



Stroud District Council

Town and Country Planning Act, 1990 (As amended)

**Planning
Permission**

Under the above Act the District Council as Local Planning Authority HEREBY GRANTS Planning Permission for the development described below in accordance with the submitted application and accompanying plan(s) but subject to the conditions stated:

Agent:

Mr David Lowin
Ropemaker Court
12 Lower Park Row
Bristol
BS1 5BN

Applicant:

Sainsbury's Supermarkets Ltd
33 Holborn
London
EC1N 2HT

Planning Ref:S.09/0209/FUL

Application Date: 05/02/2009

Site No: 16278

Dated: 22/07/2009

Description of Land

Sainsbury Supermarket, Dudbridge Road, Stroud, Gloucestershire

Description of Development

Erection of extension. Construction of pedestrian foot bridge. Demolition/dismantlement of existing stone arch and adjoining wall to facilitate erection of a "Sainsbury's -To-You" pod. Arch to be re-assembled within store extension.

Rodborough Parish Council 383498 204572

Conditions attached to permission and reasons therefor:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of the visual amenities of the area and to comply with Policy BE6 of the Stroud District Local Plan, November 2005.

3. Prior to commencement of development plans shall be submitted to and approved in writing by the Local Planning Authority, showing full details of all highway works required in association with the introduction of making Selsley Hill One-way from Dudbridge Road, together with the implementation of a contra-flow cycle lane on the eastern side of Selsley Hill, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

In the interests of highway safety and to comply with Policy GE5 of the Stroud District Local Plan, November 2005.

4. Prior to commencement of development, the highway works approved in compliance with condition 3 of this permission, shall be completed in all aspects unless otherwise agreed in writing with the Local Planning Authority.

Reason:

In the interests of Highway Safety and to comply with Policy GE5 of the Stroud District Local Plan, November 2005.

IMPORTANT NOTES –SEE OVERLEAF



Philip Skill
Head of Planning

Duly Authorised in that behalf

5. Prior to the bringing into use of the development hereby permitted, the parking and cycle parking shown on the approved plans shall be completed in all aspects, and shall be maintained as such thereafter

Reason:

In the interests of Highway Safety and to comply with Policy GE5 of the Stroud District Local Plan, November 2005.

6. No site works shall commence until such time as a temporary car parking area for site operatives and construction traffic has been laid out and constructed within the site in accordance with details previously submitted to and agreed in writing with the Local Planning Authority and that area shall be retained available for that purpose for the duration of building operations.

Reason:

To ensure that the access roads in the vicinity of the development are kept free from construction traffic in the interests of highway safety and to comply with Policy GE5 of the Stroud District Local Plan, November 2005.

7. Prior to the commencement of the development hereby permitted details of the specification and positioning of fencing and of any measures to be taken for the protection of any retained tree from damage before or during the course of the development (Tree Protection Works) shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt a retained tree means an existing tree that is to be retained in accordance with the approved plans.

Reason:

In the interests of the health and amenity of the trees and to comply with Policy NE11 of the Stroud District Local Plan, November 2005.

8. No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, and demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the Tree Protection Works approved in compliance with condition 7 of this permission have been erected in strict accordance with the approved scheme. These works shall then be maintained for the duration of the development.

Reason:

In the interests of the health and amenity of the trees and to comply with Policy NE11 of the Stroud District Local Plan, November 2005.

9. No excavations for services, storage of materials or machinery, parking of vehicles, deposits or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved tree protection works scheme.

Reason:

In the interests of the health and amenity of the trees and to comply with Policy NE11 of the Stroud District Local Plan, November 2005.

10. No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a pre-start meeting with the Local Authority tree officer and the main contractor has been agreed and taken place.

Reason:

In the interests of the health and amenity of the trees and to comply with Policy NE11 of the Stroud District Local Plan, November 2005.

11. Prior to the commencement of the development hereby permitted, a wildlife survey to assess the presence of water voles and otters within the application site shall be submitted to and approved in writing by the Local Planning Authority. The survey shall be carried in accordance with the recommendations contained in the approved document entitled 'Extended Phase 1 Habitat' dated November 2008 prepared by WYG Environment and shall include a full assessment as to the impact of the development on these species, any proposed mitigation works and a timetable for their implementation. The works shall then be carried out in strict accordance with the approved scheme and maintained as such thereafter.

Reason:

To safeguard any identified protected species in accordance with Planning Policy Statement 9.

12. Prior to the bringing into use of the development hereby permitted a bus shelter shall be provided adjacent to the northern elevation of the supermarket in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To promote the use of sustainable modes of transport to access the facility.

Informatives:

1. For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reasons for the Council's decision are summarised below together with a summary of the Policies and Proposals contained within the Development Plan which are relevant to this decision:

Subject to conditions, the proposal complies with the provisions of Policies GE1, GE5, GE7, BE5, BE6, BE12, BE14, NE4, NE11 and TR1 of the Stroud District Local Plan, November 2005. These policies seek to ensure there is no unacceptable impact upon the amenity of local residents, highway safety, the setting of the Conservation Area or listed buildings, archaeological remains, nature conservation, protected trees or flood risk. Provision will be made for local infrastructure.

2. The Local Highway Authority will require the developer to enter into a legally binding agreements to secure the proper implementation of the proposed highway works including an appropriate bond.

NOTES

1. If the applicant is aggrieved by the decision of the District Council as Local Planning Authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act, 1990, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN. When lodging an appeal a copy must also be sent to the Head of Development Services, Council Offices, Ebley Mill, Westward Road, Ebley, Stroud, GL5 4UB.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the District Council as Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

2. If the permission to develop land is granted subject to conditions, whether by the District Council as Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council a purchase notice requiring the District Council to purchase his interest in the land in accordance with the provisions of Sections 137-144 of the Town and Country Planning Act, 1990.
3. In certain circumstances, a claim may be made against the District Council as Local Planning Authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act, 1990.
4. This permission relates to planning control only. Any other statutory consent necessary must be obtained from the appropriate authority. Building Regulations consent for the development may be necessary and you should approach the Building Control Department at the District Council for information.
5. If the work authorised by this permission involves the alteration to an access or the crossing of the highway verge or kerb, you are requested to consult the County Divisional Surveyor before commencing such work. The address of the Divisional Surveyor may be obtained from the County Surveyor, Shire Hall, Gloucester, GL1 2TH.
6. If the work authorised by this permission requires the supply of utility or other public services, you are requested to contact the appropriate statutory or other undertaker as soon as possible following the receipt of this decision. Failure to do so may result in a delay in the provision of these services.
7. Attention is drawn to the fact that any failure to adhere to the details of approved plans or to comply with conditions attached to this permission constitutes a contravention of the provisions of the Town and Country Planning Act, 1990 in respect of which enforcement action may be taken. Development begun after five years from the date of this permission is unauthorised development in respect of which enforcement action may also be taken.
8. Any further information concerning this decision can be obtained from the Head of Development Services, Council Offices, Ebley Mill, Westward Road, Ebley, Stroud, GL5 4UB. Please quote the Reference Number on this permission in any correspondence.