

## Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation  
Areas Act) 1990 (as amended)

### Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

### Site Location

**Disclaimer:** We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

Demolition of garages and the erection of 5 No. Affordable 1 Bed Flats with associated parking and landscaping.

## Applicant Details

### Name/Company

Title

Mr

First name

Derek

Surname

Gibbs

Company Name

Aqua Construction Ltd

### Address

Address line 1

Severn Farm

Address line 2

Elmore Lane West

Address line 3

Quedgeley

Town/City

Gloucester

County

Gloucestershire

Country

Postcode

GL2 3NW

Are you an agent acting on behalf of the applicant?

Yes

No

## Contact Details

Primary number

\*\*\*\* REDACTED \*\*\*\*

Secondary number

Fax number

Email address

\*\*\*\* REDACTED \*\*\*\*

## Agent Details

Name/Company

Title

Miss

First name

Chloe

Surname

Searle

Company Name

Quattro Design Architects Ltd

## Address

Address line 1

Matthews Warehouse

Address line 2

High Orchard Street

Address line 3

Gloucester Quays

Town/City

Gloucester

County

Country

United Kingdom

Postcode

GL2 5QY

## Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

Fax number

Email address

\*\*\*\*\* REDACTED \*\*\*\*\*

## Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Demolition of garages and the erection of 5 No. Affordable 1 Bed Flats with associated parking and landscaping.

Reference number

19/00820/FUL

Date of decision (date must be pre-application submission)

17/06/2021

**Please state the condition number(s) to which this application relates**

Condition number(s)

2

Has the development already started?

Yes

No

If Yes, please state when the development was started (date must be pre-application submission)

03/08/2021

Has the development been completed?

Yes

No

If Yes, please state when the development was completed (date must be pre-application submission)

18/03/2022

## Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

Condition 2

The need to submit the application has arisen due to the need to re-align the pedestrian footway.

Please see cover letter attached

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Condition 2

Drawings 5963-P-10 Rev H and 5963-P-10 Rev J will be superseded by 6477-W-11.P2 to detail the changes to the footway and frontage of the building.

Please see cover letter attached

## Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes

No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

The agent

The applicant

Other person

## Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

Yes

No

## Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

Yes

No

Is any of the land to which the application relates part of an Agricultural Holding?

Yes

No

# Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner\* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding\*\*

\* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

\*\* "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.

**NOTE:** You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- The Applicant  
 The Agent

Title

Mr

First Name

Derek

Surname

Gibbs

Declaration Date

11/11/2022

Declaration made

## Declaration

I / We hereby apply for Removal/Variation of a condition as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

David Cox

Date

11/11/2022

**NOTES**

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**REVISIONS**

REV. DATE - DRAWN - CHECKED. NOTES

-: 03.08.18 - AT0 - CC:  
Drawing created.

A: 04.09.18 - DC - CC:  
Site plan revised to have all parking on western site section and all proposed residential units on eastern section. Total number of units reduced by 1no unit from 6no to 5no proposed units. Cycle store located within secure structure in parking area. Site boundary increased to include highways area for possible lengthening of existing footpath, with a proposed pedestrian crossing; also a proportion of the existing paved area to be included a planting buffer around proposed units to increase attractiveness of the area and give proposed residents sense of place.

B: 11.09.18 - DC - CC:  
Topographic survey data added. Site plan updated accordingly. Parking layout and cycle store revised, possible crossing point moved south as a result.

C: 15.05.19 - DC - CC:  
Following comments from pre-app vis-splay has been added to parking area junction. Red line boundary has been increased to include planted area to north of parking area where 2no trees as indicated by the tree officer are in poor condition and will be removed. Ramp access added.


D: 05.06.19 - SS:  
New footpath added around the road. Give way sign added.

E: 25.06.19 - SS - CC:  
Steps added to entrance.

F: 15.07.19 - DC:  
Vis splay removed from parking area.

G: 19.09.19 - CC:  
Steps added to entrance. FFL raised by 400mm to +1000mm above ground level.

H: 16.03.20 - SS:  
Road markers removed. Tactile paving added on both sides of the road.



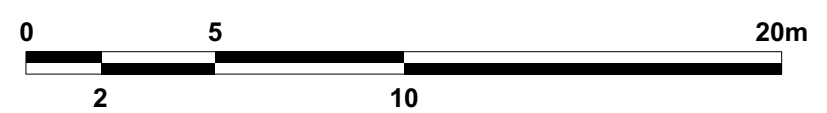
**Schedule of Accommodation:**

- 5no. 1B2P Flats @ 42.3 sqm

**Total: 5 Units**

**Key:**

- Site Boundary
- Garages to be demolished
- Road
- Footpath
- Shared Surface
- Paving
- 1800mm Close Boarded Fence
- Metal Railing
- Grass
- Proposed Trees
- Proposed Planting
- Retained Trees
- Removed Trees
- Tactile Paving



**DRAWING TITLE**

Proposed Site Layout

**PROJECT**

Worcester Parade, Gloucester

**CLIENT**

Gloucester City Homes

**SCALE**

1:200@A3

**DATE**

Aug 2018



**DRAWING NO.**

5963-F-10

**REV**

H

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J: 02.12.21 - DC: Layout amended following design team comments inc. reverting footpath to the front of flatted block out of existing road, cycle store to rear, parking and planting amended accordingly.

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Proposed Site Layout

**PROJECT**

Worcester Parade, Gloucester

**CLIENT**

Gloucester City Homes

**SCALE**

1:200@A3

**DATE**

Aug 2018



**DRAWING NO.**

REV

5963-P-10

J

Matthews Warehouse, High Orchard Street  
Gloucester Quays, GL2 5QY

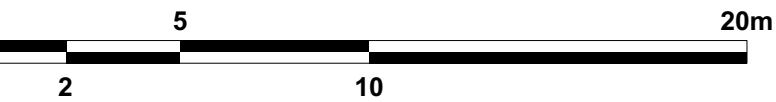
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- Trees





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J: 02.12.21 - DC: Layout amended following design team comments inc. reverting footpath to the front of flatted block out of existing road, cycle store to rear, parking and planting amended accordingly.

K: 11.11.2022 - CSE - RJF: Landscaping to front of building removed and footpath extended to suit.

**DRAWING TITLE**

Proposed Site Layout

**PROJECT**

Worcester Parade, Gloucester

**CLIENT**

Gloucester City Homes

**SCALE**

1:200@A3

**DATE**

Aug 2018



**DRAWING NO.**

**REV**

5963-P-10

K

Matthews Warehouse, High Orchard Street  
Gloucester Quays, GL2 5QY

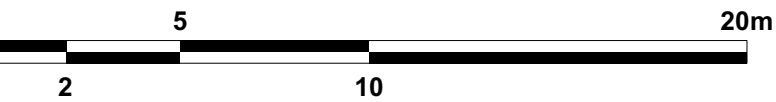
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**REVISIONS**

REV: DATE - DRAWN - CHECKED: NOTES

P1: 14.09.2022 - RJF:

Drawing Created

P2: 14.09.2022 - RJF:

Additional text added.



**CONSTRUCTION**

**DRAWING TITLE**

Footway Reinstatement Plan

**PROJECT**

Worcester Parade, Westgate

**CLIENT**

Aqua Construction

**SCALE**

1:200@A3

**DATE**

Sept 2022



**DRAWING NO.**

6477W/11

**REV**

P2

Gloucester City Council  
Planning  
Shire Hall  
Westgate Street  
Gloucester  
GL1 5TG

Highways Development  
Management  
Economy Environment and  
Infrastructure  
Shire Hall  
Westgate Street  
Gloucester  
GL1 2TG

14 July 2021  
Your ref: 21/00768/CONDIT  
Ask for: [REDACTED]

Dear Elenya Jackson

**TOWN AND COUNTRY PLANNING ACT 1990  
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015  
ARTICLE 18 CONSULTATION WITH HIGHWAY AUTHORITY**

**PROPOSAL:** Discharge of conditions: 3 (Materials) 4 (Construction management plan) 9 (Archaeology) 10 (Contaminated Land) 12 (Balciny Details) 13 (Cycle Storage) & 16 (Surfacing materials)

**LOCATION:** Worcester Parade Development Worcester Parade  
Gloucester

**APPLICANT:** Mr Derek Gibbs

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has **no objection**.

Application for approval of details reserved by condition. Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990.

This application seeks the discharge of planning conditions 3 (Materials) 4

[REDACTED]

(Construction management plan) 9 (Archaeology) 10 (Contaminated Land) 12 (Balcony Details) 13 (Cycle Storage) & 16 (Surfacing materials) from granted planning permission ref: 19/00820/FUL.

#### **Condition 04**

*No development shall take place, including any demolition works, until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:*

- 24 hour emergency contact number;
- Hours of operation;
- 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);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- 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 in the lead into development both during the demolition and construction phase of the development.*

#### **Highway Recommendation**

I have reviewed the supporting Construction Method Statement dated 28<sup>th</sup> June 2021 and I can confirm that the CMS has adequately addressed the above points in the stated condition and I have no highway objection to make.

#### **Condition 13**

*Notwithstanding the provision indicated on the approved plans, the properties shall not be occupied until details of covered and secure space for 5 bicycles have been submitted to and approved in writing by the Local Planning Authority. The cycle store shall be constructed as approved before the properties are occupied and thereafter permanently retained as a cycle store.*

*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.*

#### **Highway Recommendation**

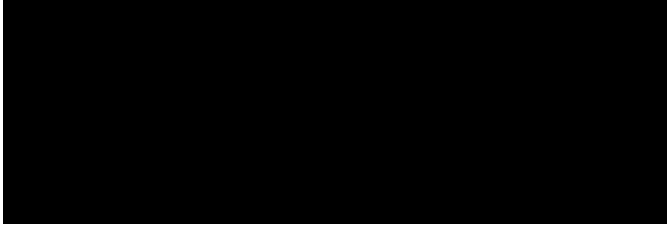
The supporting information submitted has addressed the above condition which demonstrates secure and covered cycle provision for 5 bicycles. No Highway Objection.

I formally advise the LPA that conditions 04 and 13 can be discharged from a



highway planning perspective.

Yours Sincerely,



**APPLICATION NO: 19/00820/FUL**  
**VALIDATED ON: 5th August 2019**

**TO**

Gloucester City Homes  
Gloucester City Homes  
c/o Mr Mark Godson  
SF Planning Limited  
No.1 Business Centre  
1 Alvin Street  
Gloucester  
GL1 3EJ  
United Kingdom

**TOWN AND COUNTRY PLANNING ACT 1990**  
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)**  
**ORDER 2015**

**Location: Worcester Parade Development Worcester Parade Gloucester**

**Proposal: Demolition of garages and the erection of 5 No. Affordable 1 Bed Flats with associated parking and landscaping.**

In exercise of its powers under the above-mentioned Act and Order the City Council as the Local Planning Authority **GRANT PERMISSION** for the development described above in accordance with the terms of the application and the plan/s submitted therewith subject to the following conditions:

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 agreement to secure the five units as rented affordable housing, with preference to priority need arising in the Kingsholm and Wotton Ward.

**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,  
Site Location Plan (5963.F.01A)  
Indicative Street Scene (5963.F.75E)  
Proposed Elevations (5963.F.70D)  
Proposed Floor Plans (5963.F.20C)  
Flood Risk Assessment  
Design and Access Statement  
Planning Statement and Transport Statement,

Received by the Local Planning Authority 30th July 2019

Archaeology and Heritage Desk Based Assessment

Flood Risk Assessment and Sequential Test

Received by the Local Planning Authority 18th October 2019

Archaeological Final Evaluation received by the Local Planning Authority 22nd November 2019

Drainage reports - 18115-02B (Worcester Parade) 18115 (Surface water storage volume estimation) 18115 (Greenfield runoff rate estimation) received by the Local Planning Authority 17th December 2020

Proposed Site Layout (5963-F-10H) received 18th March 2020 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 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

### **Condition 3**

No development above damp proof course shall take place until details or samples of materials to be used externally have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

### **Reason**

To ensure that the materials harmonise with the surroundings in accordance with policy SD.4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).

### **Condition 4**

No development shall take place, including any demolition works, until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24 hour emergency contact number;
- Hours of operation;
- 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);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- 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 in the lead into development both during the demolition and construction phase of the development.

### **Condition 5**

No dwelling hereby permitted shall be occupied until the vehicle parking area (and turning space) shown on the approved plans Drawing no 5963-F-10H (Proposed site layout) received by the Local Planning Authority 18th March 2020 has been completed and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

### **Reason**

To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 96A**

<b>Application number:</b>	22/00256/NMA
<b>Validated on:</b>	10 <sup>th</sup> March 2022
<b>Site address:</b>	3-5 Worcester Parade
<b>Proposal:</b>	Non-material amendment to planning permission 19/00820/FUL for the demolition of garages and the erection of 5 No. Affordable 1 Bed Flats with associated parking and landscaping

This application is considered as a non-material change to the planning permission issued under 19/00820/FUL.

The application is **PART-GRANTED** and **PART-REFUSED**.

The amendments to the car parking and cycle store layout, landscaping and balcony design of planning permission 19/00820/FUL are **GRANTED** subject to the following conditions:

**Condition 2**

Except where these may be modified by any other conditions attached to this permission the development hereby permitted shall be carried out in accordance with the:

Application form;  
Site Location Plan (5963.F.01A);  
Indicative Street Scene (5963.F.75E);  
Proposed Elevations (5963.F.70 Rev.G);  
Proposed Floor Plans (5963.F.20 Rev.E);  
Proposed Site Layout (5963-P-10 Rev.J);  
Flood Risk Assessment;  
Design and Access Statement;  
Planning Statement and Transport Statement Received by the Local Planning Authority 30th July 2019;  
Archaeology and Heritage Desk Based Assessment;  
Flood Risk Assessment and Sequential Test Received by the Local Planning Authority 18th October 2019;  
Archaeological Final Evaluation received by the Local Planning Authority 22nd November 2019;  
Drainage reports - 18115-02B (Worcester Parade) 18115 (Surface water storage volume estimation) 18115 (Greenfield runoff rate estimation) received by the Local Planning Authority 17th December 2020.

**Reason**

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

**Condition 5**

No dwelling hereby permitted shall be occupied until the vehicle parking area (and turning space) shown on the approved plan no. 5963-P-10 Rev.J (Proposed site layout) has been completed and made available for use. Thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

**Reason**

To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.



**Condition 13**

Notwithstanding the provision indicated on the approved plans, the properties shall not be occupied until a covered and secure space for the storage of a minimum of 5 bicycles has been provided in the location of approved plan number 5963-P-10 Rev.J (Proposed site layout). Thereafter, the cycle store shall be permanently retained as a cycle store.

**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.

Insofar as the application relates to the changes to the reinstated footway the application is **REFUSED** for the following reasons:

**REASON FOR REFUSAL**

The proposed change to the design of the reinstated pedestrian footway would give rise to material impacts on the safety of the site access and safety and operation of the public highway. Further formal consultation with the local highways authority is required.

**Note 1**

This permission is a non-material amendment to planning permission 19/00820/FUL and does not replace that planning permission. Unless varied by this permission, the requirements of all planning conditions attached to that planning permission remain valid.

  
**Jon Bishop**

Planning and Development Control Manager

**Decision date: 22<sup>nd</sup> August 2022**

**PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET**

**Condition 6**

No dwelling hereby permitted shall be occupied until the footway has been reinstated where any vehicle crossover(s) are redundant, in accordance with the approved Proposed Site Layout (5963-F-10H) received by the Local Planning Authority 18th March 2020

**Reason**

In the interests of pedestrian safety.

**Condition 7**

Floor levels should be set at least 600mm above the design flood level of 11.60 metres above Ordnance Datum, as shown in Proposed Elevations (5963.F.70D) received by the Local Planning Authority on 30th July 2019.

**Reason**

To protect the development from flooding.

**Condition 8**

The scheme shall be implemented in accordance with the approved drainage details (plan number 18115-02B) received by the Local Planning Authority 17th December 2020 before any dwelling is occupied.

**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 9**

No development, 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 investigation which has been submitted by the applicant and approved in writing by the local planning authority.

**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 10**

Unless otherwise agreed by the Local Planning Authority, development other than demolition to the existing ground slab level and that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 of this condition 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. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

## **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 prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must accord with the provisions of the EPA 1990 in relation to the intended use of the land after remediation.

## **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 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 produced, and is subject to the approval in writing of 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, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part 3.

## **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 must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

## **Reason**

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

The condition is necessary pre-commencement as the degree and extent of any contamination is unknown and works may need to be undertaken to ensure standards are met, at the initial stages of the construction.

#### **Condition 11**

No dwelling shall not be occupied 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 boundary treatment to be erected, including details of the boundary railings. The boundary treatment shall be completed before any dwelling is occupied and shall be carried out in accordance with the approved details.

#### **Reason**

In the interests of visual amenity and to ensure dwellings have satisfactory privacy in accordance with policies SD.4 and SD.14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).

#### **Condition 12**

Prior to the commencement of any above-ground construction, detail of the proposed balconies (comprising of a scaled drawing and confirmation of the material and finish) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented only in accordance with the approved details.

#### **Reason**

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

#### **Condition 13**

Notwithstanding the provision indicated on the approved plans, the properties shall not be occupied until details of covered and secure space for 5 bicycles have been submitted to and approved in writing by the Local Planning Authority. The cycle store shall be constructed as approved before the properties are occupied and thereafter permanently retained as a cycle store.

#### **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.

#### **Condition 14**

Notwithstanding the submitted plans, soft landscaping shall be implemented in accordance with a landscape scheme that has been submitted to and approved in writing by the Local Planning Authority. The submitted design shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers.

#### **Reason**

In order to protect the visual amenities of the area and in the interests of preserving and enhancing the area and contributing positively to green infrastructure.

#### **Condition 15**

The approved landscaping details shall be carried out in full concurrently with the development and shall be completed no later than the first planting season following the completion of the buildings. The planting shall be maintained for a period of 5 years following implementation. 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 protect the visual amenities of the area and in the interests of preserving and enhancing the area and contributing positively to green infrastructure.

#### **Condition 16**

Prior to the commencement of any above-ground construction, detail of the proposed surfacing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented only in accordance with the approved details.

**Reason**

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

**Informatives****Note 1**

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 Gloucester City Council Building Control Team on 01452 396771 for further information.

**Note 2**

Severn Trent Water advise that there may be a public sewer located within the application site. Although 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. Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact Severn Trent at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

**Note 3**

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

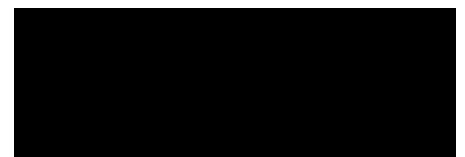
**Note 4**

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 (attached) and ensure its recommendations are complied with.

**Statement of Positive and Proactive Engagement**

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.

**Date: 17th June 2021**



**Head of Place**

**PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET**

Gloucester City Council  
Development Control  
PO Box 3252  
Gloucester  
GL1 9FW

22<sup>th</sup> June 2021

Our ref: 6477

Dear Sir/ Madam

**Re: Worcester Parade, Westgate**

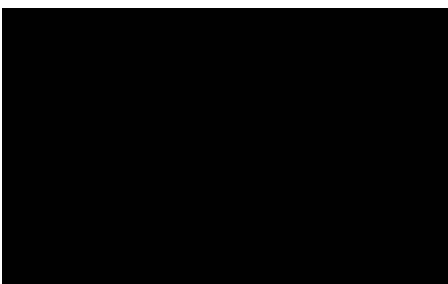
We write with regard to the development of Worcester Parade and in relation for the need to submit a S73 to vary condition 2. The development consisted of the demolition of garages and the erection of 5 Affordable 1-bedroom flats. The scheme has received full planning approval and subsequently all conditions have been discharged. Also, a Non-Material Amendment was approved to relocate the cycle store. The need to submit the application has arisen due to the need to re-align the pedestrian footway.

There has been a series of correspondence with David Millinship discussing the application and what is required to progress this matter further. As such offers have stated that a S73 is now required. We have been in subsequent discussions with Highways regarding the proposal and have reached an agreement with them which offers a safer, more practicable solution.

The attached plan 6477/W/11.P2 details the changes to the footway and the frontage of the building when compared to the recently consented plans 5963-P-10 REV H + NMA 5963-P-10 REV J. 5963-P-10 REV K will supersede the consented plans alongside 6477/W/11.P2. The new pedestrian footway ensures a continuous line along Worcester Parade and onto Sweetbriar Street. The proposed footway will ensure a safer pedestrian crossing and bring the levels in line with 22 Worcester Parade. It should be noted that surrounding land is currently owned by Gloucester City Homes.

Please see attached the information provided sheet for the references to all the submitted documents

Yours faithfully



17th December 2021

Nicola Bickerstaff  
(01452)

[development.control@gloucester.gov.uk](mailto:development.control@gloucester.gov.uk)

Mr Derek Gibbs  
Aqua Construction c/o Gloucester City Homes  
c/o Mr Richard Fellows  
Quattro Design Architects Ltd  
Matthews Warehouse  
High Orchard Street  
Gloucester Quays, Glos  
GL2 5QY

Dear Sir/Madam,

**Condition Reference: 21/00768/CONDIT**

**Location: Worcester Parade Development Worcester Parade Gloucester**

**Planning Ref: 19/00820/FUL**

**Re: Discharge of conditions: 3 (Materials) 4 (Construction management plan) 9 (Archaeology) 10 (Contaminated Land) 12 (Balciny Details) 13 (Cycle Storage) & 16 (Surfacing materials).**

I write with reference to your application for discharge of a conditions 3, 4, 9, 10, 12, 13 and 16 of planning permission 19/00820/FUL.

Information submitted:

- External Materials Schedule: REV P1
- Construction Method Statement prepared by Aqua Construction Ltd
- Archeology report prepared by Cotswold Archaeology - September 2021
- Ground investigation report RS/4726/3
- The submitted cycle storage details

I can confirm that the above details are acceptable and discharge the requirement in the conditions 3, 4, 9, 10, 12, 13 and 16 for prior approval of details. The development must be carried out in accordance with the approved details.

Yours faithfully

**Nicola Bickerstaff**  
Planning Officer