



PLANNING COMMITTEE

MEETING : Tuesday, 7th February 2017

PRESENT : Cllrs. Taylor (Chair), Lewis (Vice-Chair), Lugg, Hanman, Morgan, D. Brown, Dee, Hansdot, Toleman, J. Brown, Finnegan and Walford

Officers in Attendance

Mella McMahon, Development Control Manager

Nick Jonathan, Solicitor, One Legal

Adam Smith, Principal Planning Officer, Major Developments

Joann Meneaud, Principal Planning Officer

Ron Moss, Principal Planning Officer

Jamie Mattock, Highways Officer

Oliver Eden, Highways Officer GCC

Tony Wisdom, Democratic Services Officer

APOLOGIES : Cllr Fearn

93. DECLARATIONS OF INTEREST

Councillor Lugg declared a personal interest in application 14/00449/FUL – St Aldate Church as she had been involved in the site for a number of years.

Councillor Walford declared a Disclosable Pecuniary Interest in applications 16/01242/FUL and 16/01241/RM, University of Gloucestershire Oxstalls Campus due to the impact of the proposals upon his property.

94. MINUTES

The minutes of the meeting held on 10th January 2017 were confirmed and signed by the Chair as a correct record.

95. LATE MATERIAL

Members' attention was drawn to late material in respect of agenda items 6, 7 and 8.

96. ST ALDATES CHURCH, FINLAY ROAD - 14/00449/FUL

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Councillor Lugg having declared a personal interest withdrew to the Public Gallery during the consideration of this item.

The Principal Planning Officer presented her report which detailed an application for the demolition of the Church Hall and vicarage. Proposed residential development comprising of 12 one and two bedroom flats, 3 two bedroom houses, 6 three bedroom houses and 2 two bedroom bungalows. New vehicular access from Reservoir Road with associated parking at St Aldate's Church, Finlay Road.

She drew Members' attention to the late material which contained a consultation response from the Environmental Planning Manager and two additional representations.

Councillor Haigh, as Ward Member, addressed the Committee. She stated that at first there been a sense of loss within the community but the Church Hall was no longer in use. There was an awareness of the urgent need for additional affordable housing. She congratulated the White City community for finding a solution which had suited everybody.

Councillor Coole, as Ward Member, addressed the Committee. He stated that there was a need for good quality affordable homes in the ward. He noted that the Church Hall was a wooden structure which was no longer used and the Diocese would be providing a significant sum towards a new community facility.

Councillor Haigh advised that there was some community use of the church but it did not answer the needs of the Community.

Mr Tim Wade, Head of Development, Rooftop Housing Group Ltd, addressed the Committee in support of the application.

Mr Wade stated that the proposal was the result of much joint working and negotiations to deliver high quality affordable housing and a new community facility. He thanked Council officers and the Diocese for their assistance.

He noted that the mixed development of houses, flats and bungalows had received input from the South West Design Panel and Historic England and would also improve access to the Church and car park. The design had retained as many existing trees as possible and there would also be new planting. He noted that the window design for the homes was robust to counter noise from the roads.

Ms Dawn Adams, Director of the White City Community Interest Company, addressed the Committee in support of the application.

Ms Adams stated that the first reaction was the loss of another community facility and the Church Hall had been registered as an Asset of Community Value. There had been consultation to establish the need for a community facility and the Church building was not suitable for community use. She stated that the Diocese had gifted the proceeds of the sale for community use and she noted that it would be hard

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work to raise the balance of the funding. She stated that a five year plan was in place and should that fail to meet the target an alternative plan had been prepared.

The Vice Chair applauded the initiative of the local community but he expressed concern that vehicular access to the houses facing the road would involve people driving in and reversing out in to the road.

Councillor Morgan shared the Vice Chair's concern and he requested an update from the Highways Officer.

The Chair noted that people did tend to back out into that road but when traffic was queueing they were usually let into the traffic stream.

The Highways Officer stated that the trip generation had been calculated to be 10/12 vehicles in the peak hour. She noted that it was similar to many other roads in the City and had no fundamental concerns as there was direct access to the road and good visibility. She advised that the tracking exercise may require minor adjustment but that would not affect the delivery of the development or retention of trees.

Councillor Toleman questioned the need to demolish the vicarage. The Principal Planning Officer advised that Historic England had been consulted but the building had no official protection and its retention would have compromised the amount of development on the site.

The Chair welcomed the provision of 100 per cent affordable housing and he believed that the layout looked good and was sensitive to the existing trees and the Church building.

RESOLVED that planning permission be granted subject to the provisions in the report.

97. UNIVERSITY OF GLOUCESTERSHIRE, OXSTALLS LANE - 16/01242/FUL

Councillor Walford, having declared a Disclosable Pecuniary Interest withdrew from the body of the meeting and took no part in the consideration of this application.

The Principal Planning Officer presented his report which detailed an application for the variation of conditions 54, 57 and 59 of permission 15?01190/OUT to allow for the phased provision of car parking and the phased/amended provision of cycle parking relating to the phased implementation of the University Business School at the University of Gloucestershire, Oxstalls Lane.

He advised Members that the University was now intending to deliver the scheme in phases and were seeking a pro-rata reduction of parking relative to the phased provision of floorspace. He stated that this would be no different if the building had come forward as two separate applications and it would be unreasonable to resist the principle because the Authority would be requiring an unnecessary overprovision of parking for Phase 1.

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Stephen Marston, Vice Chancellor of the University, addressed the Committee in support of the application.

Mr Marston thanked the Committee for the opportunity to put the University's reasons for making the application. He stated that the University had reached an important milestone in its development with the creation of the Business School and provision of student accommodation.

He stated that these proposals were the result of two years' work and would bring benefits to the City with the students' spending and their contribution to the life of the City.

He noted that the application requested the variation of three conditions attached to the outline planning permission already granted. He explained that the conditions had been assessed on the size of the whole development and the University had subsequently decided to be prudent and to adopt a phased approach to the development and sought to match the provision of parking to the phasing of the development.

He confirmed that the University was fully committed to comply with all the conditions imposed.

The Chair believed that the application was a sensible approach to the development.

The Vice Chair concurred but noted the importance of mitigation to the junction of Oxstalls Lane and Cheltenham Road.

RESOLVED that planning permission be granted subject to the provisions in the report.

98. UNIVERSITY OF GLOUCESTERSHIRE, OXSTALLS LANE - 16/01241/REM

Councillor Walford, having declared a Disclosable Pecuniary Interest withdrew from the body of the meeting and took no part in the consideration of this application.

The Principal Planning Officer presented his report which detailed an application for the approval of reserved matters of appearance, landscaping, layout and scale for the Business School and Growth Hub pursuant to outline permission 15/01190/OUT at the University of Gloucestershire Oxstalls Campus.

He drew Members' attention to the late material which contained a revised recommendation.

Stephen Marston, Vice Chancellor of the University, addressed the Committee in support of the application.

Mr Marston stated that the development represented a great deal of work by architects to create an ideal environment. He advised that the University would come back with Phase 2 after Phase 1 had been completed.

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He stated that the University had responded to design concerns, the growth Hub was a great success and the allotment holders had agreed to the proposals.

He confirmed that the University would accept the proposed additional lighting condition.

Councillor Morgan believed that the proposals were exciting and would bring benefits to the City but he questioned the lack of reference to green energy.

The Chair noted that requirements for green energy measures were included in the forthcoming City Plan.

Councillor Brown noted that the footpath formed part of National Cycle Route 41 and he questioned the priority where vehicles crossed the route,

The Highways Officer noted that pedestrians and cycles would have priority and this would be achieved with additional road markings and appropriate signage.

RESOLVED that subject to receipt of an updated Proposed site layout plan to be consistent between plans as to the layout of the substation compound and surroundings, reserved matters approval is given subject to the conditions in the Committee Report with the following amended/new conditions:-

Amended approved plans condition

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

(Updated version of Proposed site layout ref. UoG ASL 00 00 DR A 0003 received by the Local Planning Authority on 25th January 2017 to ensure consistency across plans)

Level 00 Plan ref. OX ASL 00 00 DR A 0100 Rev. B received by the Local Planning Authority on 5th October 2016

Level 01 Plan ref. OX ASL 00 01 DR A 0101 Rev. B received by the Local Planning Authority on 5th October 2016

Level 02 Plan ref. OX ASL 00 02 DR A 0102 Rev. B received by the Local Planning Authority on 5th October 2016

Roof Plan ref. OX ASL 00 03 DR A 0103 Rev. C received by the Local Planning Authority on 5th October 2016

Elevation ref. OX ASL 00 XX DR A 0130 received by the Local Planning Authority on 5th October 2016

Elevation ref. OX ASL 00 XX DR A 0131 received by the Local Planning Authority on 5th October 2016

External works general arrangement: materials and finishes ref. OX ASL 00 XX DR L 0001 Rev. G received by the Local Planning Authority on 7th February 2017

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External works general arrangement: materials and finishes ref. OX ASL 00 XX DR L 0002 Rev. E received by the Local Planning Authority on 9th January 2017

External works planting plan (sheet 1) ref. OX ASL 00 XX DR L 0003 Rev. F received by the Local Planning Authority on 7th February 2017

External works planting plan (sheet 2) ref. OX ASL 00 XX DR L 0004 Rev. D received by the Local Planning Authority on 9th January 2017

External works planting schedule ref. OX ASL 00 XX DR L 0005 Rev. C received by the Local Planning Authority on 9th January 2017

External works typical sections sheet 1 ref. OX ASL 00 XX DR L 0006 Rev. C received by the Local Planning Authority on 9th January 2017

External works typical sections sheet 2 ref. OX ASL 00 XX DR L 0007 Rev. B received by the Local Planning Authority on 5th October 2016

External works cycle parking ref. OX ASL 00 XX DR L 0008 Rev. B received by the Local Planning Authority on 5th October 2016

External works pedestrian route through main car park ref. OX ASL 00 XX DR L 0009 Rev. B received by the Local Planning Authority on 25th January 2017

Crossing detail ref. UOG-ARP-00-XX-DR-C-1500 Issue 01 received by the Local Planning Authority on 5th October 2016 in respect of the signs and road surface lining

Sightlines to sustrans crossing ref. OX ASL 00 XX DR L 0019 Rev. A received by the Local Planning Authority on 7th February 2017 in respect of the visibility splays

External works. Ornamental planting plan ref. OX ASL 00 XX DR L 0014 Rev. B received by the Local Planning Authority on 7th February 2017

except where otherwise required by conditions of this approval.

Reason

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

Amended Condition regarding the visibility splay:

Prior to the proposed access road crossing National Cycle Route 41 being brought into use the emerging and forward visibility splays as shown on drawing OX_AS_L_00_XX_DR_L_0019 Rev A shall be provided and shall be kept clear of any obstruction and thereafter maintained so as to provide clear visibility between 0.26m and 2.0m above the adjacent carriageway level.

Reason

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for

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all people that minimises the conflict between traffic, cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

Full condition wording to control the car park lighting:

The light fixtures within the car park shown on plan ref D11-10749 Rev C shall not be brought into use until a strategy for their use has been submitted to and approved in writing by the Local Planning Authority. This strategy shall demonstrate an operational mechanism to ensure a reduced light emission after 2200hours and before 0700hours on any day (other than where a motion sensor type system is employed to provide a limited time period of heightened illumination for persons utilising the car park). The light fixtures within the car park shown on plan ref D11-10749 Rev C shall be operated only in accordance with the approved strategy.

Reason

To safeguard the amenities of the area in accordance with Policies FRP.9, FRP.10, FRP.11 and BE.21 of the 2002 City of Gloucester Second Deposit Local Plan, Policy SD15 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 17, 109, 120 and 123 of the NPPF.

Additional condition to secure details of the substation

The substation compound situated to the north of the public footpath shall only be constructed in accordance with precise details of its appearance shown in layout and elevation on scaled plans that have been submitted to and approved in writing by the Local Planning Authority.

Reason

To secure precise details and ensure that the design and appearance of supporting infrastructure is appropriate to the context in accordance with Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Submission Version November 2014, Paragraph 58 of the NPPF and Policy BE.7 of the Second Deposit City of Gloucester Local Plan 2002.

99. BARBICAN CAR PARK, LADYBELLEGATE STREET - 16/01525/FUL

The Principal Planning Officer presented his report which detailed an application for the re-development of the site for the construction of Phase 1 students' residences accommodation of 295 bedrooms, comprising studio flats, cluster flats and town houses, through the erection of new buildings and related/ancillary facilities, services and amenities, with associated works comprising access (including new pedestrian route from Ladybellegate Street to Barbican Road/Way), parking, hard and soft landscaping, public realm works, together with the creation and provision of temporary surface level car parking facility at Barbican car Park, Ladybellegate Street.

He drew Members' attention to the revisions to proposed conditions contained in the late material.

Mr Hilton McCarthy, Development Director of Cityheart Limited, addressed the Committee in support of the application.

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Mr McCarthy stated that the proposed development was on a key strategic site which would help stimulate the City economy and support the University's ambitions for growth.

He noted that the application was a result of collaboration and designed to respect the historic setting and the Conservation Area. He stated that the site was constrained by its setting and the surrounding archaeology and the proposals would not have an adverse impact.

He believed that the accommodation would attract students to Gloucester and would be controlled through tenancy agreements.

He believed that the site would act as a catalyst for economic regeneration and Phase 2 would deliver a further two hundred units of student accommodation built over the car park.

Councillor Dee noted that Barbican Road was the only comparatively level pedestrian route between the Docks and the City centre.

Councillor Lugg supported the application and asked if the Police had been consulted regarding the proposed pedestrianisation of the end of Barbican Road. The Highways Officer stated that the police had not yet been consulted although they would be if a Traffic Order was required. He noted that should the police require access this could be accommodated.

Councillor Morgan welcomed the scheme but believed the proposed design for Block A, the block nearest Commercial Road, was appalling.

Councillor Toleman expressed concern at the loss of public car parking. He was advised that the current public car park had only been intended as a temporary use as it was situated in a Conservation Area. He was advised that the University strategy required students to park at least three kilometres away.

Councillor D. Brown was advised that relocation of the coach drop off point would result in the loss of a couple of on-street parking places. He enquired about the right of way for National Cycle Route 41 and was advised that the details had not been finalised but national guidance stated that pedestrians and cyclists should have priority. This was the aim but the Highways Officer was unable to make a commitment at the present time.

The Vice Chair believed that Block A was similar to other buildings on Commercial Road and a great improvement over the existing use. He believed that the proposals mirrored the historic architecture of the Docks with an inner city look and provided a fantastic linkage between the Docks and the City Centre.

RESOLVED that planning permission be granted subject to the following conditions:-

Time limit
Condition 1

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The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Plans

Condition 2

The development hereby permitted shall be carried out in accordance with the following approved drawings received on 3rd December 2016

1. Location Plan Drawing no : 3348-FBA-00-00DR-A-05_10-11 P1.1
2. Proposed Site Plan Drawing No: 3348-FBA-00-XX-DR-A-05_10-00 P1.1
3. Block A Level 0 and 1 Plan Drawing no: 3348-FBA-A-XX-DR-A-00_10-000 P1.1
4. Block B Level 0 and 1 Plan Drawing no: 3348-FBA-B-XX-DR-A-00_10-000 P1.1
5. Block B Level 2 and 3 Plan Drawing no: 3348-FBA-B-XX-DR-A-00_10-100 P1.1
6. Circulation Strategy and Site Security Drawing no. N554-ONE-00-XX-SK-L-1002 Rev P01
7. Proposed Masterplan Drawing no. 3348-FBA- 00-XX-DR-A-O5_10-00P1.1

And in accordance with the following approved drawings received on 23rd January 2017

8. Proposed Site Section Drawings no: 3348-FBA-00-XX-DR-A-05_10-16 P1.2
9. Proposed Site Section Drawings no: 3348-FBA-00-XX-DR-A-05_10-17 P1.2
10. Block A Level 2 and 3 Plan Drawing no: 3348-FBA-A-XX-DR-A-00_10-100 P1.2
11. Block A Level Roof Plan Drawing no: 3348-FBA-A-XX-DR-A-00_10-200 P1.2
12. Block A Sections A Drawing no: 3348-FBA-A-XX-DR-A-00_10-01 P1.2
13. Block A Elevations Drawing no: 3348-FBA-A-XX-DR-A-00_10-51 P1.2
14. Block B Level 4 and Roof Plan Drawing no: 3348-FBA-B-XX-DR-A-00_10-200 P1.2
15. Block B Sections Drawing no: 3348-FBA-B-XX-DR-A-00_10-01 P1.2
16. Block B Elevations Drawing no: 3348-FBA-B-XX-DR-A-00_10-51 P1.2
17. Hard and Soft Landscaping Arrangement Drawing no. N554-ONE-00-XX-DR-L-1001 Rev P02
18. Block C Level 0 & 1 Plan 3348-FBA-C-XX-DR-A-00_10-000 P1.1
19. Block C Level 2 & 3 Plan 3348-FBA-C-XX-DR-A-00_10-100 P1.2
20. Block C Level Roof Plan 3348-FBA-C-XX-DR-A-00_10-200 P1.2
21. Block C Sections 3348-FBA-C-XX-DR-A-00_10-01 P1.1 P1.2
22. Block C Elevations 3348-FBA-C-XX-DR-A-00_10-51 P1.2
23. Block D Plans 3348-FBA-D-XX-DR-A-00_10-000 P1.2
24. Block D Sections 3348-FBA-D-XX-DR-A-00_10-01 P1.2
25. Block D Elevations 3348-FBA-D-XX-DR-A-00_10-51 P1.2

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**26. Block E Plans, Sections & Elevations 3348-FBA-E-XX-DR-A-00_10-000
P1.1**

And in accordance with the following approved documents received on 18th January 2017

1. Arboricultural Impact Assessment
2. Noise Assessment Report
3. Flood Risk Assessment
4. Ecological Appraisal
5. University of Gloucester Management Plan
6. Habitat Regulations Assessment

Reason

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

Archaeology

Condition 3

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

Reason: 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 shall commence until a methodology for public outreach and engagement has been submitted by the applicant and approved in writing by the Local Planning Authority. Outreach and engagement works shall only take place in accordance with the approved methodology.'

Reason: To make evidence on heritage assets lost (wholly or in part) by the development publicly available in accordance with paragraph 141 of the National Planning Policy Framework.

Condition 5

No development shall commence 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

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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 6

No development shall commence until a detailed methodology for all groundworks on site has been submitted by the applicant and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved methodology.

Reason

The site contains significant heritage assets. The Council requires that disturbance or damage by groundworks and landscaping 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.

Environmental Protection

Condition 7

No demolition or construction works shall be carried out outside the following hours:

Monday to Friday – 0800 to 1800 hours

Saturday – 0800 to 1300 hours

No such works shall be carried out on Sundays, Public or Bank Holidays.

Reason

To safeguard the amenities of the area, having regard to Policy BE.21 of the Gloucester Local Plan, Second Stage Deposit 2002.

Condition 8

No burning of materials/substances during construction phase - No materials or substances shall be burnt within the application site during the construction phase.

Reason

To safeguard the amenities of the area and prevent pollution in accordance with policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 9

The proposed development hereby permitted shall be designed and built in accordance with the summary and conclusions of the submitted noise report received on 3rd December 2016

Reason

To protect the residential amenities of the future occupiers of the properties in accordance with policy H4 of the Second Deposit City of Gloucester Local Plan (2002)

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Condition 10

No construction of the proposed student blocks A, B,C and D shall take place on site until details of a noise attenuation scheme to suppress the noise from the neighbouring electricity substation has been first submitted to and approved in writing by the Local Planning Authority. The use approved hereby approved shall not commence on site unless the noise attenuation scheme has been implemented in accordance with the approved details and it shall be retained as such at all times.

Reason

To safeguard the amenity of the student occupiers in accordance with Policy BE21 of the Second Deposit City of Gloucester Local Plan (2002)

Condition 11

The site shall be managed at all times in accordance with the University of Gloucestershire Operational Management Plan Version Number 2, unless otherwise agreed in writing with the LPA, and an agreed updated version of the Operational Management Plan be implemented

Reason

To safeguard the amenities of the area, having regard to Policy BE.21 of the Gloucester Local Plan, Second Stage Deposit 2002.

Condition 12

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 a suitable construction vehicle access;
- III. provide for the parking of vehicles of site operatives and visitors;
- IV. provide for the loading and unloading of plant and materials;
- V. provide for the storage of plant and materials used in constructing the development;
- VI. provide for wheel washing facilities;
- VII. specify the intended hours of construction operations;
- VIII. provide measures to control the emission of dust and dirt during the demolition and construction phases from ground works, haul roads, stockpiles and material handling/removal;
- IX. provide details of light from security compounds;
- X. provide for the storage of waste.

Reason

To ensure that appropriate measures are in place prior to the commencement of development 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 and to safeguard residential amenity and prevent pollution in accordance with policies TR.31 and BE.21 of the Second Deposit City of Gloucester Local Plan.

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Highways

Condition 13

The proposed car park access shall not be brought in to use until a scheme to restrict the vehicle use of Barbican Road and provide safe pedestrian and cyclist movement at the car park access has been completed in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that safe and suitable access to the site would be provided and to prioritise pedestrian and cycle movements in accordance with paragraphs 32 and 35 of the National Planning Policy Framework

Condition 14

The student study bedrooms comprised in the development shall not be occupied until the wording of a clause in the tenancy agreement under which all of the study bedrooms are to be occupied restricting students resident at the premises (other than those registered disabled or other reasonable exceptions to be specified) from bringing or keeping a motor vehicle in the city has been submitted to and approved in writing by the Local Planning Authority and the study bedrooms shall only be let on tenancies which include that clause.

Reason

In accordance with the applicants' stated position and to ensure that the development does not generate a level of vehicular parking that would be prejudicial to highway safety, in accordance with Policy TR.31 of the 2002 Second Deposit City of Gloucester Local Plan, Policies INF1 and INF2 of the Joint Core Strategy Pre-Submission Document 2014 and the NPPF.

Condition 15

Prior to the development being brought in to use a pedestrian crossing facility on Ladybellegate street shall be provided in accordance with details which have been previously submitted to and agreed in writing by the Local Planning Authority. The facility shall thereafter be retained in accordance with the approved details

Reason

To ensure safe pedestrian access and opportunities for sustainable transport in accordance with paragraph 32 of the National Planning Policy Framework

Condition 16

Prior to the development being brought into use or opened to the public, the proposed pedestrian street and associated infrastructure shall be completed in accordance with submitted drawing 3348-FBA-XX-DR-A-05-10.00P1.1

Reason

To ensure a safe and secure layout for pedestrians in accordance with paragraphs 32 and 35 of the National Planning Policy Framework

Condition 17

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Prior to the buildings hereby being brought in to use the vehicle access and egress from Commercial Road and Ladybellegate Street respectively shall be completed in accordance with the approved details and shall remain in use for the duration of the development

Reason

To ensure a safe and secure layout for vehicle movements in accordance with paragraphs 32 of the National Planning Policy Framework and Policy TR.31 of the Gloucester Local Plan, Second Stage Deposit 2002.

Condition 18

The development hereby approved shall not be occupied until the covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times

Reason

To ensure adequate provision and availability of cycle parking, having regard to Policy TR.33 of the Gloucester Local Plan, Second Stage Deposit 2002.

Condition 19

No work shall start on the construction of buildings until details and a programme of implementation for the external access platform to be positioned at the eastern end of the pedestrian street adjacent to Ladybellegate Street have been submitted to and approved in writing by the Local Planning Authority. The external access platform shall be installed in accordance with the approved details and programme of implementation and thereafter retained in good working order.

To ensure a safe and accessible route for pedestrians in accordance with paragraphs 32 and 35 of the National Planning Policy Framework "

Condition 20

No occupation of the student accommodation shall take place until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Green

Travel Plan shall incorporate the following:

- A.** Objectives and targets for reducing private car use
- B.** Measures to promote sustainable transports
- C.** Mechanisms for monitoring and review
- D.** Appointment and funding of a travel plan coordinator,
- E.** Means of funding of the travel plan, and;
- F.** Implementation timetable including the responsible body for each action

The approved travel plan shall be implemented in accordance with the approved details and implementation timetable.

Reason

To promote sustainable travel patterns, having regard to Policy TR.1 of the Gloucester Local Plan, Second Stage Deposit 2002.

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Condition 21

The pedestrian street shown on the approved drawings shall remain open to the public at all times.

Reason

To ensure good pedestrian access in accordance with paragraph 32 of the National Planning Policy Framework

Materials

Condition 22

No construction shall take place or external surfacing materials installed until details or samples of all materials to be used for built structures, landscaping and the public realm have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the materials harmonise with the surroundings in accordance with policy BE.20 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 23

Notwithstanding the approved drawings, no work shall start on the construction of buildings until details of the following shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details:-

- A.** Scaled drawings at 1:10 for window recesses, brick and panel details
- B.** Scaled drawings at 1:5 or 1:10 for boundary wall and railings
- C.** Scaled drawings for parapet and gable details
- D.** Scaled drawings and details for the installation of rainwater goods
- E.** Details of ventilation flues and grills
- F.** Details of safety measures for roof access
- G.** Details of seagull prevention
- H.** Details of meter boxes and external cabling
- I.** Parapet and gable finishing details

Reason

To ensure the satisfactory appearance of the development in accordance with policy BE.20 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 24

Prior to the commencement of development (with the exclusion of groundworks), a detailed plan, showing the levels of the existing site, the proposed levels of the site, the proposed slab levels of the buildings approved and a datum point outside of the site, shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

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In order to define the permission and ensure that the development is of a scale and height appropriate to the site in accordance with policy BE.1 of the Second Deposit City of Gloucester Local Plan (2002).

Landscaping

Condition 25

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site until a hard and soft landscaping scheme, to include tree planting along the Barbican Road boundary, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include species, size, position and method of planting of all new trees and shrubs and a programme of implementation.

Reason

In the interests of the character and appearance of the area, having regard to Policy BE.12 of the Gloucester Local Plan, Second Stage Deposit 2002.

Condition 26

Prior to first occupation of the development, a site management plan, including long term design objectives, management responsibilities and maintenance schedules for all hard and soft landscape areas, including the pedestrian street and access lift, shall be submitted to and approved in writing by the local planning authority . The site management plan shall be carried out as approved.

Reason

In the interests of visual and residential amenity in accordance with policies BE4 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 27

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with the approved programme of implementation. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defects period.

Reason

In order to protect the visual amenities of the area in accordance with policies BE4 and BE.12 of the Second Deposit City of Gloucester Local Plan (2002).

Drainage

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Condition 28

No development shall commence on site until a detailed design for the surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The on-site attenuation shall be designed using a 40% uplift on rainfall to allow for climate change. If an alternative surface water drainage strategy is required, it must be re-submitted to and approved by the Local Planning Authority before development commences. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put in to use.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding, and to accord with policy FRP.6 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 29

No part of the development hereby approved shall be occupied/put in to use until a scheme for the maintenance of all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation. The approved SuDS maintenance scheme shall be carried out in accordance with the approved details.

Reason

To ensure the continued operation and maintenance of drainage features serving the site and avoid the increase of flood risk to the site and elsewhere.

Condition 30

Prior to the commencement of the development details of the proposed foul water drainage arrangements shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first use of the buildings hereby permitted.

Reason

In order to ensure that satisfactory foul drainage arrangements are provided in accordance with policy FRP.6 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 31

Details of any floodlighting /external lighting proposed to illuminate the development, shall be submitted to and approved in writing by the local planning authority before the buildings are occupied. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason

To safeguard local amenities in accordance with policies FRP.9 and SR.3 of the Second Deposit City of Gloucester Local Plan (2002).

Waste Management

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Condition 32

Prior to the occupation of the buildings the refuse recycling and storage provision as shown on the approved plan shall be implemented and thereafter retained for the life of the development

Reason

In the interests of amenity in accordance with policy BE.4 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 33

Prior to the construction of the development a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be in place for the duration of the construction of the management plan.

Reason:

For the minimisation of waste and to accord with Policy SD4 of the Joint Core Strategy version 2104

Contaminated Land

Condition 34

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 A to D 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 D has been complied with in relation to that contamination.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works 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 FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

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Condition 35

A. Site Characterisation

An 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,
 - archaeological 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'

Reason

To ensure that appropriate measures are in place prior to the commencement of any works 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 FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 36

B. 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, 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.

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The scheme must accord with the provisions of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works 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 FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 37

C. 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 (referred to elsewhere 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.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works 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 FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 38

D. 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 A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part B, 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

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approval in writing of the Local Planning Authority in accordance with part C.

Reason

To ensure that appropriate measures are in place prior to the commencement of any works 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 FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 39

E. 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 appropriate measures are in place prior to the commencement of any works 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 FRP.15 of the Second Deposit City of Gloucester Local Plan (2002).

Ecology

Condition 40

Prior to first occupation of the development, details shall be submitted providing the specification and location for bird and bat boxes. The boxes shall be provided in accordance with the approved details prior to the occupation of the building hereby approved.

Reason

To secure biodiversity mitigation and enhancement in accordance with Policy B.8 of the City of Gloucester Second Deposit Local Plan 2002, Policy SD10 of the Joint Core Strategy Pre-Submission Document 2014 and Paragraphs 109 and 118 of the NPPF.

Note 1

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Guidance on SUDS can be found in the Council's Adopted Supplementary Planning Guidance (SPG) 2001 and Ciria Document C696.

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100. DELEGATED DECISIONS

Consideration was given to a schedule of applications determined under delegated powers during the month of December 2016.

RESOLVED that the schedule be noted.

101. DATE OF NEXT MEETING

Tuesday, 7th March 2017 at 6.00pm.

Time of commencement: 6.00 pm

Time of conclusion: 8.30 pm

Chair