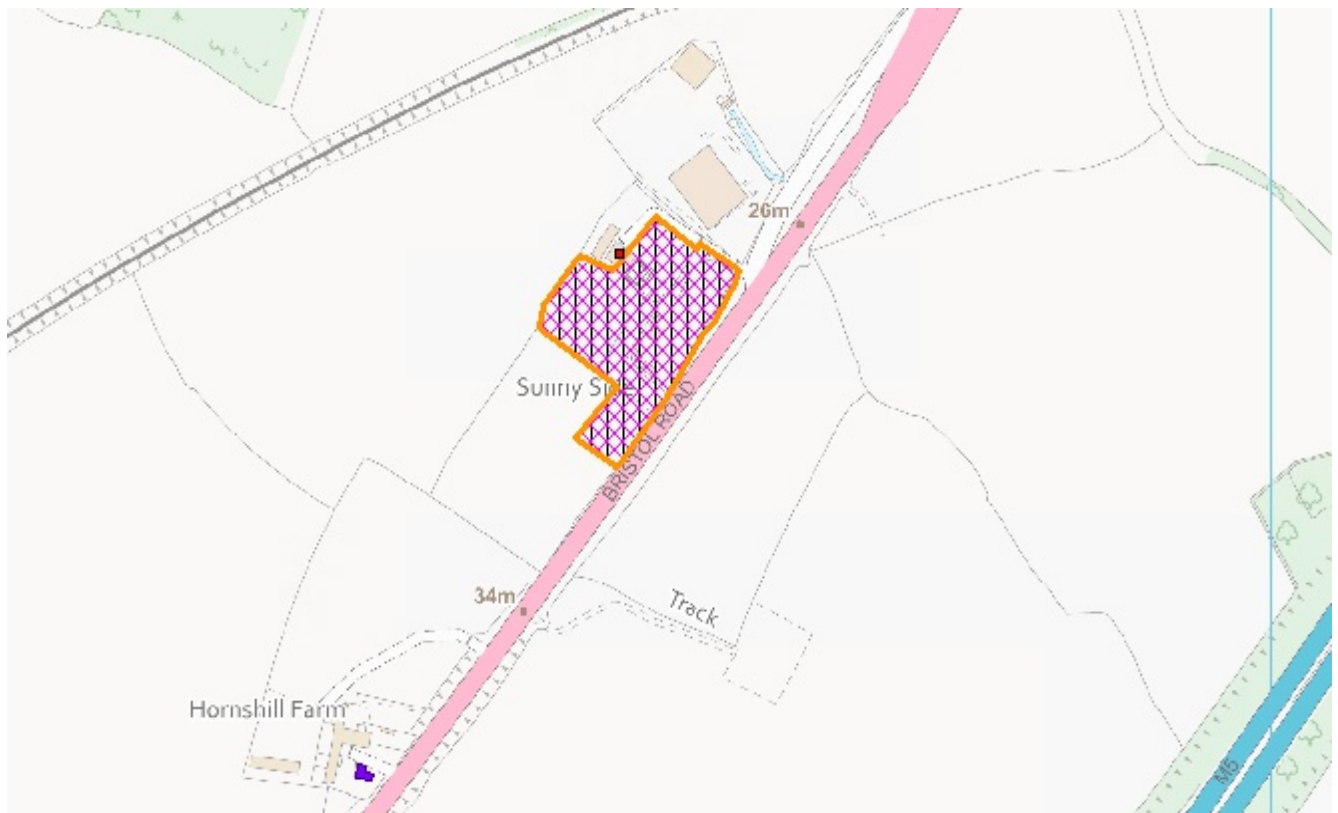




Development Control Committee Schedule 15/02/2022

Item No:	2
Application No	S.21/1829/OUT
Site Address	Sunnyside Nurseries, Cam, Dursley, Gloucestershire
Town/Parish	Slimbridge Parish Council
Grid Reference	373566,201702
Application Type	Outline Planning Application
Proposal	Redevelopment of the site for an industrial and storage use (Use Class B2/B8) retail use (Use Class A1 now E(a)) and change of use of the existing dwelling to office use (Use Class B1 now E(g)(i)) with associated works, infrastructure and improvements to the existing access onto the A38 with all matters relating to appearance and landscaping reserved.
Recommendation	Resolve to Grant Permission
Call in Request	Requested by Head of Planning





Development Control Committee Schedule 15/02/2022

Applicant's Details	Mr & Mrs McNally Sunnyside, Gossington, Cam, Dursley , Gloucestershire GL11 5JA
Agent's Details	Powells Powells Chartered Surveyors, Singleton Court Business Park, Monmouth, Monmouth, NP25 5JA
Case Officer	John Chaplin
Application Validated	23.07.2021
	CONSULTEES
Comments Received	Slimbridge Parish Council Clerk - Mrs H Dunn Contaminated Land Officer (E) Biodiversity Officer Contaminated Land Officer (E) Environmental Health (E) Development Coordination (E) Flood Resilience Land Drainage
Constraints	Berkeley Safeguard Area Consult area Slimbridge Parish Council SAC SPA 7700m buffer Village Design Statement
	OFFICER'S REPORT

MAIN ISSUES

- * Principle of development
- * Highways
- * Landscape impact and ecology
- * Flood risk
- * Archaeology and Heritage Assets
- * Residential amenity
- * Planning Balance

DESCRIPTION OF SITE

The application site relates to Sunnyside Garden Centre, a recently closed business site on the A38 at Gossington.

The site is covered with a mixture of hard standing and a range of buildings associated with the last use of the site as a garden centre. Access to the site is from a layby off the A38 which serves the application site and residential property (Sunnyside), as well as the adjacent waste transfer centre.

The site is well screened from the road by mature vegetation that conceals the site in its majority whilst travelling along the A38. The site is not located within any specific landscape designations.



Development Control Committee Schedule 15/02/2022

PROPOSAL

This proposal is for the redevelopment of the existing garden centre site to provide an industrial and storage use (Use Class B2/B8) and retail use (Use Class A1 now E(a)). The scheme also includes the change of use of the existing dwelling into office use (Use Class B1 now E(g)(i)).

The proposal is mainly for B2 Industrial and B8 Storage or distribution uses with 3 units of 1392 square metres. One building 464 square metres is proposed as Class E(a) retail sale of goods (other than hot food).

The proposal includes associated works, improvements to the existing access onto the A38 and SUDS drainage pond to the south of the site.

This is an outline application with details of access, layout and scale being submitted for consideration. The details of appearance and landscaping have been reserved by the applicant for future submission and consideration.

REPRESENTATIONS

Statutory Consultees

Slimbridge Parish Council:

Slimbridge Parish Council have reviewed this application and with the change of access from the previous proposal, Cllrs now support this application.

An additional comment / request from the Slimbridge Parish Cllrs was that all vehicles coming out of the site should turn northbound towards to the roundabout and turn at the roundabout instead of crossing the road to go southbound.

GCC Highways:

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 recommends that this application is refused.

The justification for this decision is provided below.

This application is a resubmission which seeks to address concerns expressed as part of application S.20/2148/OUT. The comments of the Highway Authority at that time can be summarised as, the vehicle access design was unsuitable and secondly the site does not provide alternatives transport modes.

The current proposal focuses on the suitability of the site access. It now proposes to utilise the southernmost entrance/exit to the lay-by fronting the A38, the Highway Authority has concluded that due to the visibility of the site and expected demand on a route so strategic importance, that a ghost lane is required for existing access. The applicant has now submitted a drawing that shows details of such an arrangement. The Transport Statement



Development Control Committee Schedule 15/02/2022

has not been updated to account for this alteration, however the Highway Authority has considered the proposal from a design and safety perspective. It is concluded that the design shows that a suitable design is achievable in principle, but should permission be granted a detailed design will need to be submitted for approval and implemented via a section 278 agreement. The Highway Authority has identified that splitter islands will be required either side of the right turn lane itself to prevent overtaking through the altered junction and this would need to be included in the detailed design. The works will need to be delivered before the first use of the proposal.

The application does not address the matters of sustainable access which is a significant concern. The proposal does not offer genuine transport choices as is required by the National Planning Policy Framework and the submitted transport assessment does not address this. The nature of the A38 in this location is a high speed, heavily trafficked route, it does not create an environment which encourages walking or cycling trips. Whilst the applicant cites the National Cycle Network and on road cycleways it is not a route that would appeal to anyone but the most experienced cyclist. The site is not within expected walking distances of local communities and there are no bus stops within walking distance. The proposal therefore is unable to offer a range of transport choices, and this will result in reliance on the private car. It is likely that the indicated trip rates are an underestimate of the proposal given the lack of alternative choices.

The proposal is not supported with a travel plan, and whilst it is recognised that one could be provided it offers limited potential to address sustainable transport given the lack of infrastructure to support it.

The proposal therefore conflicts with SO4, CP11, CP13 and EI12 of the Stroud Local Plan, and paragraphs 105, 110 and 112 of the NPPF. Furthermore, it conflicts with policy PD0.1, PD0.3 and PD0.4 of the Local Transport Plan.

The proposal therefore does not represent sustainable development in transport terms and conflicts with Local and National Policy.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would be conflict with the provision of safe and suitable access for all users by virtue of the location and lack of mitigation, and therefore recommends that this application is refused.

GCC as Lead Local Flood Authority (LLFA):

The LLFA has no objection to this proposal.

The drainage technical note submitted with this application, published by Nimbus Engineering Consultants ref C2419-R1 at rev B, provides a suitable drainage strategy with acceptable surface water discharge rates. It is suitably detailed such that there is no need to apply drainage conditions to any permission granted against this application.

SDC Senior Contaminated Land Officer:

No comments on application.



Development Control Committee Schedule 15/02/2022

SDC Environmental Health:

With respect to this application, I would recommend the following conditions and informative:

Conditions:

1. 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.

2. Construction/demolition works shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the Local Planning Authority. This should include an assessment of the presence of any asbestos containing materials and, if present, how these will be safely dealt with.

Informative: The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring premises in terms of smoke/fumes and odour during the construction phases of the development by not burning materials on site. It should also be noted that the burning of materials that give rise to dark smoke or the burning of trade waste associated with the development, may constitute immediate offences, actionable by the Local Authority. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken, should substantiated smoke, fume or odour complaints be received.

SDC Biodiversity team:

The submitted ecological appraisal concluded the four buildings proposed for demolition offer negligible potential to support roosting bats. Additionally, the report concluded the habitats on site are considered to be that of common and widespread habitat types. Overall, the site holds limited ecological value however, an active swallow nest was recorded in building B4. This nest will be lost as a result of the proposed demolition therefore; the report has outlined appropriate mitigation that will need to be adhered to protect nesting birds. Furthermore, the report has outlined precautionary working methods to ensure terrestrial mammals are protected in the unlikely event that they enter the site during the construction phase.

The planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. The submitted ecological appraisal has included appropriate enhancement measures which would be suitable for the development including, bird and bat boxes, hedgehog friendly boundaries, and native hedgerow and tree planting. These enhancement features should be considered at an early stage to avoid potential conflict with any external lighting plans.

The surrounding landscape provides a number of linear features that nocturnal species will use to navigate, in particular, European protected bat species will utilise these features in order to commute between foraging and roosting sites. Therefore, the Biodiversity Team recommend no lighting or a low-level lighting scheme should be implemented during and after construction to avoid indirect disturbance to bats and other nocturnal species that may exploit local habitats.



Development Control Committee Schedule 15/02/2022

Acceptable subject to the following conditions:

All works shall be carried out in full accordance with the recommendations contained in the Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey, Arbtech, dated September 2020 already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: To protect and enhance the site for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

Within 3 months of commencement, a specification (including methodology and programme of implementation) for the enhancement of biodiversity through the provision of bird and bat boxes, hedgehog friendly boundaries and native hedgerow and tree planting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved specification and programme of implementation and be retained thereafter.

REASON: To protect and enhance the site for biodiversity in accordance with paragraph 174(d) of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

Prior to the installation of external lighting for the development hereby approved, a lighting design strategy for biodiversity shall be submitted to and approved by the Local Planning Authority. The strategy will:

- a) identify the areas/features on site that are particularly sensitive for foraging bats;
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.

All external lighting shall be installed only in accordance with the specifications and locations set out in the strategy.

REASON: To maintain dark corridors for nocturnal wildlife in accordance with Local Plan Policy ES6.

Public

At the time of writing no comments have been received during this application.

RELEVANT PLANNING POLICY GUIDANCE

National Planning Policy Framework revised July 2021.

Available to view at

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

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Stroud District Local Plan, November 2015 is the development plan for Stroud District.



Development Control Committee Schedule 15/02/2022

Local Plan policies considered for this proposal include:

- CP1 - Presumption in favour of sustainable development.
- CP13 - demand management and sustainable travel measures
- CP15 - A quality living and working countryside
- EI3 - Small employment sites (outside identified employment areas)
- EI4 - Development on existing employment sites in the countryside
- ES1 - Sustainable construction and design.
- ES6 - Providing for biodiversity and geodiversity.
- ES7 - Landscape character.
- ES8 - Trees, hedgerows and woodlands.

For the full content of the Stroud District Local Plan policies together with the preamble text and associated supplementary planning documents are available to view on the Councils website at:
<http://www.stroud.gov.uk/environment/planning-and-building-control/planning-strategy/stroud-district-local-plan>

The application has a number of considerations which both cover the principle of development and the details of the proposed scheme which will be considered in turn below:

PRINCIPLE OF DEVELOPMENT

This application is for the commercial re-development of the former Sunnyside Nursery into a mixed use of industrial, storage, retail and office space. As described above the majority of the floor area proposed is for industrial and storage with small elements of retail and office space.

A previous similar application on this site (S.20/2148/OUT) was considered by Development Control Committee on the 15th June 2021 where it was refused due to the implications on highway safety.

The nature and extent of the authorised use of the site was questioned during the consideration of the previous planning application. Further clarification has been provided which outlines that the site has been used as a garden centre with the applicant running it between approximately 2000 to 2010 and then leased the business out from 2010 to 2017.

The residential dwelling is also part of the site. This was connected to the commercial use with for example the shared access and drive being used as part of the parking provision. The ownership remains the same and whilst the mixed use because slightly more defined with separate operation, it is considered that the residential use remains connected to the commercial operation. The agent/applicant have outlined that the small paddock area to the rear was used for growing plants, seasonal storage of retail plant stock and items with temporary polytunnels. Whilst there is not recent evidence of this, there is nothing in the planning history that questions this linked use.

Whilst the garden centre has now stopped operation and closed, the site is considered as an existing employment site. In this location Policy EI4 is relevant as it addresses development on existing employment sites within the countryside.



Development Control Committee Schedule 15/02/2022

Policy EI4 allows for the extension to buildings, erection of new buildings, and the infilling in-between existing employment buildings on employment sites within the countryside providing they adhere to certain criteria.

The proposed development proposes new employment units on the garden centre site which could facilities local employment opportunities and is to this regard, acceptable in principle terms.

As with the previous application, a small parcel of land to the South of the site does not fall within the developed area of the existing site. This small section of land is to be the location of a proposed attenuation pond, with no built development located on it.

This element would therefore not technically comply with the policy being beyond the boundary of the employment site. However, Officers are satisfied that the limited size of the area, its connection to the site and as a pond with associated landscaping will have limited wider impact and does not represent a harmful intrusion into open countryside. This therefore does not undermine the principle support for the proposal.

In policy terms, retail uses (former A1 classes) should normally be targeted towards town centre locations and not countryside ones as is the case here. However, the site has been used as a garden centre and whilst this can include plants propagated on the premises, its primary use is for the retailing of imported goods to visiting members of the public. Given this history of a retail use and that the inclusion of a proposed retail element of the development is only a small part of the scheme and the retail floor space can be controlled via condition, it is considered this does not undermine the retail hierarchy with the Local Plan (CP12).

Therefore, on a balanced assessment, the principle of redevelopment for the commercial uses outlined above is considered acceptable.

HIGHWAYS

Ensuring safe and accessible highways for all users is a key planning consideration that falls under both local Policy CP13 and is contained within the National Planning Policy Framework (paras 110-113). It is important that any proposal for planning permission be adequately assessed in terms of its projected impact upon the existing highway networks.

Following the previous refusal the scheme has been revised to provide access via an improved existing access. This provides access via the layby into the site instead of a new separate access directly from the A38. To achieve this some of the existing boundary vegetation will be removed to improve the visibility from the access i.e., 2.4 metres x 192 metres to the south and 2.4 metres x 192 metres to the north.

GCC Highways have considered the proposal and given the visibility of the site and the traffic levels on the A38 they sought provision of a ghost island to provide a right turn lane to improve safety and access to the site. This has been shown on the submitted drawing and GCC Highways are satisfied with the principle of the design and its safety. They have outlined that splitter islands maybe required to prevent overtaking through the junction



Development Control Committee Schedule 15/02/2022

improvements but are happy this can be addressed via their separate highways agreement process.

With the provision of these improvements prior to first use of the proposed development GCC Highways have removed their highway safety objection to the scheme.

GCC Highways are however still recommending refusal, raising sustainability concerns given the location of the site.

They highlight that the nature of the A38 in this location is a high speed, heavily trafficked route, it does not create an environment which encourages walking or cycling trips and is not located with accessible bus stops. They feel that this will result in reliance on the private car as the proposal cannot offer a genuine transport choice as is required by the National Planning Policy Framework.

The County advice on this matter is appreciated however it would be a matter for the planning authority to consider as part of the wider planning balance of the proposal.

The agent refers to the use of the adjacent waste transfer station as a precedent. This is noted but does not warrant a straight dismissal of the issue. The adjacent development was assessed at the time on its own merits considering the extant use, a different policy context, the nature of the use proposed and the planning benefits it provided. This cannot be directly transfer to this proposal which still requires a planning judgement to be made on its own merits.

A travel plan can be required via condition and whilst I note the highways officers concern about a lack of alternatives some provision can be made, including car share and bus provision. There is a cycle lane along the A38 and whilst this is only likely to be used by experienced cyclists given the nature of the road connection via Woodend lane towards Cam and Dursley may also be an option.

Therefore, give the current extant commercial use and the provision that can be made by the scheme, it is considered that the benefits of the proposal of providing new employment opportunities can be weighed against this concern.

The proposed scheme will generate additional vehicular movements with the applicant highway consultant outlining a net increase of two and four during the AM and PM peak hours, respectively. Whilst GCC think this maybe an underestimate it still is a limited amount in network terms and is not detrimental to the existing traffic situation on the A38.

Provision of parking within the site has been proposed and is shown on the layout plan. Electric vehicle charging and cycle parking can be provided via condition.

The Parish Council have recommended that all vehicles coming out of the site should turn left, northbound. Then any wishing to go south use the Slimbridge roundabout instead of crossing the road to go southbound.



Development Control Committee Schedule 15/02/2022

Vehicles are permitted to turn right from the access and travel South via the give way markings onto A38. The improved visibility from the access also help in this regard. In order to recommend a condition controlling this use it would have to be necessary in terms of highway safety having regard for the existing situation. It has also not been raised as a concern by GCC Highways. A similar issue occurred with the adjacent waste transfer station where the management of the site seeks that all commercial vehicles exit left/northbound.

The merits of the Parish Council's idea are appreciated and it has been raised with the agent to encourage users to use the roundabout before heading south. As it is considered there is not sufficient highway safety justification to recommend a condition and additional highway works required for a left turn only from the improved access this would be more of a management issue for the site to address.

LANDSCAPE IMPACT AND ECOLOGY

The application site does not lie within any significant landscape or environmental constraints in policy terms. The site is however located within a countryside location and is bordered by mature vegetation.

As outlined above the site is an existing commercial site and is located between the A38 and the main Gloucester to Bristol railway line with the Gossington A38 bridge also being located nearby to the north of the site. Adjacent to the site is a waste transfer station and vehicle depot. Whilst the surrounding area is rural these features do provide some immediate context to the site and the proposal will therefore not appear as a totally isolated development.

The boundary treatment and landscaping will also be important to provide some screening, ground the development into the site and help limit the impact on the wider landscape. No details of the landscaping have been submitted as they have been reserved for later consideration. However, the submitted layout plan does provide space for landscaping and retention of as much of the existing mature trees and hedgerows on the site boundary would be required. This includes a section along the A38 and also the boundary to the South and West where the site joins to wider countryside. The landscaping of the drainage pond and its boundary will also be part of this. With appropriate planting the scale and mass of the buildings can also be broken up and soften the edges.

The scale of the development has been submitted for consideration with the planning statement outlining that each building would be 21.5 m (W) x 21.5m (L) x 6m (H). With the context of the site this height is considered acceptable and whilst the appearance and design of the building has not been submitted the scale of building can be controlled via condition.

The design and appearance of the buildings has also been reserved for later consideration. Appropriate choose of materials including the colour would also help limit the prominence of any built form in the wider setting.

The Council's biodiversity team have assessed the submitted preliminary ecological assessment and are satisfied with the submitted details. Overall, the site holds limited ecological value with any habitats present on site considered to be common and widespread habitat types.



Development Control Committee Schedule 15/02/2022

The existing buildings to be removed provide negligible potential to support roosting bats, however, the surrounding landscape does provide the opportunity that bats could be in the area. Therefore, no lighting or a low-level lighting will need to be controlled and a condition requiring the details will look to avoid indirect disturbance to bats and other nocturnal species. Appropriate mitigation to protect nesting birds and precautionary working methods to ensure terrestrial mammals are protected have also been proposed.

To provide net gains for biodiversity appropriate enhancement measures will be included. These will include the landscaping and native hedgerow and tree planting but other measures like hedgehog friendly boundaries and bird and bat boxes have been proposed. Details of these can be required and controlled via conditions.

FLOOD RISK

Flood risk was not raised as a concern during the previous application and this application has also been accompanied by a flood risk assessment. The site lies within the Environment Agency flood zone 1-the lowest risk of flooding having an annual probability of less than 1 in 1000 years.

A sustainable urban drainage system (SUDS), is proposed to deal with the surface water run off on the site. All hardstanding areas will be constructed from porous paving with slot drains to help drain storm water. A wall mounted rainwater harvesting tank will be provided on each building to encourage the re-use of rainwater. Remaining surface water is to be directed into an attenuation pond that has been calculated to a 1 in 100 years plus 40% climate change event capacity. The SUDS scheme also outlines that a management company will be formed and maintenance schedule outlined.

The Lead Local Flood Authority have reviewed the application and the accompanied documentation and have provided no objection to the scheme. Whilst no further design details are required a drainage condition does form part of the recommendation to require implementation of the SUDS scheme at an appropriate time and the ongoing maintenance and management.

An onsite treatment plant is proposed to deal with the foul drainage.

ARCHAEOLOGICAL AND HERITAGE ASSETS

The application site does not lie within any conservation area, nor is located in close proximity to any listed building which are set away from the site on the other side of the railway. Officers are satisfied that there will be no significant negative impact on any archaeological or heritage assets as a result of this application.

RESIDENTIAL AMENITY

The application site seeks to remove the part residential use from the site in favour of a mixed commercial scheme. Noise was raised as a concern by a local resident during the previous application but whilst there are properties in the wider area there are no other immediate residential neighbours to the site. With the background noise levels of the neighbouring waste transfer station, the A38 and also the railway, this along with the distance, it is considered there will not be a significant adverse impact on the residential amenities currently enjoyed as a result of the proposed development.



Development Control Committee Schedule 15/02/2022

CONCLUSION AND PLANNING BALANCE

The proposed scheme seeks to redevelop an existing (now closed) garden centre. Given the existing commercial use, the principle is considered acceptable and accords with Policy E14 development on existing employment sites in the countryside.

Whilst part of the proposal is outside the existing site this is limited and only provides SUDS pond and associated landscaping. The built development is located within the existing site and with the adjacent wastewater transfer station, A38 and railway the proposal will not cause significant landscape harm.

The proposal will provide a small group of small/medium sized commercial units. Depending on the final use these will provide an opportunity for employment and business use which will have a positive benefit.

The drainage and amenity impact have been adequately addressed and provide natural weight.

The revised plans now provide an improved access arrangement that GCC Highways are satisfied is safe in highway terms. They do raise concern about the sustainability of the site particularly for the retail and office elements of the proposal. These concerns are noted however, the retail and office use are only small elements of the scheme. Whilst the rural location does limit the possible alternatives and the private car will be the main choice, it is considered that the recommended conditions do offer some alternative sustainable transport options if more limited than some locations.

The scheme does provide benefit of providing small/medium size units and whilst the scale is noted including if used for storage use this still provides an employment benefit to either retain or grow local business opportunities. The rural location and therefore sustainable transport concern are a negative, however, it is considered that the employment benefits outweigh this concern resulting in a positive planning balance.

RECOMMENDATION

With a clarification update to the use classes within the description of development and to make sure the proposal has been fully advertised in accordance with the regulations a further consultation period has been started.

Given the above positive planning balance, Officers are supporting the current proposal. However, as the consultation has not yet quite finished Officers are therefore seeking a resolution to delegate to the Head of Development Management to grant consent in accordance with the recommended conditions subject to the completion of the consultation.

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



Development Control Committee Schedule 15/02/2022

by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.

Subject to the following conditions:	<ol style="list-style-type: none">1. The development hereby permitted shall be begun not later than whichever is the latest of the following dates: -<ol style="list-style-type: none">i. The expiration of five years from the date of this permission; orii. The expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.<p>Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).</p>2. Approval of the details of the appearance and landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.<p>Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development.</p>3. Application for the approval of the matters reserved shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.<p>Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).</p>4. The development hereby permitted shall be carried out in accordance with the following approved plans: Site location - Existing Built Form Plan - Drawing No. P18_0942_01 B received on 23 July 2021 MASTERPLAN - Drawing No. SUN-OUT-08/20-01 received on 23 July 2021 Proposed Right Turn Lane Drawing - Drawing No. 4814-SK-07 Reason: For the avoidance of doubt and in the interests of proper planning,
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Development Control Committee Schedule 15/02/2022

biodiversity, highway safety, residential and visual amenity in accordance with Policies EI4, CP11, CP13, CP14, ES3 and ES7 of the adopted Stroud District Local Plan, November 2015.

5. Details submitted as part of the appearance reserved matter for the development shall include details of the proposed finished floor levels for that part of the scheme and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed following completion of the development. The building hereby approved shall have a maximum height of 6m. Such details shall also provide comparative levels of eaves and ridge heights of adjoining buildings and details of the levels of any existing or proposed boundary treatments. The development shall be carried out in accordance with the details as approved.

Reason:

To ensure the satisfactory appearance of the development in accordance with Policies EI4, ES3 and ES7 of the adopted Stroud District Local Plan, November 2015.

6. Details submitted as part of the landscaping reserved matter for the development shall include details of the proposed boundary treatment and details of a scheme of hard and soft landscaping for the site. The development shall be carried out in accordance with the details as approved.

Reason:

To ensure the satisfactory appearance of the development in accordance with Policies EI4, ES3 and ES7 of the adopted Stroud District Local Plan, November 2015.

7. Prior to above ground works for any building hereby approved, an appropriately detailed Waste Minimisation Statement for that part of the development site shall be submitted to and approved by the Local Planning Authority. The Waste Minimisation Statement/s shall address the requirements of Core Policy WCS2 of the Gloucestershire Waste Core Strategy, adopted November 2012 and the Gloucestershire Waste Minimisation Supplementary Planning Document for both Construction Activities and the Operational Life of the development. This shall include but not be limited to:

- a) The monitoring and minimisation of construction waste;
- b) Address the re-used of waste on and off-site;
- c) Provision within commercial and business areas of facilities or allocated areas to sort, store, treat and manage a majority of the waste produced internal to each of those



Development Control Committee Schedule 15/02/2022

- d) parts of the site;
Suitable accessing arrangements for recycle/waste collection vehicles.

Thereafter, within each phase/unit of the development to which the Waste Minimisation Statement refers, no building shall be occupied until the provisions set out in the approved Waste Minimisation Statement have been implemented. All of the approved measures shall thereafter be maintained unless an alternative strategy is submitted and approved by the Local Planning Authority.

Reason:

To ensure that a waste minimisation strategy has been considered to provide a sustainable management of waste from the development during the construction phase and ongoing during occupation in accordance with Core Policy WCS2 of the Gloucestershire Waste Core Strategy, adopted November 2012, the Gloucestershire Waste Minimisation Supplementary Planning Document and Policies CP14 and ES1 of the adopted Stroud District Local Plan, November 2015.

8. The new build development hereby permitted shall only be used for purposes falling within Class B2 (General Industrial) B8 (Storage and distribution) and E(a) retail uses as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended), and for no other purpose whatsoever, without express planning consent from the Local Planning Authority first being obtained. This shall apply notwithstanding other uses within Class E and any other permitted change of use outlined in the GPDO.

Reason:

To retain control of the development in the interest of the amenities and landscape of the surrounding area and to protect the retail hierarchy of the district in accordance with Policies CP14, EI4 and EI9 of the adopted Stroud District Local Plan, November 2015.

9. The development hereby permitted shall provide no more than 464 square metres of floorspace (GIA) for retail uses (Use Class E(a)) of the Town and Country Planning (Use Classes) Order 1987 (as amended) within a single unit.

Reason:

To limit the impact of a retail use on the retail hierarchy of the district and the vitality and viability of nearby centres in accordance with Policies EI4 and EI9 of the adopted Stroud District Local Plan, November 2015.



Development Control Committee Schedule 15/02/2022

10. No development shall take place until details, including samples and colours where required, of the materials used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved by the Local Planning Authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details and retained in perpetuity unless otherwise approved by the Local Planning Authority.

Reason:

To enable the Local Planning Authority to ensure the satisfactory appearance of the development, in accordance with Policies EI4 and ES7 of the adopted Stroud District Local Plan, November 2015.

11. No operations (including the deliveries to and from the site) shall take place except between the following hours:
Monday to Friday 08:00 to 18:00
Saturday & Sundays 08:00 to 16:00.

Reason:

In the interests of the amenities of the occupiers of nearby residential properties and the character of the surrounding area in accordance with Policies EI4 and ES3 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 has been submitted to and approved by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
- i. provide for the parking of vehicles of site operatives and visitors;
 - ii. provide for the loading and unloading of plant and materials;
 - iii. provide for the storage of plant and materials used in constructing the development;
 - iv. provide for wheel washing facilities and all construction traffic to leave the site with clean wheels;
 - v. specify the intended hours of construction operations;
 - vi. measures to control the emission of dust and dirt during construction;
 - vii. measures to avoid soil compaction in areas where infiltration has been proposed.

Reason:

To protect the amenity of the locality, especially for people living



Development Control Committee Schedule 15/02/2022

and/or working nearby, to avoid soil compaction and severely impacting infiltration rates and reduce the potential impact on the public highway in accordance with Policies ES3, ES4 and EI4 of the adopted Stroud District Local Plan, November 2015.

13. All works shall be carried out in full accordance with the recommendations contained in the Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey, Arbtech, dated September 2020 already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason:

To protect and enhance the site for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework, Policies EI4 and ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

14. Within 3 months of commencement, a specification (including methodology and programme of implementation) for the enhancement of biodiversity through the provision of bird and bat boxes, hedgehog friendly boundaries and native hedgerow and tree planting shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved specification and programme of implementation and be retained thereafter.

Reason:

To protect and enhance the site for biodiversity in accordance with paragraph 174(d) of the National Planning Policy Framework, Policies EI4 and ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

15. Prior to the installation of external lighting for the development hereby approved, a lighting design strategy for biodiversity shall be submitted to and approved by the Local Planning Authority. The strategy will:

- a) identify the areas/features on site that are particularly sensitive for foraging bats;
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.



Development Control Committee Schedule 15/02/2022

All external lighting shall be installed only in accordance with the specifications and locations set out in the strategy.

Reason:

To maintain dark corridors for nocturnal wildlife in accordance with Policies EI4 and ES6 of the Stroud District Local Plan 2015.

16. No building hereby permitted shall be occupied until all SuDS/attenuation features and associated pipework have been provided in accordance with the Flood Risk Assessment & Suds Report for Sunnyside, Bristol Road, Cam, GL11 5JA Document Number: C2419-R1-REV-B - Nimbus Engineering Consultants Ltd received on 04 August 2021. The SUDS maintenance plan shall then be implemented in full in accordance with the agreed terms and conditions.

Reason:

To ensure that the development is provided with a satisfactory means of drainage, to reduce the risk of creating or exacerbating a flooding problem and as well as to minimise the risk of pollution for the lifetime of the development in accordance with Policies ES4 and EI4 of the adopted Stroud District Local Plan, November 2015.

17. No building hereby permitted shall be occupied until the visibility splays have been provided in accordance with the approved plans. Nothing shall be planted, erected and/or allowed to grow on the triangular area of the land so formed which would obstruct the visibility described above.

Reason:

In the interests of highway safety in accordance Policies CP13, CP14 and ES3 of the adopted Stroud District Local Plan, November 2015.

18. The improvements to the site access as shown on drawing no 4814-SK-07 shall be constructed in accordance with the approved plans (including any additional splitter islands if required by the Local Highway Authority) before any of the buildings hereby permitted are first occupied.

Reason:

To ensure that improvements are undertaken to the transport network and that a safe and secure access is laid out that mitigates the significant safety impacts of the development in accordance and Policy CP13 of the adopted Stroud District Local Plan, November 2015.



Development Control Committee Schedule 15/02/2022

19. No unit of the development hereby approved shall be brought into use/occupied until a detailed specific travel plan for that unit has been submitted to and approved by the Local Planning Authority. These shall include evidence that any pre-occupation elements have been put in place. The approved Travel Plans shall then be implemented in accordance with the details and timetable, monitored and reviewed to the satisfaction of Local Planning Authority.
- Reason:
To ensure that the opportunities for sustainable transport modes including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling are taken up in accordance with paragraphs 108 - 111 of the Revised National Planning Policy Framework.
20. No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking, turning and loading/unloading facilities within the site for that building have been provided in accordance with the approved plans and shall then be maintained available for those purposes for the duration of the development.
- Reason:
To ensure adequate parking facilities and 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 and Policies CP11 & CP13 of the adopted Stroud District Local Plan, November 2015.
21. No building hereby approved shall be brought into use/occupied until the cycle storage facilities for that unit which accords with Stroud Council's Parking Standards for cycles have first been submitted to and approved by the Local Planning Authority and then also made available for use in accordance with the approved plans. The approved facilities shall be maintained for the duration of the development.
- Reason:
To ensure that the opportunities for sustainable transport modes and the provision and availability of adequate cycle parking have been taken up in accordance with Policies EI4 and CP13 of the adopted Stroud District Local Plan, November 2015.
22. Prior to the first operational use of the development hereby permitted a scheme for Electric Vehicle Charging Points for the



Development Control Committee Schedule 15/02/2022

new development that provided a minimum of 10% parking spaces must be made operational. All charging systems shall be maintained and kept in good working order as specified by the manufacturer and retained in perpetuity.

Reason:

To ensure a satisfactory standard of development which meets the needs of current and future generations in accordance with Policy ES1 of the Stroud District Local Plan adopted 2015.