

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

Application number:	22/00173/FUL
Validated on:	14 th February 2022
Site address:	2 St. Oswalds Road
Proposal:	Demolition of existing office building and construction of new office building and associated landscaping works

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:

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

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, and drawing numbers:

- PL05A – Site Plans;
- PL06 – Proposed Roof and Floor Plans;
- PL07 – Proposed Elevations;
- PL08 – Site Layout;
- PL10 – Vehicle Tracking;
- PL011A – Drainage and Flood Mitigation.

Reason

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

Condition 3

No development (including demolition) shall take place until the tree protection barriers and cellular confinement surfacing are provided in accordance with the details of the Arboricultural Survey, Impact Assessment and Tree Protection Details – prepared by MHP Arboricultural Consultants (Version V.1 – 23.03.2021). Thereafter, the tree protection measures and working methods shall be strictly adhered to for the construction phase of the development.

Reason

To ensure that natural features of the site and adjacent are protected in the interests of public amenity in accordance with the aims of policies SD4 and SD6 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policies B3 and E4 of the Gloucester City Plan.

Condition 4

No demolition or development shall start within the application site until a Written Scheme of Investigation of Archaeological Remains (WSI), including a timetable for the investigation, has been submitted to and approved in writing by the local planning authority. As a minimum, 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.

Thereafter, all demolition and construction shall take place in accordance with the approved details of the WSI. 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 approved WSI, 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 in accordance with the aims of policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policies B3 and D1 of the Gloucester City Plan.

Condition 5

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

As a minimum, 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);
- 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 to mitigate against construction noise, odour and dust emissions;
- Methods of communicating the CEMP 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 6

The replacement office building hereby approved shall not be occupied or brought into use until a scheme of tree planting has been implemented within the curtilage of the site in accordance with full details of the species, type, locations and planting/maintenance details that shall first be submitted to and approved in writing by the local planning authority. Thereafter, the new trees shall be maintained for a period of five years from the date of planting in accordance with the approved specifications.

Reason

To ensure that the development provides some natural features and to preserve the character of the street scene and biodiversity value of the site in accordance with the aims of policies SD4, SD6 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policies B3, E2 and E4 of the Gloucester City Plan.

Condition 7

The replacement office building hereby approved shall not be occupied or brought into use until the scheme for the storage and management of surface water within the site has been completed in accordance with the details of approved plan number PL011A – Drainage and Flood Mitigation. Thereafter, the development shall be maintained in accordance with the approved details.

Reason

To ensure the development reduces the risk of flooding at the site and to adjacent land in accordance with the aims of policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policies B3 and E6 of the Gloucester City Plan.

Condition 8

The replacement office building hereby approved shall not be occupied or brought into use until the vehicle manoeuvring areas, electric vehicle charging point equipped car parking spaces, bin and cycle storage areas have been constructed/laid out in accordance with the details of approved plan number PL08 – Site Layout. Thereafter, the development shall be maintained in accordance with the approved details with the car and cycle parking areas kept available for the intended use.

Reason

To ensure the development benefits from sufficient levels of car and cycle parking and contributes to the use of low-carbon modes of transport in accordance with the aims of policies SD4 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policies B3, G1, G2 and G3 of the Gloucester City Plan.

Condition 9

The replacement office building hereby approved shall not be occupied or brought into use until the vehicle access and vehicle crossover has been installed at the carriageway edge and constructed across the footway fronting the site in accordance with the approved drawing number PL10 – Vehicle Tracking. Thereafter, the development shall be maintained in accordance with the approved details.

Reason

In the interests of ensuring a safe access to the site and to protect the safety and operation of the public highway in the locality in accordance with the aims of policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policy B3 of the Gloucester City Plan.

Condition 10

The replacement office building hereby approved shall not be occupied or brought into use until the existing vehicular access to the site (other than that intended to serve the development) has been permanently closed in accordance with details as shown on approved drawing number PL10 – Vehicle Tracking. Thereafter, the development shall be maintained in accordance with the approved details.

Reason

In the interests of ensuring a safe access to the site and to protect the safety and operation of the public highway in the locality in accordance with the aims of policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policy B3 of the Gloucester City Plan.

Condition 11

Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and/or the provisions of the The Town and Country Planning (Use Classes) Order 1987 (as amended) (UCO), the replacement office building hereby approved shall only be used for—

- (i) an office to carry out any operational or administrative functions,
- (ii) the research and development of products or processes, or
- (iii) any industrial process (being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit)...

and for no other purpose within Schedule 2, Part A, Class E of the UCO.

Reason

To prevent future changes of use that (due to the location and nature of the site use) would give rise to unacceptable harm to neighbouring residential amenities, the safety and operation of the public highway and the local environment in accordance with the aims of policies SP2 and SD1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policies A1 and B3 of the Gloucester City Plan.

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. If, at any stage of the development, unexpected contaminated material is encountered you are advised to cease all further works and to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

Note 2

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

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

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

Note 3

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 4

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway.

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

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.



Jon Bishop

Planning and Development Control Manager

Decision date: 11th August 2022

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET