

**APPLICATION NO: 22/00784/FUL**  
**VALIDATED ON: 21st June 2022**

**TO**

Chi Yip  
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c/o Nick Carroll Architects Ltd  
42 Broad Street  
Worcester  
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**TOWN AND COUNTRY PLANNING ACT 1990**  
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)**  
**ORDER 2015**

**Location: 18 Brunswick Square Gloucester GL1 1UG**

**Proposal: Demolition of a curtilage listed outbuilding to the rear of 18 Brunswick Square and erection of a two-storey residential building comprising two apartments**

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

**Condition 1**

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

**Reason**

Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Condition 2**

The development hereby permitted shall be carried out in accordance with the application form, location plan and

- o Design and Access Statement rev C (received 14th December 2023)
- o Floor Plans and Elevations (drawing number 2032/P/02 E) received 14th December 2023
- o CEMP plan received 14th December 2023
- o Water management statement received 14th December 2023
- o Heritage Impact Statement -Document Reference No. 2021/1595 Revision 1 - received 14th December 2023
- o Solar analysis plans
- o Materials schedule

except where these may be modified by any other conditions attached to this permission.

**Reason**

To ensure that the development is carried out in accordance with the approved plans.

**Condition 3**

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

**Reason**

To make provision for a programme of archaeological evaluation, so as to describe the significance of

heritage assets of archaeological interest within the site. This is to allow the scheme to be designed in a manner that minimises the impact on archaeological remains.

#### **Condition 4**

No development other than demolition down to ground floor slab level shall commence within the application site until a detailed scheme showing the complete scope and arrangement of the foundation design and ground works of the proposed development (including pile type and methodology, ground contamination remediation, drains and services) has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved scheme.

#### **Reason**

The site may contain significant heritage assets of archaeological interest. These details are required to ensure that disturbance or damage by foundations and related works are minimised, archaeological remains are, where possible, preserved in situ.

#### **Condition 5**

No demolition below ground floor slab level or development shall start within the application site until a written scheme of investigation of archaeological remains, including a timetable for the investigation, has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording.
2. The programme for post investigation assessment.
3. Provision to be made for analysis of the site investigation and recording.
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

#### **Reason**

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost.

#### **Condition 6**

All demolition and development shall take place in accordance with the Written Scheme of Investigation of archaeological remains. This condition shall not be discharged until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under [specify condition number requiring approval of details for the WSI], provision has been made for the analysis, publication and dissemination of results and archive deposition has been secured.

#### **Reason**

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost.

#### **Condition 7**

The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 14 bicycles has been made available in accordance with details to be submitted to and approved in writing by the LPA.

#### **Reason**

To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 110 of the National Planning Policy Framework.

#### **Condition 8**

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- o 24 hour emergency contact number;
- o Hours of operation;

- o Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- o Routes for construction traffic;
- o Locations for loading/unloading and storage of plant, waste and construction materials;
- o Method of preventing mud being carried onto the highway;
- o Measures to protect vulnerable road users (cyclists and pedestrians)
- o Any necessary temporary traffic management measures;
- o Arrangements for turning vehicles;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

**Reason**

In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

**Condition 9**

The development hereby permitted should not commence until drainage plans and a proposed maintenance schedule for the disposal of foul and surface water flow incorporating SuDs have been submitted to and approved by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved details before the development is first brought into use.

**Reason**

This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

**Condition 10**

No work shall start upon the installation of the details below until drawings at a minimum scale of 1:5 with full size moulding cross section profiles have been submitted to and approved in writing by the local planning authority.

- o eaves treatments;
- o window openings;
- o door openings;
- o cill and head treatments;
- o verges and ridges;
- o soffitts
- o ridges

All works shall be carried out in accordance with the approved details.

**Reason**

To safeguard the character and appearance of this building of special architectural or historical interest.

**Condition 11**

Prior to its/their installation as part of the development hereby approved, details of the location, product information, materials and RAL colour for the following shall be submitted to and approved in writing by the local planning authority:

- o Flue pipe(s) & vents;
- o Meter boxes
- o Lighting
- o CCTV
- o Satellite dishes/Ariel

All works shall be carried out in accordance with the approved details.

**Reason**

To safeguard the character and appearance of this building of special architectural or historical interest.

**Condition 12**

The proposed walling shall be constructed in strict accordance with details of bonding and pointing which have first been submitted to and approved in writing by the Local Planning Authority and such details shall be demonstrated by the prior construction of a sample panel. The panel shall be retained on site until the completion of the walling.

**Reason**

To safeguard the character and appearance of this building of special architectural or historical interest.

**Condition 13**

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

**Reason**

To safeguard the character and appearance of this building of special architectural or historical interest.

**Condition 14**

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

**Reason**

It is important to protect and maintain the character and appearance of the area in which this development is located.

**Condition 15**

No work above damp proof course level shall be carried out until samples of proposed bricks, render sample, cladding and roof tiles to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason**

To safeguard the character and appearance of this building of special architectural or historical interest.

**Condition 16**

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

**Reason**

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

**Condition 17**

The development hereby permitted shall not be occupied until the bin storage facilities have been made available for use in accordance with the submitted plan Site Plan as Proposed drawing no. number 2032/P/02E and those facilities shall be maintained for the duration of the development.

**Reason**

To ensure the provision and availability of adequate waste facilities

**Condition 18**

The estimated consumption of wholesome water per dwelling per day in the development hereby permitted must not exceed 110 litres of water per person per day.

**Reason**

In order to satisfy Policy G6 of the Gloucester City Plan.

**Condition 19**

Before construction commences, a Demolition and Construction Management Plan detailing the proposed measures to monitor and mitigate emissions of noise, vibration (piling) and dust during the demolition and construction phases shall be submitted to and approved in writing by the Local Planning Authority. The measures in the report shall be adhered to during demolition and construction.

**Reason**

In order to protect the amenity of the area in accordance with policy Sd.14 of the JCS (2017).

## **Condition 20**

Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until parts 1 to 6 have been complied with:

1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Gloucester City Council Planning Authority. The risk assessment must be approved in writing before any development takes place.

2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.

3. Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.

4. Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

6. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

## **Reason**

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

## **Condition 21**

The first floor landing window in the northern side elevation of the dwelling hereby permitted, shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with, and retained in, obscure glazing.

## **Reason**

In order to protect the residential amenity of adjacent properties in accordance with policy SD.14 of the

**Condition 22**

The proposed bird and bat boxes as shown on drawing number 2032/P/02E received by the Local Planning Authority 14th December 2023 shall be installed on site before the properties are occupied and retained in perpetuity

**Note 1**

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

**Note 2**

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- o Work on an existing wall or structure shared with another property.
- o Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- o Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 - explanatory booklet.

**Note 3**

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at [Network&TrafficManagement@gloucestershire.gov.uk](mailto:Network&TrafficManagement@gloucestershire.gov.uk) before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

**Note 4**

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:

Constructors should give utmost consideration to their impact on neighbours and the public

- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression, and promoting the Code.

The CEMP should clearly identify how the principle contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

CEMP can include but is not limited to:

- o A construction programme including phasing of works;
- o 24 hour emergency contact number;
- o Hours of operation;
- o Expected number and type of vehicles accessing the site;
- o Deliveries, waste, cranes, equipment, plant, works, visitors;

- o Size of construction vehicles;
- o The use of a consolidation operation or scheme for the delivery of materials and goods;
- o Phasing of works;
- o Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
- o Programming;
- o Waste management;
- o Construction methodology;
- o Shared deliveries;
- o Car sharing;
- o Travel planning;
- o Local workforce;
- o Parking facilities for staff and visitors;
- o On-site facilities;
- o A scheme to encourage the use of public transport and cycling;
- o Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residual roads;
- o Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- o Location for storage of plant/waste/construction materials;
- o Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- o Any necessary temporary traffic management measures;
- o Measures to protect vulnerable road users (cyclists and pedestrians);
- o Arrangements for temporary facilities for any bus stops or routes;
- o Highway Condition survey;
- o Method of preventing mud being carried onto the highway; and
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

#### **Note 5**

Severn Trent Water advise that there is a public 150mm combined sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

**NO BUILD ZONE:** 100mm to 299mm diameter - 3m either side of the pipe, measured from the centreline of the sewer.

**NOTE:** we would not permit a surface water discharge into the public combined sewer, and recommend the applicant seeks alternative arrangements.

**IMPORTANT NOTE:** This response only relates to the public waste water network and does not include representation from other areas of Severn Trent Water, such as the provision of water supply or the protection of drinking water quality.

#### **Note 6**

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine

the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

**Date: 15th December 2023**



**Jon Bishop**  
**Planning Development Manager**

**PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET**