

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

<b>Application number:</b>	22/00072/FUL
<b>Validated on:</b>	15 <sup>th</sup> January 2022
<b>Site address:</b>	2-5 Grosvenor House Station Road
<b>Proposal:</b>	Proposed temporary substation with palisade fencing and GRP housing, and perimeter hoarding

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**

The development hereby permitted shall be carried out in accordance with the drawings on plans referenced;

Proposed site plan – Temp substation 200572 PL-01  
Proposed temporary substation elevations 200572 PL-02  
Detailed plan 200572 PL-03  
Proposed hoarding phase plan 200572 PL-04

except where these may be modified by any other conditions attached to this permission.

**Reason**

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

**Condition 3**

The substation, building and fencing hereby permitted shall be removed and the land restored to its former condition (or to a surface finish in accordance with a separate planning permission or conditions thereof) on or before 1st May 2025.

**Reason**

To preserve the visual amenities of the area in the long term.

**Condition 4**

The substation hereby approved shall only be operated inside a hoarding boundary. The hoarding boundary shall be sited in accordance with the phased drawings shown on plan ref. 200572 PL-04.

**Reason**

To preserve the visual amenities of the area.

**Condition 5**

Prior to the completion in full of replacement temporary taxi rank provision in accordance with the details shown on plan ref. 200572 PL-05 Relocated Taxi Rank (or such alternative temporary provision for taxis, details of which shall have been submitted to and approved in writing by the Local Planning Authority), the development hereby approved shall not be commenced. The development hereby approved shall only be operated for such time as the above replacement or subsequently approved alternative temporary taxi rank provision is available in full.

**Reason**

To ensure continuity of provision for taxis and avoid impacts on highway safety.

**Condition 6**

Construction and demolition work and the delivery of materials shall only be carried out between 0800hours to 1800hours 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 7**

No demolition or development shall start 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:

- The programme and methodology of site investigation and recording.
- The programme for post investigation assessment.
- Provision to be made for analysis of the site investigation and recording.
- Provision to be made for publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of the site investigation
- 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 8**

All demolition and development shall take place in accordance with the 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 7, 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 9**

Excavation within the root protection zone (RPZ) of the London Plane tree to the west of the site (referenced as tree T039 on Haydens Arboricultural Consultants plan ref. 8448-D-AIA) shall be undertaken by hand only, without the use of heavy machinery. The RPZ shall be as per the line of Root Protection Area for tree T039 shown on Haydens Arboricultural Consultants plan ref. 8448-D-AIA.

**Reason**

To ensure adequate protection measures for existing trees to be retained, in the interests of visual amenity and the character and appearance of the area.

**Condition 10**

No development including demolition, site clearance, materials delivery or erection of site buildings, shall start on the site until measures to protect trees on and adjacent to the site have been installed.

These measures shall include:

Temporary fencing for the protection of the 2 no. retained trees on and adjacent to the site whose Root Protection Areas (RPA) (as defined on Haydens Arboricultural Consultants plan ref. 8448-D-AIA) fall within the site or the extent of associated connection works, to be erected in accordance with BS 5837(2012) or subsequent revisions (Trees in Relation to Design, Demolition and Construction). Any alternative fencing type or position not strictly in accordance with BS 5837 (2012) shall be agreed in writing by the Local Planning Authority prior to the start of development. The RPA is defined in BS5837(2012).

Construction Exclusion Zone (CEZ): The area around the 2 no. retained trees on and adjacent to the site shall be enclosed by protective fencing and shall be deemed the CEZ. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, site compounds, cabins or other temporary buildings, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows shall not take place within the CEZ, unless provided for under Condition 9 or as otherwise agreed in writing with the Local Planning Authority.

The tree protection measures shall remain in place until the completion of development or unless otherwise agreed in writing with the Local Planning Authority.

**Reason**

To ensure adequate protection measures for existing trees to be retained, in the interests of visual amenity and the character and appearance of the area.

**Condition 11**

Prior to the commencement of development a schedule of works relating to the temporary road closures associated with the development shall be submitted to and approved in writing by the Local Planning Authority. These measures shall subsequently be implemented in accordance with the approved details.

**Reason**

To ensure that current discussions mitigate impacts on the surrounding highway network.

**Condition 12**

Prior to the commencement of development drawings of the works comprising highway stopping up and highway diversion shall be submitted to and approved in writing by the Local Planning Authority, and the building shall not be occupied until those works have been constructed in accordance with the approved details.

**Reason**

To ensure the safe and free flow of traffic onto the highway.

**Condition 13**

Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan shall include but is not be restricted to:

- 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 access 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;

- Arrangements for turning vehicles;
- 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 in the lead into development both during the demolition and construction phase of the development.

### **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 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**

You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving advertisement and consultation of the proposal(s).

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov](mailto:highwaylegalagreements@gloucestershire.gov).

The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

**Note 5**

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](mailto: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.

**Jon Bishop**

Planning and Development Control Manager

**Decision date: 6<sup>th</sup> May 2022**

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