

**LATE PAPERS FOR DEVELOPMENT CONTROL COMMITTEE**  
**20 March 2018**

ITEM No: 01	Application: S.17/1231/FUL
<b>Address:</b> Penn Wood Lodge, Wotton Road, Kingswood, Wotton-Under-Edge	

**Reason for refusal**

Due to the rural location, outside the settlement limit of a lower tier village, the proposal would represent a spread of development into the countryside, poorly connected to Kingswood village, which has limited facilities. As the proposal does not fall within the categories of development allowed in a rural area, the presumption in favour of determination in accordance with the development plan is not outweighed by the benefits of the scheme. Therefore, the proposal does not represent sustainable development leading to substantial car use and is contrary to Policies CP1, CP2, CP3 and CP15 of the Stroud District Local Plan adopted November 2015 and Policies SL1, SL2 and GSC1 of the Kingswood Neighbourhood Development Plan (2017).

**Informative - Plans considered**

Received on 26 May 2017

Site Location Plan 6.148 DWG7 Rev A

Basement Plan 6.148 DWG2 Rev A

Proposed Ground Floor Plan 6.148 DWG3 Rev A

Proposed First Floor Plan 6.148 DWG3 Rev A

Proposed Elevations 6.148 DWG5 Rev A

Proposed Sections & Roof Plan 6.148 DWG6 Rev A

Bin Store & Fencing 6.148 DWG9 Rev A

Received on 26 Feb 2018

Revised Landscaping Plan 6.148 DWG8 Rev C

Received on 28 Feb 2018

Revised Proposed Site Layout 6.148 DWG1 Rev E

Access Layout 18094 C-50 Rev A (amended version received 11.40)

**Additional comment from Kingswood Parish Council**

**Parking below the standard set out in the Local Plan.**

This should be addressed by the design and parking should meet the Local Plan standard and the NDP requirements in line with policy T6a and not just be left to chance. As Highways state the end user could change and they may not be so amenable to providing the required parking.

**Automated Number Plate Recognition Camera (ANPR)**

The comments made by Highways in connection with the ANPR that it is a data collection tool and not used for controlling speeding is incorrect.

Managing speeding within rural communities is one of the Police Commissioners stated objectives. Kingswood Pc along with Rodborough and Whiteshill Parish Councils has or are installing ANPR camera. The Police have recruited 2 extra staff to help with enforcement of speeding issues as a result of using the evidence from the ANPR cameras. The 2 members of staff will target vehicles as a direct result of the information supplied by the cameras and will issue Fixed Penalty Notices. It is hoped these officers will carry out 4/5 enforcement jobs a day. Please see notes of a recent

meeting attended by KPC and the Inspector Sarah Blake from Stroud Police. Daniel Tiffney has been involved in this project and the Highways Manager for Kingswood has Paul Helbrow has communicated with Daniel on this project. It appears that Highways Development Officers are not aware of this project.

At a recent meeting attended by the Highways Officer, applicant, Planning Officer and the Parish Council, the Highways Officer stated that the applicant had to provide a safe access to the site. The Highway Officer also pointed out that the speed of the vehicles on Wotton Road is 40mph not the prescribed speed of 30mph. Therefore the provision of a method of enforcing the speed limit is directly related to the safe access to the site. The Highways Officer also dismissed any engineering solutions to control the speed although has allowed a double white line so that no overtaking can take place in the vicinity of the access. However this does nothing to control the speed. The provision of an ANPR camera is therefore directly linked to the development and in line with policies of the NDP.

It is would be very important that para 11.56 of the NDP is upheld.

*“The following policy addresses the need for appropriate **speed management both within new developments and on key routes through the village that developments will rely upon for access**”*

ITEM No: 02	<b>Application: S.17/2843/REM</b>
<b>Address:</b> Land West Of Stonehouse, Grove Lane, Westend, Stonehouse	

### **Updated description of development**

Approval of reserved matters for the primary infrastructure including the spine road, drainage and part of the green infrastructure adjacent to parcel H21 from planning permission S.14/0810/OUT.

The description of development has been updated to make it clear that the application relates to the primary infrastructure only including part of the spine road, the drainage and part of the landscaping infrastructure adjacent and through parcel H21. The details of the housing layout of parcel H21 are not part of this application and will be submitted separately for approval.

### **Highways**

The principle of the road layout has been established by the indicative details at outline stage and the approval at last committee of the ‘mini master plan’ for this parcel. This application seeks approval for the technical highway details with cycle and pedestrian provision being part of the spine road submission.

Further parcel related details will be submitted within a subsequent details housing reserved matters application.

### **Drainage**

The drainage has been design in accordance with the details contained within the approved Flood Risk Assessment submitted in support of the outline planning application (S.14/0810/OUT).

SDC Drainage Engineer is satisfied with the submitted details.

### **Green infrastructure**

The submitted details include the primary green infrastructure for parcel H21. This includes a bund with tree planting to the East adjacent to the neighbouring employment parcel and also the landscaping for the open space adjacent to the drainage area and existing hedge/stream corridor.

The Highway Authority are not keen on trees within the adopted areas of highway. Therefore, to achieve a tree lined nature to this part of the spine road, trees and planning have been provided within the adjacent open space and can be appropriately managed by the open space management arrangements. With the exception of the road width, the existing hedgerow corridor has been retained and enhanced linking into the public open space.

Assessment of the sound attention of the proposed bund will form part of the housing reserved matters to follow shortly. This will assess the effectiveness of this mitigation on the noise between the residential and employment areas.

SDC Senior Biodiversity Officer is satisfied with the submitted details.

<b>ITEM No:</b> 03	<b>Application:</b> S.17/1987/OUT
<b>Address:</b> Dudbridge Industrial Estate, Dudbridge Road, Stroud, Gloucestershire	

**County Highways:** No objection

**SDC Canals team:** No objection

**County Lead Flood Authority:** No objection

**Cainscross Parish Council:** Support but request:

The Parish Council are working hard to raise funds to demolish the old Pavilion at Victory Park and build a new community hub containing changing rooms, a community hall and Parish Council Offices. At present we are approximately £100,000 short of our £670,000 target and therefore we would like to request an off- site recreation contribution to use towards this project.

We also note that there is potential for the re-development of Tricorn House and again we would like to request an off -site recreation contribution should this go ahead.

As you are no doubt aware, Cainscross Parish is traditionally viewed as the drive through between the towns of Stroud and Stonehouse and is a much divided Parish consisting of four very separate wards. Building a new community hub which is easily accessible from all the wards will give the area a much needed meeting place, a centre for the community and help to unite this Parish.

### **Letter from agent. (Appendix 1)**



ltr Stroud DC  
13.03.18.pdf

### **Letter of Objection (Appendix 2)**



Letter to John  
Longmuir - Dudbridge

Draft conditions from Officers as below. These are not agreed with agents and are extremely complex and potentially conflicting. In the circumstance officer's request delegated powers to amend/ add/delete:

### **Conditions:**

1. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans:  
Proposed demolition plan  
Lidl elevations 1689/P/07

Reason:

To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.

Note see below on “indicative site plan”

2. Notwithstanding the title of the submitted layout P16/1427\_01/J/2 received in March 2018, this layout shall form the basis for the reserved matters submission.

Reason:

To confirm that it is not an indicative plan. The replacement of demolished structures is critical to the character of the Conservation Area and this needs to be undertaken appropriately in accordance with Policy ES10 of the adopted Stroud District Local Plan.

3. Details of the scale, and appearance of the site (hereinafter called the “reserved matters”) within each part of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced within that reserved matters area.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

4. The development hereby permitted shall begin not later than two years from the date of approval of the last reserved matters to be approved.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

5. Of the development hereby permitted, no more than 20% of the net tradable floorspace shall be used for the sale of comparison goods.

Reason:

To ensure that there is no impact on adjacent town centres in accordance with Policies CP12 and E19 of the adopted Stroud District Local Plan.

6. The total net retail sales area of the development hereby permitted shall not exceed 1,325sqm.

Reason:

To ensure that there is no impact on adjacent town centres in accordance with Policies CP12 and E19 of the adopted Stroud District Local Plan.

7. The premises shall not be open for customer business between the hours of 2200 and 0800 hours on Monday to Saturday and 1700 and 1000 on Sundays.

Reason:

To ensure that there is no impact on adjacent town centres in accordance with Policies CP12 and E19 of the adopted Stroud District Local Plan.

8. The service yard to the food store shall be erected and managed in accordance with the submitted noise assessment report.

Reason:

To minimise nuisance in accordance with Policy ES3 of the adopted Stroud District Local Plan

9. Prior to the demolition of any particular building or part of a building, a contract for the construction of the replacement building by the particular builder shall be agreed and signed. It shall be copied to the Local Planning Authority for approval of its authenticity. The demolition shall then only proceed when the authenticity of the contract has been confirmed.

Reason:

To ensure replacement of structures in the interests of the character of the Conservation Area in accordance with adopted Stroud District Local Plan Policy ES10

10. The buildings annotated on the proposed demolition plan for retention shall be retained as such. They shall be restored and reused thereafter in accordance with a prescribed timescale and methodology submitted to and approved by the Local Planning Authority, prior to any demolition other than required by the foodstore footprint and car park. The restoration works shall be carried out in accordance with the approved timescale.

Reason:

To confirm the reuse, adaption and restoration of the buildings in the interest of the Conservation Area in accordance with Policy ES10 of the adopted Stroud District Local Plan.

11. Prior to any demolition of the Building J as annotated on the submitted demolition plan, details of the rebuilding of the southern and eastern elevations, as indicated on the layout, shall be submitted to and approved by the Local Planning Authority. These details shall include the precise timescale for such rebuilding works. The rebuilding shall then take place in accordance with the approved timescale.

Reason:

To confirm the reuse, adaption and restoration of the buildings in the interest of the Conservation Area in accordance with Policy ES10 of the adopted Stroud District Local Plan.

12. Prior to the first opening of the foodstore, a 3m high wall shall be erected along the southern extent of the foodstore car park, in accordance with details submitted to and approved by the Local Planning Authority.

Reason:

To ensure a satisfactory appearance in accordance with Policy ES10 of the adopted Stroud District Local Plan.

13. Prior to the submission of any reserved matters a design code shall be submitted to the Local Planning Authority for the entire site except for the area occupied by the foodstore and its car park. The reserved matters details shall strictly accord with the approved design code. The code shall include methodology for the elevations, details, heights, materials, parking, boundary treatment, sustainability and pedestrian movement.

Reason:

To ensure a satisfactory appearance in accordance with Policy ES10 of the adopted Stroud District Local Plan.

14. 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:

It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), Schedule 2 , Parts 1 Classes A, B, C, D, F, no changes, structures, alterations shall be made.

Reason:

To ensure a satisfactory appearance. This is a high density scheme within a conservation area so appearance and amenity will need careful consideration in accordance with Policies ES3 and ES10 of the adopted Stroud District Local Plan.

16. Prior to the construction of any walling, samples of all walling, roofing, fenestration shall be submitted to the Local Planning Authority for approval. The walling, roofing and fenestration shall be carried out in accordance with the approved samples.

Reason:

In the interest of the character of the area.

17. Prior to the construction of any walling, sample panels of all walling shall be erected on site for approval by the Local Planning Authority. The walling shall be carried out in accordance with the approved panels.

Reason:

In the interest of the character of the area.

18. Prior to the occupation of the 90<sup>th</sup> dwelling details of an interpretation board showing the history of the site shall be submitted to the Local Planning Authority for approval. The details shall include a timescale for implementation. The board shall be installed in accordance with the submitted details and retained as such thereafter.

Reason:

To depict the history of the site, in accordance with NPPF paragraph 137.

19. Prior to the demolition of any building, a strategy for the reuse of all demolished material shall be submitted to the Local Planning Authority for approval. The new building shall reuse all materials in accordance with the approved strategy.

Reason:

In the interests of sustainability, whilst recognising that some material may be contaminated and may have to be removed from the site.

20. Prior to the occupation of the 80<sup>th</sup> dwelling, a play area shall be provided to the size and location shown on the submitted layout, in accordance with details submitted and approved by the Local Planning Authority beforehand. The details shall include play equipment, surfacing, seating and fencing. It shall be retained the rafter and managed/maintained in accordance with details submitted and approved by the Local Planning Authority prior to occupation of the 80<sup>th</sup> dwelling.

Reason:

To ensure some recreational provision for residents.

21. Prior to the occupation of the first dwelling details/arrangements of the management for all areas outside domestic curtilages shall be submitted to and approved by the Local Planning. The management of all these areas shall then follow from the outset in accordance with the approved details.

Reason:

To ensure a satisfactory appearance in accordance with CP14 of the adopted Stroud District Local Plan, November 2015.

22. The development hereby permitted shall not be commenced until details of a scheme of hard and soft landscaping for the site (including boundary treatments) has been submitted to and approved by the Local Planning Authority. This shall include the type, height and position of the proposed boundary treatments, road surfacing, footpath surfacing, the species and size of planting, planting distances/densities and methodology.

Reason:

To ensure a satisfactory appearance in accordance with CP14 of the adopted Stroud District Local Plan, November 2015.

23. All hard and soft landscape works shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved or in accordance with a programme submitted to and approved by the Local Planning Authority.

Reason:

To ensure a satisfactory appearance in accordance with CP14 of the adopted Stroud District Local Plan, November 2015.

#### Hydrology

To be advised by the Environment Agency but likely to include:

Implementation of flood channel

Maintenance/retention of flood channel

Flood levels

#### Highways

24. The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the accesses measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 62m north (the Y point). The area between those splays and the carriageway shall be reduced in level and thereafter

maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.6m and 2.0m at the Y point above the adjacent carriageway level.

Reason:

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework paragraph 35 and Local Plan policy CP13.

25. No development shall commence until a suitable pedestrian crossing assessment is provided accounting for LTN 1/95, LTN 2/95 and DMRB HD 42/17 demonstrating the demand for pedestrian movements across Dudbridge Road north of the foodstore site access and south of the Cainscross roundabout, with an appropriate pedestrian crossing provided based on details submitted and agreed to the Local Planning Authority.

Reason:

To ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework and the development is designed to give priority to pedestrian movements in accordance with paragraph 35 of the National Planning Policy Framework and policy CP13 of the Local Plan.

26. No proposed use shall commence or dwelling shall be occupied until the southbound bus stop on Dudbridge Road between the site access and Dudbridge Hill roundabout is upgraded including a shelter, suitable road markings, signage and real time information, and the bus stop slightly east of Dudbridge Hill roundabout with real time information, signage and suitable road markings according to details submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework and provide access to high quality public transport facilities in accordance with paragraph 35 of the National Planning Policy Framework and policy CP13 of the Local Plan.

27. Details of the layout and access, (hereinafter called "the reserved matters") for the residential element of the site shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footways and shared surface roads to surface course level.

Reason:

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework paragraph 35 and Local Plan policy CP13.

28. The foodstore use on the development shall not be occupied or use commenced until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason:



To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework paragraph 35 and Local Plan policy CP13.

29. The foodstore use on the development shall not be occupied or use commenced until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason:

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework paragraph 35 and Local Plan policy CP13.

30. No development shall commence on site until a scheme has been submitted for the provision of fire hydrants for the benefit of the commercial development in a location agreed with the Council and should meet the requirements of Building Regulations Approved Document B Volume 2 Sections 15 &16 (Fire Hydrants/Water Supplies and Vehicle Access). The commercial development buildings shall not be occupied until the hydrants have been provided to the satisfaction of the Council.

Reason:

To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

31. No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason:

To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

32. The foodstore use hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in general accordance with the submitted plan 1689/PA04, and those facilities shall be maintained available for those purposes thereafter.

Reason:

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraph 35 and Local Plan policy CP13.

33. The details to be submitted for the approval of reserved matters for the outline residential element shall include vehicular parking and turning and loading/unloading facilities within the site, and the building(s) hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

Reason:

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the with the paragraph 35 and Local Plan policy CP13.

34. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason:

To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

35. Notwithstanding the submitted details the proposed foodstore development shall not commence until details of a direct step free pathway link for non-motorised users between the site and the canal towpath on the northern side of the site have been submitted to and approved by the Local Planning Authority. The pathway link shall be provided according to be approved details prior to occupation or use commencement.

Reason:

To ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework and the development is designed to give priority to non-vehicular movements in accordance with paragraph 35 of the National Planning Policy Framework and policy CP13 of the Local Plan.

36. Notwithstanding the submitted details the proposed residential development shall not commence until details of a direct step free pathway link for non-motorised users between the site and the canal towpath on the northern side of the site have been submitted to and approved by the Local Planning Authority. The pathway link shall be provided according to be approved details prior to occupation.

Reason:

To ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework and the development is designed to give priority to non-vehicular movements in accordance with paragraph 35 of the National Planning Policy Framework and policy CP13 of the Local Plan.

37. Notwithstanding the submitted plans tactile pedestrian crossings over the proposed site accesses on Dudbridge Road shall be provided prior to occupation.

Reason:

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the with the paragraph 35 and Local Plan policy CP13.

38. Prior to occupation of the 90<sup>th</sup> dwelling, two public thoroughfares, minimum 3m width shall be maintained and retained unhindered between the canal towpath and the nearest publically adopted road. They shall be surfaced in accordance with samples submitted to and approved

by the Local Planning Authority. No fencing or other obstruction shall be erected. Their future upkeep maintenance shall be carried out in accordance with details approved by the Local Planning Authority prior to the 90<sup>th</sup> dwelling being occupied.

Reason:

To encourage public access to the canal towpath in the interests of sustainability.

39. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall:

Specify the type and number of vehicles

Provide for the parking of site operatives and visitors

Provide for the loading and unloading of plant and materials

Provide for the storage of plant and machinery

Measures and provision for the wheel washing of all vehicles leaving the site on every occasion.

Measures to protect ecology based on the submitted by the consultant ecology.

Measures to comply with the submitted report on noise limitation from the foodstore.

Reason:

To minimise disruption to amenity in accordance with Policy ES3 of the adopted Stroud District Local Plan

40. No construction site machinery or plant shall be operated, no process shall be carried out and no construction-related deliveries taken at or dispatched from the site except between the hours 08:00 and 18:00 on Mondays to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason:

In the interest of amenity

41. The development, including the demolition phase, shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the Local Planning authority.

Reason:

In the interest of amenity

42. All external lighting shall be installed with details submitted to and approved by the Local Planning Authority beforehand. No other external lighting shall be installed.

Reason:

To minimise light spillage and to protect ecology in accordance with paragraphs 125 and 118 of the NPPF.

43. The supermarket car park shall be closed off and made in accessible at all times when the building is not occupied by staff.

Reason:

To prevent antisocial behaviour in accordance with NPPF paragraph 58.

44. The development hereby permitted shall not begin until a scheme to deal with ground contamination, controlled waters and/or ground gas has been submitted to and approved by the Local Planning Authority. The scheme shall include all of the following measures:

1. A Phase 1 site investigation carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites –Code of Practice.
2. If identified as required by the above approved phase 1 site investigation report, a phase 11 intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS10175:2011 Investigation of potentially contaminated sites-code of practice. Where required, the report shall include a detailed quantitative human health and environmental risk assessment.
3. If identified as required by the above Phase 11 intrusive investigation report, a remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end –point of the remediation should be stated, such as site contaminant levels or a risk management action, as well as how this will be validated. No deviation shall be made from this scheme without prior written approval from the Local Planning Authority.

No part of the development hereby permitted shall be occupied until:

4. Any previously unidentified contamination encountered during the works has been fully assessed and an appropriate remediation scheme submitted to and approved by the Local Planning Authority.
5. A verification report detailing the remediation works undertaken and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology has been submitted to and approved by the Local Planning Authority. Details of any post remedial sampling and analysis to show that the site has reached the required clean up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason:

To protect the health of future users of the site from any possible effects of contaminated land in accordance with the guidance within the NPPF in particular paragraph 120.

45. No demolition shall take place until the applicant, or their agents or successors in title, has carried out a programme of building recording work undertaken by a person or body approved by the Local Planning Authority in accordance with a written scheme of investigation to be submitted to and approved by the Local Planning Authority. Two copies of the final report shall be lodged with both the National Monuments Records in Swindon and the County Records Office in Gloucester. An electronic copy shall be submitted to the Local Planning Authority.

Reason:

It is important to agree a programme of historic building recording in advance of the commencement of development, so that a record can be made before the demolition of any buildings. The recording will advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework.

**Informatives -**

1. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of smoke/fumes and odour during the demolition and construction phases of the development by not burning materials on site. It should also be noted that the burning of materials that give rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke complaints be received.
2. The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.
3. The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.
4. The applicant is advised that to discharge the street management and maintenance condition that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
5. The development may include a retaining wall adjacent to the highway and the Applicant/Developer is required to have regard to Section 167 of the Highways Act 1980, which in some circumstances requires plans, sections and the specification of the retaining wall to be submitted to the County Council for its separate approval before works on the development can commence.
6. The retail conditions reflect the consideration of this particular scheme at this particular time.