



# Gloucester City Council

## Planning Committee

**Meeting: Tuesday, 1st October 2019 at 6.00 pm in Civic Suite - North Warehouse, The Docks, Gloucester, GL1 2EP**

<b>Membership:</b>	Cllrs. Taylor (Chair), Lewis (Vice-Chair), D. Brown, J. Brown, Dee, Derbyshire, Finnegan, Hanman, Hansdot, Hyman, Lugg, Toleman and Walford
<b>Contact:</b>	Democratic and Electoral Services 01452 396126 <a href="mailto:democratic.services@gloucester.gov.uk">democratic.services@gloucester.gov.uk</a>

### AGENDA

**4. LATE MATERIAL (Pages 5 - 6)**

Please note that any late material in respect of the applications detailed below will be published as a supplement on the Council's website in the late afternoon of the day of the meeting.

**Jon McGinty**  
Managing Director

**Date of Publication: Monday, 23 September 2019**

## 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.

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

If you, or someone you know cannot understand English and need help with this information, or if you would like a large print, Braille, or audio version of this information please call 01452 396396.

### **Recording of meetings**

Please be aware that meetings may be recorded. There is no requirement for those wishing to record proceedings to notify the Council in advance; however, as a courtesy, anyone wishing to do so is advised to make the Chair aware before the meeting starts.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the Public and Press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

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- You should proceed calmly; do not run and do not use the lifts;
- 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;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.

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Gloucester City Council reserve the right to remove or not display certain planning application information for the confidentiality or other reasons.

### **HUMAN RIGHTS**

In compiling the recommendations on the following reports we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any affected properties. In particular, regard has been had to Article 8 of the ECHR (Right to respect for private and family life, home and correspondence); Article 1 of the First Protocol (Right to the use and enjoyment of property) and the requirement to ensure that any interference with the right in this Article is both in accordance with the law and proportionate. A balance needs to be drawn between the right to develop land in accordance with planning permission and the rights under Article 8 and also Article 1 of the First Protocol of adjacent occupiers. On assessing the issues raised by the applications no particular matters, other than those referred to in the reports, warrant any different action to that recommended.

### **EQUALITY ACT 2010**

In considering this matter, full consideration has been given to the need to comply with the Public Sector Equality Duty under the Equality Act 2010 and in particular to the obligation to not only take steps to stop discrimination, but also to the promotion of equality, including the promotion of equality of opportunity and the promotion of good relations. An equality impact assessment has been carried out and it is considered that the Council has fully complied with the legal requirements.

## **LATE MATERIAL (APPLICATIONS FOR DETERMINATION)**

### **PLANNING COMMITTEE: 1<sup>st</sup> October 2019**

#### **ITEM 4 – Plot J Kingsway Gate, Newhaven Road, Quedgeley – 19/00058/FUL**

The City Arboriculturist has confirmed that he is satisfied with the proposed tree protection measures outline in the submitted Arboricultural Impact Assessment (Report Number 11137\_R01\_JJ\_LP), prepared by Tyler Grange. On this basis Condition 10 can be updated to refer to this report.

#### **Revised Recommendation of the City Growth and Delivery Manager:**

That planning permission is GRANTED subject to the conditions listed in the Officer report with Condition 10 amended to the following:

#### **Condition 10**

No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions in accordance with the Arboricultural Impact Assessment (Report Number 11137\_R01\_JJ\_LP), prepared by Tyler Grange and this has been inspected on site and approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of development,

Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, citing of site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the Tree Protection Zone (TPZ), unless agreed in writing with the Local Planning Authority. The TPZ shall be maintained during the course of development

#### **Reason**

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

#### **ITEM 5 – Gloucester Quays Christmas Market - 19/00755/FUL**

As indicated at Paragraph 6.10 of the Officer Report an updated Operational Noise Management Plan has been provided by the applicant and accepted by the Environmental Health Officer. This means that proposed Condition 9 can be updated to refer to that Plan.

#### **Revised Recommendation of the City Growth and Delivery Manager:**

That planning permission is GRANTED subject to the conditions listed in the Officer report with Condition 9 amended to the following:

**Condition 9**

The use hereby permitted shall only take place on Mariners Square and around Victoria Dock in compliance with the Operational Noise Management Plan for stall holders dated and received by the Local Planning Authority on 18<sup>th</sup> September 2019.

**Reason**

To preserve the amenities of the area.