



## PLANNING COMMITTEE

**Meeting: Tuesday, 1st March 2022 at 6.00 pm  
in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP**

### ADDENDUM

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

<b>4.</b>	<b>LATE MATERIAL (PAGES 5 - 20)</b>  Please note that any late material in respect of the applications detailed below will be published as a supplement on the Council's website in the late afternoon of the day of the meeting.
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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.

#### **Access to Information**

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For further details and enquiries about this meeting please contact Tanya Davies, 01452 396125, [tanya.davies@gloucester.gov.uk](mailto: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](mailto:democratic.services@gloucester.gov.uk).

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- 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;
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## **Late material – Planning Committee 1<sup>st</sup> March 2022**

### **ITEM 5 : 30-44 NORTHGATE STREET (FORMER DEBENHAMS), GLOUCESTER – 21/01323/FUL)**

#### **Additional representations**

The second round of publicity periods have all now expired. Two additional representations (two sets of comments from one resident) have been received since submission of the Officer report, which may be summarised as follows:

Welcomes proposals. Potential to be one of the most positive developments in the City for many years.

Wishes to see more of an active frontage to Kings Square – suggests bi-folding doors from the café to the square and outdoor tables for customers.

Could more be made of the views from the top floor, perhaps with staff working or breakout space there or larger classrooms?

Retention of the existing windows and installation of secondary glazing would be impractical, undesirable and a retrograde step – replacing with new double glazed windows that are identical from the outside would be more desirable.

Could a planning condition be used to require all graduation ceremonies to take place within the City? (notes they have been moved to Cheltenham).

Could a planning condition be used to require the University to make all reasonable efforts to encourage and assist students to reside within the City, preferable in the central area, based on improving sustainability.

Could the University alternate the Freshers Fayre between Cheltenham and the City campus?

The majority of student union events are based in Cheltenham – could the University, Union, City Council/Visit Gloucester, Gloucester Bid, etc work together to promote events and even up the location of events?

Above conditions also appropriate given the substantial amount of levelling up funding the University is set to benefit from.

The most effective test of the development's economic impact on the City could be the number of students living in the City and the University's impact statement estimates that when the City centre campus is fully operational 43% of the 14,565 students will live in Gloucester. Could an action plan be put in place with a target set for number of students housed in the City and measures and reported on annually; also to be subject to condition.

The University's Estates Strategy states a need for a strategy to replace 1000sqm office space accommodating staff once a current lease expires – as the application indicates that 1500sqm of the Debenhams building would not be included in the campus plans, could that space be used to accommodate those staff?

Could the Tourist Information Centre be located in the building?

### **Additional consultation response – Civic Trust**

The Trust has now submitted comments which may be summarised as follows:

The Trust fully supports the change of use. Considers shopping habits have changed such as to no longer be realistic for the huge building to sustain a viable retail operation.

Use is wholly in accordance with Trust's long term campaign to keep higher education in the City. Scheme would bring higher education and student life right into the city centre. It is a sustainable use for a landmark building which would otherwise be difficult to sell or let. Supports use as a new home for the city's library.

Frontage to the Oxbode needs particularly careful treatment to preserve its identity. The window pattern should remain the same even if it has to be replaced to meet modern insulation standards.

The Trust would like to see the Art Deco style top floor restaurant preserved and enhanced, and should involve repair of rooflights.

The Trust welcomes the plan to create two atria within the building reflecting the original design of the building which featured an internal arcade running the length of the Oxbode frontage.

The Trust has no regrets about the loss of the canopy on the King's Square frontage but if it is to be the library and a catering operation, it is going to need shading for the customers who wish to be served outside.

#### *Officer comments on new representations:*

The café is only to the Kings Square/The Oxbode corner. Most of the Kings Square–fronting elevation at ground floor is onto the library. The design and layout is ultimately up to the applicant to put forward and the Authority needs to consider what is submitted. While the design suggestion is acknowledged, it is not considered that the scheme requires additional door access and external seating in order to be acceptable. Furthermore I note that it is possible that additional access here might compromise the operation of the library and/or the ventilation/heating design.

The scheme does now retain part of the third floor at the Northgate end as a larger staff area, in which the space and the views can be appreciated. Also the roof lanterns are to be retained.

The replacement of the existing windows has now been accepted. The applicant has set out that the replacements will effectively be like-for-like. A condition is recommended so that Officers can approve the detail of this including the window pattern mentioned in the comments.

Planning conditions must comply with certain criteria to be validly imposed. Receipt of government funding for the scheme itself is not a reason for conditions. They need to be for a planning purpose. While the benefits of the suggested arrangement to Gloucester are appreciated, the proposed condition to require ceremonies to take place in the City is not considered necessary to make the development acceptable, and not reasonable nor enforceable.

Again while the benefits to Gloucester are understood, the proposed conditions for student accommodation locations, and monitoring and reporting on student numbers living in the City,

are not considered necessary to make the development acceptable, and not reasonable nor enforceable.

There is a considerable amount of student accommodation in the City centre. The University also has planning permission for a further student accommodation development at the Oxstalls Campus. It is up to the University whether to implement that or not.

The University is aware of the suggestions in the representation as to events taking place in the City and to act on them in association with the relevant local bodies, and the suggestions for use of the potentially redundant parts of the building. Again they are not considered to be requirements necessary to make this planning application acceptable and would more appropriately be addressed separately.

### **Highway Authority conditions**

The Highway Authority has now recommended conditions to secure; provision of the access, parking and turning facilities; visibility splays at the access; provision of cycle parking; provision of accessible car park spaces; provision of showers and lockers for cyclists; and implementation of the Travel Plan. (See the additional/amended conditions 31 to 38 below).

### **Pre-commencement conditions**

The Authority is required to seek the applicant's agreement to pre-commencement conditions. The applicant has now agreed these as amended below.

The conditions drafted in the Officer report have also been subject to revisions following discussions with the applicants, including some being reworded, and the deletion of conditions 3 (applicant confirmed no need to phase conditions) and 7 (applicant resisted as no statutory basis to control internal works, which is accepted).

### **Late material - Conclusions**

The additional consultation periods have now expired, and the new comments reported above, the applicant's comments on conditions, and the Highway Authority requested conditions, have been considered. These do not change the overall Officer conclusions as to the acceptability of the proposal. Additional and amended conditions are however now proposed as well as deletion of some conditions.

### **Updated recommendation of the Planning Development Manager**

That planning permission is **GRANTED** subject to;

completion of a legal agreement to secure a financial contribution to Travel Plan monitoring;  
and;

the following conditions;

**Condition 1**

The development hereby permitted shall be begun before the expiration of 3 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 drawings on the following plans except where otherwise required by conditions of this permission:

Location plan ADP-00-XX-DR-A-0905 Rev. S2 P3  
Proposed block plan A-901 Rev. S2 P2  
Lower ground floor plan ADP-00-B1-DR-A-1018 Rev. S2 P11  
Ground plan ADP-00-GF-DR-A-1019 Rev. S2 P8  
First floor plan ADP-00-01-DR-A-1020 Rev. S2 P7  
Second floor plan ADP-00-02-DR-A-1021 Rev. S2 P5  
Third floor plan Option D ADP-00-03-DR-A-1022 Rev. S2 P5  
Roof plan ADP-00-R1-DR-A-1023 Rev. S2 P6  
Proposed elevations 01 ADP-00-ZZ-D-A-1250 Rev. S2 P3  
Proposed elevations 02 ADP-00-ZZ-D-A-1251 Rev. S2 P3  
Proposed sections ADP-00-ZZ-D-A-1310 Rev. S2 P2  
Proposed bay study The Oxbode ADP-XX-ZZ-D-A-4200 Rev. S2 P2  
Proposed bay study Kings Square 01 ADP-XX-XX-D-A-4201 Rev. S2 P2  
Proposed bay study Kings Square 02 ADP-XX-XX-D-A-4202 Rev. S2 P2

**Reason**

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

**Condition 3**

Notwithstanding the submitted details, construction or alteration of the following elements of the development shall take place only in accordance with details, specifications and samples of their appearance (and their implementation where specified), as well as scaled elevations showing their use across the building, that have been submitted to and approved in writing by the Local Planning Authority in advance:

- a. New cladding, render, and brickwork to walls;
- b. Brickwork/facing material to new structures in service yard;
- c. Cladding to roof top plant enclosures and metal louvred plant screen;
- d. New window and door framing / curtain wall glazing (including back painted glass to spandrel panels within curtain wall system);
- e. Brise soleil / metal fins, and metal louvres where inserted into window openings;
- f. Any new railings to roof level perimeter;
- g. Granite plinth;
- h. Detailed drawings at a minimum scale of 1:5 with moulding profiles at full size, including elevations and sections, and methodology for new windows, doors and (new or repair) window-column panelling to the elevation facing The Oxbode;

**Reason**

To ensure a satisfactory appearance to the development and preserve the character and appearance of the Conservation Area and setting of listed buildings



**Condition 4**

Notwithstanding the submitted drawings, the development shall be undertaken only in accordance with revised drawings for the treatment of the ground floor windows and doorways that have first been submitted to and approved in writing by the Local Planning Authority.

**Reason**

To preserve and enhance the character and appearance of the conservation area in which this development is located.

**Condition 5**

Notwithstanding the submitted details, alteration of the following elements of the development shall take place only in accordance with details that have been submitted to and approved in writing by the Local Planning Authority in advance:

- a. Methodology for any repair to railings to roof level perimeter;
- b. Methodology and detailed drawings at a minimum scale of 1:5 of repairs to roof lanterns, and details of replacement covers;
- c. Methodology for façade cleaning and repair works to the building facade and features.

**Reason**

To ensure a satisfactory appearance to the development and preserve the character and appearance of the Conservation Area and setting of listed buildings

**Condition 6**

Notwithstanding the submitted details, any boundary treatments or means of enclosure (notably fence/railing/gates to St Aldate Street boundary including the perimeter of the access to the bin store area) shall be implemented only in accordance with scaled drawings of their location, form, appearance and materials that shall first be submitted to and approved in writing by the Local Planning Authority.

**Reason**

To ensure a satisfactory appearance to the development and preserve the character and appearance of the Conservation Area.

**Condition 7**

Notwithstanding the submitted details, prior to commencement of any planting details of any soft landscaping including tree planting, ground level planting, green roofs and wall climbers (comprising of a scaled layout plan, planting specification including with respect to trees the size of specimen at the time of planting, tree pit details and any below ground mechanism to accommodate trees alongside utilities), and the phase in which the works will take place, shall be 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 8**

The approved soft landscaping details shall be carried out in full concurrently with that phase of the development (as approved under Condition 7) and shall be completed no later than

the first planting season following cessation of use of the service yard as a construction compound associated with the building works approved in this application. The planting within that phase shall be maintained in accordance with the approved details for a period of 5 years following implementation of each phase. During this time any trees, shrubs or other plants which are removed, die, or are seriously damaged 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 9**

No development to the external parts of the building that requires scaffolding or other mobile or fixed access equipment, including demolition works, shall be commenced on the site nor shall any machinery or material be brought onto the site for the purpose of such development until details of adequate measures to protect or prune trees on adjoining land have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the installation of scaffolding or other mobile or fixed access equipment associated with the development and any ongoing measures shall be retained for the duration of those works unless an alternative approach has been agreed to in writing by the Local Planning Authority under this condition.

**Reason**

To ensure adequate protection to existing trees and to retain habitat, in the interests of the character and amenities of the area and protecting biodiversity.

**Condition 10**

Any external lighting installed for the development shall be in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. The submitted details shall include their location, scale, design/specification, light spill, and times of use.

**Reason**

To ensure the proposed development does not have an adverse effect on the character and appearance of the area or the amenities of nearby properties.

**Condition 11**

No demolition or development shall commence below existing ground level within the application site until a Written Scheme of Investigation of archaeological remains, including a timetable for the investigation, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. The programme for post investigation assessment.
- c. Provision to be made for analysis of the site investigation and recording.
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Provision to be made for archive deposition of the analysis and records of the site investigation.

f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

**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.

**Condition 12**

All demolition and development shall take place in accordance with the approved Written Scheme of Investigation of archaeological remains. This condition shall not be discharged until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 11, provision has been made for the analysis, publication and dissemination of results and archive deposition has been secured.

**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.

**Condition 13**

No development other than any demolition down to ground floor slab level, site securing, or works to the external façade or roof of the building shall commence within the application site 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, ground contamination remediation, 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 of archaeological interest. These details are required to ensure that disturbance or damage by foundations and related works are minimised, archaeological remains are, where possible, preserved in situ.

**Condition 14**

Measures to ensure the security of, and/or safety of persons accessing, the roof of the building shall be implemented prior to the occupation of the building for the use hereby approved in accordance with details to be submitted to and approved in writing by the Local Planning Authority in advance.

**Reason**

To help prevent suicide and accidental falls.

**Condition 15**

The rating level of sound emitted from any fixed plant or machinery associated with the development shall not exceed background sound levels by more than 5dB(A) between the hours of 0700 to 2300, taken as a 15 minute LA90 at the nearest sound sensitive premises and shall not exceed the background sound level between 2300 to 0700, taken as a 15 minute LA90 at the nearest sound sensitive receiver. All measurements shall be made in accordance with the methodology of BS 4142 (2014 Methods for rating and assessing industrial and commercial sound) or any national guidance replacing that Standard. Where access to the nearest sound sensitive property is not possible, measurements shall be

undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

**Reason**

To safeguard the amenities of the area.

**Condition 16**

Construction and demolition work and the delivery of materials shall only be carried out between 0800 hours to 1800 hours Monday to Friday, 0800hours to 1300hours on Saturdays and no construction or demolition work or deliveries shall take place on Sundays or Public/Bank Holidays.

**Reason**

To safeguard the amenities of the area.

**Condition 17**

Prior to commencement of any development a Construction (and demolition) Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include (but is not limited to):

- a. Site access/egress
- b. Staff/contractor facilities and parking
- c. Storage, loading and unloading areas for materials and plant
- d. Dust mitigation measures
- e. Noise and vibration mitigation measures
- f. Measures to minimise disturbance to ecological assets

Development of that phase shall take place only in accordance with the approved CEMP.

**Reason**

To protect the environment and ecological assets.

These details are required pre-commencement due to the potential impacts of the first phase of works.

**Condition 18**

No café or other facility involving the cooking of hot food on the premises shall open to customers until ventilation and cooking fume control measures have been installed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Thereafter the equipment shall be maintained in accordance with the manufacturer's instructions for as long as hot food provision is continued.

**Reason**

In the interests of protecting the amenities of the area

**Condition 19**

Notwithstanding the submitted details, prior to commencement of the approved use, a scheme for biodiversity enhancement, including incorporation of permanent bat roosting features, measures such as nesting opportunities for birds, and a planting scheme including species of value to wildlife, shall be submitted to and approved in writing by the Local Planning Authority. The approved details thereafter shall be implemented concurrently with the development and completed in full prior to commencement of the approved use unless an alternative timetable for implementation has been approved in writing by the Local

Planning Authority, and retained and maintained for their designed purpose, in accordance with the approved scheme. The scheme shall in its totality reach at least a value of 0.05 habitat units in accordance with the biodiversity metric submitted with the application reports, and shall include, but is 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. When the features or measures will be installed and made available.

**Reason**

To provide net gains for biodiversity.

**Condition 20**

Prior to the commencement of the use hereby approved, a scheme of seagull mitigation measures for the building shall be implemented in full in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. Any management measures comprised in the approved details shall be operated for the lifetime of the development.

**Reason**

To deal with gull nuisance issues in the interests of the amenities of the area.

**Condition 21**

Building works and vegetation removal shall take place outside of the bird nesting season. If this cannot be achieved, a suitably qualified ecologist shall carry out a nesting bird check prior to work and supervise those works where required.

**Reason**

To protect biodiversity interests.

**Condition 22**

A dusk emergence/re-entry survey for bats shall be undertaken between May and August in any single year and the results shall be submitted to the Local Planning Authority prior to any works being undertaken that affect features on the roof of the building identified in the application as having low bat roost potential.

**Reason**

To protect biodiversity interests.

**Condition 23**

If the dusk emergence survey for bats submitted under Condition 22 identifies a roost, two additional dusk emergence/re-entry survey for bats shall be undertaken between May and August in any single year to characterise the roost and the results of these additional surveys, alongside a scheme of mitigation, shall be submitted to and approved in writing by the Local Planning Authority prior to any works being undertaken that affect features on the roof of the building identified in the application as having low bat roost potential. The scheme of mitigation shall include, but is not limited to; measures proposed, details of their location and form if physical works are proposed, and a timetable for implementation. The approved mitigation scheme shall be implemented in full in accordance with the approved timetable.

**Reason**

To protect biodiversity interests.

**Condition 24**

Unless proof of the absence of protected species from the site has been submitted to and approved in writing by the Local Planning Authority in advance, no works shall be undertaken to the roof of the building until a Precautionary Method of Working has been submitted to and approved in writing by the Local Planning Authority. Any subsequent works to the roof of the building shall be undertaken only in accordance with the approved Precautionary Method of Working.

**Reason**

To preserve conditions for any bats that may be present at the site.

**Condition 25**

No development that involves intrusive works to the ground or soft landscaping at ground level, other than archaeological works or that required to be carried out as part of an approved scheme of remediation shall commence until parts 1 to 4 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 4 has been complied with in relation to that contamination.

**1. 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, which has first been submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with the Environment Agency's '*Land Contamination Risk Management*' (LCRM).

**2. 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 submitted to and approved in writing by 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.

### **3. Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development that involves intrusive works to the ground or soft landscaping at ground level 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 (elsewhere referred to as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

### **4. 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 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2 above, and submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, and submitted to and approved in writing by the Local Planning Authority in accordance with part 3 above.

### **5. 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, shall be submitted to and approved in writing by 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 submitted to and approved in writing by 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. This condition is required prior to intrusive works because there is potential for contamination to exist on the site.

### **Condition 26**

No development shall commence other than any demolition down to slab level, site securing, or works to the external façade or roof of the building until a detailed design for the surface water drainage strategy presented in the Drainage Statement GCC-ARUP-ZZ-XX-RP-C-0001 P02 has been submitted to and approved in writing by the Local Planning Authority. The submitted design must demonstrate the technical feasibility and viability of the proposed 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 implemented in accordance with the approved details and shall be fully operational before the development is first occupied for the use hereby permitted.

**Reason**

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

**Condition 27**

The development hereby permitted shall not be occupied for the use hereby permitted 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 approved SuDS maintenance plan shall be implemented in full in accordance with the approved details for the lifetime of the development.

**Reason**

To provide for the continued operation and maintenance of sustainable drainage features serving the site and to ensure that the development does not result in pollution or flooding, to improve water quality at point of discharge.

**Condition 28**

No development shall commence until a Waste Minimisation Statement for the Demolition and Construction Period has been submitted to and approved in writing by the Local Planning Authority. The Waste Minimisation Statement shall include details of the types and volumes of construction and demolition waste likely to be generated including measures to minimise, re-use and recycle that waste, and minimise the use of raw materials. The development shall be carried out in accordance with the approved Waste Minimisation Statement.

**Reason**

In the interests of waste minimisation. This is required pre-commencement given the impacts are likely to commence immediately upon development starting.

**Condition 29**

Prior to first occupation for the use hereby approved bin storage facilities shall be made available for use in accordance with the approved plans (subject to any revisions approved pursuant to other conditions of this permission), and those facilities shall be maintained for the lifetime of the development.

**Reason**

In the interests of the visual amenities of the area and avoid clutter on the highway.

**Condition 30**

The development hereby approved shall not be brought into use until electric vehicle charging points have been installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter such spaces and power points shall be kept available and maintained for the use of electric vehicles as approved.

**Reason**

To encourage sustainable travel and healthy communities.



**Condition 31**

No development shall commence, including any demolition works, until a Construction Management Plan for highways matters has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period for that phase. The plan shall provide for but is not restricted to:

- 24 hour emergency contact number;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary accesses to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles including a banksman if necessary;
- Booking system for deliveries, etc;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

**Reason**

In the interests of safe operation of the adopted highway during the demolition and construction phase of the development. This is required pre-commencement given the impacts are likely to commence immediately upon development starting.

**Condition 32**

The development hereby approved shall not be brought into use until a Service Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall address servicing of the development by all vehicular means and shall include but is not limited to; arrangements for off-street servicing, ensuring no conflict with use of parking bays, management of the site access. The development hereby approved shall operate only in accordance with the approved Service Management Plan.

**Reason**

In the interests of highway safety.

**Conditions 33**

The development hereby approved shall not be brought into use until the access, parking and turning facilities have been provided as shown on the approved drawings.

**Reason**

To ensure conformity with submitted details and in the interests of highway safety.

**Condition 34**

The development hereby approved shall not be brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the edge of carriageway shall be

provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

**Reason**

To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.

**Condition 35**

The development hereby approved shall not be brought into use until sheltered, secure and accessible bicycle parking has been provided and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

**Reason**

To promote sustainable travel and healthy communities

**Condition 36**

The development hereby approved shall not be brought into use until at least 4no. accessible car parking spaces have been provided on site in accordance with the approved plans and thereafter shall be kept available for disabled users as approved.

**Reason**

To provide safe and suitable access for all users.

**Condition 37**

Notwithstanding the details submitted the development hereby approved shall not be brought into use until showers and lockers have been installed.

**Reason**

To reduce vehicle movements and promote sustainable access.

**Condition 38**

The Travel Plan (ref. GCC-ARUP-ZZ-XX-TR-A-0002 Issue 8 December 2021 and including any additions or alterations pursuant to the legal agreement associated with this permission) shall be implemented and monitored in accordance with the regime contained within the Plan. In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of travel to and from the site. The submitted details shall use Modeshift STARS Business to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details.

**Reason**

To reduce vehicle movements and promote sustainable travel.

**Informatives:**

**Note**

This permission is associated with a legal agreement.

**Note**

Notwithstanding the mechanical and electrical equipment, ducting, lifts and other infrastructure shown on the approved floorplans plans for the interior of the building, this permission does not convey tacit approval to the installation of plant to the roof or other alterations to existing roof structures other than that shown on the approved roof plan.

**Note**

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**

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**

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 1996. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DCLG publication Preventing and resolving disputes in relation to party walls – explanatory booklet.

**Note - Travel Plan**

The proposed development requires a Travel Plan as part of the transport mitigation package (together with a Monitoring Fee and Default Payment) and the Applicant/Developer is required to enter into a legally binding Planning Obligation Agreement with the County Council to secure the Travel Plan.

Gloucestershire County Council has published guidance on how it expects travel plans to be prepared, this guidance is freely available from the County Councils website. As part of this process the applicant must register for Modeshift STARS and ensure that their targets have been uploaded so that progress on the implementation of the Travel Plan can be monitored.

Modeshift STARS Business is a nationally accredited scheme which assists in the effective delivery of travel plans, applicant can register at [www.modeshiftstars.org](http://www.modeshiftstars.org)

**Note - Construction Management Plan (CMP)**

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to “respecting the community” this says:

Constructors should give utmost consideration to their impact on neighbours and the public  
Informing, respecting and showing courtesy to those affected by the work;  
Minimising the impact of deliveries, parking and work on the public highway;

Contributing to and supporting the local community and economy; and  
Working to create a positive and enduring impression, and promoting the Code.

The CEMP should clearly identify how the principle contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation