

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

Application number:	22/00798/OUT
Validated on:	10 th August 2022
Site address:	9 Park Road
Proposal:	Outline planning application with landscaping details reserved for the proposed demolition of former hall and ancillary structures. Redevelopment of the site comprising 9 residential flats with associated bin and bike storage and hard and soft landscaping

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

Condition 1

(a) approval of the details of the landscaping of the site (hereinafter called the "reserved matters") shall be obtained from the City Council.

(b) application for approval of the reserved matters shall be made to the City Council before the expiration of 3 years from the date of this decision.

Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 2

The development hereby permitted shall be begun on or before the expiration of three years of the date of this decision, or 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

Condition 3

The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers:

- 19043-A(GA)EX-001 Rev C – Location Plan
- 19043-A(GA)P-001 Rev D – Proposed Site Plan
- 19043-A(GA)P-300 Rev E – Proposed Elevations Sheet 1
- 19043-A(GA)P-301 Rev D – Proposed Elevations Sheet 2
- 19043-A(GA)P-100 Rev E – Proposed Ground Floor Plan
- 19043-A(GA)P-101 Rev E – Proposed First Floor Plan
- 19043-A(GA)P-102 Rev E – Proposed Second Floor Plan
- 19043-A(GA)P-103 Rev D – Proposed Third Floor Plan
- 19043-A(GA)P-104 Rev D – Proposed Roof Plan
- 19043-A(GA)P-200 Rev E – Proposed Sections

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 4

No development shall start until a detailed design, maintenance and management strategy and timetable of implementation for the surface water drainage strategy presented in the Flood Risk Assessment/Drainage Strategy (Flood Risk Assessment, Project No 21-276-60 Revision 02, Dated 08/11/22, prepared by Calibro) has been submitted to and approved in writing by the Local Planning Authority. The submitted details 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 timetable and shall be fully operational before the development is first put in to use/occupied.

Reason

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

Condition 5

No development shall commence on site until details for the disposal of foul water have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the development.

Reason

To ensure the development is provided with a satisfactory means of drainage. These details are required pre-commencement as the proposals will need to be laid out as approved as an early phase of work.

Condition 6

The development hereby permitted shall not be brought in to use/occupied until a Flood Warning & Evacuation Plan (FWEP) has been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include (but not be limited to) proposals for flood warnings and associated site-specific actions, signage, and emergency access / egress. The plan shall be implemented in accordance with the approved details before the development is first brought into use and thereafter for the lifetime of the development.

Reason

To ensure that the development remains safe for its users over the lifetime of the development.

Condition 7

The ground floor finished floor level of the building hereby permitted shall be set at least at 14.61m AOD.

Reason

To ensure that the development remains safe for its users over the lifetime of the development.

Condition 8

Development shall be carried out and maintained in accordance with the flood resistance / resilience details set out in the Flood Risk Assessment/Drainage Strategy (Flood Risk Assessment, Project No 21-276-60 Revision 02, Dated 08/11/22, prepared by Calibro).

Reason

To ensure that the development has adequate flood resistance / resilience.

Condition 9

No development other than demolition down to ground floor slab level shall take place within the application site until a report outlining the results of a programme of archaeological evaluation has been submitted to and approved in writing by the Local Planning Authority.

Reason

To make provision for a programme of archaeological evaluation, so as to describe the significance of heritage assets of archaeological interest within the site. This is to allow the scheme to be designed in a manner that minimises the impact on archaeological remains.

Condition 10

No development other than demolition down to ground floor slab level 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 11

No demolition below ground floor slab level 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:

- 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 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

The proposed cladding shall be constructed in natural ashlar and brick facing, samples of which 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 14

A sample panel of the proposed lime render shall be prepared on site for inspection and approval in writing by the Local Planning Authority and shall be applied in accordance with the approved specification.

Reason

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

Condition 15

The development shall be carried out in accordance with detailed specification of the proposed windows and doors, at a minimum scale of 1:5 with moulding profiles at full size, including elevations and sections, which have first been submitted to and approved in writing by the Local Planning Authority and the fitted fenestration shall be in accordance with the approved drawings.

Reason

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

Condition 16

All rainwater guttering and downpipes shall be of metal finish details of which have first been submitted to and approved in writing by the Local Planning Authority. Details of the profile and decorative finish of the guttering and downpipes shall be submitted to and approved in writing by the Local Planning Authority prior to installation on site. The guttering and downpipes shall then be installed and maintained for the life of the development in accordance with the approved details.

Reason

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

Condition 17

No work shall start upon the installation of the details below until drawings at a minimum scale of 1:5 with full size moulding cross section profiles, materials and finish have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.

- window and door openings.
- plinths
- stone dressings
- balconies & railings

Reason

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

Condition 18

The building, the subject of this consent, shall not be demolished before a contract for the carrying out of works of redevelopment of the site has been let and planning permission has been granted for the redevelopment for which the contract provides.

Reason

To preserve and enhance the character and appearance of the conservation area by ensuring that there are acceptable proposals for the site.

Condition 19

The windows shown on the approved elevation plans marked '4' 'Opaque glazed windows' shall be constructed so that no part of the framework less than 1.7m above finished floor level of that storey shall be openable. Any part below that level shall be fitted with, and retained in, obscure glazing (Pilkington level 4 or equivalent).

Reason

To preserve the amenities of nearby residents.

Condition 20

Except where for the area identified as a 'balcony' on the approved Proposed third floor plan ref. 19043- A(GA)P-103 Rev. D, no roof space of the development shall be used as a roof terrace.

Reason

To protect the amenities of residents of occupants of nearby premises.

Condition 21

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 immediately to the Local Planning Authority. The applicant is advised to immediately seek the advice of an independent geo-environmental consultant experienced in contaminated land risk assessment, including intrusive investigations and remediation.

No further works should be undertaken in the areas of suspected contamination, other than that work required to be carried out as part of an approved remediation scheme, unless otherwise agreed by the Local Planning Authority, until requirements 1 to 4 below have been complied with:

1. Detailed site investigation and risk assessment must be undertaken by competent persons in accordance with the Environment Agency's 'Land Contamination: Risk Management' guidance and a written report of the findings produced. The risk assessment must be designed to assess the nature and extent of suspected contamination and approved by the Local Planning Authority prior to any further development taking place.
2. Where identified as necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
3. The approved remediation scheme must be carried out in accordance with its terms prior to the recommencement of any site works in the areas of suspected contamination, other than that work required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
4. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings on site.

Reason

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

Condition 22

Full details of any soil or soil forming materials brought on to the site for use in garden areas, soft landscaping, filling and level raising must be provided. Where the donor site is unknown or is brownfield, the material must be tested for contamination and suitability for use on site. Full donor site details, proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) must be submitted to and approved in writing by the Local Planning Authority prior to import on to the site.

The approved testing must then be carried out and validatory evidence (such as laboratory certificates) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought on to site.

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.

Condition 23

The first reserved matters application submitted pursuant to Condition 1 shall be accompanied by a landscaping scheme. The submitted design shall include scaled drawings and a written specification clearly describing the species, sizes, densities, planting number of all trees, hedgerows, and other landscaping features to be planted, the provision of root protection barriers, a specification of the details for the tree planting pits, the areas to be grassed and the treatment of any hard-surfaced areas.

Reason

To ensure a satisfactory and well-planned development and to preserve, enhance the quality of the environment and to enhance the biodiversity of the area.

Condition 24

The landscaping scheme submitted in accordance with Condition 23 shall include a timetable for planting and maintenance schedules and shall be completed no later than the first planting season following the completion of the development. If within a period of five years from the date of planting any trees, shrubs or other plants, or any tree planted in replacement, are removed, uprooted, destroyed, or die, or become, in the opinion of the Local Planning Authority, seriously damaged or defective, they 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 25

No dwelling shall be occupied until, details of an A4 sized colour leaflet and its method of distribution to each dwelling upon that dwelling's particular occupation, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include but not be limited to:

- i. the location and sensitivities of the Cotswold Beechwoods SAC,
- ii. how to avoid negatively affecting it,
- iii. alternative locations for recreational activities and off-road cycling, and
- iv. signposting of longer circular walks,
- v. how copies of the leaflet will be circulated with homeowner sales packs, and
- vi. recommendations for dog owners for times of year dogs should be kept on lead when using sensitive sites.

The approved details shall be implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason

To ensure no adverse effects on the integrity of the Cotswolds Beechwoods SAC and the Severn Estuary SPA, SAC, and Ramsar Site as a result of the development.

Condition 26

Prior to the first occupation of the development, a scheme of seagull mitigation measures 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 27

The development hereby permitted shall not be occupied until the cycle/bin storage facilities have been made available for use in accordance with the submitted plan drawing no. 19043-A(GA)P-100 REV E and those facilities shall be maintained for the duration of the development.

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 28

The development hereby approved shall not be occupied until the applicant has submitted to and approved in writing from the Local Planning Authority a residential welcome pack promoting sustainable forms of access to the development. The pack shall be provided to each resident at the point of the first occupation of the dwelling.

Reason

To reduce vehicle movements and promote sustainable access.

Condition 29

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/statement shall include but 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.

Condition 30

Construction and demolition work and the delivery of materials shall only be carried out between the hours of 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.

Note 1

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.

Note 2

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 principal 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.

Note 3

Severn Trent Water advise that there is a public 225mm combined sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact 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, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

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 us 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 4

When all of the building works have been completed the Waste Collection Supervisors will need to carry out a H&S site inspection before they will agree to installing waste facilities and collections.

If the site does not align with their H&S criteria, they will not agree to install waste facilities and collections, further works will need to be carried to align with the Supervisors H & S requirements.

Note 5

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 6

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 7

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.



Jon Bishop

Planning Development Control Manager

Decision date: 21st December 2022

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET