

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)
(England) Order 2015

PERMISSION FOR DEVELOPMENT

Application number: 20/00758/FUL

Date application valid: 17th August 2020

Location: Land Between The Meteor And Anson Business Parks, Staverton, Cheltenham, Gloucestershire, GL51 6SR,

Proposal: Hybrid planning application for a new business park development, including:

1. Full permission for the provision of a new site access off the B4063, internal estate roads and associated infrastructure;
2. Outline permission for a mixed use development comprising of Class B1(c), B2 and B8 employment use on 5.9 hectares of land.

In pursuance of their powers under the above mentioned Act, the Borough Council as Local Planning Authority **HEREBY PERMITS** the development described hereunder in accordance with the submitted application and the accompanying plan(s), but subject to the conditions hereunder stated.

Condition(s) and reason(s) attached to permission

1. The development hereby grants full permission for the provision of a new site access, internal estate roads and associated infrastructure. These works as shown on

- CTP-16-463-SK01-G
- C-12148-GAL-HYD-00-ZZ-DR-C-7105-04
- C-12148-GAL-HYD-00-ZZ-DR-C-7106-04
- C-12148-GAL-HYD-00-ZZ-DR-C-7107-03
- C-12148-GAL-HYD-00-ZZ-DR-C-7108-02

shall be begun before the expiration of five 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

2. The development hereby granted full planning permission shall be carried out fully in accordance with the following approved plans, unless otherwise agreed in writing by the local planning authority.

- CTP-16-463-SK01-G
- C-12148-GAL-HYD-00-ZZ-DR-C-7105_04
- C-12148-GAL-HYD-00-ZZ-DR-C-7106_04
- C-12148-GAL-HYD-00-ZZ-DR-C-7107_03
- C-12148-GAL-HYD-00-ZZ-DR-C-7108-02

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

3. In respect of that part of the application where outline planning permission is granted (Illustrative Masterplan GAM-AHR-B-ZZ-DR-A-92-000 Rev P03 Issue D5), no development shall commence before detailed plans showing the layout, scale and external appearance of the proposed buildings, the proposed access to the highway for the proposed buildings, and the landscaping of the site (hereinafter referred to as "the reserved matters") have been submitted to and approved by the local planning authority.

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

4. Applications for approval of the reserved matters shall be made to the local planning authority before the expiry of seven 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 and to allow greater flexibility for the delivery of the scheme.

5. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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.

6. No more than 30,000 sq m 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.

7. The development shall be used for Class B1c, B2 and B8 purposes only as defined by the Town and Country Planning (Use Classes) Order 1987 (as at 31 August 2020) and shall not be used for any other purpose (including any other use within Classes B1a and B1b of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interests of proper planning, to ensure traffic demand reflects that submitted, to maintain a supply of employment land and to maintain the very special circumstances

8. 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) Order 1987 (as amended by the Town and Country Planning (Uses 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 be used for these use classes notwithstanding the provisions of Class E of the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Uses 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 interest of the safe and efficient operation of the strategic road network, i.e. A40 and M5, to ensure traffic demand reflects that submitted, in the interests of proper planning, to maintain a supply of employment land and to maintain the very special circumstances

9. Prior to the commencement of any phase of the development hereby permitted, including the construction of the road, a construction traffic/construction environmental management plan for that phase shall be submitted to and approved in writing by the local planning authority.

The plan shall include but not be restricted to

- Construction vehicle movements;
- Construction operation hours;
- A routing and signing strategy for construction vehicles to and from site;
- Details of routing beyond the B4063 to show the predicted impact on the strategic road network;
- Restrictions on deliveries during peak hours;
- Mitigation measures to reduce vibration, dust and dirt;
- Plans for notifying residents and local businesses of any expected particularly busy delivery periods and intense periods of construction activity;
- 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);
- Any temporary access to the site;
- Highway condition survey;
- Locations for loading/unloading and storage of 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 Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interest of the safe and efficient operation of the strategic road network, i.e. A40 and M5 and in the interests of safe operation of the adopted highway in the lead into development during the construction phase of the development.

10. The development hereby permitted shall not be brought into use unless and until a comprehensive Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall be prepared in line with prevailing policy and best practice and shall include as a minimum:

- the identification of targets for trip reduction and modal shift;
- the measures to be implemented to meet these targets including an accessibility strategy to specifically address the needs of residents with limited mobility requirements;
- the timetable/ phasing of the implementation of the Travel Plan measures and its operation thereafter;
- the mechanisms for monitoring and review;
- the mechanisms for reporting;
- the remedial measures to be applied in the event that targets are not met;
- mechanisms to secure variations to the Travel Plan following monitoring and reviews.

Reason: In the interest of the safe and efficient operation of the SRN, i.e. A40 and M5 and to support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.

11. Prior to the first use of any building, 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.

The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan.

Reason: In the interest of the safe and efficient operation of the SRN, i.e. A40 and M5 and to support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.

12. Applications for the approval of the reserved matters shall be generally in accordance with the Principles and Parameters described in Illustrative Masterplan, GAM-AHR-B-ZZ-DR-A-92-000-Rev P03 Rev D5, Parameters Plan GAM-AHR-B-ZZ-DR-A-91-008-Rev P01 Rev D5 and Design and Access Addendum December 2020

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

13. The reserved matters submitted pursuant to condition 4 above shall include details of existing and proposed ground levels and finished floor levels of the buildings relative to Ordnance Datum Newlyn. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

14. The details submitted for the approval of reserved matters pursuant to condition 4 shall include a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatments shall be completed in accordance with the approved details before the buildings are occupied.

Reason: In the interests of visual amenity.

15. The reserved matters submitted pursuant to condition 4 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.

16. The full and outline planning permission shall be implemented fully in accordance with the Arboricultural Survey, Impact Assessment and Method Statement prepared by ACAC dated 15th October 2020

Reason: To protect retained trees.

17. 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 along the planting strip adjacent to the B4063 as shown on the Illustrative Masterplan GAM-AHR-B-ZZ-DR-A-92-000-Rev P03 Rev D5. All planting, seeding or turfing in the approved details of landscaping on the planting strip shall be carried out in the first planting and seeding season following the occupation of any building hereby permitted or completion of the development, whichever is the sooner, and 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: In the interests of visual amenity and biodiversity.

18. All planting, seeding or turfing in the approved details of landscaping submitted pursuant to conditions 4 and 17 shall be carried out in the first planting and seeding season following the occupation of the building to which they relate, or completion of the development, whichever is the sooner, and 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: In the interests of visual amenity and biodiversity.

19. There shall be no outside storage on the site whatsoever, unless otherwise approved through the approval of reserved matters pursuant to condition 3.

Reason: In the interest of visual amenity.

20. Prior to the installation of any external lighting for the development hereby permitted details of the lighting, including the intensity of illumination and predicted lighting contours, shall have been submitted to and agreed in writing by the Local Planning Authority. The development hereby permitted shall not be carried out otherwise than in accordance with the approved lighting details and the approved lighting details shall thereafter be retained for the lifetime of the development.

Reason: In the interest of visual amenity

21. The reserved matters submitted pursuant to condition 3 shall include details of how the development shall be carried out in accordance with the Discussions and Conclusions of the Ecological Appraisal prepared by Richard Tofts Ecology dated August 2020.

Reason: In the interests of biodiversity.

22. The use shall operate in strict accordance with the noise limits set out in Section 6 of the Environmental Noise Survey prepared by Hydrock dated 3rd July 2020.

Reason: In the interest of residential amenity.

23. No development involving the construction of new buildings shall commence within an individual plot until a detailed Site Waste Management Plan has been submitted to and approved in writing by the local planning authority for each individual plot. Each detailed Site Waste Management Plan must include information on:

- the type and amount of waste likely to be generated at the site preparation and construction phases;
- the details of the practical arrangements for managing waste during the site preparation and construction phases; and
- the measures for ensuring the delivery of waste minimisation during the site preparation and construction phases in line with the principles of waste hierarchy.

Waste minimisation measures incorporated into each detailed Site Waste Management Plan must facilitate the re-use and recycling of waste materials generated during the site preparation and construction phase and the use of construction materials that have a recycled content.

Reason: To ensure the effective implementation of waste minimisation in accordance with adopted Gloucester, Cheltenham, Tewkesbury Joint Core Strategy Policy SD3 - Sustainable Design and Construction; adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 - Waste Reduction; adopted Minerals Local Plan for Gloucestershire Policy SR01 and paragraph 8 of the National Planning Policy for Waste (NPPW).

24. No development involving the construction of new buildings shall commence within an individual plot until details of the provision made for facilitating the recycling of waste generated during the occupation phase have been submitted to and approved in writing by the Local Planning Authority. Provision must include appropriate and adequate space to allow for the separate storage of non-recyclable and recyclable waste materials that will not prejudice the delivery of a sustainable waste management system in line with the waste hierarchy. The approved details 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 adopted Gloucester, Cheltenham, Tewkesbury Joint Core Strategy Policy SD3 - Sustainable Design and Construction; adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 - Waste Reduction; and paragraph 8 of the National Planning Policy for Waste (NPPW).

25. 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

26. The Development hereby approved shall not be brought into use until the highway site access works as shown on drawing CTP-16-463-SK01-G have been constructed and completed.

Reason: To ensure the safe and free flow of traffic onto the highway.

27. The buildings hereby approved shall not be brought into use until the access, and roads to its frontage have been provided as shown on drawings C-12148-GAL-HYD-00-ZZ-DR-C-7105_04 and C-12148-GAL-HYD-00-ZZ-DR-C-7106_04. No later than within 3 years of the first use of any building shall the roads, verges, footways, cycleways and any ancillary street furniture be completed.

Reason: To ensure conformity with submitted details.

28. No development involving the construction of new buildings shall commence within an individual plot until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The information submitted shall be in accordance with the principles set out in the approved drainage strategy. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The SuDS Manual, CIRIA C753 (or any subsequent version), and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

29. No development involving the road infrastructure shall commence until detailed surface water drainage plans for that part of the development have been submitted to and approved in writing by the Local Planning Authority. The information submitted shall be in accordance with the principles set out in the approved drainage strategy. Development shall be carried out only in accordance with the surface water drainage plans so approved.

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.

Informative:

1. In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

2. The development hereby approved includes the carrying out of work on the adopted highway. You are advised that 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 would specify the works and the terms and conditions under which they are to be carried out.

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 is not 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. The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- I. Drafting the Agreement
- II. Set up costs
- III. Approving the highway details
- IV. Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

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

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

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

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

Contractors should ensure that courtesy boards are provided and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties.

This does not offer any relief to obligations under existing Legislation.

6. The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality however pollution control is the responsibility of the Environment Agency.

7. Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

8. Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

Date of decision: 15.03.2021



Development Manager
duly authorised in that behalf

PLEASE SEE NOTES OVERLEAF

NOTES

APPEALS TO THE DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT (DCLG)

If the applicant is aggrieved by the decision of the Local Planning Authority to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State, under Section 78 of the Town and Country Planning Act, 1990.

If you want to appeal, then you must do so within **six months** of the date of this notice using a form which you can get from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or from the appeals area on www.gov.uk/topic/planning-development/planning-permission-appeals Some personal information will be displayed on this website please contact the Planning Inspectorate on 0303 444 00 00 if you have any concerns

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of the Development Order and to any directions given under a Development Order.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Tewkesbury Borough Council is a charging authority for the Community Infrastructure Levy (CIL). It is important that you ensure that the requirements of the CIL Regulations are met (including notification requirements and those that need to be met prior to commencement of development and/or following completion of development) to ensure that you avoid any unnecessary surcharges and that any relevant relief, exemption or instalment policy is applied. Further information regarding CIL can be found on our website at <https://www.tewkesbury.gov.uk/planning> or you can contact us at cil@tewkesbury.gov.uk.

PURCHASE NOTICES

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Borough Council, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act, 1990.

PARTY WALL ACT & RIGHT TO ENTER

Your attention is drawn to the Party Wall Act 1996. Further information is available on [Party Wall Act](#)

This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.

ENFORCEMENT ACTION

Attention is drawn to the fact that any failure to adhere to the details of approved plans or to comply with conditions attached to consents constitutes a contravention of the provisions of the Town and Country Planning Act, 1990 in respect of which enforcement action may be taken.

CUSTOMER SATISFACTION QUESTIONNAIRE

The Development Management team want to continually improve the service we provide by reviewing what we do and your feedback about the service you have received is really important to us. We would appreciate if you could take part in our short online questionnaire, it should take around 5 minutes to complete. Please click on the following link to access the questionnaire:
<https://www.tewkesbury.gov.uk/forms/planning-application-service-questionnaire>

DISCHARGE OF PLANNING CONDITIONS

There are often conditions attached to planning permissions that need further details, for example, samples of materials. This additional information must be submitted to us for formal agreement - known as 'discharge of conditions'. Further details can be found on our website:
<https://www.tewkesbury.gov.uk/discharge-of-planning-conditions>.

OTHER INFORMATION

This permission relates to planning control only. Any other statutory consent necessary must be obtained from the appropriate authority. Building Regulations consent for the development may be necessary and you should approach the Building Control section on BuildingControl@cheltenham.gov.uk.

If the work authorised by this permission involves the alteration to an access or the crossing of the highway verge or kerb, you are requested to consult the County Highways Divisional Manager before commencing such work. The address of the Gloucestershire Highways, Imperial Gate Business Park, Corinium Avenue, Barnwood, Gloucester, GL4 3BW

If the work authorised by this permission requires the supply of utility or other public services, you are requested to contact the appropriate statutory or other undertaker as soon as possible following the receipt of this decision. Failure to do so may result in a delay in the provision of these services.