

## **LATE MATERIAL (APPLICATIONS FOR DETERMINATION)**

**PLANNING COMMITTEE: 5<sup>th</sup> July 2022**

### **ITEM 5 : FORMER INTERBREW SITE, EASTERN AVENUE, GLOUCESTER – 22/00014/FUL)**

#### **Representation**

As circulated last week by e-mail, a representation was received but omitted from the report. This states:

*“I would like to raise concerns regarding the road layout in this planning application as this could potentially cause major issues for an already busy junction. We operate 35 large PSV vehicles and trying to exit our area at this junction is already a challenge. By increasing the volume and adding another entry and exit will cause major delays.*

*Could I ask that the planning be reconsidered and they use the current road layout as this is safer and will not affect the other companies opposite.*

*On another observation this looks like a large industrial unit what we have a huge amount of in Gloucester that remain empty already built on Eastern Avenue and surrounding areas.*

*I find this disappointing we will get another industrial unit however myself, a current business owner wanting to expand in Gloucester cannot find suitable location because we keep allowing units to be built then sit empty for years.”*

As noted in the report, the junction works are the same as approved in the 2018 planning permission which is still extant (a developer would have until September 2023 to commence), and the Highway Authority raises no objection to the arrangement subject to conditions.

On the matter of empty units, the Planning Authority has limited control over subsequent letting and occupation of units after being built, although one would assume most developers would expect to achieve occupations if they have invested money in constructing the development.

This does not alter the Officer recommendation.

#### **Clarification of Highway Authority conditions**

Further discussions with the Highway Authority regarding conditions in relation to the bus stop works required under the 2018 permission and visibility splays at the accesses have led to some clarification of the recommended conditions.

Condition 27 can be clarified to refer to ‘all access and egress points’. Condition 28 can be deleted as the Highway Authority has confirmed that the pedestrian visibility splays are easily achieved in the layout. A new condition has been recommended to cover bus infrastructure improvements works on Metz Way. These were required as part of the 2018 permission but omitted from the initial consultation response. This additional condition is proposed as the new Condition 28 to retain the order of conditions in the report.

These alterations do not change the overall Officer conclusions as to the acceptability of the proposal.

#### **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 as at paragraph 6.73 of the report;

and;

the conditions listed in the report amended as follows:

**Amended Condition 27**

The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of all access and egress points to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of the number of metres stated within Manual for Streets for the designated road speed in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

**Reason**

In the interests of highway safety.

**New Condition 28**

The development hereby permitted shall not be occupied until bus infrastructure improvement measures on Metz Way in both directions (north west bound and south east bound) have been implemented in accordance with details to be submitted to and approved in writing in advance by the Local Planning Authority. The details shall comprise of location, shelters, and journey planning infrastructure.

**Reason**

To ensure that the appropriate opportunities to promote sustainable transport modes can be taken up.

## **ITEM 6: HILL FARM, HEMPSTED, GLOUCESTER – 20/00315/OUT**

### **Environment Agency consultation response**

#### **Nearby Waste Management Activities**

The Environment Agency regulates certain waste management activities under the Environmental Permitting Regulations and there are 2 sites within 400 metres of the proposed development that are currently active. Both deal with metals (Synetiq Limited and European Metal Recycling (EMR) Limited). Depollution activities at both sites take place within buildings, however we are aware that EMR often has large piles of scrap metal, engines and waste electrical and electronic equipment. These are moved around site by front loaders and a large crane with grab arm; moving of metals around site may result in loud banging and crashing noises. There have not been noise related issues for these sites in recent years, however this does not mean there will be no risk of noise in future.

In addition, the Hempsted landfill site is located nearby. Hempstead landfill site is no longer accepting waste, but it is not yet in 'closure' as it is not fully compliant with emissions limits and as such still Permitted as an active landfill. The site is an old landfill and has been operational since the 1960's, with the permitted landfill sited on-top of historic landfill areas which pre-date EPR and the Landfill Directive, and operate on a 'dilute and disperse' principle (i.e. they are not contained and were not engineered to minimise environmental pollution).

There are some ongoing non-compliant emissions of methane from some areas of the site which the operator considers is influenced by the presence of historical deposits of waste made prior to the current landfill development.

We have not had odour complaints from the landfill in recent years, but it is worth noting that we can only ask that the operator manages operations onsite in accordance with Best Available Techniques, which will not necessarily guarantee that odour will not be released from the landfill.

We make the above points in the understanding that the proposed development is not down wind (prevailing wind) of the landfill, but it should be noted that during pressure inversions commonly seen in winter (i.e. cold frosty mornings) any odour generated from the site will not be dispersed and can 'hang around' until air pressure changes, an issue commonly seen at landfills country wide. The landfill is undergoing capping and restoration at the moment, which will entail some vehicle movements and noise until complete. The current use of the capped landfill area is for grazing/fields, however this may not necessarily remain the case in future.

In light of the above comments, you may wish to consider the issues of noise and odour and any potential amenity risks these issues may pose to a residential development of this scale in close proximity to an established industrial area. The applicant should ensure they have due regard to noise and odour when considering detailed layout and design

#### **Flood Risk**

Notes the intention to locate all built development and surface water attenuation within Flood Zone 1, which they support and identify that safe, dry access from and to the site can be provided via existing transport connections located within Flood Zone 1.

Suggests that further assessment should also consider the potential impacts of climate change on Flood Zone 2 over the lifetime of the development to inform the detailed layout of the scheme.

Recommends conditions regarding floor levels of new dwellings and no raising of ground levels or storage within the flood risk area of the site.

### **WRS Consultation Response in relation to contaminated land issues**

The submitted report identifies that the site has always been agricultural fields, there was previously a reservoir on land to the west of the site (from at least 1883 up until 1938) and the canal is 125 metres to the east. It also notes the existing landfill site.

WRS agree with the overall findings of the report and recommend that the standard contamination/remediation conditions, to also include a gas risk assessment, would appropriately deal with potential contamination issues.

**THERE IS NO CHANGE TO THE OFFICER RECOMMENDATION**







