

TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT CONTROL

Committee:	Planning
Date:	20 July 2021
Site Location:	Part Parcel 3152 Tewkesbury Road Deerhurst Gloucester Gloucestershire
Application No:	20/00464/FUL
Ward:	Severn Vale North
Parish:	Elmstone Hardwicke
Proposal:	Hybrid planning application seeking full planning permission for the erection of a B2 unit (general industrial) with associated landscaping, access and parking; and outline planning permission (all matters reserved except access) for a mix of B1, B2 and B8 use classes (employment).
Report by:	James Lloyd
Appendices:	Site Location Plan Existing Block and Street scene Proposed Block and Street scene Landscape Plan Proposed Elevations Proposed Floor Plans
Recommendation:	Minded to Permit

1.0 SITE DESCRIPTION AND PROPOSAL

Application Site

- 1.1. The application site comprises of a 2.89 hectare parcel of land which is currently classified as agricultural land. The site is roughly rectangular in shape and bound to the west, south and east by hedgerows and interspersed trees and wooden fencing. Cursey Lane is located to the south of the site, beyond which are a pair of semi-detached residential properties and a business enterprise known as Charles Russell Transport. To the north of the site is Highfield Business Park.
- 1.2. The application site is situated approximately 4.2km to the south of the centre of Tewkesbury, 8.5km to the north west of Cheltenham and 11.5km to the north of Gloucester.
- 1.3. Vehicular access to the site is via Cursey Lane. Cursey Lane provides access to the A38, a dual carriageway which links Tewkesbury to the north and Gloucester to the South with onward connections to the M5.

- 1.4. Void of any buildings, the site is relatively flat with a gently slope in an easterly direction. A small pond is located towards the middle of the northern half of the site.
- 1.5. The site is not subject to any landscape designations and is located in Flood Zone 1. A public footpath (AEH3) skirts the south eastern boundary of the application site, there is also a public right of way (ADE87) on the opposite side of the A38.

Current Application

- 1.6. The application is submitted as a hybrid application and seeks:
 1. Full planning permission for the erection of a B2 unit (general industrial) with associated landscaping, access, and parking;
 2. Outline planning permission (all matters reserved except access) for a mix of B1, B2 and B8 use classes (employment).
- 1.7. The application site as a whole is approximately 2.91ha. The site area for the outline element is 1.02ha, the site area pertaining to the full element is on the remaining 1.89ha.
- 1.8. The full application comprises a B2 unit, with ancillary office space. The main B2 building itself would have a total footprint of 1,882 square metres and a ridge height of approximately 11.8m. In addition to the B2 building, a new access is proposed off Cursesey Lane. It is proposed that a new pedestrian and cycle lane would be included within the site that joins the existing path along the A38. The new building is intended for the end user, Ferrositi, to replace their existing factory premises in Cheltenham from where they intend to relocate.
- 1.9. The proposed new building would comprise two discrete areas; the main space being the workshop. This would provide an open-plan space which has been designed to ensure that the internal space is adaptable for the needs of Ferrositi and the equipment they use. The internal eaves height of 8.6m is dictated by the crantage systems required for the company's operations.
- 1.10. The remaining area would accommodate ancillary administration and office work areas associated with the main functions of the workshop. This space comprises open plan office space, meeting rooms, a reception area and staff facilities. There are two entrances to the building; a public entrance at the front and a separate staff door to the side.
- 1.11. The outline application seeks permission on the remaining 1.15 hectares of land for a mixed-use development comprising of Class B1, B2 and B8 employment uses. The application seeks to determine access as part of the outline element of the application; however, appearance, landscaping, layout and scale are reserved for future consideration.
- 1.12. Whilst the above matters are reserved; the applicant has provided additional information which sets out the design and layout principles. The Design and Access Statement confirms that the total gross internal floor area generated through the development would be up to 2,430sq m. the corresponding documents are as follows:
 - Site Location Plan
 - Proposed Section & Site Plan
 - Landscape Strategy Plan
 - Design & Access Statement
 - Planning Statement

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
87/00452/FUL	Change of use (1) Agricultural land to training of racehorses (2) Alterations to stable block to provide a dwelling for stable staff (3) Alterations to agricultural buildings to provide loose boxes and all weather training compound.	Permit	30.09.1987
88/00216/FUL	Alterations and extension to existing stable block to provide a dwelling unit. Construction of new vehicular access.	Permit	18.03.1988
89/91067/FUL	Use of land for the training of racehorses.	Permit	25.10.1989

3.0 RELEVANT POLICY

- 3.1. The following planning guidance and policies are relevant to the consideration of this application:

National guidance

- 3.2. National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and Aviation Policy Framework (2013)

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) - Adopted 11 December 2017

- 3.3. Policies: Joint Core Strategy (JCS) 2017 – SP1, SP2, SD1, SD3, SD4, SD6, SD9, SD14, INF1, INF2, INF7

Tewkesbury Borough Local Plan to 2011 - March 2006 (TBLP)

- 3.4. Saved Policies: EMP3

Tewkesbury Borough Plan 2011-2031 – Pre-Submission Version (October 2019)

- 3.5. Policies: EMP2, EMP4, EMP5, NAT1, ENV2, TRAC1, TRAC2, TRAC3, TRAC9

Tewkesbury Borough Plan Addendum: Schedule of Changes to the Pre-Submission Plan' document

Employment land and economic development strategy review (November 2016)

Pre-submission Tewkesbury Borough Plan employment sites background paper (October 2019)

Flood and Water Management Supplementary Planning Document (March 2018)

Economic Development and Tourism Strategy (2017-21)

Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)

The First Protocol, Article 1 (Protection of Property)

4.0 CONSULTATIONS

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>

- 4.1. **Elmstone Hardwicke Parish Council – Objection** on the basis of the proposed access out onto Cursey Lane and the proximity to the junction with the A38. Access should be taken through the existing Highfield Business Centre to the north.
- 4.2. **Deerhurst Parish Council – Objection** on the basis of the access being onto Cursey Lane. In the interest of road safety using the traffic lights out of the business park is a much safer option.
- 4.3. **Highways England** – No objection subject to conditions.
- 4.4. **County Highways Authority** – No objection subject to conditions and financial obligations.
- 4.5. **Local Lead Flood Authority** – No objection subject to conditions.
- 4.6. **Environmental Health (Noise)** – No objection, subject to conditions to restrict noise levels and operating hours.
- 4.7. **Environmental Health (Air Quality)** – No objection subject to conditions.
- 4.8. **Environmental Health (Contamination)** – No objection, there is a historic landfill within 250m of the site therefore a condition is required to assess any further contamination.
- 4.9. **County Archaeologist** – No objection, no further archaeological investigation or recording need be undertaken in connection with this scheme before determination, additional archaeological evaluation to be secured by way of a condition.
- 4.10. **County Minerals and Waste** – No objection subject to conditions.
- 4.11. **Severn Trent** – No objection.
- 4.12. **Urban Design Officer** – Some amendments could be made to improve the design quality of the proposal.
- 4.13. **Ecological Advisor** – No objection, subject to pre-commencement conditions requiring the submission of Construction Ecological Management Plan (CEMP) and Landscape and Ecological Management Plan (LEMP).
- 4.14. **Planning Policy** – Can confirm that there were 8 objections to Policy EMP2 within the PSTBP, although none of these relate to Highfield Business Centre specifically. Furthermore, none of the objections raise overarching concerns over the Rural Business Centres in general but relate specifically to other RBCs (excluding Highfield). Having regard to para 48 of the NPPF, I am of the view that EMP2 can be afforded significant weight insofar as proposals at Highfield are concerned.

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1. The application has been publicised through the posting of a site notice for a period of 36 days and the publication of a press advertisement.
- 5.2. 3 objections, one of which is from a County Councillor. The comments raised are summarised below.
 - The proposed access is not safe and a safer access could be achieved through the existing business park to the north.
 - Previous planning conditions were not adhered to by way of stopping the existing access onto Cursey Lane.
 - The proposed access would impinge on the existing access at 1 Cursey Cottage. Especially with an increase in traffic volume.
 - Highfield Business Park was originally granted planning permission on the proviso that the existing access onto Cursey Lane was stopped up.
 - The site should remain a business park and not an industrial estate.

6.0 POLICY CONTEXT

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 6.2. The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 6.3. The Pre-Submission Tewkesbury Borough Plan was submitted to the Secretary of State for Housing, Communities and Local Government in May 2020 and the examination took place in March 2021. The Inspector has now provided his Post Hearing Main Modifications Letter and the Council are currently working up a schedule of Main Modifications ahead of a statutory period of consultation. On the basis of the stage of preparation it has reached it is considered that the plan can be afforded at least moderate weight. However, the weight to be attributed to individual policies will be subject to the extent to which the Inspector identified main modifications, whether there are unresolved objections (the less significant the unresolved objections, the greater the weight that may be given) and their degree of consistency with the NPPF (the closer the policies to those in the NPPF the greater the weight that may be given).
- 6.4. The relevant policies are set out in the appropriate sections of this report.

7.0 ANALYSIS

- 7.1. The site is located in the open countryside outside any settlement boundary. While the existing Highfield Business Park, located to the north, is identified as a rural business centre in the TBLP the application site itself lies outside of this allocation.

Principle of Development

- 7.2. The NPPF makes it clear that the Government places significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. In achieving sustainable development, the NPPF advises that the economic objective should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity.
- 7.3. Section 6 of the NPPF - 'Building a strong, competitive economy', advises that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries and for storage and distribution operations at a variety of scales and in suitably accessible locations.
- 7.4. In terms of the rural economy, the NPPF advises that Planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.
- 7.5. Furthermore, it advises that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings and does not have an unacceptable impact on local roads.
- 7.6. Policy SP1 of the JCS states that during the plan period 2011-2031 provision will be made for a minimum of 192 hectares of B-Class employment land to support approximately 39,500 jobs. Policy SP2 sets out the distribution of development and states that at least 84 hectares of the 192 hectares provision will be delivered at Strategic Allocation sites and any further capacity will be identified in District Plans. The JCS Economic Update Note (Feb 2016) indicates that there is a potential supply of approximately 40ha of suitable and available sites in Tewkesbury Borough that could contribute to meeting the overall JCS requirement and is to be identified in the TBP.
- 7.7. JCS Policy SD1 supports employment related development in certain circumstances, including:
 - ii. At locations allocated for employment use within the Development Plan;
 - vi. In the wider countryside when it is: - located within or adjacent to a settlement or existing employment area and of an appropriate scale and character;
 - vii. Where it allows the growth or expansion of existing business especially in the key growth sectors, subject to all other policies of the plan;
 - vii. Where it would encourage and support the development of small and medium sized enterprises, subject to all other policies of the plan.
- 7.8. Saved Policy EMP3 of the Tewkesbury Borough Local Plan to 2011 (the TBLP) sets out that any proposals for new rural business centres will be assessed in accordance with Policy EMP4 of the TBLP. However, this policy has since been superseded by Policy SD1 of the JCS (see above).
- 7.9. Emerging Policy EMP2 of the emerging TBP identifies the application site as part of an expanded Rural Business Centre designation. Having regard to this emerging policy, the

proposals for B-class employment development on the site would be acceptable in principle providing it is of an appropriate scale and design having regard to the character of existing buildings on the site and the rural landscape of the area.

- 7.10. The emerging policy has been informed by the Employment Land Background Paper (September 2019) (ELBP) and the Tewkesbury Borough Employment Land and Economic Development Strategy Review (Bruton Knowles, 2016) (ELEDSESR) which provide the justification for the site's inclusion as a preferred option within the plan. Appropriate weight should be given to the Emerging TBP given its current position (Examination stage). The Planning Policy Officer advises that there were 8 objections to Policy EMP2 within the PSTBP, although none of these relate to Highfield Business Centre specifically. Furthermore, none of the objections were overarching concerns over the Rural Business Centres in general but relate specifically to other Rural Business Centres (excluding Highfield). With this in mind and having regard to para 48 of the NPPF, it is the view of the Policy Officer that EMP2 can be afforded significant weight insofar as the current site is concerned.
- 7.11. With this in mind the principle of the expansion of the existing rural business centre via the proposed development could be acceptable, however, this is subject to the provisions of SD1 of the JCS, saved policy EMP3 and all other material considerations.

Scale of development

- 7.12. As discussed above JCS Policy SD1 supports employment related development subject to it being of an appropriate scale and character. Saved Policy EMP3 of the Tewkesbury Borough Local Plan to 2011 (the TBLP) sets out that any proposals to expand within these sites must demonstrate that the small-scale nature of units and activity on the site will be retained. Given its inclusion as an allocated employment site in the Emerging TBP the proposal for B-class employment development on the site could be considered acceptable in principle providing it is of an appropriate scale and design having regard to the character of existing buildings on the site and the rural landscape of the area.
- 7.13. However, the NPPF is supportive of the sustainable growth and expansion "of all types of business and enterprise in rural areas" and does not seek a requirement that such schemes have to be small scale. In this regard the principle of larger scale, general employment proposals in those locations can be considered acceptable subject to all other material considerations.
- 7.14. Whilst the application site is located adjacent to the existing Highfield Business Park the proposal is not considered an extension to an existing rural business centre in the traditional sense. The proposed access would be taken from Cursey Lane to the south of the site and not from the existing traffic light controlled access within the existing Highfield Business Park. The submitted indicative site layout plan does not include any links (either pedestrian or vehicular) that would indicate a connection between the two sites, however, space could be provided to interconnect these at a later date. However, notwithstanding the lack of internal site connections, the business uses could appear as one given their proximity, similar unit designs and matching planning uses.
- 7.15. The existing rural business centre currently benefits from approximately 40 units. Previously extended in 2012 the site additions provided an extra 2252.4 square metres of floor space, effectively doubling the size of the original business centre.
- 7.16. Whilst the mixed-use element of the proposal is submitted in outline an indicative site plan has been provided. This plan details approximately 19 units in outline and the one larger unit, which is subject to the full application. The design and access statement sets out that the total gross internal floor area generated through the development would be up to 2,430sq m.

- 7.17. The new purpose-built building that is subject to the full element of the application would be much larger in scale and form than those situated on the existing business park, which is driven by the space needs of the business seeking relocation. This purpose-built building would exceed the size and scale that is usually indicative with these types of rural business centres and the landscape aspects of this will be discussed later in the report.
- 7.18. The proposed smaller units that would be provided through the outline application are very much in the vein of the business centre located to the north. The indicative site plan demonstrates that a layout and scale of building(s) could be provided within this site which is acceptable in terms of the rural business centre policy.
- 7.19. The provision of smaller scale units on this site (as proposed through the outline element of the scheme) is deemed consistent with the approaches outlined in Saved Policy EMP3 and the emerging borough plan. However, the proposed B2 unit (as defined in the full application) is larger than would be expected on a rural business centre site. Therefore, whilst the principle of economic development is supported by the development plan it is evident that the larger B2 unit maybe contrary to the current Policies given its scale and size. While neither the JCS nor Saved Policy EMP3 define 'small-scale employment development', it is considered that the B2 building would propose a substantial increase in floor area over the existing units on the existing Highfield site to the north, which conflicts with this aspect of policies EMP3 and EMP2.
- 7.20. This policy conflict needs to be balanced against the revised NPPF which places significant weight on the need to support economic growth. The support is therefore a matter which is given significant weight in the overall planning balance when considered against all other material planning considerations as discussed below.

Landscape and Visual Impact

- 7.21. Paragraph 170 of the NPPF states that the planning system should contribute to and enhance the local environment by, inter alia, protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan. Policy SD6 of the JCS echoes these requirements and states that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. The policy goes on to state that all applications for development will consider the landscape and visual sensitivity of the area in which they are to be located or which they may affect.
- 7.22. The application site is not located within a designated valued landscape area within the development plan.
- 7.23. The application is supported by a Landscape and Visual Appraisal (LVA) which considers the character of the site and the relationship to its surroundings. The site comprises a small, irregular shaped piece of land, immediately abutting the Highfield Business Park on its northern edge. The A38 abuts the western boundary and Cursey Lane abuts the southern boundary. A hedgerow forms the eastern boundary with arable fields beyond. Large rectangular shaped buildings (chicken sheds) lie beyond these arable fields. The site gently slopes eastwards, away from the A38. In the wider landscape, the topography slopes westwards from the A38, which sits at a ridge in the local landscape.
- 7.24. The site lies in open countryside and comprises agricultural land. Although the proposed development would adjoin the existing business park to the north it would constitute a clear intrusion into open countryside. The proposed development would be partially screened by a mature hedge adjacent to the A38, but the effectiveness of this screen would be limited in the winter months. The main visual impact would be when travelling from the Deerhurst direction

on the B4213 and travelling northwards towards Tewkesbury on the A38. There would also be views of the buildings from the traffic light junction on the A38, from Cursey Lane to the South and from a public footpath, which crosses open fields from Cursey Lane to Tredington.

- 7.25. The LVA assesses the visual impact of the proposed development from nearby and distant viewpoints. The LVA identifies the landscape and visual implications of development. The LCA identifies that the site lies adjacent to the Landscape Protection Zone as designated in the local plan and within the Settled Unwooded Vale of Gloucester as defined within the Gloucestershire Landscape Character Assessment. It is typical in its character of a rural, flat agricultural field with hedgerows as boundaries and is part of the strong field patchwork surrounding the larger Vale.
- 7.26. In respect of **landscape** effects, the LVA concludes that the adverse effects are limited to the loss of the field to development and some minor loss of vegetation. The report judges that the proposal is highly localised in respect of the wider landscape. Measures such as tree planting, choice of materials and lighting could assist in assimilating the scheme in the local surroundings. The assessment identifies opportunities to mitigate visual impacts without detrimental impacts on the landscape character. Mitigation measures and a detailed landscaping scheme would improve the impact of the proposal upon the landscape character, these could be secured at reserved matters stage.
- 7.27. The Appraisal concludes that the **visual** effects are localised in nature and are not unacceptable given the local context and surroundings. The retention of existing vegetation (where possible) and provision of development setbacks which provide the opportunity for new tree planting, would filter these views and soften the appearance of the proposed units. Some adverse effects have been identified by the assessment, these effects are localised to the site and its immediate surroundings. The proposed development however would not introduce an element to these views which is 'alien' or discordant with the surroundings and the layout has sought to limit these effects.
- 7.28. The Council's Landscape Consultant has assessed the submitted LVA and advises that the submitted Landscape and Visual Appraisal is an objective and accurate statement of fact in relation to the proposed business park development off Cursey Lane. They go on to add that Whilst there would be a loss of some open views into and across the site, the impact on the wider landscape character would not be significant and the visual effects can be mitigated through a well-designed landscape strategy for the development.
- 7.29. Given the above Officers have carefully considered the visual impact of the proposed development having regard to the submitted information. Whilst the proposed development would introduce a built form into an otherwise open area of land and the visual experience to those outside of the site would change, the illustrative layout is such that proposal would be viewed as a continuation of the built form of Highfield Business Park and thus the proposal would be viewed as a continuation of the existing commercial streetscape, particularly from the most prominent viewpoint on the A38.
- 7.30. In terms of the Full element of the application, a Landscape Strategy has been submitted and demonstrates how planting could be used to mitigate the proposal. The Landscape Consultant has however pointed out that the current suggestion is relatively basic, and a revised Landscape Strategy should be presented. The Landscape Consultant considers that an appropriate scheme can be achieved, it is also expected that the detailed planting could be supplied through an appropriate condition should permission be granted. With this in mind an update will be provided to members prior to committee in regard to the Landscape Strategy for the full element of the proposal.

- 7.31. In terms of the Outline element of the application, the Landscape Consultant considers that a planning condition in respect of provision of a detailed landscape scheme, for future reserved matters applications for the 'outline' part of the proposal is appropriate.
- 7.32. Overall, it is considered that there would clearly be a visual impact on the area which would result in a degree of harm to the character and appearance of the area resulting in the loss of the open aspect of the existing gap when viewing the site from A38 in particular. Nevertheless, the harm could be mitigated through an appropriate Landscape Strategy and conditions as outlined by the Landscape Consultant above.

Design

- 7.33. The NPPF highlights that the creation of high-quality buildings and places is fundamental to what planning and development process should achieve. Paragraph 127 states, amongst other things, that planning decisions should ensure that development will function well and add to the overall quality of the area; will be visually attractive as a result of good architecture, layout and appropriate and effective landscaping and will be sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 7.34. This advice is echoed in JCS Policy SD4 which states new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.

Outline Element – Building Designs

- 7.35. With regards to the part of the application for the 2,430 sqm of a mix of B1, B2 and B8 uses, all matters relating to design and layout are reserved for future consideration. However, the application has been supported with a Design and Access statement and a Proposed Section & Site Plan which provides an indication as to how the site could be developed. These would be used to inform the submission of any subsequent reserved matters applications.
- 7.36. In terms of scale, the sections plan demonstrates that the proposed units that form part of the **Outline** stage could mirror those on the existing Highfield Business park which have ridge heights of approximately 7 metres and eaves of up to 6 metres. It is considered that these building heights are appropriate in the context of the wider commercial built environment. The existing light industrial buildings to the north at Highfield Business Park are rectilinear in footprint of various sizes, and are arranged in an informal way, around irregularly shaped courtyards, yet with strong angles that repeat throughout the site. The outer buildings are positioned parallel to their site boundaries. It is considered that whilst the outline proposal is indicative this approach would be acceptable.
- 7.37. The Council's Urban Design Officer has been consulted on the application and advises that the proposal is well related to existing commercial operations and so is not out of character with its location. The size and scale of buildings is also considered appropriate for this location. However, they suggest that improvements could be made to the sustainable construction techniques. It is considered that this could be achieved through the final site layout design at reserved matters stage.
- 7.38. This element of the application is therefore considered acceptable, notwithstanding the further details that would be provided at the Reserved Matters stage.

Full Element – Building Designs

- 7.39. The building within the **detailed** element of the application has been broken into 2 sections of differing scales. It is sited parallel with its southern boundary yet set back a little. The 2 sections of the proposed B2 building would provide an office element and the workshop area. The building is orientated on the east west axis. The office element is close to the road and parking area (on the west side), which would afford north light into the whole workshop area from rooflights on the north sloping roof. Narrow south facing windows would overlook the Cursey Lane frontage. The footprint area of the proposed building would be 1882sqm, the total gross internal floor area (GIFA) both storeys would be 2055sqm. The height of the proposed building would be 11.8m to the ridge and 8.6m to the eaves. The building would utilise brickwork and dark metal cladding, with a shallow pitch roof. A yard immediately to the north of the building would be used for large delivery vehicles, providing turning space so that the vehicles can exit the site in a forward gear.
- 7.40. The building within the detailed element of the application is larger than those proposed at outline stage and further north on the existing business site. The proposed B2 building would be more visually prominent and could be more dominant on site. The applicant has advised that they are the end user for this building and require a purpose-built facility that would accommodate the engineering processes. One of these requirements is the ability to achieve a certain height for overhead cranes which is an integral part of their engineering process. This has resulted in a building larger in scale than the proposed smaller scale units proposed through the outline part of the application. Whilst this would conflict with the principles of JCS Policy SD1 and saved Policy EMP3, neither policy defines 'small-scale employment development'. The NPPF is supportive of the sustainable growth and expansion "of all types of business and enterprise in rural areas" and does not seek a requirement that such schemes have to be small scale. In this regard the principle of larger scale, general employment proposals in those locations can be considered acceptable subject to all other material considerations.
- 7.41. It is notable that the building design is similar in nature and scale to other buildings in the immediate surrounding area. The Machinery building at the nearby Walton Hill farm directly south of the application site () has a ridge height of approximately 10m and eaves height of 8m. There are also a range of large poultry units located to the east of the site. These buildings measure approximately 122m x 21.3 m with ridge heights of 7.5m. Whilst they occupy a lower position than the proposed site the buildings remain prominent in the landscape and are indicative of larger units in the immediate vicinity.
- 7.42. Whilst the building would be larger than envisaged on a rural business centre, its orientation in the plot and design, which reflects similar buildings in the area, is considered acceptable in its context and in this specific instance. Material choices can be secured by way of an appropriate condition to ensure it assimilates well with the surrounding buildings.

Site as a Whole

- 7.43. The main internal route runs north with this B2 building to the east of the main access point. The orientation of the access route provides good access to all parts of the site and allows for future flexibility as well as the efficient use of the site. The layout as shown in the indicative landscape plan shows that the development would address the street scene providing a continuation of built form along the A38 assimilating with the wider commercial context of the site to the north, but also providing an opportunity for planting along the west, south and east which would screen the development and enhance the street scene. There is also potential for a new pedestrian link to improve the site connectivity out onto the A38.

Conclusion on Design

- 7.44. In conclusion, in terms of design it is considered that the proposed new development would integrate with and complement its surroundings in an appropriate manner. The detailed layout, scale, appearance, and landscaping of the outline element would be addressed through any subsequent reserved matters application; however, the submitted details show up to 4,078 sqm of B1, B2 and B8 uses could be accommodated on the site in an acceptable manner. Whilst the building subject to full approval is of a larger scale than usually expected on rural business centres, the NPPF is supportive a range of business uses in rural locations and the design of the building is considered acceptable in this instance.

Residential Amenity

- 7.45. The NPPF states at paragraph 180 that planning decisions should ensure that new development is appropriate for its location considering the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to the impacts that could arise from the development. Policy SD14 of the JCS states that development must cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.
- 7.46. The proposed larger building would be set approximately 85 metres to the northeast of the nearest residential property, 1 Cursey Cottage, the wider site on the indicative plan could be located closer. The illustrative details show how the nearest units would be orientated with gable ends towards the north of this property.
- 7.47. In order to maintain an acceptable relationship, the overall height of the buildings can be controlled by condition and further landscaping and tree planting could be provided to provide further screening to the development.
- 7.48. The Councils' Environmental Health Officers have assessed the proposal and raise no objection to the proposal in terms of noise, air pollution or lighting subject to suitable conditions.
- 7.49. The proposed conditions would relate to a revised noise report for the B2 building (Full element) as well as restrictions relating to the hours of deliveries on site.
- 7.50. In terms of the Outline element, it is proposed that there be no outside storage, a noise assessment be undertaken, lighting restrictions and restrictions relating to the hours of deliveries on site.
- 7.51. Having regard to all of the above, and subject to appropriate conditions, it is therefore considered that the proposed development would result in acceptable levels of amenity being maintained for nearby residents in accordance with the NPPF and JCS policies.

Access and Highway Issues

- 7.52. Paragraph 109 of the NPPF requires that safe and suitable access be achieved but states that development should only be refused on transport grounds where the cumulative impact is severe. This advice is echoed in Policy INF1 of the JCS.
- 7.53. The application site is accessed from Cursey Lane, which leads from the A38. The site is served by an existing gated vehicular access. The application proposes to alter the existing junction, by relocating it slightly to the west from its current position and using road geometry and junction radii suitable for the sizes of vehicles that will visit the site. The junction and new road within the site would serve the whole application site once fully developed. There is a new vehicular access proposed to the east end of the southern boundary. This would serve

the foul tank enclosure and allow maintenance vehicles to enter and exit from this area in a forward gear. A new combined 3m wide cycle and pedestrian route would be provided, linking the site to the existing footpath on the eastern side of the A38.

- 7.54. The application is supported by a Transport Statement which is undertaken on the B2 use class which is the subject of the Full part of this application. The Transport Statement indicates that a development could be expected to attract up to 20 vehicle movements two-way during the peak hours.
- 7.55. The Transport Assessment considered the impact of these vehicle movements on the surrounding highways network, taking account of existing commitments. Highways England (HE) have been consulted on the application and have considered the level of trips in their role as statutory consultee, highway authority, traffic authority and street authority for the Strategic Road Network.
- 7.56. HE state that they do not accept the trip generation outline in the Transport Assessment and advise that due to the unknown mix of exactly what uses would be on site there could be up to 50 two-way trips in each peak hour should the outline element comprise predominately B1(a) use class. Notwithstanding this HE consider that the impact of the proposals on M5 J10, are unlikely to be such that they would sustain an objection to the proposal.
- 7.57. HE further advises that a full Travel Plan should be secured via planning condition for the purposes of promoting and encouraging sustainable travel and managing down vehicle trips generated by the development.
- 7.58. Having regard to the comments from HE, it is considered that subject to the imposition of conditions that the proposal would be not have a severe impact on the Strategic Road Network.
- 7.59. In respect of the Local Road Network, the Local Highway Authority (LHA) originally advised that they were unable to support the application and requested further information in relation to a scaled site layout plan, existing traffic flows, trip generation, impact upon the junction with the A38, visibility splays, cycle and footways, EV charging points and a Travel Plan. Following the submission of further information, the LHA have further considered the proposals and confirm no objections to the proposal on highways safety grounds or the impact upon congestion, subject to appropriate conditions.
- 7.60. The LHA have also advised that a Travel Plan would need to be secured via a planning condition to make the development acceptable in planning terms. Officers consider that this is necessary and would meet the tests for planning obligations set out in the CIL Regulations.
- 7.61. It is understood that discussions are ongoing between the applicant and the LHA in respect of a financial contribution towards the monitoring of the Travel Plan and **an update will be provided at Committee.**

Ecology

- 7.62. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, inter alia:
 - protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); report

- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

– preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.

- 7.63. Policy SD9 of the JCS seeks to protect and enhance biodiversity in considering development proposals.
- 7.64. The application is supported by an Ecological Appraisal. The Appraisal identifies that the site predominantly comprises a field of poor semi-improved grassland, with a mixture of hedgerows and trees making up the site boundaries. The report sets out a mitigation and enhancement strategy and also seeks to provide a net gain in biodiversity through habitat enhancement and creation measures.
- 7.65. The Council's Ecological Advisor has assessed the supporting information and advises that as the site is not going to be for residential use, the possibility for any significant effect through recreational pressure on the Dixon Wood SAC is considered to be highly unlikely and therefore a Habitats Regulations Assessment is not necessary.
- 7.66. The Ecologist recommends that a Construction Ecological Management Plan (CEMP) and a Landscape and Ecological Management Plan (LEMP) should be submitted to the Local Planning Authority for approval.
- 7.67. In light of the above, and subject to the imposition of conditions, there is no evidence to suggest that there are any overriding ecological constraints to the development of the site for employment purposes and the application accords with the NPPF and policy SD9 of the JCS.

Drainage and flood risk

- 7.68. The site is located within Environment Agency Flood Zone 1. Flood Zone 1 is defined by the Environment Agency as being land having a low probability of flooding of less than 1 in 1,000 annual probability of river or sea flooding.
- 7.69. The NPPF states that a site-specific flood risk assessment is required for proposals of 1 hectare or greater in Flood Zone 1 and when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere. Policy INF3 of the JCS requires new development to, where possible, contribute to a reduction in existing flood risk and proposals must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere.
- 7.70. The application has been accompanied by a Flood Risk Assessment (FRA) which demonstrates that that post development runoff would be discharged via the use of attenuation SuDS. The FRA advises that the drainage strategy would result in the discharge rate from entire site being equivalent to the greenfield rates. Some clarity will be required over the detailed design and what SuDS features will be used where to achieve acceptable management of pollutant runoff from the site. The LLFA therefore have no objection subject to conditions requiring a detailed SuDS scheme. On that basis the proposal accords with JCS policy INF3.

Archaeology

- 7.71. The NPPF states that that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 7.72. The County Archaeologist has been consulted on the application and advises that there may be potential for significant archaeological deposits to be present within the application site and that ground works and intrusions for the proposed development may have an adverse impact on significant archaeological remains.
- 7.73. In response to these concerns, the applicant submitted a Geophysical Survey Report of Highfield Business Park, Tewkesbury, Gloucestershire (Magnitude Surveys, September 2020) and the County Archaeologist was reconsulted on the application. They advised that the geophysical survey found no evidence for the survival of large archaeological features within the site and that no further archaeological surveys are required before the determination of the planning application. However, a condition to require further archaeological evaluation and, if necessary, mitigation of the impact of the development on archaeological heritage assets would be a proportionate response.
- 7.74. In light of the above, it is considered that the additional survey work can be secured by way of an appropriately worded pre-commencement condition.

Contaminated Land

- 7.75. The NPPF states at paragraph 180 that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to the impacts that could arise from the development.
- 7.76. The Council's contaminated land consultant advises that there is a historic landfill within 250m of the site. It is therefore recommended that a condition is imposed requiring a site investigation of the nature and extent of contamination, to be carried out in accordance with a methodology which would need to be approved before work starts on the development.

8.0 CONCLUSION AND RECOMMENDATION

- 8.1. Section 38(6) of the Town and Country Planning Act 1990 provides that, if regard is to be had to the development plan, the determination must be made in accordance with the development plan unless other material circumstances indicate otherwise. Section 70 (2) of the Act provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

Beneficial Effects

- 8.2. The key benefits of the proposal relate to the economic benefits and job creation arising from the proposal. This would include benefits arising during construction and knock-on effects on the local economy, for example, to the supply chain and service industry. The proposed development would contribute to economic growth generally and attract businesses which require a rural location, small to medium sized units and will allow for the retention and

expansion of existing businesses that have outgrown their current premises. There is also a benefit in delivering part of the employment land requirements of the JCS and the emerging Tewkesbury Borough Plan.

Neutral Effects

- 8.3. The proposed development would have an acceptable impact on drainage, contaminated land, ecology, archaeology and residential amenity subject to imposition of condition. Whilst the application for the buildings is in outline, the application has demonstrated that, subject to approval of reserved matters, the design and layout would also be acceptable. Furthermore, while there would be an increase in vehicular movements this would not impact highway safety or the operation of the highway network.

Other Harms

- 8.4. The proposal conflicts with JCS SD1 and saved Policy EMP3 which requires new employment related development in the wider countryside to be small scale. The proposal would result in built development and the addition of one unit that would be larger than expected on a rural business centre. The proposed development would encroach into the open countryside and would result in the loss of agricultural land which would impact the character of the area. However, this harm could be limited through careful design and landscaping considering the location of the site, limited views, and separation from existing residential development.

Overall Balance and Recommendation

- 8.5. On the basis of the above, it is considered that, on balance, the benefits and limited harm, which could be further mitigated by careful design and landscaping proposals, would outweigh the conflict with the development in respect of the scale of development proposed. As such, the proposal is considered to represent sustainable development and it is therefore recommended that the application is **permission be delegated to the Development Manager, subject to conditions and the preparation of a Legal Agreement to secure a financial contribution in connection with the monitoring of the Travel Plan.**

9.0 UPDATE – PLANNING COMMITTEE 20 JULY 2021

- 9.1. **At its meeting on 20th April 2021 the Planning Committee resolved to defer the application until the Inspector conducting the Borough Plan Examination In Public had published his findings in respect of the access of the application site. However, the applicant chose at this stage to submit a non-determination appeal which means that the Council is no longer the determining authority for the proposals. As such, the Committee must advise the Planning Inspectorate of its views on the proposals.**
- 9.2. **The Local Plan Inspector has now provided his Post Hearings Main Modifications Letter to the Council. Policy EMP2 (Rural Business Centres) is discussed by the Inspector and he does not take the view that the expansion at Highfield Farm would be unsound. On that basis, the Planning Policy Officer has advised that the allocation under the emerging policy can be given substantial weight.**
- 9.3. **The Inspector has also listed a number of main modifications in respect of EMP5 (New Employment Development – General) including MM20 which includes the Council’s suggested modification that “Where there are opportunities to access sites proposed for employment development from major roads (as opposed to providing access from local roads and rural lanes), this should be the preferred option unless it is demonstrated not to be feasible or appropriate in planning and/or highways terms.”**

Whilst it may be possible for an access to be provided through the existing estate, this is not proposed by the applicant in this case, and as advised above, the County Highways Authority is satisfied that the proposed access is acceptable.

- 9.4. Given the above it is considered that the findings of the Inspectors Main Modifications Letter has not raised any matters which alter the initial officer assessment on the impact of the development in terms of highway safety, the assessment of the material considerations of the proposed development remains the same as set out in the 'Conclusions and Recommendation' section of the original committee report (see section 8 above).**
- 9.5. However, as the applicant has lodged a non-determination appeal, the Officer recommendation is now MINDED TO PERMIT, subject to conditions and the preparation of a Legal Agreement to secure a financial contribution in connection with the monitoring of the Travel Plan.**

CONDITIONS:

IMPLEMENTATION

Full

- 1.** The erection of a B2 unit (general industrial) with associated landscaping, access and parking shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Outline

- 2.** Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") in respect of the mixed B1, B2 and B8 employment development as shown on the Landscape Strategy Plan (11767/P12) and Proposed Block Plan (19408/17 Rev C), shall be submitted to and approved in writing by the Local Planning Authority before any development within the employment area takes place and the development shall be carried out as approved.

Reason: This part if the application is in outline only and the reserved matters referred to in the foregoing condition will require further consideration.

- 3.** Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 4.** The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

DESIGN AND APPEARANCE

Full

5. The residential development hereby permitted shall be carried out in accordance with the following approved plans except where these may be modified by any other conditions attached to this permission:

- 19408/01 rev E – Site Location Plan
- 19408/02 Rev E - Existing Block Plan
- 19408/17 Rev C – Proposed Site Sections
- 19408/20 – Proposed Elevations
- 19408/13 – Proposed Floor Plans
- 19408/12 Rev A – Office First Floor Plan
- 19408/11 Rev A – Office Ground Floor Plan
- 19408/14 – Section Through Workshop
- 19408/22 – Roof Plan
- 11767/P12 – Landscape Strategy Plan

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

6. Notwithstanding the submitted details, no development shall commence until proposed levels, to include details of finished floor levels, have been submitted to and approved by the Local Planning Authority. All development shall be carried out in accordance with the approved details.

Reason: To ensure that the development integrates harmoniously with its surroundings and does not adversely impact upon existing residential properties.

7. Building operations shall not be commenced until samples of the external materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with the NPPF.

Outline

8. Each application for reserved matters pursuant to Condition 2 shall be accompanied by a plan setting out the existing and proposed ground levels and ground floor slab levels of the buildings for each phase of development subject to that reserved matters application. The development within each phase shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory and well planned development and in the interest of visual amenity.

9. Applications for the approval of the reserved matters pursuant to Condition 2 shall be generally in accordance with the principles and parameters described in Site Sections Plan and Design and Access Statement.

Reason: To ensure the development is carried out in accordance with the agreed principles and Parameters

10. The reserved matters submitted pursuant to condition 2 shall include samples/details of the materials proposed to be used on the external surfaces of the development. The development shall be carried out using the approved materials unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of visual amenity

Full & Outline

11. No more than 2,051 sqm gross internal area of floorspace shall be constructed on the site pursuant to the outline planning permission.

Reason – In the interests of proper planning and to allow an assessment of the impacts of additional floorspace.

LANDSCAPING

Full

12. No development shall take place on any building of the development until there has been submitted to and approved by the Local Planning Authority in writing, a comprehensive scheme of landscaping. These details shall include, as appropriate:

Hard landscaping details shall include:

- i. Proposed finished levels or contours;
- ii. Positions, design, materials and type of any boundary treatments to be erected;
- iii. Hard surfacing materials;

Soft landscape details shall include:

- i. Planting plans including the positions of all tree, hedge and shrub planting;
- ii. Written specifications (including cultivation and other operations associated with plant and grass establishment);
- iii. Schedules of plants, noting species, planting sizes and proposed numbers;
- iv. Densities where appropriate; and
- v. Implementation timetables including time of planting.

The development shall be carried out only in accordance with the details so approved.

A landscape management plan shall also be submitted to and approved by the Local Planning Authority in writing, which includes long term design objectives, management responsibilities and maintenance schedules for all landscaped areas. The landscape management plan shall be implemented in accordance with those approved details prior to the first use of the development.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

Outline

13. No development shall take place on any building of the development until there has been submitted to and approved by the Local Planning Authority in writing, a comprehensive scheme of landscaping. These details shall include, as appropriate:

Hard landscaping details shall include:

- i. Proposed finished levels or contours;
- ii. Positions, design, materials and type of any boundary treatments to be erected;
- iii. Hard surfacing materials;

Soft landscape details shall include:

- i. Planting plans including the positions of all tree, hedge and shrub planting;
- ii. Written specifications (including cultivation and other operations associated with plant and grass

establishment);

- iii. Schedules of plants, noting species, planting sizes and proposed numbers;
- iv. Densities where appropriate; and
- v. Implementation timetables including time of planting.

The development shall be carried out only in accordance with the details so approved.

A landscape management plan shall also be submitted to and approved by the Local Planning Authority in writing, which includes long term design objectives, management responsibilities and maintenance schedules for all landscaped areas. The landscape management plan shall be implemented in accordance with those approved details prior to the first use of the development.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

Full & Outline

14. No development including demolition or site clearance shall be commenced on the site or machinery or material brought onto the site for the purpose of development until full details of measures to protect trees and hedgerows have been submitted to and approved in writing by the Local Planning Authority. This shall include:

(a) Protective fencing must be installed around trees and hedgerows to be retained on site. The protective fencing design must be to specifications provided in BS5837:2012 or any subsequent revisions, unless agreed in writing with the Local Planning Authority. A scale plan must be submitted and approved in writing by the Local Planning Authority accurately indicating the position of protective fencing. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of development,

(b) The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the tree protection zone (TPZ). Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, citing of site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the TPZ. The TPZ shall be maintained during the course of development.

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

15. All planting, seeding or turfing in the approved details of landscaping for the residential development and/or the approval of reserved matters for landscaping in respect of the employment development shall be carried out in the first planting and seeding season following the occupation of the respective building(s) or completion of the respective developments, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

HEALTH AND ENVIRONMENTAL QUALITY

Full

16. Before the development commences a scheme shall be submitted to and agreed in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site. The noise mitigation scheme shall be implemented prior to the use of the site. The scheme should be maintained and shall not be altered without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

17. No development shall commence until a scheme which specifies the provisions to be made for the level of illumination and the control of light pollution has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented and maintained in accordance with the approved details.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

Outline

18. The reserved matters application(s) in respect of the development pursuant to condition 2 shall include a scheme which specifies the provisions to be made for the control of noise emanating from the site. The noise mitigation scheme shall be implemented prior to use of the site. The scheme should be maintained and shall not be altered without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

19. There shall be no outside storage, manufacturing, repair or maintenance processes carried out outside the building(s) on the site, unless otherwise agreed in writing by the local planning authority and through the approval of reserved matters pursuant to condition 2.

Reason: In the interest of visual amenity

20. The reserved matters application(s) in respect of the development pursuant to condition 2 shall include a scheme which specifies the provisions to be made for the level of illumination and the control of light. The scheme shall be implemented and maintained in accordance with the approved details.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

Full & Outline

21. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the Local Planning Authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The site shall be remediated in accordance with the approved measures before development begins.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall

incorporate the approved additional measures.

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.

22. The hours of operation shall be restricted to 08:00 – 18:00 on Monday to Friday and 08:00 – 13:00 on Saturdays. There shall be no such working on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.

Reason: To ensure that the permitted use does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours.

23. No deliveries/collections shall be taken at or dispatched from the site outside the hours of 8.00 and 18:00 nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

24. No external construction works, deliveries, external running of plant and equipment or internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1400 on Saturday. There shall be no such working Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours.

HIGHWAYS

Full & Outline

25. No works shall commence on site until full engineering details (to prevent vehicles turning left out of the access) of the site access have been submitted to and approved in writing by the Local Planning Authority, the approved access works shall then be completed prior to the commencement of any other works on site and shall similarly retained as such thereafter.

Reason: In the interest of highway and pedestrian safety.

26. Development shall not begin until the visibility splays are provided from a point of 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 60 metres to the west and 120m to the east along the nearside edge of the adjoining. 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 highways safety.

27. Prior to the commencement of any phase of the development hereby permitted a Construction Traffic Management Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Highways England). The approved plan/statement shall be adhered to throughout the construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicles of site operatives and visitors (including measures taken to ensure

satisfactory access and movement for existing occupiers of neighbouring properties during construction);

- Routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles; and
- Methods of communicating the Construction Traffic Management Plan to staff, visitors and neighbouring residents and businesses.

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

28. Prior to occupation or commencement of use a Travel Plan that promotes sustainable forms of travel to the development site shall be prepared, submitted to, and approved in writing by the Local Planning Authority (in consultation with Highways England). The Travel Plan shall be prepared in line with prevailing policy and best practice. Evidence that the pre-occupation elements of the approved Travel Plan have been put in place shall be prepared, submitted to, and approved in writing by the Local Planning Authority prior to occupation or commencement of the use(s) hereby permitted.

The approved Travel Plan shall then be implemented, monitored, and reviewed in accordance with the agreed Travel Plan to the satisfaction of the Local Planning Authority unless agreed in writing by the Local Planning Authority.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling in the interest of the safe and efficient operation of the road network.

29. Prior to the occupation or use of any phase of the development hereby permitted 2 electric charging spaces shall be provided with a further 2 spaces installed with cabling to allow for future provision of additional charging points. The number of charging points will be reviewed annually based on future demand in accordance with the details submitted in accordance with the approved Travel Plan and thereafter such spaces and power points shall be kept available and maintained for the use of electric vehicles as approved.

Reason: To encourage sustainable travel and healthy communities.

30. No building or use hereby permitted shall be occupied or used commenced until the means of access for vehicles and cyclists have been constructed and completed in accordance with the approved plans.

Reason: In the interests of highway safety.

31. No building or use hereby permitted shall be occupied or used commenced until the vehicular crossover has been installed at the carriageway edge and constructed across the verge fronting the site in accordance with the plans hereby approved.

Reason: In the interests of safety and accessibility.

32. No building or use hereby permitted shall be occupied or used commenced until the car/vehicle parking area and turning spaces shown on the approved plans have been completed and thereafter the area shall be kept free of obstruction and available for the parking and turning of vehicles associated with the development.

Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

33. No building or use hereby permitted shall be occupied or used commenced until cycle storage facilities have been made available for use in accordance with the submitted Framework Employment Travel plan and those facilities shall be maintained for the duration of the development.

Reason: To ensure the provision and availability of adequate cycle parking.

34. No building or use hereby permitted shall be occupied or used commenced until secure motorcycle parking spaces have been provided in a location to be agreed in writing by the Local Planning Authority and thereafter shall be kept available for motorcycle parking as approved.

Reason: To provide safe and suitable access for all users.

35. No building or use hereby permitted shall be occupied or used commenced until accessible car parking spaces have been provided in a location to be agreed in writing by the Local Planning Authority and thereafter shall be kept available for disabled users as approved.

Reason: To provide safe and suitable access for all users.

36. No building or use hereby permitted shall be occupied or used commenced until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plans and those facilities shall be maintained available for those purposes thereafter.

Reason: In the interest of highway and pedestrian safety.

ARCHAEOLOGY

Full & Outline

37. No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: It is important to agree and implement a programme of work in advance of the commencement of development, so as to allow the investigation and recording of any archaeological remains in advance of their destruction by construction ground works.

DRAINAGE

Full & Outline

38. No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been provided for approval by the Local Planning Authority, this should be in accordance with the proposal set out in the applicant's submission (Drainage Strategy Plan; W587/06). The SuDS Strategy must include a detailed design. The SuDS Strategy must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The approved scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put in to use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

ECOLOGY

Full & Outline

39. No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall cover the first ten years of management following the commencement of construction and enabling works. Enhancement measures shall be included for existing natural habitats and created habitats, as well as those for protected species. All Ecological enhancements outlined in the LEMP shall be implemented as recommended in the LEMP and the number and location of ecological features to be installed shall be specified.

Reason: To ensure proper provision is made to safeguard protected species and their habitats.

40. No development shall take place until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to the following:

- Risk assessment of potentially damaging construction activities including provisions for protected species,
- Identification of 'biodiversity protection zones' including (but not exclusively) hedgerows and mature trees,
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements),
- The locations and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour after sunset),
- The times during construction when ecological or environmental specialists need to be present on site to oversee works,
- Responsible persons and lines of communication,
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person,
- Use of protective fences, exclusion barriers and warning signs; and
- Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To ensure proper provision is made to safeguard protected species and their habitats.

WASTE MANAGEMENT

Full & Outline

41. No development shall commence until a detailed Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall identify the main waste materials expected to be generated by the development during the construction phase and set out measures for dealing with such materials so as to minimise overall waste and to maximise re-use, recycling and recovery in line with the waste hierarchy. The detailed Site Waste

Management Plan must include: -

- i) Information on the type and amount of waste likely to be generated prior to and during the construction phase;
- ii) Details of the practical arrangements for managing waste generated during construction in accordance with the principles of waste minimisation; and
- iii) Details of the measures for ensuring the delivery of waste minimisation during the construction phase.

The Site Waste Management Plan shall be fully implemented as approved unless the Local Planning Authority gives prior written permission for any variation.

Reason: To ensure the effective implementation of waste minimisation in accordance with Gloucestershire Waste Core Strategy: Core Policy WCS2 Waste Reduction.

MISCELLANEOUS

Full & Outline

43. The development shall be used for Class E(g), Class B2 and Class B8 purposes only as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended). No part of the development (not including offices ancillary to employment uses) shall be developed for use class E(a), E(b), E(c), E(d), E(e), E(f) or E(g)(i) as defined in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Amendment with or without modification, and no part of the buildings shall not be used for these use classes notwithstanding the provisions of Class E of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Amendment with or without modification.

Reason: In the interests of proper planning and to maintain a supply of employment land.

44. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), no extensions or alterations which increase gross floorspace shall be erected or carried out and there shall be no amalgamation of the units.

Reason: To maintain the small-scale nature of the units and activity on the site, in the interest of the visual amenities and character of the area.

45. Details shall be submitted to and approved by the local planning authority prior to the first occupation of the development for the installation of Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/kWh. The details as approved shall be implemented prior to the first occupation of the development and shall thereafter be permanently retained.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.