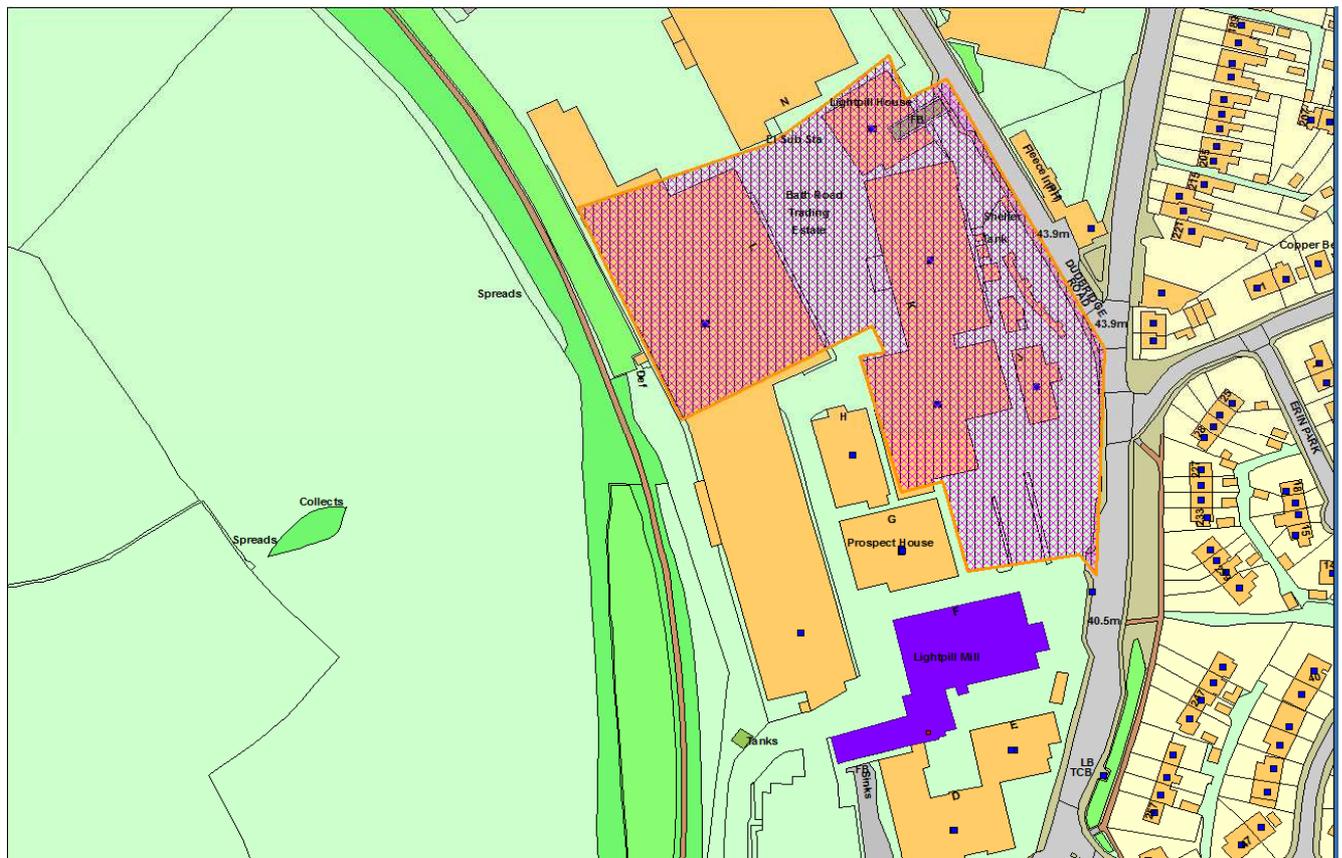




Development Control Committee Schedule 25/04/2017

Item No:	01
Application No.	S.17/0557/FUL
Site No.	PP-05883453
Site Address	Bath Road Trading Estate, Bath Road, Stroud, Gloucestershire
Town/Parish	Rodborough Parish Council
Grid Reference	383956,203940
Application Type	Full Planning Permission
Proposal	The reconfiguration and refurbishment of existing industrial units (L4A-L4D) to provide 2,193sqm modern Class B2 industrial floorspace, together with the demolition of vacant existing buildings and the erection of a Class A1 discount food store (1,918sqm gross), with associated access, car parking and landscaping.
RECOMMENDATION	PERMISSION
Call in Request	Councillor Tom Williams



Applicant's Details	Aldi Stores Limited & Wagner Developments Ltd C/O Agent
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Development Control Committee Schedule 25/04/2017

Agent's Details	Mr Alan Williams Planning Potential, 13-14 Orchard Street, Bristol, BS1 5EH,
Case Officer	John Chaplin
Application Validated	08.03.2017
CONSULTEES	
Comments Received	The Environment Agency (E) Parish / Town Stroud Town Council Cainscross Parish Council Stonehouse Town Council Development Coordination (E) Flood Resilience Land Drainage Environmental Health (E) Contaminated Land Officer (E) Archaeology Dept (E) Historic England SW
Not Yet Received	Nailsworth Town Council
Constraints	
OFFICER'S REPORT	

MAIN ISSUES

- o Employment Protection & Opportunities
- o Retail Impact
- o Design And Appearance
- o Highways
- o Landscape Impact
- o Environmental Health
- o Residential Amenity
- o Ecology
- o Hydrology And Flooding
- o Obligations

DESCRIPTION OF SITE

The application site is 1.42ha located within part of the Bath Road Trading Estate adjacent to the junction between the Dudbridge Road and Bath Road (A46). The site includes the current auction house building, the row of industrial buildings to the rear and the vacant 1960's office tower but has been extended from the previous application to include additional part of the trading estate currently known as Units L4A - L4D.



Development Control Committee Schedule 25/04/2017

These additional commercial buildings have a 'saw-tooth' roof design and comprise a terrace of 3 industrial units with a further larger 4th unit is behind. These units are in a dilapidated state and are in need of upgrade.

The remainder of Bath Road Trading Estate is made up of a mix of light industrial, office and warehouse space. The site is within the Industrial Heritage Conservation Area and the grade II Listed Lightpill Mill which is part of the Trading Estate is located to the South of the site.

The site is approximately 1.5km from the defined town centre boundary and is within the Stroud Urban Area. The site is also located just outside the Cotswolds Area of Outstanding Natural Beauty but with the intervisibility of the steep Stroud Valleys the site is visible especially from Selsley and Rodborough Commons.

PROPOSAL

This is a full application with the proposal includes the refurbishment and reconfiguring of part of the existing commercial buildings and the demolition of the current auction house building, a row of industrial buildings and the 1960's office tower to provide a new retail store.

The refurbishment of the existing buildings includes the demolition of unit L4C to create a new courtyard access to the larger unit L4B and new facade to these units.

The proposed Class A1 foodstore has a 1,918 sq m gross floor area. ALDI are the applicant and the store has been designed to meet the particular needs of a deep discounter, which has a different business model compared, with main stream larger supermarkets like a Sainsbury or Asda.

The proposed building has a mono pitched overhanging roof which drops away from Dudbridge Road. The main customer facing elevation (South) has a large amount of glazing and a canopy with the other elevations mainly broken up by different colour cladding.

The scheme includes a 120 space car park and landscaping. Alterations to the shared Bath Road Trading Estate and a revised pedestrian crossing are also part of the proposal.

REVISED DETAILS

Further highway details submitted.

MATERIALS

Food store

Walls: Grey and silver cladding, Terracotta rainscreen cladding, Dark grey brick plinth.

Roof: Grey composite panels

Fenestration: Grey powder coated aluminium

Walls: Render and grey vertical profile cladding

Roof: Existing retained with cladding and rooflights

Fenestration: Glazing panels and like for like blue replacements of doors



Development Control Committee Schedule 25/04/2017

RELEVANT PLANNING HISTORY

S.16/1023/FUL The demolition of existing buildings and the erection of a Class A1 foodstore (1,918 sq m gross floor area) with associated access, car parking and landscaping. Refused.

There is also an extensive planning history that relates to the wider industrial site but has limited relevance to this proposal.

Other supermarket site/scheme update.

Brunsdons Yard S.15/2590/FUL Pending

Brunsdons Yard S.13/1498/FUL Appeal withdrawn

Daniels 4. S.16/2152/OUT Pending

Daniels 3. S.15/1517/FUL Withdrawn

Daniels 2. S.14/1905/FUL Refused

Daniels 1. S.13/2284/FUL Appeal withdrawn

Avocet S.14/0677/FUL Approved

REPRESENTATIONS

Statutory Consultees:

Rodborough Parish Council: To be reported

Stroud Town Council: To be reported

Nailsworth Town Council: Objection -

- The changes to the application are an improvement for employment on the new site, but we still believe that the development will have a negative impact on Nailsworth.
- Concerns regarding the increased traffic on the A46 and local network to and from Nailsworth.
- Concerned about the loss of trade and therefore employment in Nailsworth. A survey of local retailers and caterers carried out in the town in 2014 indicated that a 5% drop in local trade would lead to a loss of some 42 jobs, whilst a 10% drop would lead to a loss of 125 jobs. It is estimated that 40% of the jobs lost would be full-time posts.
- Ask that consideration is given to the fact that there may be two further new supermarkets within a square mile of this application.

Cainscross Parish Council: Application noted - no further comment.

Stonehouse Town Council:

- If the revised figures on retail impact are correct, Stonehouse Town Council do not object.
- The proposed refurbishment of industrial units is an improvement to the proposals for this site.



Development Control Committee Schedule 25/04/2017

GCC Highways: No highway objections subject to conditions

Historic England: Recognise historic setting within IHCA and historic mill setting. Urge an attempt at a more bespoke design in appropriate materials with sensitive signage.

GCC Archaeology: The proposal has a low potential to have an adverse impact on any significant archaeological remains. No archaeological investigation or recording should be required.

Environment Agency: No objection - Recommends conditions

GCC LLFA: To be reported

SDC Water Resource Engineer: Major application dealt with by GCC LLFA

Natural England: To be reported

SDC Biodiversity Officer: To be reported

SDC Environmental Health: Recommends conditions and informatives.

SDC Senior Contaminated Land Officer: Recommends full contaminated land condition.

Public Representations:

126 Support comments received -

Reduce travelling to Gloucester, need for discounter, lower prices and great quality, create competition and choice, difference shopping experience, create jobs and employment.

Will not compete with Town Centre but other supermarkets. Catalyst to attract further investment. Will be within walking distance. Remove eyesore and empty and unsafe buildings.

7 Objections comments received -

Highway safety concerns and increased traffic/congestion.

Pollution

No need for another supermarket in Stroud. Retail impact on existing shops.

Existing buildings could be refurbished

Loss of jobs.

2 Comments received -

Concern about the access to other units and construction phases.

Would not affect shops in Nailsworth, Stonehouse.

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view at:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>



Development Control Committee Schedule 25/04/2017

Planning (Listed Buildings and Conservation Areas) Act 1990 Section 72(1).

The adopted Stroud District Local Plan, November 2015.
Policies together with the preamble text and associated supplementary planning documents are available to view on the Councils website:
www.stroud.gov.uk/localplan

Local Plan policies considered for this application include:

- CP1 - Presumption in favour of sustainable development.
- CP2 - Strategic growth and development locations.
- CP11 - New employment development.
- CP12 - Town centres and retailing.
- CP13 - Demand management and sustainable travel measures.
- CP14 - High quality sustainable development.

- EI1 - Key employment sites.
- EI9 - Floorspace thresholds for Impact Assessments
- EI12 - Promoting transport choice and accessibility.

- ES3 - Maintaining quality of life within our environmental limits.
- ES4 - Water resources, quality and flood risk.
- ES5 - Air quality.
- ES6 - Providing for biodiversity and geodiversity.
- ES7 - Landscape character.
- ES10 - Valuing our historic environment and assets.

The proposal should also be considered against the guidance laid out in SPG Residential Design Guide (2000), SPG Residential Development Outdoor Play Space Provision, SPG Stroud District Landscape Assessment and Planning Obligation SPD 2017.

Stroud Town Centre Neighbourhood Development Plan was endorsed by the community at referendum and was adopted by Full Council on 27th October 2016. The NDP should be given full weight as part of the development plan.

EMPLOYMENT PROTECTION & OPPORTUNITIES

The application site forms part of the Bath Road Industrial Estate which is identified as a key employment site (EK25) which is afforded protection for traditional employment uses (B Class uses) under Policy EI1. Therefore redevelopment for alternative uses or changes of use from employment use should not be permitted unless material considerations indicate otherwise.

However, our own Employment Land Study (2013) whilst retaining the bulk of the Trading Estate, as this proposal does, also outlined that vacant land should be considered for retail uses if there is the demand. This would allow a greater density and intensification of employment as encouraged by Core Policy CP11. CP11 also highlights the opportunities and benefits of enabling development to facilitate the employment improvement and the scheme



Development Control Committee Schedule 25/04/2017

includes the refurbishment and reconfiguration of some of the existing rundown industrial units to provide 2193 sq metres of useable B2 industrial floor space. The scheme will provide both a financial investment and physical improvement to the Trading Estate which will facilitate other regeneration of empty and aging units and parts of the Trading Estate.

The improvement and enhancement of the potential employment opportunity of the existing industrial units is enabled by the foodstore with the proposed refurbishment and reconfiguration of the units L4A- L4D being the first of a series of improvements within the Trading Estate. Future phases including the restoration of Lightpill Mill would maintain and improve the overall B class employment on the estate consistent with Policy CP11.

Paragraph 22 of the NPPF is also relevant and seeks to avoid long term protection of site for employment use where there is no reasonable prospect of the site being used for that purpose. This requires a degree of flexibility and that allocations should be regularly reviewed with applications being treated on their own merits and the relative need of different land uses to support sustainable local communities. Whilst the Local Plan is relatively new 2015, the site was also allocated as an employment site within the 2005 Local Plan.

The proposal would involve the redevelopment of 1.42 ha of the estate, which totals 3.34 ha in area. The existing site is partly vacant and the proposal envisages relocating the existing businesses elsewhere within the estate.

From the submitted report and photos and also visiting the site it is evident that the buildings are in a poor condition.

Lightpill House, the tower (1569 sq m), has been empty for many years. With SMP Sheet Metal leaving the site, only a small part of the K units is occupied by (K1B) Stockyard Vintage Ltd (373 sq m), leaving 3863 sq m vacant. Truturn is located on the site with part of their floor space within the application site (502 sq m) leaving the remaining 2504 sq m of L unit vacant. Stroud Auctions (unit J) has a floor space of 335 sq m. Out of the total floor space affected 7952 sq m, only 1211 sq m are currently occupied. With 85% currently vacant the scheme will provide a significant comparable economic benefit and generate employment opportunities.

Stroud Auctions (335 sq m) is already a sui generis use which does not provide traditional B use class employment. The agent and landlord have confirmed they are in discussions regarding relocating the existing businesses within the estate and have carried out further meetings and discussions with the existing businesses to update them and address any concerns/questions. Officers are not aware of objections or comments from this existing business that they are finding it hard to relocate either within the site or the wider Stroud area.

The proposed foodstore will provide 50 jobs, this is based on similar stores of this size operated by the applicant. The potential number of jobs created by the investment in the wider Trading Estate is harder to quantify but also has to be acknowledged as a benefit. The agent has used the Homes and Communities Agency 'Employment Density Guide' (Third Edition, November 2015) as a guide to the possible uplift in employment and outlines that the



Development Control Committee Schedule 25/04/2017

commercial units could provide 69 B2 industrial jobs within the reconfigured L block. For robustness the agent has also considered the multiplier, displacement and leakage effects resulting in a predicted 100 total net local jobs.

The proposal therefore requires a balancing exercise to consider the proposed job creation and regeneration against the employment land status of the site but also demonstrating a flexible approach as required by national planning guidance. On face value the proposal would be contrary to Policy E11 as the proposal does not provide B class use employment, however, the evidence base, land supply and situation at the Trading Estate are material considerations that justify a decision on the face of it contrary to the Local Plan but supported by paragraph 22 of the NPPF.

Therefore, Officers consider, following advice from strategy colleagues, that an appropriate level of flexibility is provided within the Local Plan to support the proposal. Employment opportunities are provided in both the proposed foodstore and the regeneration and investment in the industrial units and the wider Trading Estate will not undermine the overall employment status of the allocation or the Local Plan employment strategy as a whole. The negative impact on the limited number of existing businesses, mitigated to a degree by the assistance, does not outweigh the wider employment benefits of the scheme.

In addition, against a Local Plan employment land requirement of 58 hectares of B class uses, as at 1 April 2016 in the Council's Employment Land Availability Study, the identified land supply in Stroud District was 73 hectares, a surplus of 15 hectares.

RETAIL IMPACT

This revised application does not alter the size, nature or proposed operator Aldi as a deep discounter compared to the previous application. The retail impact of the scheme is therefore the same as previously considered by Members at DCC.

When considering the cumulative impact of retail development within the Stroud area and the schemes that are currently being considered, we have to take into account the permitted Avocet/Dudbridge scheme. The Avocet/Dudbridge scheme (S.14/0677/FUL) was granted permission on the 27/8/2015 for a mainstream retailer. This permission required the commencement with 3 years which runs until 27/8/2018. As a mainstream large supermarket, the Avocet commitment accounts for the largest significant share of the predicted impact which members were concerned about during the last application.

RETAIL SEQUENTIAL ASSESSMENT

It would be difficult, unreasonable and unenforceable to condition the precise type of retail operation. The size and nature of the store do suggest a "deep discounter, particularly as the applicant is Aldi themselves and not a third party.

Officers have also considered the impact if this was not a "deep discounter".

It is agreed that the application site is located in an out of a town centre location and given this location retail planning policy requires a retail sequential test. This should consider whether there are any suitable and available in-centre, edge-of-centre or more accessible



Development Control Committee Schedule 25/04/2017

and better connected out-of-centre sites within the catchment area of the proposed store that would be sequential preferable.

The agent has prepared a Planning & Retail Statement and following Officers request additional information and analysis has been submitted in the form of a Sequential Site Update. Officers have considered these with the specialist assistance of the Council's retail consultant.

In terms of alternative sites the applicant has put forward and considered a range of sites both within centres and edge of centres including:

1. Cheapside Wharf;
2. Merrywalks;
3. Parliament Street/Church Street;
4. London Road;
5. The Market Tavern site;
6. Dudbridge Industrial Estate (Avocet);
7. Daniel's Industrial Estate; and
8. Brunsdon's Yard (Ryeford).

In looking at these sites, the agent is requested to demonstrate a flexible approach to their requirements including the dissemination of floor space and parking requirements, in order to ensure that a robust investigation of these sites has taken place.

These sites have been considered by the LPA in the past during previous retail/supermarket applications and apart from the Market Tavern, which will be address later, Officers do not consider there are any additional sites. The implications arising out of recent Mansfield High Court judgement have also been highlighted and considered by the agent and the Council's retail consultant. In brief, this is a need to assess the proposed use and not the specifics of the identity of the intended retail occupier when applying the retail sequential assessment.

In relation to the Cheapside, Merrywalks and London Road sites, there have not been any material changes in circumstances from the previous assessments and, in any event, with the support of our retail consultant, Officers remain of the opinion that they are unsuitable for a foodstore development of the size proposed in this application even taking into account the NPPF requirement for flexibility in scale and format. Parts of these sites are identified in the Neighbourhood Plan for mixed use development, although none are identified for foodstore and are not either large enough or suitable for such a use.

The assessment of the Parliament Street/Church Street site has been re-visited given that it is now known that the Court element of the site is likely to become available in the short term (following the closure of the Court use). The Police Station and Court element of the Parliament Street/Church Street site is also identified for redevelopment in the Neighbourhood Plan and which includes retail uses. However, whilst part of this site is now available, and even assuming that the remainder could be made available, the format of the site and particularly its distinct change in levels makes it unsuitable for the proposed foodstore.



Development Control Committee Schedule 25/04/2017

As noted above the other alternative site within Stroud town centre is the Market Tavern site. This site was promoted as a retail-led redevelopment, and was considered as part of the retail sequential assessment during the previous supermarket proposals in the April 2015. Part of the site has now been identified in the Neighbourhood Plan for mixed use development, although the amount of land allocated does not make it large enough to accommodate this proposed development. Such a sized site is more likely to be useful for an immediate needs "corner shop" rather than more of a bulkier weekly shop.

Moreover, since the approval of the Dudbridge Road scheme and refusal of the other two proposals, the Market Tavern redevelopment proposals have not come forward. In any event, whilst the current proposal is smaller than the previously assessed supermarket schemes, Officers and our retail consultant still do not consider that it represents a suitable site for the proposed development even when flexibility in scale and format is taken into account. In particular, the shape, orientation and topography of the site do not lend themselves to a foodstore development which needs to be supported by some accessible customer parking provision.

The other sites included in the sequential site assessment exercise are all out-of-centre and comprise the other sites recently/currently promoted for retail development. At the time of considering the recent supermarket proposals, the LPA undertook an exercise to understand whether any of the three sites could be considered more accessible and better connected to nearby town centres. This was a requirement based upon the contents of paragraph 24 of the NPPF and that assessment considered accessibility between the sites and nearby town centres based upon different modes of transport.

This application does introduce a fourth out-of-centre site and whilst a detailed re-visit of this assessment has not been undertaken, Officers consider that a reasonable conclusion to draw is that the application site is not better connected or more accessible in relation to nearby town centres than the other three sites. Equally, it does not perform more poorly in relation to accessibility factors than the other sites. This is supported by our retail consultant on the basis of the site is located in close proximity to the Daniel's Industrial Estate site which would have characteristics that are likely to be equally applicable to this application site.

It is therefore considered that this proposal is considered to meet the provisions of the retail sequential test, as outlined in Policy CP12 of the Stroud Local Plan and paragraph 24 of the National Planning Policy Framework.

RETAIL IMPACT ASSESSMENT

Local Plan Policy EI9 sets a local retail impact assessment threshold to ensure that full consideration is given to the scale of development and whether this would have any significant adverse impacts on an existing centre.

This is consistent with and supported by paragraph 26 of the NPPF and whilst the Local Plan sets an appropriate local threshold the NPPF notes that impact assessments should include an assessment of:



Development Control Committee Schedule 25/04/2017

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

This planning policy basis and the out-of-town location mean that the impact on the health of, and investment within, town and local centres has to be assessed. Concerns have also been raised including from Stonehouse and Nailsworth Town Councils on the potential retail impact of the proposal on existing town centres.

The agent has submitted an assessment of these issues and in line with Officers instruction this has been independently reviewed by our retail consultant.

Our retail consultant has used the latest retail expenditure forecasts in their assessment and whilst they consider the agent's predicted trading performance for the proposal would result in an under-estimate of the trading impact of the store, this is only to a marginal extent. A direct comparison or combination is not appropriate given that they indicate different scenarios and slightly different data/prices predictions eg the individual (this proposal only) and including the Avocet (Dudbridge Road) commitment/permission. However, consideration of the cumulative impact is required by paragraph 26 of the NPPF.

Our retail consultant is also satisfied with the forecast trade diversion to the proposed store and whilst this does offer a robust assessment they have included within their assessment an individual impact of assessment (this store only and Dudbridge site not coming forward).

Our retail consultant assessment (table 1) indicates that around £0.16m of convenience goods expenditure could be diverted from stores in Stroud town centre, which will be spread across the different stores in the centre (although the highest amount of diversion will be from the Iceland). This will equate to a total impact of around 3% on the town centre's convenience goods sector. There will be similarly small levels of impact on the convenience goods sectors in Nailsworth (-1%) and Stonehouse (-4%) town centres. In Nailsworth, the large amount of diversion will come from the Morrisons store, whilst the Co-op on High Street will be the focus for the impact in Stonehouse town centre.

Outside of these nearby town centres, the assessment indicates that the diversion of convenience goods trade from other settlements in Stroud District will be comparatively low and with some diversion (£0.56m) from stores outside of the District. This level of diversion is, however, lower than assumed in the applicant's cumulative impact analysis but as they cannot be directly compared they are generally in line with each other.

Our retail consultant assessment (table 2) has also undertaken financial impact analysis for the comparison goods floorspace. Whilst this is only a small element of the proposed foodstore it still has a predicted turnover of £2.15m so requires analysis. Table 2 indicates



Development Control Committee Schedule 25/04/2017

that £0.8m of the £2.15m total turnover will be diverted from comparison goods stores across Stroud, with £0.6m (of the £0.8m) coming from town centre stores. Table 2 indicates that this will have a 1% impact 2020 trading levels in the town centre's comparison goods sector as a whole.

Of the remaining comparison goods turnover of the store, our retail consultant forecast that there will be small levels of diversion from other centres across Stroud District (e.g. Nailsworth at £0.1m), although a large part of this remaining turnover is likely to be drawn from centres further afield such as Cheltenham, Gloucester, Cirencester and stores across Bristol.

The impact on both convenience and comparison goods, ie the total retail impact is brought together in table 3. This indicates the following total negative financial impacts for these three centres, Stroud **-1%**, Stonehouse **-2%** and Nailsworth **-1%**.

This overall impact levels are relatively small and, importantly, are below the levels of negative financial impact observed in relation to the Dudbridge/Avocet scheme, which pass the impact test (in relation to town centre vitality and viability) and was granted planning permission.

Therefore, with appropriate controls on the balance between convenience and comparison goods floorspace, individually our retail consultant has offered no clear reason in terms of financial impact why the LPA should reach a conclusion which is different to the Dudbridge Road proposal and refuse this application.

Cumulative impact

There is also a need to consider the cumulative impact upon Stroud, Nailsworth and Stonehouse on the assumption that the Dudbridge Road/Avocet permission does go ahead either as a mainstream grocery retailer or by a discount grocery retailer (such as Lidl).

Bearing in mind this situation, we have considered whether this proposal would increase these levels of convenience and comparison goods impact upon Stroud, Stonehouse and Nailsworth town centres.

Bearing in mind the individual impacts associated with the proposal and the additional cross-competition which would be created between the possible new Bath Road and Dudbridge Road/Avocet stores, our retail consultant concludes that the impact levels on Stroud, Nailsworth and Stonehouse town centres of the approved scheme would not be increased by a Bath Road store. Therefore, whilst there may well be an adverse impact upon the health of nearby town centres, the scale of cumulative impact is not so great or severe as to classify it has a significant adverse impact, which is the key test in paragraph 27 of the NPPF and Policy E19 of the Local Plan.

The other impact test is the need to assess the impact of the proposal on existing, committed and planning public and private sector investment in nearby town centres. In relation to planned and committed investment, we are not aware of any projects in Stonehouse and Nailsworth which would be materially affected by the Bath Road proposal. The only project in



Development Control Committee Schedule 25/04/2017

Stroud town centre (Market Tavern) which was actively considered during the recent assessment of the supermarket proposals has not been progressed over the past two years.

In relation to the impact of the proposal on existing investment in these three centres, it is noted the recent Dudbridge Road and nearby Daniel's Industrial Estate supermarket proposals did not raise any particular concerns over the impact of these proposals on existing investment in Stroud, Stonehouse and Nailsworth town centres. Bearing in mind the current proposal at Bath Road is smaller in scale, product range and financial impact than these proposals, it would appear an alternative conclusion in relation to the current proposal would be difficult to sustain.

Therefore, with suitable and robust controls via conditions the proposal, whilst there may be an adverse financial impact upon the convenience and comparison goods sectors in the nearby town centres of Stroud, Nailsworth and Stonehouse, the overall impact on town centre health and investment will not be significantly adverse when either this proposal is considered on an individual basis or cumulatively with the approved Dudbridge Road/Avocet supermarket.

Comparison goods (special purchases non-food like clothes, electricals etc.) provides a limited impact from existing centres, Stroud town centre -0.7%, Nailsworth -0.4% and Stonehouse town centre -0.2% of predicted turnover by 2020.

Given the nature of the proposal the majority of the impact come from convenience goods (frequent purchases like bread, milk etc.). Whilst there is an impact the majority of this comes from the larger existing supermarkets eg -8.5% from Sainsbury's Dudbridge store and -8.3% from Tesco Stratford Rd store which are out of the town centre and not protected by the town centre policy.

A larger part of the retained turnover and impact of the proposed store would be provided from claw-back or leakage of spending from outside the district. In particular Aldi and Lidl have a very strong presence throughout Gloucester including Bristol Road and Quedgeley.

The total impact would be limited eg Stroud -1%, Stonehouse -2% and Nailsworth -1%. This is the solus (individual) impact of this proposed store. These levels of impact are lower than the consented scheme at Avocet.

The vast majority of the impact comes from the Avocet (Dudbridge Road) commitment as a mainstream retailer eg Morrison. There will be an element of cross-competition with customers using this proposal instead of the Avocet (Dudbridge Road) commitment, which is increased if a discount foodstore occupies the site, however, there would still be a cumulative impact on the existing centres/stores. The adverse impact is appreciated but given that the majority of this is convenience sector and is mainly on the larger stores the overall impact on the town centre health and investment will not be so severe either individually or cumulatively to fail the policy test of the NPPF which outlines that applications should only be refused on retail impact if there is a 'significant adverse' impact to town centre vitality and viability and investment.



Development Control Committee Schedule 25/04/2017

The scheme is considered acceptable in sequential and retail impact terms and therefore does not conflict with the salient retail planning policies in the Local Plan or material policy considerations in the NPPF.

DESIGN AND APPEARANCE

The application site sits within the Industrial Heritage Conservation Area, significant due to the appreciation of the milling industry, the resulting transport infrastructure and the juxtaposition of industry against the natural environment.

The submitted Heritage Settings Assessment concludes that the character area of Lightpill Trading Estate represents a modern industrial context which will be unchanged by this development, and will therefore have a neutral impact on the Conservation Area. While the existing character of the Conservation Area minimises the impact that the development will have on its setting, the proposal does represent an opportunity to provide improvements and enhancements which has to be given special regard when considering the merits of the application.

Within the aforementioned heritage statement, it advises that the design of the new supermarket draws on the conventions of the modern architecture within the Conservation Area. Historic England do not feel that drawing on modern architecture is the correct approach for new development in a designated historic environment and consider this modern design pays no regard to the surrounding industrial mill vernacular, and therefore fails to make a positive contribution. Attempts have been made during the application and at pre-application stage for a more bespoke design that would integrate further into the historic mill context for example a saw-tooth roof form. It is acknowledged that the agent/applicant has entered into this dialogue and sort to address this within their design. Whilst this has not gone as far as would be desirable, consideration has to be given to the submitted scheme and the impact weighted against the benefits.

The current scheme has a mono-pitched design and is functional in its appearance with the use of sheet cladding which is not uncommon in the IHCA and indeed is promoted in the design guide. It is also positioned below the road level and other modern industrial buildings are located nearby. The removal of the modern unsightly office building onsite is also noted and has little merit in Conservation Area terms. The scheme does not result in the loss of a Listed building and the proposed building has been positioned away from the listed Lightpill Mill which opens up part of the site with the car park area.

Consequently the design is not felt to be inappropriate bearing the industrial nature of the IHCA especially in terms of the size of the buildings, its materials and its design.

The refurbishment of the industrial building retains the characterful saw-tooth roof but provides a modern façade and appear to the front of the building. The functional industrial nature of the buildings and this part of the estate is retained.



Development Control Committee Schedule 25/04/2017

HIGHWAYS

The foodstore proposal has been the subject of a previous planning application on the same site to which the highway authority (GCC) raised no objections subject to a number of planning conditions. This application is supported by the same evidence that supported the previous application and the Transport Statement has not been updated to account for the increased loss of B2 floor space which is a result of making the B2 industrial units more modern and attractive to potential users. However as the Transport Statement deals with land use and floor space this would only reduce the net impact of the development in highway terms and therefore the previously submitted evidence presents a robust assessment which GCC Highways are satisfied.

The development site is located in a relatively accessible location on the edge of Stroud. The site is within cycling distance of the Stroud urban area and within walking distance of parts residential areas. Bus services are available on Bath Road and Dudbridge Road within a short walking distance of the developments site which provide a regular bus service to the centre of Stroud and other local areas.

Access to the development is proposed to be taken directly from the internal road that serves the wider Bath Road Trading Estate which in turn utilises a widened priority junction with the A46 Bath Road. Amendments to this junction are proposed as part of the application and have been the subject of an Independent Road Safety Audit and is considered to provide safe and suitable access to the development.

A capacity assessment of the site access junction on to Bath Road has been undertaken which demonstrates that there would be significant spare capacity at this junction.

GCC Highways have also considered the impact on local highway network. The Dudbridge Road/Bath Road junction is a known constraint on the existing local highway network and has very limited opportunity for improvement. The proposed development would have limited impact on the junction in the weekday peak hours due to the low net trip rate of the development compared to the existing use of the application site as light industrial use. The resultant modelling has estimated an increase in queues on Dudbridge Road of approximately 6 vehicles in the evening peak, there is also likely to be a reduction in the morning peak however the exact number has not been quantified.

The relative impact of the development would be higher during the Saturday peak due to the high demand for the proposed development at this time combined with the low level of vehicle trips associated with the existing industrial use. The submitted modelling shows that the impact of development traffic would take the junction from just under theoretical capacity to just over resulting in an increased in queued vehicles on Dudbridge Road of approximately 7 vehicles. Potential mitigation options have been requested by GCC that would highlight the presence of the junction to vehicles on the Bath Road.

The pedestrian crossing options may also have a secondary benefit of breaking traffic flows and allowing vehicles to exit the junction.



Development Control Committee Schedule 25/04/2017

The impact of the development on the `Golden Cross` traffic lighted junction of Bath Road, Walkley Hill and Dudbridge Hill has also been considered by GCC Highways using junction modelling software. GCC Highways are satisfied with the level of impact of the development on this junction in the weekday peak hours. However, the assessment of the Saturday peak hours shows that the practical reserve capacity (PRC) of the junction would be reduced from approximately 11% to approximately 2% in 2019 with the development scenario. Having given this further examination this includes some background traffic growth unrelated to the development. The County Highways Officers therefore consider that this level of impact would not be considered severe in terms of paragraph 32 of the NPPF and Policy CP13 of the Stroud District Local Plan.

Following discussions it was identified that pedestrian crossing facilities would be required to serve the development in order that pedestrians can safely cross from the east side of Bath Road to the proposed store. An assessment has been undertaken of the appropriate type of crossing for the location which determined that a signal controlled crossing would be required. There is currently a controlled crossing close to the junction of Kitesnest Lane which is not well used and it is proposed that this crossing be decommissioned and a new Pelican crossing facility be provided just south of the site access junction. This will mean a slightly longer route for pedestrians travelling from the north however the constraints of the existing network mean that it is not possible to locate a crossing of this type north of the site access. In addition crossing points will need to be provided for the side roads such as Eros Close. These can be covered by a planning condition.

GCC Highways have also considered the cumulative impact of this proposal and that of the nearby Daniels Industrial Estate. GCC Highways considered that should both sites be granted planning permission the two food stores would lessen the impact on the adjacent highway network compared to just one store being permitted as the demand for shopping will stay the same and will be spread over a wider area.

The submitted Technical Note has considered the residential element of the proposed Daniels Industrial Estate application in conjunction with this application. The Dudbridge Road/Bath Road junction is known to operate over capacity in the with development scenario with significant queuing however this is not as a result of the development. Due to the restricted turning movements at this junction the impact of the proposed residential development has little impact on this junction and is likely to correspond in a reduced Bath Road flow in the both development scenarios compared with that which has been tested. GCC Highways are satisfied that the cumulative impact should both sites be permitted is acceptable.

LANDSCAPE IMPACT

Given the intervisibility of the Stroud Valleys the site is visible from various elevated viewpoints on the hillside above the site, including Selsley and others which are within the Cotswold AONB. However, the site is seen in conjunction with the existing trading estate and the wider extensive urban area which runs along the valley bottom and towards Stroud.

The proposal will reduce the number and amount of built form on the site. The proposed foodstore is positioned to the north of the site with the car park, new commercial entrance courtyard and landscaping creating some openness. The saw-tooth roof form of the industrial



Development Control Committee Schedule 25/04/2017

building will still be evident from raised vantage points. It is considered the scheme will not significant harm the wider character and setting of the surrounding landscape or this part of the AONB.

The signage details will need careful consideration, particularly the position and any illumination to assess the impact on the historic setting and wider landscape including viewed from Rodborough and Selsley Commons. These details have not been submitted as part of this application and would require separate consent where the appropriateness can be considered.

ENVIRONMENTAL HEALTH

Assessments and details of the local air quality and noise from the fixed plant have been provided by the agent. With the appropriate mitigation including during the construction phase, the proposed development is unlikely to be adversely affected by, or have a significant impact on local air quality. The submitted assessment of noise from the proposed fixed plant equipment demonstrates that the highest predicted plant (rating) noise levels will be 18 dB daytime and 19 dB at night. These levels which can be controlled via condition are significantly below the existing background noise climate and are likely to avoid a significant adverse noise impact on local residents. The Environmental Protection Manager is satisfied with these conclusions.

The submitted Desk Study Assessment Report highlights the long term industrial use of the site and the risks of contamination recommending further investigation and development of a remedial strategy which our Senior Contaminated Land Officer agrees is required. A full contaminated land condition is therefore proposed.

The Environmental Protection Manager has highlighted the potential for anti-social behaviour issues in the car park area, particularly in the late evening and overnight. This has been discussed with the agent and whilst it is noted it is not considered a specific issue at this site. If this does become an issue appropriate mitigation ie closing the car park area off outside the opening hours of the supermarket could be addressed by the management of the site.

RESIDENTIAL AMENITY

The proposed foodstore and refurbished commercial units are set within an existing industrial estate. With this surrounding existing use, the busy local road network and noise issues addressed above it is considered that the distance and local topography mean the proposal would not result in a material adverse effect on the residential amenities currently enjoyed by local residents.

ECOLOGY

The site is largely covered by buildings and tarmac hardstanding and offers limited scope for natural habitats. However, the Stroud Valleys, including the Nailsworth Valley, support an assemblage of bats of national importance. The submitted Ecological Assessment sets out appropriate measures to protect the bats roosting on the proposed development site and compensate for the loss of the roost. Whilst the lighting could have an effect, the agent has confirmed that the applicant's proposed lighting strategy is to turn off external lighting outside opening hours when staff have left the site and use appropriate mitigation in sensitive areas.



Development Control Committee Schedule 25/04/2017

With the reduction in the build form and potentially longer existing lighting hours which could operate 24hrs this is considered an improvement on the current situation.

The addendum Ecological Assessment addresses the extended site and commercial buildings. Whilst there are voids in the roof with the lack of evidence and the suitable alternatives the ecologist considers that the changes of it is highly unlikely. The built-up nature also results in the negligible loss of ecological important habitats. With appropriate method/time of the work the ecological impact can be mitigated.

Natural England is satisfied that the proposed development will not damage or destroy the interest features for which the Rodborough Common, Selsley Common and Minchinhampton Common SSSIs have been designated and is not likely to have a significant effect on the interest features for which Rodborough Common SAC has been classified.

More details are required on the proposed landscaping and the biodiversity enhancements, which can be provided via detailed landscaping plan. This along with the implementation and management of the other ecological mitigation and enhancements outlined in the submitted Ecological Assessment can be controlled via condition.

The Nailsworth Stream is an important habitat for wildlife in the Stroud Valleys, including European Protected Species such as bats and otters. It has been compromised by culverting in the past and its deculverting would be a significant ecological benefit. Whilst this is noted only a part of the culvert crosses the site and the refurbishment of the existing commercial units would not preclude a wider future scheme it has not been required from this proposal.

HYDROLOGY AND FLOODING

The Environment Agency are satisfied with the submitted Flood Risk Assessment (FRA) confirming there is no change in the current vulnerability classification 'less vulnerable' and that it is reasonable to assume that a level of 38.00m AOD (N) could be used to define the extent of Flood Zone 3 which results in the proposed development being in Flood Zone 1.

The Environment Agency highlight the latest guidance does require greater climate change resilience to be built into major projects, however, they recognise that the proposed store is substantially higher than the watercourse as shown on the ground level survey and that the site rises steeply towards Bath Road. Therefore, they are satisfied that there are no perceived issues with regards flooding affecting access to and from the new building, though some areas of car parking adjacent to the western boundary could be affected by shallow inundation in an extreme event should the culvert become surcharged.

The watercourse is also within a culvert and the reduction in the footprint of the built form also provides some accommodation. Therefore, it is reasonable to assume the additional climate change resilience would not materially impact the development and sufficient information has been provided to inform the consideration of flood risk impacts. To built-in this resilience and mitigation the minimum level of the building and any changes to the rest of the site can be controlled via condition.



Development Control Committee Schedule 25/04/2017

The reconfiguration of the existing industrial units are located within Flood Zone 3, however, in accordance with Table 2: 'Flood Risk Vulnerability Classification' within the National Planning Practice Guidance (NPPG) they are also classed as 'Less Vulnerable' development. The FRA also states no extensions or alterations to existing floor levels will occur. The Environment Agency have advised that this part of the site is in an area at risk of flooding, but give the floor area is not increased they are satisfied that with consideration being given to incorporating into the design and construction of the development of 'flood proofing' measures they have not raise objection. These include removable barriers on buildings apertures such as doors and air bricks and providing electrical services into the building at a high level so that plugs and air bricks and providing electrical services into the building at a high level so that plugs are located above possible flood levels. Such measures could also be considered to protect existing buildings.

GCC as LLFA raised no objection to the drainage strategy of the previous application. Further discussions are taking place on this application but it is not anticipated these can not be overcome. Therefore, detailed surface water attenuation/storage works, SUDS maintenance plan along with confirmation from Severn Trent that they can accommodate the maximum permitted discharge rate can be required via condition.

OBLIGATIONS

As the application includes a supermarket the proposal is CIL Liable, however, whilst a CIL Liability Notice can not yet be issued with the amount of existing buildings it is unlikely that a contribution will be required from this development.

CONCLUSION & RECOMMENDATION

Members will be aware that both the Bath Road Trading Estate and Daniels Industrial Estate redevelopments are under consideration and before this committee. As both schemes involve similar A1 retail food stores, the retail impact and the cumulative impact if members seek to approve both has to be considered and we have sort specialist independent advice from our retail consultant to assist in the assessment and provide a robust decision should either application end at an appeal.

As outlined in the Officer's report, individually both of the Daniels and Bath Road schemes are considered to be acceptable. Whilst the final version of the independent expert advice has not yet been submitted, Officers are taking a precautionary approach based on knowledge and previous experience and considered it likely that this advice will outline that only one additional discounter food store, as proposed by both these applications, can be permitted (in additional to the Avocet/Dudbridge permission) without a significant adverse overall impact on town centre health and investment.

Therefore, depending on the outcome of the other application a two part recommendation is proposed. Should members consider the Daniels proposal to be acceptable this application is recommended for refusal as the cumulative impact would have significant adverse overall impact on town centre health and investment.



Development Control Committee Schedule 25/04/2017

Due to the cumulative retail impact of the proposal, when taken into account the other retail commitments at Avocet/Dudbridge and Daniels the proposed A1 food store would have a significant adverse overall impact on town centre health and investment and undermine the viability and vitality of Stroud and Nailsworth town centres. The proposal is therefore contrary to Paragraph 23 of the NPPF and Policies CP12 and EI9 of the adopted Stroud District Local Plan November 2015.

If members have refused the [insert name of other scheme] the retail impact would allow a positive recommendation for this scheme subject to the recommendation as outlined below.

Comparison

Both these sites are located in close proximity to each other and have similar characteristics being no better connected or more accessible than each other given they are both out-of-centre sites. They are therefore considered to be sequential neutral. On a retail grounds there is no advantage or benefit to either scheme. The food stores being similar in size and format so would provide roughly a similar level of jobs.

During the previous consideration of supermarkets applications, members put great weight on the regeneration and job creation benefits.

To the food store, the Daniels scheme adds the coffee shop and any additional jobs from the residential properties and construction phases.

In addition to the food store, the Bath Road scheme includes reconfiguration and modernisation of 3 industrial units to provide 2193 sq m of B2 industrial floor space. The investment and rejuvenation in the Trading Estate will also help facilitate further phases of development to regeneration other parts of the Estate including the Listed mill and the employment potential within them. The Bath Road scheme will therefore provide both retail jobs but also more traditional engineering and industrial employment in the wider Trading Estate.

Whilst the existing tenants have been kept updated and offered assistance by both applicants and their agents, there are more existing businesses being displaced by the Daniels scheme which is 62% vacant when compared to 85% vacancy of the Bath Rd application site. The Daniels site has 69 jobs and Bath Rd site has 32, 14 of which are at Trutum which is only partly affected with the modernisation of unit L4D.

The residential element provides a positive regeneration of a brownfield site in accordance with a mixed-use allocation in the Local Plan and would provide a land value boost to mitigate the clear up costs.

The Bath Road scheme is a full application with a committed named retailer, a majority of the site vacant and appears to be deliverable in the near future. The Daniels scheme is only in outline and whilst it could still be deliverable in the future, the submitted proposal has less detail about the operators or designs.



Development Control Committee Schedule 25/04/2017

Therefore, on balance, whilst both schemes provide positives, Officers consider that when considered in the round the benefits and deliverability of the Bath Road should be given greater weight.

The Avocet/Dudbridge permission is currently only just over half way through the 3 year time limit to start. This runs until 27/8/2018 so has about 17 months still to go. It is therefore difficult at this stage to do anything other than consider it as a commitment which could still come forward. Whilst it is evident from repeated news reports that changing shopping patterns and current market conditions have reduced the likelihood of a mainstream retailer looking to progress this site with the length of time still to run this cannot be discounted at this time. If members decide the current proposals are not acceptable on purely a retail impact this could be revisited next summer then the Avocet situation is clearer.

HUMAN RIGHTS

In compiling this recommendation we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any neighbouring or affected properties. In particular regard has been had to Article 8 of the ECHR (Right to Respect for private and family life) and the requirement to ensure that any interference with the right in this Article is both permissible and proportionate. On analysing the issues raised by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.

RECOMMENDATION: PERMIT subject to the following conditions

Conditions:	<ol style="list-style-type: none">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 development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below: Site Location Plan of 07/03/2017 Plan number = 130085 P(1)01 Site Plan Proposed of 07/03/2017 Plan number = 130085 P(1)03 Plan number = 10258/103 Proposed floor plan of 07/03/2017 Plan number = 130085 P(1)104
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Development Control Committee Schedule 25/04/2017

Roof plan of 07/03/2017
Plan number = 130085 P(1)105

Proposed Elevations of 07/03/2017
Plan number = 130085 P(1)106
Plan number = 10258/104
Plan number = 10258/105
Plan number = 10258/106
Plan number = 10258/107

Section of 07/03/2017
Plan number = 130085 P(1)107
Plan number = 130085 P(1)108

Reason:

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

3. Prior to the occupation of the food store hereby permitted, written documentation showing a binding contract for the full implementation of the reconfiguration and refurbishment of the existing industrial units in compliance with planning permission S.17/0557/FUL and the date of commencement of work under that contract shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved timing programme.

Reason:

To ensure that there is no unnecessary delay and to retain control over the delivery of the proposed employment development enabled by the proposed food store.

4. The food store hereby permitted shall only be used by a discount food supermarket operator and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification). The following service shall not be operated from the land:

1. Banking facilities (excluding ATM)
2. Dispensing pharmacy
3. Dry cleaning or Post Office services
4. Photographic shop or booth



Development Control Committee Schedule 25/04/2017

5. Café/restaurant
6. Sales of cigarettes or tobacco

Reason:

To limit the retail impact on the health of, vitality and viability and investment within nearby town and district centres in accordance with Policies CP12 and EI9 of the adopted Stroud District Local Plan, November 2015.

5. No more than 1,254sq m total net retail sales area shall be provided on site.

Reason:

To limit the retail impact on the health of, vitality and viability and investment within nearby town and district centres in accordance with Policies CP12 and EI9 of the adopted Stroud District Local Plan, November 2015.

6. The development shall be carried out in accordance with the approved plans and at no time shall there be sub-division of approved building into individual units.

Reason:

To limit the retail impact on the health of, vitality and viability and investment within nearby town and district centres in accordance with Policies CP12 and EI9 of the adopted Stroud District Local Plan, November 2015.

7. No more than 20% of the net tradable floorspace (251sq m) shall be used for the sale of comparison goods.

Reason:

To limit the retail impact on the health of, vitality and viability and investment within nearby town and district centres in accordance with Policies CP12 and EI9 of the adopted Stroud District Local Plan, November 2015.

8. The proposed food store 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 protect the amenity of the locality, especially for people living and/or working nearby, and to limit the retail impact of the scheme in accordance with Policies ES3 and EI9 of the adopted Stroud District Local Plan, November 2015.



Development Control Committee Schedule 25/04/2017

9. No development comprising the erection or alteration of the buildings hereby permitted shall take place until samples of all materials (includes walling, roofing and joinery details) to be used in the construction of the external surfaces of the buildings have been submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved samples.

Reason:

In order to ensure a sympathetic form of development within the conservation area in accordance with Policy ES10 of the adopted Stroud District Local Plan, November 2015.

10. No development comprising the erection of the food store hereby permitted shall take place until details of a scheme of soft landscaping for the site have been submitted to and approved by the Local Planning Authority.

Reason:

In the interests of the visual amenities of the area in accordance with Policies CP14 and ES10 of the adopted Stroud District Local Plan, November 2015.

11. The approved landscaping scheme shall be implemented so that planting can be carried out during the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planting shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless otherwise approved by the Local Planning Authority.

Reason:

In the interests of the visual amenities of the area in accordance with Policies CP14 and ES10 of the adopted Stroud District Local Plan, November 2015.

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

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and



Development Control Committee Schedule 25/04/2017

visitors;

- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities, which shall be used by every lorry and van prior to leaving the site on every occasion;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction and demolition works;
- viii. provide details of the site access during the construction period.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, and reduce the potential impact on the public highway in accordance with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

13. No development shall take place until a scheme of external lighting has been submitted to and approved by the Local Planning Authority. The submitted scheme shall include full details as to the location, design, hours of illumination and lux of all external lighting including security lighting. No other external lighting of any description shall be erected on the site unless in accordance with the approved lighting scheme.

Reason:

In order to safeguard the amenities of the occupiers of the surrounding properties and to ensure a sympathetic form of development in accordance with Policies ES3 and ES10 of the adopted Stroud District Local Plan, November 2015.

14. The level of noise from fixed plant at the foodstore shall not exceed 43 dB LAr,1 hr as measured or determined at the external boundary of any residential property between the hours of 07:00 to 23:00. The LAr (Rating Level) shall be calculated in accordance with British Standard 4142:2014.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

15. The level of noise from fixed plant at the food store shall not exceed 37 dB LAr,15 min as measured or determined at the external boundary of any residential property between the hours of 23:00 to 07:00. The LAr (Rating Level) shall be calculated in



Development Control Committee Schedule 25/04/2017

accordance with British Standard 4142:2014.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

16. 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, unless the Local Planning Authority dispenses with any such requirement specifically in writing:-

1. A Phase I 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 II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 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 approved Phase II 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. Any ongoing monitoring should also be outlined. 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 the Local Planning Authority.



Development Control Committee Schedule 25/04/2017

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.

For further details as to how to comply with this condition, please contact Katie Larner, Senior Contaminated Land Officer – tel: (01453) 754469.

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.

17. Finished Floor levels of the proposed food store should be set no lower than 38.80 metres Above Ordnance Datum (600mm above the predicted 1 in 100 year flood level including an allowance for climate change) unless otherwise approved by the local Planning Authority.

Reason:

To protect the food store development from flood risk for the lifetime of the development.

18. There shall be no raising of ground levels within that part of the site liable to flood as defined by the level of 38.00m AOD(N) as shown on the topographic survey drawing 130085 P(1)02 submitted on 6 May 2016.

Reason:

To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

19. Prior to commencement of development, evidence of Severn Trent Water company consent, sufficient to accommodate the maximum permitted discharge rate, shall be submitted to and approved by the Local Planning Authority. If the proposed rate of discharge is not accepted by the water company, an alternative drainage strategy shall be submitted to and approved by the Local Planning Authority prior to commencement of the development.



Development Control Committee Schedule 25/04/2017

Reason:

To prevent an increased risk of flooding in accordance with Policy ES4 of the adopted Stroud District Local Plan, November 2015. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

20. Prior to the commencement of development details of surface water attenuation/storage works shall be submitted to and approved by the Local Planning Authority. The volume balance requirements should be reviewed to reflect actual development proposal, agreed discharge rate and the extent of impermeable areas and runoff to be generated. It is important to confirm dimensions and depth of proposed tank to the Local Planning Authority once discharge rate is agreed by Severn Trent. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason:

To prevent an increased risk of flooding in accordance with Policy ES4 of the adopted Stroud District Local Plan, November 2015. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

21. No development shall take place until a SUDS maintenance plan for all SUDS/attenuation features and associated pipework, in accordance with The SuDS manual (CIRIA, C753), has been submitted to and approved by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the approved terms and conditions.

Reason:

To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding in accordance with Policy ES4 of the adopted Stroud District Local Plan, November 2015. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

22. Before any of works of demolition hereby approved is carried out, written documentation showing a binding contract for the full re-development of the site in compliance with planning permission, S.17/0557/FUL and the date of commencement of work under that contract, [that shall be within 2 months of the date of submission of



Development Control Committee Schedule 25/04/2017

the written documentation] shall be submitted to and approved by the Local Planning Authority.

Reason:

To ensure that there is no unnecessary delay in replacing the demolished buildings and to safeguard the character and appearance of the Conservation Area in accordance with Policy ES10 of the adopted Stroud District Local Plan, November 2015.

23. Prior to the development hereby permitted being brought in to use the vehicle access including visibility splays shall be completed broadly in accordance with the submitted plan 9594-0015 and shall be maintained as such for the duration of the development until and unless adopted as highway maintainable at public expense.

Reason:

To ensure that safe and suitable access is provided in accordance with paragraph 32 of the NPPF and Policy CP13 of the adopted Stroud District Local Plan, November 2015.

24. No development shall take place until details of pedestrian crossing facilities of Bath Road and Eros Clos have been submitted to and approved by the Local Planning Authority and shall be completed in accordance with the approved details prior to the development being brought in to use.

Reason:

To ensure that safe and suitable access has been provided and the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the NPPF and Policy CP13 of the adopted Stroud District Local Plan, November 2015.

25. The development hereby permitted shall not be occupied until secure and covered cycle storage facilities for a minimum of 31 bicycles has been made available in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason:

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

26. The building hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plan 130085 P(1)03 submitted on 7th March 2017, and those facilities shall be



**Development Control Committee Schedule
25/04/2017**

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 NPPF.