



Stroud District Council

Town and Country Planning Act, 1990 (As amended)

Outline Planning
Permission

Under the above Act the District Council as Local Planning Authority HEREBY PERMITS the development described below subject to the conditions stated. This permission is granted on an outline application described in Article 4 of The Town and Country Planning (General Development Procedure) Order 2010:

Agent:

Nigel Cant Planning
Peppercorn Cottage
Woodland Head
Yeoford
Crediton
EX17 5HF

Applicant:

Mr C Ractcliffe
Peppercorn Cottage
Woodland Head
Yeoford
Crediton
EX17 5HF

Planning Ref:S.17/2851/OUT

Application Date: 20/12/2017

Dated: 19/09/2018

Description of Land

Grove End Farm (Adjacent), Grove Lane, Whitminster, Gloucester

Description of Development

Demolition of ex buildings. Construction of new commercial buildings. Formation of new access.
Whitminster Parish Council 377676 207903

Conditions attached to permission and reasons therefor:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.

The development hereby permitted shall begin not later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason:

As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the council in writing before any development is commenced.

Reason:

This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

3. No works shall take place on the external surfaces of the building(s) hereby permitted until samples of the materials to be used in the construction works have been submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area.

IMPORTANT NOTES –SEE OVERLEAF

Proper Officer of the Council
Duly Authorised in that behalf

4. No works shall commence on site on the development hereby permitted until the proposed works to A38/Grove Lane junction have been completed and shall be laid out in accordance with the submitted plan 19707/400 Rev D; unless otherwise agreed by the Local Planning Authority.

Reason:

To ensure that cost effective improvements are undertaken to the transport network that the development is designed to give priority to pedestrian and cycle movements and provide access to high quality public transport facilities in accordance with paragraph 35 of the National Planning Policy Framework.

5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and 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;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction

Reason:

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with paragraph 35 of the National Planning Policy Framework.

6. 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 access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 66m left of the proposed access and 160m right of the proposed access (the Y points). 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 0.26m 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.

7. The development hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been submitted to and approved by the Local Planning Authority. 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 National Planning Policy Framework.

8. 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.

9. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii. include a timetable for its implementation; and

iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason:

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution for the lifetime of the development.

10. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved by the Local Planning Authority.

Reason:

To protect the health of future occupiers of the site from any possible effects of contaminated land.

11. The B2 use hereby permitted shall only operate between the hours of 07:30 to 18:30 Monday to Friday, 07:30 to 13:00 on Saturday and no working on Sundays, Bank or Public holidays.

Reason:

In the interests of the amenities of the occupiers of nearby residential property.

12. There shall be no deliveries to and from the site other than between the hours of 07:30 to 18:30 Monday to Friday, 07:30 to 13:00 on Saturday and not on Sundays, Bank or Public holidays.

Reason:

In the interests of the amenities of the occupiers of nearby residential property.

13. Prior to occupation of a unit for a purpose falling within Class B2, the operator shall submit for the approval of the Local Planning Authority, details of the industrial process[es] to be carried on within the premises, together with a scheme using "best practical means" to mitigate the effect of fumes and odours arising from the processes to be carried on, so as to minimise the impact of such disturbances on nearby residential amenity. The approved scheme shall be fully implemented and operational before the process is brought into use and shall be retained and maintained thereafter at all times when the industrial process is carried on.

Reason:

In the interests of the amenities of the occupiers of nearby residential property.

14. 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 interests of the amenities of the occupiers of nearby residential property.

15. The vehicular access hereby permitted shall not be brought into use until all existing vehicular accesses to the site (other than that intended to serve the development) have been permanently closed, and the footway/verge in front has been reinstated, in accordance with details to be submitted to and agreed in writing beforehand by the Local Planning Authority.

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.

16. All planting, seeding or turfing comprised in the approval details of landscaping shall be carried out in the first complete planting and seeding seasons following the occupation of the buildings, or the completion of the development to which it relates, whichever is sooner. Any trees or plants which, within a period of five years from the completion of the development, die, or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of the visual amenities of the area.

17. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:

Proposed Block Plan of 20/12/2017
Plan number = 7

Proposed works to A38/Grove Lane Junction of 20/12/2017
Plan number = 19707/400 Version number = D

Reason:

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

Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant. The case officer was in regular contact with the applicant/agent and the community, acting in a positive and proactive manner, seeking dialogue and solutions.
2. Although the risk of bats being affected is considered by the local planning authority to be low, the applicant is advised that this remains a possibility. Therefore, if at any time during the proposed works, bats, or signs of bats (eg. droppings) are found then all works must stop and advice should be sought from Natural England before any further work proceeds. All bats and their roost sites are protected under the Wildlife and Countryside Act 1981 and The Conservation Habitats & Species Regulations 2017 from disturbance and harm.
3. 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.
4. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise, dust, smoke/fumes and odour during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting, not burning materials on site and advising neighbours in advance of any particularly noisy works. It should also be noted that the burning of materials that gives 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, fume, noise or dust complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.

NOTES

1. If the applicant is aggrieved by the decision of the District Council as Local Planning Authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act, 1990, within six months (or 28 days if an enforcement notice is in place) of receipt of this notice. (Appeals must be made on a Planning Appeal form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN. If requesting forms from the Planning Inspectorate, please state the appeal form you require. When lodging an appeal a copy must also be sent to the Head of Development Services, Council Offices, Ebley Mill, Ebley Wharf, Ebley, Stroud, GL5 4UB.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the District Council as Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

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

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

Please note: only the applicant possesses the right of appeal.