

APPLICATION NO: 20/00704/FUL		OFFICER: Michelle Payne
DATE REGISTERED: 2nd May 2020		DATE OF EXPIRY: 1st August 2020
WARD: Leckhampton		PARISH: Leckhampton With Warden Hill
APPLICANT:	Travis Perkins (Properties) Limited	
AGENT:	Mr Tim Rainbird	
LOCATION:	Travis Perkins Trading Ltd, Mead Road, Cheltenham	
PROPOSAL:	Comprehensive redevelopment of existing builders merchant (sui generis) comprising: demolition of existing buildings; erection of 2no. commercial buildings for use as a builders' merchant (sui generis) for display, sale and storage of building, timber and plumbing supplies, plant and tool hire, including outside display and storage including storage racking, widening of existing Mead Road access, servicing arrangements, car parking and associated works	

Update to Officer Report

As set out in the main report, the recommendation is to grant planning permission subject to a schedule of conditions. The suggested conditions, which have been worded to respond to the proposed phasing of the development, are set out below. In accordance with the Regulations, the pre-commencement conditions have been agreed by the applicant.

SUGGESTED CONDITIONS

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions 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 planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The phasing of the demolition and construction of the development shall be implemented and carried out in accordance with the approved phasing plans; Drawing Nos. 20480 105 Rev 03, 20480 106 Rev 04, 20480 107 Rev 04 and 20480 108 Rev 04.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 4 Prior to the commencement of any phase of the development, a Waste Minimisation Statement (WMS) shall be submitted to and approved in writing by the Local Planning Authority. The WMS should detail how different types of waste will be reduced and managed efficiently and effectively, for the full lifecycle of the proposed development. The development shall thereafter be implemented in accordance with the approved WMS.

Reason: To ensure that the principles of waste minimisation are incorporated into the development, having regard to policy 36 of the Gloucestershire Waste Local Plan (2004). Approval is required upfront as the full lifecycle of the proposed development needs to be considered, including site preparation and any demolition.

- 5 Prior to the commencement of any phase of the development, a detailed remedial strategy shall be submitted to and approved in writing by the Local Planning Authority, as per the recommendation within the Ground Investigation Report dated March 2020 (Ref: STR4924-G01 Rev 01). The strategy shall include details of appropriate mitigation measures during construction.

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, having regard to adopted policy SD14 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could cause unacceptable risks during demolition and construction.

- 6 Prior to the commencement of any phase of the development, a Construction Management Plan or Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The plan/statement shall provide for but not be limited to:
- i) the 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);
 - ii) routes for construction traffic;
 - iii) any temporary access to the site;
 - iv) locations for loading/unloading and storage of plant, waste and construction materials;
 - v) methods of preventing mud and dust being carried onto the highway;
 - vi) arrangements for turning vehicles;
 - vii) arrangements for receiving abnormal loads or unusually large vehicles; and
 - viii) methods of communicating the plan/statement to staff, visitors, and neighbouring residents and businesses.

The approved plan/statement shall be adhered to throughout the demolition and construction phases of the development.

Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted policy INF1 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during demolition and construction.

- 7 Prior to the commencement of development of Phase 2 (as depicted on Drawing No. 20480-106 Rev 04) and Phase 4 (as depicted on Drawing No. 20480-108 Rev 04), full details of a no-dig method for works within the Root Protection Area(s) of retained trees shall be submitted to and approved in writing by the Local Planning Authority; and the development shall be implemented strictly in accordance with the approved details. All paths, parking areas and other forms of hard landscaping that fall within the tree Root Protection Area(s) shall be constructed using a no-dig method.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to saved policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 8 Prior to the commencement of development of Phase 2 (as depicted on Drawing No. 20480-106 Rev 04) and Phase 4 (as depicted on Drawing No. 20480-108 Rev 04), detailed plans for surface water drainage shall be submitted to and approved in writing

by the Local Planning Authority. The details submitted shall be in accordance with the principles set out within the Flood Risk Assessment dated February 2020 (Ref: R-FRA-20568-01-0) and 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; and
- ii) include a timetable for its implementation.

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, having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 9 Prior to the installation of any fixed plant, an updated Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of nearby residential properties and the locality, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

- 10 The new vehicular access 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 in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 11 Prior to occupation or use of the building constructed under Phase 4 (as depicted on Drawing No. 20480-108 Rev 04), the means of access for vehicles, pedestrians (including dropped kerb tactile paving) and/or cyclists shall be constructed and completed in accordance with approved Drawing No. 20480-100 REV 09; and those accesses shall be retained as such thereafter.

Reason: To ensure a safe and suitable access to the development for all users is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 12 Prior to occupation or use of the building constructed under Phase 4 (as depicted on Drawing No. 20480-108 Rev 04), the loading, unloading, circulation and manoeuvring facilities for servicing vehicles shall be constructed and completed in accordance with approved Drawing No. 20480-100 REV 09; and those areas shall be retained as such thereafter.

Reason: To ensure a safe and suitable access to the development is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 13 Prior to occupation or use of the building constructed under Phase 4 (as depicted on Drawing No. 20480-108 Rev 04), parking and turning facilities shall be provided in accordance with approved Drawing No. 20480-100 REV 09; and those areas shall not be used for any purpose other than the parking and turning of vehicles and shall remain free of obstruction for such use at all times.

Reason: To ensure the adequate provision of parking facilities within the site in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 14 Prior to occupation or use of the building construction under Phase 4 (as depicted on Drawing No. 20480-108 Rev 04), secure covered cycle storage facilities shall be provided in accordance with approved Drawing No. 20480-100 REV 09; and those facilities shall thereafter be retained available for such use in accordance with the approved plans at all times.

Reason: To ensure the adequate provision and availability of cycle parking, so as to ensure that opportunities for sustainable transport modes have been taken up, having regard adopted policy INF1 of the Joint Core Strategy (2017).

- 15 Prior to occupation or use of the building construction under Phase 4 (as depicted on Drawing No. 20480-108 Rev 04), a minimum of 1no. accessible car parking space shall be provided; and that space shall thereafter be kept available for disabled users.

Reason: To ensure that the development incorporates facilitates for disabled users, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 16 Prior to occupation or use of the building construction under Phase 4 (as depicted on Drawing No. 20480-108 Rev 04), 1no. electric vehicle charging space shall be provided in accordance with approved Drawing No. 20480-100 REV 09; and that space and power point shall thereafter be kept available for the charging of electric vehicles.

Reason: To ensure that the development incorporates facilitates for electric vehicles, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 17 Prior to occupation or use of the building construction under Phase 4 (as depicted on Drawing No. 20480-108 Rev 04), signing and lining restricting the use of the access to "Entry Only"/"Exit Only" shall be provided in accordance with approved CTP Drawing SK01; and the signing and lining shall thereafter be maintained for the duration of the development.

Reason: To ensure a safe and suitable access is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 18 Prior to occupation or use of the building construction under Phase 4 (as depicted on Drawing No. 20480-108 Rev 04), visibility splays shall be provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 54 metres in each direction measured along the nearside edge of the adjoining carriageway. 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: To ensure a safe and suitable access to the development is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 19 No customer shall be permitted to be on the premises outside of the following hours without express planning permission:

Monday to Friday: 07.00hrs - 18.00hrs.
Saturday: 08.00hrs - 12.00hrs.

Reason: To safeguard the amenities of occupiers of nearby residential properties and the locality, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

- 20 No deliveries or offloading of materials shall take place outside of the following hours without express planning permission:

Monday to Friday: 07.00hrs - 18.00hrs.
Saturday: 08.00hrs - 12.00hrs.

Reason: To safeguard the amenities of occupiers of nearby residential properties and the locality, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

- 21 Prior to first occupation of Phase 2 (as depicted on Drawing No. 20480-106 Rev 04) the 2.4m acoustic barrier and prior to the first occupation of Phase 4 (as depicted on Drawing No. 20480-108 Rev 04) the 4m acoustic fence, shall be implemented in accordance with approved Drawing No. 20480-100 REV 09; and those barriers shall thereafter be maintained at least yearly to ensure they are providing optimal performance.

Reason: To safeguard the amenities of occupiers of nearby residential properties and the locality, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

- 22 Prior to first occupation or use of the development, a site specific noise management plan for deliveries shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of nearby residential properties and the locality, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

- 23 Prior to the implementation of any soft landscaping, a scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a planting specification to include species, size, position and method of planting of all new trees and shrubs; and a programme of implementation.

All landscaping works shall be carried out in accordance with the approved details prior to first occupation or use of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the

Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The proposed development includes the carrying out of work on the adopted highway. Before undertaking work on the adopted highway, you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which will specify the works, and the terms and conditions under which they are to be carried out.

You should contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- i. Drafting the Agreement
- ii. A Monitoring Fee
- iii. Approving the highway details
- iv. Inspecting the highway works

Planning permission does not grant permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured, and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

- 3 You are advised that a Traffic Regulation Order (TRO) is required. You will need to submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving advertisement and consultation of the proposal(s).

You should normally expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and the outcome of the process cannot be guaranteed.

The TRO process cannot begin until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

- 4 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 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.

- 5 It is expected that the contractors will be registered with the Considerate Constructors Scheme and will comply with the Code of Considerate Practice in full but, in particular, the reference to respecting the community which states:

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.
- Working to create a positive and enduring impression, and promoting the Code.

A Construction Environmental Management Plan (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.

A CEMP can include but is not limited to:

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site;
- Deliveries, waste, cranes, equipment, plant, works, visitors;
- Size of construction vehicles;
- The use of a consolidation operation or scheme for the delivery of materials and goods;
- Phasing of works;
- 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):
 - Programming;
 - Waste management;
 - Construction methodology;
 - Shared deliveries;
 - Car sharing;
 - Travel planning;
 - Local workforce;
 - Parking facilities for staff and visitors;
 - On-site facilities;
 - A scheme to encourage the use of public transport and cycling;
 - Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residual roads;
 - Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;

- Location for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Highway Condition survey;
- Method of preventing mud being carried onto the highway; and
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.