



Gloucester City Council

PLANNING COMMITTEE

Meeting: Tuesday, 3rd December 2019 at 6.00 pm
in Civic Suite - North Warehouse, The Docks, Gloucester, GL1 2EP

LATE MATERIAL

The following item although provided for on the agenda front sheet was not available at the time of dispatch:

3.1	Late Material
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Yours sincerely

Jon McGinty
Managing Director

NOTES

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area. For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and

(b) either –

- i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
- ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

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For further details and enquiries about this meeting please contact Tanya Davies, 01452 396125, tanya.davies@gloucester.gov.uk.

For general enquiries about Gloucester City Council’s meetings please contact Democratic Services, 01452 396126, democratic.services@gloucester.gov.uk.

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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.

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LATE MATERIAL

ITEM 4 - RAOB CLUB - 17/00658/OUT

Since the publication of the committee report, the applicant has amended the application to include the following contributions –

- Highways TRO- £15,000
- Natural England- £2,000 for signage on the Severn Estuary SAC
- Affordable housing - £87,206.

Given these changes, it is considered that, with the affordable housing contributions secured, the benefits of the proposed development would outweigh the less than substantial harm to the designated heritage assets. The recommendation is therefore changed, and it is therefore recommended that permission is Granted **subject to the completion of a Section 106 agreement to contributions of £15,000 to amend the TRO, £2,000 for signage on the Severn Estuary SAC and £87,206 for off-site affordable housing provision; and the following conditions:**

Condition 1

Details of the landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

Reason

The application is in outline only and the reserved matters referred to in the foregoing condition will require further consideration.

Condition 2

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.

Reason

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

Condition 3

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

Reason

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

Condition 4

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

Drawings:

A(GA)E0-002 EXISTING GROUND FLOOR PLAN_revA

A(GA)E0-200 EXISTING SECTIONS_revA

A(GA)AE-300 EXISTING ELEVATION_revA

A(GA)S0-001 LOCATION PLAN_revA
A(GA)S0-002 EXISTING SITE PLAN_revA
A(GA)S0-003 PROPOSED SITE PLAN_revA
A(GA)A0-100 PROPOSED GROUND FLOOR PLAN_revA
A(GA)A0-101 PROPOSED FIRST FLOOR PLAN_revA
A(GA)A0-102 PROPOSED SECOND FLOOR PLAN_revA
A(GA)A0-103 PROPOSED THIRD FLOOR PLAN_revA
A(GA)A0-200 PROPOSED SECTIONS_revA
A(GA)A0-300 PROPOSED ELEVATIONS SHEET 1_revA
A(GA)A0-301 PROPOSED ELEVATIONS SHEET 2_revA
A(GA)A0-302 PROPOSED CONTEXT ELEVATIONS_revA
A(GA)A0-303 WINDOW SCREEN DETAILS

Drainage (drawings):

- 11955 - attenuation design
- 11955-500 P1 Below Ground Drainage General Arrangement
- 11955-501 P1 Drainage Standard Details Sheet 1 of 2
- 11955-502 P1 Drainage Standard Details Sheet 2 of 2
- 11955-CSK-01 P1

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 and in accordance with policies contained within the JCS (2017)

Condition 5

No demolition or other development hereby permitted shall take place until a Level 4 Building recording of no 87 Southgate Street has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure protection of the listed building in accordance with policy SD.8 of the JCS (2017).

Condition 6

No demolition hereby permitted shall take place until a method statement (including a timetable) for the demolition of No 87, including details of how the party wall is proposed to be protected as part of the development works including from vibration, together with an agreed timetable for repair works to the timber frame and lath and plaster infill panels to be completed on No. 83-85 Southgate Street have been submitted to and approved in writing by the Local Planning Authority. Demolition shall proceed solely in accordance with the method statement so approved. The repair works to 83-85 Southgate Street shall be completed prior to commencement of works on the new development hereby permitted, directly after demolition and site clearance has been completed.

Reason

To ensure protection of the listed building in accordance with policy SD.8 of the JCS (2017).

Condition 7

No above ground works shall take place until the following details have been submitted to the Local Planning Authority and approved in writing.

- Samples of external materials including bricks, render sample, windows, doors, boundary treatments, roofing, louvres and balconies and RAL colours
- Detailed scaled drawings for dormer details, roof, eaves and parapets
- Scaled drawings for windows and doors detailing glazing bars, frame and glass, recess.
- Details regarding installation of cable provision.
- Details of landscaping materials, bin and cycle storage
- Detailed information for mechanical and electrical services being introduced, together information on vents, extracts and meter boxes.
- Cast iron or aluminium rainwater goods

The development shall only be carried out in accordance with the details so approved.

Reason

To ensure the satisfactory appearance of the development in accordance with policy SD.4 of the JCS (2017).

Condition 8

Prior to commencement, on site details shall be submitted to the Local Planning Authority and approved in writing of the location and positioning of adequate bat roosting provision

Reason

To ensure that adequate mitigation is provided in accordance with policy SD.9 of the JCS (2017)

Condition 9

Prior to commencement on site details shall be submitted to the Local Planning Authority and approved in writing of the lighting plan. This should clearly show that bat roosting features are not illuminated nor are any bat foraging corridors.

Reason

To ensure that the proposal minimises impact on bats in accordance with policy SD.9 of the JCS (2017)

Condition 10

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 DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'* and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme commencing. The development shall only proceed in accordance with the remediation plan so approved.

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 prior to any further development commencing other than that required to be carried out as part of an approved scheme of remediation.

Reason

To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition 11

The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows including sustainable drainage 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

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 12

No development or demolition shall commence within the proposed development site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic environment work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The programme shall provide for archaeological recording of significant elements of the historic built environment that are likely to face an impact from the proposed development and any proposed demolition, with the provision for appropriate archiving and public dissemination of the findings. The programme will also provide for the recovery and recording of historic timbers and a programme of dendrochronological analysis.

Reason

The proposed development site includes significant elements of the historic built environment. The Council requires that these elements will be recorded in advance of any development or demolition and their record be made publicly available, in accordance with paragraph 199 of the National Planning Policy Framework (2018) and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 13

No development or groundworks, other than demolition to slab, 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 (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The agreed WSI will include:

- The programme and methodology for an archaeological trial trench evaluation; and
- The programme and methodology for the archaeological monitoring of any geotechnical investigations (if undertaken).'

Reason

To make provision for a programme of archaeological evaluation, so as to describe the significance of heritage assets of archaeological interest within the site. This is to allow the scheme to be designed in a manner that reduces the impact on archaeological remains as much as possible. This is in accordance with paragraphs 193 and 199 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 14

No development shall commence until a detailed scheme showing the complete scope and arrangement of the foundation design and ground works of the proposed development (including pile type and methodology, 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 paragraph 199 of the NPPF and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 15

No development or groundworks other than demolition to slab shall commence within the site until a written scheme of investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. No development or demolition shall take place within the site other than in accordance with the agreed WSI, which shall include a statement of significance and research objectives, and;

- An archaeological impact assessment;
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- A programme of community and public engagement and outreach; and
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.'

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 199 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

Condition 16

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 17

The development hereby permitted shall be carried out in accordance with a vehicle routing strategy which shall first be submitted to and approved in writing by the Local Planning Authority.

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 18

No dwelling hereby permitted shall be occupied until a fire hydrant to serve that property has been provided in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure adequate water infrastructure provision is made on site for the local fire service to access and tackle any property fire in accordance with paragraph 110 of the National Planning Policy Framework.

Condition 19

The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 28 bicycles has been made available in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

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 20

No aerials shall be located on the front elevation of the building facing Southgate Street.

Reason

To preserve the character of the Conservation Area in accordance with policy SD.8 of the JCS (2017)

Condition 21

The residential units hereby permitted must achieve the same or greater noise reduction as those specified in the submitted noise assessment (doc. Ref.IMP5079-2).

Reason

To ensure a standard of amenity for the new occupants in accordance with policy SD.14 of the JCS (2017)

Condition 22

No residential unit hereby permitted shall be occupied until Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/kWh have been installed in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.

Condition 23

No residential unit hereby permitted shall be occupied until an information pack setting out the location and sensitivities of the Severn Estuary Special Protection Area, Special Area of Conservation and Ramsar Site (and Alney Island Nature Reserve as the functionally linked area), how to avoid negatively affecting them, alternative locations for recreational activities and off road cycling, and recommendations to dog owners for times of year dogs should be kept on lead when using sensitive sites (i.e. to avoid disturbance to nesting birds) shall be submitted to and approved in writing by the Local Planning Authority. Two copies of the approved information pack shall be issued to each new residential occupier prior to the first occupation of each residential unit hereby permitted.

Reason

To ensure no adverse effects on the integrity of the Severn Estuary SPA, SAC and Ramsar Site as a result of the development.

Informatives

1. Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

2, You are advised that the Local Highway Authority has recommended to the Local Planning Authority (LPA) which administers the existing Controlled Parking Zone/Residents Parking Scheme of which the development forms part that the development shall be treated as car free/low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a residents parking scheme.

3. In order to minimise any nuisance from noise, vibration and dust emissions during the demolition and construction phases the applicant should refer to the WRS Demolition and Construction Guidance and ensure its recommendations are complied with.

ITEM 5 – FORMER INTERBREW SITE, EASTERN AVENUE, GLOUCESTER 18/01444/FUL

Since the publication of the committee report amended landscape plans have been received requiring the drawing numbers to be updated in the recommended conditions. The Local Highway Authority has also recommended minor amendments to conditions.

Amended recommendation

That authority be delegated to the City Growth and Delivery Manager to GRANT planning permission subject to the following conditions and the completion of a Section 106 obligation to secure £10,000 for a Travel Plan monitoring fee.

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:

- 8437 PL01 Rev H - Site Plan
- 8437 PL06 Rev A - Site Location Plan
- 8437 PL10 Rev D Unit 1 – Floor Plan
- 8437 PL11 Rev D - Units 2, 3 & 4 Floor Plans
- 8437 PL12 Rev D – Units 5 & 6 Floor Plans
- 8437 PL13 – Unit 1 Elevations
- 8437 PL14- Units 2, 3 & 4 Elevations
- 8437 PL15 – Units 5 & 6 Elevations
- 8437 PL20 Rev F – DIY Retail Warehouse Floorplans
- 8437 PL21 Rev A – DIY Retail Warehouse Elevations
- 8437 PL30 Rev B – Drive Thru Plans an Elevations

- 4198 P104 Rev E – Marstons Site Plan
- 4189 P105 – Marstons GF & FF Plans
- 4189 P106 – Marstons SF & Roof Plans
- 4189 P107 Rev A – Marstons Elevation Sheet 1
- 4189 P108 Rev A – Marstons Elevation Sheet 2
- 1811-18-01 Rev J – Planting Plan (Sheet 1 of 2)
- 1811-18-02 Rev I – Planting Plan (Sheet 2 of 2)
- 1811-18-03 Rev D – Landscape Concept Sections

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

No development hereby permitted shall be brought in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented and maintained thereafter in strict accordance with the approved SuDS management and maintenance plan.

Reason

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

Condition 4

The drainage scheme shall be implemented in accordance with the approved details set out in the Flood Risk Assessment and Drainage Strategy prepared by Complete Design Partnership Ltd dated 1st July 2019 (Ref. 17-7295-FRA, Issue 5) before the development is first brought into use and shall be similarly maintained thereafter.

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.

Condition 5

No development, other than that required to be carried out as part of an approved scheme of remediation, shall commence until Parts 1 to 5 have been complied with:

1. Additional site investigation must be carried out as detailed in WSP Supplementary Ground Investigation Report and WSP letter response dated 7th February 2019 and any subsequent site investigation works considered necessary following the completion of these works (for delineation purposes for example). Details of these works and the findings

- should be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"
2. Following completion of the additional site investigation a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and submitted to and approved in writing by the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
 3. 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.
 4. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and submitted to and approved in writing by the Local Planning Authority prior to the occupation of any buildings.
 5. 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 and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

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.

Condition 6

No building on the development hereby permitted shall be occupied until the approved access works (including the signal controlled junction on Eastern Avenue, cycleway, carriageway, footways, surface water drainage/disposal and street lighting) have been completed in their entirety and new junction signals linked with the Eastern Ave/Metz Way and Eastern Ave/York Road junctions have been provided.

Reason

In the interest of highway safety; to ensure safe and suitable access has been provided for all people in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

Condition 7

Prior to commencement of the development hereby permitted the existing highway serving the site shall be stopped up/diverted in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety and to ensure safe and suitable access has been provided for all people minimising conflict in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

Condition 8

The development hereby permitted shall not be occupied until details of a new southeast bound bus stop on Metz Way northeast of the Metz Way / Eastern Avenue junction as shown on Drawing 18325-18B, have first been submitted to and approved in writing by the Local Planning Authority. The details to be implemented prior to occupation shall include a bus stop with real time information (RTPI), bus shelter, and connecting footways into the site.

Reason

To ensure that the appropriate opportunities to promote sustainable transport modes can be taken up in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

Condition 9

The development hereby permitted shall not be occupied until the existing northeast bound bus stop on Metz Way southwest of the Metz Way / Eastern Avenue junction has been upgraded with a shelter, Real Time Passenger Information (RTPI) and associated infrastructure according to details which shall first be submitted to and approved by the Local Planning Authority.

Reason

To ensure that the appropriate opportunities to promote sustainable transport modes can be taken up in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

Condition 10

The development hereby permitted shall not be occupied until the pedestrian and shared pathway connections shown generally on plan 8437 PL01 Rev H and Transport Assessment Addendum 18325-17 have been completed with tactile crossings from the south eastern side of the proposed Eastern Avenue signalised pedestrian crossing point across the verge and parallel to the Eastern Avenue access road linking to its south eastern footway.

Reason

To ensure that the appropriate opportunities to promote sustainable transport modes can be taken up in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

Condition 11

No development shall take place, including any demolition works, until a Construction Method Statement has been submitted to and approved in writing by the Local

Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. provide measures to control the emission of dust and dirt during construction;
- viii. provide a vehicle routing strategy;
- ix. provide for the first 20 metres of the proposed access roads, including the junctions with the existing public road to be completed to at least binder course level; and
- x. provide for surfaced pedestrian and cycle pathway routes to be maintained around the site periphery during demolition and construction phases.

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 12

Notwithstanding the submitted details prior to occupation of the development hereby permitted a Framework Travel Plan shall be 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.

Prior to occupation of each individual unit a Travel Plan for that unit, which shall be in general accordance with the Framework Travel Plan, shall be submitted to and approved in writing by the Local Planning Authority.

The Travel Plans so approved shall be implemented in strict accordance with the provision and timescales set out within them.

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 13

No building hereby permitted shall be occupied until the carriageway(s) (including

surface water drainage/disposal, vehicular turning head(s) and street lighting) and the footway(s) providing access from the nearest public highway to that building have been completed to surface course level.

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 the National Planning Policy Framework.

Condition 14

The vehicular accesses hereby permitted shall not be brought into use until the visibility splays illustrated on plan Visibility Plan 18325-12 extending from the points back along the centre of the accesses measured from the road carriageway edge (the X point) to points on the nearer carriageway edge of the road in both directions (the Y points). Any obstruction within the area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.6m and 2.0m at the Y point above the adjacent carriageway level.

Reason

To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained 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 paragraphs 108 and 110 of the National Planning Policy Framework.

Condition 15

Prior to occupation of each individual unit hereby permitted covered cycle storage facilities for that unit shall be made available for use in accordance with the approved site plan ref: 8437 PL01 Rev H. Shower/changing facilities shall be provided for within each unit 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 16

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 17

The building(s) hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the approved site plan 8437 PL01 Rev H with at least 2% of spaces or 1 space per unit of general parking enabled for electric vehicle charging, 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 18

The retail unit hereby permitted shall be used only for the sale of DIY products for the maintenance and improvement of the home, garden and motor vehicle, together with no more than up to 30% of the net sales area of the retail unit hereby approved to sell the following products in isolation or collectively on an ancillary basis; carpets, furniture, furnishings, electrical goods, pets and pet supplies, office equipment, and any goods directly ancillary to these permitted uses and for no other purpose.

Condition 19

The gross internal floorspace of the approved DIY Retail Warehouse building shall not exceed 4703 sq. m (GIA). The retail unit shall not be subdivided.

Reason

To define the terms of this permission and in order to protect the vitality and viability of existing centres and to ensure the store retains its status as a DIY Retail Warehouse.

Condition 20

Notwithstanding the submitted drawings, 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 21

Notwithstanding the submitted drawings, no development works above existing ground 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 22

No development works above existing ground level shall take place until a specification of the details for the tree planting pits within the areas of hard surfacing has been submitted to and approved in writing by the Local Planning Authority.

Reason

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

Condition 23

The landscaping scheme as shown on the approved plans (drawing no. 1811-18-10 Rev J, 02 Rev I and 03 Rev D) incorporating the tree pits approved under condition 22, 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, or die 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 24

No development including demolition or site clearance shall be commenced on the site or machinery or material brought onto the site for the purpose of development until the tree protection measures identified in the Arboricultural Survey, Impact Assessment and Protection Plan, prepared by Barton Hyett Associates (ref. P.2639) have been provided. The tree protection measures shall be maintained during the course of the development.

Reason

To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

Condition 25

Prior to first occupation of the development hereby permitted a scheme for biodiversity enhancement, such as incorporation of permanent bat roosting feature(s) and or nesting opportunities for birds, shall be submitted to and approved in writing by the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for the lifetime of the development for their designed purpose in accordance with the approved scheme. The scheme shall include, but not limited to, the following details:

- i. Description, design or specification of the type of feature(s) or measure(s) to be undertaken.
- ii. Materials and construction to ensure long lifespan of the feature/measure.
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- iv. A timetable for when the features or measures will be installed and made available.

Reason

To secure biodiversity mitigation and enhancement.

Condition 26

No demolition, tree or shrub removal or clearance works shall take place between 1st March and 31st August inclusive unless a survey (by a suitably qualified ecologist) to assess the nesting bird activity on the site during this period and a scheme to protect the nesting bird interest on the site have first been submitted to and approved in writing by the Local Planning Authority and then implemented as approved.

Reason

To safeguard biodiversity as set out by the Habitats Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), and in accordance with Policy B.8 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 27

No individual unit hereby permitted shall be first occupied until an acoustic assessment, in accordance with BS4142:20014, of the proposed mechanical plant to serve that unit has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include details of any mitigation measures required to control noise emanating from the site. The approved scheme for each unit shall be implemented before the first occupation of that unit and maintained for the lifetime of the development.

Reason

To protect the amenity of the occupiers of nearby properties.

Condition 28

The construction dust mitigation measures recommended in paragraphs B18-B22 in Appendix B of the Air Quality Assessments prepared by Mayer Brown Limited, (22522-BBFGloucester(A).9 Rev 2), shall be implemented and fully operational prior to and for the duration of the demolition and construction phases.

Reason

To minimise the impact on air quality.

Condition 29

No above-ground development shall commence until a detailed Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall identify the main waste materials expected to be generated by the development during the construction phase and set out measures for dealing with such materials so as to minimise overall waste and to maximise re-

use, recycling and recovery in line with the waste hierarchy. The detailed Site Waste Management Plan must include: -

- i) Information on the type and amount of waste likely to be generated prior to and / or during the construction phase;
- ii) Details of the practical arrangements for managing waste generated during construction in accordance with the principles of waste minimisation; and
- iii) Details of the measures for ensuring the delivery of waste minimisation during the construction phase.

The Site Waste Management Plan shall be fully implemented as approved.

Reason

To ensure the effective implementation of waste minimisation in accordance with Gloucester, Cheltenham, Tewkesbury Joint Core Strategy Policy SD3 – Sustainable Design and Construction; Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction; and paragraph 8 of the National Planning Policy for Waste (NPPW).

Condition 30

No above ground development relating to each individual unit shall commence until full details of the provision made for facilitating the recycling of waste generated during the occupation phase of that unit have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include appropriate and adequate space and necessary infrastructure to allow for the separate storage of recyclable waste materials. All details shall be fully implemented in accordance with the approved details for each unit before that unit is first brought into use.

Reason

To ensure the effective implementation of waste minimisation in accordance with Gloucester, Cheltenham, Tewkesbury Joint Core Strategy Policy SD3 – Sustainable Design and Construction; Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction; and paragraph 8 of the National Planning Policy for Waste (NPPW).

Notes

Note 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 S278 and S106 Agreement (including an appropriate bond) with the County Council before commencing those works.

Note 2

You are advised that to facilitate the development an order must be obtained to stop up or divert the adopted highway under sections 247 and 248 of the Town and Country Planning Act 1990. Please see

www.gov.uk/government/publications/stopping-up-and-diversion-of-highways

or contact the National Transport Casework Team at nationalcasework@dft.gov.uk

Note 3

The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

Note 4

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

Note 5

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property.
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 – explanatory booklet.

Note 6

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.

Note 7

For the avoidance of doubt, the reference to 'unit' within the conditions set out on this decision notice refer to the DIY Retail Warehouse, 44 bedroom hotel and drive-thru restaurant which each constitute an individual 'unit' for the purposes of this decision.