



## PLANNING COMMITTEE

Meeting: Tuesday, 8th September 2015 at 6.00 pm  
in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP

### ADDENDUM

The following item as set out in the published agenda for the above meeting, is now available.

4.	LATE MATERIAL (PAGES 5 - 20)
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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.

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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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- 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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# **LATE MATERIAL**

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## **Agenda Item 5 LAND AT 70 TUFFLEY CRESCENT, GLOUCESTER**

### **Additional Consultation Responses.**

#### **Contamination Adviser**

Worcestershire Regulatory Services (WRS) have reviewed the records held by Gloucester City Council in relation to contaminated land.

The records indicate that the proposed site is in the vicinity of an area identified as 'Manu Marble Works' (later just engineering works). This site has been identified as potentially being affected by contamination relating to its historical use. Given the proximity to this site WRS recommend that the following condition relating to 'Unexpected Contamination' is applied to any planning permission granted:-

#### **CONDITION - 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 DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'* and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme commencing.

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 prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

#### **REASON**

To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

This does not result in any change to the officer recommendation.

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

### **PLANNING COMMITTEE: 8<sup>TH</sup> SEPTEMBER 2015**

#### **AGENDA ITEM 6: 15/00672/COU AND 15/00674/LBC – ALBION HOUSE SOUTHGATE STREET GLOUCESTER**

##### **Drainage**

While the Lead Local Flood Authority (LLFA) presently object to the proposal, the applicant is in the process of preparing a drainage strategy to address the outstanding concerns. Discussions are ongoing and it is likely that this matter will be resolved in a satisfactory manner in due course.

##### **Education**

The Local Planning Authority is seeking clarification from the County Council with regards to the amount of contributions required towards primary and secondary education. Paragraph 6.8 of the committee report sets out that a sum of £17,832 has been requested/offered but it would appear that the correct amount may be in the order of £18,100.

##### **Viability**

The submitted viability appraisal has been reviewed by the council's surveyor, who is satisfied that it would not be viable for the development to deliver affordable housing.

##### **Revised Recommendation**

Subject to the LLFA confirming that there are no objections to the drainage strategy and the clarification of the precise sum required for education contributions, that authority be delegated to the Development Control Manager grant planning permission and listed building consent subject to the following conditions and the completion of the unilateral undertaking to secure contributions towards education provision:

##### **Planning permission - 15/00672/COU**

###### **Condition 1**

The development hereby permitted shall be begun before the expiration of 18 months 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 hereby permitted shall be carried out in accordance with the approved submitted forms, supporting information and amended drawing nos.21416/10 Rev.A, 11

Rev.B, 13 Rev.A, 12 Rev.A, 14 Rev.B and 15 Rev.B received by the Local Planning Authority on 28th May 2015 as well as any other conditions attached to this permission.

#### Reason

To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within Second Deposit City of Gloucester Local Plan (2002).

#### Condition 3

No development outside the footprint of Block A (as shown in Plan 21416 DWG No.13), other than demolition down to ground floor slab only, shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

#### Reason

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 paragraph 141 of the National Planning Policy Framework and Policies BE.36, BE.37 & BE.38 of the Gloucester Local Plan (2002 Second Stage Deposit).

#### Condition 4

No development outside the footprint of Block A (as shown in Plan 21416 DWG No.13), shall commence other than demolition down to ground floor slab only until a detailed scheme showing the complete scope and arrangement of the foundation design and ground works of the proposed development (including drains and services) 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. This accords with Policy BE.31 and BE.36 of the Second Deposit City of Gloucester Local Plan (2002) and paragraph 141 of the NPPF.

#### Condition 5

The development hereby permitted shall not commence until details for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The 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 use or occupation of the development and maintained thereafter for the life of the development.

#### Reason

Details of these 'under ground' work are required prior to construction in order to ensure satisfactory drainage arrangements are provided in accordance with sustainable objectives of Gloucester City Council and Central Government and policy FRP.6 of the Second Deposit City of Gloucester Local Plan (2002).

#### Condition 6

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. Specify the type and number of vehicles;
- ii. Provide for the parking of vehicles of site operatives and visitors;
- iii. Provide for the loading and unloading of plant and materials;
- iv. Provide for the storage of plant and materials used in constructing the development;
- v. Provide for wheel washing facilities
- vi. Specify the intended hours of construction operations;
- vii. Measures to control the emission of dust and dirt during construction

#### Reason

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with Paragraph 35 of the NPPF.

#### Condition 7

Notwithstanding the submitted details and prior to the commencement of any conversion works to the Listed Building, full architectural details and where appropriate samples of the following (in relation to the conversion works to the Listed Building part of the development) shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details prior to the occupation of the first flat and shall be similarly maintained thereafter: -

- a) All internal and external materials.
- b) Scaled drawings detailing methodology for blocking/opening of doorways and erection/removal of new partitions/walls.
- c) Details of the retention/repair/reinstatement of all historic skirting, cornice, door and window architraves, doors, windows, window shutters and wall panelling.
- d) Details of refurbishment for timber windows and internal window shutters  
Details of flues, vents, grilles, guttering and down pipes, including details of material and colour.
- e) Details of new pipe, cable and ventilation routes.
- f) The proposed methods for upgrading the property to meet the requirements of the Building Regulations for fire safety and sound insulation.
- g) Location and details of all meter boxes and their enclosures.

#### Reason

The precise details of works to the listed building are required prior to the commencement of works in order to ensure a satisfactory appearance to the

development and to safeguard the character and appearance of this building of historical interest in accordance with policy BE.7 & BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

#### Condition 8

Prior to any above ground works associated with the new build elements of this development, full architectural details and where appropriate samples of the following (in relation to the new-build elements) shall be submitted to and approved by the local planning authority . The development shall be completed in accordance with the approved details and shall be similarly maintained thereafter:

- a) All external materials and finishes, including details of colour, profile and texture.
- b) 1:5 & 1:10 scale drawings of windows, external doors (including profiles and their reveals), oriel windows, parapets and their cappings
- c) Flues, vents, guttering and down pipes, including details of material and colour.
- f) Details of the bin and bike stores
- g) Details of all external meter boxes and their enclosures.

#### Reason

To ensure a satisfactory appearance to the development and to safeguard the setting of the building of historical interest in accordance with policy BE.7 & BE.29 of the Second Deposit City of Gloucester Local Plan (2002).

#### Condition 9

During the construction and demolition phase, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

#### Reason

To protect the amenity of local residents in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

#### Condition 10

No part of the development hereby permitted shall be occupied until precise details of the hard and soft landscaping to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in all respects not later than the first planting season following the first occupation of any part of the development or the completion of the development, whichever is the sooner.

#### Reason

To ensure a satisfactory and well planned appearance to the development in accordance with policy BE.7 of the Second Deposit City of Gloucester Local Plan (2002).

#### Condition 11

Notwithstanding the submitted drawings, no part of the development hereby permitted shall be occupied until the boundary treatments and means of enclosure to the site have been constructed in accordance with details which shall be submitted to and approved in writing by the local Planning Authority.

Reason

These details are not included in the application and are required to ensure a satisfactory appearance to the development and in accordance with policy BE.4 & BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 12

The pedestrian access hereby permitted shall be constructed in accordance with the submitted drawing no 13 Rev A and made available for use prior to the occupation of any dwelling on site.

Reason

To ensure that safe and suitable access can be supplied for all users that minimise conflicts between pedestrians, cyclists and traffic in accordance with Paragraph 35 of the NPPF.

Condition 13

The dwelling(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no.13 Rev A, and those facilities shall be maintained available thereafter.

Reason

To ensure safe, suitable and secure means of access for all people that minimises the conflict between traffic, cyclists and pedestrians is provided in accordance with Paragraph 35 of the NPPF.

Condition 14

The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan drawing no. 13 Rev.A and those facilities shall be maintained thereafter.

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 35 of the NPPF.

Condition 15

The development hereby permitted shall not be occupied until the bin stores have been made available for use in accordance with submitted drawing no 13 Rev.A and those facilities maintained thereafter.

Reason

To ensure that the waste bins do not impeded the free flow of pedestrian movements or enter the highway in accordance with Paragraph 35 of the NPPF.

#### Condition 16

No part of the development hereby permitted shall be occupied details of any external lighting to the building and car parking and public areas have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried in accordance with the approved details prior to the first occupation and shall be similarly maintained thereafter.

#### Reason

To ensure a satisfactory and well planned appearance to the development in accordance with policies BE.7, BE.21 & BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

#### Condition 17

No satellite dishes shall at any time be placed upon the principal listed building or the principal elevations of the new build properties hereby permitted.

#### Reason

To preserve character and appearance of the Conservation area and listed building and in accordance with Policies BE.22 and BE.29 Second Deposit City of Gloucester Local Plan (2002).

And any other conditions required by the LLFA.

### **Listed Building Consent – 15/00674/LBC**

#### Condition 1

The works hereby permitted shall be begun before the expiration of 18 months three years from the date of this consent.

#### Reason

To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Condition 2

The development hereby permitted shall be carried out in accordance with the approved submitted forms, supporting information and amended drawing nos.21416/10 Rev.A, 11 Rev.B, 13 Rev.A, 12 Rev.A, 14 Rev.B and 15 Rev.B received by the Local Planning Authority on 28th May 2015 as well as any other conditions attached to this permission.

#### Reason

To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within Second Deposit City of Gloucester Local Plan (2002).

### Condition 3

Notwithstanding the submitted details and prior to the commencement of any conversion works to the Listed Building, full architectural details and where appropriate samples of the following (in relation to the conversion works to the Listed Building part of the development) shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details prior to the occupation of the first flat and shall be similarly maintained thereafter: -

- a) All internal and external materials.
- b) Scaled drawings detailing methodology for blocking/opening of doorways and erection/removal of new partitions/walls.
- c) Details of the retention/repair/reinstatement of all historic skirting, cornice, door and window architraves, doors, windows, window shutters and wall panelling.
- d) Details of refurbishment for timber windows and internal window shutters  
Details of flues, vents, grilles, guttering and down pipes, including details of material and colour.
- e) Details of new pipe, cable and ventilation routes.
- f) The proposed methods for upgrading the property to meet the requirements of the Building Regulations for fire safety and sound insulation.
- g) Location and details of all meter boxes and their enclosures.

### Reason

The precise details of works to the listed building are required prior to the commencement of works in order to ensure a satisfactory appearance to the development and to safeguard the character and appearance of this building of historical interest in accordance with policy BE.7 & BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

### Condition 4

Prior to the commencement of development details of the materials and finishes to all external walls and roofs of the listed building shall be submitted to & approved in writing by the Local Planning Authority. Such works shall be undertaken in accordance with the details agreed and the materials/finishes shall not thereafter be changed without the prior written approval of the Local Planning Authority. All works of external repair, restoration and replacement are to exactly match the original features, unless otherwise agreed with the local planning authority in writing.

### Reason

To safeguard the character and appearance of this building of architectural and historical interest in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

### Condition 5

Before any work is undertaken in pursuance of the consent to demolish any part of the building, details shall be submitted to and approved in writing by the local planning authority of works to be undertaken during the progress of the development hereby

permitted to secure the safety and stability of that part of the building which is to be retained in accordance with any terms and conditions of this consent. The demolition shall then be carried out in accordance with the approved details.

**Reason**

To minimise the risk of damage to the existing building in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

**Condition 6**

All works of external repair, restoration and replacement to the listed building are to exactly match the original features and materials. Any re-pointing should be in a lime mortar and any replacement stone and/or brickwork shall be approved in writing by the local planning authority, and the works shall be undertaken in accordance with the approved details.

**Reason**

To safeguard the character and appearance of this building of historical interest in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

**Condition 7**

All historic fabric such as lath and plaster walls and ceilings, skirting, cornice, door architrave and doors, fire places and staircases shall be retained within the Listed building unless otherwise agreed in writing by the Local Planning Authority.

**Reason**

To safeguard the architectural and historical interest of the building in accordance with Policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

**Condition 8**

The City Conservation officer shall be notified in advance of any opening up works to identify if any historic features remain.

**Reason**

To safeguard the architectural and historical interest of the building in accordance with Policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).

**Condition 9**

The developer shall provide the City Council 7 days written notice of the date of the completion of the development to enable the building to be inspected and recorded by the City Council Conservation Officer.

**Reason**

To ensure compliance with the approved details and to safeguard the character and appearance of this building of special architectural or historical interest in accordance with policy BE.22 of the Second Deposit City of Gloucester Local Plan (2002).





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## ITEM 7

### WESTGATE LEISURE AREA

15/00145/DDD

#### Additional information

Since the report was written, additional information is now available in relation to consultee responses.

The County Council Highways have now confirmed that they raise no highway objection to the proposal, subject to conditions. They confirm that the additional information submitted about typical usage of similar BMX facilities indicates that vehicle movements can be safely accommodated. There is likely to be a need for additional parking for occasional larger events and they are satisfied that this could be addressed through agreeing a traffic management plan. This can be secured by planning condition. In addition they require vegetation alongside the highway which currently obscures views at the site access/exit point to be removed and the crown height of some trees to be raised, to ensure an acceptable visibility splay can be provided. This can also be secured by planning condition.

The Environment Agency are still considering the detailed calculations provided relating to levels. While they confirm they have no objections in principle and expect the details to be acceptable, they have been unable to confirm this in advance of Committee.

#### Conclusions

The issues referred to by Highways can be secured by condition. It is suggested that as the Environment Agency expect to be able to confirm they have no objections in the near future, then authority to issue permission is delegated to the Development Control Manager when they do respond.

#### REVISED RECOMMENDATION

That subject to the Environment Agency confirming they have no objections to the application, authority be delegated to the Development Control Manager to grant planning permission subject to conditions relating to the following matters:

- Commencement of development
- Contaminated land
- Approved drawings
- Land levels
- Provision of visibility splay at access point prior to use of BMX facility

- Submission of Traffic Management & Parking Plan prior to events involving greater than 50 vehicles at the BMX facility
- Any other conditions required by the Environment Agency