessment and Drainage Strategy has been submitted in support of the application. According to the Environment Agency’s ‘Flood Map for Planning’ the site is in Flood Zones 2 and 3. The FRA confirms that based on Table 2 of the Technical Guide to the NPPF the vulnerability classification of the proposed development would fall within the ‘less vulnerable’ classification.

#### **Sequential and Exception Test**

6.21 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at the highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

- 6.22 The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The NPPF clarifies that if it is not possible for development to be located in zones with a lower risk of flooding (taking into account the wider sustainable development objectives), the exception test may have to be applied. The need for the exception test depends on the potential vulnerability of the site and of the development proposed.
- 6.23 Nevertheless, the PPG advises that a pragmatic approach should be taken to the application of the sequential test, for example, where an extension is proposed to an existing business premises, it might be impractical to suggest that there might be more suitable alternative locations for the development. The submitted FRA identifies that by definition the proposed extension to the existing building cannot be located on an alternative site of a lower flood risk. The provision of the additional storage and parking facility is directly associated with the existing operation and also needs to be located within a reasonable distance from the existing building. There is no other adjacent land in a lower flood risk that could fulfil these requirements and it is considered that the aims of the sequential test have been met.
- 6.24 The NPPF states that the application of the exception test should be informed by a flood risk assessment, depending on whether it is being applied during plan production or at the application stage and for the exception test to be passed it should be demonstrated that:
- (a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
  - (b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the exception test should be satisfied for development to be allocated or permitted.

- 6.25 The proposed use is classified as 'Less Vulnerable' and as such does not explicitly have to pass the exception test although the guiding principles of the test should still be adhered to. The proposal is to allow the expansion of an existing business on an existing sustainable brownfield employment site which would bring about economic benefits
- 6.26 The submitted Flood Risk Assessment confirms that appropriate floodplain compensation will be provided within the site. The mitigation is based upon the design flood level (1% Annual Exceedance Probability plus an allowance for climate change). On this basis the Environment Agency is satisfied that the development would meet the principles of the exception test that aims to mitigate against any potential impacts.
- 6.27 The development will be safe for its lifetime taking into account the vulnerability of its users, without increasing flood risk elsewhere and will reduce flood risk overall and as such it is considered that the principles of the exception test have been met.
- 6.28 No objection is raised by the Environment Agency subject to the inclusion of a condition requiring the implementation of the compensatory flood storage works

#### Surface Water Management

- 6.29 The Drainage Advisor has confirmed that the revised drainage and SUDs proposals are broadly satisfactory in principle although the proposed water quality arrangements for the HGV parking area may need revising at the detailed design stage. No objection is raised subject to the inclusion of conditions.

### ***Land Contamination***

- 6.30 Policy SD14 of the JCS requires that development proposals incorporate the investigation and remediation of any land contamination.
- 6.31 Investigations of the site have identified widespread asbestos fibres in shallow soils and elevated levels of methane. The City Council's Contaminated Land Advisor (WRS) considers that a suitable gas risk assessment should be undertaken to include additional gas monitoring to fully inform the risk assessment and the requirement for gas protection measures if necessary. Further consideration is also required as to the risks posed by asbestos fibres and how these risks will be mitigated in order to protect future site users and other relevant receptors. It is recommended that a condition is attached to any planning permission to address these matters.
- 6.32 A Remedial Methodology, including results of additional rounds of gas monitoring has now been submitted. Any updated recommendation from WRS will be reported as late material.

### ***Economic Considerations***

- 6.33 The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. In the context of the NPPF advice that 'significant weight should be placed on the need to support economic growth through the planning system', this adds some weight to the case for granting permission.
- 6.34 The proposed development will facilitate the expansion of an established business with the creation of additional 60 jobs.
- 6.35 Policy B1 of the Emerging City Plan requires the developer of any major development to submit and Employment and Skills Plan (ESP). This is a series of objectives to be delivered through the construction lifecycle of the project, covering a variety of interventions including work experience, construction careers events and promotion around community engagement. The Growth and Delivery Officer has recommended that a condition to secure the submission, approval and implementation of an ESP.

### 6.36 ***Conclusion***

This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, materials, highway safety implications, impact upon the amenity of any neighbours and the local area; the proposal is acceptable and accordingly it is recommended that planning permission be granted.

## 7.0 **RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER**

- 7.1 That planning permission is GRANTED subject to the following conditions;

### **Condition 1**

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

### **Reason**

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

### **Condition 2**

The development hereby permitted shall be carried out in accordance with the application

form, and drawings:

- 9503/PL001 - Site Location Plan
- 9503/PL020C - Proposed Site Layout Plan
- 9503/PL030B - Proposed Ground Floor
- 9503/PL031A - Proposed First Floor
- 9503/PL035B - Proposed Elevations
- 9503/PL050 - Sprinkler Tank and Pump House
- Proposed Storage Tents - Roder HTS Hocker GmbH drawings Version 1 dated 04/09/2019

Except where these may be modified by any other conditions attached to this permission.

### **Reason**

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

### **Condition 3**

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 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,
  - 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 EPA 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 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.

### **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 over an appropriate time period, 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).

Pre-commencement conditions for contaminated land risk assessment are considered necessary for the following reasons:

- There is potential for contamination to exist on the site. The degree and extent of contamination is currently unknown. More information relating to ground conditions is required to determine whether or not remediation will be required (prior to any construction work commencing).
- Where remediation is necessary, this remediation may involve work/techniques that need to be completed before any development is commenced, for example and removal from site of contaminated soils/underground structures, the design and incorporation of gas protection measures in any buildings etc. To carry out such

work after construction has started/ben completed, may require potentially expensive retro-fitting and in some cases the demolition of construction work already completed.

#### **Condition 4**

The development hereby permitted shall not commence until a detailed Sustainable Drainage System (SuDS) Strategy, based on the proposal set out in the submitted FRA & Drainage Strategy (Infrastructure Design Studio, Project no. 1502 Revision C 20-01-20), has been submitted to and approved in writing by the Local Planning Authority. The SuDS Strategy must include a detailed design, maintenance schedule, confirmation of the management arrangements and a timetable for implementation. The SuDS Strategy must demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put in to use/occupied.

#### **Reason**

To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

#### **Condition 5**

The building hereby permitted shall not be occupied until a Flood Warning & Evacuation Plan (FWEP) has been submitted to and approved in writing by the Local Planning Authority. The approved FWEP shall be implemented in full prior to the development is first brought into use and maintained for the lifetime of the development.

#### **Reason**

To ensure that the development remains safe for its users over the lifetime of the development. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for flood risk in the locality.

#### **Condition 6**

No development approved by this permission shall be occupied until a scheme for the provision of compensatory flood storage works has been implemented in accordance with Figure 6 of the Flood Risk Assessment Revision C (dated 20/01/2020) based on layout drawing 9503/PL020B.

#### **Reason**

To alleviate the increased risk of flooding.

#### **Condition 7**

The development hereby permitted shall not commence until drainage plans for the disposal of foul water flows have been submitted to and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved details before the development is first brought into use.

#### **Reason**

This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

#### **Condition 8**

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

**Reason**

To ensure a satisfactory appearance of the development.

**Condition 9**

Notwithstanding the details submitted no development works above DPC level 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, planting numbers and a specification of the details for the tree planting pits. Drawings must include accurate details of all existing trees and hedgerows with their location, species, size, condition, any proposed tree surgery and an indication of which are to be retained and which are to be removed.

**Reason**

To ensure that appropriate measures are in place to ensure a satisfactory and well-planned development and to preserve and enhance the quality of the environment.

**Condition 10**

The landscaping scheme approved under condition 9 above shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The planting shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year maintenance period.

**Reason**

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

**Condition 11**

Notwithstanding the submitted drawings, no development works above DPC level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of all boundary treatments. 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 and thereafter maintained in accordance with the approved details.

**Reason**

In the interests of visual amenity.

**Condition 12**

Notwithstanding the requirements of condition 13 below, prior to the occupation of the development hereby permitted the vehicular access shall be laid out and constructed broadly in accordance with the submitted plan 9503 / PL020 C.

**Reason**

To reduce potential highway impact by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and

cyclists and pedestrians in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

**Condition 13**

Notwithstanding condition 12 above, the vehicular access above shall have a minimum entrance width of 6.0m, kerbed entry radii of 10.0m with any gates situated at least 10.0m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and with the area of access road within at least 10.0m of the carriageway edge of the public road surfaced in bound material. The vehicular access shall thereafter be similarly maintained.

**Reason**

To reduce potential highway impact by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

**Condition 14**

The buildings hereby permitted shall not be occupied until the vehicular parking, turning and loading/unloading facilities have been provided in accordance with the submitted plan 9503 / PL020 C, and those facilities shall be maintained available for those purposes thereafter.

**Reason**

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

**Condition 15**

Notwithstanding the submitted details, the car parking hereby permitted shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

**Reason**

To ensure that the development incorporates facilitates for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

**Condition 16**

The development hereby permitted shall not be occupied until a minimum of 13 no. cycle storage facilities has been provided and those facilities shall be maintained for the lifetime of the development.

**Reason**

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

**Condition 17**

The development hereby permitted shall not be occupied until pedestrian improvements consisting of dropped kerb tactile paving crossing points between Hempsted Lane and the site have been provided and made available for use in accordance with details, including a phased programme for their implementation, which shall first be submitted to and approved in writing by the Local Planning Authority.

**Reason**

To ensure that safe and suitable access to the site can be achieved for all users and that the priority is first given to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

**Condition 18**

The development hereby permitted shall not be occupied until signage demonstrating 'entrance' and 'exit' only (or similar) at the site access junctions, lining rationalising the Spinnaker Road hierarchy to the south of the 'Existing Entrance (goods out)' junction and demonstrating clear junction stop lines on the 'Existing Entrance' and reception/visitor parking bays have been provided and made available for use in accordance with details, including a phased programme for their implementation, which shall first be submitted to and approved in writing by the Local Planning Authority.

**Reason**

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

**Condition 19**

The development hereby permitted shall not be brought into use until fire hydrants have been provided in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The fire hydrants so provided shall thereafter be maintained for the lifetime of the development.

**Reason**

To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

**Condition 20**

The buildings hereby permitted shall not be occupied until the informal access(es) fronting the site along Spinnaker Road has/have been constructed to an adoptable standard.

**Reason**

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

**Condition 21**

Throughout the construction and demolition period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:

- i. parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. wheel washing facilities.

**Reason**

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

**Condition 22**

Notwithstanding the submitted details, the development hereby permitted shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority, setting out;

- i. objectives and targets for promoting sustainable travel,
- ii. appointment and funding of a travel plan coordinator,
- iii. details of an annual monitoring and review process,
- iv. means of funding of the travel plan, and;
- v. an implementation timetable including the responsible body for each action.

The approved Travel Plan shall be implemented and thereafter operated in accordance with the details and timetable therein.

**Reason**

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

**Condition 23**

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 and Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting those orders with or without modification), the premises shall solely be used as described in the details submitted within the planning application and shall only operate ancillary to Hydro Components UK Ltd and shall not be used for any other purpose falling within Use Classes B2; without express planning permission.

**Reason**

Alternative use would require further consideration by the Local Planning Authority because of traffic/parking implications.

**Condition 24**

The development hereby permitted shall not be occupied until an Employment and Skills Training Plan, tailored to the development, has been submitted to and approved in writing by the Local Planning Authority. The development should be subsequently carried out in accordance with this approved plan.

**Reason**

In the interests of delivering local employment and skills training opportunities in accordance with Policy B1 of the Emerging Gloucester City Plan 2011-2031.

**Condition 25**

No development shall be occupied until details of the provision made for maximising the re-use, recycling and recovery of waste generated during the occupation phase in line with the waste hierarchy have been submitted to and approved in writing by the local planning authority. All details of the management of waste generated during the occupation phase shall be fully implemented as approved.

**Reason**

To ensure the effective implementation of waste minimisation in accordance with Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction.

**Notes:**

**Note 1:** The alterations to the access must be undertaken by the Highway Authority or its appointed agents. An Agreement under Section 278 of the Highways Act 1980 will be required.

**Note 2:** The applicant/developer is advised to contact Gloucestershire Highways 08000 514 514 to discuss whether your development will require traffic management measures on the public highway.

**Note 3:** The applicant/developer is advised that it is an offence under section 161 of the Highway Act 1980 to deposit anything on a highway the consequence of which a user of the highway is injured or endangered. It is strongly recommended that during any forms of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided and used within the site, to prevent contamination and damage to the adjacent roads.

**Note 4:** The developer will be expected to meet the full costs of supplying and installing the associated infrastructure.

**Note 5:** The Employment and Skills Plan required by the condition above should be agreed as soon as possible before any development contracts are prepared and should be in accordance with the guidance in the Gloucester City Council document Informal Guidance Note on Employment and Skills Plans in the City of Gloucester (2019), in cooperation with the Economic Development & Regeneration Team.

**Person to Contact:** Caroline Townley (396780)

Planning Application: | 19/01096/FUL

Address: | Land at Spinnaker Road  
| Gloucester

Committee Date: | 3<sup>rd</sup> March 2020

