



## PLANNING COMMITTEE

**Meeting: Tuesday, 1st May 2018 at 6.00 pm  
in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP**

### ADDENDUM

The following item although provided for on the agenda front sheet was not available at the time of dispatch:

<b>4.</b>	<b>LATE MATERIAL (PAGES 5 - 32)</b>  Please note that any late material relating to the applications detailed below will be published on the Council's website as a supplement in the late afternoon of the day of the meeting.
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Yours sincerely

**Jon McGinty**  
**Managing Director**

## NOTES

### Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area.  For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and

(b) either –

- i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
- ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

#### **Access to Information**

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For further details and enquiries about this meeting please contact Tanya Davies, 01452 396125, [tanya.davies@gloucester.gov.uk](mailto:tanya.davies@gloucester.gov.uk).

For general enquiries about Gloucester City Council's meetings please contact Democratic Services, 01452 396126, [democratic.services@gloucester.gov.uk](mailto:democratic.services@gloucester.gov.uk).

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- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
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## **LATE MATERIAL (APPLICATIONS FOR DETERMINATION)**

**PLANNING COMMITTEE: 1<sup>ST</sup> MAY 2018**

### **ITEM 5 – FORMER HM PRISON, BARRACK SQUARE – 17/00659/FUL & 17/00662/LBC**

#### ***HABITATS REGULATIONS ASSESSMENT (HRA) - UPDATE***

The applicants have now submitted a HRA screening report. Natural England has been consulted on this.

The site is approximately 7km from the Cotswold Beechwoods Special Area of Conservation (SAC). The report sets out that no significant direct impacts on the Cotswold Beechwoods SAC are anticipated as a result of the proposals. The proposals will not result in the loss of habitat, loss of coherence or result in the isolation or fragmentation of protected habitats.

In terms of indirect impacts the distance between the site and the SAC are such that there would be no indirect impacts from changes to water quality or levels, lighting, noise pollution, increased water run-off and topography alterations, and have been scoped out of the assessment.

In terms of increased recreational pressure, the proposals provide some limited open areas and native planting, and wildflower areas within the site, while also the site is well located for a range of activities at nearby areas (including the quay side, docks, river and Alney Island), and is a sustainable redevelopment of a brownfield site, located within walking distance of local green infrastructure.

In terms of cumulative impacts, assuming that nearby developments have mitigation in place to negate any potential negative effects, a cumulative impact from the developments would be insignificant, and it is therefore considered that as a standalone development the proposals would not have a significant negative impact on the SAC.

Natural England has not yet responded to the latest consultation.

No change is proposed to the principal recommendation on the planning application contained in the Committee Report (note though that certain conditions are proposed to be altered – see below).

#### ***REQUIREMENT TO REFER THE LISTED BUILDING CONSENT TO THE SECRETARY OF STATE***

The recommendation on the Listed Building Consent (LBC) application contained in the Committee Report currently requires referral of the application to the Secretary of State.

The relevant procedural Direction provides that the Local Planning Authority can determine certain LBC applications without referral to the Secretary of State. This

relates to the carrying out of works other than excluded works, where the local planning authority has not received an objection in relation to the application. "objection" means a written notice to the local planning authority from Historic England or a National Amenity Society setting out their reasons for objecting to the application and stating that the application should be notified or referred to the Secretary of State (my emphasis).

While the Council for British Archaeology noted 'strong concerns' about the original version of the application, they have not explicitly noted that it is an objection nor that the application should be notified or referred to the Secretary of State.

It is therefore proposed to alter the recommendation on the LBC application to remove the requirement for referral to the Secretary of State.

### **AMENDED CONDITIONS**

It is proposed that certain conditions for both the planning application and the LBC application are amended slightly from those set out in the Committee Report. The amendments primarily relate to the sequencing of submissions in relation to the programme of demolition, remediation, construction and occupation, and to provide further clarity. The amended conditions are identified in the schedule below with an asterisk.

### **ADDITIONAL REPRESENTATION**

A further representation has been received from Councillor Melvin asking for a statement of support to be reported. This may be summarised as follows:

Scheme is extremely sympathetic to the historic value of the site;  
Much consultation has been held with the public, officers and ward members;  
The mix of residential and public space looks fabulous, and will be an overdue and welcome addition to the area;  
Long campaign to regenerate the prison has received support for many years from members from all parties;  
Hopes that the Committee supports the application so another important part of the city can be regenerated.

### **REVISED RECOMMENDATIONS OF THE GROWTH AND DELIVERY MANAGER:**

That, subject to the Habitats Regulations Assessment screening identifying that the proposals are not likely to have a significant effect on a Special Area of Conservation, planning permission is granted subject to the following conditions;

That listed building consent is granted subject to the following conditions;

## **Conditions for the planning permission:**

### **Condition 1 \***

The development hereby permitted 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.

### **Condition 2**

The development shall be undertaken in accordance with the plans referenced;

Location Plan 1803/P/001 P3 received by the Local Planning Authority 19<sup>th</sup> June 2017

#### **Site wide**

Site wide proposed demolition & intervention 1803/P/048 P2 received by the Local Planning Authority 28<sup>th</sup> March 2018

Proposed Block Plan 1803/004 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Proposed Basement floor plan 1803/P/099 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Proposed Ground floor plan 1803/P/100 P4 received by the Local Planning Authority 28<sup>th</sup> March 2018

Proposed First floor plan 1803/P/101 P4 received by the Local Planning Authority 12<sup>th</sup> April 2018

Proposed Second floor plan 1803/P/102 P4 received by the Local Planning Authority 12<sup>th</sup> April 2018

Proposed Third floor plan 1803/P/103 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Proposed Fourth floor plan 1803/P/104 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Proposed Fifth floor plan 1803/P/105 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Proposed Roof plan 1803/P/106 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

#### **Blocks ABC**

Basement Floor intervention plan 1803/P/050 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Blocks A/B/C basement plan 1803/P/110 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Ground Floor intervention plan 1803/P/051 P3 received by the Local Planning Authority 23<sup>rd</sup> January 2018

Blocks A/B/C Ground floor plan 1803/P/111 P4 received by the Local Planning Authority 23<sup>rd</sup> January 2018

First floor intervention plan 1803/P/052 P4 received by the Local Planning Authority 13<sup>th</sup> April 2018

Blocks A/B/C First floor plan 1803/P/112 P5 received by the Local Planning Authority 12<sup>th</sup> April 2018

Second floor intervention plan 1803/P/053 P4 received by the Local Planning Authority 13<sup>th</sup> April 2018

Blocks A/B/C Second floor plan 1803/P/113 P5 received by the Local Planning Authority 12<sup>th</sup> April 2018

Roof intervention plan 1803/P/054 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Blocks A/B/C Roof plan 1803/P/114 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair North and South Prison elevations 1803/P/070 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Proposed Prison elevations Blocks A, B, C North & South facing 1803/P/310 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair East and West Prison elevations 1803/P/071 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Proposed Prison elevations Blocks A, B, C North & South facing 1803/P/311 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair Section C-C & E-E 1803/P/060 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block A, B, C Proposed Prison sections C-C & E-E 1803/P/210 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair Sections B-B & D-D 1803/P/061 P4 received by the Local Planning Authority 13<sup>th</sup> April 2018

Blocks A, B, C Proposed Prison sections B-B & D-D & cross section through chapel 1803/P/211 P3 received by the Local Planning Authority 12<sup>th</sup> April 2018

Blocks A, B, C Proposed Prison sections A-A 1803/P/212 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

#### **Block D / Gate House**

Block D Gatehouse intervention plans all floors 1803/P/055 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block D – Gatehouse Proposed floor plans 1803/P/120 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair Gatehouse elevations 1803/P/072 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Proposed Gatehouse elevations Blocks D 1803/P/320 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block D existing Gatehouse intervention and repair Section LL & KK 1803/P/062 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block D Proposed Gatehouse Sections LL & KK 1803/P/220 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

#### **Block E / Debtors Prison**

Intervention and repair plans all floors 1803/P/056 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block E Debtors Prison Proposed floor plans 1803/P/125 P3 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair elevations 1803/P/073 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block E Proposed elevations 1803/P/330 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair Sections A & B 1803/P/063 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block E Proposed Debtor's Prison Sections AA & BB 1803/P/230 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

#### **Block F / Governor's House**

Governor's House intervention all floors 1803/P/057 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block F Governor's House Proposed floor plans 1803/P/130 P3 received by the Local Planning Authority 19<sup>th</sup> June 2017  
Intervention and repair Governor's House elevations 1803/P/074 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
Block F Proposed elevations 1803/P/340 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
Intervention and repair Sections MM and NN 1803/P/064 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
Block F Proposed Governor's House Sections MM & NN 1803/P/240 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

### **Block G**

Block G Proposed Ground and First Floor plans 1803/P/135 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
Block G Proposed Second and Third floor plans 1803/P/136 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
New build Block G North & South elevations 1803/P/350 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
New build Block G East and West elevations 1803/P/351 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

### **Block H**

Block H Proposed Ground and First floor plans 1803/P/140 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
Block H Proposed Second & Third floor plans 1803/P/141 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
Block H Proposed Fourth & Fifth floor plans 1803/P/142 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
New build Block H West & East elevations 1803/P/361 P2 received by the Local Planning Authority 8<sup>th</sup> September 2017  
New build Block H North & South elevations 1803/P/360 P2 received by the Local Planning Authority 8<sup>th</sup> September 2017

### **Block J**

Block J Proposed Ground & First floor plans 1803/P/145 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
Block J Proposed Second & Third floor plans 1803/P/146 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
Block J Proposed Fourth & Fifth floor plans 1803/P/147 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
New build Block J West & East elevations 1803/P/371 P2 received by the Local Planning Authority 8<sup>th</sup> September 2017  
New build Block J North & South elevations 1803/P/370 P2 received by the Local Planning Authority 8<sup>th</sup> September 2017

### **Block K**

Block K Proposed Ground & First floor plans 1803/P/150 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
Block K Proposed Second & Third floor plans 1803/P/151 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017  
New build Block K North & South elevations 1803/P/380 P2 received by the Local Planning Authority 8<sup>th</sup> September 2017  
New build Block K East & West elevations 1803/P/381 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

**Block L**

Block L Proposed floor plans 1803/P/155 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

New build Block L North, South, East & West elevations 1803/P/385 P2 received by the Local Planning Authority 8<sup>th</sup> September 2017

**Block M**

Block M Proposed floor plans 1803/P/160 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

New build Block M North, South, East & West elevations 1803/P/390 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

**Block N**

Block N Proposed floor plans 1803/P/165 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

New build Block N North, South, East & West elevations 1803/P/395 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

**Perimeter wall**

Wall intervention plan 1803/P/058 P2 received by the Local Planning Authority 28<sup>th</sup> March 2018

Intervention and repair wall elevations 1803/P/075 P2 received by the Local Planning Authority 28<sup>th</sup> March 2018

Intervention and repair wall elevations 1803/P/076 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

New build Boundary wall North & West 1803/P/400 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

**Landscaping**

Illustrative Masterplan GLO444-GRA-X-XX-DR-L-1001-P Rev. 02 received by the Local Planning Authority 28<sup>th</sup> March 2018

Hardworks strategy GLO444-GRA-X-XX-DR-L-3001-P Rev. 02 received by the Local Planning Authority 28<sup>th</sup> March 2018

Softworks strategy GLO444-GRA-X-XX-DR-L-5001-P Rev. 01 received by the Local Planning Authority 28<sup>th</sup> March 2018

Proposed Ecological Enhancements 1803/P/500 P1 received by the Local Planning Authority 8<sup>th</sup> September 2017

Proposed Northern Access Arrangements 2440-05 I received by the Local Planning Authority 28<sup>th</sup> March 2018

One-way system 2440-12 received by the Local Planning Authority 14<sup>th</sup> November 2017

Proposed southern emergency access 2440-06 E received by the Local Planning Authority 14<sup>th</sup> November 2017

except where otherwise required by conditions of this permission.

**Reason**

To ensure the works are carried out in accordance with the approved plans.

**Condition 3**

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the floorspace hereby approved for Class A3 or A4 use shall not be

used for a use within Class A1 of the schedule to 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**

The Local Planning Authority wishes to control the specific use of the premises, because they are outside the primary shopping area and a retail use would have to satisfy the relevant policy tests, in accordance with Policy SD2 of the Joint Core Strategy 2017 and the NPPF.

**Condition 4**

No demolition shall take place until a contract for the carrying out of the works of redevelopment has been let and proof of such has been provided to, and written confirmation of its acceptability has been given by, the Local Planning Authority.

**Reason**

Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 Paragraph 136 of the NPPF, Policy BE.30a of the 2002 City of Gloucester Second Deposit Local Plan, and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017. This is required pre-commencement given the potential impact of demolition works on the Conservation Area without it being satisfied.

**Condition 5**

No demolition shall take place until a demolition statement (to include identification of the specific areas to be demolished, the method of demolition together with the necessary protection for the retained structures) has been submitted to and approved in writing by the Local Planning Authority. Demolition shall only take place in accordance with the approved statement.

**Reason**

To preserve the special interest of the listed buildings and the character and appearance of the Conservation Area in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraph 131 of the National Planning Policy Framework. This is required pre-commencement given the potential impact of demolition works on the Conservation Area and Listed Buildings without it being satisfied.

**Condition 6 \***

Development shall proceed in accordance with the Indicative Phase Plan ref. S332.CC.CP.001 received by the Local Planning Authority on 8<sup>th</sup> March 2018 or an alternative phasing plan that has been submitted to and approved in writing by the Local Planning Authority. Any alternative phasing plan shall similarly prioritise the early delivery of the listed building conversions.

**Reason**

To secure the early delivery of listed building conversions, in accordance with Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, Paragraphs 17, 131, 132 and 134 of the NPPF.

**ARCHAEOLOGY**

**Condition 7 \***

No development, demolition or groundworks shall commence within the proposed development site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic environment work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme shall provide for archaeological recording of significant elements of the historic built environment that are likely to face an impact from the proposed development and any proposed demolition, with the provision for appropriate archiving and public dissemination of the findings.

#### **Reason**

The proposed development site includes significant elements of the historic built environment. The Council requires that these elements will be recorded in advance of any development or demolition and their record be made publicly available, in accordance with paragraphs 131 and 141 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017. This is required pre-commencement given the potential impact of early-phase works.

#### **Condition 8 \***

No development, demolition or groundworks shall commence within the site until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development or demolition shall take place other than in accordance with the agreed WSI, which shall include a statement of significance and research objectives, and;

- A. An updated archaeological impact and mitigation statement;
- B. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- C. A programme of community and public engagement and outreach;
- D. A programme for the recording of all existing and new piles and pile caps within the site; and
- E. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.'

#### **Reason**

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraphs 131, 132 and 141 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017. This is required pre-commencement given the potential impact of early-phase works.

#### **Condition 9 \***

No development or demolition within the footprint of the proposed Block H (as referenced on plan 1803/004 P1) shall commence until a methodology for the undertaking of a feasibility study for the reuse of existing piled foundations in the area of Block H has been submitted to and approved by the local planning authority in writing. This shall include provision for pre- and post-demolition analysis. Subsequently no construction of Block H shall commence until the feasibility study has been submitted to and approved in writing by the Local Planning Authority.

#### **Reason**

To minimise impact to heritage assets of high significance by establishing the prospect for re-use of existing piled foundation or alternatively locating piles in areas of existing disturbance, in accordance with paragraphs 131, 132 and 139 of the NPPF and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017. This is required pre-commencement given the potential impact of early-phase works.

**Condition 10 \***

No works below existing ground level other than archaeological works or remediation shall commence within a phase (as shown on the Indicative Phase Plan ref. S332.CC.CP.001 received by the Local Planning Authority on 8<sup>th</sup> March 2018 or an alternative phasing plan that has been submitted to and approved in writing by the Local Planning Authority) until a detailed scheme showing the complete scope and arrangement of the foundation design and ground works of the proposed development (including pile type and methodology, drains and services, and for Block H shall take into consideration the results of the Feasibility Study approved under Condition 9) has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved scheme.

**Reason**

The site may contain significant heritage assets. The Council requires that disturbance or damage by foundations and related works is minimised, and that archaeological remains are, where appropriate, preserved in situ in accordance with paragraphs 131 and 132 of the National Planning Policy Framework and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

**Condition 11**

The viewing platform and chamber for the remains of the castle keep shall not be installed prior to the submission to and approval by the Local Planning Authority of details comprising;

- A. Scaled cross sections of the full chamber and platform to show the floor level of the chamber, drainage, ground level/glazing, and ventilation proposals;
- B. Details of proposed lighting, drainage and other services;
- C. Details of above-ground protection from vehicles and pedestrians as may be needed;
- D. A Management Plan for the platform and chamber;

The viewing platform and chamber shall be implemented in accordance with the approved details and shall be maintained in accordance with the approved Management Plan for the life of the development.

**Reason**

To make provision for the public appreciation of the heritage of the area while preserving it, in accordance with paragraphs 131, 132 and 141 of the NPPF and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

**Condition 12**

The viewing platform and chamber for the remains of the castle keep remains shall be implemented in accordance with the details approved under Condition 11 concurrently with the hard landscaping and completed prior to the occupation of the 190<sup>th</sup> dwelling unit (or to such other timetable as may be approved in writing by the Local Planning Authority).

**Reason**

To make provision for the public appreciation of the heritage of the area, in accordance with paragraph 141 of the NPPF and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

**Condition 13 \***

Notwithstanding the approved plans the development shall be carried out in accordance with a form of historic interpretation of the site.

In respect of external interpretation this shall be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of hard or soft landscaping works.

In respect of internal interpretation this shall be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the part of the development in which the interpretation is proposed.

The submitted details shall include:

- A. Scaled drawings of any physical structures or facilities within the public realm;
- B. Details of the content of any display material;
- C. A timetable for implementation.

Reason

To make provision for the public appreciation of the heritage of the area, in accordance with paragraph 141 of the NPPF and Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

**DESIGN & HERITAGE**

**Condition 14 \***

Notwithstanding the approved plans and details, no above ground construction of a building shall be commenced until details of all building external facing materials and finishes for that building (including wall and roof materials, doors, windows, and rainwater goods) have been submitted to and approved in writing by the Local Planning Authority with a sample panel for the brick and external cladding material to be constructed on site for inspection. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the materials and exterior building components are appropriate to their context and in the interests of protecting the character and appearance of the Conservation Areas and the special character of listed buildings and their setting, in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 58 and 131 of the National Planning Policy Framework.

**Condition 15 \***

Notwithstanding the approved plans and details, no development shall take place within a phase (as shown on the Indicative Phase Plan ref. S332.CC.CP.001 received by the Local Planning Authority on 8<sup>th</sup> March 2018 or an alternative phasing plan that has been submitted to and approved in writing by the Local Planning Authority) other than site remediation, demolition or exploratory ground works until details of the surface material finishes for the highways, footpaths, cycle ways, parking areas, common areas, and all other hard surfaces have been submitted to and approved in writing by the Local Planning Authority. Details shall include a scaled layout plan denoting the finishes, features, and samples of the principal

materials. Development shall be carried out in accordance with the approved details and maintained as such thereafter.

**Reason**

To ensure that the design and materials are appropriate to their context, in the interests of protecting the character and appearance of the Conservation Areas and the setting of listed buildings, in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 58 and 131 of the National Planning Policy Framework.

**Condition 16 \***

Notwithstanding the approved plans and details, no development shall take place within a phase (as shown on the Indicative Phase Plan ref. S332.CC.CP.001 received by the Local Planning Authority on 8<sup>th</sup> March 2018 or an alternative phasing plan that has been submitted to and approved in writing by the Local Planning Authority) other than site remediation, demolition or exploratory ground works until details of street and open space furniture, external lighting, screen walls, fences/railings and other new means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Such details shall include scaled elevation drawings, site plans identifying their location, and materials. Development shall be carried out only in accordance with the approved details.

**Reason**

In the interests of privacy and security, and protecting the character and appearance of the Conservation Areas and the setting of listed buildings, in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 58 and 131 of the NPPF.

**Condition 17 \***

Notwithstanding the approved plans and details, no development shall commence within a phase (as shown on the Indicative Phase Plan ref. S332.CC.CP.001 received by the Local Planning Authority on 8<sup>th</sup> March 2018 or an alternative phasing plan that has been submitted to and approved in writing by the Local Planning Authority) other than site remediation, demolition or exploratory ground works until a soft landscape scheme has been submitted to and approved in writing by the local planning authority. The submitted design shall include scaled drawings and a written specification clearly describing the species, sizes, densities and planting numbers, and also include the omission of the tree proposed immediately to the west of Block A/B/C and the raised planters indicated on the submitted Softworks Strategy, and tree pit specifications for each proposed new tree that shall have regard to the need to protect buried heritage assets and also provide sufficient soil volume/ capacity to allow each tree to grow to maturity.

**Reason**

To ensure a satisfactory and well-planned development and to preserve and enhance the quality of the environment and heritage assets in accordance with Policies SD5 and SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 58 and 131 of the NPPF.

**Condition 18**

The landscaping scheme approved under condition 17 shall be carried out concurrently with the development and shall be completed no later than the first planting season following the completion of the development. The planting shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously

damaged shall be replaced during the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

**Reason**

To ensure a satisfactory and well-planned development and to preserve and enhance the quality of the environment in accordance with Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraph 58 of the NPPF.

**Condition 19**

No above ground construction shall commence until scaled elevation drawings of the external waste/recycling storage provision have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be implemented only in accordance with the approved details.

**Reason**

To ensure adequate provision for storage of waste and to preserve the character and appearance of the Conservation Area and the setting of listed buildings in accordance with Policies SD4 and SD8 of the Joint Core Strategy Adopted 2017 and Paragraphs 58 and 131 of the NPPF.

**Condition 20**

No building shall be occupied prior to the provision on site of the waste/recycling storage for that building.

**Reason**

To ensure sufficient supporting infrastructure in place for residents and to preserve the appearance of the area in accordance with Policies SD4 and SD8 of the Joint Core Strategy Adopted 2017 and Paragraphs 17, 58 and 131 of the NPPF.

**Condition 21**

No development shall take place other than site remediation, demolition or exploratory ground works until a strategy for incorporating energy efficiency measures into the development has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved strategy.

**Reason**

To provide for energy efficiency balanced with the heritage constraints of the site, in accordance with Policies SD3 and SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 93, 95, and 131 of the NPPF.

**Condition 22 \***

The demolition/construction phase and the operational phase of development shall take place in accordance with the Waste Minimisation Statement dated May 2017 (received by the Local Planning Authority on 19<sup>th</sup> June 2017) for their full duration.

**Reason**

To reduce waste in accordance with Policy SD3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, Waste Minimisation in development projects

SPD 2006 and Paragraph 7 of the NPPF. This is required pre-commencement as a strategy is necessary to deal with demolition works.

## **ENVIRONMENTAL HEALTH**

### **Condition 23 \***

No above ground construction shall commence within a phase (as shown on the Indicative Phase Plan ref. S332.CC.CP.001 received by the Local Planning Authority on 8<sup>th</sup> March 2018 or an alternative phasing plan that has been submitted to and approved in writing by the Local Planning Authority) until details of noise mitigation measures for each residential unit within that phase have been submitted to and approved in writing by the Local Planning Authority. These details shall include the precise specification of the mitigation (façade specification, glazing specification, etc.) and a clear representation of the units and façades to which it applies. No unit for which measures are identified as being required shall be occupied until the approved measures have been implemented in full.

#### **Reason**

To deliver noise mitigation measures as shown to be necessary in the submitted application documents to create an acceptable living environment, in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

### **Condition 24 \***

Where any part of the development is occupied for a Class A3, A4 or A5 use, no individual unit shall be opened to the public until extraction equipment has been installed to full working order for that unit in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The details shall include the routing of any flue and shall have regard to the details submitted to the Local Planning Authority on 7<sup>th</sup> March 2018.

#### **Reason**

To secure an appropriate means of extract for cooking processes to protect the amenities of the area and secure minimal impact on the listed building in accordance with Policies SD8 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 120 and 131 of the NPPF. An appropriate indicative routing for a flue has already been ascertained and should be given consideration in designing the system.

### **Condition 25**

Prior to the installation of any fixed plant associated with the development, details shall be submitted to and approved in writing by the Local Planning Authority setting out how the maximum noise levels specified in Table 7.6 of the RSK Noise Impact Assessment 296762-00(03) March 2018 (received by the Local Planning Authority 19<sup>th</sup> February 2018) are to be achieved. Any mitigation measures shall be installed in full prior to the operation of any plant and the plant shall only be operated in accordance with the approved details.

#### **Reason**

To create an acceptable living environment, in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

### **Condition 26**

Prior to the commencement of the development a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- (a) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
- (b) Measures to minimise and control noise, vibration, dust and fumes during site preparation works, demolition and construction, including vehicle reversing alarms.
- (c) Details of the parking for all vehicles of site operatives and visitors.
- (d) The unloading and loading arrangements for heavy plant, materials and machinery and any proposed construction compound.
- (e) Measures to avoid traffic congestion on the road network

#### **Reason**

To safeguard the amenities of the area in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF. This is required pre-commencement given the potential impacts of early-phase works.

#### **Condition 27**

Where any part of the development is occupied for a Class A2, A3, A4, A5, B1, D1 or D2 use, the loading and unloading of service and delivery vehicles to that use together with their arrival and departure from the site shall not take place outside the period between 0700hours and 1800hours on any day.

#### **Reason**

To safeguard the amenities of the area in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

#### **Condition 28**

Where any part of the development is occupied for a Class A3, A4, A5, D1 or D2 use, that use shall not be open outside the period between 0800hours and 2300hours on any day.

#### **Reason**

In the interests of the amenities of the area in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 120 and 123 of the NPPF.

#### **Condition 29**

No Class A2, A3, A4, A5, B1, D1 or D2 use shall commence until a Deliveries Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate how the site is to be managed in such a way that vehicular and pedestrian movement is maintained during deliveries, include provisions to deal with pedestrian safety during the manoeuvring of delivery vehicles, provisions if the delivery vehicle is temporarily blocked from entering the site, and measures to minimise disturbance to local residents. Deliveries shall only be made to the site in accordance with the approved Deliveries Management Plan.

#### Reason

The Class A2, A3, A4, A5, B1, D1 and D2 are likely to necessitate delivery arrangements, within a constrained site. The condition is necessary in the interests of safety and amenity of the area, in accordance with Policies SD4, SD14 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 17, 32, 35, 58, 120 and 123 of the NPPF.

#### **Condition 30**

Construction work and the delivery of materials shall be limited to the period between 0800hours and 1800hours Monday to Friday, 0800hours to 1300hours on Saturdays and for the avoidance of doubt no construction work or deliveries shall take place on Sundays or Bank Holidays.

#### Reason

To safeguard the amenities of the area in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 17, 109, 120 and 123 of the NPPF.

#### **Condition 31 \***

No above-ground construction of or to a building shall commence until details of measures to discourage seagulls from nesting and roosting on that building have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the Local Planning Authority's publication "Gulls: How to stop them nesting on your roof 2016. The measures shall be implemented in full for each building prior to its first occupation.

#### Reason

In the interests of the appearance of the development and to avoid nuisance caused by nesting and roosting seagulls, in accordance with Policy SD5 of the Joint Core Strategy Adopted 2017 and Paragraphs 17 and 58 of the NPPF.

#### **Condition 32 \***

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 3 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part 4 has been complied with in relation to that contamination.

##### 1. Site Characterisation

Once buildings have been demolished and structures removed, supplementary site investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

## 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared in addition to the scheme provided with the planning application addressing the outstanding matters, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must accord with the provisions of the EPA 1990 in relation to the intended use of the land after remediation.

## 3. Implementation of Approved Remediation Scheme

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

Following completion of measures identified in the approved remediation scheme, a verification report (elsewhere referred to as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

## 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part 3.

## 5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

#### 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 in accordance with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version Adopted 2017, Paragraphs 17, 120, 121 and 123 of the NPPF.

### **DRAINAGE/FLOOD RISK**

#### **Condition 33 \***

Other than the approved demolition work, the development hereby permitted shall not commence until full details for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details submitted shall include proposals for the disposal of surface water in accordance with the principles of Sustainable Urban Drainage Systems (SUDS) and shall be implemented prior to the first occupation of the development and maintained thereafter for the life of the development.

#### Reason

To ensure that the development is provided with a satisfactory means of drainage, to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policies SD14 and INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 and Paragraphs 100 and 103 of the NPPF. This is required pre-commencement given the facilities involve below ground works, on a large spatial extent and will intersect with archaeological remains so their arrangement needs to be agreed at the start to avoid any abortive works or other conflicts as a result of starting development.

#### **Condition 34**

The development shall not be occupied until a SuDS 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) has been submitted to and approved in writing by the Local Planning Authority. The plan shall set out the access required to reach components for their maintenance, a plan for safe and sustainable removal and disposal of waste periodically arising, materials and standard of work required. The approved plan shall be implemented upon first occupation of the development and maintained for the lifetime of the development.

#### Reason

To ensure continued operation and maintenance of drainage features serving the site and to avoid flooding and pollution in accordance with Policies SD14 and INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 100 and 103 of the NPPF.

**Condition 35 \***

Other than the approved demolition work, the development shall not commence until full details for the disposal of foul water flows have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed to full working order prior to the first occupation of the development and maintained thereafter for the life of the development.

**Reason**

To ensure that the development is provided with a satisfactory means of drainage, and to minimise the risk of pollution in accordance with Policies SD14 and INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 100 and 103 of the NPPF. This is required pre-commencement given the facilities involve below ground works, on a large spatial extent and will intersect with archaeological remains so their arrangement needs to be agreed at the start to avoid any abortive works or other conflicts as a result of starting development.

**Condition 36 \***

Other than the approved demolition work, no development shall take place until an exceedance flow routing plan for surface water runoff flows above the 1 in 100 year plus 40% climate change event has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of open space (not private gardens or other spaces). A risk assessment may be required to determine adequate risk mitigation measures. When assessing the risks associated with conveyance routes or storage area for exceedance flows, flow depth, velocities, duration and impact of flooding to people and property on and off site should be taken into account. The approved plan shall subsequently be completed in accordance with the approved details before the development is first occupied and maintained for the lifetime of the development.

**Reason**

To ensure that the development is provided with a satisfactory means of drainage, and to ensure the development is safe for its lifetime, in accordance with Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, Paragraphs 100, 102 and 103 of the NPPF. This is required pre-commencement given the facilities involve ground works and will intersect with archaeological remains so their arrangement needs to be agreed at the start to avoid any abortive works or other conflicts as a result of starting development.

**Condition 37**

The finished floor levels of buildings shall be set at least at the following levels respectively (by reference to the building codes set out on the Proposed Ground floor plan 1803/P/100 P4);

Block A (Main cell block) : 11.96m AOD

Block B (Main cell block) : 11.96m AOD

Block C (Chapel wing): 11.32m AOD

Block D (Gate house) : 11.32m AOD

Block E (Debtors prison) : 11.72m AOD

Block F (Governors House) : 12.45 – 12.75m AOD

Blocks G, H, J, K, L, M and N (new build) : 11.43m AOD

#### Reason

To demonstrate that the development will be safe for its lifetime, taking into account the vulnerability of users and to ensure that the development passes the Exception Test in line with the NPPF and Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

#### **Condition 38 \***

No part of the development within a phase (as shown on the Indicative Phase Plan ref. S332.CC.CP.001 received by the Local Planning Authority on 8<sup>th</sup> March 2018 or an alternative phasing plan that has been submitted to and approved in writing by the Local Planning Authority) shall be occupied until the compensatory flood storage works for that phase have been completed in accordance with the Floodplain Compensation Plan ref. 04-01 P4 (received by the Local Planning Authority 19<sup>th</sup> June 2017).

#### Reason

To ensure that the approved flood mitigation scheme is completed, in accordance with Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 102 and 103 of the NPPF.

#### **Condition 39**

The development shall not be occupied until a Flood Warning and Evacuation Plan has been put into place in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The Plan shall include (but is not limited to) proposals for flood warnings, signage (including proposed sign wording and sign locations) and emergency access/egress. The approved Plan shall be operated for the lifetime of the development.

#### Reason

To ensure that the development remains safe for its users over the lifetime of the development in accordance with Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraphs 102 and 103 of the NPPF.

### **ECOLOGY**

#### **Condition 40**

Bat and bird boxes/bricks shall be implemented in accordance with the details shown on plan ref. 1803/P/500 Rev. P1 'Proposed ecological enhancements' (received by the Local Planning Authority on 8<sup>th</sup> September 2017) and a specification of the exact provision to be submitted to and approved in writing by the Local Planning Authority and they shall be completed for each of Blocks H, J and K prior to first occupation of each respective block.

#### Reason

In accordance with the submitted details, to deliver ecological enhancement in accord with Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017 JCS and Paragraphs 109 and 118 of the NPPF.

### **HIGHWAYS**

#### **Condition 41**

No development shall take place including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. provide for the parking of vehicles of site operatives and visitors;
- ii. provide for the loading and unloading of plant and materials;
- iii. provide for the storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities;
- v. measures to control the emission of dust and dirt during construction
- vi. details of a suitable vehicle access

**Reason**

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the NPPF and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017. This is required pre-commencement given the potential impact of early-phase works.

**Condition 42**

No building shall be occupied until the carriageways (including surface water drainage/disposal, vehicular turning heads and street lighting) providing access from the nearest public highway to that building have been completed to at least binder course level and the footways to surface course level.

**Reason**

To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

**Condition 43 \***

No block (by reference to plan 1803/P/100 P4 Proposed ground floor plan received by the Local Planning Authority on 28<sup>th</sup> March 2018) shall be occupied until the cycle storage facilities allocated to it have been made available for use in accordance with plan 1803/P/100 P4 Proposed ground floor plan and those facilities shall be maintained for the duration of the development.

**Reason**

To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the NPPF and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

**Condition 44 \***

No block (by reference to plan 1803/P/100 P4 Proposed ground floor plan received by the Local Planning Authority on 28<sup>th</sup> March 2018) shall be occupied until the vehicular parking and turning facilities serving that part of the development have been provided in accordance with the submitted plan 1803/P/100 P4 Proposed ground floor plan (received by the Local Planning Authority on 28<sup>th</sup> March 2018), and those facilities shall be maintained available for those purposes thereafter.

Reason

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the NPPF and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

**Condition 45**

Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan 2440-05 I Proposed Northern Access Arrangements (received by the Local Planning Authority on 28<sup>th</sup> March 2018), and shall be maintained thereafter.

Reason

To reduce potential highway impact by ensuring that a safe and secure access is laid out and constructed that minimises the conflict between traffic and cyclists and pedestrians in accordance with Paragraph 35 of the NPPF and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

**Condition 46 \***

Unless an alternative timescale is submitted to and approved in writing by the Local Planning Authority, the development shall not be occupied until a pedestrian crossing point (dropped kerb) from the Gate House (Block D by reference to the building codes set out on the Proposed Ground floor plan 1803/P/100 P4) access to the north side of Barrack Square has been completed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be maintained as such for the duration of the development.

Reason

To ensure that the opportunities for sustainable transport modes have been taken up and to provide safe and suitable access for all people in accordance with Paragraph 32 of the National Planning Policy Framework and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

**Condition 47**

The Residential Travel Plan (by Phil Jones Associates referenced 1499B dated June 2017 and received by the Local Planning Authority on 19<sup>th</sup> June 2017 ) shall be implemented in accordance with the details and timetables therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that the opportunities for sustainable transport modes are taken up in accordance with paragraphs 32 and 36 of the National Planning Policy Framework and Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017.

**Condition 48 \***

Prior to the commencement of above-ground construction works, details of Electric Vehicle Charging Point infrastructure to be provided, its locations and its assignment shall be submitted to and approved in writing by the Local Planning Authority. The respective works shall be implemented in full for each Block to which it is assigned in accordance with the

approved details prior to first occupation of that Block and thereafter retained in accordance with the approved details.

**Reason**

To minimise carbon dioxide emissions, in accordance with Policies SD3 and SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.

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**Conditions for the listed building consent:**

**Condition 1**

The works hereby permitted shall be begun before the expiration of 3 years from the date of this consent.

**Reason**

To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Condition 2**

The works shall be implemented in accordance with the plans referenced:

Location Plan 1803/P/001 P3 received by the Local Planning Authority 19<sup>th</sup> June 2017

**Site wide**

Site wide proposed demolition & intervention 1803/P/048 P2 received by the Local Planning Authority 28<sup>th</sup> March 2018

**Blocks ABC**

Basement Floor intervention plan 1803/P/050 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Blocks A/B/C basement plan 1803/P/110 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Ground Floor intervention plan 1803/P/051 P3 received by the Local Planning Authority 23<sup>rd</sup> January 2018

Blocks A/B/C Ground floor plan 1803/P/111 P4 received by the Local Planning Authority 23<sup>rd</sup> January 2018

First floor intervention plan 1803/P/052 P4 received by the Local Planning Authority 13<sup>th</sup> April 2018

Blocks A/B/C First floor plan 1803/P/112 P5 received by the Local Planning Authority 12<sup>th</sup> April 2018

Second floor intervention plan 1803/P/053 P4 received by the Local Planning Authority 13<sup>th</sup> April 2018

Blocks A/B/C Second floor plan 1803/P/113 P5 received by the Local Planning Authority 12<sup>th</sup> April 2018

Roof intervention plan 1803/P/054 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Blocks A/B/C Roof plan 1803/P/114 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair North and South Prison elevations 1803/P/070 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Proposed Prison elevations Blocks A, B, C North & South facing 1803/P/310 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair East and West Prison elevations 1803/P/071 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Proposed Prison elevations Blocks A, B, C North & South facing 1803/P/311 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair Section C-C & E-E 1803/P/060 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block A, B, C Proposed Prison sections C-C & E-E 1803/P/210 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair Sections B-B & D-D 1803/P/061 P4 received by the Local Planning Authority 13<sup>th</sup> April 2018

Blocks A, B, C Proposed Prison sections B-B & D-D & cross section through chapel 1803/P/211 P3 received by the Local Planning Authority 12<sup>th</sup> April 2018

Blocks A, B, C Proposed Prison sections A-A 1803/P/212 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

### **Block D / Gate House**

Block D Gatehouse intervention plans all floors 1803/P/055 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block D – Gatehouse Proposed floor plans 1803/P/120 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair Gatehouse elevations 1803/P/072 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Proposed Gatehouse elevations Blocks D 1803/P/320 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block D existing Gatehouse intervention and repair Section LL & KK 1803/P/062 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block D Proposed Gatehouse Sections LL & KK 1803/P/220 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

### **Block E / Debtors Prison**

Intervention and repair plans all floors 1803/P/056 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block E Debtors Prison Proposed floor plans 1803/P/125 P3 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair elevations 1803/P/073 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block E Proposed elevations 1803/P/330 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair Sections A & B 1803/P/063 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block E Proposed Debtor's Prison Sections AA & BB 1803/P/230 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

### **Block F / Governor's House**

Governor's House intervention all floors 1803/P/057 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block F Governor's House Proposed floor plans 1803/P/130 P3 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair Governor's House elevations 1803/P/074 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block F Proposed elevations 1803/P/340 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Intervention and repair Sections MM and NN 1803/P/064 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

Block F Proposed Governor's House Sections MM & NN 1803/P/240 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

### **Perimeter wall**

Wall intervention plan 1803/P/058 P2 received by the Local Planning Authority 28<sup>th</sup> March 2018

Intervention and repair wall elevations 1803/P/075 P2 received by the Local Planning Authority 28<sup>th</sup> March 2018

Intervention and repair wall elevations 1803/P/076 P1 received by the Local Planning Authority 19<sup>th</sup> June 2017

New build Boundary wall North & West 1803/P/400 P2 received by the Local Planning Authority 19<sup>th</sup> June 2017

except where otherwise required by conditions of this consent.

### **Reason**

To ensure that the works are carried out in accordance with the approved plans.

### **Condition 3**

No works shall commence on any existing building until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic environment work for that building in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme will provide for archaeological recording of significant elements of the historic built environment that are likely to face an impact from the proposed internal and external works, with the provision for appropriate archiving and public dissemination of the findings. A full recording schedule will be required itemising these features together with a photographic record and location reference by plan.

### **Reason**

The site includes significant elements of the historic built environment. The Council requires that these elements will be recorded in advance of works and their record be made publicly available. This accords with Policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014 and Paragraph 131 of the NPPF.

### **Condition 4 \***

No works shall commence on a building until a schedule of architectural features within that building (including cell doors, floor mosaic at entrance, and entrance gates within A and B wings, and glazing in the Debtors' Prison) and proposals for display or reuse with the objective of retention of architectural features in situ, together with any storage details for items, have been submitted to and approved in writing by the Local Planning Authority. Works shall proceed only in accordance with the approved details.

### **Reason**

To preserve the special interest of the listed buildings in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraph 131 of the National Planning Policy Framework.

### **Condition 5**

No demolition shall take place until a demolition statement (to include identification of the specific areas to be demolished internally and externally, the method of demolition together with the necessary protection for the retained structures) has been submitted to and approved in writing by the Local Planning Authority. Demolition shall take place only in accordance with the approved statement.

**Reason**

To preserve the special interest of the listed buildings in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraph 131 of the NPPF.

**Condition 6 \***

Notwithstanding the approved drawings no works shall commence to a building or structure other than demolition until the following details for that building or structure have been submitted to and approved in writing by the Local Planning Authority:

- A. Schedule of materials;
- B. Specifications and locations of guttering and downpipes;
- C. Detailed methodology and scaled drawings for all new interventions within the designated asset including blocking/opening of doorways, partitions, ceilings, flooring, staircases and windows;
- D. Scaled drawings of rooflights, windows and doors including sections and glazing bars at a scale of 1:5;
- E. Scaled drawings of window reveals for new windows;
- F. Details for the refurbishment of timber windows;
- G. For A and B wings scaled drawings and details for balustrading, with a sample panel on site to be approved;
- H. Repair and restoration methodology statements, including the making good of facades where demolition has taken place; this should include brick cleaning, stone and brick repair methodologies and materials. Repairs to external brickwork shall be carried out by hand for individual brick replacement or by rebuilding in replacement bricks. Replacement bricks and mortar shall match the original in size, colour, texture and bond;
- I. Methods and materials for any proposed building regulations upgrading within the designated assets including fire, sound or thermal requirements;
- J. Mechanical and electrical survey reports to determine the appropriate method for the introduction of modern services into the designated assets;
- K. Details of new pipes, cable and ventilation routes including finish of flues, grills, extracts and location of associated meter boxes;
- L. Specification and routing for flue extraction systems.

Works to a building or structure shall proceed only in accordance with the approved details.

**Reason**

To preserve the special interest of the listed buildings in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraph 131 of the NPPF.

**Condition 7 \***

All other works of external repair, restoration and replacement not covered by Condition 6 are to exactly match the original features, unless otherwise approved by the Local Planning Authority in writing.

**Reason**

To preserve the special interest of the listed buildings in accordance with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Adopted 2017, and Paragraph 131 of the NPPF.

**Note**

Any other proposed alterations to the approved plans brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

**ITEM 7 – LAND OFF TIP ACCESS ROAD, HEMPSTED LANE, GLOUCESTER  
17/01178/FUL**

The applicant has recently submitted a Construction Management Plan, a Dust Management Plan and a Construction Environmental Management Plan. Environmental Health and County Highways will be re-consulted.

The applicant has also submitted additional information relating to drainage including surface finishes, contours, finished floor levels and a drainage layout. The views of the Local Lead Flood Authority are awaited.

**REVISED RECOMMENDATIONS OF THE GROWTH AND DELIVERY MANAGER:**

Delegate to permit subject to the receipt of the comments of the Local Lead Flood Authority and County Highways:

Revised Wording of Conditions:

**Condition 3**

The Construction Method Statement hereby approved shall be adhered to throughout the construction period, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework.

**Condition 7**

- All factory/building doors and windows shall remain closed between 23:00 and 07:00 hours;
- The loading and unloading of service and delivery vehicles together with their arrival and departure from the site shall not take place between the hours of 23:00 and 07:00 hours on Pit Road and between the hours of 23:00 and 06:00 hours on Spinnaker Road.
- There shall be no forklift/vehicle movements on the external areas of site between the hours of 23:00hrs and 07:00hrs.

Reason: In the interests of residential amenity.

**Condition 9**

The Dust Management Plan (DMP) hereby approved shall adhered to throughout the construction period, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

**Condition 15**

The details for the disposal of surface water in accordance with the principles of Sustainable Urban Drainage Systems (SUDS) hereby approved shall be implemented prior to the first use or occupation of the development and maintained thereafter for the life of the development.

Reason: To ensure satisfactory drainage arrangements are provided in accordance with sustainable objectives of Gloucester City Council and Central Government.

**ITEM 8 – LANNETT PLAY AREA KING EDWARDS AVENUE, GLOUCESTER  
18/00068/FUL**

**Environmental Health (Revised Comments):** Following a concern raised recently regarding the Tuffley Rovers AFC Premises Licence (PL) I have dug a bit deeper in regards to which premises the PL relates. I made my initial comments based upon the presumption that the PL referred to the proposed development. I note however that the PL relates to Tuffley Rovers club house located on Tuffley Lane as opposed to the youth team club house proposed on The Lannett play area. Consequently I confirm that the Lannett club house has not been granted a PL as such no regulated activities take place within the building currently.

Accordingly, I have reviewed the evidence stored electronically in regards to reports to the Council of Anti-Social Behaviour incidents at the Lannett and can confirm that since July 2012 no reports have been received in regards to nuisance or Anti-Social Behaviour.

Three letters of objection have been received in response to the revised plans:

- Pleased to see that the car park has been removed from the application;
- There is no local need for this facility;
- It will result in an increase in anti-social behavior;
- The loss of green space is contrary to national planning policy.

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